

MERTHYR TYDFIL COUNTY BOROUGH COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)
The Town and Country Planning (Development Management Procedure)
(Wales) Order 2012 (as amended)

FULL PLANNING PERMISSION

To: Mr Lee Roberts c/o Mr Sam Courtney LRM Planning Ltd. 22 Cathedral Road Cardiff CF11 9LJ

WHEREAS you submitted an application on the 18th August 2025 to develop: Land Adjacent To Hillcrest And Mitchell Crescent Penydarren Merthyr Tydfil CF47 9JF short particulars of the application being as follows:-

Name of the Applicant

Mr Lee Roberts
Merthyr Housing Association
22 Cathedral Road
Cardiff
CF11 9LJ

Description of Proposed Development

Residential development comprising 47 homes, landscaping, informal open space and associated engineering works. (Full)

The Council in pursuance of its powers under the above mentioned Act and Order hereby **GRANTS PERMISSION** for the carrying out of the proposed development as described above and in accordance with the application and plans (if any) submitted with the application subject to compliance with the following conditions.

CONDITIONS

Please see attached.

Date: 5th February 2026

Signed:



(Director of Neighbourhood Services)

**IT IS IMPORTANT THAT YOU READ
THE NOTES ATTACHED TO THIS FORM**

CONDITIONS

- 1 The development shall begin not later than five years from the date of this decision.

Reason - To comply with Section 91 of the Town and Country Planning Act 1990.

- 2 The development shall be carried out in accordance with the following approved plans and documents:

Site Location Plan - Dwg No. 0001 S4 Rev P2
Proposed Site Plan (Roof Plan) - Dwg No. 1000 S4 Rev P14
Proposed Site Plan (Tier One) - Dwg No. 1001 S4 Rev P7
Proposed Site Plan (Tier Two) - Dwg No. 1002 S4 Rev P8
Proposed Site Plan (Tier Three) - Dwg No. 1003 S4 Rev P8
Type A + B 1B2P (LFG Flat) & Type B 2B4P (UGF House Type) - Dwg No. 2000 S4 Rev P5
Type C 1B2P Walkup Flats Floor Plans and Elevations - Dwg No. 2100 S4 Rev P4
Type D 2B3P (Assisted Bungalow) - Dwg No. 2200 S4 Rev P5
Type E 2B4P (House Type) End Type - Dwg No. 2300 S4 Rev P5
Type E 2B4P (House Type) Mid Type - Dwg No. 2310 S4 Rev P4
Type G 3B5P (House Type) - Dwg No. 2500 S4 Rev P5
Type F 2B3P (Mews House Type) End Type - Dwg No. 2410 S4 Rev P4
Type F 2B3P (Mews House Type) Mid Type - Dwg No. 2400 S4 Rev P4
Brick Type Key Plan - Dwg No. 1011 S3 Rev P2
Proposed Site Sections - Dwg No. 0005 S4 Rev P1
Proposed Highway Adoption Extents - Dwg No. 509 Rev A
Engineering Sheet 1 of 2 - Dwg No. 100-1 Rev E
Engineering Sheet 2 of 2 - Dwg No. 100-2 Rev E
Detailed Soft landscaping Proposals - Dwg No. TDA.3019.02(A)
Landscape Specification and Management Plan (Updated November 2025)
Green Infrastructure Statement (Updated November 2025)
Ecological Impact Assessment V3.0
Preliminary Ecological Assessment V1.0
Reptile Survey Report V1.0
Geotechnical and Geoenvironmental Report (Ref 200625-17412-03)

Reason -To ensure compliance with the approved plans and clearly define the scope of the permission.

- 3 Demolition, remediation and construction works shall not take place outside the hours of 08:00 to 18:00 Mondays to Fridays and 09:00 to 14:00 on Saturdays and at no time on Sundays or Public Holidays.

Reason - To ensure that the noise emitted/activities are not a source of nuisance to occupants of nearby properties in accordance with Policies SW11 and EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 4 **No development, including site clearance**, shall commence until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The CTMP should include:

- The means of access into the site for all construction traffic,
- The parking of vehicles of site operatives and visitors,
- The management of vehicular and pedestrian traffic,
- Loading and unloading of plant and materials,
- Storage of plant and materials used in constructing the development,
- Wheel cleansing facilities,
- Dust suppression and monitoring,
- The sheeting of lorries leaving the site.

The CTMP shall be implemented as approved during the site preparation and construction phases of the development.

Reason - To ensure necessary management measures are implemented during construction and to accord with Policies SW11 and EnW4 of the Merthyr Tydfil Replacement Local Development Plan.

- 5 **Prior to any construction works commencing on site** details, including structural calculations and facing materials, of any retaining wall which exceeds 1 metre in height shall be submitted to and approved in writing by the Local Planning Authority. The walls shall be completed in accordance with the approved details.

Reason - In the interest of safety and visual amenity in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 6 **Prior to the occupation of any residential unit** hereby approved, a plan indicating the positions, height, design, materials and type of boundary treatment to be erected shall be submitted to and approved by the local planning authority. The boundary treatment shall be completed as approved prior to the occupation of the respective residential unit.

Reason - To ensure that the new development will be visually attractive and boundaries protected in the interests of amenity in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 7 All planting, seeding or turfing comprised in the approved details of landscaping (Dwg No. TDA.3019.02 A) shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner and managed in accordance with the Landscape Specification & management Plan. If any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason - To ensure that the new development will be visually attractive in the interests of amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 8 **Prior to the occupation of any residential unit hereby approved**, a hard-landscaping scheme setting out the details/samples of the material finishes for any hard surfaced areas and street furniture that form part of the areas of public open space and shared surfaced areas, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason - To ensure that the new development will be visually attractive in the interests of amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 9 **Before any site clearance works commence on site**, an Invasive Non-Native Species (INNS) Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Invasive Non-native Species Strategy shall be fully implemented in accordance with the approved details prior to the commencement of any works.

Reason - To prevent the spread and ensure the eradication of highly invasive species to accord with Policy EnW4 of the Merthyr Tydfil County Borough Replacement Local Development Plan.

- 10 **Prior to the installation of any external lighting**, a detailed lighting scheme that conforms to current best practice lighting guidance, shall be submitted to and approved in writing by the local planning authority to protect bat foraging/commuting areas. The details shall include, but not be limited to:

- horizontal and vertical illuminance plans demonstrating dark corridors/routes to be maintained around and through the site, linking up to adjacent offsite dark areas, together with dark routes for access to any bat boxes and connectivity to nearby foraging areas;
- details of the siting and type of external lighting to be used together with the proposed colour temperatures;
- Isolux drawings setting out the light spillage in key sensitive areas;

The lighting scheme shall be carried out in accordance with the approved details.

Reason - To protect the natural environment and important habitats in accordance with Policies EnW1, EnW2 and EnW3 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 11 **No development shall take place**, including any ground works or vegetation clearance, until a Construction Environmental Management Plan - Biodiversity (CEMP-B) has been submitted to and approved in writing by the local planning authority. The CEMP-B will include, but not be limited to:

- A risk assessment of potentially damaging construction-type activities;
- Identification of biodiversity protection zones and areas where invasive species have been identified;
- A Precautionary Working Method Statement (PWMS) for bats, reptiles, hedgehog and nesting birds;
- Identification of practical measures, both physical measures and sensitive working practices to avoid impacts during development;
- The location and timing of sensitive works to avoid harm to biodiversity features;
- Biodiversity management details of tree and hedgerow protection, species and habitat protection, avoidance and mitigation measures;
- Use of exclusion fences, protective barriers and warning signs;
- Cross referencing with other relevant ecological documents; and
- Details of the responsible person to ensure compliance with the CEMP-B.

Reason - To protect the natural environment and important habitats in accordance with Policies EnW1 and EnW2 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 12 **Prior to construction works commencing on site** details of the proposed biodiversity/ecological enhancements shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the following:

- updated elevations to illustrate the location of the integrated bird and bat boxes;
- details of the proposed reptile hibernacula;
- details of invertebrate boxes (must be made of a woodcrete rather than timber);
- details for the provision of gaps in boundaries for passage of hedgehogs and other species; and
- a timescale for its implementation.

The enhancements must be clearly mark on the relevant plans, drawings and elevations and used to inform the lighting scheme for the development and ensure wildlife boxes are not illuminated. The development shall be carried out in accordance with the approved details.

Reason - To protect the natural environment and important habitats in accordance with Policies EnW1 and EnW2 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 13 **Prior to the occupation of any residential unit**, details for the construction of a 2m wide footway along the boundaries of the site with Hillcrest and Mitchell Crescent shall be submitted to and approved in writing by the local planning authority. The footway shall be carried out in accordance with the approved details and completed prior to the occupation of any residential unit.

Reason - In the interests of highway safety in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 14 **Prior to the occupation of the residential units**, details for the provision of cycle parking facilities shall be submitted to and approved in writing by the local planning authority. The cycle facilities shall be implemented in accordance with the approved details prior to the occupation of the residential units.

Reason - To ensure there is adequate facilities provided to encourage sustainable modes of transport, to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 15 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.

Reason - To ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks, to accord with Policy EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 16 **Prior to the occupation of any residential unit** a scheme for the submission of verification reports across the development to demonstrate the completion of the remedial mitigation measures, as set out in the Geotechnical and Geoenvironmental Report (Ref 200625-17412-03), including capping soils in private gardens and public open spaces, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason - To ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, to accord with Policy EnW4 of the Merthyr tydfil County Borough Replacement Local Development Plan.

- 17 **Prior to commencement of development** a scheme for the provision of affordable housing as part of the development shall be submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of TAN 2 or any future guidance that replaces it. The scheme shall include:

- i) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 10% of housing units/bed spaces;
- ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- iii) the arrangements for the transfer of the affordable housing to an affordable housing provider [or the management of the affordable housing (if no RSL involved)];
- iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason - To ensure an appropriate level of affordable housing is delivered in accordance with Policies SW2, SW9 and SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

INFORMATIVES

1. The applicant should be made aware that the proposed scheme will require a highway agreement and should therefore contact the council's Highway Development Control Team regarding the approval of a Section 38 Agreement in relation to any of the proposed construction of the proposed adopted highway and the approval of a Section 278 Agreement in relation to any of the proposed construction on the existing adopted highway. This must be obtained separate to this planning permission.
2. The applicant is advised, under the Schedule 3 of the Flood and Water management Act 2010, to contact the Sustainable Drainage Approval Body (SAB) in regards of any separate permissions necessary for the sustainable management of on-site surface water. Further details can be found on the Council's website www.merthyr.gov.uk

The applicant is advised to contact Dwr Cymru Welsh Water as part of their SAB application in respect of any surface water connections to the existing sewer system.

3. This planning permission does not provide consent to undertake works that require a European Protected Species (EPS) licence. All bats and their roosts are protected under UK and European legislation. It is an offence to deliberately kill, injure, capture or disturb a bat or to recklessly damage or destroy their breeding sites or resting places.

If works are planned on a building/tree in which bats are found to be roosting, Natural Resources Wales (NRW) must be contacted. on 0300 065 3000 or at <https://naturalresources.wales/permits-and-permissions/species-licensing/apply-for-a-protected-species-licence/bat-licences/?lang=en>.

If work has already commenced and bats are found, or if any evidence that bats are using the site as a roost is found, work should cease and NRW should be contacted immediately.

Under these circumstances, an EPS licence is likely to be required to undertake the works within the law.

4. All birds, their nests and eggs are protected by law under the Wildlife and Countryside Act 1981 (as amended) while they are breeding.

If works to any trees, hedgerows and/or other nesting bird habitat (including buildings with suitable features) are to be undertaken, they will take place outside of the bird nesting season. If the works must be undertaken during the nesting season (generally from 1st March until 31st August, although birds are known to nest outside of these dates in suitable conditions), a breeding bird survey will be required and must be carried out by a suitably qualified ecologist. Any active nests identified will be protected until the young have fledged.

Where a Schedule 1 species (as defined in the Wildlife and Countryside Act - <https://www.legislation.gov.uk/ukpga/1981/69/schedule/1> is involved, compensation for impacts, e.g., loss of nesting sites, will be devised and implemented.

NOTES

Your attention is drawn to the following:-

Appeals to the Planning & Environment Decisions Wales:

- If you are aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Planning & Environment Decisions Wales under Section 78 of the Town and Country Planning Act 1990 (as amended).
- If you want to appeal, then you must do so within **six months** of the date of this notice, using a form which you can get from Planning & Environment Decisions Wales, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ. Alternatively you can use Planning & Environment Decisions Wales website (www.gov.wales/planningappeal) to complete your appeal.
- The Planning & Environment Decisions Wales can allow a longer period of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Planning & Environment Decisions Wales need not consider an appeal if it seems that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any Development Order and to any directions given under a Development Order.
- In practice, the Planning & Environment Decisions Wales does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by them.

Purchase Notices:

- If either the Local Planning Authority or Planning & Environment Decisions Wales refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonable beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a Purchase Notice on the Council. This notice will require the Council to purchase his/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 (as amended).

PLEASE NOTE: THIS NOTICE RELATES ONLY TO A PLANNING DECISION AND DOES NOT RELATE TO OTHER LEGISLATION INCLUDING ANY LEGISLATION UNDER:

BUILDING REGULATIONS
LISTED BUILDING LEGISLATION
HIGHWAY LEGISLATION

IF PLANNING PERMISSION HAS BEEN GRANTED IT IS ADVISABLE TO ESTABLISH WHETHER ANY OTHER FORM OF CONSENT IS REQUIRED AND TO OBTAIN SUCH CONSENT BEFORE COMMENCING DEVELOPMENT

Please quote the application number in all correspondence.