

DELEGATED REPORT

Application No:	P/24/0200
Site Address:	Land To The South Of Cyfarthfa Retail Park Swansea Road Merthyr Tydfil
Development:	Erection of Coffee Shop with drive thru facility
Case Officer:	David Cross
Site Visit:	30th August 2024
Application Expiry Date:	10th October 2024
Consultation reply date expired:	20th September 2024

APPLICATION SITE

This application relates to an area of land measuring approximately 0.17 of a hectare situated to the south of Cyfarthfa Retail Park. The site comprises an area of vacant land which slopes down from north to south. Previously the land was covered with a number of trees that have since been cleared to expose the site for development which now comprises of scrub vegetation. The site is bound to the north-east by a road that links a roundabout to the north-west (serving Cyfarthfa Retail Park) and a roundabout to the south-east. To the south is the main highway serving the residential area of Heolgerrig to the west. Along the south-west boundary of the site is an adjoining pedestrian/cycle route and beyond this is the A470 trunk road.

PROPOSED DEVELOPMENT

Planning permission is sought for the construction of a coffee shop with drive-thru facilities and associated car park, service area and landscaping. The coffee shop would be located within the north-west half of the site and the proposed car park would occupy the remaining area of the site to the south-east. The coffee shop would be orientated to have a key frontage overlooking the car park and the drive-thru service area would be located on the north-east elevation of the building. A small enclosed service area would be provided to the rear (north-west) of the building.

The proposed coffee shop would have an internal floor space of 167sqm and would be a single storey building with a shallow single pitched roof design. The external material finishes would comprise a combination of render and cladding on the elevations with glazing along part of the front and side elevations. The flat roof would comprise of pressed metal flashings.

Access to the car park would be from the link road to the north-east. The car park would provide a total of 15 parking spaces with a one-way route around the coffee shop to serve the drive-thru facilities.

The landscaping scheme would comprise a mixture of native hedge planting, ornamental shrubs and tree planting in the north-west and south-east parts of the site. Due to the sloping nature of the site, some retaining walls would be constructed alongside parts of the car park and the drive-thru access, which would include a grey stone faced wall along the south-west boundary.

PLANNING HISTORY

P/23/0254 - Variation of condition 1 of planning permission P/18/0399 (relating to a new coffee shop with drive thru) to extend the period of time for development to commence by a further 5 years (renewal).

Permission granted on 01.05.2024

P/18/0399 - Erection of a coffee shop (use class A1/A3) with drive-thru facilities and associated car parking, service area and landscaping.

Permission granted on 02.05.2019

CONSULTATION

Head of Engineering and Highways - No objection however further detail required in respect of traffic/delivery management.

Planning Policy Officer - No objection

Planning Ecologist - No objection subject to conditions relating to management plans, invasive species and external lighting.

Environmental Health Manager - No objection subject to conditions relating to construction hours and dust/waste management.

Welsh Water - No objection subject to a condition relating to surface water and land drainage.

Welsh Government Highways - No objection, although comments raised in respect of glare from external lighting.

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, a site notice was displayed within the vicinity of the site. No representations were received following this publicity exercise.

POLICY CONTEXT

The following policies are relevant in the determination of this application:

National planning policy

Future Wales – The National Plan 2040: sets out a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities.

Policy 6 – Town Centre First, states: *‘To breathe new life into town centres, the Welsh Government has adopted a ‘Town Centre First’ approach. This puts the health and vibrancy of town centres as the starting point of locational decision-making. It also directs facilities and services to where intended users can easily walk, cycle and/or use public transport to access them.’*

This policy considers town centres are the most accessible parts of our towns and should be the focus of growth and regeneration. Such areas remain a focal point for communities and provide a hub for a variety of uses alongside retail.

Whilst policy 6 applies to development of a significant scale (defined broadly, where a facility will serve a town, city or region-wide catchment), it is also recognised that planning authorities are encouraged to take a similar approach for smaller developments.

Planning Policy Wales (PPW), Edition 12, February 2024:

Section 3.5 – 3.15 set out the importance of high quality design to ensure inclusive design, to promote environmental sustainability and ensure high environmental quality. Regard should also be given to the special characteristics of an area, community safety and to encourage sustainable forms of transport.

Section 4.0.3 seeks to ensure new development is designed in a way that minimises the need to travel, reduced dependency on the private car and enable sustainable access to employment, local services and community facilities. This is achieved through integrating development with sustainable transport and maximise the provision and use of sustainable forms of travel.

Section 4.1.43 – 4.1.56 set out the need to reduce the level and speed of traffic in new development, the provision of car parking and how this may be integrated into new development to minimise the reliance on cars. Transport assessments are also an important mechanism to determine anticipated impacts a development proposal may have.

Section 4.3.3 acknowledges that in order to ensure maximum contribution to the well-being goals the planning system must promote viable urban and rural retail and commercial centres. It must sustain and enhance the vibrancy, viability and attractiveness of retail and commercial centres. It must also improve access to and within the retail and commercial centres by all modes of transport.

Section 4.3.8 notes that where a need for additional retail has been identified, planning authorities should consider the most appropriate form, scale and location of this provision to best meet the need.

Sections 4.3.18 – 4.3.23 emphasise a town centre first to the sequential approach for the location of new retail development, before consideration is given to edge of centre and then out of town sites.

Section 4.3.20 states that new out of town retail developments or extensions to existing out of town development should not be of a scale, type or location likely to undermine the vibrancy, attractiveness and viability of those retail and commercial centres that would otherwise serve the community. It also should also not be allowed if they would be likely to put development plan retail strategy at risk.

Section 4.3.25 notes that retail developments outside of designated retail and commercial centres can impact on the viability and vibrancy of a centre. Such impacts, whether individually or cumulatively may include changes in turnover, trading ability, consumer choice, traffic and travel patterns, footfall, as well as affect centre regeneration strategies.

Sections 4.3.26 – 4.3.29 consider the potential retail implications a new retail development may have on designated retail centres, which may impact on their viability and vibrancy. Where appropriate retail impact assessments may be required and the use of conditions may be necessary to limit any changes over time i.e. loss of existing provisions, changes to the range of goods or the sub-division of units etc.

Para 6.4.11 – 6.4.14 note that the step-wise approach should be followed to maintain and enhance biodiversity and build resilient ecological networks to deliver net benefits and to ensure that any adverse environmental effects can first be avoided, mitigated or compensated. Regard should also be given to any potential impacts on protected species which may result in disturbance or harm to the species or its habitat.

Para 6.4.15 – 6.4.17 sets out the stepwise approach that should be followed to avoid harm, set out measures to minimise impact and the provision of effective mitigation or restoration measures.

Technical Advice Notes (TAN):

- TAN 4, Retail and Commercial Development, November 2016
- TAN 5, Nature Conservation and Planning, September 2009
- TAN 18, Transport, March 2007
- TAN 12, Design, March 2016

Local planning policy

Merthyr Tydfil County Botough Replacement Local Development Plan (LDP) 2016-2031:

- Policy SW4 Settlement Boundaries
- Policy SW9 Planning Obligations
- Policy SW11 Sustainable Design and Placemaking
- Policy SW12 Improving the Transport Network
- Policy EnW1 Nature Conservation and Ecosystem Resilience
- Policy EnW2 Internationally and Nationally Protected Species Sites and Species

- Policy EnW3 Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves and Priority Habitats and Species
- Policy EnW4 Environmental Protection
- Policy EcW3 Retail Hierarchy – Supporting Retailing Provision
- Policy EcW6 Out-of-Town Retailing Areas

Supplementary Planning Guidance:

- SPG4 - Sustainable Design, July 2013
- SPG5 - Nature and Development, May 2015

Other material considerations:

- CSS Wales Parking Standards 2008

PLANNING CONSIDERATIONS

Land use

The application site lies within the settlement boundary and Primary Growth Area, where the majority of new development is generally encouraged by policy SW4 of the LDP. The site is also situated adjacent to the well-established Cyfarthfa Retail Park, where the proposal would not appear to be out of character with its immediate surroundings. Furthermore, planning permission was previously granted for a coffee shop with a drive-thru facility within the site, which was of a similar design and layout in 2019 (Ref P/18/0399). This permission was subsequently renewed in 2024 (Ref P/23/0254), which remains an extant permission. Therefore, the principle of the development is acceptable, subject to its compliance with other relevant LDP policies.

Retail Impact

Policy EcW3 (Retail Hierarchy) and EcW6 (out of town retailing) of the LDP are both relevant to the considerations of this application. Policy EcW3 sets out the retail hierarchy with the town centre being the favoured location for retail, leisure and other complimentary development. Outside of the town centre and the local centres, proposals would be subject to an assessment of need and a strict application of the sequential test. Such developments would only be granted where they avoid causing harm to the viability and vitality of these centres. In regard to out of town retailing, Policy EcW6 notes proposed development in new or existing retail areas will only be permitted where it can be demonstrated that there is an additional need which cannot be located in the town or local centre and that it individually or cumulatively would not have an unacceptable impact on trade, turnover, vitality or viability.

In this instance permission is sought for a new coffee shop with a gross internal floor area of 167sqm to accommodate a coffee shop with a drive-thru facility. It is set out in the submitted Planning Statement that given the proposed size and use of the coffee shop, it is not necessary to carry out an assessment of the retail impact or retail need. The proposal would primarily provide an ancillary service (i.e. food and drink) as part of the wider Cyfarthfa Retail Park. In this respect, the development would contribute towards the shopping experience for customers and the vibrancy of the retail park. Given the siting of the coffee shop with the provision of a drive-thru, it would no doubt also draw some attraction to people travelling along the local highway network, who may not necessarily

intend visiting the retail outlets. This proposal would not significantly differ to the other food and drink establishments within the vicinity i.e. McDonalds, KFC and Pizza Hut.

A sequential test has been carried out, which reviews the premises currently vacant within the town centre as the preferred location for new retail development. The applicant has indicated that an internal floor space of 167sqm is required with sufficient room to accommodate a drive-thru facility, being a key component to the proposal. Appendix A of the Planning Statement sets out the considerations of 23 vacant units within the town centre. Whilst some of the units identified are clearly larger or smaller than the proposal, there is a small number of units of a comparable size, namely 8 Victoria Street (132sqm), Unit 5 Graham Way (135sqm) and 119 High Street (177sqm). The Planning Statement simply considers these units to be too small to meet the occupier's requirements with reasonable flexibility. Notwithstanding this, given the need to accommodate a drive-thru facility, the location of the coffee shop as part of an established retail park at the edge of the town centre is sufficiently justified. Furthermore, considerable weight is given to the fact that there is an extant permission in place for a drive-thru coffee shop on the site.

Whilst an assessment of the retail impact or retail need has not been carried out, consideration is given to the particular nature of the proposal, to essentially provide an ancillary food and drink establishment to Cyfarthfa Retail Park. The provision of a coffee shop would likely have a limited catchment area, which would generally rely on business generated through linked trips to the retail park. It is acknowledged that there are a number of coffee shops/cafes located in the town centre and that their limited catchment areas are unlikely to overlap with the development. As such, the proposal would unlikely have an adverse impact on their vitality and viability. Nor would it be desirable to direct all coffee shops/cafes to the town centre where a number of these services already exist. Therefore, the proposal would unlikely have an adverse impact on the vitality or viability of the town/local centres.

Whilst the submitted plans do not illustrate the potential internal arrangements of the coffee shop, given its size it is clear that it would likely include an seating area for customer as is common for such establishments. Where it involves the sales of cold food, such as sandwiches and cakes etc, this might be considered to fall within Use Class A1. To ensure the scope of the permission is clear, it is considered appropriate that a restrictive condition should be imposed to limit the A1 Use of the building to a coffee shop, bakery or sandwich shop and for no other use within Class A1 in order to protect the retail interests of the town/local centres. For the above reasons, the proposal complies with the objectives of Policies EcW3 and EcW6 of the LDP.

Design and landscaping

It appears that the layout of the development has largely been informed by the limited points of access into the site and the need to provide adequate vehicular circulation to accommodate a drive-thru facility. As a result, the coffee shop would be located close to the north-west roundabout where it can provide an appropriate frontage onto the highway and provide a suitable relationship with the main retail park.

The proposed coffee shop has been designed to have a modern appearance that reflects the characteristics of the existing units within Cyfarthfa Retail Park. Whilst the coffee shop would be of a much smaller scale than the existing units in the vicinity, this reflects the intended use to provide a complementary service that is ancillary to the main offer of the retail park. The material finishes would be similar to those used elsewhere in the retail

park comprising a combination of render and cladding on the elevations with glazing utilised on the principal elevation. The general design, scale and appearance of the proposed coffee shop is deemed to be acceptable.

A detailed landscaping scheme has been submitted which illustrates grassland areas to the north-west and south-east of the development with a wildflower seed mix. Hedge planting is proposed around the bin store areas to the north-west, along with the planting of 3 trees. Similarly, hedge planting is proposed along the south-west boundary, together with 16 trees and shrub planting adjacent to the site access. The proposed landscaping is deemed to be acceptable and would help to integrate the development within its immediate surroundings.

The general design and landscaping of the site is acceptable and complies with Policy SW11 of the LDP.

Ecology

Historically, there were a number of trees across the site that were pre-emptively cleared prior to the submission of the P/18/0399 application. The site now largely comprises of scrub vegetation that is regularly cleared. Since this time, there has been a change in the national policy that places a greater emphasis on the need to avoid ecological impacts and where necessary provide suitable mitigation and compensation to ensure a net benefit in biodiversity taking the stepwise approach.

A Preliminary Ecological Appraisal (PEA) has been submitted in support of this application, which considers the ecological value of the site. It is confirmed in the report that the development would have no impact on any designated Sites of Importance for Nature Conservation, which includes Cwm Taf Fechan, Cwm Taf Fields & Cefn Coed Tip, Afon Taf, being the closest within 0.5km of the site. As such, any ecological impacts are likely to be localised.

A review of the habitat environments within the site has been set out in the PEA. Within 2km of the site 47 bat records have been noted for a range of bat species. Whilst the site does not accommodate any features that may be used for roosting, the PEA notes that the nearby trees may be used for commuting bats of which the development may have indirect impacts on the commuting corridor. Similarly, the nearby woodland is likely to be used as a potential habitat for breeding birds and foraging. The development of the site may cause some disruption to such habitats. Whilst the vegetation within the site has been cleared since 2018, there is potential for reptiles to use the site should the swards of grass and scrub be allowed to establish to suitable lengths. Additionally, Invasive Non-Native Species (INNS) were identified within the site, that would need to be appropriately eradicated from the site with measures put in place to ensure it does not spread to other areas during any vegetation removal.

In regard to bats, the PEA recommends careful consideration of the external lighting is required to minimise any impact on commuting bats in the area, to accord with appropriate guidelines on Bats and Artificial Lighting. The impact on breeding birds can be mitigated by avoiding the bird nesting season. Provided the vegetation/scrub within the site is maintained at a low level, the site is not expected to accommodate reptiles. The applicant's ecologist has indicated that the presence of reptiles within the site is very unlikely. However, the clearance of the site would need to follow the two-stage methodology set out in the PEA for the removal of vegetation to avoid any harm to reptiles,

which would enable them to move away on their own accord to the adjacent suitable habitats.

In regard to bio-diversity enhancements, the proposal seeks to reinforce the woodland environments adjacent to the site with the planting of native hedgerows, trees and wildflower grassland. An Ecological Enhancement Plan has also been submitted which illustrates the provision of log piles and a hibernacula adjacent to the south-east hedgerows, as well as an insect hotel and two bird nesting boxes in the north-west part of the site.

Overall, the PEA considered the site to have no significant ecological constraints and that subject to the mitigation measures and enhancements there would be no adverse harm on any protected species or habitats. In this regard the Council's Ecologist has not raised any objection to the proposal. A number of conditions have been suggested relating to construction management, long-term landscape management, invasive species and external lighting. Regard also needs to be given to any conditions/restrictions imposed on the extant planning permission. A condition to ensure the implementation of the identified ecological enhancement measures would be appropriate. A condition to consider any external lighting and the effects on nocturnal species would be appropriate. Measures to minimise any harm to nesting birds, bats and reptiles has been set out in the PEA and given the limited ecological value of the site, it is not deemed necessary for a construction environment management plan to be provided. Similarly, the requirements of a landscape habitat and ecology scheme would be deemed onerous in this instance given that such a condition was not imposed on the extant consent. Notwithstanding this, a detailed landscaping plan has been submitted which would be conditioned with an appropriate aftercare period to ensure it establishes. Accordingly, the proposal complies with Policies EnW1, EnW2 and EnW3 of the LDP.

Amenities

The nearest residential properties to the application site would be No. 1-13 Pantycelyn, within Heolgerrig, located approximately 70m to the west of the site. Given the intervening landscaping and the A470 trunk Road, which would screen the development, there would be a negligible impact on residential amenity in terms of overlooking and overbearing impact and in terms of noise and disturbance. In this respect the Environmental Health Manager has not raised any objection. Therefore, the proposal complies with Policy SW11 of the LDP.

Highway

The point of access to the development would be positioned approximately 37m away from the junction with the roundabout to the north-west (serving Cyfarthfa Retail Park) and 70m away from the junction with the roundabout to the south-east of the site. There is also generally good forward visibility for drivers travelling along the adjacent highway. It has been adequately demonstrated with tracking lines on the submitted plans that vehicles (including service vehicles) can turn within the site and enter the highway in a forward gear.

It is noted that the proposal would abut to a public footpath along the south-west boundary of the site, which provides a link to a wider network of pedestrian/cycle route that supports sustainable transport. The development would not impede on the use of this public footpath.

The submitted layout plan indicates a total of 15 parking spaces would be provided, which includes 2 disabled bays and 1 electric vehicle bay. In accordance with the CSS Wales Parking Standards, 1 parking space would be required for customers per 14sqm of dining area, 1 space per 3 non-resident staff, 1 space for commercial vehicles and at least 6 waiting spaces.

The exact size of the dining area has not been provided, however given the size of the building and the need for storage and service areas for both in shop and drive-thru, it would be reasonable to assume the dining area would not likely exceed 50% of the gross internal floor area. As such, based on an approximate dining area of 83sqm, 6 parking spaces would be required, with approximately 2 spaces for up to 6 members of staff, 1 commercial space and the remaining 6 spaces can be used for customers who on occasion need to wait for their orders. In addition to this, the drive-thru which wraps around the building would have the capacity to accommodate 10 vehicles before they encroach in the main carpark. The parking provision within the site is deemed to be adequate and it is noted that some of the customers may also park in the main retail car park where linked trips take place.

The development would likely result in an increase in traffic movements in the area. This combined with the existing traffic generated by the retail park, has the potential to exacerbate existing congestion issues, particularly at peak times. As such, a Transport Statement has been submitted in support of the application, which draws reference to the finding of the traffic assessment undertaken as part of the consent scheme (P/23/0254). In that report the statement concluded that the increase in traffic generated as a result of the development would be less than 4% with a total of 18 additional vehicular trips during the AM peak hour, 16 additional trips during the PM peak hour and 24 trips during the Saturday peak hour. The statement also noted that the remainder of the traffic would be 'pass-by' traffic i.e. where visitors would normally form part of the existing traffic flow and would stop at the site when passing by as part of a wider commute. Given the similarities with the current proposal and the consented scheme and given that the coffee shop would be of the same size, it is considered that there is no material difference in terms of the traffic impacts.

Notwithstanding this, there is some potential for the development to give rise to significant congestion at the roundabout serving Cyfarthfa Retail Park, particularly in instances where vehicles would be waiting to turn right into the site with no available stacking lane. To address this concern, a highway barrier would need to be installed along the centre of the carriageway opposite the proposed access, which would prevent vehicles from turning right into the site. Instead, vehicles approaching the site from the north-west would be directed to the roundabout to the south-east of the site and back up on the opposite side of the carriageway where vehicles can then turn left into the car park. This approach would help ensure the free flow of traffic is maintained and minimise any potential increase in congestion along the local highway network during peak times. In this regard it is noted that the consent scheme (P/23/0254) included a condition to ensure an appropriate barrier was installed. It is considered that such a condition would remain relevant to this current proposal.

It is acknowledged that the Head of Engineering and Highways has not raised any objection to the proposed development. However, concerns were raised in respect of the management of delivery vehicles within the site, which would require the majority of the space within the carpark, given the large radius required, in order to turn within the site

and exit in a forward gear. Whilst this issue wasn't raised as part of the consented scheme, the applicant has indicated that deliveries are normally undertaken during early hours when the coffee shop is not normally open to the public. When deliveries are due to take place, there would be a need for staff to ensure the carpark is sufficient clear in advance. To provide sufficient assurances that deliveries can be appropriately managed, the applicant is agreeable to a condition for the submission of Delivery and Service Management Plan.

Accordingly, the development is not deemed to give rise to significant highway safety concerns subject to conditions for a highway barrier and management plan as noted above. Therefore, the proposal complies with Policy SW11 of the LDP.

CONCLUSIONS

The duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 ("the WBFG Act") has been taken into consideration when determining this application. In reaching the following recommendation, the ways of working set out at section 5 of the WBFG Act have been considered and thus the proposal is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives set out as required by section 8 of the WBFG Act.

For the above reasons the proposed development is acceptable and complies with the relevant LDP policies. Accordingly, the following recommendation is made:

RECOMMENDATION: **BE APPROVED** subject to the following **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:

Dwg No. 11428 DT PL E01 - Proposed Elevations
Dwg No. 11428 DT PL L02 - Proposed Site Plan
Dwg No. 11428 DT PL P01 - Proposed Ground Floor Plan
Dwg No. 11428 DT PL P02 - Proposed Roof Plan
Dwg No. 11428 DT PL S01 - Proposed Sections
Dwg No. 11428 DT PL S02 - Proposed Site Sections
Dwg No. 30106 BGL XX XX DR 00255 P04 - Proposed Finish Levels
Dwg No. CA13316/001 Rev B - Ecological Enhancement Plan
Dwg No. SB/CyfarthfaRP/P/01 Rev E - Soft Landscape Proposal

Preliminary Ecological Appraisal June 2025
Landscape Soft Works including Maintenance

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

3. The unit hereby approved shall only be occupied as a coffee shop and not for any other purposes within Use Class A1 of the schedule for the Town and Country Planning (Use Classes) Order 1987 or any Order revoking, amending or re-enacting that order with or without modification.

Reason - To protect the vitality and viability of town/local centres in accordance with Policy EcW6 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

4. **Prior to the opening of the coffee shop** hereby approved, details of a highway barrier to prevent driver from turning right into the carpark, shall be submitted to and approved in writing by the local planning authority. The highway barrier shall be constructed in accordance with the approved details prior to the opening of the coffee shop and retained as such thereafter.

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

5. **Prior to the construction of the car park**, 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 before the development hereby approved is brought into beneficial use.

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 the coffee shop** hereby approved a plan indicating the positions, height, design, materials and type of boundary treatment to be erected, including any highway barriers around the car park, shall be submitted to and approved by the local planning authority. The boundary treatment shall be completed as approved before the coffee shop is brought into beneficial use.

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 (Drawing No. SB/CyfarthfaRP/P/01 Rev E) shall be carried out in the first planting and seeding seasons following the occupation of the coffee shop or the completion of the development, whichever is the sooner; and 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 coffee shop hereby approved being brought into beneficial use** the ecological enhancements as illustrated on the Ecological Enhancement Plan (Dwg No.

CA13316/001 Rev B) shall be fully implemented and maintained as such for the lifetime of the development.

Reason - In the interest of biodiversity in accordance with the requirements of Planning Policy Wales 12, The Environment Wales Act and Policy EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

9. No external lighting shall be erected until a detailed lighting scheme has been submitted to and approved in writing by the local planning authority, demonstrating dark corridors for commuting/forage bats is maintained. The lighting scheme shall be carried out in accordance with the approved details and shall be retained as such for the lifetime of the development.

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.

10. Construction works shall not take place outside the hours of 08:00 to 18:00 Mondays to Fridays and 09:00 to 13:00 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

11. **Prior to the coffee shop hereby approved being brought into beneficial use**, a Delivery and Servicing Management Plan shall first be submitted to and approved in writing by the local planning authority. The management plan shall include details for the management and operation of the delivery process, the delivery times and the manoeuvring of delivery vehicles within the site. The development shall be carried out in accordance with management plan at all times thereafter.

Reason - To prevent vehicles waiting on the public highway and in the interest of highway safety, in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

12. **Before any site clearance works commences on site**, a Non-native Invasive Species Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Non-native Invasive 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 a highly invasive species to accord with Policy EnW4 of the Merthyr Tydfil County Borough Replacement Local Development Plan.

INFORMATIVES

1. Prior to any works commencing on site, the applicant/developer is advised to contact the SAB (SuDs Approval Body) regarding any separate consents in relation to surface water drainage requirements under Schedule 3 of the Flood and Water Management Act 2010. The SAB officer can be contacted via email: SAB@merthyr.gov.uk or Tel: 01685 725000

RECOMMENDATION ENDORSED

p.p. 

Director of Neighbourhood Services

DATE: 15th July 2025