

Ein cyf/Our ref: CAS-295371-B6G7
Eich cyf/Your ref: P/25/0265

Merthyr Tydfil County Borough Council
Unit 5 Triangle Business Park
Pentrebach
CF48 4TQ

Dyddiad/Date: 12 January 2026

Annwyl Syr/Madam/Dear Sir/Madam,

BWRIAD/PROPOSAL: DEMOLITION OF EXISTING BUILDINGS AND DEVELOPMENT OF A RESTAURANT WITH DRIVE-THRU FACILITY (USE CLASS A3) INCLUDING ACCESS AND CYCLE PATH, SERVICING, CAR PARKING, HARD AND SOFT LANDSCAPING, ADVERTISEMENTS AND OTHER ASSOCIATED WORKS

LLEOLIAD/LOCATION: LAND TO THE NORTH OF THE HEADS OF THE VALLEYS ROAD, OFF RHYMNEY COMMON ROAD, DOWLAIS, MERTHYR TYDFIL, CF48 2YG

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 12 December 2025.

We have concerns with the application as submitted because inadequate information has been provided in support of the proposal. To overcome these concerns, you should seek further information from the applicant regarding protected sites. If this information is not provided, we would object to this planning application. Further details are provided below.

We also advise that based on the information submitted to date, conditions regarding land affected by contamination should be attached to any planning permission granted. Without the inclusion of these conditions, we would object to this planning application.

Protected Sites

Page 4, Section 3 of the Ecological Appraisal states, *"With respect to designated sites, none occur within 10km of the Site in respect of internationally designated sites nor within 2km in respect of nationally designated sites."* This is incorrect.

The newly designated Site of Special Scientific Interest (SSSI), Mynyddoedd Llangynidr a Llangatwg, Cefn yr Ystrad a Chomin Merthyr, is located approximately 0.5km away from the development site. We have concerns that no information has been submitted to demonstrate how any likely damage to the SSSI will be avoided. The Ecological Appraisal

should therefore be amended to consider this SSSI. In the absence of this information, we cannot rule out adverse impacts on the special interest features of the SSSI from the scheme.

We recommend that the meadow grassland seed mix should be of a local provenance and, where possible, that any supplementary planting uses native local provenance plants.

Land Affected by Contamination

We have reviewed the Phase I Desk Study & Coal Mining Risk Assessment Report, Ref. J15809 (Southern Testing Laboratories Limited, dated December 2024) and acknowledge the recommendations for a Phase II intrusive investigation to be undertaken. This additional work is welcomed, particularly to investigate the potential sources of contamination identified within the Desk Study and to further assess the risks to controlled waters. However, it is noted that preliminary borehole logs have been included within the 'Drainage Statement Appendices' (Ref: 003_4240241_JC_DS), but an accompanying Phase II intrusive investigation report has not been provided.

Based on the information provided, we recommend that the following conditions should be attached to any planning permission that may be granted for the proposed development.

Condition

No development shall commence until the following components of a scheme to deal with the risks associated with contamination at the site, has been submitted to and approved in writing by the Local Planning Authority.

1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The remediation strategy and its relevant components shall be carried out in accordance with the approved details.

Justification

To ensure the risks associated with contamination at the site have been fully considered prior to commencement of development as controlled waters are of high environmental sensitivity; and where necessary remediation measures and long-term monitoring are implemented to prevent unacceptable risks from contamination.

Condition

Prior to the operation of the development a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be carried out in accordance with the approved details.

Justification

To ensure the methods identified in the verification plan have been implemented and completed and the risk associated with the contamination at the site has been remediated prior to occupation or operation, to prevent both future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Condition

Prior to the operation of the development a long term monitoring plan for land contamination shall be submitted and approved in writing by the Local Planning Authority. The long term monitoring plan should include:

- Details of the methods and triggers for action to be undertaken
- Timescales for the long term monitoring and curtailment mechanisms e.g. a scheme of monitoring for 3 years unless the monitoring reports indicate that subsequent monitoring is or is not required
- Timescales for submission of monitoring reports to the LPA e.g. annually
- Details of any necessary contingency and remedial actions and timescales for actions
- Details confirming that the contingency and remedial actions have been carried out

The monitoring plan shall be carried out in accordance with the approved details, within the agreed timescales.

Justification

A land contamination long term monitoring plan should be submitted prior to occupation or operation, to ensure necessary monitoring measures are approved to manage any potential adverse impacts as a result of development on water quality.

Foul Drainage

Section 5.26 of the Drainage Statement states that foul water from the proposed development will be pumped to an existing public foul sewer. The applicant has applied for a pre-development enquiry regarding this with Dŵr Cymru Welsh Water (DCWW). In Section 5.27, the proposed restaurant drainage also includes a grease trap prior to discharge to sewer. We have no objection to the proposed method of foul water disposal.

Construction Environmental Management Plan (CEMP)

A CEMP has been developed for the approximate 12 week construction period. Section 12.2 of the CEMP states that there will be a bunded area for liquids and chemicals. Sections 16.1 and 17.0 of the CEMP refer to a wheel wash and road sweeper, which should act to protect highway drainage off site. We concur with the use of these measures. However, we advise that the applicant also monitors local highway drains and the effectiveness of wheel wash to ensure no polluting run-off is allowed to track off site uncaptured.

Section 18.3 also discusses the plugging and backfilling of manholes and sewers on site, which are not being retained. We advise that this should be completed using suitable methodology that will not allow any pollutants to enter the wider surface water sewer system. Sewage and silt is also stated to be “rinsed out” before these actions. The applicant should ensure that this silt is captured and not allowed to enter the extended surface water sewer network off site. Any sewage should be disposed of to foul sewer or captured and suitably disposed of.

Further guidance on pollution prevention during demolition and construction phases can be found in the link below. We advise that the applicant considers these documents when implementing any pollution prevention measures:

- [Guidance for Pollution Prevention \(GPP\) documents | NetRegs](#)

The CEMP states, “*Construction traffic will be directed to use the A465, A4060 and A470 major road network wherever possible and to avoid minor residential roads.*” As such, construction traffic would appear unlikely to increase aerial emissions on the Mynyddoedd Llangynidr a Llangatwg, Cefn yr Ystrad a Chomin Merthyr SSSI, but this should be considered, along with construction-related dust impacts, and confirmed as part of an updated Ecological Appraisal that includes the SSSI.

Historic Landfill

According to our records the proposed development site is located near to land that is, or has been, used for the deposition of waste material (Jasonic Historic Landfill). We would therefore advise you to consult with the local authority's Environmental Health and Building Control Departments, as they may hold detailed records, and may wish to make appropriate recommendations in respect of landfill gas investigation/remedial work. The developers should be made aware of the existence of the landfill site so that they can decide whether or not to make their own investigations into the presence of landfill gas. It should also be noted that Waste Management Paper 27 states “*It has been found that many sites which have taken only supposedly 'inert' waste have produced gas*”.

Other Matters

The advice in this letter relates to matters which are included on our [consultation topics list](#). We do not rule out the potential for the proposed development to affect other environmental interests that are not included on this list.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our [website](#) for further details.

If you have any queries about the above, please do not hesitate to contact us.

Yn gywir / Yours faithfully,

Jessica Jones

Jessica Jones

Cynghorydd - Cynllunio Datblygu/Senior Advisor - Development Planning
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Croesewir gohebiaeth yn Gymraeg a byddwn yn ymateb yn Gymraeg, heb i hynny arwain at oedi./Correspondence in Welsh is welcomed, and we will respond in Welsh without it leading to a delay.