

DELEGATED REPORT

Application No:	P/25/0265
Site Address:	Land To The North Of The Heads Of The Valleys Road Off Rhymney Common Road Dowlais Merthyr Tydfil CF48 2YG
Development:	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
Case Officer:	Rebecca Owens
Site Visit:	15th October 2025
Application Expiry Date:	4th December 2025
Consultation reply date expired:	2nd January 2026

APPLICATION SITE

This application relates to a vacant parcel of brownfield land which is within the settlement boundary. It contains some structures including a vacant residential property, a shipping container, two outbuildings and garage in a poor state of repair. The site occupies an elevated position above the A465 trunk road to the south/south east. It is located in an established business park where there are a mixture of uses comprising of commercial, retail and industrial type uses. The site itself is bound by a supermarket, a council own yard/depot and highways. It is accessed off an existing junction to the north.

PROPOSED DEVELOPMENT

Full planning permission is sought for the erection of a new drive-thru McDonalds Restaurant which would fall within the A3 Use Class.

The restaurant would be a single storey building with a rectangular footprint 30.23m by 10.22m. It would have a flat roof with parapet reaching a maximum height of 5.52m. Off the south western elevation would be an enclosed bin store 3m in height. It would feature various window and door openings with the main entrance located in the north east elevation. There would also be two projecting flat roof canopies off the north western elevation over the drive thru windows and a further canopy over the main entrance and wrapping around the south eastern elevation. The building would be finished with a mixture of timber effect and dark grey cladding panels.

The restaurant would be located in the north western part of the site with the car parking areas to the north east and south east. The drive thru lane(s) would wrap around from the car parking area along the south western and north western sides of the site. The northern boundary and far eastern part of the site which contains the residential property known as Station house would be landscaped and would contain a permanently wet/pond area, with a hedgerow planted around the dwelling. A hedgerow would also be planted along the south eastern boundary with additional landscaping along the south western and north western boundaries.

Any existing bund comprising of infill material and located along the north western boundary is to be removed and retaining walls are proposed along the part of this boundary and the south eastern boundary, with additional boundary treatments proposed around the perimeter of the site and around the residential property within the site.

Access to the site would be via the existing junction off the adjacent highway which would be modified slightly to accommodate the swept path of delivery vehicles. Pedestrian access would also be provided at the same point but to facilitate this it is proposed to continue the footpath from the east of the Lidl access to connect with the restaurant access. A footpath would also be located to the east of the site from the car park.

The development would provide 32 car parking spaces (including 2 accessible spaces, 2 EV charging bays, and a grill space). There would also be 3 motorcycle spaces and 6 cycle spaces (3 Sheffield stands).

The application has been supported by the following documents:

- Design and Access Statement
- Planning Statement
- Community Consultation Statement
- Landscape and visual Appraisal
- Drainage maintenance plan
- Drainage statement
- Economic Operator Statement
- Employment land statement
- Heritage Impact Statement
- Odour Control Assessment
- Arboricultural Method Statement (Incorporating Arboricultural Impact Assessment and Tree Protection Plan)
- Ecological Appraisal
- Green Infrastructure Statement
- Construction Environmental Management Plan
- Construction Environmental Management Plan: Biodiversity
- Landscape & Ecology Management Plan
- Lighting Impact Assessment Report
- Transport assessment
- Delivery Management Plan
- Phase I Desk Study & Coal Mining Risk Assessment Report
- Site Investigation & Risk Assessment Report

PLANNING HISTORY

The relevant planning history is summarised below:

P/12/0273 Erection of ready mix concrete plant
Granted planning permission subject to conditions on 3rd May 2013

CONSULTATION

The following bodies were consulted and their responses are presented below:

Head of Engineering and Highways	No objection subject to conditions
Planning Policy Officer	No objection
Ecologist	No objection subject to conditions
Environmental Health Manager	No objection subject to conditions
Arboroculturalist	No objection
Dwr Cymru Welsh Water	No objection subject to conditions
Coal Authority	No objection subject to a condition
South Wales Fire and Rescue	No objection
Welsh Government Highways	No objection subject to a condition
Heneb	No objection subject to conditions

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to neighbouring properties and five site notices were displayed within the vicinity of the site.

One letter of objection was received following this publicity exercise. The main points raised within this are summarised below:

- The application does not take into consideration residential properties nearby and it is questioned whether investigation/assessment has been undertaken for the impact of odours on dwellings outside of the site.
- There is an existing issue with rats and it is questioned what measures will be put in place to minimise this problem.
- The site is on previously mined land
- The site is flooded after rainfall
- There are bats flying around the site and the building to be demolished. Checks of the roof should be undertaken.
- The entrance/exit of the site is opposite the bedroom window of the dwelling opposite and the proposed signage would be a problem at night due to the 24 hour opening.
- Litter is a concern and it is questioned how long the proposed litter picking will be maintained.

Local ward councillors have been consulted on the concerns raised. It has not been requested that the application be presented to the planning committee for consideration. As such the application is to be determined under the delegated power by the Director of Neighbourhood Services.

POLICY CONTEXT

National Development Framework

Future Wales: the National Plan 2040 (February 2021) 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.

National Planning Policies

Planning Policy Wales (Edition 12, February 2024)

Local Planning Policies

The following policies of the Merthyr Tydfil County Borough Council Replacement Local Development Plan 2016-2031 are relevant to the determination of this application:

- SW4 Settlement Boundaries
- SW9 Planning Obligations
- SW11 Sustainable Design and Placemaking
- SW12 Improving the Transport Network
- SW13 Protecting and Improving Local Community Facilities
- CW1 Historic Environment
- EnW1 Nature Conservation and Ecosystem Resilience
- EnW2 Internationally and Nationally Protected Sites and Species
- EnW3 Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves and Priority Habitats and Species
- EnW4 Environmental Protection
- EcW2 Protecting Employment Sites
- EcW3 Retail Hierarchy – Supporting Retailing Provision

In addition, the application will be determined having regard to the advice contained within the following Supplementary Planning Guidance (SPG) Notes:

- Note 2, Planning Obligations.
- Note 4, Sustainable Design.
- Note 5, Nature and Development.

PLANNING CONSIDERATIONS

Principle

The application site is located within the settlement boundary and as such the principle of development is acceptable subject to other relevant policies and material planning considerations.

In this respect it is noted that the application site is located outside of the town centre and various local centres within the County Borough. Policy EcW3 of the LDP notes that outside of these centres proposals will be subject to an assessment of need and a strict application of the sequential test. Proposals will then only be permitted where they avoid causing harm to town/local centre vitality and viability. In addition, Policy EcW6 states that proposals for retail development on new sites or existing retail areas in out-of-town locations, including changes of use, extensions, the merger or subdivision of existing units or amendments to existing planning conditions relating to the sale of goods will only be permitted where:

- It can be demonstrated that there is an additional need for the proposal which cannot be provided within an existing town or local retail centre, and
- The proposal would not either individually or cumulatively with other existing or consented developments have an unacceptable impact on the trade, turnover, vitality and viability of the town or local centres.

In line with Planning Policy Wales (Para. 4.3.13) Needs tests only apply to retail uses and not to other complementary uses which include flood and drink (A3 uses). However, the application has been accompanied by a sequential test which covers the relevant designated centres within MTCB (taking into account the locations of existing McDonalds outlets), including vacant units and undeveloped land. The application of the test was guided by the operational requirements of the applicant. Relevant planning policy, and examples of case law have been supplied, which support this approach. The operational requirements of the applicant include:

- A broadly level site with a minimum size of 0.3ha, configured in such a way as to allow for the erection of a single storey building, as well as a 'drive-thru' lane, car parking provision and associated vehicular circulation;
- Safe and efficient access onto the strategic road network; and
- Sufficient prominence from the nearest road to ensure visibility to passing custom.

The sequential test did not find any suitable land and units within the search area. It is acknowledged that a small number of units and parcels of land did meet some of the above criteria, for example in relation to size, but did not have, for example, the ability to accommodate a drive-thru lane or parking area. Taking the above into consideration, it appears that a robust sequential test has been undertaken, and that no suitable units or sites are available to accommodate the proposal. It is also recognised that there are two other McDonalds in close proximity to the town centre with one located in a leisure park and the other in a retail park. These generally serve the patrons of the facilities and shop located around them. The proposed McDonalds would be located in a business park and would generally serve people visiting the area for other uses in the vicinity and passing trade from those travelling along the A465. Consequently, it is not considered that it would attract people away from the town centre or indeed the local centres or harm their vitality or viability. As such, the proposal is in accordance with Policy EcW3 and EcW6.

Whilst the application site is not located within a protected employment site, Policy EcW2 seeks to protect 'B' class uses regardless of their location stating:

"At existing employment sites and premises outside the sites identified development proposals for non B-class uses that would result in the loss of the employment land/premises will be permitted where it can be demonstrated that the existing use is inappropriate or the land/premises are surplus to the requirements of the employment market".

The development would result in the loss of employment land within Class B with the introduction of an A3 use. However, information has been provided to support the application, highlighting that the site has been vacant for approximately 5 years. In addition, it is acknowledged that there are a number of industrial units, as well as vacant land, available for occupation by B Class uses at the nearest Allocated and Protected Employment Sites, for example Pant Industrial Estate. As such, and with the site not being within a Protected Employment Site, it would appear to be surplus to the requirements of the employment market. Additionally, considering the nature of the proposed use, it would be appropriately located on a commercial industrial site, and could be seen as a complementary use. It would also provide employment for 80 people (as stated in the submitted information). Given the above, in this instance, the proposal is considered to comply with Policy EcW2

Character and visual amenity

It is noted that the application has been accompanied by a Landscape and Visual Appraisal which has not identified any significant or harmful visual impact as a result of the development. The site is located in an established business park where there are a mixture of uses including those of a retail and industrial nature. Within this context the buildings vary in their design, scale and appearance.

The proposed restaurant is considered to be of an acceptable scale and is of a design typical of the McDonalds franchise. Regard has also been had for the visual impact of other associated infrastructure and it is noted that this would be viewed within the context of the exiting industrial and commercial units and as such would not be deemed discordant. In terms of boundary treatments it is noted that the front boundary would comprise of a 0.6m high timber knee rail fence with a hedgerow and landscaping which would provide an attractive frontage to the site. The southern boundary, which would be visible from the A465 Trunk Road would comprise of a retaining wall with a 1.1m high timber post and rail fence, softened with a new hedgerow. In addition, it is noted that a retaining wall is proposed along the north western boundary with an associated boundary treatment above. Exact details of the boundaries and retaining walls have not been provided so these would need to be conditioned to fully assess their suitability but it is considered that adequate treatments can be achieved. That would not impinge on the visual amenities of the site itself or indeed the wider area.

Thus, within the business park setting the development would not appear incongruous or have an adverse impact on the character of the area. It is also recognised that it would replace a brown field site which is visually poor and as such its positive development and associated landscaping would in fact be beneficial to the overall visual amenities of the area. Accordingly the proposal is found to be acceptable in this respect and in accord with Policy SW11 of the LDP.

Historic Environment

A Heritage Impact Statement (HIS) has been submitted with the planning application focusing on the Merthyr Tydfil Registered Landscape of Outstanding Historic Interest and Station House (located within the site boundary) which is a historic asset of local interest.

The HIS highlights that whilst Station House is not locally listed it is of some local interest as a historic railway station building having historic value due to its association with the Merthyr Tredegar and Abergavenny Railway Line. It has aesthetic value as one of the remaining built historic features of the immediate area. However, it notes that the loss of the railway line has removed the surrounding context from this building and its original function as a station house is therefore no longer apparent. It also assesses its current setting which is deemed to be negatively affected by the incoherent form of the surroundings, including the small scale built form of the house to the rear, larger supermarket building, the areas of poorly maintained hardstanding and green space, and various fences and other paraphernalia. Concluding that the site forms a negative feature within the setting. It therefore considers the proposed removal of the existing, poor quality, buildings on site, and poorly maintained hardstanding and the construction of the restaurant with associated landscaping would comprise a minor visual enhancement whilst not impacting on its significance.

With respect to Merthyr Tydfil Registered Landscape of Outstanding Historic Interest the HIS highlights that the significance is largely derived from the landscape form and features associated with the industrial revolution. It emphasises that the site forms a very small part of the landscape and currently does not form a positive feature due to the poorly maintained areas of hardstanding. As such the impact on Merthyr Tydfil Registered Landscape of Outstanding Historic Interest is deemed to be minor, focused to a very small area and the significance and heritage value of the landscape would be preserved by the development.

The HIS also noted that a record on the Historic Environment Record identified as Brecon - Merthyr Railway is located approximately 70m to the north east of the site. Highlighting that this does not appear extant on aerial photography or mapping, and as such may be recorded as a below-ground remain. Heneb have been consulted on the application. They have indicated that the area formed part of the Dowlais Top railway station, where the L&NWR Dowlais Extension, the Merthyr, Tredegar and Abergavenny Railway, and the Brecon and Merthyr Railway converged with tramroads supplying the ironworks with raw materials. Historic mapping sequences show varied railway features as well as trackways and sidings, such as buildings, signal posts, and other unidentified features. Whilst the greater part of the area has been reclaimed and reutilised, the south eastern part around the existing station house is likely to retain evidence of the former uses, which may become apparent during the development work. As such, they have noted that this will require mitigation and consequently have requested that conditions be attached to any permission issued that ensure any evidence is identified and recorded.

Residential amenity

Whilst the site is located in an established business park, primarily characterised by industrial, commercial and retail uses, it is recognised that there are also residential properties in the area. Indeed, Station House is located within the eastern spur of the site itself and currently vacant with the occupied Ty Bryn Du, situated to the north east on the opposite side of the access road. Regard has been had for the impact of the development on the residential amenities of the occupants (and future occupants) of these properties.

Given the character of the area it is recognised that there is already a high level of activity and some existing noise and disturbance. It is also noted that the previous use of the site was industrial in nature and that industrial type uses can generate various forms of nuisance to nearby residents in the form of noise, odours and vibration. Whilst a drive through restaurant may attract a greater number of visitors than an industrial use and thus lead to an intensification in terms of coming s and goings, it is not considered that it would lead to a greater level of noise and disturbance, particularly within this setting. However, it is also recognised that the proposed restaurant would be open 24 hours a day resulting in activity and potential disturbance at unsociable hours and outside of the operating hours of the majority of the surrounding uses. Notwithstanding this, evening and night time custom is expected to take the form of drive thru visits or internally seated customers. In addition, custom throughout the late night and early hours is likely to comprise of a smaller number of more sporadic visits. As such it is not considered that the level of activity would be to such an extent that would justify refusal of the application on the grounds of noise and disturbance. Should this become an issue in the future it could be dealt with by Environmental Health.

It is recognised that due to the close proximity of the two residential properties identified above, there may be a potential impact from lighting associated with external lighting of the site, particularly at night. Lighting information submitted with the application has demonstrated that a lighting scheme can be provided with 0.5 lux or less in the areas adjacent to these properties. Notwithstanding this, a detailed lighting scheme will also be conditioned that demonstrates acceptable impact from external lighting on the neighbouring residential properties.

It is also recognised that a restaurant/takeaway use would generate cooking odours which can also be harmful to residential amenity. However, this can be satisfactorily addressed with appropriate ventilation and extraction. The application has been accompanied by an Odour Control Assessment. This found the risk rating for dispersion to be 'moderate', for proximity to sensitive receptors to be 'medium' and for cooking types and grease loading to be 'very high' and thus and overall odour risk rating of high without recommended high level odour control. Having regard to this, the report sets out the following combination of odour abatement measures:

- 'High Level' classification grease control and odour abatement will be provided with the use of Hikatch Canopy grease baffle filters, electrostatic precipitation (ESP) filters followed by ozone injection and activation dwell duct.
- Canopy Filtration with each item of cooking equipment (fryers and grilles) benefiting from local fume extraction by means of a low level extract canopy containing removable and cleanable grease filters, which remove 98% of airborne grease at source.
- Ductwork Cleaning
- Ventilation Rates which are in excess of 30 air changes per hour, with full fresh air make-up.
- Electrostatic Precipitator
- Ozone Injection
- Monitoring & Alarm
- A common ducted extraction system is connected to a backward curved centrifugal extract fan which discharges to atmosphere via an un-restricted vertical high velocity discharge at 15 m/s at nominal design air volume flowrate, to provide effective dispersal of the exhaust air. The discharge point will be in excess of 1m

above eaves level and level with, but at a distance from, the top of the roof screening to achieve good dispersion without being impacted by any wind generated high velocity surface boundary layer effects whilst keeping the discharge duct below the level sightline

The report concludes that appropriate odour mitigation can be achieved to protect the amenity of nearby receptors (including the two residential dwellings) and the proposed grease and odour control measures meet the requirements of the 'High' classification control band.

Having regard to the above considerations and noting that no objection has been received from the Environmental Health Department, the proposal is found to be acceptable in terms of its impact on residential amenity and as such in accord with Policy SW11 of the LDP.

Parking and highway safety

The site is currently accessed via an unclassified and unnamed road, which has been referred to as Common Road in the documentation. This road is adopted highway and subject to the national speed limit along the site's frontage. It is proposed to utilise the existing access point off the adjacent highway although this would be modified to allow for the access and egress of delivery vehicles. The application has been accompanied by a Transport Assessment and a Delivery Management Plan which have been considered by the Council's Head of Engineering and Highways. The Transport Assessment has demonstrated that the development would not have an adverse impact upon the roundabout located to the west and that the local network has the capacity to cope with the additional traffic and movements that it would generate. It has also set out suitable information regarding movements within the site. In addition, the Delivery Management Plan has indicated that deliveries and servicing would be contained to quieter, off peak times so parking spaces would only be impacted when they are in the least demand. It has also highlighted that the largest vehicle that would require access to the site for deliveries can enter and exit in a forward gear.

With respect to parking, the development would provide 32 parking spaces and 3 motorcycle spaces, with a minimum 6.0m manoeuvring area in front of the spaces to allow vehicles to enter and exit. The Transport Statement provides information to support the number of spaces and this is found to be acceptable. It is also noted that the space that has been provided for deliveries to the site is also found to be satisfactory. The restaurant would also be served by 6 cycle spaces which is deemed appropriate.

Policy SW12 supports development that encourages a modal shift towards sustainable transport. In this respect, it is acknowledged that the site is located in a commercial area where there is limited residential use and as such the majority of visitors would likely arrive by car. However, it is also recognised that a large proportion of the visitors would be those already visiting the area for the existing retail and commercial units or travelling past the site on the Heads of the Valleys Trunk Road. As such the unit would not be responsible for a significant increase in car journeys. It is also noted that there is a nearby bus stop and the area benefits from good pedestrian and cycle accessibility. It is noted that at present the footpath network to the north west does not extend into the site itself. Accordingly, it is proposed to create a new footway from the Lidl junction to the west across an adopted verge to provide access into the site. This will improve pedestrian access and allow for people to visit safely on foot. To encourage and facilitate both

walking and cycling a new footpath/cycle link is proposed in the eastern spur of the site and the proposal includes cycle stands. As such, the development would allow for more sustainable forms of transport. Whilst the extended footway would be secured by means of a separate Section 278 Agreement, it is recommended that a condition is included on any permission to ensure that the extended footway is implemented prior to the restaurant being brought into use.

The application site is also located in close proximity to the A465 Trunk Road. As such the highways department in Welsh Government have been consulted on the application. They have not raised any objection to the proposal subject to conditions relating to light spill onto the adjacent trunk road carriageway and drainage from the development site.

Ecology

An Ecological appraisal has been undertaken including an extended phase 1 habitat survey and further detailed surveys for bats and badger. The report notes the Site is dominated by hard standing with encroaching ephemeral/short perennial and poor semi-improved grassland together with dense scrub and scattered trees. It also identifies that there are a number of derelict buildings, with metal fencing and stone walls defining the Site's boundaries. It highlights that the majority of habitats supported are considered to be of negligible ecological value per se, albeit with potential to provide suitable opportunities for a range of protected and notable species.

The report notes that one record of badger was returned during the desk study, relating to road kill associated with a trunk road circa 2.1km south of the Site. However, no evidence of badger was identified within the site during the badger survey and whilst areas of scrub and embankment offer some opportunities for badger, the limited extent of such habitats and their lack of connectivity to more suitable habitat in the wider landscape suggest their likely absence from the Site. Similarly, whilst the site has some suitable habitat for polecat, hedgehogs and brown hare, only rabbit droppings were recorded with no evidence of other mammal species.

Again having regard to the limited size of the site and nature of the habitats it contains, the site has been found to be sub-optimal for common reptiles and no further breeding or wintering bird surveys were recommended. However, it recommends precautionary measures of clearance during the pre-construction phases of development to ensure no harm or disturbance to common reptiles and nesting birds.

With respect to bat commuting and foraging the habitats within site were assessed as having low suitability and subject to disturbance through ongoing construction activities in addition to street lighting. Whilst it was recognised that areas of grassland and scrub could provide some opportunities, such habitats are limited in extent and distribution, with poor connectivity to the wider landscape. The Site is therefore concluded to be of only Site level importance to foraging and commuting bats within the wider landscape.

However, in with respect to bat roosting, the surveys have identified summer day roosts within two buildings for low numbers of common pipistrelle bats. The report noted that in accordance with the Bat Mitigation Guidelines¹², such roosts are considered to be of low conservation status, with each roost site considered to be of Site Level importance given their usage by individual/small numbers of common and widespread species (non-maternity). However, given the presence of up to three common pipistrelle day roosts potentially supported, the Site is considered to be of Local Level importance overall.

These buildings are proposed for demolition as part of the development and as such a European Protected Species (EPS) Development Licence from Natural Resources Wales (NRW) will be required.

The Ecology report recommends the following mitigation and enhancement measures:

- Retention of some trees and hedgerow.
- Additional grassland, Shrub, tree and hedgerow planting within the site.
- Attenuation basing supporting a permanently wet area with planting to maximise biodiversity.
- During construction, dust control measures, restrictions on traffic movement and/or speed, appropriate storage of materials and/or use of screens and fencing as necessary.
- Sensitive habitat management over the long term to increase their resilience and mitigate long-term disturbance effects.
- Sensitive vegetation clearance and refurbishment to built structures during the pre-construction and construction phases of development which should be timed to avoid the main bird breeding season (May to August inclusive). vegetation clearance outside of this period should only commence following the advice and under the supervision of a suitably qualified ecologist with pre-commencement checks for active bird nests undertaken by a suitably qualified ecologist/Ecological Clerk of Works (ECoW) immediately prior to commencement. Where an active bird nest is identified measures are identified for its protection.
- Bird boxes/nesting chambers to be installed on retained trees or buildings, or for integration within the new built development where appropriate.
- Demolition works to be confined to the period between September and March inclusive so as to avoid the period when bats are at their most active (April to August inclusive) whilst also avoiding the main bird nesting season.
- A minimum of three bat boxes/tubes to be installed prior to development and a further three bat boxes to be installed within the development. They would be on suitable trees, on the retained building or mounted on poles.
- Tool-box talks to be provided to contractors prior to commencement outlining the legal protection of nesting birds and bats, licence conditions and methods of sensitive working practice to be followed to ensure adherence to the NRW Development Licence.
- Soft-stripping of any features deemed to have potential for roosting bats to be undertaken under the supervision of a licensed bat ecologist and in accordance with the NRW Development Licence where applicable.
- Night working to be avoided to minimise impacts to the local bat population during the construction phase. Temporary lighting to be kept to the working area, avoiding the peripheries of the Site and all retained vegetation. This may require the use of directional or timed lighting, or accessories to light fixtures such as hoods.
- A sensitive lighting strategy.
- Precautionary measures with respect to reptiles, Badger and other notable mammals and a precautionary approach to habitat clearance.
- hibernacula and deadwood log piles within south facing habitat and/or within the natural/informal greenspace areas.

The application has been accompanied by a Green Infrastructure Statement (GIS) in line with chapter 6 of Planning Policy Wales (edition 12). This identifies that the site comprises a mixture of hardstanding with infill material with self-seeded vegetation

including scrub and several trees of varying ecological value, a defunct hedgerow and semi improved grassland. It also recognises that there are a number of structures within the site with bat roosts identified in two of these. However, it notes that the site provides minimal foraging habitat for bats. It is also recognised that the vegetation and trees have the potential to offer breeding sites for a variety of bird species. The GIS recognised that the development will remove some existing vegetation. However, it concludes that as the site is currently neglected and offers limited ecological value, the proposed green infrastructure and biodiversity measures which include new and enhanced habitats such as ponds, hedge banks, and tree planting, along with retained mature trees, will improve species diversity, connectivity, and landscape quality creating an overall net benefit.

In addition to the above the following information has been prepared and submitted:

- A Construction Environmental Management Plan for biodiversity has been produced setting out measures to be implemented in order to safeguard protected/notable species and/or retained habitats on site (particularly retained trees and roosting bats) through the pre-enabling and construction phases of development.
- A Landscape and Ecological Management Plan setting out measures for the establishment, management and maintenance of landscape and habitats
- An Arboricultural Method Statement (Incorporating Arboricultural Impact Assessment and Tree Protection Plan which assesses the impacts of the proposed development on trees within the site and identifies trees for retention or loss setting out appropriate tree protection measures and mitigation. It is noted that the development would result in the loss of 11 individual trees and 0.0104 hectares of tree groups amounting to compensatory planting of a minimum of 33 replacement trees and 17 replacement whips.

The above documents have been considered by the Local Planning Authority's Ecologist who is generally satisfied with the submitted information and raises no objection to the development. However, he has raised some concerns with respect to the landscaping and lighting information.

In terms of landscaping the Ecologist is not satisfied that that sufficient data has been provided to demonstrate that there is a 75% native species contingent and would also require clarification that the non native 25% would present a benefit and not harm to wildlife, noting that at least one of the species listed can be invasive (Red Osier Dogwood, *Cornus stolonifera*). Given that the general planting arrangement is found to be acceptable, it is considered that subject to some minor changes to species, the landscaping would be acceptable. As such, the landscaping details submitted should be omitted from the list of approved documents with a landscaping condition attached to any permission issued which required the final details to be submitted to an approved in writing by the Local Planning Authority.

With respect to lighting, the Ecologist is not satisfied that sufficient information has been provided with respect to the colour temperatures of the bollard lighting. He has also raised concerns with respect to the level of light-spill onto habitat bounding the site as well as the habitat within the eastern spur, also noting that, some, or all, of these areas may have bat or bird boxes as part of the proposed mitigation and enhancement measures. Such areas should be kept dark with dark corridors also provided. Whilst there are concerns with the current lighting information, it is considered that an adequate lighting scheme can be

achieved. As such it is recommended that the lighting plans are omitted from the approved list of documents and a condition is included in any permission that require the submission and approval of a lighting scheme which would demonstrate acceptable lighting levels with dark areas and dark corridors provided.

Having regard to the above it is considered that the proposed development would comply with the objectives of Planning Policy Wales and LDP Policy EnW1 subject to conditions to secure mitigation and enhancement measures and finalise appropriate landscaping and a sensitive lighting strategy.

Land Stability

The application site is located in an area identified as being at high risk from past coal mining activities and accordingly, the application has been supported by a Phase 1 Desk Study and Coal Mining Risk Assessment. This confirms that the site is in an area of past coal and ironstone mining and recognises that it is probable that these have been worked beneath the site. It recommends that further investigation be undertaken to establish the likely position and depth of possible coal and/or ironstone workings at shallow depths across the site to establish if remedial works are necessary and to confirm appropriate foundation solutions. It also highlights that intrusive investigation could also be used to assess the ground conditions and to provide geotechnical parameters to support the design of foundations and to assess the likely nature and extent of soil, groundwater and soil gas contamination on the site. This has been followed by a Site Investigation & Risk Assessment Report and supporting letter from ST Consultant dated January 2026. These highlight that the cumulative effect of worked seams (coal and ironstone) is unlikely to affect the stability of the site but that measures are required in the development to mitigate the residual risk posed by mining legacy. The submitted information has been considered by the Coal Authority who offer no objection subject to a condition which requires confirmation that the site has been made safe.

Contamination

The Phase I Desk Study and Coal Mining Risk Assessment Report and Site Investigation & Risk Assessment Report has been considered by Natural Resources Wales. They have noted that whilst some intrusive investigation has been undertaken at this site, it does not appear that the potential sources of contamination, identified in the Phase I Desk Study and Coal Mining Risk Assessment Report were fully targeted. They have also highlighted that the Site Investigation and Risk Assessment Report appears to focus on the potential impacts and risks to human health with limited commentary on the potential risks to controlled waters. While they have no objected to the development, in light of the above concerns they have requested that conditions be attached to any planning permission that may be granted.

Drainage

The application has been accompanied by a Drainage Statement and Drainage Maintenance Plan. Dwr Cymru Welsh Water has considered the submitted information and are satisfied that the foul flows that would be generated by the development can be accommodated within the public sewerage system.

It is noted that a sustainable drainage scheme would need to be agreed through sperate SAB approval. However, it is noted that the proposed SUDs scheme would include:

- Proposed parking bays formed with lined permeable pavements where they are not over-run by delivery vehicles. These parking bays will also receive runoff from the adjacent circulation lanes.
- Areas of landscaping would incorporate bio-retention strips that will receive surface water runoff from the adjacent pavement, where levels permit.
- channel drains for the parts of the catchment that do not fall towards either the permeable pavement or the bio-retention strips. A SPEL Petrol interceptor would be incorporated to ensure that runoff from these areas receives the appropriate level of treatment before discharging to the attenuation tank.
- A cellular attenuation tank to provide additional attenuation of run-off using a flow control device located downstream of the storage.
- The outflow into the existing system will be restricted to the 1 in 1 year critical storm, for all storms up to the 1 in 100 year event plus climate change.

It is also highlighted that in terms of surface water, it is proposed to discharge to a surface water sewer. Dwr Cymru Welsh Water have indicated that they would offer no objection in principle to proposals for disposal of surface water flows into the public surface water sewer, subject to a maximum attenuated discharge rate of 5.5 l/s

Finally, it is also noted that the highways department in Welsh Government have requested a condition prohibiting drainage from the development connecting or discharging into the trunk road drainage system.

Planning Contributions

Policy SW9 relates to planning obligations. However, given the nature of the proposed development no financial contributions for affordable housing would be sought. Notwithstanding this, Community Infrastructure Level (CIL) would be liable in this part of the County Borough.

Response to representations

As outlined above, one letter of objection was received following the publicity exercise. In response to the main points raised the following comments are made:

- Whilst it is recognised that the submitted reports do not specifically refer to the dwelling known as Ty Bryn, this does not mean that they do not aid an assessment of the impact of the development on this property. The lighting information helps to inform potential light spill that may impact both residential properties and whilst the odour assessment refers to Station House specifically, this is because it is the nearest sensitive receptor. Ty Bryn is clearly detailed within the 100m circumference of the restaurant. This information along with other considerations have been carefully assessed when determining the impact of the proposed on residential amenities.
- Whilst it is recognised that the entrance/exit of the site is opposite the bedroom window of the dwelling known as Ty Bryn Du it is not considered that this property would experience any unacceptable noise or disturbance from comings and goings into the site (as discussed in more detail above). Lighting from the site would not be at a harmful level and would be subject to a condition. Associated advertisements and their impact on amenity will be considered as part of a separate advertisement application (Planning Ref: P/25/0266).

- The submitted information highlights litter management as an important issue. It is noted that litter bins and anti-littering signage are provided outside all restaurants with all McDonald's packaging carries anti-littering symbols to encourage customers to dispose of litter responsibly. In addition, it is company policy to conduct a minimum of three daily litter patrols, whereby employees pick up not only McDonald's packaging, but also any other litter that may have been discarded in a 150m vicinity of a restaurant.
- It has been indicated in the submitted information that McDonalds has pest control measures particularly regarding rats and the above litter policy would help to prevent pests. Notwithstanding this, if this became a problem it would be a matter for Environmental Health.
- The site is in an area identified as being at high risk from past coal mining activities. However, the application has been accompanied by adequate information with respect to the risks which has been considered by the Coal Authority who have not raised any objection to the development.
- The site does not fall within an area identified as being at risk of flood on the Flood Map for Planning. Notwithstanding this, suitable drainage of foul and surface waters would be agreed through building regulations and SAB approval.
- Ecological surveys have been undertaken and as noted previously bat roosts have been identified in two buildings to be demolished. However, a licence from NRW would be required before any demolition works could commence and the submitted ecology reports set out suitable precautionary measures in addition to mitigation and enhancement for bats.

Conclusion

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 deemed to be 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:

Drawing Title: Block Plan, Drawing Number: 13888_AEW_2685_0002 Rev. B.
Received 15 April 2026

Drawing Title: Proposed Site Plan, Drawing Number: 13888_AEW_2685_0004 Rev. J. Received 15 April 2026

Drawing Title: Proposed Building Elevations, Drawing Number: 13888_AEW_2685_0005. Received 9 October 2025

Drawing Title: Proposed Floor & Roof Plan, Drawing Number: 13888_AEW_2685_0006, Rev. A. Received 9 October 2025

Drawing Title: Surface Finishes Plan, Drawing Number: 13888_AEW_2685_0015, Rev. D. Received 15 April 2026

Drawing Title: Demolition Site Plan, Drawing Number: 13888_AEW_2685_0103, Rev -. Received 9 October 2025

Drawing Title: Hard Landscape Plan (Sheet 1), Drawing Number: edp9069_d013, Rev. F. Received 15 April 2026

Phase I Desk Study & Coal Mining Risk Assessment Report, ref: J15809, Issue 1, dated 12 December 2024, produced by Southern Testing, Received 9 October 2025

Site Investigation & Risk Assessment Report, ref: J15809, Issue 1, dated 5 August 2025, produced by Southern Testing, Received 23 December 2025.

Odour Control Assessment, Rev 00, dated September 2025, produced by CDM Partnership, Received 9 October 2025.

Aborocultural Method Statement (Incorporating Aborocultural Impact Assessment and Tree Protection Plan, ref: edp9069_r004c, dated September 2025, produced by The Environmental Dimension Partnership Ltd, Received 9 October 2025.

Ecological Appraisal, ref: edp9069_r002b, dated December 2025, reproduced by The Environmental Dimension Partnership Ltd, Received 23 December 2025

Construction Environmental Management Plan, ref: 005_4240241_CDR_CEMP, Issue 2, dated 16 September 2025, produced by Glanville, Received 9 October 2025.

Construction Environmental Management Plan: Biodiversity, ref: edp9069_r007a, dated January 2026, produced by The Environmental Dimension Partnership Ltd, Received 26 January 2026.

Delivery Management Plan, ref: ADL/CC/6197/16A, Issue 2, dated September 2025, produced by ADL Traffic & Highways, Received 9 October 2025.

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

3. No development shall take place (including demolition) until exact details of the location of a minimum of three bat box, in accordance with the Ecological Appraisal

(ref: edp9069_r002b), have been submitted to an approved in writing by the local planning authority to compensate for the loss of the existing bat roosts. These shall be provided in accordance with the approved details prior to any demolition works taking place and shall be retained in perpetuity thereafter.

Reason - Future Wales and Planning Policy Wales (Edition 12, February 2024) requires all development to maintain and enhance biodiversity and to accord with Policy EnW1 of the Merthyr Tydfil Replacement Local Development Plan.

4. Prior to any above ground works (excluding demolition) details of all biodiversity/ecological enhancements including a timescale for their implementation together with relevant plans and elevations, shall submitted to and approved in writing by the local planning authority. The development shall then be carried out in accordance with the approved details and maintained as such in perpetuity.

Reason - Future Wales and Planning Policy Wales (Edition 12, February 2024) requires all development to maintain and enhance biodiversity and to accord with Policy EnW1 of the Merthyr Tydfil Replacement Local Development Plan.

5. 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 demonstrate:

- no adverse impact to neighbouring residential properties;
- that there would be no light spill to the A465 Trunk Road;
- that bat and bird boxes would be positioned in dark areas with access to dark corridors/routes to be maintained around and through the site;

This shall include, but not be limited to:

- horizontal and vertical illuminance plans;
- 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 limit the impact on protected species, reduce light pollution and in the interests of residential amenity in accordance with policies SW11, EnW2 and EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan

6. No development or vegetation clearance (excluding demolition) shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping including details of those trees and hedgerows to be retained along with details of additional grassland, shrub, tree and hedgerow planting within the site. The scheme shall provide details of the species (which shall be of a minimum of 75% local/native provenance), planting sizes and planting numbers.

Reason - To ensure that the new development will be visually attractive in the interests of amenity, to protect the natural environment and to provide net benefits

to biodiversity in accordance with Policies SW11, EnW1, EnW2 and EnW3 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

7. All planting, seeding or turfing comprised in the approved details of landscaping 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 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, to protect the natural environment and to provide net benefits to biodiversity in accordance with Policies SW11, EnW1, EnW2 and EnW3 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

8. No development or vegetation clearance (excluding demolition) shall take place until a detailed Landscape and Ecological Management Plan (LEMP), including management responsibilities and maintenance schedules for all landscaped and habitat areas has been 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 protect the natural environment in accordance with Policies SW11, EnW1, EnW2 and EnW3 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

9. Before the development hereby approved is brought into beneficial use, the access, vehicle/cycle parking and turning facilities shall be provided in accordance Drawing No. 13888_AEW_2685_0004 Rev. H. The parking and turning areas shall not thereafter be used for any purpose other than the parking and turning of vehicles.

Reason - To ensure that adequate access, turning and parking facilities are provided in the interests of road safety in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

10. Before the development hereby approved is brought into beneficial use a footway shall be provided from the Lidl junction, eastbound across an adopted verge to provide pedestrian access into the site. This shall be implemented in accordance with details approved under a separate Section 278 agreement.

Reason - To ensure safety pedestrian access and encourage sustainable forms of transport in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

11. Before the development hereby approved is brought into beneficial use, the waste storage facilities shall be provided in accordance Drawing No. 13888_AEW_2685_0004 Rev. H.

Reason - To ensure that adequate waste storage facilities are provided with the curtilage of the site, in accordance with Policy EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

12. Before the development hereby approved is brought into beneficial use, an adequate grease trap has been fitted in accordance with details that have first been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details and thereafter the grease trap shall be maintained so as to prevent grease entering the public sewerage system.

Reason - To protect the integrity of the public sewage system and ensure the free flow of sewage and to accord with Policy EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

13. Surface water flows from the development shall only communicate with the public surface water sewer with the flow controlled through an attenuation device that discharges at a rate not exceeding 5.5 l/s.

Reason - To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment and to accord with Policy EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

14. No development or demolition shall commence until details of a method statement and risk assessment, informed by a location survey of the 18 inch and 8 inch trunk watermain, for the protection of the structural condition of the aforementioned watermain crossing the site has been submitted to and approved in writing by the Local Planning Authority. The approved protection measures shall be implemented in full before any other development hereby permitted has commenced and shall be retained at all times for the duration of the approved operations including the restoration works.

Reason - To ensure that the proposed development does not affect the integrity of the public water supply system in the interests of public health and safety and to accord with Policy EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

15. No drainage from the development site shall be connected to, or allowed to discharge into, the trunk road drainage system.

Reason - To ensure that the proposed development does not affect the trunk road drainage system in the interests of protecting the environment and to accord with Policy EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

16. No works to which this consent relates shall commence until an appropriate programme of historic building recording and analysis has been secured and implemented in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority.

Reason - As the building is of cultural significance the specified records are required to mitigate impact and to accord with Policy CW1 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

17. No development shall take place until the applicant, or their agents or successors in title, has secured agreement for a written scheme of historic environment mitigation which has been submitted by the applicant and approved by the local planning authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme.

Reason - To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource and to accord with Policy CW1 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

18. Prior to the construction of any retaining walls which exceed 1m in height, details including structural calculations and facing materials, shall first be submitted to and approved in writing by the Local Planning Authority. The retaining 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.

19. Prior to the occupation of the restaurant hereby approved a plan indicating the positions, height, design, materials and type of boundary treatment, including the height and section details of boundary retaining walls to be erected shall be submitted to and approved by the local planning authority. The boundary treatment shall be completed as approved before the use is brought into 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

20. Before the development hereby approved is brought into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the completion of mitigation measures necessary to address the risks posed by past coal mining activity.

Reason - To ensure the site is stable in the interests of safety and to accord with Policy EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan

21. 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.

Reason - 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. To accord with Policy EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan

22. Before the development hereby approved is brought into beneficial use, 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.

Reason - 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. To accord with Policy EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan

23. Before the development hereby approved is brought into beneficial use, 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.

Reason - 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. To accord with Policy EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan

24. Demolition or 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.

INFORMATIVES

1. Warning: An European protected species (EPS) Licence is required for this development.

This planning permission does not provide consent to undertake works that require an EPS licence.

It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine. To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at <https://naturalresources.wales/conservation-biodiversity-and-wildlife/european-protected-species/?lang=en>

2. 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.

3. 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 278 Agreement in relation to any of the proposed construction on the existing adopted highway. This must be obtained separate to this planning permission.
4. The developers attention is drawn to the comments received during the application process from Dwr Cymru Welsh Water. These can be viewed on the Merthyr Tydfil County Borough Council website.
5. The developers attention is drawn to the comments received during the application process from South Wales Fire and Rescue Service. These can be viewed on the Merthyr Tydfil County Borough Council website.
6. The historic building survey required by condition 15 should take the form of a Level 2 survey as set out in Understanding Historic Buildings: A Guide to Good Recording Practice (Historic England 2016). This will provide a record of the structure, in such detail as to preserve it by record with a written account of the building and its history, plans, and photographs with a measured scale and directional plan.
7. The written scheme of historic environment mitigation required by condition 16 should take the form of archaeological monitoring and recording (watching brief) during the groundworks required for the development, with detailed contingency arrangements including the provision of sufficient time and resources to ensure that any archaeological features or finds that are located are properly investigated and recorded; it should include provision for any sampling that may prove necessary, post-excavation recording and assessment and reporting and possible publication of the results
8. Archaeological work must be undertaken to the appropriate Standard and Guidance set by Chartered Institute for Archaeologists (CIfA): CIfA Codes, regulations and Standards, and guidance | CIfA and it is recommended that it is carried out either by a CIfA Registered Organisation or a MCIfA level accredited Member.

It is the responsibility of the applicant and their archaeologist to ensure the final report is deposited within the Historic Environment Record to meet the requirements of the Historic Environment (Wales) Act 2023 and the HERs Guidance [Guidance-for-the-Submission-of-Data-to-Welsh-HERs-V4-EN.pdf](#).

RECOMMENDATION ENDORSED



Director of Neighbourhood Services

DATE: 20.04.2026