



Judith Jones
Pennaeth Cynllunio
Cyngor Bwrdeistref Sirol Merthyr Tudful
Canolfan Ddinesig
Stryd y Castell
Merthyr Tudful CF47 8AN

Trwy e-bost: Judith.Jones@merthyr.gov.uk

Ein Cyf/Our ref: qA2304598
Eich Cyf/Your ref: P/25/0037 and P/25/0334
Dyddiad/Date: 2 Ebrill 2026

Annwyl Judith Jones

**DEDDF CYNLLUNIO GWLAD A THREF 1990 - CAIS GALW MEWN ADRAN 77
GORCHYMYN CYNLLUNIO GWLAD A THREF (GWEITHDREFN RHEOLI DATBLYGU)
(CYMRU) 2012**

**NEWID AMODAU 4 (AMSER Y CYMER Y GWAITH ADFER), 6 (CYNLLUNIAU
CYMERADWY) A 50 (STRATEGAETH ADFER) O GANIATÂD CYNLLUNIO
AP/U6925/A/10/2129921 SY'N DIWYGIO'R CYNLLUN ADFER.
CYNLLUN ADFER TIR FFOS Y FRÂN I'R DWYRAIN O Ffordd Ymuno â'r A4060,
MERTHYR TUDFUL, CF48 4AE.
RHIF Y CAIS: P/25/0037**

**PARHAU I DDEFNYDDIO SAFLE GWAREDU CWMBARGOD GYDOL Y GWAITH SY'N
GYSYLLTIEDIG Â CHYNLLUN ADFER TIR FFOS Y FRÂN A DARPARU
CYFLEUSTERAU YCHWANEGOL (GWAITH PROSESU A PHARATOI MWYNAU,
GWAITH GOLCHI GLO, GWEITHDY CERBYDAU CLUDO GLO, TANC STORIO DŴR,
BYRDDAU GWYBODAETH A HYSBYSEBU, CYFLEUSTERAU PENTYRRU A
PHARATOI GLO A GWAITH ATEGOL ARALL) (LLAWN).
SAFLE GWAREDU CWMBARGOD, HEOL FOCHRIW.
RHIF Y CAIS: P/25/0334**

Y mater dan sylw

1. Gofynnwyd i Weinidogion Cymru alw'r ceisiadau uchod i mewn er mwyn iddynt benderfynu arno eu hunain. Rwyf wedi fy awdurdodi gan Ysgrifennydd y Cabinet dros yr Economi, Ynni a Chynllunio i roi cyfarwyddyd yn yr achos hwn.

Polisi

2. Mae polisi Llywodraeth Cymru ar alw ceisiadau cynllunio i mewn wedi'i nodi ym Mholisi Cynllunio Cymru (PCC) Rhifyn 12, Chwefror 2024. Ym marn Llywodraeth Cymru, yr Awdurdodau Cynllunio Lleol (ACLI), fel cyrff etholedig, ddylai benderfynu



ar gynigion datblygu, lle bynnag y bo'n bosibl. Nid yw Gweinidogion Cymru, yn ymarferol, yn galw nifer o geisiadau cynllunio i mewn a dim ond pan fydd y cynnig yn codi materion o fwy na phwysigrwydd lleol y byddant yn gwneud hynny. Wrth benderfynu a ddylid galw cais i mewn, byddwn yn ystyried pwy ddylai benderfynu ar y cais yn hytrach na phenderfynu a ddylid derbyn y datblygiad neu a ddylid rhoi caniatâd cynllunio iddo.

Ystyriaeth

3. Y prif faterion a godwyd ynghylch y ceisiadau galw i mewn yw:
 - Honiadau bod y cynllun adfer yn seiliedig ar gost yn hytrach na chanlyniadau cynllunio digonol;
 - Gwrthdaro â pholisïau cenedlaethol ar adfer safleoedd;
 - Diddordeb eang mewn polisi glo a gwaith adfer llwyddiannus;
 - Mae'r diffyg diogelion o ran adfer safleoedd glofeydd yn creu cynsail eang;
 - Pryder y byddai tomenni glo newydd yn cael eu gadael ble maen nhw;
 - Pryderon gweithdrefnol ynghylch sut mae'r awdurdod cynllunio wedi prosesu'r cais ac ymdrin â champau gorfodi ar y safle;
 - Pryderon ynghylch uniondeb gweithredwr y safle.
4. Cafodd y pryderon a leisiwyd gan y rhai a ofynnodd i'r cais gael ei alw i mewn, y ffeiliau a osodwyd yn y gofrestr gynllunio gyhoeddus a gwybodaeth berthnasol arall, eu hystyried.

Penderfyniad

5. Mae Ysgrifennydd y Cabinet dros yr Economi, Ynni a Chynllunio wedi dod i'r casgliad bod y datblygiad a gynigiwyd yn gwrthdaro â'r polisi cynllunio cenedlaethol ar adfer safleoedd glofaol. Mae'r diddordeb eang mewn polisi glo ac adfer hen safleoedd glofaol yn golygu bod yr achos yn bwnc llosg y tu hwnt i ardal y safle. Mae maint y safle yn arwyddocaol a gall gael effeithiau eang, megis ei gysylltiadau hydrolegol trwy weithfeydd tanddaearol â chymoedd cyfagos. Mae'r achos yn unigryw o gofio'r materion y mae'n eu codi o ran adfer safleoedd. Mae'n hanfodol bod y diogelion sy'n gysylltiedig â'r gwaith adfer yn llwyddiannus, i gadw ffydd pobl yn y system gynllunio. Mae'r holl faterion hyn yn arwain Ysgrifennydd y Cabinet i'r casgliad bod pwysigrwydd y datblygiad yn estyn y tu hwn i'r ardal ac y dylai Gweinidogion Cymru benderfynu ar y ceisiadau.
6. **Mae Gweinidogion Cymru yn cyfarwyddo drwy hyn mai Gweinidogion Cymru ddylai benderfynu ar y ceisiadau cynllunio y cyfeirir atynt ym mhennawd y llythyr hwn (ref no. P/25/0037 and P/25/0334).**
7. Bydd y ceisiadau cynllunio gwreiddiol, ynghyd ag unrhyw gynlluniau, adrannau a mapiau, ac unrhyw ddogfennau ategol eraill, gan gynnwys tystysgrifau a gohebiaeth arall berthnasol, nad ydynt wedi'u cyflwyno eisoes, yn cael eu hanfon at:
Penderfyniadau Cynllunio ac Amgylchedd Cymru, Adeiladau'r Goron, Parc Cathays, Caerdydd, CF10 3NQ. (ebost: PEDW.Casework@gov.wales).
8. Rhoddir gwybod ichi am y broses sydd i'w mabwysiadu ar gyfer ystyried y ceisiadau cyn gynted â phosibl. Tynnir eich sylw at ddarpariaethau erthygl 13 o Orchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2012 (y Gorchymyn)

sy'n ei gwneud yn ofynnol i'ch ACLI roi hysbysiad o delerau cyfarwyddyd adran 77 ar yr ymgeisydd, a'r rhesymau dros eu rhoi.

9. Nid yw'r penderfyniad i alw'r ceisiadau hyn i mewn yn awgrymu nac yn cyfleu barn Gweinidogion Cymru ynghylch rhinweddau'r cais.
10. Anfonwyd copi o'r llythyr hwn at Richards, Moorehead & Laing Ltd, a Highlight Planning, asiantwyr yr ymgeisydd ar y priod geisiadau.

Yn gywir



Hywel Butts
Pennaeth Gwaith Achos Cynllunio / Head of Planning Casework
Y Gyfarwyddiaeth Gynllunio / Planning Directorate

Arwyddwyd o dan awdurdod yr Ysgrifennydd y Cabinet dros yr Economi, Ynni a Chynllunio; un o Weinidogion Cymru.

Signed under authority of the Cabinet Secretary of Economy, Energy and Planning; one of the Welsh Ministers.



Judith Jones
Head of Planning
Merthyr Tydfil County Borough Council
Civic Centre
Castle Street
Merthyr Tydfil CF47 8AN

By email: Judith.Jones@merthyr.gov.uk

Ein Cyf/Our ref: qA2304598
Eich Cyf/Your ref: P/25/0037 and P/25/0334
Dyddiad/Date: 2 April 2026

Dear Judith Jones

**TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 77 CALL-IN REQUEST
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(WALES) ORDER 2012**

**VARIATION OF CONDITIONS 4 (DURATION OF RESTORATION), 6 (APPROVED
PLANS) AND 50 (RESTORATION STRATEGY) OF PLANNING PERMISSION
APP/U6925/A/10/2129921 INVOLVING A REVISION TO THE RESTORATION SCHEME.
FFOS Y FRAN LAND RECLAMATION SCHEME EAST OF A4060 SLIP ROAD
MERTHYR TYDFIL CF48 4AE.
APPLICATION NO: P/25/0037**

**CONTINUATION OF USE OF CWMBARGOED DISPOSAL POINT FOR THE
DURATION OF RELATED OPERATIONS AT THE FFOS Y FRAN LAND
RECLAMATION SCHEME AND THE PROVISION OF ADDITIONAL FACILITIES
(MINERAL PROCESSING AND PREPARATION PLANT, COAL WASHING PLANT,
COAL HAULAGE VEHICLE WORKSHOP, WATER STORAGE TANK, INFORMATION
AND ADVERTISEMENT HOARDINGS, COAL STACKING AND PREPARATION
FACILITIES AND OTHER ANCILLARY WORKS) (FULL).
CWMBARGOED DISPOSAL POINT, FOCHRIW ROAD.
APPLICATION NO: P/25/0334**

Issue

1. The Welsh Ministers have been asked to call in the above applications for their own determination. I am authorised by the Cabinet Secretary for Economy, Energy and Planning to issue a direction in this case.

Policy

2. The Welsh Government's policy on calling in planning applications is set out in Planning Policy Wales Edition 12, February 2024 (PPW). The Welsh Government

considers planning authorities (PAs), as elected bodies, should be left to make decisions about development proposals wherever possible. The Welsh Ministers do not, in practice, call in many planning applications and will only do so where the proposal raises issues of more than local importance. The consideration of a request to call in an application is not about the acceptability of the development and whether planning permission should be granted; it is concerned with who should make the decision.

Consideration

3. The main issues raised in the call-in requests are:
 - Claims the restoration scheme is based on cost rather than adequate planning outcomes;
 - Conflict with national policies on site remediation;
 - Wide interest in coal policy and successful remediation;
 - The lack of remediation safeguards for mining sites creating a wide precedent;
 - Concern about new coal tips being left in place;
 - Procedural concerns about how the planning authority has processed the application and its handling of enforcement at the site; and
 - Concerns regarding the integrity of the site operator.
4. Consideration has been given to the concerns expressed in the call-in requests, the content of the files placed on the public planning register and any other relevant information.

Decision

5. The Cabinet Secretary for Economy, Energy and Planning has concluded the proposed development potentially conflicts with national policy on mining site restoration. Wide interest in coal policy and remediation of old mining sites means the case has generated substantial controversy beyond the immediate locality. The scale of the site is significant and may have wide effects, such as its hydrological links through underground workings to neighbouring valleys. The case is novel given the issues it raises in respect of site restoration. Success of restoration safeguards is essential to maintaining public trust in the planning system. All these matters lead the Cabinet Secretary to conclude the development is of more than local importance and the applications should be determined by the Welsh Ministers.
6. **The Welsh Ministers hereby direct that the planning applications referred to in the heading to this letter (ref no. P/25/0037 and P/25/0334) shall be determined by the Welsh Ministers.**
7. The original planning applications, together with any plans, sections and maps, and any other documents accompanying them, including related certificates and other correspondence, which have not already been supplied, shall be sent to Planning and Environment Decisions Wales, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ (email: PEDW.Casework@gov.wales).
8. You will be notified of the process to be adopted for the consideration of the applications as soon as possible. Your attention is drawn to the provisions of article

13 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 ("DMPWO") which requires your PA to serve notice of the terms of and the reasons for the section 77 direction on the applicant.

9. The decision to call in these applications does not imply or infer any view from the Welsh Ministers about the merits of the application.
10. A copy of this letter has been sent to Richards, Moorehead & Laing Ltd, and Highlight Planning, agents for the applicant on each of the respective applications.

Yours sincerely

A handwritten signature in black ink, appearing to read 'H. Butts', with a stylized flourish at the end.

Hywel Butts
Pennaeth Gwaith Achos Cynllunio / Head of Planning Casework
Y Gyfarwyddiaeth Gynllunio / Planning Directorate

Arwyddwyd o dan awdurdod yr Ysgrifennydd y Cabinet dros yr Economi, Ynni a Chynllunio; un o Weinidogion Cymru.

Signed under authority of the Cabinet Secretary of Economy, Energy and Planning; one of the Welsh Ministers.