

03 April 2023

C/O Mr Hugh Towns
Planning - Development Control
Merthyr Tydfil County Borough Council
Unit 5, Triangle Business Park
Pentrebach,
Merthyr Tydfil
CF48 4TQ

Our Ref: 419.08882.00002

Your Ref: P/22/0237

Dear Planning

RE: FFOS-Y-FRAN LAND RECLAMATION SCHEME, EAST OF MERTHYR TYDFIL CF48 4AE – S.73 APPLICATION TO VARY CONDITIONS 3 (COAL EXTRACTION) AND 4 (FINAL RESTORATION) OF PLANNING PERMISSION REF. A-PP152-07-014: APPLICATION REF. P/22/0237

With regard to the above application, this letter seeks to clarify one of the key 'Grounds for Variation' on which the S.73 submission was made; namely: ***'To allow for the preparation of a subsequent application (which will include revised restoration of the site)'*** (Section 4.3.1 of the submitted Environmental Statement Addendum ['ESA'] – emphasis added).

1.0 CHANGE IN APPLICATION CONTEXT

As detailed within Paragraphs 4.3.15 to 4.3.17 of the submitted ESA, the intention was for any subsequent planning application to include for an extension to allow continued extraction of coal beyond the currently consented minerals extraction area. This extension would have allowed Ffos-y-Fran to provide essential supplies for a limited period to support Tata Steel UK Ltd for their steelworks at Port Talbot and enabled a bolstering of the Escrow and restoration fund available for the eventual closure and restoration of the site.

However, following submission of the S.73 application (ref. P/22/0237), there have been several changes in circumstance which has made further extraction at the site (beyond the currently consented extraction area) unviable, namely:

- **Geotechnical conditions and Land Slippage** – the mine experienced a significant land slippage in November 2022 which has inhibited the efficient recovery of coal reserves from the site. The viability of ongoing extractive operations has been compromised as efforts have been diverted to address essential land stabilisation and restoration works.
- **Cost of Extraction** – further price increases in fuel, materials and operating costs required to undertake extraction, coupled with a significant fall in the global price for steam coal since the height of the energy supply crisis, have rendered the production price per tonne at Ffos-y-Fran increasingly uncompetitive.

Whilst Merthyr (South Wales) Limited are proposing to meet their contractual obligations for existing suppliers through the completion of the extraction proposed under application ref. P/22/0237, **no further extraction is now proposed beyond the completion of the existing consented void.**

2.0 DEFINITION OF THE EXTENSION OF TIME PERIOD

In order to compensate for delayed production due to the management of the difficult site conditions caused by the recent land slippage, the extension of time sought under Condition 3 is now requested for a fixed term to the **31 March 2024**, at which point coal production at Ffos-y-Fran will cease completely.

3.0 COMMITMENT TO A HYBRID PLANNING APPLICATION FOR AN ALTERNATE LANDFORM RESTORATION

Notwithstanding, there is still a need to find an alternate restoration strategy to ensure that the site is brought back to a suitable landform beyond the life of the mine. On this basis, Merthyr (South Wales) Ltd will instruct the submission of **a hybrid planning application seeking consent for an alternate restoration landform (a landscaping scheme) and subsequent after uses to benefit the site and the local community.**

Given the ongoing nature of investigations and design work at the site, it is now envisaged that the proposed hybrid planning application would be submitted in autumn 2023. We will seek to keep the planning department at Merthyr Tydfil County Borough Council updated on the progress of this application and its intended timescales for submission.

4.0 S73 ADDENDUM

Due to this alteration to the 'Grounds of Variation', a brief tabulated Addendum to the S.73 submission is provided overleaf and should be read in conjunction with the content of the ESA, NTS and associated Planning Statement. Given that the change to the 'Grounds for Variation' do not 'go to the heart' of the assessment(s) contained therein, no updates to the various documents (as submitted) are proposed.

We trust that the above is clear and we look forward to the application being brought before Planning Committee. However, should you have any queries regarding this clarification letter, please do not hesitate to contact SLR directly.

Yours sincerely
SLR Consulting Limited



Edward Bright
Technical Director

En: Table 1 ES Addendum Review Table

Table 1: ES Addendum Review Table

ES Chapter	Paragraph	Update	Commentary
Application Documents			
Application Forms	N/A	N/A	No updates required
Application Drawings	N/A	N/A	No updates required
Planning Statement	1.1.3	To allow for the preparation of a subsequent new planning application to address a 3 year extension to cooling operations at the site to assist the above security of energy supply issues affecting the steel industry in south Wales and put a revised final site restoration plan and associated afteruse of the site which will be of social and economic benefit to the local population. in place.	Removal of reference to any potential extension to coal extraction at the site.
	4.4	To allow for the preparation of a subsequent new planning application to address a 3 year extension to cooling operations at the site to assist the above security of energy supply issues affecting the steel industry in south Wales and put a revised final site restoration plan and associated afteruse of the site which will be of social and economic benefit to the local population. in place.	Removal of reference to any potential extension to coal extraction at the site.
	4.4.3	... On this basis, a subsequent application is currently being prepared for an extension to the coal mining activities at the site, including an alternate restoration strategy and proposed afteruse of the site beyond the life of the mine. The principle is to meet the ongoing requirements for coal, whilst ensuring ensure a suitable restoration strategy can be achieved and to bring forward an afteruse which will be of social and economic benefit to the local population.	Removal of reference to any potential extension to coal extraction at the site.
	4.4.3	... As such, this application will take until Quarter 2 Autumn of 2023 to prepare and submit to Merthyr Tydfil County Borough Council for consideration. On this basis, it is necessary to ensure that the current mine remains operational in this intervening period and ensure that there is no cessation in supply of coal to the steel industry or potential loss of employment at the site...	Clarification on timescales for any subsequent application.
	4.4.3	The mine should be recognised as being essential to securing social and economic growth within Merthyr Tydfil County Borough Council authority area and its security of operations should provide reassurance to the local community. Should the forthcoming application for an extension, restoration and afteruse not be granted permission, it will ensure that current employees have until 31 March 2024 a further 9 months to weather the cost of living crisis and look for alternative means of employment, whilst also allowing the operators of the mine to look at other investment possibilities.	Removal of reference to any potential extension to coal extraction at the site and confirmed date for cessation of working.
Volume 1: Environmental Statement Addendum			
Chapter 1 – Introduction	1.1.5	The S.73 application, as submitted, seeks to extend the lifespan of the minerals extraction until 31 March 2024 by a further 9 months. As such, the timescales stipulated within the above conditions will be varied to match this extended life span for the mine. No alterations are proposed to the extraction area or working practices at the mine as previously consented.	Confirmed date for cessation of working
	1.1.7	Whilst this proposal is not seeking to extend the application site or increase the extraction of minerals than what is already permitted, it is seeking to extend the lifespan of the operations of the site until 31 March 2024 by 9 months.	Confirmed date for cessation of working

ES Chapter	Paragraph	Update	Commentary
		<i>Therefore, whilst it is not considered this proposal would undermine the original Environmental Statement, legislation has been updated since the original application and thus the applicant has provided an Environmental Statement Addendum (ESA). This ESA will review the original planning application, original Environmental Statement and any information submitted to discharge conditions against the proposal and provide updated conclusions and mitigation where necessary.</i>	
	1.4.4	<i>As detailed within the S.73 planning application submission, the proposals to vary Conditions 3 and 4 would not normally require the preparation and submission of an Environmental Statement or alike. On this basis, the work undertaken has been limited to the undertaking of a compliance based review and ensuring that the proposed additional 9-month working period (and subsequent restoration period) would not alter the findings and requirements as outlined within the original ES.</i>	Removal of reference to 9 months
Chapter 2 – Environmental Assessment Process	2.1.5	<i>The S.73 application, as submitted, seeks to extend the lifespan of the minerals extraction until 31 March 2024 by a further 9 months. As such, the timescales stipulated within the above conditions will be varied to match this extended life span for the mine. No alterations are proposed to the extraction area or working practices at the mine as previously consented.</i>	Confirmed date for cessation of working
	2.3.27	<i>The temporal scope of the assessment refers to the time periods in which the effects are expected to be experienced. This is different, and will be established separately, for each topic individually where appropriate. Notwithstanding, the key consideration to the temporal scope is the extension of previously permitted coaling operations until 31 March 2024 by a further 9 months, and the delay of completion of the restoration strategy until 31 June 2026 by a corresponding 9 months.</i>	Confirmed date for cessation of working and restoration
Chapter 3 – Policy	3.3.4	<i>The following policies are of relevance to the proposed variation and subsequent long-term impacts that the extension of time would enable.</i>	Clarification that this relates to the proposed extension of time proposed within the S.73 application.
Chapter 4 – Description of Development	4.2.2	<i>The purpose of this S.73 application is to seek to vary Conditions 3 and 4 of the Appeal Decision for the extension to the lifespan of the mineral's extraction, and subsequently extend the timescales for final restoration of the land, until 31 March 2024 by a further 9 months. As such, the existing conditions of Appeal ref. APP/U6925/A/10/2129921 read as follows:</i>	Confirmed date for cessation of working
	4.2.4	<i>As detailed above, the S.73 Application seeks to extend the life of the consented minerals extraction by a further 9 months. As such, it is proposed to re-word Condition 3 as follows:</i> <i>“All coal extraction from the development hereby permitted shall cease no later than 31 March 2024 06-June-2023.</i> <i>Reason: To co-ordinate the duration of the development hereby permitted with the end dates permitted under this application.”</i>	Confirmed date for cessation of working

ES Chapter	Paragraph	Update	Commentary
	4.2.5	Given the proposed extension to the life of the consented minerals extraction, this will have a subsequent effect on the timescales for restoration of the site. As such, it is proposed to re-word Condition 4 as follows: “Final restoration of the land shall be complete no later than 31 June 2026 06 September 2025 and aftercare shall be undertaken for the period of not less than 5 years upon certification of completion of each phase of the progressive restoration scheme. Reason: To co-ordinate the duration of the development hereby permitted with the end dates permitted under this application.”	Confirmed date for restoration
	4.3.14	As such, the proposed S.73 application allowing for previously consented minerals extraction to continue until 31 March 2024 for a further 9 months would ensure a security of supply and provide a more sustainable source of coal to the domestic steel industry as it would reduce the reliance on overseas imports sourced from potential suppliers in Venezuela and Australia now that imports from Russia are suspended...	Confirmed date for cessation of working
	4.3.15	... On this basis, a subsequent application is currently being prepared for an extension to the coal mining activities at the site, including an alternate restoration strategy and proposed afteruse of the site beyond the life of the mine. The principle is to meet the ongoing requirements for coal, whilst ensuring ensure a suitable restoration strategy can be achieved and to bring forward an afteruse which will be of social and economic benefit to the local population.	Removal of reference to any potential extension to coal extraction at the site.
	4.3.16	... As such, this application will take until Quarter 2 Autumn of 2023 to prepare and submit to Merthyr Tydfil County Borough Council for consideration. On this basis, it is necessary to ensure that the current mine remains operational in this intervening period and ensure that there is no cessation in supply of coal to the steel industry or potential loss of employment at the site...	Clarification on timescales for any subsequent application.
	4.3.17	The mine should be recognised as being essential to securing social and economic growth within Merthyr Tydfil County Borough Council authority area and its security of operations should provide reassurance to the local community. Should the forthcoming application for an extension, restoration and afteruse not be granted permission, it will ensure that current employees have until 31 March 2024 a further 9 months to weather the cost of living crisis and look for alternative means of employment, whilst also allowing the operators of the mine to look at other investment possibilities.	Removal of reference to any potential extension to coal extraction at the site and confirmed date for cessation of working.
Chapter 5 – Committed Development	5.1.5	The S.73 application, as submitted, seeks to extend the lifespan of the minerals extraction until 31 March 2024 by a further 9 months . As such, the timescales stipulated within the above conditions will be varied to match this extended life span for the mine. No alterations are proposed to the extraction area or working practices at the mine as previously consented.	Confirmed date for cessation of working
Chapter 6 – Utilities	6.1.5	The S.73 application, as submitted, seeks to extend the lifespan of the minerals extraction until 31 March 2024 by a further 9 months . As such, the timescales stipulated within the above conditions will be varied to match this extended life span for the mine. No alterations are proposed to the extraction area or working practices at the mine as previously consented.	Confirmed date for cessation of working

ES Chapter	Paragraph	Update	Commentary
Chapter 7 – Footpaths, Bridleways and The Urban Common	7.1.5	<i>The S.73 application, as submitted, seeks to extend the lifespan of the minerals extraction until 31 March 2024 by a further 9 months. As such, the timescales stipulated within the above conditions will be varied to match this extended life span for the mine. No alterations are proposed to the extraction area or working practices at the mine as previously consented.</i>	Confirmed date for cessation of working
Chapter 8 – Traffic and Transport	8.1.5	<i>The S.73 application, as submitted, seeks to extend the lifespan of the minerals extraction until 31 March 2024 by a further 9 months. As such, the timescales stipulated within the above conditions will be varied to match this extended life span for the mine. No alterations are proposed to the extraction area or working practices at the mine as previously consented.</i>	Confirmed date for cessation of working
	8.6.2	<i>There were no residual transport effects identified as part of the original ES or subsequent variation of condition application. It is expected that this would continue to be the case should the operations be extended by 9 months.</i>	Removal of reference to 9 months
	8.8.5	<i>No residual transport effects identified as part of the original ES or subsequent variation of condition application. It is expected that this would continue to be the case should the operations be extended by 9 months.</i>	Removal of reference to 9 months
	8.9.1	<i>This Traffic and Transport chapter of the ESA has been prepared to provide an overview of the likely impact of a 9 month an extension to operations on the local transport network.</i>	Removal of reference to 9 months
	8.9.4	<i>On the basis of the above, it can be concluded that extending the life of the mine until 31 March 2024 by 9 months would not impact upon the findings of the original ES.</i>	Confirmed date for cessation of working
Chapter 9 – Soils	9.1.5	<i>The S.73 application, as submitted, seeks to extend the lifespan of the minerals extraction until 31 March 2024 by a further 9 months. As such, the timescales stipulated within the above conditions will be varied to match this extended life span for the mine. No alterations are proposed to the extraction area or working practices at the mine as previously consented.</i>	Confirmed date for cessation of working
Chapter 10 – Hydrology	10.1.5	<i>The S.73 application, as submitted, seeks to extend the lifespan of the minerals extraction until 31 March 2024 by a further 9 months. As such, the timescales stipulated within the above conditions will be varied to match this extended life span for the mine. No alterations are proposed to the extraction area or working practices at the mine as previously consented.</i>	Confirmed date for cessation of working
	10.1.6	<i>Extension to the lifespan of the minerals' extraction until 31 March 2024 by 9 months is the sole consideration of the S.73 application. No other alterations to the original application are proposed and as such are not considered in the application.</i>	Confirmed date for cessation of working
	10.5.12	<i>Over the very limited extension period being sought to extend the coaling operation, 9 months, the frequency with which the agreed attenuation rates would be exceeded due to the impact of climate change would be negligible. However, the storm overflow events that would result from exceeding the agreed attenuation rates were consented by the Environment Agency (predecessors to Natural Resources Wales).</i>	Removal of reference to 9 months
Chapter 11 – Geology	11.1.5	<i>The S.73 application, as submitted, seeks to extend the lifespan of the minerals extraction until 31 March 2024 by a further 9 months. As such, the timescales stipulated within the above conditions will be varied to match this extended life span for the mine. No alterations are proposed to the extraction area or working practices at the mine as previously</i>	Confirmed date for cessation of working

ES Chapter	Paragraph	Update	Commentary
		<i>consented.</i>	
Chapter 12 – Hydrogeology	12.1.5	<i>The S.73 application, as submitted, seeks to extend the lifespan of the minerals extraction until 31 March 2024 by a further 9 months. As such, the timescales stipulated within the above conditions will be varied to match this extended life span for the mine. No alterations are proposed to the extraction area or working practices at the mine as previously consented.</i>	Confirmed date for cessation of working
	12.1.6	<i>Extension to the lifespan of the minerals' extraction until 31 March 2024 by 9 months is the sole consideration of the S.73 application and its implication for the original hydrogeological impact assessment. No other alterations to the original application are proposed and as such are not considered in the application.</i>	Confirmed date for cessation of working
	12.4.11	<i>No additional effects beyond those identified in the original ES are anticipated as no alterations are proposed to the extraction area or working practices at the mine as previously consented and the proposal is limited to an extension of the lifespan of the minerals' extraction until 31 March 2024 by a further 9 months.</i>	Confirmed date for cessation of working
	12.5.10	<i>No additional mitigation or monitoring is required beyond that already proposed, to mitigate impacts from the proposal to extend the mine's lifespan until 31 March 2024 by 9 months.</i>	Confirmed date for cessation of working
Chapter 13 – Geotechnical	13.1.5	<i>The S.73 application, as submitted, seeks to extend the lifespan of the minerals extraction until 31 March 2024 by a further 9 months. As such, the timescales stipulated within the above conditions will be varied to match this extended life span for the mine. No alterations are proposed to the extraction area or working practices at the mine as previously consented.</i>	Confirmed date for cessation of working
	13.1.6	<i>In terms of geotechnical engineering, the material amendment is for the extension of time of operating the cut slopes for the End Wall Adjacent to A4060 Trunk Road from the proposed additional 9 months of operations.</i>	Removal of reference to 9 months
Chapter 14 – Archaeology and Heritage	14.1.5	<i>The S.73 application, as submitted, seeks to extend the lifespan of the minerals extraction until 31 March 2024 by a further 9 months. As such, the timescales stipulated within the above conditions will be varied to match this extended life span for the mine. No alterations are proposed to the extraction area or working practices at the mine as previously consented.</i>	Confirmed date for cessation of working
Chapter 15 – Ecology	15.1.6	<i>The S.73 application, as submitted, seeks to extend the lifespan of the minerals extraction until 31 March 2024 by a further 9 months. As such, the timescales stipulated within the above conditions will be varied to match this extended life span for the mine. No alterations are proposed to the extraction area or working practices at the mine as previously consented.</i>	Confirmed date for cessation of working
	15.4.1	<i>The S.73 application, as submitted, seeks to extend the lifespan of the mineral extraction until 31 March 2024 by a further 9 months. Consequently, this potentially extends the completion of the final restoration activities by 9 months also. No other alterations are proposed to the extraction area or working practices at the mine, as previously consented, would change. The agreed ecological mitigation compensation and enhancement measures will also remain appropriate.</i>	Confirmed date for cessation of working
	15.4.2	<i>From an ecological perspective, a period until 31 March 2024 of 9 months would be regarded as being the equivalent of a season and therefore short term in nature.</i>	Confirmed date for cessation of working

ES Chapter	Paragraph	Update	Commentary
Chapter 16 – Landscape and Visual	16.1.5	<i>The S.73 application, as submitted, seeks to extend the lifespan of the minerals extraction until 31 March 2024 by a further 9 months. As such, the timescales stipulated within the above conditions will be varied to match this extended life span for the mine. No alterations are proposed to the extraction area or working practices at the mine as previously consented.</i>	Confirmed date for cessation of working
	16.1.6	<i>Extension to the lifespan of the minerals' extraction until 31 March 2024 by 9 months is the sole consideration of the S.73 application and its implication for the original landscape and visual impact assessment. No other alterations to the original application are proposed and as such are not considered in the application.</i>	Confirmed date for cessation of working
	16.2.23	<i>It is unclear what methodology was used for judging landscape and visual effects in the original ES as none is recorded within the documents available. However, the nature of the proposed development, being entirely limited to the extension of workings until 31 March 2024 to 9 months, does not preclude making a judgement on whether the landscape and visual effects would be altered.</i>	Confirmed date for cessation of working
	16.2.33	<i>The proposed development is the extension of the working time until 31 March 2024 for 9 months which would increase the lifespan of the permission to 18 17 years and 6 9 months; inclusive of restoration works but not subsequent aftercare (stated as 5 years).</i>	Confirmed date for cessation of working and project timescales
	16.3.5	<i>The effect of the proposed extended timescale would be to extend the visual and landscape disturbance and effects of the phased working and delay the final restoration scheme by 9 months.</i>	Removal of reference to 9 months
	16.4.8	<i>No additional effects would occur as a result of the proposed time extension, but the duration of the existing effects would be extended until 31 March 2024 by 9 months. The same extraction process, earthmoving and restoration activities would occur.</i>	Confirmed date for cessation of working
	16.4.9	<i>There is unlikely to be any additional cumulative effects due to the proposed development. Although, the combined effects with the Trecatti Site would be extended until 31 March 2024 for an additional 9 months. In the visuals produced for the original ES the Trecatti site is shown as restored, but that has not occurred fully. These effects would be considered to be short-term temporary cumulative effects and adverse.</i>	Confirmed date for cessation of working
	16.9.1	<i>The original ES has been reviewed within the context of the proposed extension to workings and with reference to updated planning policy and guidance as identified in Section 16.2.0.</i>	Text error noted.
	16.9.2	<i>The future baseline of the original ES would remain the completed restoration as permitted. The current baseline would be the existing operations until 31 March 2024 for an additional 9 months.</i>	Confirmed date for cessation of working
Chapter 17 – Noise	17.1.5	<i>The S.73 application, as submitted, seeks to extend the lifespan of the minerals extraction until 31 March 2024 by a further 9 months. As such, the timescales stipulated within the above conditions will be varied to match this extended life span for the mine. No alterations are proposed to the extraction area or working practices at the mine as previously consented.</i>	Confirmed date for cessation of working
Chapter 18 – Waste	18.1.5	<i>The S.73 application, as submitted, seeks to extend the lifespan of the minerals extraction until 31 March 2024 by a further 9 months. As such, the timescales stipulated within the above conditions will be varied to match this extended life span for the mine. No alterations are proposed to the extraction area or working practices at the mine as previously</i>	Confirmed date for cessation of working

ES Chapter	Paragraph	Update	Commentary
		consented.	
Chapter 19 – Air Quality	19.1.5	<i>The S.73 application, as submitted, seeks to extend the lifespan of the minerals extraction until 31 March 2024 by a further 9 months. As such, the timescales stipulated within the above conditions will be varied to match this extended life span for the mine. No alterations are proposed to the extraction area or working practices at the mine as previously consented.</i>	Confirmed date for cessation of working
	19.1.6	<i>In terms of air quality, the material amendment is for the extension of time and to assess the risks to human health and amenity from the proposed additional 9 months of operations until 31 March 2024.</i>	Confirmed date for cessation of working
	19.2.35	<i>The S.73 Application is for an extension in time for the current mineral and restoration activities. The proposed amendment of extending the life of the Site until 31 March 2024 by 9 months will not change the current level of operations from the existing baseline. Therefore no new or different impacts associated with air quality will arise as a result of the proposed extension in time.</i>	Confirmed date for cessation of working
	19.3.5	<i>MTCBC have declared one AQMA since the original ES. The AQMA was declared in 2017 for exceedances of the annual NO2 concentrations along Twynrodyn Road and is located approximately 1km to the west of the Site (see Figure 3-2). On the basis of the location of the AQMA in the built up area of Merthyr Tydfil and not in proximity to any of the routes used by Site traffic, the declaration of the AQMA is not considered to change the outcome or conclusions of the original ES.</i>	Text error noted.
	19.3.11	<i>In accordance with the air quality monitoring scheme, extensive monitoring for concentrations of PM10, PM2.5 and dust deposition have been undertaken. PM10 and PM2.5 have been and continue to be monitored using a Tapered Element Oscillating Microbalance (TEOM) monitor located at Twynrodyn School located approximately 550m east of the Site. A summary of the results for the previous 3 years for the PM10 and PM2.5 is presented in Table 3-2.</i>	Text error noted.
Chapter 20 – Blast Vibration	20.1.5	<i>The S.73 application, as submitted, seeks to extend the lifespan of the minerals extraction until 31 March 2024 by a further 9 months. As such, the timescales stipulated within the above conditions will be varied to match this extended life span for the mine. No alterations are proposed to the extraction area or working practices at the mine as previously consented.</i>	Confirmed date for cessation of working
Chapter 21 – Socio-Economic	21.1.5	<i>The S.73 application, as submitted, seeks to extend the lifespan of the minerals extraction until 31 March 2024 by a further 9 months. As such, the timescales stipulated within the above conditions will be varied to match this extended life span for the mine. No alterations are proposed to the extraction area or working practices at the mine as previously consented.</i>	Confirmed date for cessation of working
Chapter 22 – Other Environmental Issues	22.1.5	<i>The S.73 application, as submitted, seeks to extend the lifespan of the minerals extraction until 31 March 2024 by a further 9 months. As such, the timescales stipulated within the above conditions will be varied to match this extended life span for the mine. No alterations are proposed to the extraction area or working practices at the mine as previously consented.</i>	Confirmed date for cessation of working
Chapter 23 – Cumulative and In-Combination	23.1.5	<i>The S.73 application, as submitted, seeks to extend the lifespan of the minerals extraction until 31 March 2024 by a further 9 months. As such, the timescales stipulated within the above conditions will be varied to match this extended life span for the mine. No alterations are proposed to the extraction area or working practices at the mine as previously</i>	Confirmed date for cessation of working

ES Chapter	Paragraph	Update	Commentary
		consented.	
	23.2.2	It is noted that extension of time until 31 March 2024 by a further 9 months would not have a negative impact as a result of noise, air quality etc. Therefore, as there are no singular negative impacts, it is not considered that there would be any 'in-combination effects' from multiple sources to singular receptors.	Confirmed date for cessation of working
	23.2.4	A full review of committed developments has been undertaken and whilst there are some notable committed developments, it is not considered that the extension of time for the operations and restoration of the site until 31 March 2024 by a further 9 months would result in any 'new' significant adverse effects and therefore, the cumulative effects are considered acceptable and in line with legislation.	Confirmed date for cessation of working
Chapter 24 – Summary of Mitigation and Monitoring	24.1.5	The S.73 application, as submitted, seeks to extend the lifespan of the minerals extraction until 31 March 2024 by a further 9 months . As such, the timescales stipulated within the above conditions will be varied to match this extended life span for the mine. No alterations are proposed to the extraction area or working practices at the mine as previously consented.	Confirmed date for cessation of working
	24.2.21	Over the very limited extension period being sought to extend the coaling operation, until 31 March 2024 9 months , the frequency with which the agreed attenuation rates would be exceeded due to the impact of climate change would be negligible. However, the storm overflow events that would result from exceeding the agreed attenuation rates were consented by the Environment Agency (predecessors to Natural Resources Wales).	Confirmed date for cessation of working
	24.2.32	No additional mitigation or monitoring is required beyond that already proposed, to mitigate impacts from the proposal to extend the mine's lifespan until 31 March 2024 by 9 months .	Confirmed date for cessation of working
Chapter 25 – Conclusion	25.1.5	The S.73 application, as submitted, seeks to extend the lifespan of the minerals extraction until 31 March 2024 by a further 9 months . As such, the timescales stipulated within the above conditions will be varied to match this extended life span for the mine. No alterations are proposed to the extraction area or working practices at the mine as previously consented.	Confirmed date for cessation of working
	25.2.7	There were no residual transport effects identified as part of the original ES or subsequent variation of condition application. It is expected that this would continue to be the case should the operations be extended until 31 March 2024 by 9 months .	Confirmed date for cessation of working
	25.2.11	On the basis of the above, it can be concluded that extending the life of the mine until 31 March 2024 by 9 months would not impact upon the findings of the original ES.	Confirmed date for cessation of working
	25.2.44	The future baseline of the original ES would remain the completed restoration as permitted. The current baseline would be the existing operations until 31 March 2024 for an additional 9 months .	Confirmed date for cessation of working
Volume 2: Technical Appendices			
All Technical Appendices	N/A	N/A	No updates required
Volume 3: Non-Technical Summary			
NTS	1.5	The S.73 application, as submitted, seeks to extend the lifespan of the minerals extraction until 31 March 2024 by a	Confirmed date for

ES Chapter	Paragraph	Update	Commentary
		further 9 months . As such, the timescales stipulated within the above conditions will be varied to match this extended life span for the mine. No alterations are proposed to the extraction area or working practices at the mine as previously consented.	cessation of working
	2.3	This S.73 application seeks to vary these conditions (as outlined in Section 1.1 of this report) to allow for coal mining operations to continue until 31 March 2024 for a further 9 months beyond the 6th of September 2022 , and to therefore subsequently extend the final restoration of the land until 31 June 2026 by a further 9 months beyond the 6th of December 2024 .	Confirmed date for cessation of working and restoration
	2.4	It is proposed to re-word Conditions 3 and 4 as follows: Condition 3 "All coal extraction from the development hereby permitted shall cease no later than 06 June 2023 31 March 2024. Reason: To co-ordinate the duration of the development hereby permitted with the end dates permitted under this application." Condition 4 "Final restoration of the land shall be complete no later than 06 September 2025 31 June 2026 and aftercare shall be undertaken for the period of not less than 5 years upon certification of completion of each phase of the progressive restoration scheme. Reason: To co-ordinate the duration of the development hereby permitted with the end dates permitted under this application."	Confirmed date for cessation of working and restoration
	5.5	On the basis of the above, it can be concluded that extending the life of the mine until 31 March 2024 by 9 months would not impact upon the findings of the original ES.	Confirmed date for cessation of working
	5.9	The impact of climate change was not explicitly considered by the original ES (did Condition 48 application), however, the only effect would be the frequency with which the agreed attenuated discharge rate would be exceeded. Over the proposed 9 month extension, the frequency with which this rate would be exceeded due to the impact of climate change would be negligible.	Removal of reference to 9 months
	5.11	In conclusion, the hydrological effects arising from the proposed 9 month extension to the coaling operation will be negligible compared to those identified in the original ES.	Removal of reference to 9 months
	5.20	The future baseline of the original ES would remain the completed restoration as permitted. The current baseline would be the existing operations until 31 March 2024 for an additional 9 months .	Confirmed date for cessation of working