

TOWN AND COUNTRY PLANNING
(ENVIRONMENTAL IMPACT ASSESSMENT)
(WALES) REGULATIONS 2017

PROPOSED RESTORATION (REVISED) SCHEME RELATING TO
FFOS Y FRAN LAND RECLAMATION SCHEME, MERTHYR TYDFIL

SCREENING OPINION

A formal Screening Opinion has been sought by Richards Moorehead & Laing Ltd, on behalf of Merthyr (South Wales) Ltd, in relation to a proposed restoration scheme following the cessation of coaling at Ffos Y Fran opencast mine. A Section 73 planning application would be submitted to vary the conditions of application P/03/0225 which was granted by the National Assembly for Wales under appeal in 2005 (Ref A-PP 152-07-014). At the time, the P/03/0225 application (land reclamation involving the extraction of coal by open cast methods) would have fallen within Schedule 1 of the Town & Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999, given that it involves open cast mining that exceeds 25 hectares. Accordingly, the P/03/0225 application was subject to an Environmental Impact Assessment (EIA) that covered several environmental topics.

The extraction of coal from within the site has now ceased and the screening proposal seeks only to vary the relevant conditions to enable an alternative restoration scheme to be implemented, to complete the land reclamation works and appropriately restore the landscape. The restoration scheme would include the full extent of the Ffos Y Fran mine, which covers an area of approximately 400 hectares.

Although the land reclamation scheme involved the removal of old mine workings by means of open cast mining, which enabled the extraction of coal, this was contingent upon a progressive restoration of the landscape being implemented throughout the course of the development. It is acknowledged that open cast mining has now ceased and as such, the development may no longer strictly fall within Part 19 of Schedule 1 of the EIA Regs (2017). Nonetheless, the development involves further works to a site, which contains a development within Schedule 1 (i.e. a site including open-cast mining on a surface area in excess of 25 hectares), which has been executed. The development, as changed by the proposed works, may have significant adverse effects on the environment, including matters of hydrology, hydrogeology, ecology, landscape and visual impacts, cultural heritage, human health, climate, and cumulative effects. Therefore, the proposed works would therefore fall within Part 13(a) of Schedule 2 of the EIA Regs (2017).

The screening opinion has taken into consideration the characteristics of the development, having particular regard to the criteria set out in paragraphs (a) to (g) of Section 1 of Schedule 3 of the 2017 Regulations.

Consideration has also been given to the environmental sensitivity of the site and the potential impacts the proposal would have on the site itself, or any area likely to be affected by the development, with regard to the matters set out in Section 2 of Schedule 3 of the 2017 Regulations.

The potential significant effects of the development have also been considered with particular regard to the matters set out in paragraphs (a) to (h) in Section 3 of Schedule 3 of the 2017 Regulations.

Having regard to the scale and nature of the development, as changed by the proposed works, it may have significant adverse effects on the environment. Additionally, having considered the likely significance and complexity of the effects of the development on the environment, it is concluded that an Environmental Impact Assessment is required.

J Jones
Director of Neighbourhood Services

4th December 2023