

S.73 APPLICATION TO VARY CONDITIONS 3 AND 4

ENVIRONMENTAL STATEMENT ADDENDUM

CHAPTER 5: COMMITTED DEVELOPMENTS

**Ffos-y-Fran Land Reclamation Scheme, East of Merthyr Tydfil
CF48 4AE**

Merthyr (South Wales) Limited

SLR Ref: 419.08882.00002
Version No: FINAL
August 2022



BASIS OF REPORT

This document has been prepared by SLR Consulting Limited with reasonable skill, care and diligence, and taking account of the manpower, timescales and resources devoted to it by agreement with Merthyr (South Wales) Limited (the Client) as part or all of the services it has been appointed by the Client to carry out. It is subject to the terms and conditions of that appointment.

SLR shall not be liable for the use of or reliance on any information, advice, recommendations and opinions in this document for any purpose by any person other than the Client. Reliance may be granted to a third party only in the event that SLR and the third party have executed a reliance agreement or collateral warranty.

Information reported herein may be based on the interpretation of public domain data collected by SLR, and/or information supplied by the Client and/or its other advisors and associates. These data have been accepted in good faith as being accurate and valid.

The copyright and intellectual property in all drawings, reports, specifications, bills of quantities, calculations and other information set out in this report remain vested in SLR unless the terms of appointment state otherwise.

This document may contain information of a specialised and/or highly technical nature and the Client is advised to seek clarification on any elements which may be unclear to it.

Information, advice, recommendations and opinions in this document should only be relied upon in the context of the whole document and any documents referenced explicitly herein and should then only be used within the context of the appointment.

CONTENTS

5.1.0 INTRODUCTION.....	1
S.73 Application Context	1
Committed Developments	1
5.2.0 COMMITTED DEVELOPMENTS.....	3
5.3.0 DESCRIPTION OF COMMITTED DEVELOPMENTS	5
Trecatti Landfill Site, Fochriw Road Pant-Y-Waun	5
Mayphil UK Ltd, Goat Mill Road	5
Unit 2 Mill Court, Goat Mill Road	5
Land at British Rail Station Yard	5

DOCUMENT REFERENCES

TABLES

Table 5-1: Committed Developments as of August 2022.....	3
--	---

5.1.0 Introduction

S.73 Application Context

- 5.1.1 Planning permission for the operational surface coal mine at Ffos-y-Fran was originally granted under planning permission ref. A-PP 152-07-014 ('the original application'). The description of development was as follows:

"Application by Miller Argent (south Wales) Limited for the Ffos-y-Fran Land Reclamation Scheme, incorporating the extraction of coal by open cast methods, and being the final phase of the east Merthyr Reclamation Scheme."

- 5.1.2 The above permission was subsequently varied under a S.73 planning application (application ref. P/08/0316) which sought consent for:

"[The] Variation of condition 37 of planning permission A-PP 152-07-014 to permit the limited dispatch by road of up to 5% of the annual output of coal from the Ffos-y-Fran land reclamation scheme or a maximum of 50,000 tonnes of coal per annum (whichever is the lesser) via Cwmbargoed Disposal Point."

- 5.1.3 The application was refused by Merthyr Tydfil County Borough Council but the proposals were subsequently allowed at Appeal (Appeal ref. APP/U6925/A/10/2129921). The Appeal Decision was issued by an appointed Inspector on the 11th of March 2011 and contained a comprehensive list of updated conditions, thereby superseding the original planning permission for the site as detailed above (permission ref. A-PP 152-07-014).

- 5.1.4 The purpose of this S.73 application is to allow for an extension to the lifespan of the mine. As such, the application seeks to vary the following conditions as contained within Appeal ref. APP/U6925/A/10/2129921:

- **Condition 3** – "All coal extraction from the development hereby permitted shall cease no later than 06 September 2022"; and
- **Condition 4** – "Final restoration of the land shall be completed no later than 06 December 2024 and aftercare shall be undertaken for a period of not less than 5 years upon certification of completion of each phase of the progressive restoration scheme."

- 5.1.5 The S.73 application, as submitted, seeks to extend the lifespan of the minerals extraction 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.

Committed Developments

- 5.1.6 In accordance with the 2017 EIA Regulations (as amended), this ESA includes consideration of any potential direct and indirect cumulative effects arising from the development when considered alongside any other developments in the area surrounding the site. This has primarily been limited to considering any committed developments which have been identified subsequent to the original ES.

- 5.1.7 The objective is to identify any combined effects from the development of effects from several developments; and if, whilst individually the effects may be insignificant, could, when considered together, cause a further significant or indirect impact requiring mitigation.
- 5.1.8 As the changes sought through the S.73 application are limited to Conditions 3 and 4 of the extant consent, namely the completion of coaling and restoration timescales, the likelihood for cumulative impacts which have not been previously assessed is very limited.
- 5.1.9 To inform the scope of the ESA, this Chapter seeks to identify any committed developments within proximity of the application site which have become apparent since 2003 that could have the potential for additional cumulative effects beyond the original ES. Furthermore, details of the schemes excluded from this cumulative assessment are detailed in Table 5-2 below.
- 5.1.10 In relation to other developments, best practice dictates that cumulative assessments of this nature should have regard to those schemes which are 'reasonably foreseeable' (i.e., usually those under construction or with an extant planning permission). The assessment is only capable of being carried out based on the information available at the time of assessment.
- 5.1.11 The consideration of the potential for cumulative effects is provided within the individual topic chapters, whilst a more detailed assessment of cumulative and in-combination effects is contained within Chapter 22 of this ESA.

5.2.0 Committed Developments

5.2.1 Table 5-1 below provides a list of additional committed developments identified and their proximity to the site which are 'reasonably foreseeable' and could lead to additional cumulative effects beyond those contained within the original ES.

Table 5-1: Committed Developments as of August 2022

Application / Allocation Reference	Application/ Allocation	Site Address	Summary / Description of Development	Distance to Ffos-y-Fran
Allocations				
Policy EcW14	Allocation	Land adjoining the A4060, Ffos-Y-Fran	Operational Landfill Site	0km
Policy EcW10 & EcW13	Allocation	Gelligaer Quarry	Other Sandstone, Mineral Safeguarding	On Site
Policy EcW8	Allocation	Ffos-Y-fran	Local Search Area for Solar Energy	On Site
Policy SW3-28	Allocation	Incline Top	Housing Allocation	0.57km
Policy SW3-20	Allocation	Bradley Gardens Two	Housing Allocation	0.96km
Policy SW3-18	Allocation	Penheolfethyr, Twynyrodyn	Housing Allocation	1.22km
Policy SW12-2	Allocation	New Merthyr Tydill Central Bus Station	Access, Transportation and Movement	2.35km
Policy EcW10 & EcW13	Allocation		Sandstone with potential for high specification aggregate	On Site / 0km
Applications				
P/15/0318	Application	Trecatti Landfill Site Fochriw Road Pant-Y-Waun	Construction of multipurpose waste treatment centre and remediation pad with associated facilities including a compost processing area, access road and water lagoon	0km
P/22/0064	Application	Land To The East Of Goat Mill Road Dowlais Merthyr Tydfil	Proposed plastics recycling and processing facility, including two warehouse units with internal office and welfare facilities, external storage area, combined heat and power unit, car parking, weighbridge, surface water lagoon, associated infrastructure, lighting and landscaping	0.10km

Application / Allocation Reference	Application/ Allocation	Site Address	Summary / Description of Development	Distance to Ffos-y-Fran
P/07/0642	Application	Site Of Former Ivor Works Off Gwernllwyn Road Dowlais Merthyr Tydfil	Residential development and associated access works	0.71km
P/14/0182	Application	Former Ivor Works Ivor Street Dowlais Merthyr Tydfil	Residential development with associated access (Renewal of Outline Planning Permission P/11/0069)	0.71km
P/07/0038	Application	Land At Goat Mill Road (eastern End) Dowlais Merthyr Tydfil	Erection of three no. industrial buildings (Units 1, 1A, & 4) and erection of 1 no. building to be used for D1 purposes (Unit 5)	0.3km
P/03/0163	Application	B And P Industrial Developments Ltd Goatmill Road DOWLAIS	Erection of 3 No. industrial buildings	0.3km
P/17/0093	Application	Unit 2 Mill Court Goat Mill Road Dowlais Merthyr Tydfil CF48 3TD	Erection of salt barn, a vehicle washdown facility and a bunded saturator/mixing plant. The provision of storage areas, external lighting, drainage, hardstanding areas, vehicle turning area (in the existing front car park) with vehicular access	0.5km
P/21/0358	Application	Land Off Elm Tree Grove Twynnyroddyn Merthyr Tydfil	Residential development and associated engineering, access and landscaping works	0.62km
P/02/0463	Application	Land At British Rail Station Yard High Street CENTRAL AREA	Construction of a retail development comprising shopping arcade 11 retail units, food store, associated surface car parking.	1.35km
P/04/0631	Application	Rhydycar Leisure Centre And Bowls Club RHYDYCAR	Development of new leisure centre, bowls club and associated landscaping, cinema, hotels, family pub and cafe/sandwich bar	1.53km

5.2.2 The items identified with yellow highlights above should be excluded from consideration given that their associated applications are either undetermined or have subsequently expired. These items are included for reference only.

5.2.3 In addition, when considering the above, it should be duly recognised that any potential cumulative environmental effects would have been duly considered by the fact that the Ffos-y-Fran site forming part of the extant baseline environment. As such, there is no need to consider potential cumulative effects with the above allocations and applications beyond that contained within the original ES.

5.3.0 Description of Committed Developments

- 5.3.1 Of the allocations and applications identified above, the following are of most relevance to the consideration of the ongoing minerals extraction at Ffos-y-Fran. This is principally due to their immediate proximity to the application site.

Trecatti Landfill Site, Fochriw Road Pant-Y-Waun

- 5.3.2 Construction of multipurpose waste treatment centre and remediation pad with associated facilities including compost processing area, access road and water lagoon. Planning permission was granted in November 2015 by Merthyr Tydfil Borough Council.

Mayphil UK Ltd, Goat Mill Road

- 5.3.3 This development was for the construction of an extension to the rear, north eastern conner, of an industrial unit. Constructed on a flat, concrete, hardstanding, it would adjoin to the existing rear annex and the main industrial building. The development was granted permission in July 2016.

Unit 2 Mill Court, Goat Mill Road

- 5.3.4 The development is for the erection of salt barn, a vehicle washdown facility and a bunded saturator/mixing plant. The provision of storage areas, external lighting, drainage, hardstanding areas, vehicle turning area (in the existing front car park) with vehicular access. It was granted permission in May 2017.

Land at British Rail Station Yard

- 5.3.5 The development consisted of a construction of a retail development comprising shopping arcade, 11 retail units, food store and associated surface car parking. The development was consented in March 2003.

EUROPEAN OFFICES

United Kingdom

AYLESBURY

T: +44 (0)1844 337380

BELFAST

T: +44 (0)28 90732493

BRADFORD-ON-AVON

T: +44 (0)1225 309400

BRISTOL

T: +44 (0)117 9064280

CAMBRIDGE

T: + 44 (0)1223 813805

CARDIFF

T: +44 (0)2920 491010

CHELMSFORD

T: +44 (0)1245 392170

EDINBURGH

T: +44 (0)131 3356830

EXETER

T: + 44 (0)1392 490152

GLASGOW

T: +44 (0)141 3535037

GUILDFORD

T: +44 (0)1483 889800

LEEDS

T: +44 (0)113 2580650

LONDON

T: +44 (0)203 6915810

MAIDSTONE

T: +44 (0)1622 609242

MANCHESTER

T: +44 (0)161 8727564

NEWCASTLE UPON TYNE

T: +44 (0)191 2611966

NOTTINGHAM

T: +44 (0)115 9647280

SHEFFIELD

T: +44 (0)114 2455153

SHREWSBURY

T: +44 (0)1743 239250

STAFFORD

T: +44 (0)1785 241755

STIRLING

T: +44 (0)1786 239900

WORCESTER

T: +44 (0)1905 751310

Ireland

DUBLIN

T: + 353 (0)1 296 4667

France

GRENOBLE

T: +33 (0)4 76 70 93 41