

S.73 APPLICATION TO VARY CONDITIONS 3 AND 4

ENVIRONMENTAL STATEMENT ADDENDUM

CHAPTER 15: ECOLOGY

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

Merthyr (South Wales) Limited

SLR Ref: 419.08882.00002
Version No: DRAFT V2
August 2022



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15.1.0 Introduction

S.73 Application Context

- 15.1.1 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').
- 15.1.2 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."*
- 15.1.3 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."*
- 15.1.4 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).
- 15.1.5 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."
- 15.1.6 The purpose of this S.73 application is to seek an extension to the lifespan of the mine 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.
- 15.1.7 No other alterations are proposed, such as, to the extraction area or working practices at the mine, as previously consented.
- 15.1.8 This review has assessed the existing ecological avoidance, mitigation and compensation measures contained within the original Environmental Statement. It has specifically considered whether an extension to the duration of operational activities to June 2023, and the commencement of the final restoration no later than September 2023, would (1) give rise to any new ecological impacts; (2) would increase the magnitude (and therefore potential significance) of any impacts already identified and permitted by the existing planning consent, when considered alone or in combination

with others; and (3) would result in non-compliance with the existing requirements relating to ecology.

Consideration of S.73 Application

- 15.1.1 The study area used in this ESA was the same as that used within the original ES.
- 15.1.2 The approach which has been taken is solely desk-based using accepted approaches to ecological evaluation and impact assessment (i.e. Guidelines for Ecological Impact Assessment in the United Kingdom and Ireland (“CIEEM guidelines”) (CIEEM, 2018 updated 2022).
- 15.1.3 No new Local Biological Records Centre (LBRC) search has been undertaken.
- 15.1.4 No site visits have been undertaken to review the baseline situation in respect of Site habitats, update species surveys, assess the efficacy of the mitigation measures being implemented or the progress of restoration activities.
- 15.1.5 A detailed review of the protected species licence for great crested newts which is in place has not taken place.
- 15.1.6 Given that a single aspect of the development, that of a time extension, is being considered by the S.73 application the above scope is considered to represent an acceptable approach.
- 15.1.7 The following information was submitted in support of the original application (ref. A-PP 152-07-014) for minerals consent at the site:
- Chapter 15: Ecology
 - Ecological Management Plan (2008)
- 15.1.8 Beyond that identified above, no additional information was submitted in support of the subsequent S.73 application (ref. P/08/0316 / Appeal ref. APP/U6925/A/10/2129921) for the alternate haulage option at the site.

Purpose and Structure of Chapter

- 15.1.9 This chapter of the Environmental Statement Addendum (ESA) considers the impact of the proposed material amendments in relation to ecology.
- 15.1.10 This Chapter includes consideration of:
- changes in legislation, policy and guidance relating to Ecology since 2003; and
 - any changes to the baseline environment, both within and beyond the site.

15.2.0 Methodology

- 15.2.1 A review of previous ecological surveys and assessments has been undertaken including avoidance, mitigation and restoration measures to understand the measures which were proposed to ensure the maintenance of the important ecological features which are associated with the Site.
- 15.2.2 This review has then specifically considered whether an extension to the duration of operational activities to June 2023 and the commencement of the restoration no later than September 2023 would (1) give rise to any new ecological impacts or (2) would increase the magnitude (and therefore potential significance) of any impacts already identified and permitted by the existing planning consent, when considered alone or in combination with others; and (3) would result in non-compliance with the existing requirements and commitments relating to ecology.
- 15.2.3 More specifically, the assessment has been approached using the following four stages:
- The first stage of the assessment has been to consider whether there have been any relevant and significant changes in legislation, policy and guidance relating to ecology which could have a material effect on the proposed extension of time / S.73 application;
 - The second stage of the assessment has been to summarise the baseline conditions at the Site relating to ecology, the predicted impacts and the measures proposed to avoid, mitigate or compensate, as set out in the previous documentation which supported the planning and appeal applications;
 - Thirdly, an assessment has been made of whether an extension to the timescales over which the development operates could affect important ecological features, species or species groups and whether new avoidance, mitigation or compensatory or monitoring measures are required; and
 - Finally, the conclusions reached following the findings of the above stages are set out.

Changes in Legislation, Policy or Technical Guidance

- 15.2.4 In the intervening period since 2011 new legislation has been introduced and or changes have been made to existing legislation to reflect events such as the UK's withdrawal from the EU as set out below.

Conservation of Habitats and Species Regulations 2017 (as amended)

- 15.2.5 The Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitats Regulations) are one of the pieces of domestic law that transposed the land and marine aspects of the Habitats Directive (Council Directive 92/43/EEC) and certain elements of the Wild Birds Directive (Directive 2009/147/EC) (known as the Nature Directives) into English and Welsh law. These regulations were last amended in 2019 to make them operable from 1 January 2021 despite the UK's withdrawal from the European Union (EU).
- 15.2.6 The Habitats Regulations cover the requirements for protecting sites that are internationally important for threatened habitats and species and set out a legal framework for species requiring strict protection.

Environment (Wales) Act 2016

- 15.2.7 The Environment (Wales) Act 2016 seeks to ensure that natural resources are managed sustainably such that they are able to deliver social, economic and environmental benefits, including nature-based solutions to climate change adaptation and mitigation.

Future Wales: The National Plan 2040

- 15.2.8 Future Wales the National Plan 2040 is the national development framework, setting the direction for development in Wales to 2040. It addresses key national priorities through the planning system, including sustaining and developing a vibrant economy.

Planning Policy Wales Edition 11 (2021)

- 15.2.9 Planning Policy Wales (PPW) sets out set out the Welsh Government's land use principles and what development plans must achieve. It is supplemented by a series of Technical Advice Notes (TANs), Welsh Government Circulars, and policy clarification letters, which together with PPW provide the national planning policy framework for Wales.
- 15.2.10 The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation. This did not make any material change to the assessment methodology used in this chapter.

Ecological Impact Assessment Guidelines

- 15.2.11 The guidelines for Ecological Impact Assessment in the United Kingdom published by the Chartered Institute of Ecology and Environmental Management (CIEEM, 2018) was updated in April 2022 with a further Version 1.2, but this did not make any material change to the assessment methodology used in this chapter.
- 15.2.12 To summarise, whilst important new legislation and guidance relating to ecology has been issued in the intervening period this is of most relevance to new developments.
- 15.2.13 No changes have been identified which it is considered have direct implications in respect of an application for a time extension and which need to be addressed.

Assessment Methodology

Important Ecological Features

- 15.2.14 Ecological features can be important for a variety of reasons. Importance may relate, for example, to the quality or extent of the site or habitats therein; habitat and / or species rarity; the extent to which such habitats and/ or species are threatened throughout their range, or to their rate of decline.

Impact Assessment

- 15.2.15 *Section 15* of the previous ES chapter carried out an impact assessment process involves the following steps. This review also follows similar steps and considered whether any factors will

changes or need amendment as a result:

- identifying and characterising potential impacts;
- incorporating measures to avoid and mitigate (reduce) these impacts;
- assessing the significance of any residual effects after mitigation;
- identifying appropriate compensation measures to offset significant residual effects (if required); and
- identifying opportunities for ecological enhancement.

15.2.16 The impact assessment process considers both direct and indirect impacts: direct ecological impacts are changes that are directly attributable to a defined action, e.g. the physical loss of habitat occupied by a species during the construction process. Indirect ecological impacts are attributable to an action, but which affect ecological resources through effects on an intermediary ecosystem, process or feature, e.g. the creation of roads which cause hydrological changes, which, in the absence of mitigation, could lead to the drying out of wet grassland.

15.2.17 Consideration of conservation status is important for evaluating the effects of impacts on individual habitats and species and assessing their significance:

- **Habitats** – conservation status is determined by the sum of the influences acting on the habitat that may affect its extent, structure and functions as well as its distribution and its typical species within a given geographical area; and
- **Species** – conservation status is determined by the sum of influences acting on the species concerned that may affect its abundance and distribution within a given geographical area.

Significance of Effect

15.2.18 The concept of ecological significance is addressed in paragraphs 5.24 through to 5.28 of CIEEM guidelines. Significance is a concept related to the weight that should be attached to effects when decisions are made. For the purpose of EcIA, a 'significant effect' is an effect that either supports or undermines biodiversity conservation objectives for 'important ecological features' or for biodiversity in general. Conservation objectives may be specific (e.g. for a designated site) or broad (e.g. national/local nature conservation policy) or more wide-ranging (enhancement of biodiversity). Effects can be considered significant at a wide range of scales from international to local and the scale of significance of an effect may or may not be the same as the geographic context in which the feature is considered important.

Mitigation Hierarchy

15.2.19 Where potentially significant effects have been identified, the mitigation hierarchy has been applied, as recommended in the CIEEM Guidelines. The mitigation hierarchy sets out a sequential approach beginning with the avoidance of impacts where possible, the application of mitigation measures to minimise unavoidable impacts and then compensation for any remaining impacts. Once avoidance and mitigation measures have been applied residual effects are then identified along with any necessary compensation measures, and incorporation of opportunities for enhancement.

Effects Not Requiring Further Assessment

- 15.2.20 An assessment of the current ecological status of the Site is not required as it is an active mine in the late stages of completion.

15.3.0 Changes in Baseline Conditions

Original ES Baseline

- 15.3.1 This section of the report summarises the findings of previous ecological surveys and the assessments provided in the ES to determine whether, based on professional judgement, any material changes have occurred to the ecological baseline and in the context of an approved/consented development and the minor nature of the changes proposed whether further actions are required.
- 15.3.2 Pryce Consultant Ecologists were commissioned in March 2001 to carry out ecological surveys of the land at Ffos-y-fran. This included the following elements:
- Vegetation and Habitat Survey;
 - Notable Flora;
 - Breeding Bird Survey;
 - Badger Survey;
 - Bat Survey;
 - Otter and Water Vole Survey;
 - Reptile Survey;
 - Amphibian Survey;
 - Survey to ascertain the status of other Protected Species and Species of Conservation Concern; and
 - Terrestrial Invertebrate Survey
- 15.3.3 Table 15-1 provides a summary of the findings in the ecological ES chapter including the proposed mitigation. The mitigation proposed in the ES chapter was deemed acceptable by Merthyr Tydfil County Borough Council and formed part of the planning permission.

Table 15-1: Summary of Ecological Impact Assessment

Features of Interest or Importance		Significance of Impact before Mitigation	Proposed Avoidance / Mitigation/ compensation/ Enhancement
Statutory sites of nature conservation importance		None	There are no statutorily or non-statutory designated ecological sites within or in close proximity of the Site. (ES Chapter, Section 15.6.1).
Non statutory sites of nature	Tair Carreg	Negligible	

conservation importance	candidate SINC		
EC Habitats Directive Annex II Habitats	Dry heaths Wet heaths with <i>Erica tetralix</i>	Moderate	The Site will be progressively restored throughout its lifetime. This will therefore release areas of restored land for the re-establishment of flora and fauna.
UK BAP Priority Habitats and Welsh Assembly Government Habitats of Principal Importance	Upland oakwood, hedgerows, upland heathland, purple moor-grass.	Overall Moderate or beneficial	The proposals do not affect the majority of hedgerows and upland oakwood. The restoration plan proposes new hedgerow planting and sympathetic oakwood management, benefiting nature conservation. (ES Chapter, Section 15.6.5, 15.6.5.1-15.6.5.1).
Local BAP Habitats	Coniferous plantations, Standing Open Waters, Rivers and streams, Fridd/Bracken slopes, Mineral Spoil Areas, Acid grassland, Dry Stone Walls & Other Boundary Features.	Overall Minor/Moderate	The conditioned Restoration and Management Strategy (FLRS/ES3/5, FLRS/ES3/6 & FLRS/ES3/11) retains, compensates and provides habitat enhancement as far as practicable. (ES Chapter, Section 15.6.5.4 - 15.6.5.11).
Notable plant species		Minor/moderate	The conditioned Restoration and Management Strategy (FLRS/ES3/5, FLRS/ES3/6 & FLRS/ES3/11) retains, compensates, and provides habitat enhancement as far as practicable. (ES Chapter, Section 15.6.6).
EC Birds Directive Annex I species	Merlin & Peregrine falcon	Negligible	Provision of owl access and nesting platforms in suitable buildings within the operator's control.
WCA Schedule 1 bird species	Barn Owl	Minor	During the operational period, rough grassland areas would be retained around the margins of the operational site. The conditioned Restoration and Management Strategy (FLRS/ES3/5, FLRS/ES3/6 & FLRS/ES3/11) retains, compensates, and provides habitat enhancement as far as practicable. (ES Chapter, Section 15.6.7).
UK BAP Priority bird species and Welsh Assembly Bird Species of Principal		Minor	Clear vegetation which may hold birds' nests outside the period March to August inclusive. (ES Chapter, Section 15.6.7).

Importance			
Birds of Conservation Concern	Red & Amber list	Minor	
Mammals	Bats, Badger, Brown Hare	Minor	No badger setts have been identified within the Ffos-y-fran site. As is standard practice, a confirmatory survey was carried out, prior to commencement of mining work. Bogey Road bridge/cutting was identified as a potential bat roost, although it was understood these structures would not be affected by the Ffos-y-fran proposals. The conditioned Restoration and Management Strategy (FLRS/ES3/5, FLRS/ES3/6 & FLRS/ES3/11) retains, compensates and provides habitat enhancement such as bat boxes installation. (ES Chapter, Section 15.6.8).
Reptiles	Adder, Slow Worm, Common Lizard, and possibly Grass Snake	Minor	A trapping programme would be implemented in areas most likely to support reptiles. Captured animals were transferred to suitable receptor habitat elsewhere, which was to be unaffected by the mining works. The conditioned restoration and management strategy (FLRS/ES3/5, FLRS/ES3/6 & FLRS/ES3/11) retains, compensates and provides habitat enhancement as far as practicable, such as grassland and heath habits and hibernation and basking sites. (ES Chapter, Section 15.6.8).
Amphibians	Great Crested Newts, other amphibians	Minor / moderate.	Great crested newts have been recorded from waterbodies and terrestrial habitat within the site. A licence under Regulation 44 of the Habitats Directive has been obtained to ensure procedures are in place to so that appropriate measures can be implemented to protect great crested newts from harm as a result of the proposals. A translocation of all amphibians within areas to be affected by the operations was undertaken involving transfer to suitable ponds. Measures were taken to prevent amphibians moving back into the working areas. Additional breeding ponds for great crested newt have been constructed in areas of suitable terrestrial habitat. In addition, new ponds are proposed as part of the restoration scheme. (ES Chapter, Section 15.6.8).
Invertebrates		Minor	No specific invertebrate conservation measures would be implemented. However, the conditioned restoration and management strategy (FLRS/ES3/5, FLRS/ES3/6 & FLRS/ES3/11) retains, compensates and provides habitat enhancement as far as practicable. (ES Chapter, Section 15.6.8) which would benefit invertebrates in the long-term.

Original ES Future Baseline

- 15.3.4 No future baseline was defined within the original ES.

Current Baseline

- 15.3.5 A review of the current baseline, no further ecological designations or assets have been identified within the site or the immediately surrounding area beyond that identified within the original ES.
- 15.3.6 Additionally, as highlighted above, no alterations are proposed to the extraction area or working practices at the mine. Therefore, there is no potential for as yet unknown features to be present within the site.

Changes in Baseline

- 15.3.7 Upon review, it can be confirmed that there have been no subsequent changes to the baseline.

15.4.0 Assessment of Effects

- 15.4.1 The S.73 application, as submitted, seeks to extend the lifespan of the mineral extraction 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.
- 15.4.2 From an ecological perspective, a period of 9 months would be regarded as being the equivalent of a season and therefore short term in nature.
- 15.4.1 It is usually the case that the majority of ecological mitigation measures are undertaken in advance of works commencing, for example, to translocate animals away from areas identified for mineral working. As such, many of the impacts predicted in the original EclA are therefore no longer relevant and have been addressed.
- 15.4.2 It should also be noted that the Site is being progressively restored as it is being worked.
- 15.4.3 Further consideration is given to areas of potential concern below.

Additional Effects

Designated Ecological Sites

- 15.4.4 No alterations are proposed to the footprint of the extraction area or ancillary areas or working practices at the mine, as previously consented. As such, it continues to be the case that there would be no impacts on either statutory or non-statutory ecological sites.
- 15.4.5 The effects on the Tair Carreg Moor, a candidate SINC, would continue to be of negligible significance. The restoration scheme will remain in place and would provide acceptable habitat creation, including new wet acidic grassland/heathland habitats, adjacent to the existing Tair Carreg Moor candidate SINC thereby providing buffering and improving its ecological function.
- 15.4.6 Although a delay in final restoration would reduce nature conservation benefits in the short-term, the same long-term benefits would still be achieved and as such this is not considered to be significant.

Terrestrial Habitats

- 15.4.7 The Site is being progressively restored throughout its lifetime. This has released areas of land for restoration on an on-going basis and allowed flora and fauna to become re-established in accordance with the approved scheme. The habitat restoration that has been carried out to date includes the creation of a number of ponds and associate terrestrial habitat provided specifically to ensure the maintenance of the Favourable Conservation Status (FCS) of great crested newts.
- 15.4.8 Although a delay in the completion of the final restoration would delay the attainment of the complete range of nature conservation benefits in the short-term, it is worth noting that in areas where extraction has been completed habitats are establishing and with time are becoming more ecologically valuable and the long-term nature conservation benefits would still be achieved once the restoration scheme is completed.

- 15.4.9 The timescales in respect of the final establishment of habitats and monitoring, as set out in the Restoration and Management Strategy (FLRS/ES3/5, FLRS/ES3/6 & FLRS/ES3/11) would need to be amended to reflect the revised timescales.

Conclusions (Designated Ecological Sites and Terrestrial Habitats)

- 15.4.10 The proposed time extension would not introduce any new impacts on designated ecological sites and terrestrial habitats or change the magnitude and therefore significance of any already identified impacts or significantly affect the commitments made in respect of site protection and habitat creation.

Protected species

Bats

- 15.4.11 The only indication of a potential roosting site for bats identified within the survey area was at the Bogey Road bridge/cutting, where it was considered possible that two Myotis bats (probably Whiskered bats) were roosting. These structures offer potential hibernation sites (in cracks/crevices within masonry) for both Pipistrelle and Myotis. These structures would not be affected by the consented working of the Site or the proposed time extension.
- 15.4.12 Bat boxes have also been installed in retained and suitable locations within the site. These will remain in situ for the lifetime of the development and continue to provide compensatory habitat / enhanced opportunities for roosting bats.

Breeding Birds

- 15.4.13 Barn Owl boxes have also been installed in retained and suitable location within the Site thus maintaining nesting opportunities for this species during the operation phases of the development and thereafter.

Reptiles

- 15.4.14 A trapping programme was also implemented in areas of suitable reptile habitat in conjunction with the Great Crested Newt licence. Any animals found were captured and transferred to suitable receptor habitat which was unaffected by the works. The retention of suitable habitat in the central area between the Bogey Road and the railway, including the line of the former railway itself was used as a receptor area for translocated reptiles. Movement of reptiles and amphibians back into the working area has been prevented by the installation of a barrier fence.
- 15.4.15 As reptiles are excluded from mining area, extending the lifespan of the mine is considered to have a negligible effect. Although restoration of the Site to suitable habitat including grassland and heath would be delayed, such habitats will still be provided for reptiles in the long term. Specific features to provide hibernation and basking sites for reptiles are being provided within the restored site.

Amphibians

- 15.4.16 Great crested newts have been recorded from waterbodies and terrestrial habitat within the Site. It is understood that a licence under Regulation 44 of the Habitats Directive has been sought from Natural Resources Wales or predecessor bodies to ensure that actions have been undertaken to conserve great crested newts during the mining operations. These include the capture of

amphibians within the operational areas of the Site and transfer to suitable ponds (both existing ponds to be retained and new ponds to be constructed) and terrestrial habitat. Great crested newts were then prevented from moving back into the working areas by temporary or semi-permanent barrier fencing.

- 15.4.17 Additional breeding ponds for great crested newt have been constructed in areas of suitable terrestrial habitat on land within the Cwm Golau ecological area, to the south of Cwmbargoed Coal Disposal Point, which is within the applicant's control.
- 15.4.18 Terrestrial habitats for this species in areas close to the ponds has been improved by provision of rubble piles and shrub planting.
- 15.4.19 As amphibians are unlikely to be within the mining area, extending the lifespan of the mine is not considered to have a negligible effect. In the event that the S.73 application is accepted an amendment to existing the great crested newt licence may be required to cover the extended lifespan of the mine, for example, in respect of the timescales for post-construction monitoring.
- 15.4.20 The restoration works will ensure enhancement for amphibians previously associated within the Site. Although the extension to the lifespan of the mine will slightly delay the final provision of enhanced habitat overall this is unlikely to have a negative impact of the local great crested newt population and in the long-term the FCS of this species will be secure.

Other

- 15.4.21 Where species or individual habitats are not mentioned above, namely individual habitats, plants, birds, badgers, brown hare, it is considered the assessment within the original ES wholly remains appropriate. The S.73 application will by no means effect the existing assessment and the completion of the conditioned restoration, albeit slightly delayed, will mitigate and enhance such features as a result of the mining works.

Conclusions (Protected and Notable Species)

- 15.4.22 The proposed time extension would not introduce any new impacts on bats, breeding birds, reptiles or amphibians or other species or increase the magnitude of predicted effects resulting in the need to offer additional mitigation or monitoring over and above that which has already been agreed, although the timescales for certain actions such as post-construction monitoring may need amendment.

Additional Cumulative Effects

- 15.4.23 There will be no additional cumulative effects associated with ecology beyond those identified within the original ES Chapter.

Consideration of Original ES

There will be no alterations to the extraction area or working practices, and therefore no new or increased effects on ecology beyond those identified within the original ES.

15.5.0 Requirement for Additional Mitigation or Monitoring

- 15.5.1 Mitigation measures were set out in the original ES Chapter (Section 15.6). These mitigation measures were relevant to the works highlighted above.
- 15.5.2 No further mitigation, beyond that laid out in the original ES Chapter, will be required as a result of a time extension to the mineral extraction at the site.

Original ES Mitigation

- 15.5.3 Mitigation measures were set out in the original ES Chapter (Section 15.6). These mitigation measures were relevant to the works and are as detailed within Table 15-1 above.

Subsequent Mitigation or Monitoring

- 15.5.4 No further mitigation or monitoring has been brought forward at the site beyond that detailed within the original ES.

Additional Mitigation or Monitoring

- 15.5.5 No alternate or additional mitigation is required beyond that set out in the original ES Chapter.

15.6.0 Residual Effects

- 15.6.1 The effects upon ecology, following mitigation measures, are outlined in Sections 15.2 and 15.6 of the original ES Chapter and 23.6 of the summary.
- 15.6.2 The original assessment summarised that none of the ecological impacts identified would be of major significance noting that mitigation could be applied and the opportunity was presented to re-create habitats through progressive restoration and deliver enhancements so that residual effects were avoided.

Consideration of Original ES

- 15.6.3 There are no changes to the effects previously identified within the original ES.

15.7.0 Other Environmental Issues

15.7.1 This Section identifies any relevant environmental effects upon other environmental topics included in the EIA (i.e., besides ecology). Where there are no such effects, this is also specified below for clarity.

15.7.2 Please see Chapter 22 for a summary of the 'Other Environmental Issues' identified across all of the technical assessments undertaken and the Chapters prepared as part of the ES.

Other Environmental Issues of Relevance

Infrastructure

15.7.3 The risks associated with Infrastructure are not of relevance to this Chapter.

Waste

15.7.4 The risks associated with Waste are not of relevance to this Chapter.

Population and Human Health

15.7.5 The risks associated with Population and Human Health are not of relevance to this Chapter.

Climate and Carbon Balance

15.7.6 The risks associated with Climate and Carbon Balance are not of relevance to this Chapter.

Risks of Major Accidents and/or Disasters

15.7.7 The risks associated with Risks of Major Accidents and/or Disasters are not of relevance to this Chapter.

Summary

15.7.8 With regards to the EIA regulations 2017, in terms of ecology there are not considered to be any likely significant effects with regards to Other Environmental Issues.

15.8.0 Summary of Effects

- 15.8.1 None of the ecological impacts identified within the original ES proved after mitigation had been applied to be of major ecological significance and this assessment remains appropriate.
- 15.8.2 The conditioned restoration plan provides acceptable enhancement and management of the Ffos-y-Fran Site and will be beneficial to nature conservation interests in the long-term.
- 15.8.3 More specifically, the enhancement and management of the ecological areas in Cwm Golau, and in the centre of the Site, provide suitable habitat for a range of species. Habitats have been provided and the progressive restoration of habitats throughout its lifetime of the mine to maintain local wildlife populations.
- 15.8.4 It is concluded that an extension to the life of the mine to June 2023 and the commencement of the restoration no later than September 2023, would not result in any significant additional impacts on important ecological features, require additional mitigation or monitoring or result in non-compliance with existing commitments.
- 15.8.5 The timescales of certain agreed actions such as the post construction monitoring of great crested newts may require amendment, however, this is a minor change and one which would not affect the mitigation or habitat creation which is delivered.

15.9.0 Conclusions

- 15.9.1 The impact of the proposed changes on ecology are **None**. The proposed amendments will not alter the assessment of potential effects set out in the original ES Chapter, and no additional mitigation measures will be required.

REFERENCES

Guidelines for Ecological Impact Assessment in the UK and Ireland – Terrestrial, Freshwater, Coastal and Marine. CIEEM. September 2018 (updated April 2022).

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