

Ein cyf/Our ref: CAS-295411-Z3C1  
Eich cyf/Your ref: P/25/0037

Merthyr Tydfil County Borough Council  
Unit 5 Triangle Business Park  
Pentrebach  
CF48 4TQ

Dyddiad/Date: 05 January 2026

Annwyl Syr/Madam/Dear Sir/Madam,

**BWRIAD/PROPOSAL: 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.**

**LLEOLIAD/LOCATION: Ffos Y Fran, Merthyr Tydfil.**

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 12 December 2025.

**We continue to have concerns with the application as submitted and request clarification on a number of points set out below.**

**We also advise that based on the information submitted to date, conditions regarding land contamination, pollution prevention and European Protected Species should be attached to any planning permission granted. Without the inclusion of these conditions we would object to this planning application.**

#### **Land Contamination and Pollution Prevention**

We have reviewed the following information:

- Ffos-Y-Fran Final Restoration Strategy – Supplementary Environmental Information (SEI) Report by Richards, Moorehead & Laing Ltd. Report Ref: 3274-11, dated November 2025.

#### Surface Water Monitoring Plan

The surface water monitoring plan provides coverage for surface water only, however there does not appear to be groundwater monitoring for groundwater levels. We note that borehole BH5824 is monitored for groundwater quality, however we request confirmation as to whether this is monitored for groundwater level and on what frequency are groundwater level measurements taken. We also advise that a plan showing the proposed

monitoring locations is provided and clarification provided as to whether any other boreholes could be used from around the site to monitor ground water levels.

We note the monitoring points have been set up with telemetry, which appears to allow for instant readings, however we request clarification as to whether the monitoring points will be visited for manual checking and calibration and on what frequency this will occur.

We understand the planned monitoring will commence once restoration begins. We request clarification as to how the baseline conditions will be determined. For instance, will the historical monitoring undertaken on site be used to set baseline conditions? Once baseline conditions are determined (preferably from historical data), we query what criteria will be used to determine the change from the baseline that could potentially indicate a problem on site (other than extreme weather and climate change).

Clarification on these points from the applicant would be appreciated.

We note that the Water Quality Monitoring Programme is currently a recommended outline proposal, we therefore advise that the submission and approval of final monitoring plans is conditioned to any planning permission granted.

#### Dowlais Free Drainage System (DFDS)

We welcome the additional details provided with regards to the DFDS, which has assisted us in understanding how and why the DFDS was installed and operated, and what its lasting impact is on the local area both above and below ground.

We note that the below ground drainage system has been partially removed due to the mining operations, however there may be some drainage adits still present and active, which may be draining the groundwater below the site. The main discharge points appear to be towards the Nant Morlais (Covered by surface water monitoring location 2 and 3), Nant Cwm Blac (covered by surface water monitoring point 4) and eastwards to the River Rhymney (covered by surface water monitoring points 6 and 7). As these surface water monitoring points allow for the observation of any changes to flow from the DFDS discharge points, we accept that the risk of blow out or adit failure is managed.

#### **European Protected Species (EPS)**

Please refer to our previous comments and requested conditions with regards to EPS (Ref: CAS-286263-P6X2, dated 7<sup>th</sup> October 2025).

#### **Other Matters**

The advice in this letter relates to matters which are included on our [consultation topics list](#). We do not rule out the potential for the proposed development to affect other environmental interests that are not included on this list.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our [website](#) for further details.

## Advice for the Developer

### Flood Risk Activity Permits (FRAPs)

Please advise the Applicant that the Environmental Permitting Regulations (2016) require them to obtain a bespoke Flood Risk Activity Permit for any works or structures located in, under, over or within 8 metres of a designated “main river”. Further advice and guidance is available on our [website](#).

If you have any queries on the above, please do not hesitate to contact us.

Yn gywir / Yours faithfully,

*Eleanor Sullivan*

**Eleanor Sullivan**

Cynghorydd - Cynllunio Datblygu/Advisor - Development Planning  
Cyfoeth Naturiol Cymru/Natural Resources Wales

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Croesewir gohebiaeth yn Gymraeg a byddwn yn ymateb yn Gymraeg, heb i hynny arwain at oedi./Correspondence in Welsh is welcomed, and we will respond in Welsh without it leading to a delay.