

**Second Addendum  
to Environmental  
Statement -**

Non Technical  
Summary (NTS)

# Nant Llesg Surface Mine

Incorporating Land Remediation



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# Nant Llesg Surface Mine

## Incorporating Land Remediation

### Purpose of the Non-Technical Summary

A planning application for the development of a surface mine with associated land remediation works was submitted by Miller Argent (South Wales) Ltd (Miller Argent) to Caerphilly County Borough Council (CCBC) on 10th October 2013. The application was accompanied by a Planning Application Statement, application plans, an Environmental Statement (ES) setting out the results of an Environmental Impact Assessment (EIA), a series of appendices and figures, and a Non Technical Summary of the ES.

The ES reflected the results of a comprehensive EIA which was undertaken in accordance with Scoping Opinions issued by CCBC which confirmed the issues which should be addressed as part of the EIA. A short Addendum to the ES and Errata was submitted to the Planning Authority on 9th January 2014 which provided clarification of a number of minor issues.

Following submission of the planning application, the Planning Authority consulted the public and various other interested bodies and organisations in accordance with conventional practice. A considerable number of representations were received in response to the consultation exercise and Miller Argent has responded to those representations in an 'Addendum to the Planning Statement' (PS Addendum).

In responding to issues which have been raised, a number of minor changes to the original scheme have now been proposed, together with additional mitigation and compensation measures designed to further reduce the environmental effects of the development. The changes are summarised in section 4 of this document, and are principally confined to the provision of further detail and additional mitigation and compensation measures. There have been no material changes to the scheme itself in terms of the application site boundary, surface mine area, overburden mound, use of the Cwmbargoed Disposal Point (CDP), and the associated land remediation works. However, for completeness, the likely environmental effects of these changes and additional mitigation and compensation measures have been assessed, and the findings presented in a 'Second Addendum to the Environmental Statement' (Second ES Addendum).

This document is a non-technical summary (NTS) of the Second ES Addendum and presents the main findings in a non-technical language. The NTS, as the title suggests, provides only a brief summarised account of the technical data presented in the Second ES Addendum, but it is intended to provide a sufficient overview of the changes and additional mitigation / compensation measures which are proposed, and the way in which the scheme has been amended to accommodate issues which have been raised. Interested parties requiring more detailed information should consult the full ES and Addendums, and their technical appendices/drawings.

## Introduction

# Nant Llesg Surface Mine

## Incorporating Land Remediation

### Document availability

All documents and drawings relating to the Second ES Addendum are available for viewing at the following location during normal working hours (09:00 – 17:00 Mon –Fri):

- Miller Argent (South Wales) Limited, Cwmbargoed Disposal Point, Fochriw Road, Merthyr Tydfil, Mid Glamorgan, CF48 4AE (Miller Argent);
- The Council Offices, Planning Division, Pontllanfraith House, Pontllanfraith, Blackwood, NP12 2YW

Hard copies of the Second ES Addendum documents can be purchased from Miller Argent at a cost of £250. DVD copies are also available at a cost of £10 each.

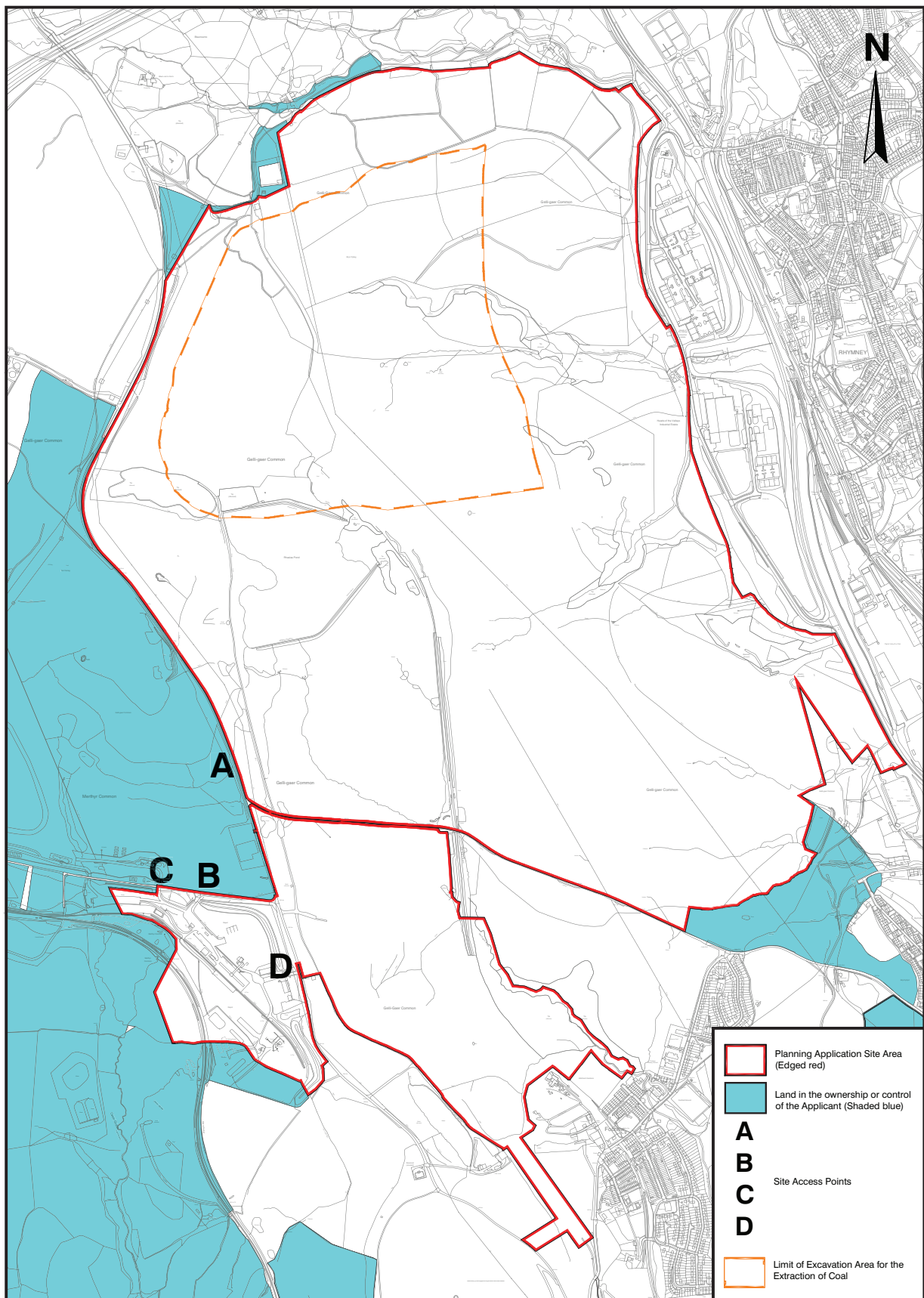
### The Applicant – Miller Argent (South Wales) Limited

Miller Argent is a 50-50 joint venture between The Miller Group Limited and Argent Group PLC. The company was specifically created to carry out the Ffos-y-fran Land Reclamation Scheme (FLRS) in Merthyr Tydfil, but it will also operate the proposed Nant Llesg scheme if granted planning permission. The FLRS project currently provides employment for around 200 people, the majority of whom are local (in excess of 80 per cent live within 15km of the site).

Miller Argent, in partnership with local communities, will in addition to the various mitigations and compensations included in the Nant Llesg scheme develop a community investment fund strategy with a specific aim of positively contributing to the sustainable development of the local area. Miller Argent already funds a number of local community facilities, including two community minibuses and the use of an education and training centre. Miller Argent also contributes to a multi-million pound Community Benefit Fund set up under FLRS which is administered by Merthyr Tydfil County Borough Council (MTCBC). A similar community benefits package has been proposed for the Nant Llesg scheme.



## Site Context



NTS001 - Planning Application Site Boundary

## Introduction

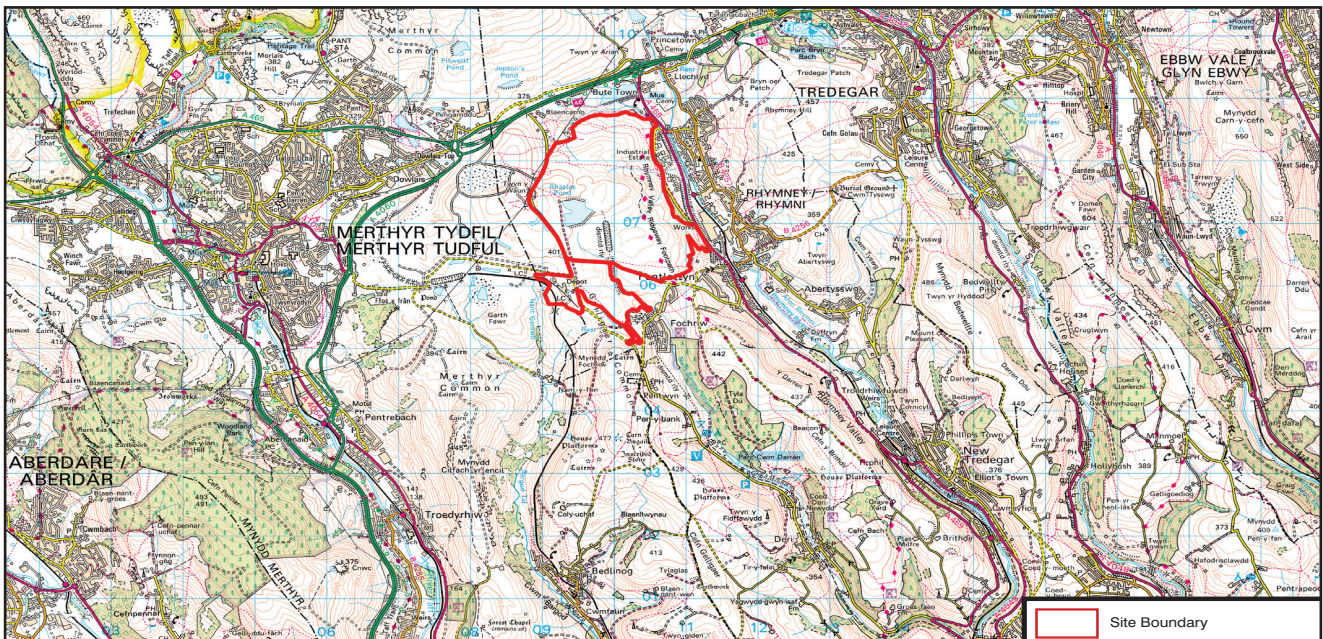
# Nant Llesg Surface Mine

## Incorporating Land Remediation

The planning application site boundary is shown on Figure NTS001 and the general site location is indicated on Figure NTS002. The land included within the planning application site boundary, edged red on Figure NTS001, covers some 478.1ha to the west and south west of Rhymney and to the north and west of Pontlottyn and Fochriw in the County Borough of Caerphilly. It consists primarily of previously mined and industrially disturbed upland urban common land, and agricultural grazing land on the western side of the Upper Rhymney Valley area.

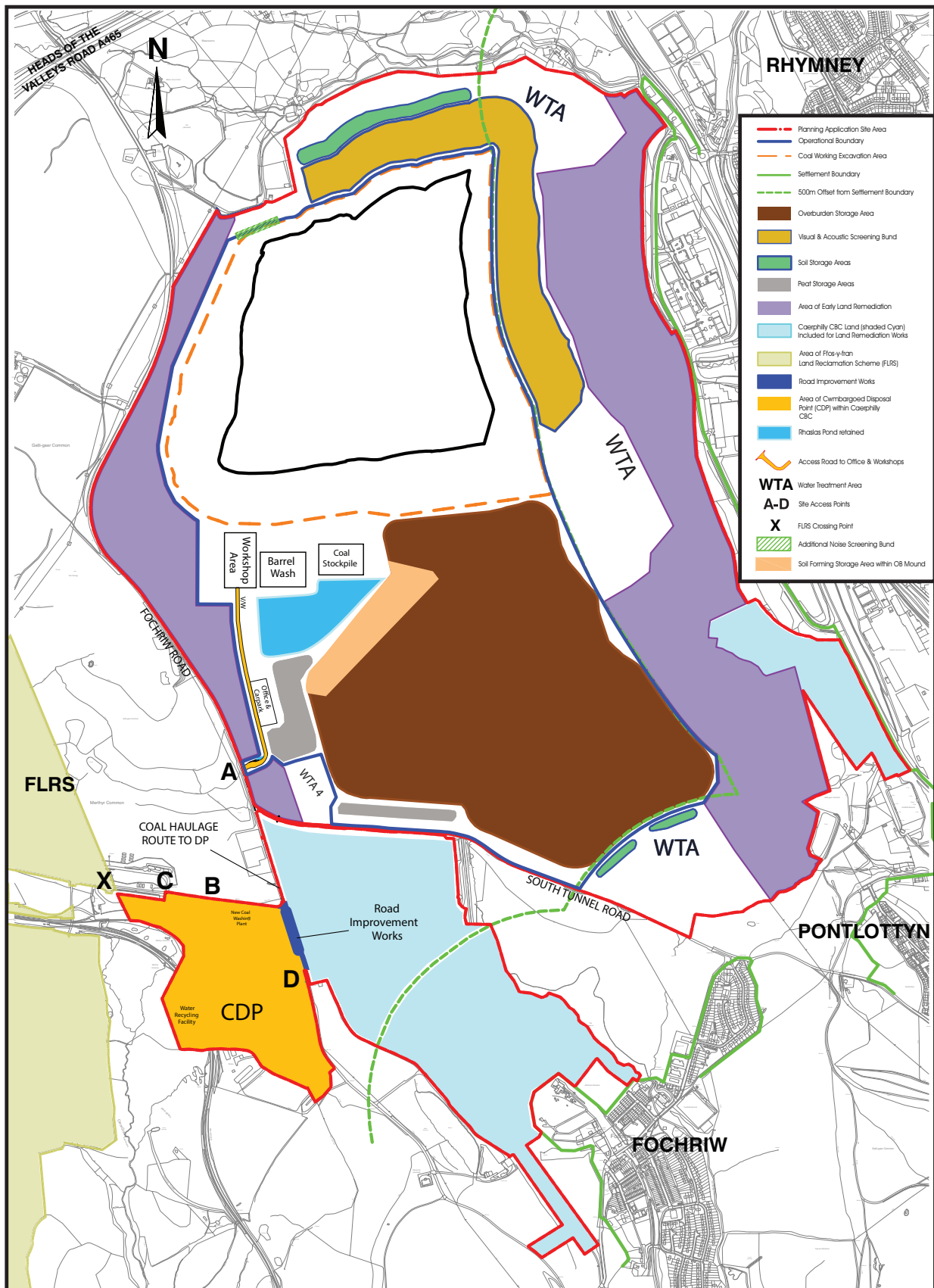
Immediately east of the planning application site boundary lie the Heads of the Valleys Industrial Estate and the Capital Valley Eco Park. The roads to the west of the industrial estates mark the western limit of the Rhymney settlement boundary and the residential area of Rhymney lies approximately 300m or so further east. The western application boundary is defined by the unclassified road known as 'Fochriw Road', which runs northwards over the Gelligaer and Merthyr Urban Common from Cwmbargoed towards the A470 Heads of the Valleys Road. The northern extent of the site generally follows the line of the 'Nant Carno' watercourse, which meanders just north of the site boundary. The southern limit of the 'Nant Llesg Surface Mine' is largely defined by South Tunnel Road, which is an unclassified road over the Gelligaer and Merthyr Urban Common that runs east-south-eastwards towards Fochriw and Pontlottyn. Land has been included within the application boundary to the east, west and south of the surface mine for land remediation and road improvement works, as have the coal processing and dispatch facilities at Cwmbargoed Disposal Point.

There are no communities within 500m of the operational boundary although there are a number of isolated properties in the vicinity of the site. Figure NTS003 identifies the different components of the project.



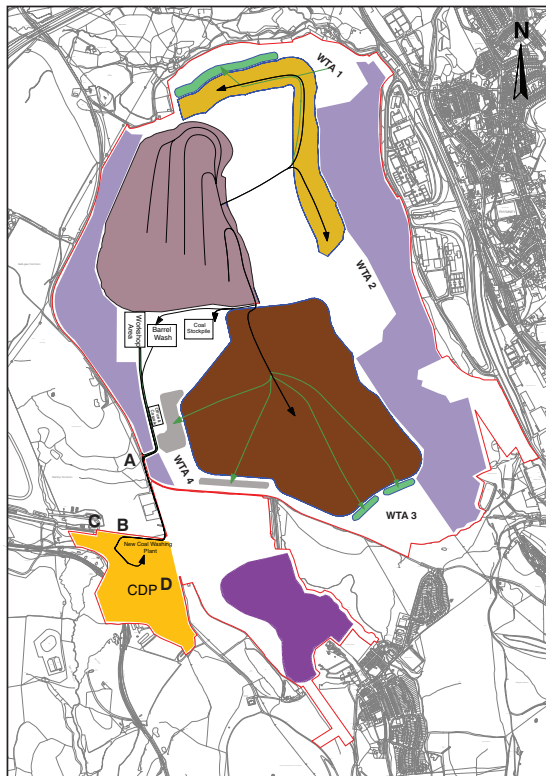
NTS002 - Site Location



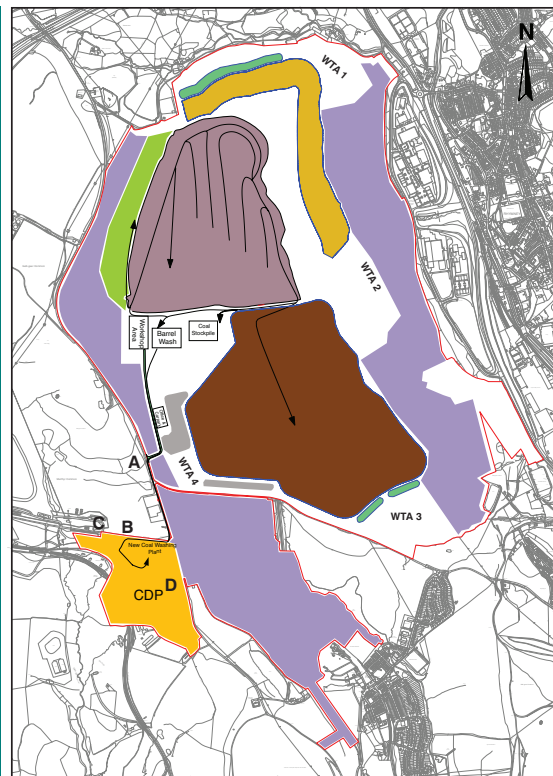


NTS003 - Site Layout

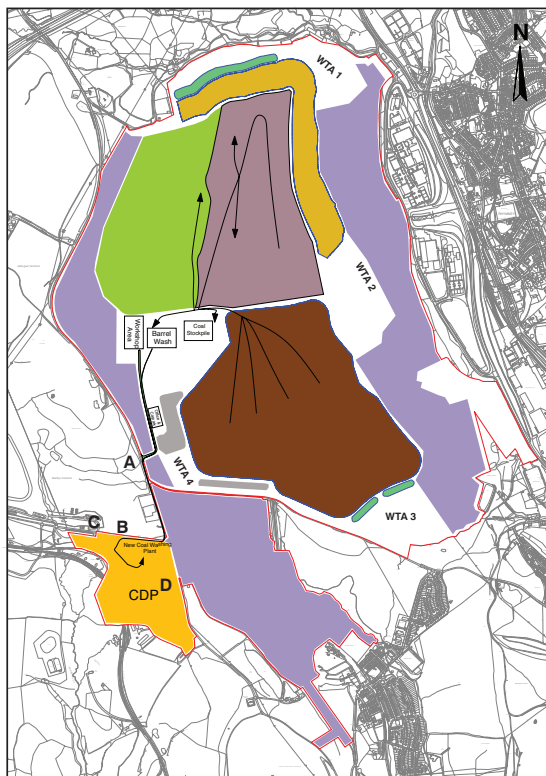
Development of Box Cut - Year 4



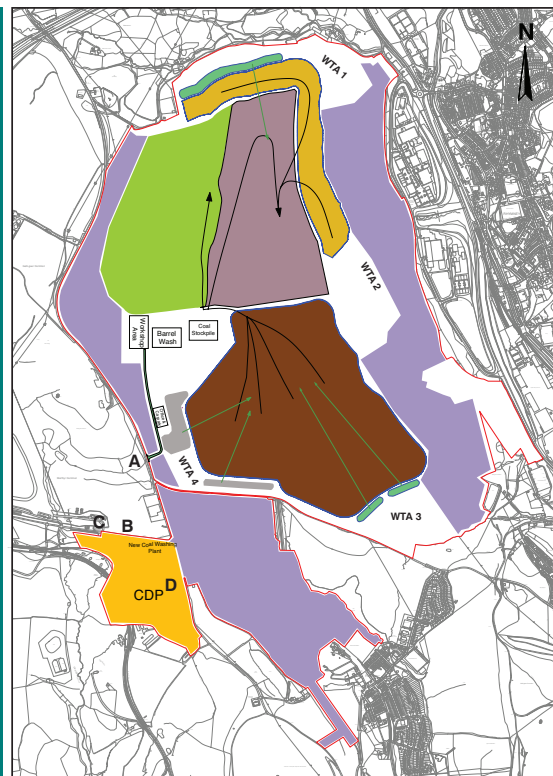
Maximum Void - Year 6



End of Coaling - Year 11



Restoration - Years 11-14



#### NTS004 - Sequence of Operational Stages

# Nant Llesg Surface Mine

## Incorporating Land Remediation

### Applicant's Response to Post-Application Representations

A separate Addendum to the Planning Statement (the PS Addendum) deals with the issues raised in certain post-application representations received by CCBC. Where the Applicant's response to a representation involves:

- a change to the Nant Llesg proposal;
- further mitigation or compensation for the effects of the proposal; or
- additional information for clarification of the proposal, the assessment set out in the original ES has been revisited and the findings set out in the Second ES Addendum.

The findings in the Second ES Addendum should therefore be read in conjunction with the accompanying PS Addendum which, where appropriate, provides a wider response to issues which have been raised, including issues which are not directly related to environmental effects.

Should subsequent queries and/or representations arise in response to the Second ES Addendum or PS Addendum then they will be responded to separately, if required by the Planning Authority. However, it is anticipated that the information provided in the PS Addendum and Second ES Addendum will be sufficient to allow CCBC to make a fully informed decision on the application without the need for additional information.

### Publication of the Applicant's Response

Submission of the Applicant's response documents to CCBC (PS Addendum and Second ES Addendum and related documents) has been publicised in the Western Mail, Rhymney Express and Merthyr Express to coincide with the submission to CCBC.

### Consultant Experts Acting for the Applicant

The Applicant's response to the post-application representations and the Second Addendum to the ES incorporates input and advice from its consultant experts who were involved in the undertaking of the original EIA and the preparation of the original ES. They are therefore fully familiar with the scheme and have been able to provide informed comments on the responses which have been received.

In addition to consultant experts who were involved in the original EIA, additional expert assistance has been sought from Tom Dearing of RPS and Gavin C. Wright of GW Regulatory Affairs Services Limited in relation to air quality, and Adam M. Slater of Quality Options Limited in relation to social impacts.

# Nant Llesg Surface Mine

## Incorporating Land Remediation

### Proposed changes, mitigation, compensation and additional information for clarification of the Nant Llesg scheme

The issues which have been assessed in the ES Second addendum fall into three categories of:

- changes to the Nant Llesg proposal;
- further mitigation or compensation for the effects of the proposal; and
- additional information for clarification of the proposal.

Where the Applicant's response to a representation falls into one of these categories, then the environmental effects have been considered in the individual technical chapters of the Second ES Addendum.

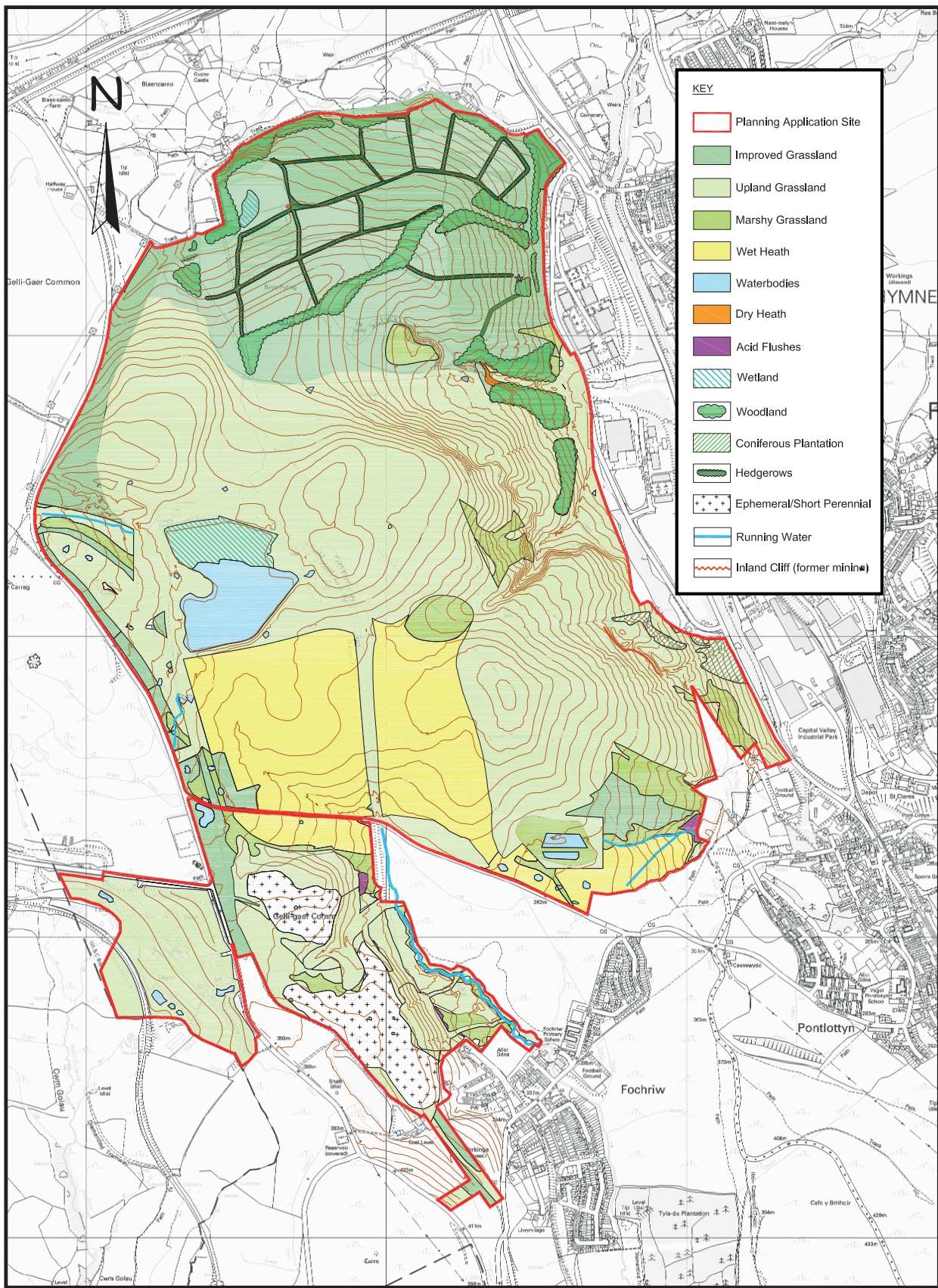
The changes to the proposal are listed in Table ESA4.1 below, from which it is apparent that the changes are of a relatively minor nature and the overall design of the scheme remains unchanged.

**Table ESA4.1**

#### Changes to the Nant Llesg proposal

Proposed Method Statement (Draft) for Great Crested Newt Licence Application, incorporating additional receptor ponds and revision of their locations on site.
Further proposals for reptile receptor sites.
Further consideration of the availability of ponds on site for Odonata (carnivorous insects, encompassing dragonflies and damselflies).
Detailed proposals for peat handling, storage, water supply and monitoring and restoration with examples of other sites.
Revision of proposed areas for restoration habitats and the production of a Habitats Restoration Strategy Drawing (NTS005) to supplement the existing Restoration Strategy Drawing.
Proposed changes to the noise fence at Halfway House and the provision of a new noise screening bund on north west corner of the working area.
Introduction of potential for coal exports to Europe and implications for the claimed lower carbon footprint of delivering Nant Llesg coal when compared to imported coal.
Given the passage of time since the planning application was submitted on 10th October 2013, the anticipated start date for the Nant Llesg Scheme has changed from 2014 to 2016.





NTS005 - Habitats Restoration Strategy Drawing

## Change, Mitigation, Compensation, Clarification

The further mitigation and compensation measures are listed in table ESA4.2 below.

**Table ESA4.2 Further Mitigation/Compensation**

Review of the mitigation and compensation proposals for the impact of the Nant Llesg scheme on the biodiversity of the area, including the provision of
<ul style="list-style-type: none"> <li>• a 'Wet Heath National Vegetation Classification and Condition Assessment'; and</li> <li>• a 'Biodiversity Offsetting Report',</li> <li>• additional ponds forming part of the restoration proposals and</li> <li>• offsetting or compensation by way of funding for the Pumlumon Project in Mid-Wales or the offer of an equivalent sum to CCBC for local deliverable nature conservation or biodiversity enhancement within the county borough.</li> </ul>
Introduction of further noise modelling demonstrating the mitigating effect of building the outer face of the overburden mound first to act as a screening bund during construction of each level of the overburden mound.

The items of additional information / clarification which have relevance to environmental effects are listed in table ESA4.3 below.

**Table ESA4.3 Additional Information for Clarification**

Consideration of Bute Town as a Tourist Resource and further consideration of both direct and indirect effects on tourist resources outside the site.
Capacity considerations of the Bogey Road/Fochriw Road junction with further computer modelling of hypothetical traffic levels to demonstrate the theoretical capacity of the junction and the ability of the junction to accommodate any bunching of coal delivery traffic.
Clarification of areas of vegetation and habitat disturbance.
Location of Terrestrial Invertebrate 'hotspots' and trapping points referred to in survey data with provision of revised ES Appendix 1 to Terrestrial Invertebrate Report.
Consideration of effects on sites with European nature conservation designations (SACS, SPA and Ramsar sites) with provision of a Habitats Regulations Assessment Report as additional information to assist the County Borough Council in preparing a Habitats Regulations Assessment.
Revision of data for migrant waders and other waterfowl with desk study providing additional ornithological data.
Provision of Cliff Bat Survey Report (2014) and clarification that there are no open old mine shafts and adits on the Nant Llesg site.
Provision of data used for the ES soils analysis.
Clarification of depth of clay beneath peaty topsoils.
Assessment of potential carbon loss associated with peat handling.
Information about source, quantity and storage of Soil Forming Materials with confirmation of commitment by the Applicant to recover sufficient quantity of such materials to secure restoration of the site.
Review and clarification of soil resources for Land Use Units A and B.
Clarification of soil type and resource in Soil Unit 2.
Clarification of quality and suitability of materials for building peat storage cells.

# Nant Llesg Surface Mine

## Incorporating Land Remediation

Submission of revised drawing showing corrected detail of drainage channels associated with proposed drainage works north of Fochriw to address the silting of Cwm Darran Park Lake.

Provision of Water Framework Directive Assessment, which presents additional information on Water Framework Directive aspects of the surface and groundwater bodies at the site.

Further modelling and assessment of predicted dust deposition at residential sites using a hypothetical lower mitigation factor as requested by Caerphilly County Borough Council.

Correction of average dust deposition data in ES.

Consideration of new guidance on assessment of construction impacts published since the ES was prepared.

Clarification of current dust events at Heads of the Valleys Industrial Estate.

Consideration of potential dust impacts along mineral railway to the south of Cwmbargoed Disposal Point.

Consideration of train pass-by noise levels to the south of Cwmbargoed Disposal Point.

Consideration of the possible deflection of noise towards Fochriw by the Nant Llesg overburden mounds.

Provision of contemporaneous notes of noise surveys and train pass-by surveys along the Mineral Railway Line south of Cwmbargoed Disposal Point with plans showing survey locations.

Information on manufacturer's further research on plant noise to justify sound power levels used in the ES Noise Assessment.

Provision of the rendered images used to compile photomontages from various Viewpoints as part of the ES Landscape and Visual Impact Assessment.

Provision of Cross Sections through overburden mound from various Viewpoints of the ES Landscape and Visual Impact Assessment.

Provision of enhanced Disposition Drawings 1 to 5 showing additional ground contour information both within and outside the site. The site layout, plant list and all other information on the original drawings is unchanged.

Provision of sight lines through overburden mound during construction from highest and lowest points in Rhymney and Fochriw.

Provision of drawing showing lighting lux level contour plots for lighting columns to be used on site with further consideration of potential night-time lighting effects on surrounding residential properties.

Further information and assessment relating to the effect of the Nant Llesg scheme on designated landscapes.

Further consideration of the artificial lighting to be used at Cwmbargoed Disposal Point.

Consideration of cumulative landscape and visual effects relating to the proposed 'Circuit of Wales' motorsport complex in the neighbouring county borough of Blaenau Gwent and dualling of the Heads of the Valleys Road.

Clarification on the Health Impact Assessment and its compliance with Wales Health Impact assessment guidance.

Provision of further information about water usage on-site for dust suppression, coal preparation peat storage and other needs and the availability of water resources for such uses, particularly during a dry year.

Review of Welsh Economy Research Unit report and provision of further information about Richards and Appleby's operations on nearby industrial estate.

The respective effects are considered in the summary sections 5 to 19 of this NTS with full details of the environmental effects set out in the ES Second Addenda technical chapters and associated drawings and appendices.

The above considerations represent a further stage in the iterative site design that has resulted from the Applicant's response to extensive pre and post-planning community consultation during the design period. The changes to the proposal are of a relatively minor nature and the overall design of the scheme remains unchanged. All other aspects of the development proposals, as set out in the planning application, and as assessed in the original ES, remain unchanged.

For ease of reference, the summary chapters below follow the same topic sequence and numbering system as set out in the original ES and ES Second addendum.



## Social Impact Assessment

Post-application representations to CCBC that relate to Social Impact have been specifically addressed in the Addendum to the Planning Statement. The purpose of the ES Addendum chapter is to consider any effect on the Social Impact Assessment in the ES of changes to the proposal or additional mitigation, compensation or information arising out of the Applicant's Response to the post-application representations, as set out on the Addendum to the Planning Statement.

An objection by the Welsh Economic Research Unit, which is referred to by various objectors, is critiqued. The inference that present-day surface mining activity is causing, and that Nant Llesg would cause, overall detriment to the Heads of the Valleys area is discounted, and it is concluded that such problems as exist are the legacy of disinvestment in the coalfields nationally.

The Welsh Economy Research Unit (WERU) study pre-dates the planning application for the Nant Llesg scheme and fails to properly consider the full scheme, its benefits and its proposed mitigation measures and enhancements.

It is concluded that there is no evidence to support statements made about potential detrimental impact of Nant Llesg. The WERU research provides no indication of being objectively assessed or of using tangible evidence. The quality of evidence and research presented in the WERU study must be queried before attaching any weight to its findings in considering the Nant Llesg proposal.

The objection made by Richards and Appleby, who operate a cosmetic manufacturing business on the nearby Heads of the Valleys Industrial Estate are reviewed in detail in the PS Addendum, which concludes on the basis of a report prepared by Wright and Slater that there is no net difference between the position of the Richards & Appleby operation with Nant Llesg going ahead or not going ahead.

On that basis there is no change to the social impact assessment conclusions in the original ES and no further assessment has been necessary.

The conclusion in the ES that the Nant Llesg scheme has potential to support between 173 and 249 net additional local jobs in the Heads of the Valleys area is confirmed.



# Nant Llesg Surface Mine

## Incorporating Land Remediation

The ES Addendum chapter provides additional information with respect to the Recreation and Tourism Assessment which forms part of the ES. Post-application representations to CCBC that relate to Recreation and Tourism have been specifically addressed in the Addendum to the Planning Statement. These include the potential for indirect effects on tourism resources outside the Nant Llesg site.

The ES Addendum chapter provides clarification of these potential indirect environmental effects, taking into account the environmental assessments provided in Chapters 16 (Landscape and Visual), Chapter 12 (Air Quality and Dust) and Chapter 13 (Noise) of the ES and subsequent addenda on these topics.

The majority of the Brecon Beacons National Park is over 5km from the site boundary where visual effects would be, at most, Minor and there would be no greater than Moderate visual effects at Parc Bryn Bach. Bute Town is the closest tourist resource to the site and it is not anticipated that the visual amenity of the village itself would be greatly affected, as views towards the Nant Llesg site are restricted by buildings and vegetation. The enhancement of field boundaries and the establishment of new woodland planting in the north of the site would provide a long term benefit to the setting of Bute Town.



Neither the Brecon Beacons National Park nor Parc Bryn Bach will experience any significant air quality or dust deposition impacts due to their distance from any Nant Llesg emission sources. Bute Town is closer to the proposed mine but is predicted to experience a negligible impact with respect to air quality and only a minor adverse impact on dust deposition. None of these resources are expected to experience noise impacts, other than negligible or minor impacts, as a result of the Nant Llesg scheme.

Taking the above assessments into account it is not anticipated that effects on the amenity or relative pleasantness of tourist resources outside the site would be such that there would be a significant indirect effect on visitor numbers.

There are no changes to the assessments set out in the Recreation and Tourism chapter of the Nant Llesg ES (Chapter 6), including the assessment of direct effects (i.e. physical impacts) on tourist resources outside the site.



## Traffic & Transport

This ES Addendum chapter provides additional information with respect to the traffic and transport assessment which forms part of the ES. Post-application representations received with respect to the traffic and transport assessment have been specifically addressed in the Addendum to the Planning Statement. The chapter considers the impacts with respect to traffic and transport of a shift in the likely project start date from 2014 to 2016. The chapter also presents the results of further capacity assessment undertaken at the Bogey Road/Fochriw Road junction for hypothetical traffic flow scenarios, to address concerns about management of coal delivery traffic between Nant Llesg and the CDP.

The shift in the project start date from 2014 to 2016 will result in small changes to the baseline traffic flows presented in ES Tables 7.5, 7.7 and 7.10. The baseline flows used in the ES for assessment purposes were 2014 (site enabling works), 2015 (site operation) and 2029 (site decommissioning, restoration and aftercare) respectively. These will change to 2016, 2017, and 2031 respectively, with slight increases in baseline flows predicted. However, the levels of traffic which are forecast to be generated by the project during site enabling works, site operation and site decommissioning, restoration and aftercare are unchanged.



The overall traffic flows stated in ES Tables 7.5, 7.7 and 7.10 respectively will increase as a result of the shift in the project start date from 2014 to 2016 (as a result of the slight increase in base flows), but the percentage increase in traffic resulting from the proposal will likely correspondingly reduce slightly, as a result of the slight increase to baseline flows. Given the slight changes it is expected that there will be no significant change to the anticipated impacts of the Nant Llesg project to that stated in ES Tables 7.14, 7.15 and 7.16.

The hypothetical traffic flow scenarios considered for the Bogey Road/Fochriw Road junction involve a substantial number of HGV movements, being considerably more than those predicted and assessed in the ES for the Nant Llesg scheme. They are intended to address concerns expressed about managing the number of HGV vehicles on the unclassified road between Nant Llesg and the CDP in the event that HGV movements are bunched, even though in reality that is unlikely. The results of the capacity assessment indicate that the junction would continue to operate satisfactorily even with considerably greater traffic levels than those which are anticipated as part of the Nant Llesg project. As a result, even if bunching were to occur, there will be no significant change to the anticipated impact of the Nant Llesg project.





# Nant Llesg Surface Mine

## Incorporating Land Remediation

This ES Addendum chapter provides additional information with respect to the Ecology and Nature Conservation assessment which forms part of the ES.

The following additional studies and surveys have been undertaken which provide additional baseline information:

- Ornithological Data Review 2014;
- Breeding Wader Survey 2014;
- Bat Survey of Cliffs 2014;
- Great Crested Newt Update Survey 2014; and
- Wet Heath (National Vegetation Classification) NVC and Condition Survey 2014.

In addition to these reports of studies and surveys, the following additional reports have been submitted which are relevant to the assessment of the ecological and nature conservation effects of the Nant Llesg proposals:

- Habitats Regulations Assessment Report;
- Biodiversity Offsetting Report;
- Revised Great Crested Newt Method Statement;
- Additional Invertebrate Survey Information; and
- Peat Handling and Wet Heath Restoration.

The findings of the additional surveys and reports have been taken into account in the review of the ecological effects of the proposed surface mine. The majority of ecological effects would be of Negligible or Minor significance.

Exceptions as a result of the land take of the project would be an impact of Moderate significance on breeding birds. This is a reduction in effect from that set out in the original ES (which referred to the effect as 'major adverse') after taking into account the findings of the 2013 and 2014 breeding wader surveys which indicated a reduced value of the site for Little Ringed Plover and Ringed Plover. As per the original ES there would also be impacts of Moderate significance on non-statutory designated sites, loss of much of the Cefn Gelligaer Site of Importance for Nature Conservation [SINC], habitat loss (particularly wet heath, unimproved acid grassland and marshy grassland), wintering/passage birds (especially those associated with Rhaslas Pond), terrestrial invertebrates (including Grayling and Small heath butterflies and Broom moth) and dragonflies and damselflies (including the Scarce blue-tailed damselfly).

The ES Addendum has clarified the extent of the land take within the SINC and has confirmed that less is required than was assumed in the original ES.

During operation of the site no adverse effects would be of greater than Minor significance. There would be beneficial effects on fish and potentially on amphibians and bats as a result of habitat creation, and to others as a result of improvements to downstream water quality.



## Ecology & Nature Conservation

Comparing the restored site with current conditions (the baseline), the majority of effects would be of Negligible or Minor significance. As a precautionary conclusion as a result of elements of uncertainty regarding the effectiveness and timescale of habitat restoration, there would be Moderate adverse effects on non-statutory sites (Cefn Gelligaer SINC) and habitats (in particular wet heath), and on breeding and wintering / passage birds. Miller Argent are however confident that effective and timely restoration can be achieved. Moreover, there could be beneficial effects on reptiles, bats and others as a result of habitat creation, and fish and potentially others through long term benefits to downstream water quality.

The change in 'Biodiversity units' resulting from the scheme has been calculated using guidance produced for Defra's biodiversity offsetting pilot as a tool to enable the biodiversity value of the different habitats within the Bryn Caerau biodiversity off setting area and the Nant Llesg site to be compared. The assessment supports the original conclusion in the ES that the overall balance of biodiversity would be maintained, with a substantial gain for linear habitats measured in metres.

The nature of the proposed development means that it is not possible to fully mitigate the effects of the scheme within the site boundary. In order to off-set the effects it is proposed to implement ecological enhancements in an area to the south west of the site. The land to be used is part of the holding known as Bryn Caerau Farm which is owned by Miller Argent (South Wales) Limited and farmed by tenants.



Opportunities for further compensation and biodiversity benefit have been considered in discussion with CCBC and National Resources Wales (NRW). Despite such discussions, no suitable and deliverable local opportunities have been identified. Miller Argent has therefore looked further afield and the Pumlumon Project in central Wales has been identified as a potential option. Should the Nant Llesg project be consented then Miller Argent would fund the restoration and ongoing management of 50 ha of upland bog as part of the Pumlumon Project over the 14 year life of the Nant Llesg Project.

Discussions with CCBC and NRW have also identified potential projects in the local area that have the potential to allow more local biodiversity improvements than the Pumlumon project. Should any more local suitable alternatives be identified by CCBC or NRW that do provide deliverable compensation opportunities, then Miller Argent would be pleased for its funding to be targeted towards these as alternatives to the Pumlumon Project. In either event, whether funding was provided to the Pumlumon Project, or local projects within Caerphilly, there would be a benefit to biodiversity on restoration of the scheme and, with the mitigation / compensation measures at Bryn Caerau, a balance of biodiversity during the scheme despite the loss of habitats resulting from the land take and operation of the scheme.

# Nant Llesg Surface Mine

## Incorporating Land Remediation

This ES Addendum chapter provides additional information with respect to the Agricultural Land Use and Soils assessment which forms part of the ES.

In response to comments from NRW and Welsh Government National Resources and Food, the addendum contains clarifications with regard to:

- the identification of the natural soil resources from the detailed soil survey work that has been undertaken on the site;
- the generation of natural soil resources and soil forming materials from the site that can be used in the restoration strategy; and
- the proposals for the stripping, storage and restoration and peaty soils, with the preparation of an additional report entitled Peat Handling and Wet Heath Restoration that deals with this particular aspect of the Nant Llesg proposals;

The additional clarifications provided do not change the original baseline data in the ES or the proposals for measures to be adopted as part of the original scheme for the stripping, handling or restoration of the soils and agricultural land on the site as described in the original 'Peaty and Non Peaty Soil Handling Methodologies' submitted as part of the original ES.

Based on the fact that there are no changes to the baseline data provided or the proposals for the stripping storage and restoration of soils and agricultural land on the site, there is no change in the assessment of the effects of the Nant Llesg Scheme on Agricultural Land Use and Soils as provided in the ES.



## Hydrogeology

This ES Addendum chapter provides additional information with respect to hydrogeology assessment which forms part of the ES.

The key consideration is the findings in relation to groundwater of the Water Framework Directive Assessment requested by, and subsequently reviewed by, NRW. The Water Framework Directive Assessment brings together information already presented in the ES in the context of a Water Framework Directive specific assessment. In addition, account has been taken of the groundwater concerns of various third parties.

No changes to the findings of the original ES are required. The Water Framework Directive Assessment study in fact further supports the conclusions of the original ES, and emphasises that not only would the proposed development not reduce the current status of the ground water environment, or the ability to improve it, but it would itself contribute towards improvements to that environment.





## Hydrology & Drainage

This ES Addendum Chapter summaries further information provided in response to representations made by various parties on the submitted ES Hydrology and Drainage chapter, and assesses the consequences (if any) of this information with respect to the findings of the EIA.

Received comments focussed in particular on water availability for dust suppression. The analysis has found that with the provision of suitable water storage on the site, a reliable supply of water will be available suitable to meet dust suppression and other needs in a year equivalent to conditions in 1984 (one of the driest years on record). As a result, Miller Argent is confident that there will be more than adequate on-site water resource availability for dust suppression alongside other water uses on site to meet the needs of Nant Llesg even during an extreme dry spell.

# Nant Llesg Surface Mine

## Incorporating Land Remediation

A key consideration is the findings in relation to surface water of the Water Framework Directive Assessment requested by, and subsequently reviewed by, NRW. The Water Framework Directive Assessment brings together information already presented in the ES in the context of a Water Framework Directive specific assessment. In addition, account has been taken of the groundwater concerns of various third parties.

No changes to the findings of the original ES are required. The Water Framework Directive Assessment study in fact further supports the conclusions of the original ES, and emphasises that not only would the proposed development not reduce the current status of the surface water environment, or the ability to improve it, but it would itself contribute towards improvements to that environment.



## Air Quality & Dust

This ES Addendum chapter provides additional information with respect to the air quality and dust assessment which was reported in the ES. The purpose of this chapter is primarily to present the results of further modelling which has been undertaken and to provide clarification regarding the baseline dust data requested by CCBC.

The dust assessment included in the ES, based upon a custom and practise criterion of 200 mg/m<sup>2</sup>/day, is robust. The Welsh Government Minerals Technical Advice Note 2: Coal (MTAN2) criterion of 80 mg/m<sup>2</sup>/day is for coal dust, i.e. black dust. Nevertheless compliance with this criterion would be achieved even though the vast majority of the dust that potentially could cross the boundary of the site would be from the lighter coloured overburden material. The modelling shows that the proposed mine will not cause a loss of amenity due to dust deposition in the local community.

The use of the MTAN2 criterion is considered to be overly stringent. This criterion takes account of the dark colour of coal dust. Any dust from the proposed mine that may have potential to deposit in the local communities will virtually all be the lighter coloured overburden material, with very little coal dust. Therefore the custom and practice value of 200 mg/m<sup>2</sup>/day, commonly used in dust assessments of mineral sites, is considered to be more appropriate to determine whether or not there is likely to be dust complaints during the operation of the proposed mine. This criterion is achieved, by a wide margin, at all receptors.

CCBC has requested that the modelling of dust deposition be carried out using a mitigation factor of 75% suppression for dust generation on the haul roads, notwithstanding the fact that the use of the 95% mitigation factor in the ES is appropriate and accords with the methodology in MTAN2. The application of a 75% mitigation factor is thus considered in the ES Addendum as a hypothetical scenario only. However, the custom and practice criterion of 200 mg/m<sup>2</sup>/day which applies to the lighter coloured dust that could potentially result from haul roads is achieved by a wide margin even when the mitigation factor for the haul roads is reduced from 95% to a hypothetical 75%.

Existing dust events at the Heads of the Valley Industrial Estate are identified. Miller Argent is confident that the Heads of the Valley Industrial Estate and the residential areas of Rhymney, Pontlottyn and Fochriw will not become dusty environments due to this development.

The construction of an additional noise screening bund, described in Section 13 below which reduces the required height of the noise barrier at Halfway House from 3m to 2m, will not lead to a significant air quality and dust impact.





# Nant Llesg Surface Mine

## Incorporating Land Remediation

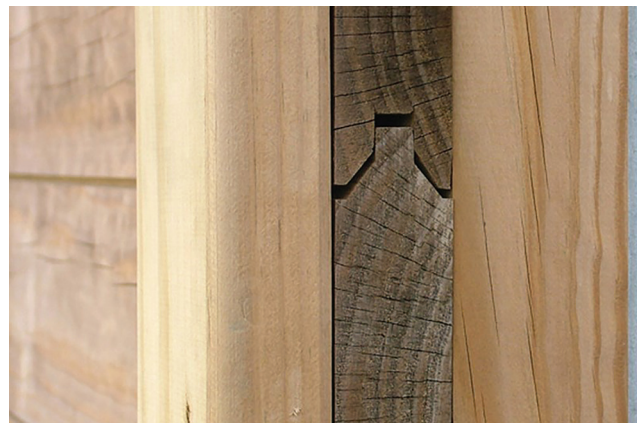
This ES Addendum Chapter sets out the results of additional design work to further mitigate the effects of noise from the site. In addition, clarification and expansion of information has been provided to interested parties. The noise ES Addendum chapter assesses the effects of the new design work and provides additional information in terms of noise emitted from the site.

The ES addendum shows that the development will not cause amplification or reflection of noise towards Fochriw or any other receptor.

For the modelling presented in the ES it was assumed as a worst case scenario that there was no mound created at the outer edge of the overburden mound and therefore no screening was included for the plant constructing the mound. Plant was distributed across the surface of the mound to represent movements to and from the haul roads, but concentrated at the outer edge to represent the worst case when the outer edge was being constructed. The mound will, however, be constructed in layers by first building an outer edge mound and then backfilling behind the screen mound. Further analysis of this has been carried out to show the noise levels during construction and removal of the outer edge, and the workings behind the screen mound. The results confirm that whilst the noise limits would not be exceeded based upon a worst case assumption of no noise screening, the noise bund would further minimise noise levels and secure lower noise levels further within the criterion levels which have been set.

At paragraph 13.45 of the ES it was noted that the proposed noise limits for the site would be exceeded by 1 dB at the nearest isolated house off Fochriw Road to the north of the site (Halfway House) during operations in the northern area of the site (Dispositions 1B, 2HR1 and 2HR2). A 3m acoustic fence to the south of this house was thus proposed to ensure that noise limits were met at the house throughout the working of the site. Further assessment work has shown that the provision of a 3m screening bund at the northern edge of the working void would allow this acoustic fence to be reduced to 2m. The bund would be formed as part of the site establishment works and its outer faces seeded to grass. It would remain in place for the duration of mining operations, backfilling of the void and soil replacement.

Subject to these two main issues, the ES Addendum confirms that the noise predictions and the assessment of these levels presented in the ES have not been affected by any of the work carried out since submission of the Nant Llesg planning application. The only exception is the very minor increase in noise that would result locally on Fochriw Road to the north of the site with the revised screening proposals, however the limits are still met and the assessment of this impact is unaltered.



## Blasting & Vibration

The changes to the scheme, the further mitigation, compensation and additional information provided in the Addendum to the Planning Statement have been reviewed, and no change to the assessment of blast vibration is required.

## Cultural Heritage

The changes to the scheme, the further mitigation, compensation and additional information provided in the Addendum to the Planning Statement have been reviewed and no change to the assessment of cultural heritage is required.



# Nant Llesg Surface Mine

## Incorporating Land Remediation

This ES Addendum chapter considers any LVIA effects of any changes to the proposal, additional mitigation, compensation and further information arising out of the Applicant's Response to post-application representations as set out on the PS Addendum. Of relevance to the LVIA are:

- Additional assessment of lighting effects
- Additional assessment of effects on the setting of Bute Town;
- Additional assessment of potential cumulative effects;
- Assessment of the change in date of commencement of operations;
- Assessment of effects on landscape and visual amenity of additional elements included in a Revised Great Crested Newt Method Statement and Habitats Restoration Plan, and additional information regarding soils handling;
- Assessment of effects on landscape and visual amenity of additional mitigation proposed in relation to noise effects at Halfway House.

The guidance used to inform the LVIA has changed with the publication of 3rd Edition of the Guidelines for Landscape and Visual Impact Assessment (GLVIA3) in April 2013. Following the advice of the Landscape Institute, the assessment was completed using GLVIA2 which was current when most of the LVIA was carried out. However clarification is provided as to which effects are considered significant, as is required by GLVIA3.

In response to the above six key issues of relevance to the LVIA, the additional studies found that:

- No change has been made to the measures already proposed by the Applicant to mitigate adverse effects from lighting within the proposed development through choice of lighting to limit the spread of light and focus it on the working areas and through the screening mounds. The assessment of lighting effects in the ES is not changed by the supplementary technical assessment presented in this Addendum.
- The enhancement of field boundaries and the establishment of new woodland planting in the north of the site is designed to offset the adverse landscape effects within the site during operations. They would serve to provide a Moderate benefit in the long term to the visual amenity of visitors to Bute Town Pond, and hence to the setting of Bute Town itself. The effects on the landscape and visual amenity of Bute Town, its residents and users of its recreational resources were taken into consideration in the LVIA in the ES and there would be no change to the overall assessment after considering these effects in relation to the setting of Bute Town.

## Landscape & Visual Impact Assessment

The “other developments” to be included in a cumulative LVIA were agreed with CCBC to include developments taking place within 5 kilometres of site or likely to take place during or extending beyond the lifetime of the development, comprising:

- The operational Ffos-y-fran Land Reclamation Scheme (FLRS)
- Cwmbargoed Disposal Point (CDP)
- Merthyr Industrial Services landfill operations (MIS)
- Trecatti Landfill Site
- NET Wood Pellet Plant, Rhymney.

Blaenau Gwent County Borough Council (BGCBC) subsequently requested additional assessment of cumulative effects of the proposed development in relation to the proposed Circuit of Wales, dualling of A465 and the then proposed wind turbines at Pen Bryn Oer. The Pen Bryn Oer proposal was subsequently withdrawn but the cumulative effects in respect of the proposals for Circuit of Wales (CoW) and the dualling of the A465 have been considered. These levels of cumulative landscape and visual effect are considered to be not significant.

- The effect of the change in the date of commencement would be a small reduction in the period when the excavation void and overburden mounds would exist at both FLRS and Nant Llesg and a small extension of the period of activity in the landscape and in views, until the Nant Llesg and CDP sites would be restored. This small change does not change the assessment conclusions in the original LVIA in ES.
- The ES Addendum Chapter 9 describes details of methods of soil handling, especially peat, and they do not result in any change in the landscape mitigation or restoration strategy nor, hence, the conclusions of the original LVIA.

- There would be no additional effect on the landscape or visual amenity caused by the proposed acoustic mound on the north-western edge of the excavation area. The fence at Halfway House would be a small and medium term change in the open landscape character of the area surrounding the properties. The levels of landscape and visual effect of the 2 metre fence and 3 metre mound are considered to be not significant and would not change the overall assessment of the landscape or visual effects of the proposed development contained in the ES.

The additional LVIA thus concludes that there would be no change in the overall assessment of landscape and visual effects in Chapter 16 of the ES, and the effects of the additional habitats and acoustic mitigation and change in commencement date would be not significant.



# Nant Llesg Surface Mine

Incorporating Land Remediation



View from Upper Rhymney without screening bund



View from Upper Rhymney with screening bund

## Waste

The changes to the scheme, the further mitigation, compensation and additional information provided in the Addendum to the Planning Statement have been reviewed and no change to the assessment of waste is required.

## Health & Wellbeing

Following submission of the Nant Llesg Planning Application and Environmental Statement (ES) in October 2013, a series of Post-Application Representations were made which sought clarification and expansion of information for specific technical disciplines within the ES.

All health representations were fully addressed in the original Health Impact Assessment (HIA), and via a formal review and position statement from the Wales Health Impact Assessment Support Unit (WHIASU).

However, given the delay to project commencement, and the expansion of information to specific ES Sections that informed the HIA, a further review of the ES Addendum has been undertaken to determine whether there might have been any change to the HIA assessment protocols applied, the conclusions drawn and the mitigation and support initiatives detailed in the Health Action Plan (HAP).

However, the various changes to the Nant Llesg proposal; further mitigation or compensation for the effects of the proposal; and additional information for clarification of the proposal do not materially influence the HIA, its findings or recommendations.

On this basis, no new health information or assessment is required. The HIA remains compliant with current UK and Wales HIA Guidance. The baseline data applied remains appropriate. No new health pathways have been identified; and the assessment protocols applied remain conservative (accounting for local circumstance and relative sensitivity).



# Nant Llesg Surface Mine

## Incorporating Land Remediation

### **Sustainability & Climate Change**

The ES sets out in detail how the evolved design of the proposed Nant Llesg scheme (since the submission of the original planning application) responds to each of the themes, sustainability objectives and key considerations of the sustainability framework, and thus how the revised project meets the objectives of sustainable development throughout its lifetime. The sustainability and carbon statement has been updated to take into account the various changes to the Nant Llesg proposal; further mitigation or compensation for the effects of the proposal; and additional information for clarification of the proposal provided in response to representations.

## Summary & Overview

The original ES concludes that the most significant environmental effects relate to ecology, notably the land take within the SINC and the effect on breeding birds. However, the ES Addendum has clarified the extent of the land take within the SINC and has confirmed that less is required than was assumed in the original ES. In addition, the importance of breeding birds has been downgraded following the results of updated surveys, with the anticipated impact now categorised as 'moderate adverse' rather than 'major adverse'. Further compensation measures have been proposed in the form of a contribution to the Pumlumon Project or suitable local biodiversity project alternatives.

The original ES concluded that there would be a negative biodiversity impact during the operation of the mine (notwithstanding the mitigation and compensation incorporated into the scheme including the Bryn Caerau scheme), but a biodiversity balance in the long term. With the inclusion of further mitigation and compensation referred to above, these biodiversity conclusions have been updated to a balance during operations and a now anticipated benefit in the long term.

Visual and landscape impacts were also identified in the original ES as significant, particularly during the short term of the construction of the visual and acoustic mound. That remains the case.

The underlying conclusion of the original ES is that the mitigation measures incorporated within the project design have achieved residual impacts that fall within environmental limits. The Second ES Addendum has served to confirm the success of the iterative design approach. Whilst there have been changes to the scheme, further mitigation and compensation measures have been proposed, and further information has been provided in response to representations, these have been relatively minor given the scale of the proposal.

It remains the case that with the exception of ecology and landscape / visual impact, there are no major or moderate adverse effects predicted. Despite the conclusions on those topics, the effects would be temporary and fully mitigated via the restoration scheme / and adequately compensated for during the development

The temporary negative effects can be contrasted with significant positive permanent environmental effects including remediation of mine hazards, improvements in mine water quality and improvements to discharges to the water course feeding Parc Cwm Darren. Overall the original ES concluded that the project can be rendered environmentally acceptable by the imposition of suitable planning conditions and/or planning obligations that reflect government guidance and local planning policy. That remains the case, but increasingly so via the positive changes to the scheme and additional mitigation and compensation measures which have been proposed and the further information which has been provided in response to representations.

The original ES analysed the scheme against the development plan policies. There have been no material changes to policy since publication of the ES. The Nant Llesg proposal continues to accord with relevant county wide and site specific plan policies and with the development plan as a whole. The changes to the ecology balance make that even more the case than was originally concluded in the ES.

# Nant Llesg Surface Mine

## Incorporating Land Remediation

The ES continues to demonstrate that the proposed scheme brings about a number of substantial community benefits, including:

- remediation of historic mining dereliction associated with the treatment of mining shafts and adits which will improve public amenity and create safe conditions for public access to extensive areas of land;
- restoration of land to open mountain grassland, interspersed with woodland belts and a substantial package of new paths as a public amenity;
- improvement in the second worst mine water discharge in Wales with significant savings to public funds which would be required in the absence of the scheme;
- improvement in the run off of siltation to the lake in Darran Valley Country Park;
- improvement of visibility along the southern approach to the junction of Bogey Road and Fochriw Road to improve highway safety;
- remediation and/or removal of waste from the MIS landfill;
- a superior restoration of an area previously subjected to former and somewhat pioneering 'opencast' mining;
- the creation of areas of nature conservation (and biodiversity conservation) as part of the restoration scheme, together with substantial off site biodiversity benefits at the Bryn Careau area and as a part of the Pumlumon project; and
- demonstrable employment and economic benefits associated with direct and indirect employment and the overall contribution to the local economy.

It follows from the above that the minor positive changes to the scheme and the beneficial additional mitigation / compensation measures which have been proposed re-enforce the conclusions of the original ES that the overall balance of need and benefits against environmental effects weighs heavily in favour of planning permission being granted.



#### **Contact Us**

If you would like any further information on the proposals then please get in touch:

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**These details will put you in touch with PPS Group which coordinates our Nant Llesg public consultation activity.**