**Llwydcoed Village: response to Celtic Energy Planning Application for surface mine workings at Bryn Defaid, Llwydcoed**

This report represents a substantial local body of opinion. It has been compiled by the Llwydcoed Action Group. This is a group of more than a dozen local residents who pledged to represent the views of the village as expressed at a public meeting held at the village community centre on Tuesday December 11th 2012. This meeting, to discuss the Bryn Defaid opencast proposals, was attended by approximately 80 residents. All voices were against the proposal.

**Summary of the reasons for our objections.**

 We believe there are two future visions possible for our village and its surrounding environment:

* the **old-style vision** the application represents is continuing reliance upon extractive industries. This is a vision that consigns the area to a future that is unsustainable, short-termist, bleak, dirty and outdated.
* the **newer vision** we seek is of a brighter, more diverse, service based future - as represented in the policies of RCT CBC and the Welsh Government. This is a vision that offers hope for a greener, healthier Cynon Valley based on tourism, leisure, environmental improvement and sustainable development.

 Celtic Energy’s vision is a hangover from the past. It will slice off the mountain top between the Cynon and Taff valleys and replace it with a vast hole and massive grey slag heap – and for what? It represents short term advantages to those whose jobs will be saved, but disadvantages to the many who have to suffer environmental degradation. Few jobs are promised, and yet the plan compromises the brighter, alternative future that local people - and their government - wish to see.

The alternative is a vision for the future. It will create more sustainable types of opportunity but these are less tangible and longer term. What is needed is for local councilors to get firmly behind this new future now, to believe in it, invest in it and help local people feel committed to it. Why give this future away to a company that has little interest in the long term welfare of the local area and whose only concern is immediate profit?

An arc of opencasts: If this application succeeds, it will be the same as the other opencast mines that are now accumulating across the Heads of the Valleys:

* polluting, noisy and ugly
* damaging to the local environment
* detrimental to the area’s slowly-recovering, still fragile natural beauty
* a depressing reminder to local people that their local environment is not valued – except in money terms

The company will be forced to remediate the damage they cause but they cannot hide the scarring of the land and the setback to the alternative future we all desire.

 We plead with RCT Councilors to consider this: if they are so keen to see a different kind of future for the valleys why approve something which keeps us all stuck in the past?

**Llwydcoed Action Group**

**Response to Planning Application number 3/0421/10**

**Development of Bryn Defaid Surface Coal Mine for the extraction of coal and associated ancillary activities including restoration and subsequent aftercare of the full development site.**

**LAND TO NORTH - EAST OF LLWYDCOED ADJACENT TO B4276 MERTHYR ROAD ( GRID REFERENCE 301000, 206000).**

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|  | We wish to query certain points on the application:* There is no indication as to how waste will be collected and stored
* The applicant says there is no need to dispose of trade effluent or waste
* Both of these points are inconsistent with an industrial facility such as this one
 |  |
| **2.** | **RCTCBC Single Integrated Plan** | **9-12** |
|  | We argue that the proposal is contradictory to the council’s Single Integrated Plan on a wide number of points including physical and emotional health and well-being, supporting vulnerable people and communities and economic growth. |  |
| **3.** | **Sustainability, tourism and environment** | **13-15** |
|  | * The proposal is in opposition and counterproductive to the Sustainable Development Scheme (MTAN p.2), The Heads of the Valleys Programme, the Heads of the Valleys Low Carbon Programme and the Valleys Regional Park.
* These programmes are directly linked with attempts to develop the area for tourism and leisure and to improve the health and well being of its residents: the opencast threatens all of these.
* Tourists expecting the HoV area to be environmentally attractive are unlikely to return once they come face-to-face with the reality of its chain of open-cast mines.
* Local people’s investment in improving their own environment is likely to be depleted when a vast grey open-cast mound towers over their valley.
* The proposal contradicts the accepted principle[[1]](#footnote-1) that the use of coal for power stations should be phased out – not increased - over the next ten years because of its unacceptably high carbon emissions
 |  |
| **4** | **Stewardship and trust** | **16** |
|  | * Celtic Energy (and people working for Celtic Energy) has been charged with pollution and fraud in relation to other opencast mine sites which they run. This would strongly suggest we should not trust their promises regarding stewardship of the area’s natural resources and environment. It also leads us to seriously question their commitment to restore the site as planned.
* Celtic Energy have not drawn a 500m buffer zone for the site, claiming the proposed development lies outside it; without this, the application does not contain an agreed block on future expansion of site boundaries. However, even if a buffer zone is agreed, evidence from the Tower mine (Hargreaves), where breaching has occurred, suggests no monitoring takes place and the residents suffer the consequences.
 |  |
| **5** | **Cumulative Effect** | **17-18** |
|  | * We argue that the local community is at the upper limits of what they can and should have to sustain in terms of surface mining and other environmentally destructive activities. Included in this are the following: Tower opencast site (approximately 5 miles away), Ffos-y-Fran opencast site (approximately 8 miles away), Bryn Pica landfill (in Llwydcoed) and planning applications for a third opencast site at Nant Llesg and a gas fired power station in Hirwaun.
* We demand detailed evidence of how the proposed restoration scheme and jobs will outweigh the effect of this site when added to all of the other detrimental activity in the area
 |  |
| **6** | **Air Quality Assessment** | **19-23** |
|  | We point out the following issues with the Air Quality Assessment submitted by the applicant:* Ambient checks have been inadequate
* Monitoring equipment will not be placed in essential areas during operations
* The impact of plant, lorry and car movements has not been measured
* There has been no reference to the cumulative impact of fugitive dust from other sites in the area
* A variety of points in the Air Quality Assessment have been commented on in detail pointing out important omissions in the assessment
* Essential figures and data on gaseous emissions have been omitted from the assessment
 |  |
| **7** | **Health Impact** | **24-26** |
|  | We draw your attention to the following problems with the Health Impact Assessment submitted by the applicant* The Health Impact Survey was inadequate and not fully participative
* Community consultation was limited and there were problems with access in some instances
* There is no information about the impact on individual health or mental health
* The report fails to establish a baseline from which future impact can be measured
* The health benefits in terms of employment will be small (we estimate 2.5 jobs) compared to the negative impacts on individual health, well-being and environment
* With a 20 year after scheme during which only one permissive route would be re-introduced, use of the land for leisure and visual amenity would not be accessible for an entire generation
 |  |
| **8** | **Noise** | **27-29** |
|  | * We contend that Celtic Energy have not met MTAN2 obligations as it has not measured noise levels at all affected locations
* Surveys that were carried out were inadequate
* This scheme will generate noise well above a noticeable level and will have detrimental effects on the health and quality of life of local residents
 |  |
| **9** | **Employment and Health** | **30-34** |
|  | * We dispute assertions that Celtic Energy has been meeting the needs of society in a sustainable way
* We question whether local residents would actually be employed at the site and would ask how Celtic Energy can guarantee that workers would not be transferred from other areas as is common at other similar sites
 |  |
| **10** | **Transport** | **35-37** |
|  | * We have serious doubt that the local roads can accommodate the increase in heavy traffic and implore the committee to refer to point 198 in the MTAN stating that, in such a situation, planning permission may have to be refused
* We are concerned that regulations about the proposed route in and out of the site could be ignored by drivers. Indeed, there is evidence to suggest that heavy vehicles already do ignore traffic limits and regulations in other areas.
* We think the proposed road improvement measures are inadequate to accommodate the increase in heavy traffic
* The company should provide a guarantee that lorry movements will be suspended in the case of the A465 being closed because of accidents, weather or road works
 |  |
| **11** | **Social Impact**  | **38** |
|  | * There is no evidence provided in the applications as to how the benefits would accrue to local communities
* There is evidence to suggest that the fear of opencast workings has a detrimental impact on property prices
 |  |
| **12** | **Impact on local ecology** | **39-42** |
|  | * The site will fragment local ecology, destroying connectivity between the Cynon and Taff valleys and the Brecon Beacons. Connectivity is recognised by RCTBC as essential for the migration, dispersal and genetic exchange of wild species.
* The applicants accept that the mine will have detrimental ecological effects but claims these are negligible because they are local! This is a flawed logic, since the environment as a whole can only be protected by caring for it at local level.
 |  |

**Celtic Energy planning submission for BRYN DEFAID opencast workings**

(Comments on actual planning submission by Dr Michael Gandy of Celtic Energy)

**Background:**

Dr Michael Gandy is Celtic energy’s main planning consultant and sits on various committees and is a regular contributor to issues within the industry. As such he seems well qualified to submit the application but, unfortunately, he has made some basic errors in the submission.

**Points of Concern: waste management and possible contamination of water course**

In the first instance, Celtic Energy makes great advertisement of the fact that they are accredited contractors to BS EN 14001: (2004) (EMS) Environmental management system.

In section 7 of the application (waste storage & collection) he has ticked NO to the question - “Do the plans incorporate areas to store & aid the collection of waste?”

* However, we point out that it is a pre-requisite of the 14001 system that all sites MUST plan & facilitate areas to recover store & remove from site all their own generated waste.

In section 17 of the application (trade effluent) he has ticked NO to the question- “Does the proposal involve the need to dispose of trade effluents or waste?”

* Because of the size of the machinery & hence the cost of the machines, these require extensive maintenance every set period of hours worked; the Euclids for instance require engine oil/filter changes quite often. These are set by warranty conditions and have to be carried out in workshop conditions with large amounts of waste oil removed from the engines. This is just one example of the waste effluent that the site will produce.
* Another regular occurrence is that before the various machines are driven into the workshops for servicing, they are always steam cleaned down to enable the fitters to work on the machines. It is normal practice for the machines to be driven over cleaning pits where personnel undertake this work. If there is engine/gearbox/transmission work to be undertaken, the steam cleaning machines themselves are connected to propriety cleaning solutions and the normal practice is that these cleaning pits are allowed to drain. The sludge that is produced will drain into settling lagoons or watercourses after going through “interceptors”. We have no assurances as to how these cleaning agents will be prevented from contaminating watercourses.
* In the planning application these problems are actually acknowledged; see section 13 (13.4.1.) in the environmental statement, which states that the following could occur- “Oil, fuel and hydraulic fluid leakages carried into the drainage systems”

Further on in the document it states;

13.8.10 Measures will also be taken to prevent the potential pollution of watercourses and will be generally in accordance with the Pollution Prevention Guidance published by Environment Agency. We are very concerned that the applicants do not consider the hazardous waste product described above as “trade effluent or waste”

**RCT Single Integrated Plan**

The applicant states that in their opinion the scheme complies with the stated aims and objectives contained within RCT CBC ‘s single integrated plan.

Not surprisingly, we disagree with that assessment.

RCT CBC will be the arbiter on the overall impact of the proposed scheme on its ability to deliver the Single Integrated Plan in the Aberdare West/Llwydcoed Ward.

In our opinion, from reviewing the Single Integrated plan, the following outcomes may be compromised by this scheme.

**Emotional health and wellbeing**

* Potential for increased irritability due to sleep deprivation amongst shift workers, those suffering tinnitus etc. generated by the scheme emanating from plant and blasting.
* Inability of residents to peacefully enjoy their property as a result of noise, blasting and dust nuisance leading to increased anxiety. This could lead to an increase in adults being treated for a mental health issue not the decreased outcome in the plan.
* Potential for additional financial strain when homes and investment properties fall into negative equity, affecting sense of wellbeing, causing stress/anxiety.
* Potential for increased medical interventions required for a variety of conditions – will lead to an increase in medical intervention amongst adults being treated for a mental health issue not the decrease outcome in the plan.
* increased demand on services(medical interventions) as a result of dust nuisance
* Potential for a small increase in early deaths (albeit in small numbers) as a result of certain pre-existing medical conditions eg cardiovascular and bronchial conditions, generated by the scheme emanating from plant and blasting.
* there is likely to be a reduction in the percentage of young people scoring 6 or higher in terms of life satisfaction in the HBSC survey if their lives are blighted by noise, dust and ill-health and a reduction in the number of children responding in Viewpoint survey that they feel happy and hopeful.

**Obesity**

There is an impact in relation to loss of the area as a resource to provide free physical activity for children, young people and older people

* 3 rights of way being closed up
* Loss of amenity land for leisure for duration of scheme and aftercare (which could potentially last 20 years) e.g. good walking / cycling routes and green space.
* Changes to the junction with A465/Merthyr Road will have a negative impact on the recently built cycle path, leading to less not more cyclists enjoying the trail.

**Safety**

**Anti-social behaviour**

* Could be an increase in vulnerable adults needing support reporting repeat incidents of anti-social behaviour if they or the perpetrators have mental health issues exacerbated by noise nuisance generated by the scheme emanating from plant and blasting.

**Substance misuse**

* The percentage of people reporting an improvement in their wellbeing following completion of a treatment programme may be reduced because of the impact of the scheme on their sense of wellbeing.

**Domestic Abuse**

* Potential for an abuser who may suffer from sleep deprivation or annoyance because of noise nuisance generated by the scheme emanating from plant and blasting, taking it out on partners/family.
* Potential for additional financial strain when homes and investment properties fall into negative equity leading to abuser taking this out on partners/family members

**Safeguarding**

* Potential for an abuser who may suffer from sleep deprivation or annoyance because of noise nuisance generated by the scheme emanating from plant and blasting, taking it out on vulnerable adults and children.
* Potential for additional financial strain when homes and investment properties fall into negative equity, taken out on vulnerable adults and children
* Potential for increased demand on services as mental health issues increase – potentially leading to increased self-harm and attempted suicide

**Health**

*Llwydcoed 2 – 2011 census*

|  |  |  |
| --- | --- | --- |
| **Description** | **Number** | **% of replies** |
| Day-to-day activities limited a lot | 199 | 15.8% |
| Day-to-day activities limited a little | 201 | 11.1% |
|  |  |  |
| Bad health | 331 | 8.3% |
|  |  |  |
| Very bad health | 92 | 2.8% |

**Smoking**

* increased smoking due to stress and anxiety
* Smokers using cigarettes to calm their nerves are unlikely to give up the habit.

**Vulnerable children and families**

* Potential for increased irritability if the abuser suffers sleep deprivation or annoyance because of noise nuisance generated by the scheme emanating from plant and blasting, being taken out on families/children.
* Potential for additional financial strain when homes and investment properties fall into negative equity being taken out on vulnerable adults and children
* Potential for resources for vulnerable families and adults being stretched as a result of increased demand for social care and intervention social care
* Potential to reduce the percentage of children and young people demonstrating positive health outcomes following TAF (through no fault of TAF).

**Vulnerable adults**

* Potential for increased irritability if the abuser suffers sleep deprivation or annoyance because of noise nuisance generated by the scheme emanating from plant and blasting, being taken out on vulnerable adults.
* Potential for additional financial strain when homes and investment properties fall into negative equity being taken out on vulnerable adults
* Likelihood of increased medical intervention required for those with certain medical conditions and mental health issues when the SIP outcome required is to reduce unplanned medical interventions for over 65’s
* Potential increase in number of people reporting limiting long term illness contrary to the SIP outcome to reduce the number of people reporting a limiting long term illness.

**Employability**

* Potential for employers to be put off investing in the area by 3 opencast mine schemes along a short stretch of a European Transcontinental Highway route – A465
* Certain high tech and food industries requirement for clean air which may resulting these industries considering relocating out of the area.
* Based on past experience, the majority of people employed at this scheme will be transferred in from other sites. As such, the negative impact on employment elsewhere is outweighed by the minimal jobs created for unemployed people locally.

**Supporting people in financial need**

* Falling property prices resulting in reduced rates as more residents pursue requests for council tax re-banding in what is a high rateable value area – in Cwmllynfell in the Neath Valley, properties fell on average 2 rateable bands.
* Energy efficiency measures such as solar panels will be less efficient if they are coated in fugitive dust and particulate emissions from the site undermining these initiatives. Will have a knock on impact on future energy efficiency programmes. This will have a knock on impact on targeted fuel poverty initiatives in identified areas.
* Negative equity could lead to family breakdown and an increase for social housing in the area.

**Homes and communities**

* Falling property prices as a result of the scheme – on Castle Park in Merthyr Tydfil property for a 3 bed terraced house prices fell from around £46,000 to offers around £26,500 over a period of time due to the applications to opencast mine at Bryn-y-Gwyddel and West Winchfawr, taking many years to recover.
* Will remove an area of land from the local community in which environmental projects could have been developed for the length of the scheme plus aftercare (potentially 20 years)
* Could reduce the number of residents satisfied with the cleanliness of their area in the bi-annual survey
* Reduce the percentage of residents who strongly agree/agree with statements on their local area in the bi-annual survey
* Will result in a loss of bio-diversity contrary to National Planning Policy.
* The anticipated reduction in house prices could have a negative impact on the plan to increase affordable homes and number of empty properties (where properties repossessed by mortgage companies if residents fall behind with payments or hand them back due to negative equity).

**Economic Growth**

* There is a North/South divide in RCT. This divide will be exacerbated by the addition of another opencast mine in the County Borough.
* Potential for employers to be put off investing in the area by 3 opencast mine schemes along a short stretch of a European Transcontinental Highway route – A465 which will undermine the ability of the area to increase its GDP.
* Certain high tech and food industries requirement for clean air may result in these industries considering relocating out of the area which will undermine the ability of the area to increase its GDP.
* A number of those currently employed by the company and transferred in, may be local. Therefore the amount of spend in the locality will not increase significantly as a result of the scheme.

**Sustainability, tourism and environment**

We refer to the MTAN (pg.2) which states that the Sustainable Development Scheme (Nov 2002) sees *the environment as ‘Wales’ greatest asset’, acknowledges the ‘inter-dependence’ between the economy and environment’ and states that the prudent use of finite resources “must be compatible with a cleaner and protected environment”*

* We argue that the proposal is in direct opposition to this scheme, that surface mining (as opposed to deep mining) gives very limited, short term, temporary benefits to the local economy and is not compatible with a cleaner and protected environment.
* We suggest that to have 3 (potentially 4, with Nant Llesg) working opencast mines between Hirwaun and Merthyr Tydfil operating concurrently is not a ‘prudent’ use of local resources.

**Coal-fired power stations: out of date**

* The market for Bryn Defaid coal will be Aberthaw Coal-fired power station, which in a typical year emits 7.4 million tonnes of CO2; 28,000 tonnes of nitrogen dioxide and 31,000 tonnes of sulphur dioxide.
* It is accepted by the WAG Environment and Sustainability Committee Report (2012) that ‘over the next ten years the use of coal for power stations is likely to be largely phased out because of their unacceptable high carbon emissions’ [[2]](#footnote-2).
* The Environment &Sustainability Committee recommends, and WG have accepted[[3]](#footnote-3), that carbon capture provision must be part of its medium-to-long-term energy policy, which relates to gas-fired power (not coal).
* It is illogical to allow ever-increasing numbers of surface coalmines when carbon capture research is directed at gas (an existing pilot carbon-capture project at Aberthaw is ongoing, but is expected to confirm that carbon capture is more feasible for retro-fitting at gas-fired, rather than coal-fired power stations).

**The Heads of the Valleys Regeneration Area and Programme** is a Welsh Assembly regeneration strategy for the area (2005-20). Details are outlined in their 2006 document ‘Turning Heads, A Strategy for the Heads of the Valleys 2020’

The main aims / themes of the programme are stated as:

1. An attractive and well-used natural, historic and built environment
2. A vibrant economic landscape offering new opportunities
3. A well-educated, skilled and healthier population
4. An appealing and coherent tourism and leisure experience
5. Public confidence in a shared bright future.
* We would argue that the proposal for Bryn Defaid mine is contradictory to these aims; in particular, it will negatively affect attempts to develop the area for tourism and leisure. Tourists responding to marketing of the area as environmentally attractive will be unlikely to return once they come face to face with the reality of its chain of open-cast mines.

**The Valleys Regional Park**

This Park, in which Bryn Defaid will sit, is ‘an exciting, dynamic initiative involving over 40 partners to co-ordinate, drive and promote activities related to the environment and heritage and associated tourism across the valleys of south Wales’ [[4]](#footnote-4). It is funded by the European Regional Development Fund (ERDF) Convergence Funding.

The Valleys are marketed by the Park as the ‘Heart and Soul of Wales’.

There are 3 elements of this that the Bryn Defaid opencast would certainly disfavour:

1. The now-completed Valleys Cycle Network, the last part of which (Pont Walby to Baverstocks), costing £500,000, runs along the side of the HoV road, just beside the proposed exit point for lorries from the Bryn Defaid opencast. Sustrans said it hoped the route ‘would attract tourists to the area and boost local businesses’[[5]](#footnote-5). Councillor Andrew Morgan, RCT cabinet member for frontline services, said the path will allow residents to ‘enjoy the peace and tranquillity’ of the area's natural surroundings and will ‘help stimulate economic regeneration through tourism’.[[6]](#footnote-6)
2. The Regional Park’s tourism brand ‘Valleys Heart and Soul’ ‘celebrates culture, heritage and landscape’ and involves a strong focus on environmental assets (the Valleys’ ‘rolling hills and luscious greenery are exceptional and make for a stunning backdrop to any day out. If you are looking for peace, tranquillity and fresh air then look no further than The Valleys’[[7]](#footnote-7)).
3. ‘presenting a clean and pleasant environment for visitors’: this is a project against fly tipping and litter that aims to enhance appreciation and ownership of visually appealing environments for visitors and residents alike.
* The development of a chain of opencast coalmines stretching across the Heads of the Valleys from Hirwaun to Llwydoced, Merthyr and on to Varteg near Blaenavon will make The Valleys Regional Park look like a bad joke.
* People’s investment in their own environment is unlikely to be enhanced when a vast grey open-cast mound towers over their valley.
* Tourists cycling and walking in the area will be disconcerted to find that the ‘rolling hills and luscious greenery’ to which they have been lured are blighted by a chain of open-cast coalmines.

**The Heads of the Valleys Woodland Plan**

This Plan drawn up by the Forestry Commission reflects the ‘ecosystems services approach’ adopted by the Assembly which aims to increase storage of organic carbon in vegetation and soils. It is contradictory and absurd to pursue this aim whist allowing an ever-increasing number of high carbon-producing open-cast mines in the very same area.

**The Heads of the Valleys Low Carbon programme** started in 2008-9 as an ambitious 15 year, multi-million pound plan to tackle child poverty and fuel poverty by introducing energy reduction measures which would aim to create Europe’s largest low carbon zone. It was anticipated that the program would result in new energy efficient homes, reduced energy bills and ‘reduced emissions of at least 139,200 tonnes CO2 a year

* It seems obvious that the creation of yet another opencast mine in the Heads of the Valleys is in direct opposition to the aims of this program as burning fossil fuels produces more CO2 emissions than other, more efficient forms of energy production
* We would urge the councillors of RCT to consider the wider implications of acceptance of this opencast site. Why would the council spend millions in an attempt to lower carbon emissions with one programme only to allow a development which would increase carbon emissions on its doorstep; where is the economic logic in such a decision?

**Stewardship and trust**

The MTAN (pg.2) states that *“Responsible stewardship of natural resources and the environment requires coal working to respect ecological limits and to protect critical natural capital”*

* We would also ask the planning committee to consider that Celtic Energy has a history of pollution and fraud at their other sites implying that they have not, in the past, been ‘responsible stewards’ of the natural environment. While they may argue that their past history should not be taken into account – we would suggest that these wrongdoings are relevant as they are the only way to assess the ability of the company to be responsible in future.

Please take into account the following information:

* In 1999, Celtic Energy was named in the Environment Agency’s “hall of shame” as one of Britian’s worst corporate polluters. They were number 10 – having been fined £18,000 in fines. (reported by The Guardian,22 March1999)<http://www.guardian.co.uk/uk/1999/mar/22/johnvidal>)
* In 2001, Celtic Energy was fined £7,000 and ordered to pay £1,840 in costs at Neath Magistrates Court after pleading guilty to polluting the AfonDulais with coal dust and silt. (reported by <http://www.newswales.co.uk/index.cfm?section=Environment&F=1&id=3076> 21 Feb 2001)
* In 2011 the Serious Fraud Office investigated and arrested 5 people, including 2 directors of Celtic Energy in connection with the sale of 4 mining sites in South Wales and allegations of conspiracy to defraud in relation to their sale. (reported by BBC news 18 March 2011, <http://www.bbc.co.uk/news/uk-wales-south-east-wales-12782494>)
* In 2013, the owner and managing director of Celtic Energy (Richard Walters) and the accountant for Celtic Energy (Leighton Humphreys) were among 5 people to be charged with conspiracy to defraud. The conspiracy involved the establishment of companies in the British Virgin Islands in order to release provisions made in Celtic Energy's annual accounts in respect of financial liability to restore sites - this was done for the benefit of the conspirators.” (reported by the Serious Fraud Office 24 Jan 2013, <http://www.sfo.gov.uk/press-room/latest-press-releases/press-releases-2013/five-charged-in-south-wales-mining-sites-fraud-case.aspx>)

*“If there is any significant doubt about whether satisfactory reclamation can be achieved at a site, planning permission should be refused”* (MTAN, pg. 50)

We have significant doubts about the credibility of Celtic Energy in respect of their ability to reclaim and restore the site; we hope that the planning committee would share these doubts and consider them in their decision.

**Cumulative Effect**

*“MPAs should take into account the level of activity that a particular locality and its community can sustain as well as the potential benefits from coal working”*(MTAN, pg. 2)

* The local community already deals with a great deal of traffic, noise and pollution from the landfill site and recycling centre. There is insufficient explanation from the applicant as to how benefits from their scheme will outweigh the cumulative effect of adding an opencast site to the already existing landfill site in the area.
* There has been no consideration of the fact that Bryn Pica landfill site has recently agreed a contract to accept waste from Merthyr Tydfil which has resulted in an additional 20 vehicle movements in and out of the area Monday – Friday and an additional 6-8 movements on Saturday mornings as a result of dustcarts from Merthyr Tydfil CBC.

With reference to Volume 1, Chapter 18 of the Environmental Statement; it is stated that *“benefits in terms of amenity and biodiversity have resulted from such activities through imaginative restoration schemes”* (18.1.4)

* We would ask for elaboration on this statement to explain which schemes they are referring to and whether they were schemes completed by Celtic Energy.
* An opposing argument could be made that failed restoration schemes (most recently in East Ayrshire, Scotland) have the potential to leave communities much worse off.

*“When determining applications, the MPA has to take into account the cumulative impacts of simultaneous and /or successive working of a number of sites in a wider area of coal resource. These may affect communities and localities over an extended period, depending on the nature, age and size of the sites. Cumulative effects can result from a combination of past, present or foreseeable future actions.”* (MTAN, pg. 22)

The Environmental Statement also suggests that “there is no evidence that either scheme (Tower Colliery / Ffos-y-fran) would have any environmental or amenity impact upon any community close to Bryn Defaid site… Thus there would be no spatial cumulative impact” (18.3.10)

* While we accept that the local communities in Llwydcoed and Castle Park are not in the direct vicinity of the other surface-mine sites, it is wrong to suggest that they have no impact. Variable wind directions carry dust particles and noise to both areas. Lorry intensity on the A465 is affected by all the mines. The residents of both communities have ties to neighbouring communities; local real estate prices are affected by a wider geographical area and if attempts to develop tourism and leisure in the area are thwarted by the schemes, that has an obvious knock-on effect on local communities. We would argue that the idea of ‘spatial cumulative impact’ is rather more complex than the proposal suggests.
* The proposal also takes no consideration of the new gas power station that is proposed to be built in Hirwaun Industrial Estate. We would request a review of the cumulative effect in light of this new information

*“Bryn Defaid would provide 50 jobs for a period of approximately six years”* (18.5.2)

* As the opportunity for increased employment opportunities in the area is the main benefit being offered by Celtic Energy, we think it would be reasonable to request a detailed breakdown of the types of jobs they would be offering:
	+ Are they jobs which require skilled labour?
	+ How will it be guaranteed that local people can access these jobs?
	+ Would there not be potential for vacancies to be filled by current CE employees at their other sites?
	+ Are they full time, waged jobs or part time, hourly paid positions?
	+ Will they be making any apprenticeships available or offering training schemes for local unemployed youth as that is the group with the highest rate of unemployment in the area?

It is stated that *“the assessment demonstrates that… no recreational opportunities will be lost”* (18.9.7) but this is in direct contradiction to the fact that there are two registered footpaths crossing the site (18.11.1)

* There are, in fact, a great deal of local residents who use other local footpaths and the dismantled, renovated railway line going through the village. These same residents would very likely use footpaths across the Bryn Defaid site if they had access to them and therefore some recreational opportunities will inevitably be lost.

**Air Quality Assessment**

**General Points of Concern**

The information provided is inadequate/incomplete.

Inadequate ambient checks have been carried out at areas of High/Medium risk prior to working resulting in background levels of dust being guestimates. Therefore it is difficult to measure the impact of operations.

There should be dust monitoring equipment placed in all areas of High/Medium risk during operations at the site including monitoring in the middle of Castle Park Estate and Beacon Heights, estates, not the edge.

No monitoring equipment will be placed on Twyncarmel estate or at sites in Llwydcoed Village.

The impact of plant on site, 100 extra lorry movements a day and potentially 100 cars has not been factored into the air quality information provided i.e. measurements given.

We need to know the CO2 emissions (g/km) of:-

* the lorries travelling to/from the site
* plant on site
* an estimate of cars travelling to/from the site based on middle banding (as actual will be dependent on who is hired to work the site).

The cumulative impact of fugitive dust from this site and Tower on the local communities and environment is not shown in the calculations.

Neither is the impact of the third opencast site within 5 miles at Ffos-y-Fran and potentially a fourth at Nant Llesg.

Fugitive dust from these operations will blow over Medium/High risk communities when wind is in the opposite direction, giving little respite from the effects.

**Specific Points in reference to Air Quality Assessment**

**7.3** How do Nant Helen and Selar compare to this site in terms of terrain, position towards the head of 2 valleys, overlooking the Brecon Beacons and subject to a similar weather pattern?

**18.2**No mention is made of the air quality impacts on vegetation in relation to the SSSI at CwmgloGlyndyrys.

**7.1.7(bullet point 4)** On what basis has MTCBC agreed there will be no significant nuisance impacts if dust measures are in place? There are habitats on the Western Slopes of Merthyr Tydfil that could be susceptible to changes brought about by fugitive dust settlement from this site should the scheme proceed.

 **7.1.7 (bullet point 5)**On what basis has MTCBC agreed that there will be no significant health impacts from the chosen transport route? The A465 between Hirwaun and CefnCoedis already an accident blackspot. With the addition of 100 slow moving lorry movements a day, it is inevitable that the current accident figures will rise. What level do MTCBC consider significant to enable us to monitor that statement,should the scheme proceed.

**7.1.9**This point omits to mention that WHIASU told RPS that the HIA was unsatisfactory and there were gaps in some of the assessments.

**Table 7.1** does not mention potential receptors at Twyncarmel, a social housing site adjacent to Castle Park Estate. This is a serious omission.

**7.3.2** We do not believe that this application can satisfy point 2 on not having a negative impact on ecological networks, air, water, soil and natural drainage.

**7.3.11** fails to mention that the dust released from a mixture of disturbed shale, mudstone and sandstone will mix with the exhaust fumes from the plant used on site which does contain toxic elements. Diesel fumes are known to be carcinogenic.

**7.3.16**Is it merely coincidence that the equations used to measure the level of dust in the atmosphere equate to NAQS mean average?

**7.3.22**Thissuggests that the applicant may have difficulty meeting the average stated in MinTAN 2 Coal, Appendix K (see also point 7.1.3).

**7.3.21**. We would argue that you have to take into account everything that makes up dust particles not just coal dust. What falls on a surface and may or may not be small enough to breathe in impacts on people’s health and sense of wellbeing and should not be excluded or be included in another calculation, not taken into account with the whole impact.

**7.3.26**Thisstates that the measures they will take to control dust will enable RCT to mitigate the impacts of air borne pollution. This is a subjective statement. How RCT are able to effectively undertake this task will depend on the measures themselves, appropriate monitoring and reporting. Without all these in place, there is in effect very little control.

**7.4.2**It is not stated if the AQMA being put in place at Twynrodyn in Merthyr Tydfil is as a result of the opencast site at Ffos-y-Fran and the proposed opening of an adjacent site at Nant Llesg in Caerphilly CBC.

**Table 7.4**Why is there no baseline air quality information for Llwydcoed village, Castle Park, Beacon Heights, Twyncarmel, Cwydyfagwr and Winchfawr? This is a significant omission.

**7.4.8**Why is it that no monitoring has been undertaken by the applicant for PM102 and NO2, instead relying on data that is at best 6 years out of date?

**7.4.9**This point states that RCTCBC has monitored NO2 at various sites between 2001 and 2010, yet chooses not to use the most recent 2010 data. What is the reason for this?

**7.4.12**This point fails to mention that the prevailing wind is south westerly with fugitive particulate emissions moving into the neighbouring Unitary Authority of Caerphilly. Therefore the quote that there are no potential sources of fugitive particulate emissions in this Local Authority Area BY MTCBC should be considered with extreme caution.

**7.4.14**The statement that baseline dust deposition may lie at the upper end implies that the applicant has no firm facts or figures on dust deposition and that this work is very much a best guestimate.

**7.4.15**The applicant should have set up a weather station to gather the evidence of wind direction, not resort to using one 12km away which in terms of topography and position has as much relevance as Mumbles Head or Sennybridge to the information that can be gleaned from it. There used to be a weather station at Cwmbarged. Is that no longer used? We presume the weather station at Selar is in the control of and monitored by the applicant.

**7.5** A TEOM monitor has been set up by Miller Argent at Twynrodyn School which monitors PM10 and PM2 and information gleaned by that could be used for the purposes of this report.

**7.51 to 7.5.15** We presume that the data from Nant Helen has been recorded and monitored by the applicant and as such was not subject to independent verification. Again we question how the prevailing wind on this distant site is relevant to the Bryn Defaid site. Why didn’t they use data available from the much nearer Ffos-y-Fran site which is independently monitored?

**7.6.16**We dispute the assertion that dust from the overburden mound will be slight until it is completely grassed over.

* Maps shown at the public consultation events showed an overburden mound sitting higher than the top of Mynydd Abedare.
* Wind is known to blow over Castle Park estate from this direction for a significant period of time during the year.
* The current situation will be worsened by the removal of the only tree cover in the area as part of site works.
* As such we believe that the applicant has failed to correctly appreciate the likely impact which will be moderate to adverse until the overburden mound is completely grassed over.

**7.6.21**We argue that there are insufficient receptors and that they have not been placed at the correct places to gauge impact on local communities. No receptors will be located within Castle Park Estate, Twyncarmel Estate or Llwydcoed village.

**Table 7.10**We believe that the applicant has underestimated the magnitude of impact and the risk in particular at the Beacon Heights, Castle Park Winchfawr areas and has completely failed to take into account impact at Clwdyfagwr and Twyncarmel.

**7.6.31**As there has not been a comprehensive long term assessment of the health implications of living in the vicinity to an opencast site and no monitoring goes on to assess the impact of these schemes on individuals, this statement is meaningless. It is impossible to detect something you are not looking for unless there is statistically significant increase in ill health that cannot be attributable to other sources. We believe that this is one reason why no opencast operator undertakes fully participative health, social and wellbeing impact surveys of residents before, during and after operating schemes.

**7.6.32**Does it matter how particles close to opencast sites are released, the fact is they are. The statement made here implies that the applicant accepts that there is an increase in particle emissions as a direct result of operating an opencast mining site.

**7.6.37**This point mentions the cumulative impact of fugitive particle emissions from the opencast mine at Tower Colliery but fails to take into account the opencast mine site at Ffos-y-Fran. Wind directions being what they are in this area, it is likely that fugitive dust could fall over the Cyfarthfa Ward and Llwydcoed areas for the majority of the time because of the cumulative impacts of the sites at Ffos-y-Fran and Tower/Bryn Defaid.

Health Impacts – the statements in 7.6.44 to 7.6.46 cannot be given any weight as no fully participative health and wellbeing impact assessment has been carried out by the applicant in the 2 Wards of Cyfarthfa and Aberdare West/Llwydcoed.

**7.7.2** Dust Management and Action Plans are submitted at every opencast site. No site has managed to keep to them and in some instances this has led to fines and further remedial action being taken. We hope that in support of their claim the DMAP will mitigate the impacts of dust, the applicant shares with us their record on this matter at all the sites they have managed over the past 10 years.

The assessment of impact of fugitive dust from the overburden mound on Castle Park estate and Winchfawr receptor points differs between table 7.10 and table 7.11.

* Magnitude of impact has been downgraded from mild to negligible
* Fugitive dust probability of risk reduced from medium/low to near zero
* Windblown dust probability of risk has been reduced from low to near zero

It is difficult to believe the information provided when there appears to be some confusion in the mind of the author on what should be key facts.

**Gaseous emissions**

**Nitrogen Oxides**

* No figures are given for the Cyfarthfa Ward which is defined as a rural Ward within the County Borough of Merthyr Tydfil.
* No figures are given for Llwydcoed.
* This is important because not only is this a potential source of irritant when breathed in, it also falls onto vegetation which may be eaten by grazing animals.

**Other gaseous pollutants**

**17.12.10**The impact on the ozone layer of so called greenhouse gases has been omitted from the report. Coal from this site will be burnt at Aberthaw which will have a negative impact on the ozone layer. This factor is not taken into account in this report.

**17.12.11**Without measurements of emissions from vehicles travelling to/from the site and plant used on the site, it is difficult to quantify if the assertion about benzene and 1,3 butadiene gas is correct.

**17.12.12**The latest figures used are from 2005. This is unacceptable as traffic levels in the area have increased over this period. Indeed if this scheme goes ahead, an additional 200 vehicle movements a day (lorries and staff) could result, not to mention the additional plant on site. An updated assessment of traffic levels is essential.

**17.12.13**No data is given on the number of opencast site employees leaving the employ of Celtic Energy as a result of ill health to enable us or the Planning Authority to determine the veracity of this statement.

**17.12.14**No data is given on the levels of radon gas on the site in the identified areas to enable us or the planning authority to determine the veracity of this statement.

**Health Impact**

* The survey carried out on behalf of Celtic Energy is inadequate. In our opinion it fails to meet the minimum standard of community involvement/consultation expected by WHIASU and stated in MinTAN2.
* A fully participative health and social impact survey of the affected communities should have been carried out prior to the application being submitted for any meaningful assessment of potential impact to be valid. No such survey was carried out.
* The community consultation was limited and in the case of Cyfarthfa Ward in Merthyr Tydfil occurred in the wrong location. The area of the Ward most likely to be affected is the Lower Super Output Areas of Cyfarthfa 1 and 2 – from Beacon Heights to Clwydyfagwr but the consultation was held in the neighbouring village of Heolgerrig.
* There is no direct bus link between these areas and Heolgerrig for those people without access to cars. Anyone using public transport would need to make 4 bus journeys (2 there and 2 back). Buses also stop after 6pm. Merthyr Tydfil has a low level of car ownership.
* The small number of individuals attending the community information events who expressed concerns over the potential impact on their health is statistically significant as a percentage of attendees but has been ignored by the author of the report or explained away as not being measurable due to unrelated outside factors eg lifestyle, weight, physical activity.
* There is no information on the impact on individual health as the applicant held this was outside of their ability to scope. Any potential impact on the wider population is dismissed as not being measurable due to a myriad of other factors.
* Impact on mental health and wellbeing has been totally ignored in their analysis.
* The impact on an individual’s health will be lost as the adverse impact on the overall health of wider communities will not result in a statistically significantly increase in medical interventions.
* Inadequate monitoring of noise and dust pollution on local communities has failed to produce a baseline from which impact can be measured. Monitoring should have taken place for at least a week during the spring, summer, autumn and winter seasons to reflect different climatic conditions which impact on potential pollution levels.
* The author’s knowledge of the Cyfarthfa Ward can best be described as sketchy. The locations of Castle Park, Beacon Heights, Clwydyfagwr and Twyncarmel areas are often confused with each other.
* As the residents of those developments are distinct communities, it only adds to the reader’s uncertainty as to which specific areas of housing are predicted to be most affected by the applicant’s proposals.
* Your attention is drawn to the appendix covering WIMD and other Statistics which in our opinion demonstrates that the health benefit claimed in the author’s report of employment opportunities is small in comparison to the negative impacts on individuals and therefore the indices covering health, wellbeing and the environment.
* We believe, based on experience at other sites, that locally unemployed people likely to benefit from a new job on this site will mean less than 5% i.e. (2.5 jobs) of the number of jobs promised (50).
* The number of people in the 3 lower super output areas of Llwydcoed 2, Cyfarthfa 1 & 2 described as having a bad or very bad health problem s is 812 people.
	+ Bad health = 598
	+ Very Bad Health = 214
* If just 25% of that figure suffer with a bronchial or cardiovascular disease that would mean 203 people whose health could be impacted on negatively by this scheme.
* If you allow the potential for a further 20% suffering from mental health issues, there would be an additional 162 people whose health could be negatively impacted upon.
* We accept that some of the people will be the same. Allowing for adjustments and saying just 10% of these people might need additional medical intervention as a result of the scheme going ahead, there would still be 81 people whose health would suffer.
* This would not result in a statistically significant increase against a population of both local authority areas populations recorded as being in bad or very bad health of 29,073 – about 0.27%. It is unlikely that a variance at this level would be picked up and attributed to the impact of opencast working.
* We believe the potential risk to the health of 81 people should carry greater weight in determining the potential health impact of this scheme than the potential benefit of employing 2.5 currently jobless people.

**Lighting and Health**

**17.17.4** Properties nearest the site from Dyllas Farm and Drift houses down towards Llwydcoed are likely to suffer from light pollution.

If not properly managed, this will impact on sleep patterns and therefore overall health.

**Visual Impact and Health**

**17.18.7** As no definition is given on the health impacts likely to occur on what the applicant admits would be a moderately adverse scheme, it is difficult for us to gauge the impact on the health of individuals, especially as the applicant has failed to undertake a fully participative health and social impact assessment with the affected community which would have provided us with this data.

**17.19.3**This statement ignores the fact that the site which contains 3 rights of way would not be available for amenity use by local residents for the duration of the scheme. Indeed they suggest a 20 year aftercare scheme which would only reintroduce one permissive route through the site during that period. This in effect denies access to the land for a whole generation.

**17.19.10**Without a fully participative health and social impact assessment of the affected communities, on what basis does the application assert that any health impact on loss of use of footpaths would be negligible.

**17.19.11** Not for 20 years.

**Noise**

The information provided is inadequate/incomplete.

**17.13.4**We contend that Celtic Energy has not measured the ambient noise level at all affected locations and does not intend to do so. These omissions invalidate their statements about meeting MTAN2 obligations.

**Location of monitoring equipment.**

* No monitoring equipment was set up in Llwydcoed village itself. We believe this is a serious omission.
* No monitoring equipment is being placed on either Twyncarmel or the nearer Castle Park Estates.
* This is an important omission. Noise levels at both these locations are reportedly low - It has been reported to us that a resident living in the middle of the Castle Park estate was on the phone last year and was asked what the background noise was. She replied it was a song thrush.
* Road noise on the side streets in the middle of the estate is minimal. Background noise consists of bird song, sheep in the fields above Castle Park, the occasional dog barking and children playing.
* The background drone of vehicles at the Ffos-y-Fran opencast site is clearly audible in Shirley Gardens, Heolgerrig every morning from 7am until such time as background noise from activity in the village drowns it out. These 2 sites are at least 3 miles apart as the crow flies.
* None of these sources are continual unlike the water pumps that will be required to run 24/7, 365 days a year due to the amount of rain/ground/surface water on site and in the heads of the valleys/south Powys area.

**Timings of surveys**

Inadequate ambient checks carried out at areas of High/Medium risk prior to working resulting in background levels of noise being guestimates. Without this baseline information, it is difficult to measure the impact of operations.

The dates of the surveys were 10th and 11th August 2012 which were:

* in the middle of school holiday period when background noise levels from children playing would be expected to be higher than during school term.
* during a period of the year when birdsong would be expected to be high, raising background noise level.
* This is also a period when the density of ewes with lambs would be at its highest.

Surveys were only carried out on 2 dates when we would expect monitoring to have taken place over a period of at least a few weeks at different times of the year – spring, summer, autumn and winter.

Background noise is not constant. It differs depending on the time of the year and the weather conditions.

**Rise in ambient/background noise levels**

It is an accepted fact that a rise in ambient noise levels above 3 decibels is clearly noticeable to people living in the locality it occurs.

This scheme will generate noise levels well above that level, which will lead to blight on

* people's residential amenity
* their peaceful enjoyment of their property.
* sleep deprivation for shift workers.

It could have an adverse impact on the health of people already suffering with

* certain mental health problems eg depression, anxiety and stress
* tinnitus

Whilst not a planning consideration, excessive background noise can have a negative impact on the ability to sell a property in rural areas. It is likely to reduce the selling price considerably, the fear of which is likely to have a negative impact on residents sense of wellbeing.

Cyfarthfa Ward is classified as a rural ward and sits under Merthyr Tydfil CBC’s Rural Development Plan.

No account is taken of these issues in the inadequate Health Impact Assessment produced on behalf of the applicant.

Not being experts in this field, we feel that there appear to be anomalies between the average measured noise levels anticipated to emanate from the site and the measured background levels.

Not one single machine used has a sound power level below 100 dB(A) with 11 models mentioned, though not the number anticipated to be working on site at the same time. We presume it will be more than 1 based on what is happening at Ffos-y-Fran.

However, according to the applicant, the result of the additional noise form the plant on site does not add to the measured background levels of noise pollution. For example, at location 1 apart from Phase 1, it is much less than the measured noise level on the 2 dates measured last year. Even the production of the baffle mounds (short term operations) it will be less when work will be nearer. Based on our experiences at Ffos-y-Fran this will not be the case.

**Location 1 Beacon Heights/ Heol Corn Ddu – table 6.3 and table 6.5**

Phase 1 will be 3 dB L Aeq 1hr higher than midweek figure,

Phase 2 will be 5 dB L Aeq 1hr lower than the midweek figure

Phase 3 & 4 will be 11 dB L Aeq 1hr lower than the midweek figure

Phase 5 will be 8 dB L Aeq 1hr lower than the midweek figure

**Location 1 Beacon Heights/ Heol Corn Ddu – table 6.3 and table 6.6**

Short term operations will be 1 dB L Aeq 1hr lower than mid figure.

These anomalies are repeated throughout the tables.

In point **6.8.1** the applicant states that it will be necessary to ensure a number of noise mitigation measures are utilised. They then go on to say what they are.

* Para 6.2.4 sets out the noise limit laid down in MTAN 2 of background plus 10dB L Aeq 1hr or 55dBL Aeq 1hr, whichever is the lesser at sensitive locations during normal working hours.
* 6.2.5 states that for all other times operational noise should not exceed 42 dBLAeq 1hr at sensitive locations
* 6.2.7 states that between 10.00hrs and 16.00hrs the noise limit for short term operations can rise to 67dBL Aeq 1hr for up to 8 weeks.

According to the figures they have produced in tables 6.5 the levels set out in 6.2.4 wouldn’t be breached. So why are they having to put in the noise mitigation measures they say are needed in 6.8.1?

To the man on the Clapham Omnibus these figures and their statements just don’t add up.

**Employment and Health**

**17.20.4** We dispute the assertions in this point that Celtic Energy has been meeting the needs of society in a sustainable way. Part of the reason for this application is the need for them to generate funds to pay for land restoration at another site in Bridgend. Hardly sustainable if a ‘pyramid selling’ type work method is needed to repay obligations on past workings.

The Tower Colliery Regeneration Project was possibly unique in terms of opencast schemes in that many of the villagers in the affected area financially benefited as shareholders in Tower Colliery: – they obtain a share of the profits from sale of the coal. Any potential liability accrued to them as shareholders as a result of previous mining at Tower is transferred to the new developer once opencast mining started on site.

**17.20.8**No one disputes that stable employment is a key contributor to a feeling of wellbeing. However there is no guarantee that people in the areas affected would be employed at this site. Many lack the necessary skills or health to be employed at site. Indeed the reason the applicant is able to offer stable jobs is that it transports the majority of workers from a closing site to a new one.

**17.20.9**Again there is no guarantee that any economic benefits from being employed on site would accrue to local residents/those affected by the development.

* We believe that the health benefits of employment opportunities at this scheme has been overstated by the applicant.
* As previously stated, we accept that being in employment is generally beneficial to health but it is reasonable to assume, based on past evidence, that the vast majority of workers would actually be transferred into the site from other areas/sites.
* Even allowing for a 5% vacancy rate that would be approximately 2 ½ jobs created. This is approximately 1.5% of those claiming JSA in the nearest affected Wards of Cyfarthfa and Aberdare West/Llwydcoed as at May 2013.
* This figure is not statistically sufficient to outweigh the negative impacts on health and wellbeing that this scheme, should it go ahead, will generate.

**Statistics – Employment**

Traditionally, workers on opencast mining sites have tended to be male.

We have reviewed the latest information available to us when attempting to calculate the impact of this scheme in

1. Improving health by providing employment to those currently unemployed
2. The number of people with long term health problems or a disability

This has been broken down further into

1. Ward Level (nomis)
2. Local Authority Area (Census 2011 )
3. Lower Super Output Area (Census 2011)

The number of people unemployed and claiming job seekers allowance as at November 2012 in the 2 nearest affected Wards of Aberdare West/ Llwydcoed and Cyfarthfa was 479 of which 309 were male.

Based on the percentage average for the 2 county borough’s people without qualifications it is likely that 103 of this number would not have any qualifications and a further 45 would only be qualified to level 1.

Therefore it is reasonable to assume that only 161 of these people might be in a position to apply for any jobs at the site.

It is also reasonable to assume that based on past evidence, the vast majority of workers would actually be transferred into the site from other areas. **Therefore even allowing for a 5% vacancy rate that would be approximately 2 ½ jobs created. This is approximately 1.5% of those claiming JSA.**

According to the 2011 census there were 26,245 dwellings in Merthyr Tydfil with a population of 58,802 at that time and in RCT there were 105,269 dwellings with 234,410 residents.

Nomis as at November 2012

*Ward Level*

According to the official labour market statistics

*Cyfarthfa War, Merthyr Tydfil*

840 people in the Ward (20.3% as a proportion of resident population) claimed key out of work benefits out of a total of 1,015 DWP benefit claimants. (24.6% as a proportion of resident population).

To claim Job Seekers Allowance, claimants must be actively seeking and available to start work.

The total Job Seekers Allowance claimant rates in Cyfarthfa Ward, as at May 2013 were 262 (3.6% as a proportion of resident population) of which 165 (8.2% as a proportion of resident population) were male.

A further 475 (11.5% as a proportion of resident population) were claiming Employment Support Allowance and incapacity benefits with a further 80 (1.9% as a proportion of resident population) disabled.

*Aberdare West/Llwydcoed, RCT*

950 people in the Ward (15.9% as a proportion of resident population) claimed key out of work benefits as at November 2012 out of a total of 1,170DWP benefit claimants (19.6% as a proportion of resident population).

The total Job Seekers Allowance claimant rates in Aberdare West/Llwydcoed Ward, as at May 2013 were 217 (6.3% as a proportion of resident population) of which 144 (4.8% as a proportion of resident population) were male.

A further 635 (10.6% as a proportion of resident population) were claiming Employment Support Allowance and incapacity benefits with a further 85 (1.4% as a proportion of resident population) disabled.

*Local Authority Level*

According to information from the 2011 Census, in Merthyr Tydfil, those replying to the health question stating they had a long term health problem or disability

*Merthyr Tydfil County Borough Council*

|  |  |  |
| --- | --- | --- |
| **Description** | **Number** | **% of replies** |
| Day-to-day activities limited a lot | 9,271 | 15.8% |
| Day-to-day activities limited a little | 6,525 | 11.1% |
|  |  |  |
| Bad health | 4,908 | 8.3% |
|  |  |  |
| Very bad health | 1,661 | 2.8% |

*RCT CBC*

|  |  |  |
| --- | --- | --- |
| **Description** | **Number** | **% of replies** |
| Day-to-day activities limited a lot | 33,912 | 14.5% |
| Day-to-day activities limited a little | 26,677 | 11.4% |
|  |  |  |
| Bad health | 17,396 | 7.4% |
|  |  |  |
| Very bad health | 5,108 | 2.2% |

*Lower Supper Output Area*

*Merthyr Tydfil CBC*

*Cyfarthfa 1*

|  |  |  |
| --- | --- | --- |
| **Description** | **Number** |  |
| Day-to-day activities limited a lot | 324 |  |
| Day-to-day activities limited a little | 186 |  |
|  |  |  |
| Bad health | 95 |  |
|  |  |  |
| Very bad health | 37 |  |

*Cyfarthfa 2*

|  |  |
| --- | --- |
| **Description** | **Number** |
| Day-to-day activities limited a lot | 206 |
| Day-to-day activities limited a little | 168 |
|  |  |
| Bad health | 172 |
|  |  |
| Very bad health | 85 |

*RCT CBC*

*Aberdare West/Lwydcoed*

*Llwydcoed 2*

|  |  |  |
| --- | --- | --- |
| **Description** | **Number** | **% of replies** |
| Day-to-day activities limited a lot | 199 | 15.8% |
| Day-to-day activities limited a little | 201 | 11.1% |
|  |  |  |
| Bad health | 331 | 8.3% |
|  |  |  |
| Very bad health | 92 | 2.8% |

*Local Authority Level*

According to information from the 2011 Census, in Merthyr Tydfil, those replying to the qualifications question stating they had no or very low level of qualifications

*Merthyr Tydfil County Borough Council*

|  |  |  |
| --- | --- | --- |
| **Description** | **Numbers** | **% of replies** |
| No qualifications | 16,407 | 34.3% |
|  |  |  |
| Level 1 qualifications | 6,832 | 14.3% |

*RCT County Borough Council*

|  |  |  |
| --- | --- | --- |
| **Description** | **Numbers** | **% of replies** |
| No qualifications | 60,403 | 31.8% |
|  |  |  |
| Level 1 qualifications | 26,718 | 14.1% |

**Transport**

Minerals Technical Advice Note 2 (198):

*“If there is serious doubt that local roads can accommodate the increase in heavy traffic that the proposed development is likely to generate, then, subject to the second test, planning permission may have to be refused.”*

Transport assessments undertaken between 07:30-09:30 and 16:00-18:00 at:

A465/B4276 junction (Baverstocks)

B4276/A4059 (Harriet St. roundabout)

A4059/A465 (Hirwaun roundabout)

A465/A470 roundabout (Brecon/Merthyr roundabout)

Site entrance

Junction classified counts Wed 9th May 2012 at Baverstocks, Wed 4th July 2012 at Harriet St., Hirwaun roundabout and Brecon roundabout, Thursday 19th July at site access.

Table 9.8 – over 5% impact predicted for Harriet St. Roundabout which already has capacity issues

BUT – there is a weight restriction on HGVs travelling south from the Bryn Pica site through Llwydcoed village.

9.8.23 – RCTCBC should forbid HGVs to take the route through Llwydcoed village

9.8.20 – “The RFCs for the base flows (B4276 Llwydcoed Road) are already above the general agreed maximum capacity of 0.85… when the development traffic is added it increases to 0.963…)

**Transportation Proposals**

9.3.1 HGV’s will not turn right from the A465 onto Merthyr Road towards Llwydcoed but go down to the roundabout and back up

Can we realistically believe this will happen? HGVs would travel 1.5 miles to the roundabout and 1.5 miles back up the hill. HGVs already widely use this right turn junction.

**Collision Data**

9.4.15 – 5 years from 2007-2011

85 collisions (4 fatal, 10 serious, 71 slight)

A465 – 4 fatal, 8 serious, 53 slight

B4276 – 0 fatal, 2 serious, 15 slight

9.4.17 – The crucial junction in the collision analysis is the A465/B4276 Baverstocks junction.

This junction is a major factor in site planning and road safety improvements planned are very limited:

* 9.6.14 – warning signs of slow moving traffic on uphill approach out of Llwydcoed
* Speed camera signs raised to 1.5 metres
* Pruning of any vegetation
* Widening of left turn kerb at Baverstocks junction
* Resurfacing of cattle grid
* New stop signs

*These measures are laughable!!*

9.10.3 There are also bound to be problems with site delivery vehicles for preliminary work and preparation of the site and ‘abnormal loads’ (9.10.5)

9.10.7 “In the absence of a formal delivery schedule the number and frequency of vehicles that will need access to the site cannot be determined”

**A preliminary works traffic management plan will need to be submitted.**

**Sewta Regional Transport Plan – 9.5.14**: “sites that do not support a sufficient range of sustainable transport opportunities should not be allocated.”

Very limited opportunities for this because of the remote location and limited public transport options – staff minibus and car share scheme suggested

**RCTCBC local development plan (2006-2021)**

**9.5.15** “Provide an environment which encourages a healthy and safe lifestyle and promotes well – being through improvement in access to green space, provision of open space and the protection of recreational space”

 *Public use of existing area??*

**9.5.16** “Ensuring that impacts upon residential areas and sensitive land uses rom mineral operations and the transportation of minerals are limited to an acceptable proven safe limit.”

 *Proximity to existing housing areas??*

**9.1.2.12** Claims the development will have a ‘negligible transport impact on the local highway network’

 *This is clearly not the case*

**17.15.1**The statement that the use of heavy lorries on the A465 has not led to health issues is misleading. They are a contributory source to numerous accidents along this accident black-spot. Additional slow moving heavy vehicles using the road will inevitably lead to more accidents in this accident black-spot.

**17.15.2**No emission data is given for the plant that would allow any meaningful review of the statements made.

**17.15.4** We accept that at this stage, it is the intention of the applicant not to travel via Llwydcoed. However what will happen when the A465 is closed due to weather or accidents and diversions are in place? Will all lorry movements to and from the site be suspended for a period of time? Conditions can be varied once planning permission is given.

In addition, the Welsh Government has given a commitment to dual completely the Heads of the Valleys Road by 2020. Whilst no work is due on this stretch at this moment of time, it is known that the Welsh Government is reviewing capital expenditure as means of getting the economy moving. Work could be brought forward. If that happens, the junction of the A465 with the B4236 will be closed.

Should that occur whilst the site is being worked, there is no guarantee that the applicant would not apply for and get a variation of route.

**17.15.7** There have been a number of accidents at the junction of the A465/B4236 as a result of slow moving vehicles meeting fast moving traffic at this point. In both directions the A465 at this point is met by traffic moving quickly up hill to a this point which is a ‘blind junction’ - traffic entering/exiting cannot be seen until you are right on top of it.

The size of the lorries going to AMGEN is much smaller than those being proposed by the applicant.

**Social Impact Issues**

**17.21.4**The applicant has not provided empirical evidence (or any for that matter) on how the claimed benefits would accrue to local communities.

* What evidence of spend in local shops, pubs and restaurants are there for this statement?
* Will workers from the site descend on the village during their lunch breaks to spend money in the local pubs, cafes or shops?
* Obviously lorry drivers won’t as they have already stated their contractors will be contractually obliged not to drive through the village.

**17.21.6**There is no provided empirical evidence on the claimed benefits of energy and steel production on affected communities.

* How many local residents are employed in these industries or related ones?
* What impact will fugitive dust coating solar panels on individual premises have on household bills and expected savings/payback time?
* What about the health impacts of reducing ozone layers on health because of burning fossil fuels?
* None of these calculations have been taken into account.

**17.21.7**There is a myriad of evidence that the fear of opencast workings near settlements has a detrimental impact on property prices.

* On Castle Park estate in May 1996 property prices for new build 3 bed terraced properties were being advertised at c£46K, following the announcement of a planning application to opencast mine at Bryn-y-Gwyddel in May 1996, followed by the Winchfawr West scheme a couple of years later (Bryn-y-Gwyddel withdrawn following appeal to the Planning Inspectorate and the other rejected) prices fell to offers around £26,500.
* This resulted in a glut of properties on the estate being sold to private landlords, the impact of which is still felt in 2013 with a significant proportion of properties still being rented on the estate.
* Whilst this is not a planning consideration, the fear of this happening is likely to have a negative impact on an individual’s sense of wellbeing.

**17.21.9**The fugitive dust from the site will cause a change in habitat conditions in areas downwind of the scheme – primarily due to wind conditions in the bordering area of Merthyr Tydfil which includes a SINC and SSSI. Even a cursory review of the EIA produced for the West Winchfawr opencast application (submitted by Walters Mining which owns Celtic Energy) would show the myriad of flora on the site which would be sensitive to dust deposition changing the PH levels.

 **Impact on Local Ecology**

There are six ecological impacts that can be expected from the planned proposal:

1. the stripping of all vegetation from the site itself. This will destroy the habitat and dislocate or kill any wildlife that uses that habitat.
2. the pollution of of local streams and ponds with leachate from overburden dumps and other types of pollutants.
3. the creation of dust from blasting, digging and transportation operations. As this dust settles it will damage the local vegetation beyond the area of the site.
4. the disruption of the local water regime will damage local vegetation beyond the site as water is removed from the area.
5. the noise and vibration from blasting and machines will drive away wildlife from the site itself and the surrounding areas.
6. the light from the site will effect nocturnal wildlife.

**The Importance Of The Site Beyond The Local Ecology**

**Lines Of Communication**

The site has importance in itself as an example of good wooded cover near the Brecon Beacons National Park with a mix of conifer plantation and original woodland.

* More importantly the site and its surroundings lie at a point where they act as a link between the Brecon Beacons and the mountain spur between the Cynon and Taff valleys. These mountains stretch ten miles south of the site down to Abercynon and are a good natural habitat partly covered in conifer plantation.

To quote the RCTCBC Supplementary Planning Guidance on Nature Conservation 3.7:

“Ecological Connectivity and habitat fragmentation are important wildlife conservation issues. Small, isolated populations of species are far more vulnerable to extinction than populations that can disperse and interbreed with other populations. The effects of climate change are likely to increase local extinctions among small isolated populations. It is therefore important to maintain and enhance ecological connectivity. The Habitat Regulations (37) require planning policies which conserve features of the landscape that are of major importance for wild flora and fauna, including those linear features that are essential for the migration, dispersal and genetic exchange of wild species.”

* The layout of the built landscape in the Valleys makes it very difficult for wild species to cross the valley floors due to the concentration of the housing and roads so the entrance at the top of the range is the easiest approach. The position of the site will block this and will also remove the important wooded cover at this entrance.
* The mountains will be isolated from the Brecon Beacons and become a habitat island bringing risk of loss of wildlife not just to the site itself and its immediate surrounding area but also to the 15 square miles south along the range.
* A powerful image of the blocking effect can be seen in the Environmental Statement Non-Technical Summary submitted by Celtic Energy where the site bestrides the open area between the village of Llwydcoed and Heolgerrig and Winch Fawr.

**Where’s The Green?**

* Since the end of large scale mining in the Cynon valley there has been a continuous improvement in the natural environment: the river has improved, the tips have greened over – becoming in themselves a protected habitat – and the conifer plantations have grown to height.
* The top end of the Cynon valley around Aberdare has started to become an area to visit and the RCT Local Development Plan reflects this as one of the NSA 1Policies is to encourage development that “Promotes opportunities for new retail, tourism and leisure development”.
* On one approach to the valley are the operations at the old Tower Colliery site visible on the Heads of the Valley road. On the other approach the operations at Ffos-y-fran.dominate. Adding yet a further site at Bryn Defaid will undo these years of reclamation and render pointless attempts to encourage tourism.
* The beauty of the Valleys is an asset both to the inhabitants on a daily basis and to visitors when they come and this beauty is dependent on the environment.

**Comments On The Ecological And Biodiversity Statement**

The Ecological and Biodiversity statement (Chapter 11) covers evaluation of the site for both flora and fauna. The scope of the survey is set out at the beginning of the chapter and covers the ecological features within the site boundary, the presence of local Sites Of Special Scientific Interest and conservation of legally protected species.

* The surveys carried out reveal that a large selection of varied species are present on the site: varied grasses, 60 species of lichen, 102 sub-species of bryophyte, 18 species of waxcap, 2 of club fungus , 4 species of bat, 20 (30 listed) species of wintering birds, 24 (35 listed) of breeding birds, lizards, 3 species of amphibians, 79 aquatic invertebrates and 212 terrestrial ones, 20 species of butterfly and unnumbered (only the 5 action plan species are mentioned) moths.
* All these species will be killed or dislocated by the mining operations.

Some small amount of surveying was carried out by Celtic Energy on the immediate area surrounding the site. However, they claim that the chosen criteria are incapable of producing a “significant” outcome unless they cause an effect at National, Regional or County level, since items of “local importance can only be at worst non-significant or minor” (11.5.4). Paragraph 11.5.6 states (to paraphrase) that because there is only one site (territory) the worst available effect is “neutral or negligible” even where a species is considered important.

* We do not believe that local effects can or should be dismissed as irrelevant. The environment is made up of many habitats, all of which are local to someone and all of which need to be cared for and valued. It is absurd to suggest, as the applicants do, that effects have to be evidenced by applying administrative boundaries (‘county, region, nation’).
* There is by definition only one territory referred to in the planning application, which is of necessity local. This takes no account of the other nearby local sites where open-casting is taking place.
* These criteria are incapable of producing an outcome that would indicate that the project should not go ahead.

The potential for effects is then considered using these criteria.

* The first effect considered is the loss of groundwater to the SSSI at Byrncarnau. Reference is made to the hydrology section (13.2) to support a statement that there would be no effect – the section does not contain such a statement, being mainly concerned with flooding risks. The effect of dust from the site affecting the SSSI is briefly dismissed with “the emission of particulate matter from surface coal mines is very low”.
* This is not Dept of Environment Australia’s viewpoint – “Dust is an inevitable problem for almost all forms of mining.” nor Reed (RW 2005) “Studies suggest that approximately one third of the dust emitted can escape from an open pit.”
* No consideration is given to the effects of noise and vibration on the fauna of the SSSI.
* These dismissals allow the author to consider the effects on the SSSI to be “neutral”.
* The same effects on the Aberdare Mountain SINC are considered and the same conclusions reached. An examination of habitat type loss is considered but rejected as “there is sufficient suitable habitat at Winch Fawr”.
* No consideration is given to the site’s effect as a barrier to lines of communication.
* After a section on particular species much of the rest of the document describes the restoration plans intended to be put in place. This mitigation allows the author to consider the overall effect of the project to be positive to the local ecology.
* The absence of this mitigation, whether due to avoidance of this part of the scheme or repurposing of the excavated site would paint a far more negative picture.

**Conclusion**

We, the members of Llydcoed Action Group, make this statement in the belief that the planning process in RCT is a truly democratic one. We submit this objection in the belief that our council members are elected to represent the interests of those who live in their communities and do so out of their sense of civic duty. In this region we agree that difficult choices need to be made, especially in the current economic climate. We hope therefore that this statement will encourage all forward thinking-members to support our objection to this application and to work towards a brighter and more sustainable future for the local community as well as the region as a whole.

Llwydcoed Action Group

4th August 2013

1. See NAW (2012) Energy Policy and Planning in Wales, Environment and Sustainability Committee: 56 [↑](#footnote-ref-1)
2. NAW (2012) E&S Committee Energy and Planning in Wales: 56 [↑](#footnote-ref-2)
3. Update to Welsh Govt Response to E&S Com Report 2012: March 2013 [↑](#footnote-ref-3)
4. http://www.thevalleys.org.uk/ [↑](#footnote-ref-4)
5. http://www.bbc.co.uk/news/uk-wales-south-east-wales-19609959 [↑](#footnote-ref-5)
6. http://www.bbc.co.uk/news/uk-wales-south-east-wales-19609959 [↑](#footnote-ref-6)
7. http://www.thevalleys.co.uk/heartandsoul/ [↑](#footnote-ref-7)