



The Coal
Authority



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For the Attention of: Ms R. Owens – Case Officer
Merthyr Tydfil County Borough Council

[By Email: planning@merthyr.gov.uk]

1 December 2020

Dear Ms Owens

PLANNING APPLICATION: P/19/0319

Erection of 3 bedroom dwelling at Land Within Rear Garden of 11 Worcester Close, Heolgerrig, Merthyr Tydfil, CF48 1SP - RECONSULTATION

Thank you for your consultation letter of 24 November 2020 seeking the further views of the Coal Authority on the above planning application.

The Coal Authority Response: **Substantive Concern**

As you are aware, the application site falls within the defined Development High Risk Area. The Coal Authority records indicate that the application site lies in an area where underground coal mining has taken place at shallow depth. In addition, our information indicates that a coal seam outcrops in the vicinity of the site, dipping beneath the site. This coal seam may have been worked in the past.

You will recall that the Coal Authority previously objected to the proposal in our initial consultation response of 23 December 2019 due to the lack of a Coal Mining Risk Assessment Report, or an equivalent report, to identify and assess the risks posed to the proposed development by coal mining legacy.

We note that application has now submitted a Coal Mining Risk Assessment report (October 2020, prepared by WYG) to accompany the planning application; however, the Coal Authority does not consider that this adequately addresses the impact of coal mining legacy on the proposed development. We therefore **maintain our objection** to the proposal.

Firstly, it should be noted that the submitted report is marked as 'Draft'. We would expect the applicant to ensure 'Final' version of their Coal Mining Risk Assessment is submitted in

support of their application, incorporating any necessary changes following on from the draft version.

Notwithstanding its draft status, we note that based upon information including British Geological Survey (BGS) data, the submitted report considers that the site falls within the defined Development High Risk Area due to the proximity of the Nine Foot Coal seam, which outcrops approximately 165m to the north of the application site. However, the report concludes that this seam (and any associated workings) would be present at a depth greater than 35m bgl. As such, the report author is satisfied that no further action is required in respect of these workings.

Whilst we note the conclusions of the submitted report regarding the likely depth of the Nine Foot Coal seam beneath the site, we wish to highlight that our information indicates that the Red Vein Coal seam outcrops immediately to the east / north east of the site, dipping beneath the site. It is due to the potential for unrecorded mine workings associated with the Red Vein that the site actually falls within the High Risk Area.

Our Mining Information Team have commented that the Coal Authority's data is compiled from many sources, including BGS data, and because of this, in some areas the CA has more coal outcrop data than the BGS. From a stratigraphy point of view, the outcrop of the Red Vein is correctly positioned between the Nine Foot and the Six Foot Coal seams.

In light of the above, the applicant should be requested to submit a 'Final' version of their Coal Mining Risk Assessment, which includes an assessment of the risk posed to the proposed development by the possible unrecorded working of the Red Vein coal seam. The report should detail what, if any, further measures are required in order to ensure that the site is made safe and stable for the proposed development.

Please do not hesitate to contact me if you would like to discuss this matter further.

Yours sincerely

James Smith

James Smith *BSc. (Hons), Dip.URP, MRTPI*
Planning and Development Manager

Disclaimer

The above consultation response is provided by The Coal Authority as a Statutory Consultee and is based upon the latest available data on the date of the response, and electronic consultation records held by The Coal Authority since 1 April 2013. The comments made are also based upon only the information provided to The Coal Authority by the Local Planning Authority and/or has been published on the Council's website for consultation purposes in relation to this specific planning application. The views and conclusions contained in this response may be subject to review and amendment by The

Coal Authority if additional or new data/information (such as a revised Coal Mining Risk Assessment) is provided by the Local Planning Authority or the Applicant for consultation purposes.

In formulating this response The Coal Authority has taken full account of the professional conclusions reached by the competent person who has prepared the Coal Mining Risk Assessment or other similar report. In the event that any future claim for liability arises in relation to this development The Coal Authority will take full account of the views, conclusions and mitigation previously expressed by the professional advisers for this development in relation to ground conditions and the acceptability of development.