



The Coal
Authority



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For the Attention of: Mr H Roberts – Case Officer
Merthyr Tydfil County Borough Council

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

3rd April 2023

Dear Mr Roberts

PLANNING APPLICATION: P/23/0053

Residential development (200 units), engineering works, access formation, landscape, drainage and associated works; Dragon Park, Abercanaid, Merthyr Tydfil – Re-consultation

Thank you for your consultation. We have now had an opportunity to review the information submitted to support the above planning application.

The Coal Authority is a non-departmental public body sponsored by the Department for Energy Security and Net Zero. As a statutory consultee, The Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

The Coal Authority Response: Substantive Concern

Our records indicate that there are recorded coal mining features at surface and shallow depth within the application site. These features include three mine entries within the site and a further three mine nitres within 20m of the site boundary. The site is also in an area of shallow coal workings. These features may pose a potential risk to surface stability and public safety.

The Coal Authority's records indicate that surface coal resource is present on the site, although this should not be taken to imply that mineral extraction would be economically viable, technically feasible or environmentally acceptable. As you will be aware those authorities with responsibility for minerals planning and safeguarding will have identified where they consider minerals of national importance are present in your area and related

policy considerations. As part of the planning application decision making process consideration should be given to such advice in respect of the indicated surface coal resource.

I have now reviewed the information provided to support the submission which includes the following:

- Desk Study Report, dated February 2016 and prepared by Intégral Géotechnique (Wales) Limited,
- Site Investigation Report, dated April 2019 and prepared by Intégral Géotechnique (Wales) Limited,
- Geoenvironmental Site Investigation Report, dated December 2021 and prepared by Intégral Géotechnique (Wales) Limited, and
- Coal Mining Risk Assessment, dated February 2023 and prepared by Intégral Géotechnique (Wales) Limited.

The Coal Mining Risk Assessment reviews the other information and draws conclusions in respect of the risks posed by coal mining legacy and the further works necessary. In respect of shallow coal mine workings the report authors zone the site into A and B in respect of risks posed. They conclude that within Zone A proof drilling and grouting will be required. We would expect the extent of these works to cover all areas where a risk to surface stability is identified, including roads and other external areas. It is noted that the proposed drainage channel through the site is recommended to be supported by a reinforced geo-mattress. Recommendations are also made in respect of the foundations in this area by the report authors.

In Zone B the report authors state that there are no shallow mine workings under this part of the site. The report authors make recommendations in respect of foundations in this area but conclude that no further investigatory or remedial works are necessary.

Regarding the mine shafts on the site the report author's state that shaft 031 was located during the bulk excavation works and the shaft was capped at a depth of 10m below ground level. They note that the shaft cap was intact and spanned an area of 10m x 10m. Although the report authors have noted that the shaft cap was intact they make no assessment in the report as to its suitability for the development now proposed. The stand-off from this feature proposed as part of the development layout is noted. *It would be appreciated if the report authors could provide further commentary on the suitability of the shaft treatment works in respect of the current development proposals.*

The report authors note that mine entries 038, 036, 037, 060 and 030 have all been previously located and treated. Figure 5 in the report identifies the 'as recorded' locations of the mine entries and their zones of influence. This is apart from 060, which is an adit, and which the report authors have concluded poses no risk. However it is not clear if this plan annotation takes account of the potential plotting errors for these features which are still noted on our records as having potential departures from their recorded positions. *Further commentary on this issue would be appreciated, along with any revised plan*

necessary to take account of the potential departures for these features from their recorded positions.

Based on the information currently submitted the Planning team at the Coal Authority objection to this planning application.

SUDs

It should be noted that where SUDs are proposed as part of the development scheme consideration will need to be given to the implications of this in relation to the stability and public safety risks posed by coal mining legacy. The developer should seek their own advice from a technically competent person to ensure that a proper assessment has been made of the potential interaction between hydrology, the proposed drainage system and ground stability, including the implications this may have for any mine workings which may be present beneath the site.

Mine Gas

It should be noted that wherever coal resources or coal mine features exist at shallow depth or at the surface, there is the potential for mine gases to exist. These risks should always be considered by the LPA. The Planning & Development team at the Coal Authority, in its role of statutory consultee in the planning process, only comments on gas issues if our data indicates that gas emissions have been recorded on the site. However, the absence of such a comment should not be interpreted to imply that there are no gas risks present. Whether or not specific emissions have been noted by the Coal Authority, local planning authorities should seek their own technical advice on the gas hazards that may exist, and appropriate measures to be implemented, from technically competent personnel.

Please note that any comments that the Coal Authority may have made in a Planning context are without prejudice to the outcomes of any Permit application.

We would be pleased to review any additional information the applicant submits to address the points raised.

Yours sincerely

Melanie Lindsley

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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.