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For the attention of: Gareth Davies – Case Officer

Merthyr Tydfil County Borough Council

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

15th September 2026

Dear Mr Davies

Re: Planning application P/26/0197

Construction of four detached houses and new access road at Rear of Six Bells, Heolgerrig, Merthyr Tydfil

Thank you for your notification of 11 September 2026 seeking the views of the Coal Authority (trading as the Mining Remediation Authority) on the above.

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: **Fundamental Concern**

The application site falls within the defined Development High Risk Area (DHRA); therefore within the site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.

The Coal Authority records indicate that the plotted position of on-site mine shaft 303206-066 is located in the western corner of the application site, with its potential zone of influence covering part of the site. In addition, our records also indicate that the plotted position of three off-site mine adits and their associated roadways 303206-099 (bearing of 356°), 303206-100 (bearing of 351°) and 303206-024 (bearing of 213°) are all located to the

north of the application site, with their potential zones of influences extending into the site. Due to potential plotting inaccuracies, the actual position of these mine entries could deviate from their plotted positions by several metres, such that mine adits 303206-100 and 303206-024 could potentially be within the application site. We hold no details of any past treatment of these former coal mining related features. An untreated or inadequately treated mine entry and its resultant zone of influence pose a significant risk not only to surface stability but also public safety.

In addition, our records also indicate that the site lies in an area of outcropping coal seams, which may have been worked in the past and where underground coal mining has taken place at shallow depth. Voids and broken ground associated with such workings may pose a risk to ground stability and public safety.

Also, our records indicate that there are underground roadways present beneath the site at shallow depth.

In accordance with the agreed risk-based approach to development management in the defined Development High Risk Areas, the applicant should be informed that they need to submit a Coal Mining Risk Assessment report to support this planning application. As no relevant information has been submitted at this time, the Coal Authority **objects** to the planning application.

We take this opportunity to highlight that development over or within the influencing distance of a mine entry raises significant safety and engineering risks and exposes all parties to potential financial liabilities. The Coal Authority has adopted a policy where, as a general precautionary principle, the building over or within the influencing distance of a mine entry should wherever possible be avoided, even when these features are treated. Our adopted policy on this matter can be found at:

www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

In this particular case, we note that there exists the potential for the built development to be located over or very close to the recorded mine entry's 303206-066 and 303206-024. This would fail to comply with our adopted policy, and we must therefore object to the proposed layout of development.

In order to demonstrate that the proposed layout of development has been suitably informed by the presence of these mine entry's, we consider that investigations designed and carried out by competent persons should be undertaken prior to determination of the planning application. These investigations should seek to establish whether mine entries 303206-066 and 303206-024 are present within the application site and to establish the extent of their associated zone of influences (whether present on-site or considered to lie off-site).

Prior to the undertaking of any such investigations, the Coal Authority considers that it would be prudent for the applicant to carry out a positional review of the mine entry's from source data, to ensure that investigations are based upon the most accurate best plot positions.

The results of these investigations should be incorporated into the required Coal Mining Risk Assessment and should be used to demonstrate to the LPA that the risks posed by the mine entries are fully understood, and to demonstrate how these risks are to be suitably addressed to ensure the safety and stability of the proposed development as a whole. They should also be used to inform any necessary revisions to the proposed site layout to demonstrate that built development avoids the zone of influences of the mine entry's.

The Coal Mining Risk Assessment may also recommend the undertaking of further works to investigate shallow coal mining legacy affecting the site and to inform any necessary remedial measures.

The applicant should note that Permission is required from our Permitting Team before undertaking any activity, such as ground investigation and ground works, which may disturb Coal Authority property. Any comments that the Coal Authority may have made in a Planning context are without prejudice to the outcomes of a Permit application.

We would be pleased to receive for further consultation and comment any additional information submitted by the applicant.

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

Yours sincerely

Bradley Shelton

Bradley Shelton

Apprentice Town Planner

General Information for the Applicant

The Coal Mining Risk Assessment needs to interpret the coal mining risks and should be based on up-to-date information of past coal mining activities in relation to the application site. A variety of Coal Mining Report products which provide baseline information on coal mining legacy risks are available from www.miningremediation.co.uk. A Coal Mining Risk Assessment should then take the information contained in the Coal Mining Report and interpret the risks identified specifically in relation to the proposed development. If you merely submit a Non Residential Coal Mining Report, an Enviro All-in-One Report or other

factual report obtained from www.miningremediation.co.uk (or a similar product from private land search suppliers) this will not overcome our objection to your planning application.

This coal mining information you obtain from a Non-Residential Coal Mining Report, an Enviro-All-in-One Report or other factual report should then be used to assess whether or not past mining activity poses any risk to the development proposal and, where necessary, propose mitigation measures to address any issues of land instability. This could include further intrusive investigation on site to ensure that the Local Planning Authority has sufficient information to determine the planning application.

The Coal Mining Risk Assessment should be prepared by a “competent body”. Links to the relevant professional institutions of competent bodies and guidance on how to produce a Coal Mining Risk Assessment can be found at:

www.gov.uk/planning-applications-coal-mining-risk-assessments

Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of the Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission will result in trespass, with the potential for court action. Application forms for Coal Authority permission and further guidance can be obtained from the Coal Authority’s website at:

www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property

Disclaimer

The above consultation response is provided by the Coal Authority as a Statutory Consultee and is based upon the latest available coal mining 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.