



The Coal
Authority



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For the Attention of: Mr D. Cross – Case Officer
Merthyr Tydfil County Borough Council

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

19 October 2021

Dear Mr Cross

PLANNING APPLICATION: P/21/0330

Erection of a rural enterprise dwelling at Pen-Coedcae Farm, Cwmbblacs, Merthyr Tydfil, CF48 4AJ - RECONSULTATION

Thank you for your consultation email of 8 October 2021 seeking the further views of the Coal Authority regarding the above planning application.

The Coal Authority Response: Material Consideration

As you are aware, the application site falls partly within the defined Development High Risk Area (DHRA). The Coal Authority's information indicates that a coal seam outcrops at or close to the surface along the south eastern boundary of the proposed building plot, dipping in a south easterly direction. This coal seam may have been worked in the past.

You will recall that the Coal Authority previously commented on this planning application in a letter to the LPA dated 1 October 2021. In this letter we noted that the dwelling would be located on the barren side of the outcropping coal seam, outside of the DHRA. As such, we advised that we did not consider that a Coal Mining Risk Assessment was necessary to support this proposal and we did not object to application.

We note that the applicant has now submitted a Mining Risk Assessment report (22 June 2020, prepared by Blandford Consulting) in support of their planning application. The study area for this report, which was produced over a year ago, covers a wider area than the current application site.

Based on a review of coal mining and geological information, the report concludes that shallow mine workings underlying the site potentially pose a risk of surface subsidence. It goes on to recommend the carrying out of intrusive ground investigations, in the form of the drilling of boreholes, in order to establish the shallow coal mining setting and to inform any necessary remedial measures.

The Coal Authority wishes to raise **no objection** to the application. **It is for the LPA to determine whether it considers the undertaking of the investigatory works outside the defined DHRA, as recommended in the submitted report, are necessary in order to demonstrate that the site is, or can be made, safe and stable for the proposed development.**

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.

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.

Whilst the Coal Authority wishes to raise no objection to the planning application, it is requested that the following wording is included as an Informative Note on any planning permission granted:

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0800 288 4242.

***Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority***

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

General Information for the Applicant

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 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.