



The Coal
Authority



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For the Attention of: Ms C Pulley – Case Officer
Merthyr Tydfil County Borough Council

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

02 November 2021

Dear Ms Pulley

PLANNING APPLICATION: P/21/0352

Proposed single storey building to accommodate day care facilities with associated new footpath, landscaping and play area; Dowlais Primary School, High Street Caeharris, Dowlais, Merthyr Tydfil, CF48 3HB

Thank you for your notification of 14 October 2021 seeking the views of the Coal Authority on the above planning application.

The Coal Authority is a non-departmental public body sponsored by the Department of Business, Energy & Industrial Strategy. 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: Material Consideration

I have reviewed the proposals and confirm that the application site falls within the defined Development High Risk Area; therefore within the application 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 site lies within an area of recorded shallow ironstone workings, and a coal seam of workable thickness (GARW VEIN) outcrops within the site where the single storey building is proposed.

It should be noted that as the Coal Authority's remit only extends to coal mining related issues, we cannot advise the LPA whether ironstone workings will affect the safety and / or stability of the site.

The planning application is accompanied by a Geo-Environmental and Geotechnical Report, (Final, September 2020) prepared for the proposed development by Earth Science Partnership. One of the aims of the Assessment is to assess the risk to the site from former mining activity (ironstone and coal) has been informed by an appropriate range of geological, historical and coal mining information.

Having carried out a review of the available information, the report author considers that currently the site is potentially at significant risk as a result of unrecorded shallow coal workings (and ironstone workings) being present beneath the site. As a general rule of thumb, if there is less than the standard 10 x rock cover to seam extraction ratio, this could affect the surface stability for the redevelopment of a site (CIRIA C758D Abandoned mine workings manual).

Therefore, in order to confirm the actual ground conditions (depth / condition of the coal (ironstone) seam / competent rock cover) to inform the extent of any remedial and / or mitigation measures considered necessary to ensure the safety and stability of the proposed development (Planning Policy Wales paras. 6.9.23 - 28), recommendations have been made that intrusive ground investigations, are required (Section 2.10.1.4).

Accordingly, intrusive ground investigations in the form of 7no. rotary drillholes were drilled to a maximum depth of 40m. Whilst Section 4.1.4 informs that borehole logs and a plan to illustrate where the boreholes were drilled are appended to the Report, we have been unable to find these (Appendix H) on the LPA website. The applicant will need to provide the LPA with this information in order to corroborate the conclusions (within Section 8.2.2) made by the Report author.

Section 8.2.2 informs that based on the results of the rotary drilling works, whilst a shallow coal seam (and ironstone seams) was encountered between depths of 20.5m and 20.9 in 5no. of the 6no. boreholes, no evidence of mine workings were noted. In addition, based on the rock cover encountered, the report author informs that this is sufficient to mitigate potential risks in the event that shallow coal workings are present. No remedial measures have been identified however, reinforcement into the foundations as a precautionary measure have been recommended.

Due to the history of mining in the area, we welcome the comments made that unrecorded mine entries may be present within the site and a careful watch for anomalous ground conditions or buried structures (e.g. buried, circular brickwork) during all excavation works is maintained. Should any such ground anomalies be found, they should be thoroughly investigated by a suitably qualified and experienced engineer in order that these can be assessed / treated as required. The Coal Authority will also need to be notified if any ground anomalies relative to coal are found.

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.

Sustainable Drainage

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.

The Coal Authority Recommendation to the LPA

The Coal Authority considers that the content and conclusions of the Geo-Environmental and Geotechnical Report, (Final, September 2020) informed by the findings of intrusive site investigations, are sufficient for the purposes of the planning system in demonstrating (based on the professional opinion of Earth Science Partnership) that the application site can be made safe and stable for the proposed development by incorporating, as a precautionary measures of reinforcement into the foundations. The Coal Authority therefore has **no objection** to the proposed development. However, further more detailed considerations of ground conditions and/or foundation design may be required as part of any subsequent building regulations application.

The Coal Authority recommends that in the event that planning permission is granted for this proposal the following wording is added as an Informative Note:

During all excavation works a watching brief should be maintained for unrecorded mine entries, or other coal mining anomalies, and action taken as appropriate. If any coal mining features are unexpectedly encountered during development, work should be ceased and this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/coalauthority

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

Yours sincerely

D Roberts

Deb Roberts M.Sc. MRTPI
Planning & 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.