



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]

18 May 2021

Dear Mr Roberts

PLANNING APPLICATION: P/21/0159

Discharge of condition 15 (site investigation) of planning permission P/20/0025; Former Ardagh Site, Dragon Parc, Abercanaid, Merthyr Tydfil

Thank you for your notification of 4 May 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.

Condition 15 of the planning permission requires the following:

15 **No development shall commence** until intrusive site investigations have been carried out to establish the exact situation in respect of coal mining legacy features. The findings of the intrusive site investigations shall be submitted to and approved in writing by the local planning authority before development commences.

The discharge of condition submission is supported by a Coal Mining Risk Assessment, dated April 2021 and prepared by Intégral Géotechnique (Wales) Limited. This report reviews the information available, including the findings of previous site investigations. This report states that intrusive site investigations need to be carried out in the area of PH04 and PH05 in order to establish the presence of shallow mine workings and that the

location of the adit on the eastern boundary of the site should be proven, along with depth to rockhead and extent of roadways from this adit.

On this basis of the content and conclusions of this report it would appear that further intrusive site investigations are necessary to establish the exact situation in respect of coal mining legacy issues. Based on the information reviewed we do not recommend that the LPA discharges Condition 15 at the current time.

We would be pleased to comment on the findings of the intrusive site investigations, recommended in the report, once they have been carried out on site.

The intrusive site investigations should be designed and undertaken by competent persons and should be appropriate to assess the ground conditions on the site in order to establish the coal-mining legacy present and the risks it may pose to the development and inform any remedial works and/or mitigation measures that may be necessary.

The applicant should note that Permission is required from the Coal Authority Permit and Licensing Team before undertaking any activity, such as ground investigation and ground works, which may disturb coal property.

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

Yours sincerely

Melanie Lindsley

Melanie Lindsley BA (Hons), DipEH, DipURP, MA, PGCertUD, PGCertSP, MRTPI
Development Team Leader (Planning)

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. In the event that you are proposing to undertake such work in the Forest of Dean local authority area our permission may not be required; it is recommended that you check with us prior to commencing any works. 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.