



The Coal
Authority



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Learning Partner

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

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

4 January 2022

Dear Ms Pulley

PLANNING APPLICATION: P/21/0412

Proposed dwelling and associated garage with minor works on the junction of Heolgerrig Road; land adjacent to 17 Beechwood Drive, Heolgerrig

Thank you for your consultation letter of 15 December 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: Substantive Concern

I have reviewed the proposals and confirm that the application site falls within the defined Development High Risk Area.

The Coal Authority records indicate that 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, specifically both actual and probable mine workings associated with a thick coal seam outcrop and a recorded mine entry (adit).

The Coal Authority notes the submitted Coal Mining Risk Assessment (9 July 2021, prepared by Blandford Associates), which accompanies this planning application. The report has been informed by an appropriate range of sources of information, including the results of intrusive site investigations.

In terms of the results of the site investigations undertaken, the report is able to confirm that all of the coal seams encountered underlying the area where the house and garage would be were encountered intact and at depths, where if worked, could also not pose any undue impact to ground stability. In this regard, the report confirms that there is no risk to the proposed dwelling from shallow mine workings.

Notwithstanding the above, and in regard to the adit, whilst the report confirms it to be offsite and that the proposed location of the dwelling lies outside the hypothetical collapse/exclusion zone, *drawing no. BC/MB/06.20.02.05*, which appends the report, clearly shows the collapse/exclusion zone extending across the garden area. Consequently, in considering that no remedial/mitigatory measures are proposed and that the area would be publically accessible and used for private enjoyment, the Coal Authority **considers that the public safety risks posed by the recorded mine entry have not been sufficiently considered.**

On account of the above, the Coal Authority **objects** to this planning application and considers that the Coal Mining Risk Assessment should be revised and resubmitted to address the concerns raised.

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

Yours sincerely

Chris MacArthur

Chris MacArthur *B.Sc.(Hons), DipTP, MRTPI*
Planning Liaison Manager

General Information for the Applicant

Building over or within the influencing distance of a mine entry (shaft or adit) can be dangerous and has the potential for significant risks to both the development and the occupiers if not undertaken appropriately. The Coal Authority would draw your attention to our adopted policy regarding new development and mine entries:

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

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:

<https://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.