



The Coal
Authority



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RTPI
Learning Partner

200 Lichfield Lane
Berry Hill
Mansfield
Nottinghamshire
NG18 4RG

Tel: 01623 637 119 (Planning Enquiries)

Email: planningconsultation@coal.gov.uk

Web: www.gov.uk/coalauthority

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

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

7 January 2021

Dear Ms Pulley

APPLICATION: P/20/0294

Discharge condition 3 (Materials) and 5 (Site Investigation) of planning permission P/20/0174 at Former Garage Site, Glasier Road, Twynyrodyn, Merthyr Tydfil, CF47 0TQ - RECONSULTATION

Thank you for your consultation email of earlier today seeking the further views of the Coal Authority on the above application.

The Coal Authority Response:

As you are aware, the Coal Authority's particular interest in this instance lies with Condition 5 of planning permission P/20/0174 which states:

"No development shall take place until a site investigation has been carried out in accordance with a methodology first submitted to and approved in writing by the Local Planning Authority. The results of the site investigation shall be submitted to the Local Planning Authority before any development begins. If any land instability issues are found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development shall be submitted to and approved in writing by the Local Planning Authority. Remedial measures shall be carried out prior to the first beneficial use of the development in accordance with the approved details and retained in perpetuity."

We note that the applicant has now submitted a Coal Mining Risk Assessment Report (January 2021, prepared by Terra Firma (Wales) Ltd) to address Condition 5. The document confirms that four boreholes were drilled within the application site to a maximum depth of 30.0m bgl in order to investigate the shallow coal mining situation.

The report indicates that voids and backfilled mine workings were encountered in all four boreholes at a depth that could result in instability at the site surface. As such, it recommends that these workings are stabilised by means of drilling and grouting before the commencement of development on site. It also advises that the buildings should utilise a raft foundation solution and that gas protection measures are required.

The Coal Authority's Planning Team welcomes the recommendation for the undertaking of remedial works to stabilise the identified shallow workings. We therefore have **no objection** to the LPA discharging the relevant part of Condition 5 based on the proposed remedial works outlined in Section 5 of the report. However, Condition 5 will not have been addressed in its entirety until these works have been implemented on site.

We take this opportunity to remind the applicant that Permission is required from the Coal Authority Permit and Licensing Team before undertaking any remedial works which will disturb Coal Authority property, i.e. coal seams and associated workings.

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. 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.