



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]

3 January 2023

Dear Ms Pulley

PLANNING APPLICATION: P/22/0321

Proposed new changing room building at The Wern Field, Methyr Tydfil Rugby Club, Ynysfach

Thank you for your consultation letter of 14 December 2022 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

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.

More specifically, the Coal Authority's information indicates that a coal seam outcrops at or close to the surface of the site, which may have been worked in the past. Voids and broken ground associated with such workings can pose a risk of ground instability and may give rise to the emission of mine gases.

The planning application is accompanied by a Geo-Environmental Report (28 November 2022, prepared by Blandford Consulting)); however, the Coal Authority does not consider that this adequately addresses the impact of coal mining legacy on the proposed development. We therefore **object** to the application.

The submitted report reviews coal mining and geological information and acknowledges that the site lies in an area where coal is likely to be present at shallow depth. However, the report does not provide any conclusion as to whether the site is considered safe and stable for the proposed scheme of development.

The report alludes to past intrusive investigations carried out at the site. The Coal Authority is aware that these investigations included the drilling of a number of boreholes in the vicinity of the proposed development, which encountered shallow coal seams and broken ground. Details of these investigations were submitted in support of application 16/0275, which sought to discharge conditions attached to planning permission P/16/0108 for previous development proposals at the site.

In light of the above, the applicant should be requested to further commentary from the report author to clarify whether the site is considered safe and stable for the proposed development. An outline should also be provided of what, if any, further remedial and/or mitigatory measures are required to ensure the safety and stability of the proposed development in terms of coal mining legacy matters.

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.

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

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.