



The Coal
Authority



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For the Attention of: Ms M Ferreira – Case Officer
Merthyr Tydfil County Borough Council

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

2 March 2021

Dear Ms Ferreira

PLANNING APPLICATION: P/21/0040

Discharge of conditions 7 (landscaping), 9 (contamination), 10 (phase 2 investigation), 11 (remediation) and 13 (intrusive site investigation) of planning permission P/18/0350 (Construct 5, 2 bedroom bungalows); Land Off, Aneurin Crescent, Twynyrodyn, Merthyr Tydfil

Thank you for your notification of 15 February 2021 seeking the views of The Coal Authority on the above.

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.

Our interest lies in Condition 13 of the issued consent as this requires the following:

13 **No development shall take place** until the undertaking of an appropriate scheme of intrusive site investigations, which shall be prepared and conducted by a suitably competent person, has been carried out and a report of the findings arising from the intrusive site investigations, which shall also be prepared by a suitably competent person, has been submitted to and approved in writing by the local planning authority. In the event that the site investigations confirm the need for remedial works to treat areas of shallow mine workings, any remedial works identified by the site investigation shall be undertaken **prior to the commencement of development.**

The discharge of condition submission is supported by a Geotechnical and Geo-Environmental Report, dated April 2019 and prepared by Terra Firma (Wales) Ltd. This sets out details of the intrusive site investigations carried out on site and their findings.

The report states that the intrusive site investigation has confirmed that no shallow mining is located beneath the site. Based on these findings the report authors conclude that the risk to the development from past shallow mining is negligible. No further works in this regard are therefore proposed.

On the basis of the information submitted, and the professional opinions of the report authors set out therein, we would have **no objection to the LPA discharging Condition 13 of the issued consent.**

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

Melanie Lindsley

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

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.