



The Coal
Authority



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For the Attention of: Mr H Roberts – Case Officer
Merthyr Tydfil County Borough Council

[By Email: mworton@davies-homes.com]

30th May 2023

Copy to: Mr Worton

Email: mworton@davies-homes.com

Dear Mr Roberts

PLANNING APPLICATION: P/23/0053

Residential development (200 units), engineering works, access formation, landscape, drainage and associated works; Dragon Park, Abercanaid, Merthyr Tydfil – Further information received

The Planning team at the Coal Authority have been provided with additional information by Mr Worton of Davies Homes, in respect of the above submission. My understanding is that this information has already been provided to the LPA.

The Coal Authority Response: Material Consideration

We previously commented on this planning application in a letter to the LPA dated 3rd April 2023. In this letter we requested additional commentary and clarification on the content of some of the reports submitted.

The Coal Authority has now been provided with a letter, dated 28th April 2023 and prepared by Intégral Géotechnique. This letter provides a response to the comments we previously made.

In response to our comments the author of the letter, Mr Jones, has confirmed that the proof drilling and grouting works will cover all areas where a risk to surface stability is identified.

In respect of mine entry 031 the report author has provided further commentary in respect of the proposed no build zone around this feature and the suitability of the shaft treatment works in respect of the current development proposals. The author of the letter concludes that the likelihood of future subsidence is low but due to the nature of the development additional mitigation comprising a reinforced geo-mattress (at proposed ground level) throughout the full footprint of the building exclusion zone around Shaft 031 is also proposed, in accordance with CIRIA C758D.

Regarding the several mine entries to the south western edge of the site the letters author states that these have now been subject to a positional review, and that this agrees with the coordinates that have been provided by the Coal Authority. Mr Jones notes that following receipt of this additional information and due to the constraints preventing access to these mine entries, a series of 'worst case' building exclusion zones have been applied. The letters author comments that the size of the 'worst case' building exclusion zones around Shaft 038, Shaft 036, Shaft 037, Shaft 030 have been revisited and in addition to this, a 10m radius building exclusion zone has also been applied around Adit 60 to account for the 10m Coal Authority assigned departure distance for this feature.

Mr Jones goes on to state that additional protection to the proposed buildings (which are all situated outside the advised 'worst case' building exclusion zones) will be provided by the proposed site-wide re-engineering earthworks and the specified building foundation reinforcement criteria (all foundations are to be designed to span a 3m lack of support). It is also noted that a geo-mattress is proposed to be installed throughout the full footprint of the proposed drainage channel as it passes through Risk Zone A.

On the basis of the information now submitted, and the professional opinion of the letters author set out therein, The Planning team **withdraws its objection** to this planning application. Please note that any comments that the Coal Authority may have made in a Planning context are without prejudice to the outcomes of any Permit application.

The Coal Authority Recommendation to the LPA

This is our recommendation for condition wording, although we appreciate that you may wish to make some amendments to the choice of words.

- 1. Prior to the first occupation of the development, in those areas identified on the submitted Mining Risk Zones and Mitigation Plan (Figure 5) prepared by Integral Geotechnique as requiring remedial works and/or mitigation measures, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the completion of the works necessary to address the risks posed by past coal mining activity.***

SUDs

It should be noted that where SUDs are proposed as part of the development scheme consideration will need to be given to the implications of this in relation to the stability and public safety risks posed by coal mining legacy. The developer should seek their own advice from a technically competent person to ensure that a proper assessment has been made of the potential interaction between hydrology, the proposed drainage system and ground stability, including the implications this may have for any mine workings which may be present beneath the site.

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.