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For the attention of: Rebecca Owens – Case Officer

Merthyr Tydfil County Borough Council

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

19th February 2026

Dear Ms Owens

Re: Planning Application P/25/0281

Erection of 2 No. dwellings; Builders Yard, Elwyn Drive, Twynyrodyn

Thank you for your notification of 12 February 2026 seeking the views of the Coal Authority (trading as the Mining Remediation Authority) on the above.

The Coal Authority is a non-departmental public body sponsored by the Department for Energy Security and Net Zero. 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: **Material Consideration**

I have reviewed the site location plans, the proposals and the supporting information submitted and available to view on the LPA website. I can confirm that the site falls within the defined Development High Risk Area.

The Coal Authority records that the site is in an area of likely historic unrecorded coal workings at shallow depth. If shallow coal workings are present then these may pose a potential risk to surface stability and public safety.

We note that this application is accompanied by a Quantitative Coal Mining Risk Assessment Report (October 2015) prepared by Terra Firma (Wales) Limited and a

Geotechnical and Geo-Environment Report prepared by Terra Firma (Wales) Limited and dated January 2016.

We note that the Coal Mining Risk Assessment Report (and Geotechnical and Geo-Environment Report) have been informed by intrusive ground investigations, which confirmed that whilst a shallow coal seam was encountered, no evidence of this being worked were encountered (area of proposed Plot 1 and 2).

However, we note the Quantitative Coal Mining Risk Assessment Report (October 2015) and Geotechnical and Geo-Environment Report (January 2016) made recommendations at Sections 4.1 and 8.1 respectively, for the use of a reinforced concrete raft type foundation / floor slab to the dwellings at Plots 1 and 2 in order to mitigate the instability risks posed by any unrecorded mine workings.

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.

SUDs

We also note 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.

The Coal Authority Recommendation to the LPA

The Coal Authority's Planning & Development Team notes the professional opinions expressed by Terra Firma (Wales) Ltd, including the recommendation that precautionary measures should be incorporated into the built development in order to mitigate the risk posed by coal mining legacy and to ensure the safety and stability of the development.

As such, should the LPA be minded to grant planning permission for the proposed development, we would recommend that the following conditions are included on the Decision Notice:

- 1. Prior to the commencement of above ground development at Plots 1 and 2 the mitigation measures to protect the development from the effects of potential land instability derived from shallow coal mine workings, as outlined in the supporting Quantitative Coal Mining Risk Assessment Report and Geotechnical and Geo-Environment Report, shall be implemented on site in full.***

These measures shall be carried out in accordance with authoritative UK guidance.

- 2. Prior to the occupation of the development at Plots 1 and 2 a signed statement or declaration prepared by a suitably competent person confirming that the site 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 that the mitigation measures necessary to address the risks posed by past coal mining activity have been implemented in full.***

The Coal Authority therefore **do not object** to the proposed development **subject to the imposition of the above conditions**. This is our recommendation for condition wording. Whilst we appreciate that you may wish to make some amendment to the choice of words, we would respectfully request that the specific parameters to be satisfied are not altered by any changes that may be made.

1 - Ground Investigations

Under the Coal Industry Act 1994 any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Mining Remediation Authority since these activities can have serious public health and safety implications. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain permission to enter or disturb our property will result in the potential for court action. Application forms for Mining Remediation Authority permission and further guidance can be obtained from our website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property

2 - Shallow coal seams

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

3- Requirement for Incidental Coal Agreements

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required from the Mining Remediation Authority. Further information regarding Incidental Coal Agreements can be found here - <https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements>

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

Yours sincerely,



Peter Woodcock | BSc (Hons), AssocRTPI
Assistant 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 and the electronic consultation records held by the Coal Authority since 1 April 2013. The comments made are also based on the information provided to the Coal Authority by the Local Planning Authority and/or information that has been published on the Council's website for consultation purposed 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 advisors for this development in relation to ground conditions and the acceptability of development.