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For the attention of: Kate Glover – Case Officer

Merthyr Tydfil County Borough Council

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

19 March 2025

Dear Ms Glover

Re: P/24/0285

Proposed Flying Start Creche New Build; Ysgol Santes Tudful, Pantyffyn Road, Penyard, Merthyr Tydfil, CF47 0HU - 2ND RECONSULTATION

Thank you for your notification of 12 March 2025 seeking the views of the Coal Authority on further information submitted in support of the above.

The Coal Authority response: **Material Consideration**

Further to our most recent letter to you dated 16 January 2025 we welcome the submission of the revised Geotechnical and Geoenvironmental Report (18167, Issue 03, March 2025) prepared by Terra Firma (Geotechnical & Geoenvironmental Specialists). We are pleased to note that Section 2.3.4 has been updated to reflect the report authors opinion on opencast

(surface mining) operations. Based on their review of opencast mine plans we note that they are satisfied that opencast workings did not extend onto the site.

In light of the above, the content within our previous letter dated 16 January 2025 are predominantly unchanged, however our recommendations have been updated to reflect the amendments made within the updated Geotechnical and Geoenvironmental Report.

The Coal Authority Recommendation to the LPA

In light of the professional opinions made by Terra Firma (Geotechnical & Geoenvironmental Specialists), the Coal Authority recommends the imposition of the following condition:

Prior to the occupation of the development, or it being taken into beneficial use, 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 the methods and findings of any additional drilling and the completion of the remedial works and/or mitigation necessary (identified within Section 12.1 of the Geotechnical and Geoenvironmental Report (18167, Issue 03, March 2025) to address the risks posed by past coal mining activity.

Any further intrusive site investigations considered necessary and any remedial works shall be carried out in accordance with authoritative UK guidance.

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.

The Coal Authority has **no objection** to the proposed development **subject to the imposition of the conditions** to secure the above.

It is also requested that the following Informative Notes are included on any planning permission granted:

1 - Ground Investigations

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation Authority Permit. 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. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property

[What is a permit and how to get one? - GOV.UK \(www.gov.uk\)](http://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property)

2. Mine Entries

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Mining Remediation Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at:

[Building on or within the influencing distance of mine entries - GOV.UK](http://www.gov.uk/building-on-or-within-the-influencing-distance-of-mine-entries)

3 - 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.

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

Yours sincerely

D Roberts

Deb Roberts M.Sc. MRTPI

Planning & 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.