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For the attention of: Mr Gareth Davies, Case Officer
Merthyr Tydfil County Borough Council

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

16th April 2025

Dear Gareth,

Re: Application P/25/0085

Discharge of Condition 21 of P/23/0053 - Ground treatment; Dragon Parc, Abercanaid, Merthyr Tydfil

Thank you for your notification of 1st April 2025 seeking the views of the Coal Authority on the above.

Condition 21 of planning permission P/23/0053 states;

21 ***Prior to the occupation of any dwelling, in those areas identified on the submitted Mining Risk Zones and Mitigation Plan (Figure 5) prepared by Integral Geotechnique that requires 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 and approved in writing by local planning authority. This document shall confirm the completion of the works necessary to address the risks posed by past coal mining activity.***

Figure 5 the Mining Risk Zones and Mitigation Plan referenced in the condition was included in a Coal Mining Risk Assessment, dated February 2023, and most recently in a letter, dated 28th April 2023, both prepared by Intégral (Wales) Géotechnique Ltd, the latter version with additional annotations. The plan identifies the location and treatment afforded to the various mine entries recorded across the site or in near proximity to it

such that they need consideration as to their impact on the proposed development. It also identifies the areas where further remedial and mitigatory measures are proposed.

Within the original CMRA, Intégral (Wales) Géotechnique Ltd concluded that the south of the broader Dragon Park site could potentially be affected by the shallow coal mine workings. We note that the current application is accompanied by a draft version of a Validation Drilling and Grouting Report prepared by consultant Terra Firma, dated September 2024 Report Ref. D&G-260924-17970-01. This report indicates that in response to the need to confirm ground conditions, specialist contractor Van Elle adopted an approximate 6m grid, modified to target proposed structures for the validation drilling and grouting of possible shallow coal mine workings affecting the site.

The Validation Drilling and Grouting Report confirms the outcome of that validation drilling;

'Van Elle drilled to a depth of 26m Below Ground Level to exceed the depth at which Integral Geotechnique encountered the Coal Seam in PH120 and PH123. Of the 95 No. boreholes completed, coal was only encountered within 6 No. boreholes'. And that;

'Due to the low grout takes in the primary holes it was not deemed necessary to perform secondary holes'.

Within Section 4 of the report 'Conclusions' the authors confirm that;

'The subsequent grouting confirmed that all locations took a minimal amount of grout required to backfill the hole (0.26 tonnes) with the exception of one location, S3, where a marginally higher grout take was recorded (0.39 tonnes). We are satisfied that the validation works have confirmed the absence of shallow workings within influencing distance of the sites surface'.

Whilst we recognise that the works reported on by Terra Firma in terms of validation drilling and grouting may have satisfied the risk posed from unrecorded shallow mineworkings within the area drilled but the reporting presented does not give any explanation as to the discrepancy in workings extent and that recorded from Coal Authority held abandonment plans and as will be visible on the online mapping viewer or a consultants mining report which are associated with the Four Foot coal and extend beyond the area of drilling, even within Risk Zone A of the aforementioned Figure 5 Plan.

Based on issues raised within our earlier response dated 30th May 2023 (Planning application P/23/0053, in which we withdrew our objection to the application subject to the imposition of a planning condition (the wording which has been adopted for Condition 21), other agreed mitigations were referred to.

At that time Intégral (Wales) Géotechnique Ltd advised that a reinforced geomattress would be afforded to mine entry -031, exclusion zones were set for the remainder of the mine entries and a proposed site wide requirement for all foundations to act to span any lack of support for a distance of 3m. Furthermore, it was agreed that a geo-mattress was to be installed throughout the full footprint of the proposed drainage channel as it passes through Risk Zone A.

On the basis of the above and the requirement as set out in Condition 21 for the completion of works necessary to address the risks posed by past coal mining activity, I can confirm that the Coal Authority's Planning Team considers the evidence and reporting presented to be incomplete and short of demonstrating full compliance. As a result we are **unable to recommend that the LPA should discharge Condition 21** at the present time.

If you would like to discuss this matter further, please contact me on the above number.

Yours sincerely,

Leigh Sharpe

Geotechnical & 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.