

19 May 2021

Planning Development Management
Barnsley Council
PO Box 634
S70 9GG

For the attention of Hannah Andrew

Re: Land south of Halifax Road, Penistone (2020/0274)

Dear Hannah

Please find below our response to The Coal Authority's letter dated 26th April 2021:

- *The 10m radius distance radius of the mine shaft has been largely investigated and no evidence of the mine shaft was observed, deeper Made Ground was encountered in Trench03 – this is likely related to the railway cutting to the east. The 10m radius area to the east is off the subject site. Within the 10m radius in the application site boundary trenches were excavated in five locations. These trenches covered the majority of the area located around the assumed location of the mine shaft and were between 1m and 4m apart. Due to the location, size, number and spacing of these trenches, the majority of the radial distance around both The Coal Authority's (the CA) and Groundtech Consulting assumed location of the mine were therefore investigated. The trenching actually covers a wider departure distances on account of their location, size, number and spacing.*
- *As there is no evidence to confirm the exact location of the mine shaft, the developer cannot be required to investigation large areas of the site. We consider that the trenching undertaken is therefore more than proportionate based on the available evidence.*
- *The results of the robust investigation didn't identify any evidence of the location of the mine shaft in this area. The conclusion was reached following an assessment of the ground conditions, the historical use of the site and an assessment of evidence for any instability.*
- *As correctly identified within the CA's response, the proposed development does not seek to place any new dwellings or infrastructure is the assumed location of the mine shaft. This area is proposed to be delivered as public open space. There is no evidence from our investigation works which identify a risk of future instability in this area, the depth to weathered bedrock and competent bedrock confirms the area of influence of the mine shaft if present would be minimal if instability occurred. The proposed location of the footpath that runs through the area of public open space is located outside both the radial distance of the CA and Groundtech Consulting assumed location of the mine shaft. Accordingly, there will be no risk in respect of instability associated with the footpath (which will only carry the weight of pedestrians of course).*
- *Given the location of Halifax Road and the Railway Line, if there was a mine shaft in this area or if there was an issue of ground instability, then this issue would have been identified prior to now.*
- *Due to the reasons identified above and the evidence provided in the submitted report, a watching brief is proposed over the course of the development as cautious approach. However, we understand that BDW*

would accept a condition which requires further investigation work prior to any development taking place in this area of the site. Such a condition would also state that in the unlikely event that any issues are identified, appropriate mitigation will be delivered to secure the stability of the area.

- We anticipate that the mitigation measures would be the standard ones that the CA deem acceptable, which would likely comprise capping off the mine shaft at bedrock with a suitably reinforced cap twice the diameter of the shaft in accordance with CIRIA C758, ventilation will be implemented if required. These measures could be listed in the condition if deemed necessary. This approach would mean that if any unlikely issues were encountered, they would be swiftly remedied to ensure that the issue would pose no risks to future users/residents of the site when occupied.
- If the further investigation work took place pre-determination of the application and found that mitigation measures were needed to resolve any stability issues, the timing of the delivery of mitigation would be post-determination and secured via a condition. Therefore, in reality what we are proposing is no different.
- This approach is considered reasonable on the grounds that: -
 - The investigation work undertaken to this point is robust and doesn't identify any issues of concern within the application site boundary.
 - The level of investigation is more than proportionate given there is no evidence of the exact location of the mine shaft.
 - No new homes or infrastructure (road/drainage) will be located in the area of the two assumed locations of the mine shaft.
 - The previously proposed watching brief condition can be expanded to include further investigation work if necessary.
 - In the unlikely event that any issues are found, the condition can require the undertaking of standard mitigation measures to the satisfaction of the CA to remove any risks immediately.
 - Any mitigation would be undertaken post-determination in the same way it would be if the investigation work was undertaken pre-determination.

We understand that the proposed approach is consistent with Paragraphs 178 and 179 of the NPPF, particularly where it states that “**where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner**”.

We trust the enclosed meets your requirements, if you have any queries, please do not hesitate to contact the undersigned.

Yours Sincerely
For Groundtech Consulting Limited



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Director
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