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MKB Solicitors (Barnsley)

P24-00062

Castle Lane, Penistone

Coal Mining Risk Assessment

Report by:

O Francis

Professional, Innovative,

Practical Solutions

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CONTENTS

1. REVISION RECORD

Report Ref: P24-00062-Met-RP-GE-001 / Coal Mining Risk Assessment					
Rev	**Description**	**Date**	**Originator**	**Checked**	**Approved**
1	Final	24/01/2024	O Francis	YK/TAW	IFL

Prepared For:	**Prepared By:**
MKB Solicitors 1-11 Huddersfield Road Barnsley South Yorkshire S70 2LP	**Met Engineers Ltd** Southgate House Pontefract Road Leeds West Yorkshire LS10 1SW

2. INTRODUCTION

2.1. GENERAL INTRODUCTION

This report presents the findings of a coal mining risk assessment for a site at Land off Castle Lane, Penistone, South Yorkshire, S36 6AH (Grid Reference: 425300, 402500) for MKB Solicitors. The coal mining risk assessment comprised obtaining third party information including a Coal Authority consultant's report, BGS archive boreholes records and geological maps.

2.2. OBJECTIVES

This coal mining risk assessment was conducted in order to formulate an opinion as to the geology and potential for legacy shallow depth coal mining features to exist beneath, or near the vicinity of the site which may affect the future development, appropriate to the end use of the site. It is understood that redevelopment of the site for residential purposes is proposed. The "vicinity" of the site for the purposes of this report is defined as being located within an approximate 250m radius of the site.

The objectives of the coal mining risk assessment were aimed to do the following:

- Present a desk-based review of all information on the potential coal mining issues relevant to the application site.
- Use of that information to identify and assess the risks to the proposed development from coal mining legacy, including the cumulative impact of issues.
- Demonstrate to the local planning authority the application site is, or can be made safe and stable to meet the requirements of national planning policy with regards to development on unstable land.

2.3. SCOPE OF WORKS

In order to meet the objectives, Met Engineers obtained research information from the Coal Authority and the British Geological Survey, which includes data from the following sources:

- An up-to-date consultant's coal mining report from the Coal Authority.
- An in-depth view of coal seams and faults based on British Geological Survey maps, '1:50,000 England and Wales Sheet 86, Sheffield, Bedrock and Superficial, Edition 2012'.
- Results of past intrusive site investigation undertaken to assess ground conditions for a site located from 531m south west of the site based on archive information from BGS boreholes.

British Geological Survey (BGS) online borehole records have been consulted and there are no published records of past intrusive site investigations available for the site or the immediate surrounding area.

This report presents the findings of the coal mining risk assessment as related to the proposed end use of the site. The purpose of the coal mining risk assessment is to allow an opinion to be formulated as to the likely geological conditions at the site and the potential implications for the

end use. This report does not quantify those findings nor provide any recommendations for remedial works, mitigation or risk management.

2.4. LIMITATIONS OF THE REPORT

MKB Solicitors (the Client) has requested that a coal mining risk assessment be undertaken in order to assess the suitability of the site for redevelopment. The report is not a comprehensive site characterisation and should not be construed as such.

This report has been prepared for the sole internal use and reliance of MKB Solicitors. The report shall not be relied upon or transferred to any other parties without the express written authority of Met Engineers. If any unauthorised third party comes into possession of the report, they rely on it at their own risk and Met Engineers owes them no duty of care.

The findings and opinions conveyed via this report are based on information obtained from a variety of sources as detailed within this report and which Met Engineers, believes are reliable. Nevertheless, Met Engineers, cannot and does not guarantee the authenticity or reliability of the information it has relied upon. The information contained in this report is to the best of our knowledge accurate at the date of issue, however, sub-surface conditions, including ground water levels, and may vary over time.

It is possible that the third-party information obtained may not include information from every available source. Assuming such further information sources actually exist, these have not been considered in the formulation of these findings and opinions.

In preparing this report it has been assumed that all past and present occupants and third parties have provided accurate information, especially relating to known or potential hazards. This report does not identify deficiencies or mistakes in the information provided by the user or owner, or from any other source, except where obvious in light of other information. This report is relevant at the date the report was written and should be read in light of any subsequent changes in legislation, statutory requirement or industry practices. The report represents the technical findings and opinions of Met Engineers, and does not constitute any legal advice. As such, the advice of a solicitor may also be required.

3. SITE SETTING

A detailed review of the published geological and mining information has been carried out.

The area of land referred to as 'The Site' within this document is indicated in appendix II.

3.1. SITE DESCRIPTION

Site Address	Land off Castle Lane, Penistone, South Yorkshire, S36 6AH
Location	Grid reference: 425300, 402500
Setting	The site is located in the southern area of Penistone, approximately 17km north west of Sheffield City Centre. The site is rectangular in shape and is approximately 0.24ha in size. It is accessed via 2№ field gates off Castle Lane to the north east of the site. The site is currently undeveloped and covered by soft landscaping. The perimeter of the site is bound by dry stone walling to the south east, north east and north west, and is open to the adjacent field to the south west. The site is generally flat, with a gentle slope down to the east of the site. The adjacent land uses include residential housing to the north and south, Castle Lane adjacent to the east, and agricultural land to the west. In the wider surrounding area land use is predominantly a mixture of undeveloped farmland with residential housing associated with the town of Penistone from approximately 85m north.
Development Proposal	It is proposed to develop the site with 2№ residential dwellings with associated standalone garage units, soft landscaped gardens and gravel parking areas, and an access drive in the north of the site. A proposed site layout plan is included in appendix I.

3.2. GEOLOGICAL OVERVIEW

Geology	The BGS 2012 1:50,000 geological map sheet 86 records no superficial deposits overlaying the site, and bedrock of the Grenoside Sandstone unit directly underlying the site. The Better Bed coal seam is recorded outcropping approximately 744m to the south of the site, trending in an east to west orientation, and published records indicate the seam has a thickness of around 0.3m. The coal seam is recorded to dip to the north east towards the site at approximately 4 degrees. In addition to the Better Bed coal seam, there are 2№ coal seam outcrops recorded in the general surrounding area, both of which are recorded to be the Lower Penistone coal seam, outcropping from approximately 872m north west and 1km north west. These coal seams are shown to dip to the north east, away from the site. There are 3№ faults recorded in the vicinity of the site, which are located from approximately 141m south west, 351m north west and 638m south east. An available BGS borehole record (ref. SE20SE15) is located from approximately 531m south west of the site and was drilled to a depth of 307.54mbgl. This found interbedded mudstone, siltstone, and sandstone. The shallowest coal seam recorded was found at approximately 216mbgl and was classified as Hard Bed Band. No other coal seams were recorded within this borehole. Other boreholes in the area have been reviewed, and these include ref. SE20SE69 located from approximately 402m north west, drilled to 171.6mbgl and ref. SE20SE3, located 370m north east, and was drilled to 84.73mbgl. These boreholes identified interbedded shale, mudstone, and sandstone. No coal seams were recorded. Furthermore, a borehole (ref.SE20SE75) located from 384m north west of the site identified a void between 3.50-4.80mbgl, however, this was found within made ground, therefore, not related with coal workings.

Mining	The site is within a coal mine reporting area therefore a coal report has been obtained from the Coal Authority, which can be found within appendix II of this report. The Coal Authority confirm that the site is not within a surface area that could be affected by any past recorded underground coal mining. However, the property is in an area where the Coal Authority believes there is coal at or close to the surface, which may have been worked at some time in the past. The property is not within an area that could be affected by present underground coal mining. The property is not in an area where the Coal Authority has received an application for, or is currently considering whether to grant a licence to remove or work coal by underground methods, nor is the site within an area where a licence has been granted to remove or otherwise work coal using underground methods. However, reserves of coal exist in the local area which could be worked at some time in the future. There are no recorded mine entries within 20m of the site. There is the potential for unrecorded mine entries to exist. The site is not affected by any past, present or future opencast mining. The Coal Authority have not received a claim for coal mine related subsidence for any property within 50m of the site since 1994. A full coal mining risk assessment has been carried out within section 4 of this report.

3.3. PREVIOUS INVESTIGATIONS

Met Engineers are not aware of any previous site investigations and no details of any have been provided.

4. COAL MINING RISK ASSESSMENT

The site is located within a coal mining reporting area but not located within a development high risk area. The following coal mining risk assessment has been undertaken.

Coal Mining Issue	Yes	No	Discussion	Risk
Underground coal mining (recorded at shallow depths)		X	The Coal Authority confirm that the site is not within a surface area that could be affected by any past recorded underground coal mining.	Negligible
Underground coal mining (probable at shallow depths)		X	Geological maps record the nearest coal seam, named the Better Bed coal seam, to outcrop approximately 744m south of the site. The site is recorded to be underlain by bedrock of the Grenoside Sandstone Unit, dipping north east towards the site by approximately 4 degrees. However, this coal seam is not expected to underly the site as this is recorded to overly the Grenoside Sandstone Unit within the stratigraphic column. The presence of the Better Bed coal seam to the south of the site is attributed to geological faults in the surrounding area. One borehole (ref. SE20SE15), located from approximately 531m south west of the site, drilled to 307.54mbgl only records one seam of coal, the Hard Head coal seam at a depth of 216mbgl, no other coal seams were recorded within this record. Other boreholes in the area have been reviewed, and these include ref. SE20SE69 located from approximately 402m north west, drilled to 171.6mbgl and ref. SE20SE3, located 370m north east, and was drilled to 84.73mbgl. These boreholes identified interbedded shale, mudstone, and sandstone. No coal seams were recorded within these boreholes, therefore it is deemed unlikely that coal will be present at shallow depths beneath the site. Based on the above, it is not anticipated that any known coal seams will underly the site at shallow depth.	Very low
Mine entries (shafts and adits)		X	There are no known mine entries or adits on site or within 20m of the site. There is the potential for unrecorded mine entries to exist, however the likelihood is considered to be low.	Low
Coal mining geology (fissures)		X	There are no coal seams or faults outcropping in close proximity to the site. The Coal Authority is not aware of any damage due to	Very low

			geological faults or other lines of weakness that have been affected by coal mining.	
Record of past mine gas emissions or potential		X	No record of mine gas made by the Coal Authority, and coal workings are not anticipated to exist beneath the site.	Very low
Recorded coal mining surface hazard		X	There are no known coal mining surface hazards within close proximity to the site, no damage notice or claim with regards to coal mining subsidence is recorded within 50m of the site boundary.	Very low
Surface mining (opencast workings)		X	There are no known surface workings within the vicinity of the site.	Very low

There are no coal seams outcropping in the general locality of the site, and from the above discussion it is unlikely that underground coal seams are present beneath the site at depths less than 30m. Therefore, the risk to the site from migration of crown holes towards the surface as a result of the collapse of unrecorded shallow coal workings is considered to be **VERY LOW.**

There are no known mine entries or adits on site or within 20m of the site. There is the potential for unrecorded mine entries to exist, however the likelihood is considered to be low. Should any unrecorded mine entries be encountered throughout the course of the development, works should immediately stop and the Coal Authority be notified.

5. CONCLUSIONS

Based on the archive of boreholes and geological records, the Grenoside Sandstone is recorded to underly the site, and borehole records in the area show interbedded sandstone, shale, and mudstone. Based on geological maps and Coal Authority information, it is not anticipated that any coal seams underly the site at shallow depths. Therefore, the site is considered unlikely to be affected by shallow depth coal mining and the risk to the site from migration of crown holes towards the surface as a result of the collapse of unrecorded shallow depth coal workings is considered to be **VERY LOW,** and no further works related to coal mining are considered to be necessary.

There are no known mine entries or adits on site or within 20m of the site. There is the potential for unrecorded mine entries to exist, however the likelihood is considered to be low. Should any unrecorded mine entries be encountered throughout the course of the development, works should immediately stop and the Coal Authority be notified.

Appendix I

Proposed Site Layout Plan

Indicative Layout Plan with Details of Access


Tarmac finish to informal access road.


Good quality artificial stone flags.


Free draining artificial stone setts; Marshalls Tegula Priora or similar.

+ 226.01 Existing ground levels.

179.00 Proposed ground levels.


New hedge and tree planting to be conditioned subject to the submission of a detailed landscaping scheme.

2.4 x 43m visibility sight line not crossing centre-line of highway.

2.4 x 30m Visibility sight line to near side channel.

Provide pipe culvert of shallow ditch within verge, subject to detailed design.

Upgrade existing field access and form 3.8m wide Private Drive aligned perpendicular to the highway for the first 10 meters with a maximum gradient of 1 in 20 to serve two dwellings. Provide 2.4 x min 43 meter visibility sight lines as shown.

Remove one poor quality poplar tree (T1) located within the highway verge and mitigate with tree and hedge landscape planting to be agreed as part of Reserved Matters application.

Re-build section of frontage dry stone wall to rear of visibility sight line.

Build up existing access in drystone walling to match.

2.4 x 43m visibility sight line to near side channel.

Hedge to rear of residential curtilage to align with Green Belt Boundary.

Boundary details to be subject to Reserved Matters Application.

22.4 meters

13.0 meters

CALLIS LANE

CASTLE LANE

Private Drive

CALLIS GATE

BRIGHT COTTAGE

INGLENOOK

C SIDDONS & SON FARM

UNIT 1 FL 226.00

UNIT 2 FL 225.30

GARAGE FL 225.60

GARAGE FL 226.10

Garden

Parking

Two storey

Single storey

1½ storey

No windows

Stone Wall

Extg tree canopy

Vegetation

Tarmac Roadedge

Field Access

Dry Stone Wall

Overgrown verge

Unsurfaced Verge

Ditch

Bright Cottage access

Ingleknook Access

North

SCALE 1:250
(when plotted at A2 paper size)

RESIDENTIAL DEVELOPMENT
LONG LANE
PENISTONE
SHEFFIELD

AS PROPOSED

SITE PLAN

mbooth design
architectural design and building consultants

Fairfield House
Berneslai Close Barnsley
S70 2FL
Tel: 07881898300
E: mark@mboothdesign.co.uk

Scale	1:250 @ A2	Drawn	MJB
Date	NOV 2023	Ref.	23.10
Dwg No.	**P1**	Rev.	**A**

0cm | 2cm | 4cm | 6cm

Rev A - 05.12.2023 Updated for planning application.

Appendix II

Coal Mining Report

The Coal Authority

CON29M
coal mining report

LAND OFF CASTLE LANE, CASTLE LANE, PENISTONE, SOUTH YORKSHIRE S36 6AH

Known or potential coal mining risks

Further action

No further reports from the Coal Authority are required. Further information on any next steps can be found in our Professional opinion.

For more information on our reports please visit www.groundstability.com

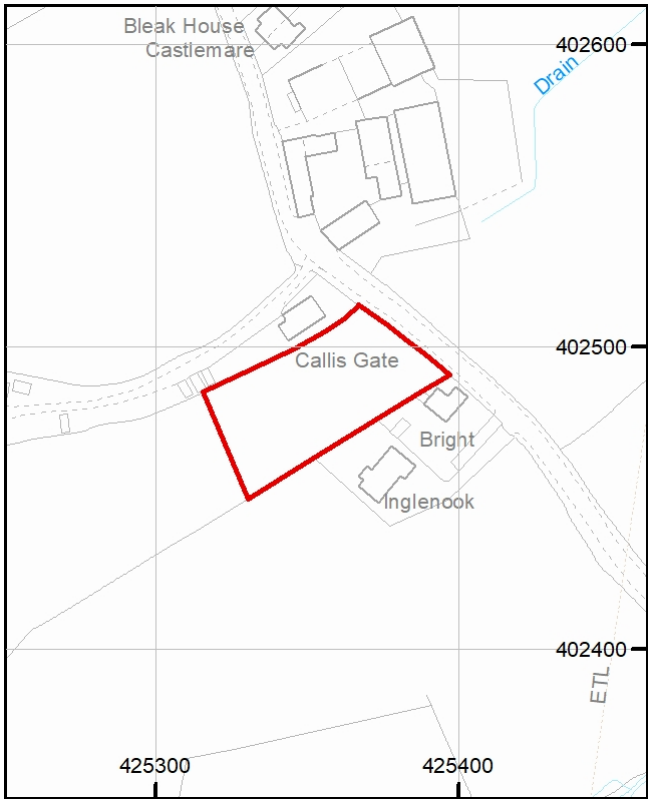
Professional opinion

According to the official mining information records held by the Coal Authority at the time of this search, evidence of, or the potential for, coal mining related features have been identified. In view of the coal mining circumstances we would recommend that any planned or future development should follow detailed technical advice before beginning work on site. Please see page 3 for further details on Future development.

Enquiry boundary

Key

Approximate position of enquiry boundary shown



We can confirm that the location is **on the coalfield**

Map data

This report is prepared in accordance with the latest Law Society's Guidance Notes 2018, the User Guide 2018 and the Coal Authority's Terms and Conditions applicable at the time the report was produced.

Accessibility

If you would like this information in an alternative format, please contact our communications team on 0345 762 6848 or email communications@coal.gov.uk.

Professional opinion

Future development

If development proposals are being considered, technical advice relating to both the investigation of coal and former coal mines and their treatment should be obtained before beginning work on site. All proposals should apply specialist engineering practice required for former mining areas. No development should be undertaken that intersects, disturbs or interferes with any coal or coal mines without first obtaining the permission of the Coal Authority.

MINE GAS: Please note, if there are no recorded instances of mine gas within the enquiry boundary, this does not mean that mine gas is not present within the vicinity. The Coal Authority Mine Gas data is limited to only those sites where a Mine Gas incident has been recorded. Developers should be aware that the investigation of coal seams, mine workings or mine entries may have the potential to generate and/or displace underground gases. Associated risks both to the development site and any neighbouring land or properties should be fully considered when undertaking any ground works. The need for effective measures to prevent gases migrating onto any land or into any properties, either during investigation or remediation work, or after development must also be assessed and properly addressed. In these instances, the Coal Authority recommends that a more detailed Gas Risk Assessment is undertaken by a competent assessor.

If you are looking to develop, or undertake works, within a coal mining development high risk area your Local Authority planning department may require a Coal Mining Risk Assessment to be undertaken by a qualified mining geologist or engineer. Should you require any additional information then please contact the Coal Authority on 0345 762 6848 or email cmra@coal.gov.uk.

Detailed findings

Information provided by the Coal Authority in this report is compiled in response to the Law Society's CON29M Coal Mining enquiries. The said enquiries are protected by copyright owned by the Law Society of 113 Chancery Lane, London WC2A 1PL.

The Coal Authority owns the copyright in this report and the information used to produce this report is protected by our database rights. All rights are reserved and unauthorised use is prohibited. If we provide a report for you, this does not mean that copyright and any other rights will pass to you. However, you can use the report for your own purposes.

1 Past underground coal mining

The property is not within a surface area that could be affected by any past recorded underground coal mining.

However the property is in an area where the Coal Authority believes there is coal at or close to the surface. This coal may have been worked at some time in the past. The potential presence of coal workings at or close to the surface should be considered, particularly prior to any site works or future development activity, as ground movement could still be a risk. Your attention is drawn to the Professional opinion sections of the report.

2 Present underground coal mining

The property is not within a surface area that could be affected by present underground mining.

3 Future underground coal mining

The property is not in an area where the Coal Authority has received an application for, and is currently considering whether to grant a licence to remove or work coal by underground methods.

The property is not in an area where a licence has been granted to remove or otherwise work coal using underground methods.

The property is not in an area likely to be affected from any planned future underground coal mining.

However, reserves of coal exist in the local area which could be worked at some time in the future.

No notices have been given, under section 46 of the Coal Mining Subsidence Act 1991, stating that the land is at risk of subsidence.

4 Mine entries

There are no recorded coal mine entries known to the Coal Authority within, or within 20 metres, of the boundary of the property.

This information is based on the information that the Coal Authority has at the time of this enquiry.

Based on the Coal Authority's knowledge of the mining circumstances at the time of this enquiry, there may be unrecorded mine entries in the local area that do not appear on Coal Authority records.

5 Coal mining geology

The Coal Authority is not aware of any damage due to geological faults or other lines of weakness that have been affected by coal mining.

6 Past opencast coal mining

The property is not within the boundary of an opencast site from which coal has been removed by opencast methods.

7 Present opencast coal mining

The property does not lie within 200 metres of the boundary of an opencast site from which coal is being removed by opencast methods.

8 Future opencast coal mining

There are no licence requests outstanding to remove coal by opencast methods within 800 metres of the boundary.

The property is not within 800 metres of the boundary of an opencast site for which a licence to remove coal by opencast methods has been granted.

9 Coal mining subsidence

The Coal Authority has not received a damage notice or claim for the subject property, or any property within 50 metres of the enquiry boundary, since 31 October 1994.

There is no current Stop Notice delaying the start of remedial works or repairs to the property.

The Coal Authority is not aware of any request having been made to carry out preventive works before coal is worked under section 33 of the Coal Mining Subsidence Act 1991.

10 Mine gas

The Coal Authority has no record of a mine gas emission requiring action.

11 Hazards related to coal mining

The property has not been subject to remedial works, by or on behalf of the Coal Authority, under its Emergency Surface Hazard Call Out procedures.

12 Withdrawal of support

The property is not in an area where a notice to withdraw support has been given.

The property is not in an area where a notice has been given under section 41 of the Coal Industry Act 1994, cancelling the entitlement to withdraw support.

13 Working facilities order

The property is not in an area where an order has been made, under the provisions of the Mines (Working Facilities and Support) Acts 1923 and 1966 or any statutory modification or amendment thereof.

14 Payments to owners of former copyhold land

The property is not in an area where a relevant notice has been published under the Coal Industry Act 1975/Coal Industry Act 1994.

Statutory cover

Coal mining subsidence

In the unlikely event of any coal mining related subsidence damage, the Coal Authority or the mine operator has a duty to take remedial action in respect of subsidence caused by the withdrawal of support from land or property in connection with lawful coal mining operations.

When the works are the responsibility of the Coal Authority, our dedicated public safety and subsidence team will manage the claim. The house or land owner ("the owner") is covered for these works under the terms of the Coal Mining Subsidence Act 1991 (as amended by the Coal Industry Act 1994). Please note, this Act does not apply where coal was worked or gotten by virtue of the grant of a gale in the Forest of Dean, or any other part of the Hundred of St. Briavels in the county of Gloucester.

If you believe your land or property is suffering from coal mining subsidence damage and you need more information on what to do next, please use the following link to our website which sets out what your rights are and what you need to consider before making a claim.
www.gov.uk/government/publications/coal-mining-subsidence-damage-notice-form

Coal mining hazards

Our public safety and subsidence team provide a 24 hour a day, 7 days a week hazard reporting service, to help protect the public from hazards caused by past coal workings, such as a mine shaft or shallow working collapse. To report any hazards please call 0800 288 4242. Further information can be found on our website: www.gov.uk/coalauthority.

Glossary

Key terms

adit - horizontal or sloped entrance to a mine

coal mining subsidence - ground movement caused by the removal of coal by underground mining

Coal Mining Subsidence Act 1991 - the Act setting out the duties of the Coal Authority to repair damage caused by coal mining subsidence

coal mining subsidence damage - damage to land, buildings or structures caused by the removal of coal by underground mining

coal seams - bed of coal of varying thickness

future opencast coal mining - a licence granted, or licence application received, by the Coal Authority to excavate coal from the surface

future underground coal mining - a licence granted, or licence application received, by the Coal Authority to excavate coal underground. Although it is unlikely, remaining coal reserves could create a possibility for future mining, which would be licensed by the Coal Authority

mine entries - collective name for shafts and adits

mine gas - reports of alleged mine gas emissions received by the Coal Authority within the enquiry boundary that subsequently required investigation and action by the Coal Authority to mitigate the effects of the mine gas emission. Please note, if there are no recorded instances of mine gas reported, this does not mean that mine gas is not present within the vicinity. The Coal Authority Mine Gas data is limited to only those sites where a Mine Gas incident has been recorded

payments to owners of former copyhold land - historically, copyhold land gave rights to coal to the copyholder. Legislation was set up to allow others to work this coal, but they had to issue a notice and pay compensation if a copyholder came forward

shaft - vertical entry into a mine

site investigation - investigations of coal mining risks carried out with the Coal Authority's permission

stop notice - a delay to repairs because further coal mining subsidence damage may occur and it would be unwise to carry out permanent repairs

subsidence claim - a formal notice of subsidence damage to the Coal Authority since it was established on 31 October 1994

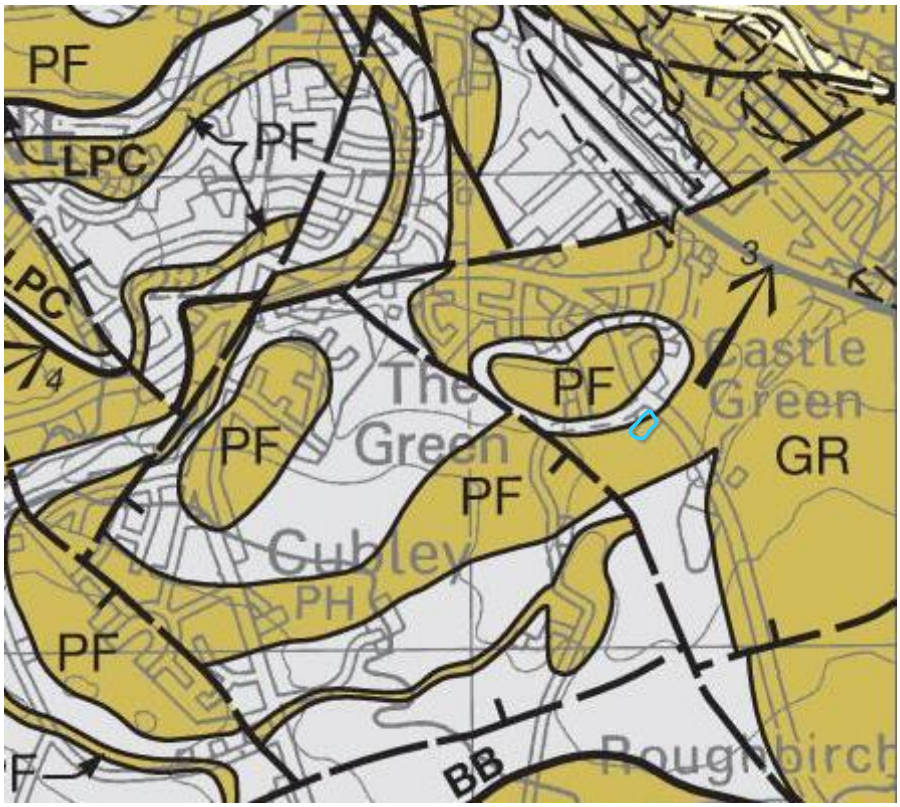
withdrawal of support - a historic notice informing landowners that the coal beneath their property was going to be worked

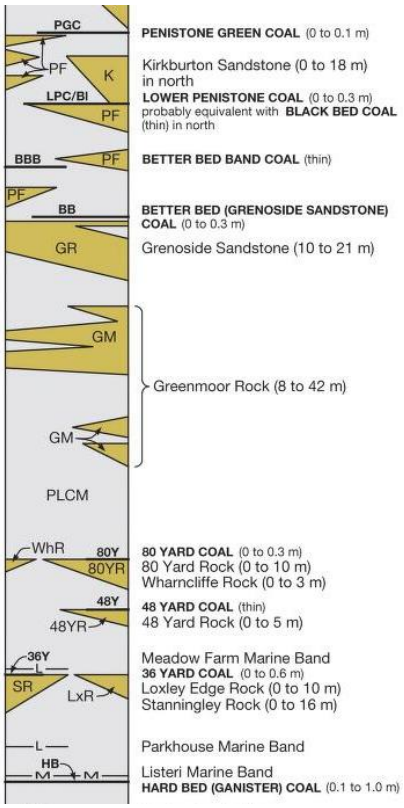
working facilities orders - a court order which gave permission, restricted or prevented coal mine workings

Appendix III

BGS Map Extracts

Source: BGS 1:50,000 series England and Wales 2012, sheet 86 – Sheffield





= Approximate site location