



The Coal  
Authority



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For the Attention of: Ms Z Baxter – Case Officer  
Carmarthenshire County Council

**[By Email: [planningconsultations@carmarthenshire.gov.uk](mailto:planningconsultations@carmarthenshire.gov.uk)]**

18 July 2022

Dear Ms Baxter

**PLANNING APPLICATION: PL/04082**

**Residential Development of 150 dwellings along with associated landscaping and infrastructure; Land East of Dafen, Llanelli, SA14 8NS**

Thank you for your notification of 27 June 2022 seeking the views of the Coal Authority on the above planning application.

The Coal Authority is a non-departmental public body sponsored by the Department of Business, Energy & Industrial Strategy. 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 proposals and confirm that parts of the application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.

The Coal Authority records indicate that within the southern half of the site there is both recorded and probable unrecorded shallow coal mining. In addition, within or within 20m of the site boundary there are seven recorded mine entries (two mine shafts and five mine adits). The Coal Authority hold no treatment details for these mine entries and due to the historic source plans to plot their current position, this could vary by several metres. The Coal Authority is of the opinion that building over the top of, or in close proximity to, mine entries should be avoided wherever possible, even after they have been capped, in line with our adopted policy:

<https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries> These coal mining features could affect the safety and stability for the redevelopment of this site.

The planning application is accompanied by a Site Investigation Report (12391/JJ/21/SI, February 2021) prepared for the application site by Intégral Géotechnique (Wales) Limited. The Report has been informed by Coal Mining Risk Assessment, 12391/LP/19/CMRA), dated March 2019 including the results of intrusive ground investigations. It should be noted that the Coal Authority have not had access to the Coal Mining Risk Assessment.

Based on the findings of the ground investigation works, the Report has divided the site into 'zones' and identified remedial and / or mitigation measures for each respective zone. These specific areas are illustrated on Figure 5 of the Report.

### Shallow underground coal workings

#### Zone A

It has been identified that there is evidence of coal workings beneath Zone A, (approximately 24m depth below ground level with a seam thickness of c.1.5m). Based on the thickness of rock cover, Section 11.1 identifies there is adequate rock cover present within the majority of this area, however within the northern part, plot specific proof drilling is required. This will inform the extent of any remedial measures (ground stabilisation works) required. We note that specific foundation design will be required for **all** plots within this zone.

#### Zone B

No evidence of coal seams or workings were encountered however in order to mitigate any potential risks, it has been recommended that shallow reinforced concrete foundations are adopted for **all** plots situated within this Zone. In addition recommendations have been made that a watching brief be maintained by all site operatives during ground excavations, for any unrecorded shallow coal workings that may outcrop at or close to the surface of the site. Should any suspected ground

anomalies be found, all works should cease and reported to a geotechnical engineer in order that a full assessment can be made. The Coal Authority will need to be notified if these are relative to coal.

#### Zone C

Section 11.1.3 informs that no evidence of recorded mine workings at shallow depths were found, and where any unrecorded workings are likely to be present, there will be sufficiently deep to not pose a risk to the proposed development. Accordingly, no specific mining relation mitigation measures are considered necessary within this area.

#### Zone D

It is noted that this area falls outside the application site area which has been acknowledged by the report author. However it has been highlighted that in the event that development takes place within this area, intrusive ground investigations are required in order to further assess and mitigate any risk from former coal mining activity.

#### Recorded Mine Entries

#### Zone A

The Coal Authority records indicate the presence of a mine entry (CA shaft ref: 253201-043 within this area. Following intrusive ground investigations, which Section 11.3 informs that this included a site strip to virgin ground within a large potential departure distance from the Coal Authority's current plotted position, no evidence of the mine entry was found. Figure 4 illustrates the area where these site investigations have taken place and photographic evidence has been provided of the subsoil strip for this shaft (Appendix H). As no evidence of the recorded mine entry was encountered, we are pleased to note that a watching brief has also been recommended for this area, in order that as part of any ground excavation works, all site operators remain vigilant for the presence of the mine entry. In the event that the mine entry is located, all works should cease, the area made safe and professional assessment is carried out. The layout to the development may need to be amended in order to ensure that the layout accords with our adopted policy in relation to new development and mine entries available at: <https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

#### Zone B

Section 11.2 informs that evidence of four recorded mine adits, have been located within this part of the site however the condition of these mining features is yet to be

confirmed. Recommendations have therefore been made that further site investigation of these features are required and treatment is likely to be required. Whilst it would appear that no buildings are proposed over and / or within influencing distance of these mine entries, we consider it prudent that these mining features are illustrated on the Proposed Site Layout plan in order that adequate separation between building and the zone of influence is maintained. We note that these areas have been illustrated on Figure 3: Proposed Development Layout Plan, however this is not the layout being considered as part of this proposal (Drawing No. PL01 Revision C – Planning Layout).

The Report informs the two off-site mine adits (CA ref 253201-060 and 253201-012 have not been considered due their location in relation to the proposed development area (they are recorded to be situated >20m to the north of the site boundary). We note the professional opinion of the report author on this matter.

#### 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.

#### Sustainable Drainage

It should be noted 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

In light of the above, the Coal Authority recommends the imposition of the following conditions:

1. No development shall commence within Zone A and B until;

- a) a scheme of further intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity (proof drilling works; condition of the mine adits, and;
- b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

2. 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 is, or 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 the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

*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.

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

Yours sincerely

**Deb Roberts** M.Sc. MRTPI  
**Planning & Development Manager**

#### General Information for the Applicant

Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of The Coal Authority, since such activities can have serious public health and safety

implications. Failure to obtain permission will result in trespass, with the potential for court action. In the event that you are proposing to undertake such work in the Forest of Dean local authority area our permission may not be required; it is recommended that you check with us prior to commencing any works. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at:

<https://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property>

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at: <https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

#### Disclaimer

The above consultation response is provided by The Coal Authority as a Statutory Consultee and is based upon the latest available data on the date of the response, and electronic consultation records held by The Coal Authority since 1 April 2013. The comments made are also based upon only the information provided to The Coal Authority by the Local Planning Authority and/or has been published on the Council's website for consultation purposes 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 advisers for this development in relation to ground conditions and the acceptability of development.*