

# **Pembrokeshire Coast National Park Authority**

## **Pembrokeshire Coast National Park Local Development Plan 2**

### **Land Instability – former Coal Workings**

#### **Supplementary Planning Guidance**

Consultation Date: 15<sup>th</sup> September 2021

Adoption Date:

This item is also available in Welsh / Mae'r eitem hon ar gael yn Gymraeg hefyd

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## **1. Introduction**

- 1.1 This Supplementary Planning Guidance (SPG) provides information on land instability in relation to former coal workings in the National Park. This SPG is aimed at helping planning applicants to consider the potential for such land instability at an early part of the planning process. Paragraph 4.139 of the Local Development Plan 2 identifies the Authority's commitment to provide Supplementary Planning Guidance on land instability as a result of former coal working.
- 1.2 Land instability can be both natural and man made. Man made land instability can be caused through excavation or mining processes for example. Land instability from natural processes and from mining operations other than coal, for example zinc or copper mining do not fall within this SPG. Further information about other types of mine operations can be obtained from the British Geological Survey.

## **2. National and Local Planning Policy**

- 2.1 Mineral Technical Advice Note 2: Coal (January 2009) requires planning authorities to show areas of past, present or possible future coal mining in the Local Development Plan. These may be surface, shallow or deep coal workings. There is no present coal working within the National Park and no known areas for possible future working. Known areas of past working are currently limited to former shallow coal workings (i.e. up to 30 metres in depth). Workings up to 30 metres in depth are most likely to be associated with surface land instability.
- 2.2 Planning Policy Wales (Edition 11, February 2021) confirms that the responsibility for determining the extent and effects of unstable ground remain that of the developer (6.9.25), and that the responsibility and subsequent liability for safe development and secure occupancy of the site rests with the developer and/or landowner (6.9.28).
- 2.3 Section 6.9 of Planning Policy Wales Edition 11, February 2021 deals with a de-risking approach to unlocking the potential of places, including the transformation or regeneration of an area as a key part of achieving sustainable places. Paragraph 6.9.2 states that a key principle for planning is that surface and sub-surface risks are understood and can be effectively communicated to both developers so as to inform investment decisions, and the public who may have concerns regarding constraints on the land. Paragraph 6.9.11 makes it clear that the responsibility for determining the extent and effects of such constraints remains that of the developer.

## **3. Background and Context - Former Coal Working**

- 3.1 The Pembrokeshire (Daugleddau) coalfield is predominantly in a band of some two to six miles wide from the Tenby to Telpyn Point coast in the east, to the Little Haven to Haroldston coast in the west. There is also a coastal section between Nolton Haven and Newgale. The extent of the coalfield as it occurs within Pembrokeshire is shown at Map 1 attached to this SPG.

- 3.2 Coal has been extracted in the past by a variety of deep and shallow mining methods. There has been working for many centuries on a small scale with a number of deep mines in the early part of the 20<sup>th</sup> century, but since the 1940s interest in the Pembrokeshire coalfield has generally waned, although some mining has taken place since then under special licence.
- 3.3 Whilst the extent of the coalfield is known the old mining records relating to the period of and extent of coal workings are incomplete. There will be occasions when old workings, for example bell pits, come to light in places where there are no longer any obvious signs on the surface of past disturbance.
- 3.4 Abandoned coal workings have been required to be deposited under the Coal Mine Regulations of 1872, which have been transferred to the custodianship of the Coal Authority since 1994. Prior to 1872, many workings had been abandoned and no records deposited, and the knowledge about those workings has been lost.
- 3.5 In addition, earlier mine plans may not have been as accurate as more modern plans, and in some cases show that workings exist rather than their exact location.

#### **4. The Role of the Coal Authority**

- 4.1 The Coal Authority is a statutory consultee for development within the defined coal mining areas<sup>1</sup> and has introduced an approach which refines the defined coalfield areas into areas of higher risk (Development High Risk Area) and lower risk (Development Low Risk Area). Maps of these areas within the Pembrokeshire Coast National Park are appended at Maps 2 to 4. The National Park Authority can confirm whether a proposal will sit within an area of higher or lower risk.

#### **5. Development High Risk Areas**

- 5.1 The Coal Mining Development High Risk Areas contain a range of specific mining legacy risks to the surface, including: mine entries; shallow coal workings (recorded and probable); workable coal seam outcrops; mine gas sites and areas; recorded coal mining related hazards; fissures and previous surface mining records.
- 5.2 If the development proposal lies within a Coal Mining Development High Risk Area, the National Park Authority has a duty to consider ground stability issues when determining planning applications.
- 5.3 In these areas a Coal Mining Risk Assessment Report will be required and should set out the position in relation to former mining activities and assess the risks from coal mining activities on the proposed development. There may be a need for appropriate mitigation measures to ensure that there will be no future ground instability and public safety issues arising from the development. The Report must be prepared by a suitably qualified person. The Coal Authority will be consulted on non-householder applications within the Coal Mining Development High Risk Area. The Coal Mining Risk Assessment should form part of the information available to the Coal Authority.

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<sup>1</sup> Article 10(j) of the GDPO 1995 (as amended).

**Key principle:** If the development proposal is within a Development High Risk Area and would intersect the ground, a **Coal Mining Risk Assessment** should be submitted with the planning application, except for householder applicants<sup>2</sup>. For Environmental Impact Assessment related development the Coal Mining Risk Assessment can form part of the Environmental Statement.

## 6. Development Low Risk Area

- 6.1 Within the rest of the defined coalfield area past coal mining activity has also taken place. However this activity was at depth, with no recorded surface hazards, and therefore poses a lower risk to development proposals. Unrecorded mining hazards might still exist within the Development Low Risk Area however.
- 6.2 The Coal Authority will not be consulted on Householder applications, and decisions issues in respect of permissions granted within the Standing Advice area, will include the standing advice of the Coal Authority.
- 6.3 The flow chart on page 5 indicates the procedure for development within the coal referral and standing advice areas, and for householder applications.

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<sup>2</sup> Householder applications will not need to provide a Coal Mining Risk Assessment as land instability from former coal workings will be considered under the building regulation process.

## 7. Useful Contacts

- 7.1 As mentioned above the National Park Authority can confirm whether a site sits within an area of higher or lower risk.
- 7.2 The Coal Authority has put together advice about Coal Mining Risk Assessments, including what they should cover and where to obtain one. This and other useful advice can be obtained from the Coal Authority at the contact point given below or via the Coal Authority web site.

### Contact points

*For further information regarding this guidance please contact*  
Park Direction  
Pembrokeshire Coast National Park Authority,  
Llanion Park,  
Pembroke Dock.  
SA72 6DY.

Tel 01646 624800  
[DevPlans@pembrokeshirecoast.org.uk](mailto:DevPlans@pembrokeshirecoast.org.uk)

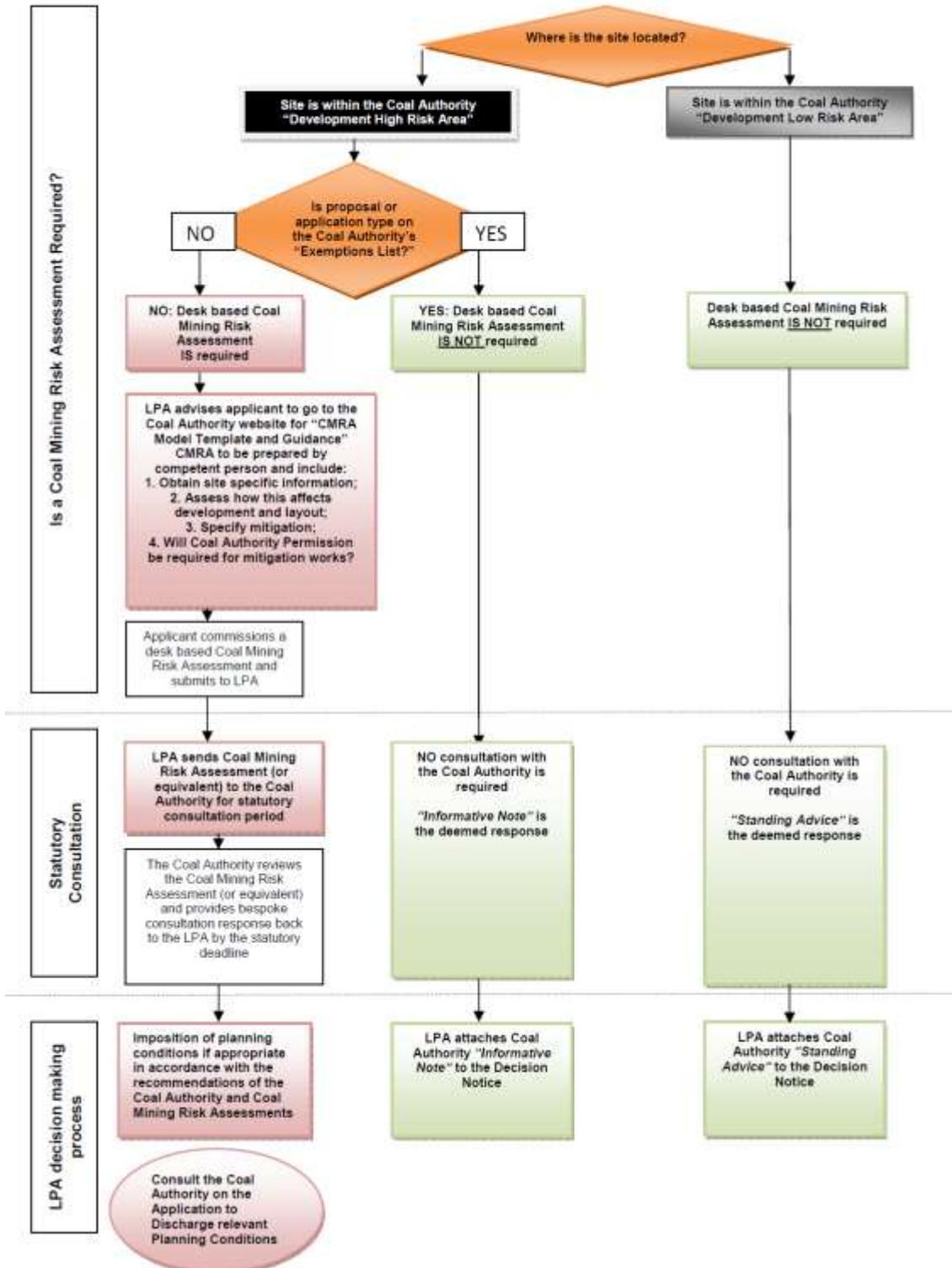
*For advice on making a planning application please contact*  
The Development Management Team  
Pembrokeshire Coast National Park Authority,  
Llanion Park,  
Pembroke Dock.  
SA72 6DY.

Tel. 01646 624800  
[DC@pembrokeshirecoast.org.uk](mailto:DC@pembrokeshirecoast.org.uk)

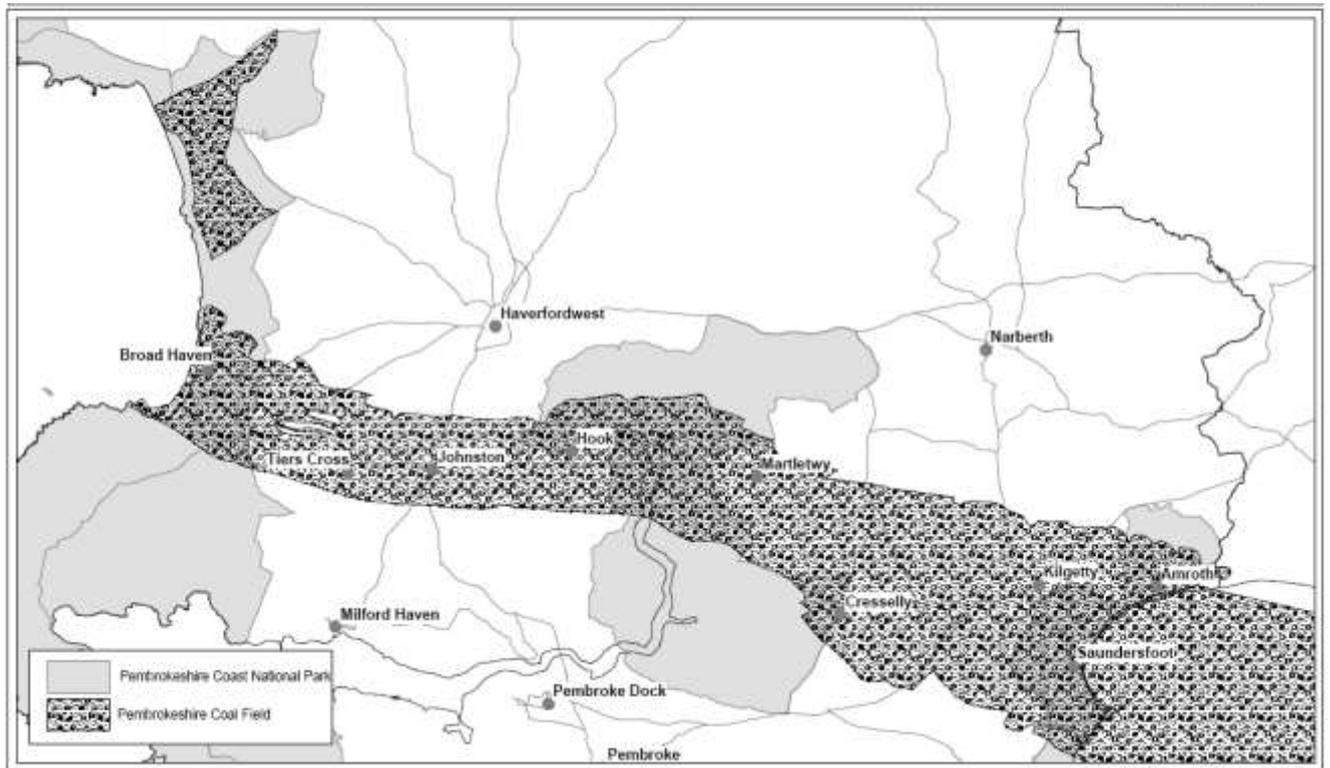
*For advice from the Coal Authority please contact*  
The Coal Authority  
200 Lichfield Lane  
Mansfield  
Nottinghamshire  
NG18 4RG

Planning Contact tel: 01623 637 119  
[planningconsultation@coal.gov.uk](mailto:planningconsultation@coal.gov.uk)

### DEVELOPMENT PROPOSALS IN COALFIELD AREAS



# Map 1: The Daugleddau Coal Field



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Not to scale

## Former Coal Mining Areas Maps

### KEY



#### Development High Risk Areas

An area defined by the Coal Authority as containing a range of specific legacy risks to the surface



#### Development Low Risk Areas

A coal mining area in which unrecorded mining hazards may still exist



#### Neighbouring Planning Authority Area

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The following areas of former coal working areas are defined using the best available information provided by the Coal Authority. They are not necessarily exhaustive and the responsibility remains with the developer to ensure that the extent and effects of land instability are properly accounted for.<sup>3</sup>

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<sup>3</sup> Maps have been updated to reflect current GIS data available from The Coal Authority last accessed 28<sup>th</sup> July 2021

Map 2 : The Daugleddau Area

