The Coal Authority

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RTPI Learning Partner

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For the Attention of: Anne Arkle – Case Officer
Amber Valley Borough Council

**[By Email: development@ambervalley.gov.uk]**

27th March 2023

Dear Ms Arkle

PLANNING APPLICATION: AVA/2023/0158

**Conversion of an agricultural barn (including construction of new walls) for use as a dog day care facility, and change of use of agricultural field for use as dog exercise area; Park Farm, Aldercar Lane, Langley Mill, Derbyshire, NG16 4HJ**

Thank you for your consultation notification of 14 March 2023 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 for Energy Security and Net Zero. 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 site location plans and the proposals and supporting information submitted and available to view on the LPA website and can confirm that the site falls within the defined Development High Risk Area.

The Coal Authority records that the site is in an area of likely historic unrecorded coal workings at shallow depth. If shallow coal workings are present then these pose a potential risk to surface stability and public safety.

Our records also show that the application area lies within the boundary of a site from which coal has been removed by surface mining methods.

As you will be aware, the Coal Authority's general approach in cases v development is proposed within the Development High Risk Area is to recommend that the applicant obtains coal mining information for the application site and submits a Coal Mining Risk Assessment to support the planning application.

However, we note that within the Planning Statement that the conversion of the agricultural barn for use as a dog day care facility will include new walls to be built off the existing concrete slab and that no excavations are required as part of the proposal. Therefore, it does not appear that substantial foundations or earthworks are required to facilitate this development. We also acknowledge the change of use of agricultural field for use as dog exercise area, however this type of development would fall on our published exemptions list.

On basis of the information above, we do not consider that requiring a Coal Mining Risk Assessment would be proportionate to the nature of the development proposed in this particular case and **do not object** to this planning application.

However, the Coal Authority does recommend that, should planning permission be granted for this proposal, the following wording is included as an Informative Note on any planning permission granted:

**Informative Note**

*The proposed development lies within an area that has been defined by the Coa Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.*

*Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.*

***If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0800 288 4242. Further information is available on the Coal Authority website at:***
***www.gov.uk/government/organisations/the-coal-authority***

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

Yours sincerely,

[redacted]

**Peter Woodcock** | BSc (Hons)
**Trainee Planning Manager**

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.