The Coal Authority

INVESTOR IN PEOPLE

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For the Attention of: Ms H. Wynne – Case Officer
Amber Valley Borough Council

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

27 June 2023

Dear Ms Wynne

PLANNING APPLICATION: AVA/2023/0370

Replacement stables and proposed poultry shed (this may affect the setting of a Conservation Area) at Land Off Station Road, Station Road, Codnor Park, Ironville, Derbyshire

Thank you for your consultation letter of 15 June 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: Fundamental Concern

I have reviewed the site location plan, the proposals and the supporting information submitted and available to view on the LPA website. I can confirm that the application site falls within the defined Development High Risk Area.

The Coal Authority records indicate that the site lies in an area where coal mining has taken place at shallow depth and where further historic unrecorded shallow coal mining is likely to have occurred. Voids and broken ground associated with such workings can pose a risk of ground instability and may give rise to the emission of mine gases.

In addition, our records indicate that mine shaft 443351-026 is present within the southern half of the application site. We hold no details of any past treatment of the shaft. Whilst an untreated or inadequately treated mine entry and its resultant zone of influence

pose a significant risk not only to surface stability but also public safety, we acknowledge in this instance that the potential zone of influence of the shaft will not extend to that part of the site where development is currently proposed.

In accordance with the agreed risk-based approach to development management in the defined Development High Risk Areas, the applicant should be informed that they need to submit a Coal Mining Risk Assessment to support this planning application. As no relevant information has been submitted at this time the Coal Authority objects to this planning application.

We would be pleased to receive for further consultation and comment any additional information submitted by the applicant.

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

Yours sincerely



James Smith *BSc. (Hons), Dip.URP, MRTPI*
Planning and Development Manager

General Information for the Applicant

The Coal Mining Risk Assessment needs to interpret the coal mining risks and should be based on up-to-date information of past coal mining activities in relation to the application site. A variety of Coal Mining Report products which provide baseline information on coal mining legacy risks are available from www.groundstability.com. A Coal Mining Risk Assessment should then take the information contained in the Coal Mining Report and interpret the risks identified specifically in relation to the proposed development. If you merely submit a Non Residential Coal Mining Report, an Enviro All-in-One Report or other factual report obtained from www.groundstability.com (or a similar product from private land search suppliers) this will not overcome our objection to your planning application.

This coal mining information you obtain from a Non-Residential Coal Mining Report, an Enviro-All-in-One Report or other factual report should then be used to assess whether or not past mining activity poses any risk to the development proposal and, where necessary, propose mitigation measures to address any issues of land instability. This could include further intrusive investigation on site to ensure that the Local Planning Authority has sufficient information to determine the planning application.

The Coal Mining Risk Assessment should be prepared by a "competent body". Links to the relevant professional institutions of competent bodies and guidance on how to produce a Coal Mining Risk Assessment can be found at:

www.gov.uk/planning-applications-coal-mining-risk-assessments

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. Application forms for Coal Authority permission and further guidance can be obtained from the Coal Authority's website at:
www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property

Disclaimer

The above consultation response is provided by the Coal Authority as a Statutory Consultee and is based upon the latest available coal mining 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.