The Coal Authority

INVESTOR IN PEOPLE

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

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

21st August 2023

Dear Ms Arkle

PLANNING APPLICATION: AVA/2023/0558

Construction of single storey bungalow ancillary to Waterside Stables to house stable manager for 24 hour management; Waterside Stables Waterside, Derby Road, Swanwick, Alfreton, Derbyshire

Thank you for your consultation notification of 01 August 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: **Substantive Concern**

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

The Coal Authority records indicate that parts of the site lie in areas of probat unrecorded underground coal mine workings at shallow depth. If shallow workings are present then those may pose a potential risk to surface stability and public safety.

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

We note that this application is accompanied by a Coal Mining Risk Assessment report prepared by Midland Surveying & Engineering Ltd, dated 27th June 2018; however, we do not consider that this adequately addresses the impact of coal mining legacy on the proposed development and we therefore **object** to the proposal.

Whilst the Coal Authority notes the professional opinions expressed in the Coal Mining Risk Assessment, and acknowledge the report was produced to inform a development proposal for the conversion of a stable block to a dwelling reflected in application reference AVA/2018/0568. We must highlight that the report refers to a proposed dwelling on land to the west of the current applications site and clearly does not relate to the location of development currently proposed.

In light of the above and 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 Report to support the current planning application proposal. This assessment should be prepared by a suitably qualified person. Without such a risk assessment, the Coal Authority does not consider that the LPA has sufficient information to determine this planning application.

The Coal Authority would be very 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,

[redacted]

Peter Woodcock | BSc (Hons)
Assistant Planning and Development Manager

<u>Disclaimer</u>

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 Coa 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.