The Coal Authority

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For the Attention of: Heather Wynne – Case Officer
Amber Valley Borough Council

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

12th October 2023

Dear Ms Wynne

PLANNING APPLICATION: AVA/2023/0397

Proposed single storey timber stable block, car port and garages in replace of existing timber structure; Field Farm Stables, The Field, Shipley, He Derbyshire, DE75 7JH

Thank you for your consultation notification of 02 October 2023 seeking the views of The Coal Authority on the above planning application.

The Coal Authority Response: **Fundamental 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 the site falls within the defined Development High Risk Area and that a Coal Mining Assessment is required to be submitted to support this application.

Our records also show that the area of the site where built development is proposed lies within the boundary of a wider site from which coal has been removed by surface mining methods. Where such mining has taken place general settlement of backfill and differential settlement over / in the vicinity of buried opencast highwalls ca occur, which in turn can result in damage to buildings and structures.

Our records also show that the eastern portion site is in an area of likely historic unrecorded coal workings at shallow depth. If shallow coal workings are present then

these may pose a potential risk to surface stability and public safety. We must also draw attention to mine shaft reference 444344-015 located near the existing access to the site on The Field road, however we acknowledge that this feature is a significant distance from the proposed development.

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 this planning application. As no relevant information has been submitted at this time the Coal Authority **objects** to this planning application.

Please draw the applicants attention to the fact that the Coal Mining Risk Assessment needs to interpret and assess the coal mining risks present and should be based on up-to-date information on the recorded coal mining features on site. If the applicant merely submits 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 the planning application.

We take this opportunity to highlight that the Coal Authority considers that development should be sited in a manner that avoids buried opencast highwalls wherever possible. Whilst such features are often shown on Mine Abandonment Plans, it may be necessary for the applicant to undertake an initial phase of intrusive investigations in order to establish whether any such features are present within the application site. The results of these investigations should then be incorporated into the required Coal Mining Risk Assessment in order to demonstrate that the detailed development proposals have been suitably informed by the presence of any buried highwalls present.

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

General Information for the Applicant

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.

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 plan 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 which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority since these activities can have serious public health and safety implications. 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 gro stability purposes. Failure to obtain permission to enter or disturb our property will result in the potential for court action. Application forms for Coal Authorit 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.

Any form of development over or within the influencing distance of a mine entry can be dangerous and has the potential for significant risks if not undertaken appropriately. For more information with regard to this issue, the Coal Authority's adopted policy, Development and Mine Entries, can be found here:
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.