The Coal Authority

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For the attention of: Rebecca Godson – Case Officer
Amber Valley Borough Council

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

4 June 2026

Dear Rebecca

Re: AVA/2026/0316

Demolition of a shed and the erection of a new build dwelling; 25 Lower Gladstone Street, Heanor, Derbyshire, DE75 7PT

Thank you for your notification of 20 May 2026 seeking the views of the Coal Authority on the above.

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**

The application site falls within the defined Development High Risk Area.

The Coal Authority records indicate that within the application site and surrounding area there are coal mining features and hazards, which need to be considered in relation to the determination of this planning application, specifically probable shallow coal workings.

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.

The Coal Authority notes the Coal Mining Risk Assessment (16 December 2025, prepared by Arbtech Ltd), which accompanies this planning application. However, the assessment of the risks posed by coal mining legacy are not considered to be adequate to the Coal Authority, specifically in regard to the risks posed by potentially unrecorded shallow coal mine workings.

Commentary within the report confirms a low risk from underground coal mining (probable at shallow depths). However, no comprehensive reasoning appears to be provided as to why that is considered to be the case, other than reference to surrounding development showing no signs of structural compromise. Whilst the report does propose robust foundations, the Coal Authority considers that no justification can be given for any recommended foundation solutions without a full knowledge of ground conditions beneath the site.

The Coal Authority therefore **objects** to this planning application.

The Coal Authority Recommendation to the LPA

The information submitted fails to fully assess the risks posed by potential historic unrecorded shallow underground coal workings.

The applicant should assess whether or not past mining activity poses any risk to their development proposal and, where necessary, propose appropriate remedial measures to address land instability issues. This could include further appropriate intrusive site investigation to ensure that the LPA has sufficient information to determine the planning application.

The Coal Authority would be very pleased to receive for further consultation and comment any additional information prepared and submitted by the applicant.

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

Yours sincerely

Chris MacArthur

Chris MacArthur B.Sc. (Hons), DipTP, MRTPI
Planning Liaison Manager

General Information for the Applicant

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. In the event that you are proposing to undertake such work in the Forest of Dean local authority area our permission may not be required; it is recommended that you check with us prior to commencing any works. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at:
https://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.



Making a **better future** for people
and the environment **in mining areas**