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For the attention of: Carol Grant – Case Officer
Amber Valley Borough Council

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

11 September 2026

Dear Carol

Re: Planning application AVA/2026/0476

Variation of condition of 2, 3, 4, 5, 6 and 8 of AVA/2024/0153 to reflect the actual as-built position of the dwelling and satisfy conditions at 504 Cromford Road, Langley Mill, Derbyshire, NG16 4HE

Thank you for your notification of 4 September 2026 seeking the views of the Coal Authority (trading as the Mining Remediation 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

The application site falls partly within the defined Development High Risk Area. Our information indicates that a coal seam is conjectured to outcrop to the east of the site, dipping in a westerly direction beneath the site, which may have been worked in the past. Such workings can pose a risk to ground stability and public safety.

In cognisance of the conclusions and recommendations contained within the applicant's supporting Coal Mining Risk Assessment (4 November 2020, prepared by Midland Surveying & Engineering Ltd), the Coal Authority's Planning & Development Team raised no

objection to planning application AVA/2024/0153, to which the current application relates. This was subject to the inclusion of relevant planning conditions on any permission granted. We are pleased to note that our recommendation is reflected in Conditions 3 and 4 of the issued consent, which state:

3. *No development shall commence (excluding the demolition of existing structures) until;*
   a) *a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past coal mining activity; and*
   b) *any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.*

   The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

4. *Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.*

We note that the applicant has now applied to vary conditions attached to permission AVA/2024/0153 to regularise the development carried out on site and to address the requirements of certain conditions, including coal mining legacy related Conditions 3 and 4. We understand that the applicant has submitted information prepared by technical consultant EMCUS to address these conditions, including a letter dated 12 May 2025 from Marcus Handford, Technical Director at EMCUS.

Mr Handford indicates that following a review of the content and recommendations of the original CMRA, EMCUS inspected foundation trenches excavated at the site for evidence of coal mining legacy features. Mr Handford indicates that the inspection did not Identify any evidence of the potential working of coal and concludes that '*From a review of the provided CMRA and trench observations on 29th April 2025, it is considered that coal mining legacy will not pose a significant ground stability risk to the proposed development*.' No recommendations are made for the need to undertake any further works in this regard.

In consideration of the information submitted and the professional opinions contained therein, the Coal Authority's Planning & Development Team would consider the requirements of Conditions 3 and 4 of planning permission AVA/2024/0153 to have been adequately addressed, in terms of coal mining legacy related land stability matters, and we wish to raise **no objection** to this application.

If you would like to discuss this matter further, please contact me on the above number.

Yours sincerely

James Smith

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

Disclaimer

The above consultation response is provided by the Coal Authority as a statutory consultee and is based upon the latest available data and the electronic consultation records held by the Coal Authority since 1 April 2013. The comments made are also based on the information provided to the Coal Authority by the Local Planning Authority and/or information that has been published on the Council's website for consultation purposed 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 advisors for this development in relation to ground conditions and the acceptability of development.