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For the attention of: Laura Anthony – Case Officer
Amber Valley Borough Council

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

6th October 2026

Dear Ms Anthony

Re: Planning application AVA/2026/0386

Demolition of existing agricultural building and proposed construction of 5 bedroom detached house with detached double garage, access, parking area and garden as a self build. (may affect the setting of a listed building) at Land at Yew Tree Cottage Farm, Upper Hartshay, Heage, Belper, Derbyshire, DE56 2HW

Thank you for your notification of 2 October 2026 seeking the views of the Coal Authority (trading as the Mining Remediation 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**

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 underground 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 may pose a risk to ground stability and public safety.

The applicant has submitted some coal mining information to accompany their planning application, in the form of a CON29M Residential Mining Report (incorrectly labelled as a Coal Mining Risk Assessment on the LPA website). However, this is a factual report only and this information does not provide any assessment of the potential risks posed to the development proposal by past coal mining activity. The Coal Authority's Planning & Development Team therefore **OBJECTS** to this application.

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. 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 application. Further information on planning applications and Coal Mining Risk Assessments can be found via the link below: https://www.gov.uk/guidance/planning-applications-coal-mining-risk-assessments

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

Bradley Shelton

Bradley Shelton

Apprentice Town Planner

General Information for the Applicant

The coal mining information obtained from a Non-Residential Coal Mining Report, an Enviro-All-in-One Report or other factual report should 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.

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 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.