



The Coal
Authority



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Learning Partner

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For the Attention of: Mr Tom Beardsmore – Case Officer
South Derbyshire District Council

[By Email: planning@south-derbys.gov.uk]

9 October 2019

Dear Mr Beardsmore

PLANNING APPLICATION: DMPA/2019/1051

The removal of condition no. 3 of permission ref. 9/2019/0029 (relating to the erection of a detached dwelling) at 6 Millfield Street, Woodville, Swadlincote, DE11 7DB at 6 Millfield Street, Woodville, Swadlincote, Derbyshire, DE11 7DB

Thank you for your consultation letter of 30 September 2019 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 of Business, Energy & Industrial Strategy. 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 within the defined Development High Risk Area. The Coal Authority's information suggests that unrecorded coal mining is likely to have taken place beneath the site at shallow depth.

As you are aware, Condition 3 of planning permission 9/2019/0029 requires the investigation and, if necessary, the remediation of coal mining legacy at the site. The condition reflects the recommendations of the Coal Mining Risk Assessment report prepared by Geoinvestigate Ltd which was submitted in support of the original planning application.

We note that the current application seeks to remove Condition 3. The application is supported by a further Coal Mining Risk Assessment report, this time prepared by GRM Development Solutions (dated 12 August 2019). The revised report reviews the original

CMRA along with further sources of coal mining and geological information, and the results of intrusive investigations carried out in the locality.

Based on this enhanced risk assessment, the report author is satisfied that that sufficient rock cover exists over any potentially worked coal seams to ensure stability at the application site and, as such, any such workings pose only a negligible risk. On this basis, the report does not consider it necessary to recommend any intrusive investigations in this regard.

In light of the content and conclusions of the revised CMRA, the Coal Authority has no objection to this application to remove Condition 3.

The Coal Authority welcomes the precautionary measures set out within Section 5.0 of the Coal Mining Risk Assessment Report which are recommended in order to mitigate the risk posed by any unrecorded mine entries which may present within the application site. Should any previously unrecorded mine entry be encountered during development, appropriate treatment will be required.

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

Yours sincerely



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

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.

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.