



The Coal
Authority



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RTPI
Learning Partner

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For the Attention of: Katie Moriarty – Case Officer
South Derbyshire District Council

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

22 August 2019

Dear Ms Moriarty

APPLICATION: DMOT/2019/0898

Application for approval of details required by conditions 4, 5, 6, 7 and 8 of outline permission ref. 9/2016/0137 for the erection of 2 no. dwellings at Drum and Monkey, Castle Road, Castle Gresley, Swadlincote, Derbyshire, DE11 9LH

Thank you for your consultation letter of 9 August 2019 seeking the views of the Coal Authority on the above application.

The Coal Authority Response:

The Coal Authority's particular interest in this instance lies with Condition 4 of planning permission 9/2016/0137 which states:

"No development shall commence on the site until a scheme of intrusive site investigation has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in full and a report of the findings arising from the intrusive site investigations, along with proposed remedial measures (if any), shall be submitted to and approved in writing by the Local Planning Authority prior to any works of construction commencing. The approved remedial measures shall be implemented prior to the commencement of development."

Whilst we have been unable to fully access the document, it would appear from the LPA website that the applicant has submitted their original Coal Mining Risk Assessment prepared by Wardell Armstrong in support of their discharge of condition application. It does not appear that a report relating to the results of the required intrusive site investigations and any proposed remedial measures has been submitted. As such, the Coal Authority must **OBJECT** to the LPA discharging Condition 4 of the issued consent.

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

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:

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 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.