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For the attention of: Alex Matthews – Case Officer
South Derbyshire District Council

[By email: planning@southderbyshire.gov.uk]

6 January 2025

Dear Alex

Re: Planning application DMPA/2024/1508

Temporary planning consent for a period of 4no. years for the erection of a new school building, parking, access and external landscaping at Newhall Community Junior School, Chesterfield Avenue, Newhall, Swadlincote, DE11 0TR

Thank you for your notification of 20 December 2024 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 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 Coal Authority's defined Development High Risk Area. Therefore, within the site and surrounding area there are recorded coal mining features present at surface or shallow depths. The risk these features may pose should be considered as part of the planning process.

More specifically, the Coal Authority's information indicates that the site lies in an area where historic unrecorded underground coal mining is likely to have taken place at shallow depth. Voids and broken ground associated with such workings can pose a risk to surface stability and public safety.

The application is accompanied by a Mine Workings Collapse Assessment (18 November 2024, prepared by CampbellReith Consulting Engineers). This report reviews the content of an original CMRA along with several other reports relating to the site, including the results of borehole investigations carried out subsequent to the production of the CMRA.

The report indicates that a shallow coal seam, postulated to be the Over Main seam, was encountered during the site investigations along with evidence of unrecorded mine workings in this seam. Based on the anticipated height of the workings and the proven rock cover, the report concludes that there exists a possibility that voids caused by the collapse of mine workings in the Over Main coal seam may migrate to rockhead level and may manifest as subsidence at foundation level. It advises that the maximum estimated void diameter of such subsidence within the footprint of the proposed teaching block would be 0.3m.

The report goes on to comment that the collapse assessment has been utilised by Design ID to enable the undertaking of an assessment of the impact of void migration on the superstructure of the school building and to determine any necessary mitigation measures. It advises that should the findings and recommended mitigation measures contained in the structural assessment be deemed unacceptable, then a potential option would be to stabilise the mine workings by means of drilling and grouting.

The report also highlights that *'No evidence of the Nether Main seam was encountered in either investigation, as such there is insufficient information available to undertake a detailed assessment of the potential for a compound collapse of both the Nether Main and Over Main seams.'* It advises that in order to undertake a detailed assessment of the potential for compound collapse of both seams, further borehole investigations would be required.

The Coal Authority's Planning & Development Team notes the conclusions of the Mine Workings Collapse Assessment; that the site is currently unstable. Unfortunately, it does not appear that the application is accompanied by the Design ID assessment of the impact of void migration on the superstructure of the building. As such, the applicant has not demonstrated how the safety and stability risks posed by shallow coal mining legacy is to be appropriately mitigated. We must therefore **OBJECT** to this planning application.

The applicant should be requested to submit the aforementioned assessment prepared by Design ID for consideration by the LPA. Additional commentary should be provided by their technical consultants which addresses the following matters, if these are not specifically addressed in the assessment:

- The impact of void migration from the compound collapse of workings in the Over Main and Nether Main coal seams; and

- The implications posed by the collapse of mine workings to external parts of the site such as new hard surfaced areas, the new access and vehicle parking and manoeuvring areas and resultant public safety across these areas.

We would be pleased to receive for further consultation and comment any additional information submitted by the applicant.

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.