



The Coal
Authority



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For the Attention of: Ms M. Curley – Case Officer
Staffordshire Moorlands District Council

[By Email: planning@staffsmoorlands.gov.uk]

25 July 2022

Dear Ms Curley

PLANNING APPLICATION: SMD/2022/0244

Demolition of existing buildings on site. Redevelopment to provide a foodstore (Class E) and associated access, car parking and landscaping works at Industrial Agricultural Engineering, Brookhouse Way, Cheadle

Thank you for your consultation letter of 5 July 2022 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 partly within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.

More specifically, the Coal Authority's information indicates that a coal seam is conjectured to outcrop at or close to the surface of the site, which is likely to have been worked at shallow depth beneath the western part of the site. Voids and broken

ground associated with such workings can pose a risk of ground instability and may give rise to the emission of mine gases.

The Coal Authority records also indicate that the potential zone of influence of an off-site mine entry (adit, CA ref. 399342-058) encroaches into the south western corner of the application site. We hold no details of any past treatment of this former coal mining related feature and, due to potential plotting inaccuracies, the actual position of the adit could depart/deviate from its plotted position by several metres. Nevertheless, we note that the bearing of the adit (259°) is such that it extends away from the application site. We also note that the potential zone of influence associated with the adit would extend across part of the band of landscaping running along the river. It does not appear that there will be public accessibility over this part of the site.

The planning application is accompanied by a Geo-Environmental Appraisal report (April 2022, prepared by Groundtech Consulting). This report indicates that following a review of coal mining and geological information a Preliminary Coal Mining Risk Assessment identified a potential risk of instability at the site from unrecorded mine workings associated with the Four Foot coal seam which outcrops across the site. This initial review resulted in a recommendation for the undertaking of an intrusive ground investigation.

The report goes on to advise that six rotary open hole boreholes were subsequently drilled within the site to a maximum depth of 30.0m bgl in order to further assess the risk posed by unrecorded shallow coal mine workings. These works were carried out under Coal Authority Permit No. 24256.

The report indicates that several intact coal seams were encountered in four of the boreholes (RO1 to RO4). The two boreholes that did not encounter any coal seams (RO5 and RO6) are considered to have been drilled to the east of the coal outcrop. The report highlights that no evidence of voids or losses of flush was recorded during drilling.

The Coal Authority notes that coal of a potentially workable thickness was encountered during drilling. However, we note that the report author highlights that it was found to be intact and unworked and, as such, they are satisfied, in their professional opinion, that no further action is required in respect of unrecorded shallow coal mining legacy.

The submitted report acknowledges that a recorded mine entry site lies close to the boundary of the south western side of the site. However, it notes that the adit tunnel trends west, away from the site on the other side of the adjacent watercourse. As

such, the report author is satisfied that no further action is required in respect of recorded mine entries.

The report author does, however, recommend that a watching brief is maintained during future ground works for anomalous ground conditions which may be indicative of an unrecorded mine entry. Should any such feature be encountered during development, appropriate treatment will be required in accordance with details permitted under a Coal Authority Permit.

Mine Gas

It should be noted that wherever coal resources or coal mine features exist at shallow depth or at the surface, there is the potential for mine gases to exist. These risks should always be considered by the LPA. The Planning & Development team at the Coal Authority, in its role of statutory consultee in the planning process, only comments on gas issues if our data indicates that gas emissions have been recorded on the site. However, the absence of such a comment should not be interpreted to imply that there are no gas risks present. Whether or not specific emissions have been noted by the Coal Authority, local planning authorities should seek their own technical advice on the gas hazards that may exist, and appropriate measures to be implemented, from technically competent personnel.

Surface Coal Resource

The Coal Authority's records indicate that surface coal resource is present on the site, although this should not be taken to imply that mineral extraction would be economically viable, technically feasible or environmentally acceptable. As you will be aware those authorities with responsibility for minerals planning and safeguarding will have identified where they consider minerals of national importance are present in your area and related policy considerations. As part of the planning application decision making process consideration should be given to such advice in respect of the indicated surface coal resource.

SuDS

Where SuDS are proposed as part of the development scheme consideration will need to be given to the implications of this in relation to the stability and public safety risks posed by coal mining legacy. The developer should seek their own advice from a technically competent person to ensure that a proper assessment has been made of the potential interaction between hydrology, the proposed drainage system and ground stability, including the implications this may have for any mine workings which may be present beneath the site.

The Coal Authority Recommendation to the LPA

The Coal Authority's Planning & Development Team considers that the content and conclusions of the Geo-Environmental Appraisal report, informed by the results of intrusive investigations, to be sufficient for the purposes of the planning system and meet the requirements of the NPPF in demonstrating that the application site is, or can be made, safe and stable for the proposed development. The Coal Authority therefore has **no objection** to the proposed development. However, further more detailed considerations of ground conditions and foundation design may be required as part of any subsequent building regulations application.

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 and Development 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. 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.

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.