



The Coal
Authority



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For the Attention of: Jane Curley – Case Officer
Staffordshire Moorlands District Council

07 March 2023

Dear Ms Curley

PLANNING APPLICATION: SMD/2022/0612

**Proposed 45 unit retirement village with associated communal facilities;
Woodhead Hall, Cherry Lane, Cheadle, Staffordshire, ST10 4QS**

Thank you for your notification of 16 February 2023 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: Material Consideration

I have reviewed the proposals and confirm that the application site falls 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.

The Coal Authority records indicate that a coal seam of workable thickness infers to outcrop at or close to the surface of the northern part of the site that may have been

historically worked at shallow depths beneath the northern part of the site. This could affect public safety and surface stability for the proposed development.

The planning application is accompanied by a Coal Mining Risk Assessment Report (22 2531, January 2023) prepared for the proposed development including holiday lodges by Sladen Associates. The Report has been informed by an appropriate range of sources of historical, geological and coal mining information.

As the Coal Mining Risk Assessment includes an additional area to that of this current application, it should be noted that the Planning team at the Coal Authority have only reviewed the content of the Report relating to the Retirement Village only, which is described as the northern part of the site within the Report.

Having carried out a review of the available information, the report author informs that whilst a coal seam is identified within the northern part of the site, this is dipping away from the application site and therefore is expected to be absent beneath most of the site. Section 5.2 informs that no intrusive ground investigation area considered necessary however, recommendations have been made that the new structures should be reinforced such that they can span 3m and cantilever 1.5m in plan without structural collapse. This matter should be dealt with as part of the applicant's subsequent building regulation application.

As our records state that the aforementioned coal seam dips into the site and therefore could be present at shallow depths beneath the site, and not, as informed by Sladen Associates that this seam is dipping away from the site, I have liaised with our Mining Information team on this discrepancy. One of our Mining Consultants – Information Managers has reviewed BGS data and have confirmed that the geological map shows that the coal dip is to the north and not to the south as per our current records. Accordingly, the Mining information team are in the process of updating our records to reflect this change.

Mine Gas

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.

Sustainable Drainage

It should be noted that 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 considers that the content and conclusions of a Coal Mining Risk Assessment Report (22 2531, January 2023) are sufficient for the purposes of the planning system in demonstrating (based on the professional opinion of Sladen Associates) that the application site (Retirement Village) is safe and stable for the proposed development (NPPF paras. 183 and 184). The Coal Authority has **no objection** to the proposed development. However, further more detailed consideration of foundation design may be required as part of the applicant's subsequent building regulation application.

We consider it prudent that the LPA add the following wording as an Informative Note to the Decision Notice should the LPA grant planning permission:

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

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

Yours sincerely

Deb Roberts M.Sc. MRTPI
Planning & 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 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.