The Coal Authority

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For the Attention of: Mr B. Hurst – Case Officer
Staffordshire Moorlands District Council

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

2 August 2023

Dear Mr Hurst

PLANNING APPLICATION: SMD/2023/0343

Removal or variation of condition 3 and 11 attached to planning permission SMD/2021/0179 at Land at Ball Green Farm, Woodhouse Lane, Brown Edge

Thank you for your consultation letter of 18 July 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**

The application site falls within the defined Development High Risk Area. The Coal Authority's information indicates that historic unrecorded coal mining is likely to have taken place beneath the site at shallow depth. 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.

You will be aware from our consultation response letter of 9 April 2021 that the Coal Authority's Planning & Development Team raised no objection to planning application SMD/2021/0179 subject to the imposition of conditions on any permission granted to

secure works to investigate and, if necessary remediate shallow coal mining legacy which may be present beneath the site. Our recommendation reflected those contained within the applicant's supporting Coal Mining Risk Assessment report. We understand that planning permission was subsequently granted subject to conditions.

The applicant has now applied to vary Conditions 3 and 11 of the issued consent. The Coal Authority's Planning & Development Team has no specific comments to make regarding the variation of these conditions as they relate to external materials and the use of the vehicular access. We therefore wish to raise **no objection** to this application **subject to the imposition on any new permission issued of the conditions set out in our consultation response letter of 9 April 2021 regarding the original application.**

We also request that the following Informative Notes are included on any permission decision notice:

1 - Ground Investigations and groundworks

Under the Coal Industry Act 1994 any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority since these activities can have serious public health and safety implications. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain permission to enter or disturb our property will result in 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.

2 - Shallow coal seams

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

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

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.