The Coal Authority

INVESTOR IN PEOPLE

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For the Attention of: Chris Johnston – Case Officer

8th September 2023

Dear Mr Johnston

PLANNING APPLICATION: DOC/2023/0058

Discharge of Conditions 3 & 12 of SMD/2022/0350; Vulcan Refractories, Brookhouses Industrial Estate, Brook Houses, Cheadlen – Cond

Thank you for your consultation notification of 18 August 2023 seeking the views of The Coal Authority on the above planning application.

We previously commented on planning application reference SMD/2022/0350 to which this discharge of condition relates in a letter to the LPA dated 28th July. In this letter we commented on the Coal Mining Risk Assessment (NL05100-203) prepared by Wardell Armstrong, dated 17th March 2022 submitted by the applicant. Based on the conclusions of this report we recommended that relevant planning conditions were imposed on any planning permission granted.

Our interest therefore lies in Conditions 19 and 20, as imposed by the grant of planning permission and this requires the following:

19. No development shall commence (excluding the demolition of existing structures, site clearance and construction of retaining wall) until development shall commence (excluding the demolition of existing structures and site clearance) until;

a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by recorded mine entry 399342-058 and its associated roadway and past shallow coal mining activity; and

b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

20. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

We note that the discharge of conditions application is seeking to discharge conditions 3 and 12 of issued consent and therefore we have **no specific comments to make**.

The Coal Authority would be very pleased to receive for further consultation and comment any additional information submitted by the applicant regarding relevant coal mining legacy related conditions.

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

Yours sincerely,

Peter Woodcock | BSc (Hons)
Assistant 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.

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.