



The Coal
Authority

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For the attention of: Ms L. Jackson – Case Officer
Staffordshire Moorlands District Council

[By email:]

10 January 2024

Dear Ms Jackson

Re: Planning application SMD/2023/0574

Extensions to Dwelling and Replacement Outbuildings with Landscaping Works at Hillcroft, Froghall Road, Froghall

Thank you for your notification of 22 December 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 partly 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 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 of ground instability and may give rise to the emission of mine gases.

As you will be aware, applications for householder development, such as the proposed extensions to the existing dwelling, fall under Part A of our exemptions list. We therefore assume that you have consulted us on the basis that the proposal will entail the construction of a replacement outbuilding which would appear to be located at least partly beyond the domestic curtilage to the property (following the demolition of the existing outbuildings which appear to have once been used for agricultural purposes).

The application is accompanied by a Coal Mining Risk Assessment report (December 2023, prepared by Sladen Associates). Based on a review of relevant sources of coal mining and geological information, the report acknowledges that the Crabtree coal seam may have been worked beneath the site at shallow depth beneath the site. However, it concludes that due to the depth of the seam (and the resulting amount of overlying rock cover) and the age of any unrecorded workings, any such workings present pose a very low risk of future surface subsidence. As such, no specific further works are proposed in this regard.

The report does, however, highlight that the presence of unrecorded mine entries within the site cannot be ruled out. It goes on to recommend that vigilance should be maintained during ground works for any anomalous ground conditions that may represent an unrecorded mine entry. Should any such feature be encountered on site, this will require appropriate remediation in accordance with details permitted under a Coal Authority Permit.

The Coal Authority Recommendation to the LPA

The Coal Authority's Planning & Development Team considers that the content and conclusions of the Coal Mining Risk Assessment report are 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.

We request that the following Informative Notes are included on any planning 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.

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.

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.

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.