



The Coal
Authority

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For the attention of: Case Officer

Staffordshire Moorlands District Council

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

2nd May 2024

Dear Sir or Madam

Re: Discharge of Conditions application DOC/2024/0022

Discharge of conditions 1,4,5,6,8,9,10,11,13,14,15,16,17,18,19,20 and 21 relating to SMD/2022/0350; Vulcan Refractories Ltd, Draycott Cross Road, Brook Houses, Cheadle

Thank you for your notification of 12 April 2024 seeking the views of the Coal Authority on the above.

We previously commented on application SMD/2022/035 in a letter to the LPA dated 28th July 2022. In this letter, we commented on the Coal Mining Risk Assessment report (NL05100-203) prepared by Wardell Armstrong, dated 17th March 2022 and submitted by the applicant. Based on the conclusions of this report we recommended that relevant planning conditions were imposed on any planning permission granted.

We note that this consultation is in relation to the submission of information pursuant to conditions 19 and 20 of the issued consent, for which our interest lies. These conditions require 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 this discharge of conditions application is accompanied by a Report on Ground Investigations (22 2521) dated March 2023, Specification for Treatment of Shallow Mineworkings report (22 2521-2) dated March 2023 and a Report On Shallow Coal Mining Stabilisation Works 23 2521-2 MC dated June 2023. The reports were produced by Sladen Associates and detail the findings of intrusive investigation to determine the risks posed to the site by the off-site mine adit 399342-058 and shallow mine workings.

We note from the findings of initial investigations referred to in the Report on Ground Investigations were for 3 boreholes undertaken on site to a depth maximum depth of 33m. These works were carried out under Coal Authority permit reference 26056. The boreholes encountered the presence of an intact coal seam, however thought to be collapsed workings were found in borehole R3. We also note that two rows of probeholes were put down in the north eastern corner of the site to investigate the potential presence of the suspected adit. Although no evidence of the adit was encountered, in row B further to the west, evidence of possible collapsed workings in the shallow coal seam were recorded.

The report author goes on to comment within the Report On Shallow Coal Mining Stabilisation Works, that the proposed building has “*been treated with regard to the potential effects of subsidence, due to potential shallow abandoned mine workings on the proposed new industrial unit.*” Further boreholes were drilled on site to discount any deeper significant coal seams and the location of the treatment boreholes are shown on the ‘*Borehole Layout Plan for Mine Treatment Works - As Constructed*’ attached to the report. These works were carried out under Coal Authority permit reference 26569.

Notwithstanding the above, we note that the proposal includes areas of vehicle parking and manoeuvring and it does not appear that these areas have been included within the 'Borehole Layout Plan for Mine Treatment Works - As Constructed' attached to the report. We are also aware that the mine adit 399342-058 and its associated roadway has not been located on the site.

In light of the above, the Planning team at the Coal Authority would request additional commentary from the applicants technical consultants with regards to the risk posed to external areas of the site by past shallow coal mining and if any further mitigation or remedial measures are required. We would also request that confirmation is provided regarding the risk posed to the proposed development by the recorded mine adit and if any further works are necessary in respect of this feature.

The Coal Authority would be very pleased to receive for further consultation and comment any additional information submitted by the applicant.

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

Yours faithfully,

Peter Woodcock | *BSc (Hons), AssocRTPI*
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 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.



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