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W: www.gov.uk/coalauthority

For the attention of: Rachael Simpkin – Case Officer
Staffordshire Moorlands District Council

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

18 August 2025

Dear Rachael

Re: SMD/2021/0780

Reserved Matters application (access, layout, scale, appearance and landscaping) for residential development comprising 135 dwellings, with associated access, public open space and infrastructure; land to the east of Froghall Road and north of Ayr Road and Cheltenham Avenue, Cheadle – FURTHER INFORMATION RECEIVED

Thank you for your notification of 5 August 2025 seeking the further views of the Coal Authority on the above.

The Coal Authority response:

Condition 37 of permission SMD/2018/0180 states:

'In the event that contamination is found at any time when carrying out the approved development for any phase it must be reported immediately in writing to the Local Planning Authority. Development shall not commence any further for that phase until an initial investigation and risk assessment has been completed in accordance with a scheme to be first submitted to and agreed in writing by the Local Planning Authority, which shall assess the nature and extent of any contamination for that phase. If the initial site risk assessment indicates that potential risks exists to any identified receptors, development for that phase shall

not commence further until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment for that phase has been prepared and shall be subject to the prior written approval of the Local Planning Authority. All works within a phase of development shall be carried out in accordance with the approved scheme.'

Notwithstanding the above, you will note the accompanying letter (dated 23 July 2025) from Persimmon Homes, content of which on page 7 states:

'Condition 37 of the Hybrid permission requires the submission of a layout plan which identifies an appropriate zone of influence for mine entry 104344-003 on the application site and the definition of a suitable 'no-build' zone for the mine entry, together with a scheme of remedial measures for the mine entry and implementation timescales of those remedial works.'

Contrary to the commentary from Persimmon Homes, which is detailed above, you will note that Condition 37 appears to make no such references. Consequently, the Coal Authority seeks clarification from the applicant as to what is trying to be achieved. Despite this, we do note the also accompanying letter from Coopers Ltd, which details the remedial proposals for shaft 104344-003, the merits of which are considered acceptable in principle, but which will be to the scrutiny of the Mining Remediation Authority's Permitting process.

I hope this is helpful however please do not hesitate to contact me if you would like to discuss this matter further.

Yours sincerely

Planning Liaison Manager

General Information for the Applicant

Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of The Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission will result in trespass, with the potential for court action. In the event that you are proposing to undertake such work in the Forest of Dean local authority area our permission may not be required; it is recommended that you check with us prior to commencing any works. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at:

<https://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property>

Building over or within the influencing distance of a mine entry (shaft or adit) can be dangerous and has the potential for significant risks to both the development and the occupiers if not undertaken appropriately. The Coal Authority would draw your attention to our adopted policy regarding new development and mine entries:

<https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

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.