

The Planning Inspectorate

COMMENTS ON CASE (Online Version)

Please note that comments about this case need to be made within the timetable. This can be found in the notification letter sent by the local planning authority or the start date letter. Comments submitted after the deadline may be considered invalid and returned to sender.

Appeal Reference: APP/B3438/W/25/3371499

DETAILS OF THE CASE

Appeal Reference APP/B3438/W/25/3371499

Appeal By MR ERNEST SHAW

Site Address
Akesmore Lane
Biddulph
Staffordshire
ST8 6RU
Grid Ref Easting: 387700
Grid Ref Northing: 357930

SENDER DETAILS

Name MR JAMES SMITH

Address
200 Lichfield Lane
Mansfield
Nottinghamshire
NG18 4RG

Company/Group/Organisation Name Mining Remediation Authority

ABOUT YOUR COMMENTS

In what capacity do you wish to make representations on this case?

- ☐ Appellant
- ☐ Agent
- ☒ Interested Party / Person
- ☐ Land Owner
- ☐ Rule 6 (6)

What kind of representation are you making?

- ☐ Final Comments
- ☐ Proof of Evidence
- ☐ Statement
- ☐ Statement of Common Ground

☒ Interested Party/Person Correspondence

☐ Other

YOUR COMMENTS ON THE CASE

Dear Sir or Madam

The Coal Authority (trading as the Mining Remediation 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 was contacted on 29 August 2025 by Staffordshire Moorlands District Council, which advised that the above Appeal is being considered by the Planning Inspectorate following refusal by the Council of planning application SMD/2025/0202. We note that the second of the two reasons for refusal, whilst not referring explicitly to coal mining legacy, does reference possible geotechnical (voids, instability) risk present on site.

We understand that a copy of our consultation response letter, which sets out our concerns and reasons for objecting to the planning application, will be forwarded by the LPA for the attention of the Inspector in due course.

Having reviewed the Appellant's Statement of Case under the heading 'Potential of ground contamination and historic mining activities', we note that following the issuing of our objection to the application, the Appellant procured a new Coal Mining Risk Assessment (CMRA). The Statement advises that 'This was submitted to the case officer for re-consultation; however, the case officer didn't not [sic] feel that the contents would be relevant to the overall outcome of the application. Therefore, we do not have revised comments from the professional consultee, which would likely have overcome the original concerns.'

We can confirm that the Coal Authority received no request from the LPA at the time of the original planning application to review any new supporting CMRA. It should also be noted that no CMRA has been published on the LPA website as a supporting application document. We have therefore not had the opportunity to review this document and are currently unable to update the comments we previously made. We would of course be happy to provide comment on the content of this report if provided with a copy for review.

Yours faithfully,

James Smith MRTPI
Planning & Development Manager