



The Coal
Authority



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For the Attention of: Chris Harrison – Case Officer
Cumberland Council (Copeland area)

[By Email: Development.Control3@cumberland.gov.uk]

12 October 2023

Dear Chris

PLANNING APPLICATION: 4/22/2466/0F1

Redevelopment of former builders' yard into new housing to provide 41 dwellings at Land Adjacent to Border Yard, Coach Road, Whitehaven

Thank you for your consultation letter of 2 October 2023 seeking the further views of the Coal Authority on the above planning application.

The Coal Authority Response: Material Consideration

We last commented on this application in a letter to the LPA dated 22 December 2022. In this letter, we raised no objection to the planning application subject to relevant planning conditions being imposed on any planning permission granted.

It is noted that the LPA is now in receipt of revised proposed plans and a number of additional/amended documents. I can confirm that the Coal Authority's Planning & Development Team generally has no specific comments to make on these revised plans, with the exception of the supporting Geo-Environmental Site Investigation report (June 2014, prepared by REC).

The aforementioned report details intrusive investigations carried out at the site in 2014, which included the drilling of three rotary boreholes to investigate possible shallow coal mining activity. It advises that no evidence of mine workings was recorded during drilling, with the boreholes encountering only intact coal seams. It

goes on to advise that in order to fully investigate the risk posed by shallow coal mining legacy, further boreholes should be undertaken across the site once existing structures have been demolished.

We wish to point out that the investigations detailed in the Geo-Environmental Site Investigation report were intended to inform a previous proposal for a care home development occupying a smaller overall portion of the site. These investigations were also constrained by the presence of existing structures that existed on the site at that time.

We therefore consider that further intrusive investigations are required to fully establish the shallow coal mining situation at the site, which should be designed in cognisance of the specific layout of development currently proposed. As such, our previous comments and recommendation, set out in our initial response letter of 22 December 2022, remain valid and relevant to the decision making process.

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

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 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.