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

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

30 July 2024

Dear Chris

Re: 4/24/2240/DOC

Discharge of condition 12 of planning application 4/22/2332/0F1; land to the west of Valley View Road, Whitehaven

Thank you for your notification of 17 July 2024 seeking the views of the Coal Authority on the above.

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:

Condition 12 of the permission states:

'Prior to the occupation of the first dwelling hereby approved 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 and approved in writing by the local planning authority. 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 the recorded mine entry.***

We note that Condition 5 also seeks to address coal mining legacy issues, specifically applicable to both shallow coal mine workings and the mine entry. However, you will note, presumably by error, that Condition 12 only specifies the mine entry.

Notwithstanding the above, and **whilst we would have no objections to the LPA discharging Condition 12**, specifically as the Verification Report for the Treatment of Mineshaft (March 2024) confirm the stabilisation of the shaft, we look forward to receiving for consultation on the relevant information to address Condition 5.

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

Yours sincerely

Chris MacArthur

Chris MacArthur *B.Sc.(Hons), DipTP, MRTPI*
Planning Liaison 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.



Making a **better future** for people
and the environment **in mining areas**