



200 Lichfield Lane
Mansfield
Nottinghamshire
NG18 4RG
T: 01623 637 119 (Planning Enquiries)
E: planningconsultation@coal.gov.uk
W: www.gov.uk/coalauthority

For the attention of: Christie M Burns – Case Officer
Cumberland Council (Copeland area)

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

15 October 2024

Dear Christie

Re: 4/24/2323/0R1

Application for reserved matters relating to layout, scale, appearance and landscaping pursuant to outline application reference 4/23/2076/0o1 - residential development for up to 65 dwellings with details of proposed access & all other matters reserved; land off Dalzell Street, Moor Row, Egremont

Thank you for your consultation letter of 14 October 2024 seeking the views of the Coal Authority on the above planning application.

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: Material Consideration

Condition 10 of the planning permission seeks to address coal mining legacy issues including the undertaking of intrusive site investigations and the implementation of any necessary remedial measures.

In terms of providing comments in relation to this planning application, it is noted that the submission is a reserved matters application in respect of outline planning approval reference 4/23/2076/001 and that there are no coal mining legacy features to dictate any layout.

On the basis that the coal mining legacy related issues as required by Condition 10 are in the process of being addressed (i.e. as confirmed in my consultation letter dated 10 October 2024 to 4/24/2336/DOC), **the Coal Authority has no objection to this planning application**. We look forward to receiving for consultation any further information in support of the discharge of condition application.

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

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>

Requirement for Incidental Coal Agreements

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required from the Coal Authority. Further information regarding Incidental Coal Agreements can be found here - <https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements>

Disclaimer

The above consultation response is provided by The Coal Authority as a Statutory Consultee and is based upon the latest available coal mining 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.

The Coal Authority records indicate that the site has been subject to recorded underground coal mining at shallow depth. In this instance, our records indicate shallow coalmine workings in two seams of coal underlying the northeast and eastern part of the application site. The seams are indicated to underlie the site at depths of only 5m and 11m with extraction thicknesses of 1.44m and 1.22m.

Voids and broken/disturbed ground associated with such workings can pose a risk of ground instability and may give rise to the emission of mine gases.

