



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

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

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

21 October 2024

Dear Christie

**Re: 4/24/2336/DOC**

**Discharge of conditions 9, 10 and 21 of planning application 4/23/2076/0o1; land off Dalzell Street, Moor Row, Egremont**

Thank you for your notification of 21 October 2024 seeking the further views of the Coal Authority on the above.

**The Coal Authority response:**

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.

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.

The applicant previously submitted a Phase II Ground Investigation Report (September 2024, prepared by GeoCon Site Investigations Ltd), in support of the discharge of the aforementioned condition. However, the content of the Report appeared to fail to identify the recorded workings, which we confirmed we know underlie the site, with only one borehole being advanced in the area affected. Whilst the borehole encountered an intact coal seam, we confirmed that the seam encountered could represent a pillar in an area of coal otherwise worked. Consequently, the Planning and Development Team at the Coal Authority considered that the Report failed to adequately assess the risks posed by recorded shallow coalmine workings and that the investigations undertaken were not so significant to the extent to establish those risks. We were therefore unable to recommend the LPA discharge Condition 10.

The Coal Authority is therefore now pleased to note the submitted letter (dated 18 October 2024) from GeoCon Site Investigations Ltd, which accompanies the application. The content of the letter confirms that if such coal mining features are beneath the eastern fringes of the site, they are at a depth not to pose risk to the development. Consequently, and on the basis that the content of the letter goes on to confirm that no further investigations are required, the Planning and Development Team at the Coal Authority **would now raise no objections to the LPA discharging Condition 10.**

#### 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**