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For the attention of: Christopher Harrison, Case Officer
Cumberland Council (Copeland area)

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

28th November 2025

Dear Christopher,

Re: Application 4/25/2372/DOC

Discharge of condition 7 of planning application 4/23/2314/0F1; Land at Preston Street, Preston Street, Whitehaven.

Thank you for your notification of 7th November 2025 seeking the views of the Coal Authority on the above. Condition 7 of the approved consent is coal mining related and states:

7. *No above ground development shall commence until:*
- a) a scheme of further intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and,*
 - b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.*

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

In support of the applicant the applicant has submitted a factual report on the drilling and treatment of former shallow mine workings prepared by specialist contractor Van Elle, ref. VE250597, dated 31st October 2025. This report documents the drilling of 153 treatment boreholes across the proposed building footprint as per the specification into which grout treatment was attempted. Whilst drilling consistently note coal at c. 23m depth, drilling on average being extended to 25m, no evidence of mine workings was identified. This corroborated the site investigation findings reported on by 3E Consulting in 2022 which we commented in our response to the full application 4/23/2314/0F1, despite the recorded evidence of shallow workings on Coal Authority records. Van Elle having undertaken the works as they state in accordance with CIRIA C758D and under a Coal Authority Permit (Ref. 30001) conclude that:

'Van Elle are satisfied that the risk from former mine workings based on the evidence gleaned from the drilling and grouting exercise is negligible, and that the development can go ahead unhindered.'

On that basis and in light of the watching brief recommended we are satisfied that **the applicant has demonstrated full compliance with Condition 7**. We also note that Condition 7 does not require the applicant to submit written evidence for approval.

If you would like to discuss this matter further, please contact me on the above number.

Yours sincerely,

Leigh Sharpe

Geotechnical & 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 and the electronic consultation records held by the Coal Authority since 1 April 2013. The comments made are also based on the information provided to the Coal Authority by the Local Planning Authority and/or information that has been published on the Council's website for consultation purposed 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 advisors for this development in relation to ground conditions and the acceptability of development.

