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For the attention of: Ms L. White – Case Officer
Cumberland Council (Copeland area)

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

11 October 2024

Dear Ms White

Re: Planning application 4/24/2340/0F1

Erect a single storey flat roof extension to the west gable of the existing cricket club to allow for storage at Whitehaven Cricket Club, Richmond Terrace, Whitehaven

Thank you for your notification of 9 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

I have reviewed the site location plan, the proposals and supporting information submitted and available to view on the LPA website and can confirm that the eastern part of the application site falls within the defined Development High Risk Area (DHRA).

The Coal Authority's information indicates that the site lies in an area where coal seams are conjectured to outcrop at or close to the surface, which may have been subject to historic unrecorded mining activity. Such workings can pose a risk of ground instability and may give rise to the emission of mine gases.

As you will be aware, the Coal Authority's general approach in cases where development is proposed within the Development High Risk Area is to recommend that the applicant obtains coal mining information for the application site and submits a Coal Mining Risk Assessment to support their planning application.

However, in this instance the part of the site where development is proposed lies outside the DHRA, i.e. is within the Development Low Risk Area. The Coal Authority's Planning & Development Team therefore does not consider that a Coal Mining Risk Assessment is required to support the proposal in this particular case and we **do not object** to this planning application.

However, we do recommend that, should planning permission be granted for this proposal, the following wording is included as an Informative Note on any planning permission granted:

The application site lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity at the surface or shallow depth. These hazards can include: mine entries; shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of new development taking place.

Under the Coal Industry Act 1994 any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority since these activities can have serious public health and safety implications. Such activities could include site investigation boreholes, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain permission to enter or disturb our property will result in the potential for court action. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property.

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 at: www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements.

If any suspected coal mining feature is encountered on site, this should be reported immediately to the Coal Authority on 0800 288 4242. Further information is available on

the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority.

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 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.