



The Coal
Authority



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For the Attention of: Sarah Papaleo – Case Officer
Cumberland Council (Copeland area)

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

3rd October 2023

Dear Ms Papaleo

PLANNING APPLICATION: 4/23/2236/0F1

DECONSTRUCT AN SECTION OF EXISTING OUTER LEAF BRICKWORK TO REAR ELEVATION AND PARAPET WALL THAT FORMS PART OF THE REAR ELEVATIONS TO ALL GROUND FLOOR FLATS (62-76 DUKE STREET) AND WALKWAY ACCESS TO THE FIRST FLOOR MAISONNETTES. THE PARAPET AND SECTION OF THE REAR ELEVATION OUTER LEAF IS TO BE DECONSTRUCTED DUE TO THE BRICKWORK BOWING & BECOMING UNSAFE. THE OUTER LEAF BRICKWORK IS TO BE REBUILT WITH BLOCKWORK AND THEN ROUGHCAST RENDER APPLIED TO THE GROUND FLOOR AND PARAPET WALL ONLY; 62 -76, Duke Street, Whitehaven – Re-consultation

Thank you for your email of 21 September 2023 seeking the further views of The Coal Authority on the above planning application.

The Coal Authority Response: **Material Consideration**

We previously commented on this submission in a letter to the LPA dated 18th September 2023.

I have now had the opportunity to review your email regarding groundworks and foundations required to facilitate the proposed development. We note that the applicant has confirmed that “no ground will be broken and that works are at first floor level and no ground will be broken.” Therefore, based on the reply you have now

revived from the applicant it does not appear to that the development will require substantial foundations or earthwork. In light of the above, the Planning team at the Coal Authority do not consider that requiring a Coal Mining Risk Assessment would be proportionate to the nature of the development proposed in this particular case and **withdraw our objection** to this planning application.

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

Informative Note

The proposed development lies within an area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, 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, excavations for foundations, 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

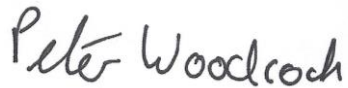
Shallow coal seams

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

If any coal mining features are unexpectedly encountered during development, 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,



Peter Woodcock | BSc (Hons)
Assistant 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 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.