



The Coal
Authority



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Learning Partner

200 Lichfield Lane
Berry Hill
Mansfield
Nottinghamshire
NG18 4RG

Tel: 01623 637 119 (Planning Enquiries)

Email: planningconsultation@coal.gov.uk

Web: www.gov.uk/coalauthority

For the Attention of: Ms S. Papaleo – Case Officer
Cumberland Council (Copeland area)

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

18 October 2023

Dear Ms Papaleo

PLANNING APPLICATION: 4/23/2275/0F1

Extension and alteration of existing building to create a community hub including cafe, relocation of existing sculptures to rear of building, public realm improvements including restoration of memorial fountain and creation of new landscaped areas, accessibility improvements at Cleator Moor Library, Market Square, Cleator Moor

Thank you for your consultation letter of 10 October 2023 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 application site falls partly within the defined Development High Risk Area.

The Coal Authority's information indicates that the western corner of the site lies in an area where historic unrecorded underground coal mining is likely to have taken place

in the past. 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 only development which will take place within the Development High Risk Area will be the refurbishment of the existing car parking area, which is unlikely to require significant groundworks or foundations. As such, we do not consider that requiring a Coal Mining Risk Assessment would be proportionate to the nature and scale of development proposed in the High Risk Area in this particular case and we **do not object** to this planning application.

However, the Coal Authority's Planning & Development Team does recommend that, should planning permission be granted for this proposal, the following wording is included as an Informative Note on any Decision Notice:

The application site 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.

If any suspected coal mining feature is 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

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. 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 a Coal Authority Permit for such activities has the potential for court action.

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.