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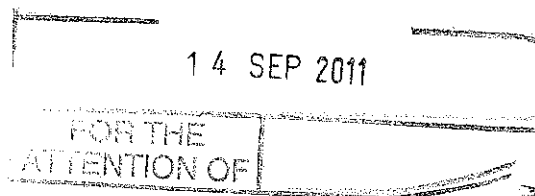
Web: [www.coal.gov.uk/services/planning](http://www.coal.gov.uk/services/planning)

For the Attention of Sarah Westwood  
Case Officer  
Ribbles Valley Borough Council

[By Email: [planning@ribblevalley.gov.uk](mailto:planning@ribblevalley.gov.uk)]

14 September 2011

Dear Ms Westwood



**PLANNING APPLICATION: 3/2011/0662**

**Erection of a research and development building; Calder Vale Business Park, Simonstone Lane, Simonstone, Lancashire, BB12 7NX**

Thank you for your consultation letter of 01 September 2011 seeking the views of The Coal Authority on the above planning application.

**The Coal Authority Response: Fundamental Concern**

I have reviewed the proposals and confirm that the application site falls within the defined Coal Mining Development Referral Area.

The Coal Authority records indicate that within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.

The Coal Authority therefore **objects** to this planning application, as a Coal Mining Risk Assessment Report has not been submitted as part of the application.

**The Coal Authority Recommendation to the LPA**

In accordance with the agreed risk-based approach to development management in Coal Mining Development Referral Areas, the applicant should be informed that they need to submit a Coal Mining Risk Assessment Report as part of this application.

Without such an assessment of any risks to the development proposal posed by past coal mining activity, based on up-to-date coal mining information, The Coal Authority does not consider that the LPA has sufficient information to determine this planning application.

If the applicant ultimately fails to demonstrate to the LPA that the application site is safe and stable to accommodate the proposed development then the LPA may refuse planning permission, in accordance with Planning Policy Guidance 14 (PPG14) - Development on Unstable Land.

The Coal Authority would be very pleased to receive for further consultation and comment any subsequent Coal Mining Risk Assessment Report which is submitted in support of this planning application.

#### General Information for the Applicant

The Coal Mining Risk Assessment needs to be based on up-to-date information of past coal mining activities in relation to the application site. Coal Mining Reports are available from [www.groundstability.com](http://www.groundstability.com) or by telephoning 0845 762 6848.

This coal mining information should then be used to assess whether or not past mining activity poses any risk to the development proposal and, where necessary, propose mitigation measures to address any issues of land instability. This could include further intrusive investigation on site to ensure that the Local Planning Authority has sufficient information to determine the planning application. As one of the coal mining legacy issues that needs further consideration in this particular case is potential historic shallow mining the British Geological Survey (BGS) may also prove a useful source of geological and mining information: [www.bgs.ac.uk](http://www.bgs.ac.uk)

The Coal Mining Risk Assessment should be prepared by a "competent body"; as defined by Appendix 2E of PPG14. Links to the relevant professional institutions of competent bodies can be found at:

<http://coal.decc.gov.uk/en/coal/cms/services/planning/strategy/strategy.aspx>

Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of The Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission will result in trespass, with the potential for court action. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at: <http://coal.decc.gov.uk/en/coal/cms/services/permits/permits.aspx>

Where development is proposed over areas of coal and past coal workings at shallow depth, The Coal Authority is of the opinion that applicants should consider wherever possible removing the remnant shallow coal. This will enable the land to be stabilised and treated by a more sustainable method; rather than by attempting to grout fill any voids and consequently unnecessarily sterilising the nation's asset. Prior extraction of surface coal requires an Incidental Coal Agreement from The Coal Authority; further information can be found at:

[http://coal.decc.gov.uk/en/coal/cms/services/licensing/license\\_apps/license\\_apps.aspx](http://coal.decc.gov.uk/en/coal/cms/services/licensing/license_apps/license_apps.aspx)

The above consultation response is provided by The Coal Authority as a Statutory Consultee and is based upon the latest available data and records held by The Coal Authority on the date of the response. 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.

Please do not hesitate to contact me if you would like to discuss this matter further.

Yours sincerely

*D Berry*

**David Berry** *B.Sc (Hons), MA, MRTPI*  
**Planning Liaison Manager**