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The
COAL
AUTHORITY



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For the Attention of Colin Sharpe
Case Officer
Ribble Valley Borough Council

[By Email: jane.tucker@ribblevalley.gov.uk]

04 April 2012

Dear Mr Sharpe

PLANNING APPLICATION: 3/2012/0219

Demolition of existing building and erection of replacement water extraction, bottling and storage facility; Altham Pumping Station, Burnley Road, Simonstone, Burnley

Thank you for your consultation letter of 19 March 2012 seeking the views of The Coal Authority on the above planning application.

The Coal Authority Response: Material Consideration

I have reviewed the proposals and confirm that the application site falls within the defined Coal Mining Development Referral Area; therefore 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 applicant has obtained appropriate and up-to-date coal mining information for the proposed development site and has used this information to inform the Phase 1 Appraisal (dated November 2011) which accompanies this planning application.

The Phase 1 Appraisal correctly identifies that the application site may have been subject to unrecorded shallow coal mining activity. It therefore recommends that further site investigation works be undertaken to confirm coal mining conditions and enable the design of any necessary mitigation measures prior to commencement of the development.

The Coal Authority Recommendation to the LPA

The Coal Authority concurs with the recommendations of the Phase 1 Appraisal; that coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site.

The Coal Authority therefore recommends that the LPA impose a Planning Condition, should planning permission be granted for the proposed development, to require these intrusive investigation works to be undertaken prior to commencement of development.

The condition should also ensure that, in the event that the site investigations confirm the need for remedial works to treat any areas of shallow mine workings to ensure the safety and stability of the proposed development, these works should also be undertaken prior to commencement of development.

The Coal Authority considers that the content and conclusions of the Phase 1 Appraisal are sufficient for the purposes of the planning system and meet the requirements of NPPF in demonstrating that the application site is, or can be made, safe and stable for the proposed development. The Coal Authority therefore has **no objection** to the proposed development **subject to the imposition of the above condition**.

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

General Information for the Applicant

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>

Disclaimer

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.