



The Coal
Authority

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For the attention of: Ms R. Simpkin – Case Officer
High Peak Borough Council

[By email: planning@highpeak.gov.uk]

27 December 2023

Dear Ms Simpkin

Re Planning Application: HPK/2023/0442

Proposed solar array, supporting energy infrastructure and associated site works incorporating, access, security fencing and landscape planting; Carpenter Plc, Dinting Lodge Industrial Estate, Dinting, Glossop - RECONSULTATION

Thank you for your notification of 14 December 2023 seeking the further views of the Coal Authority on the above.

The Coal Authority response: Material Consideration

As you aware, the application site falls partly within the defined Development High Risk Area. The Coal Authority's information indicates that the western part of the site, which contains the existing access route, lies in an area where historic unrecorded mining activity is likely to have taken place at shallow depth. Such workings can pose a risk of ground instability and may give rise to the emission of mine gases.

You will recall that we last commented on this application in a letter to the LPA dated 13 November 2023. In this letter, we noted that reference was made to a Mining Risk Assessment report, but indicated that it did not appear that this report had been published on the LPA website.

We are therefore pleased to note from your reconsultation email that the applicant has confirmed that the Mining Risk Assessment report (19 April 2023, prepared by Mabbett) is

included in Appendix L of the support Phase I Contaminated Risk Assessment. A copy of the report has been provided with your email.

Based on a review of coal mining and geological information, the Mining Risk Assessment report concludes that there are no coal mining hazards present within the site that would restrict the proposed solar farm development. It confirms that no ground investigations are required to investigate mining related hazards.

The Coal Authority recommendation to the LPA:

The Coal Authority's Planning & Development Team considers that the content and conclusions of the Mining Risk Assessment report are sufficient for the purposes of the planning system and meet the requirements of the 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.

Should planning permission be granted for this proposal we request that the following Informative Notes are included on the decision notice:

1 - Ground Investigations and groundworks

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.

2 - 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.

Mine Gas

It should be noted that wherever coal resources or coal mine features exist at shallow depth or at the surface, there is the potential for mine gases to exist. These risks should always be considered by the LPA. The Planning & Development Team at the Coal Authority, in its role of statutory consultee in the planning process, only comments on gas issues if our data indicates that gas emissions have been recorded on the site. However, the absence of such

a comment should not be interpreted to imply that there are no gas risks present. Whether or not specific emissions have been noted by the Coal Authority, local planning authorities should seek their own technical advice on the gas hazards that may exist, and appropriate measures to be implemented, from technically competent personnel.

If you would like to discuss this matter further, please contact me on the above number.

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 data and the electronic consultation records held by the Coal Authority since 1 April 2013. The comments made are also based on the information provided to the Coal Authority by the Local Planning Authority and/or information that has been published on the Council's website for consultation purposed 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.

In formulating this response the Coal Authority has taken full account of the professional conclusions reached by the competent person who has prepared the Coal Mining Risk Assessment or other similar report. In the event that any future claim for liability arises in relation to this development the Coal Authority will take full account of the views, conclusions and mitigation previously expressed by the professional advisors for this development in relation to ground conditions and the acceptability of development.