



200 Lichfield Lane  
Mansfield  
Nottinghamshire  
NG18 4RG

T: [REDACTED] (Planning Enquiries)

W: [www.gov.uk/coalauthority](http://www.gov.uk/coalauthority)

**For the attention of: Case Officer**  
High Peak Borough Council

[By email: [REDACTED]]

21 May 2026

Dear Case Officer

**Re: Planning application HPK/2026/0180**

**Variation of condition 2 in relation to planning application HPK/2022/0220 at Land at Elnor Lane, Whaley Bridge**

Thank you for your notification of 18 May 2026 seeking the views of the Coal Authority (trading as the Mining Remediation 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: FURTHER INFORMATION REQUIRED**

The application site falls within the defined Development High Risk Area. Our information indicates that the site lies in an area where historic unrecorded underground coal mining activity is likely to have taken place at shallow depth. Such workings can pose a risk to surface stability and public safety.

Planning permission HPK/2022/0220, to which this variation of condition application relates, included Conditions 6 and 7 which related to the investigation of shallow coal

mining legacy affecting the site, the implementation of any necessary remedial works to address the risks posed by any such legacy, and the verification of the works carried out.

You will be aware from our consultation response letter of 8 May 2024 in respect of condition discharge application DOC/2024/0049, that the Coal Authority's Planning & Development Team raised no objection to the LPA discharging Condition 6 and 7. This was on the basis of the information and professional opinions contained in a Factual Report - Probing, Locating, Drilling and Treatment for Shallow Coal Workings (29 October 2024, prepared by Van Elle) submitted in support of the application.

We note that the applicant has now applied to vary Condition 2 of planning permission HPK/2022/0220 to enable development to proceed in accordance with revised drawings. We understand that the proposed revisions would see the approved dwelling at the southern part of the site replaced with a pair of semi-detached dwellings. As a result, built development will extend further south in the site than previously approved and closer to the edge of the extent of remedial drilling and grouting works as detailed in the Factual Report (see report Appendix 5).

**It would appear that the footprint of the proposed semi-detached properties will lie within the area of past treatment, nevertheless, for clarity and the avoidance of doubt, the applicant should be requested to submit confirmation from their technical consultants that they are satisfied that previous remediation works have rendered the site safe and stable for the revised scheme of development now proposed.**

We would be pleased to receive for further consultation and comment any additional information prepared and submitted by the applicant in respect of the above.

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

Yours faithfully

*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.