

Application Number:	23/00778/FUL
Proposal:	Proposed new single storey Creative Arts Wing block to existing school (Resubmission of application 22/00523/FUL).
Site:	Rayner Stephens High School, Yew Tree Lane, Dukinfield
Applicant:	Helen Williamson, Rayner Stephens High School
Recommendation:	Grant planning permission, subject to conditions.
Reason for Report:	A Speakers Panel decision is required because the application constitutes a major development.
Background Papers:	The planning application documents are background papers to the report. They are open to inspection in accordance with Section 100D of the Local Government Act 1972.

1. SITE & SURROUNDINGS

- 1.1 The application relates to Rayner Stephens High School in Dukinfield. The site is accessed via Yew Tree Lane with parking areas integrated around the site to the front and rear of the main school building.
- 1.2 The area around Yew Tree Lane has a mix of domestic properties as well as a number of educational facilities, including the school, along its northern aspect towards its western end. The school itself is attached to and occupies a shared site with Cromwell High School which itself delivers special educational provision.
- 1.3 The school building is of a significant size and comprises a mix of single storey and two storey elements. External elevations are generally of brickwork with significant areas of white uPVC glazing with flat roofing.
- 1.4 To the rear (south) of the existing north wing, adjacent to the central link and south wing, there is an existing temporary classroom block. This temporary two storey building houses a number of classrooms and is situated within the rear car parking area. It is of a dark grey, flat roofed design and is of a modular block form in its appearance.
- 1.5 The school premises benefits from a number of playing fields across the southern part of the site, with the addition of a 3G full size sports pitched and a similarly sized AstroTurf pitch all of which is allocated Protected Green Space, according to the Tameside Unitary Development Plan (UDP) Proposals map. The rest of the site, north of the playing pitches, is unallocated.

2. PROPOSAL

- 2.1 This full application seeks planning permission for the removal of the existing two storey temporary modular units (classrooms) to the rear car parking area, and the erection of a new single storey 'creative arts' wing extension. The extension will be detached from the main school building.
- 2.2 The new building will accommodate a new drama studio with WC facilities, as well a new separate classroom.

- 2.3 The supporting Design and Access Statement outlines that the proposals will provide an adequate space for the school's essential educational and curriculum needs. The document outlines that the proposals are essential to assist the significant long-term improvement of facilities and subsequently pupil attainment in a number of study areas. The school currently has a single music classroom, the new facilities will expand on this significantly enhancing the curriculum area.
- 2.4 The extension would be constructed with metal cladding to the external elevations with engineering brickwork up to the damp proof course level. Window frames will be in dark grey aluminium.
- 2.5 The proposed building is remote from the overall site boundaries and subsequently all existing boundary fencing, trees and playing field will be retained.

3. PLANNING HISTORY

- 3.1 01/00012/R3D – New special school plus new main entrance and dining room – Approved 21.03.2022
- 3.2 01/01043/OUT – New sports hall and low level lighting to refurbished tennis courts – outline – Approved 18.10.2001
- 3.3 04/01417/FUL – Erection of new sports hall, (including changing facilities and reception) and refurbishment of existing sports hall – withdrawn 10.02.2005
- 3.4 05/00214/FUL – Erection of new sports hall, (including changing facilities and reception) and refurbishment of existing sports hall – Approved 13.04.2005
- 3.5 06/01317/R3D – New build part refurbishment 750 place 11-16 school with 70 place special needs school – OUTLINE – approved 09.11.2006
- 3.6 10/00882/FUL – Erection of new 2.4m palisade fence and replacement of existing 1.8m high gate and fencing with new 2.4m high palisade fence – Approved 06.12.2010
- 3.7 12/01100/FUL – Provision of all weather sports pitch including associated fencing, flood lighting and access paths – Approved 08.03.2013
- 3.8 13/00454/ADV – New school signage – Approved 26.07.2013
- 3.9 14/01201/FUL – Variation of condition no. 6 of planning application no. 12/01100/FUL proposing the sports pitch and floodlights to be used between 09:00-22:00 Monday to Friday and 09:00 - 20:00 Saturday and Sunday – Approved 01.04.2015
- 3.10 16/00141/FUL – Creation of a new external sports pitch (3G Artificial Grass Pitch) with perimeter ball-stop fencing, floodlights (artificial lighting), access and outdoor storage for maintenance equipment. – Approved 28.04.2016
- 3.11 16/00879/FUL – Variation of condition No. 6 (hours of use) relating to planning permission 16/00141/FUL (creation of new sports pitch with associated works) to allow the sports pitch and floodlights to be used between 09.00 to 22.00 hours Monday to Friday and 09.00 to 20.00 hours on Saturdays and 09.30 to 18.00 hours on Sundays – Approved 22.11.2016
- 3.12 17/00074/PLCOND – Request to discharge conditions 3 (Surface Water Drainage Scheme) 4 (Drainage Management and Maintenance Plan), 5 (Community Use Scheme) and 8 (Materials) from planning permission 16/00879/FUL (Creation of a new external sports pitch

(3G artificial grass pitch) with perimeter ball-stop fencing, floodlights (artificial lighting), access and outdoor storage for maintenance equipment) – Approved 02.10.2017

3.13 17/00748/FUL – Re profiling works to create level playing area. – Approved 13.11.2017

3.14 22/00523/FUL – Proposed new two storey Creative Arts Wing extension to existing school – Approved 21.10.2022

4. PLANNING POLICY

National Planning Policy Framework

4.1 Paragraph 9 of the National Planning Policy Framework (NPPF) states that planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account to reflect the character, needs and opportunities of each area.

4.2 Paragraph 11 states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay (as per section 38(6) of the Planning and Compulsory Purchase Act 2004). However, where the development plan is absent, silent or out of date, planning permission should be granted unless the application of policies in the NPPF that protects areas or assets of particular importance, provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

4.3 Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

4.4 The following chapters within the Framework are considered relevant:

- Section 2: Achieving Sustainable Development;
- Section 5: Delivering a Sufficient Supply of Homes;
- Section 8: Promoting Healthy and Safe Communities;
- Section 9: Promoting Sustainable Transport;
- Section 11: Making Effective Use of Land;
- Section 12: Achieving Well-Designed Places;
- Section 14: Meeting the Challenge of Climate Change, Flooding and Coastal Change; and
- Section 15: Conserving and Enhancing the Natural Environment.

Development Plan

4.5 The adopted development plan is the Tameside Unitary Development Plan (2004) and the Greater Manchester Joint Waste Development Plan Document (2012).

Tameside Unitary Development Plan (2004)

4.6 Part 1 Policies

- 1.3: Creating a Cleaner and Greener Environment;
- 1.5: Following the Principles of Sustainable Development;
- 1.6: Securing Urban Regeneration; and
- 1.12: Ensuring an Accessible, Safe and Healthy Environment.

4.7 **Part 2 Policies**

- T1: Highway Improvement and Traffic Management;
- T7: Cycling;
- T8: Walking;
- T10: Parking;
- C1: Townscape and Urban Form;
- MW11: Contaminated Land;
- MW12: Control of Pollution; and
- U4: Flood Prevention

Places for Everyone

4.8 The Places for Everyone Joint Development Plan Document was published in August 2021. It was submitted to the Secretary of State in February 2022 and inspectors are appointed to carry out an independent examination. It is a joint plan covering nine of the ten Greater Manchester districts, including Tameside, and is intended to provide the overarching framework to strategically manage growth across the boroughs.

4.9 Paragraph 48 in the NPPF states that local planning authorities may give weight to relevant policies in emerging plans according to: the stage of preparation of the emerging plan (the more advanced its preparation, the greater weight may be given); the extent to which there are unresolved objections (the less significant, the greater the weight that may be given); and the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

4.10 Places for Everyone has been published and submitted, where examination is on-going. The inspectors have recently issued examination document IN36, which is a 'part one' post hearing note. IN36 states that subject to a number of action points contained therein, the inspectors are satisfied at this stage of the examination that a schedule of proposed main modifications are necessary to make the plan sound and would be effective in that regard. In addition, the inspectors have indicated their position on the proposed allocations and Green Belt additions. Other than consideration of final issues on five specific allocations, or a significant change in national policy, no further action points are likely to be issued before the main modifications are consulted on.

4.11 The plan is a material consideration and to date, very limited weight has been given to the policies within it, primarily due to the number of outstanding objections received as a result of previous consultations. However, following the above, it is now reasonable to give a greater degree of weight to the plan, being reasonable within the context of national planning policy.

4.12 Places for Everyone cannot be given full weight in planning decisions, as it does not form part of the adopted plan for Tameside. But given the stage reached, it is reasonable to give elements of the plan substantial weight, subject to the inspector's caveat that this is without prejudice to their final conclusions following consideration of responses to consultation on the main modifications later in the examination.

4.13 To clarify, IN36 gives a clear steer as to the wording required to make the plan sound. Substantial weight should therefore be applied to the text of the plan as amended by the schedule of main modifications, and not the published version of Places for Everyone.

Other Considerations

4.14 The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the Convention of the same Act which sets out his/her rights in respect for private and family life and for the home. Officers consider that the proposed

development would not be contrary to the provisions of the above Articles in respect of the human rights of surrounding residents/occupiers.

- 4.15 The application has been considered in accordance with the Tameside One Equality Scheme (2018-22), which seeks to prevent unlawful discrimination, promote equality of opportunity and good relations between people in a diverse community. In this case the proposed development is not anticipated to have any potential impact from an equality perspective.

5. PUBLICITY CARRIED OUT

- 5.1 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the Council's adopted Statement of Community Involvement the application has been advertised as a Major Development by neighbour notification letter, display of a site notice; and advertisement in the local press.

6. SUMMARY OF THIRD PARTY RESPONSES

- 6.1 None received.

7. RESPONSES FROM CONSULTEES

- 7.1 Local Highway Authority / Lead Local Flood Authority – No objections, subject to conditions requiring a surface water drainage scheme be submitted and approved in writing; the submission of a construction environment management plan; and a scheme for secured cycle storage also be submitted and approved.
- 7.2 United Utilities – No comments received.
- 7.3 Environmental Health – No objections, subject to conditions recommending restrictions on construction working hours.
- 7.4 Contaminated Land – No objections, subject to a condition requiring the submission of a remediation strategy, if, during development, contamination not previously identified is encountered.
- 7.5 Tameside Council Education Services – No objections, Education Services are supportive of the application.
- 7.6 Coal Authority – No objections, the content and conclusions of the Intrusive Investigation Report are sufficient and meet the requirements of the NPPF in demonstrating that the application site is safe and stable for the proposed development.

8. ANALYSIS

- 8.1 The site is unallocated according to the Tameside Unitary Development Plan (UDP) Proposals Map. The application relates to an extension to an existing building within the urban boundary and would maintain the same use as existing. There is no conflict with the land use allocation, and so subject to the full consideration of any other material planning considerations including design, residential amenity and highway safety, the proposal is considered to be acceptable in principle.

9. DESIGN & LAYOUT

- 9.1 Policies within the UDP and the NPPF are clear in their expectations of achieving high quality development that enhances a locality and contributes to place making objectives. The NPPF emphasises that development should be refused where it fails to take opportunities available to improve the character and quality of an area and the way that it functions (para. 134). Paragraph 130 of the NPPF states that planning policies and decisions should ensure that developments:
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
 - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
 - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
 - f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 9.2 Policy C1 within the UDP states that in considering proposals for built development, the Council will expect the distinct settlement pattern, open space features, topography, townscape and landscape character of specific areas of the borough to be understood, and the nature of the surrounding fabric to be respected. The relationship between buildings and their setting should be given particular attention in the design of any proposal for development.
- 9.3 The existing school building is predominately two storey in height with a large flat roof. It is constructed from brick with white uPVC windows. It has a number of different 'wings' resulting in an irregular appearance.
- 9.4 To accommodate the proposed building it would be necessary to demolish the existing temporary modular buildings to the rear car parking area. By reason of its position to the rear of the main school building and within the central car park to the site, the development would not be a prominent addition and would be largely screened from the public realm by the existing school buildings. The scale is such that it would not appear overly dominant and being single storey the development would not be disproportionate (when viewed in conjunction with the surrounding built form).
- 9.5 The proposed building is of a contemporary design and overall it would successfully assimilate into its surroundings. The proposed modern external facing materials, which include metal and timber cladding with large areas of glazing, enhance the appearance of the building.
- 9.6 The building is remote from the overall site boundaries and would be situated within the existing car parking area. It would not result in the loss of any green space, vegetation or trees or result in harm to the visual amenity of the surrounding residential properties.
- 9.7 Overall, the extension would be perceived as a contemporary addition to the school grounds. It is of an appropriate scale and is well-proportioned. The materials proposed are considered appropriate to the locality in principle, however it is recommended that full details and product

specification are submitted for approval to ensure the materials are appropriate to the locality. A condition will be recommended on this basis.

- 9.8 In light of the above, the proposed new building is considered appropriate in this location and acceptable in respect of visual amenity.

10. RESIDENTIAL AMENITY

- 10.1 No neighbouring residential properties would be directly affected by the proposed development. The extension would replace an existing modular building which is in the same use.
- 10.2 The Council's Environmental Health officers have also reviewed the application, and raise no objections but recommend a condition restricting the hours of construction to daytime hours only. Given that the school premises is located within a predominately residential area, a condition is necessary to protect the amenities of residential properties.
- 10.3 In light of the above, the development is acceptable in this regard, ensuring a reasonable level of amenity for future occupiers, retaining a good standard of amenity for existing neighbouring residents, and not causing undue noise and disturbance to residential uses.

11. HIGHWAY SAFETY & ACCESSIBILITY

- 11.1 The application has been reviewed by the Local Highway Authority (LHA) who have confirmed that there is no objection to the proposal. In accordance with paragraph 111 of the NPPF, the scheme would not have an unacceptable impact on highway safety, nor have a residual cumulative impact on the road network which would be severe.
- 11.2 It is recommended that a Construction Environment Management Plan be submitted to and approved in writing by the Local Planning Authority, of which the applicant has agreed to.
- 11.3 The LHA note that there are existing cycle storage units accessible within the redline boundary, which current numbers are acceptable to the LHA. No additional cycle storage is therefore recommended.
- 11.4 Overall, subject to the recommended conditions, the proposals would not result in a detrimental impact on highway safety and is in accordance with policies T1 and T7 of the UDP and the NPPF, in particular paragraph 111.

12. DRAINAGE AND FLOOD RISK

- 12.1 The site lies within Flood Zone 1, at the least risk of flooding. The site is a previously developed site.
- 12.2 United Utilities have not provided comments on the application. Previous recommendations associated with application 22/00523/FUL were such that the applicant considers their drainage plans in accordance with the drainage hierarchy outlined within the NPPF and the National Planning Practice Guidance (NPPG).
- 12.3 Further to this, it is recommended by the Local Highway Authority and the Lead Local Flood Authority that, prior to the commencement of development, a surface water drainage scheme, based on the hierarchy as described above, shall be submitted to and approved in writing by the Local Planning Authority. Therefore, a condition requiring a drainage scheme to be submitted is recommended.

- 12.4 Following the above assessment, it is considered that the proposals would not result in a detrimental impact on flood risk or drainage capacity.

13. GROUND CONDITIONS

- 13.1 The site falls within the Coal Authority's defined Development High Risk 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 application is accompanied by an Intrusive Investigation Report (July 2022, prepared by Geoinvestigate Ltd). The Coal Authority's Planning & Development Team considers that the content and conclusions of the Intrusive Investigation Report are sufficient for the purposes of the planning system and meet the requirements of the NPPF in demonstrating that the application site is safe and stable for the proposed development. The Coal Authority therefore raise no objection to the proposed development. However, it is noted that further more detailed considerations of ground condition and foundation design may be required as part of any subsequent building regulations application.
- 13.2 The Environmental Protection Unit (EPU) have identified that historical mapping confirms that the site was undeveloped pastureland until the construction of the current school in the mid twentieth century. The EPU have reviewed the submitted information which comprises the Geoinvestigate Ltd report, which was produced primarily for geotechnical reasons, and note that the Coal Authority has reviewed this report and has no objections to the proposed development. The EPU have advised that when considering the history of the site, the intrusive investigations undertaken to date and that no new soft landscaping is to be included with the development, significant contamination issues appear unlikely. However, it is possible that unknown/unforeseen contamination could be encountered during the development. For instance, some old school sites may have been heated by an oil fired boiler and this can lead in some cases to localised contamination of soils and groundwater. On this basis a condition is recommended requiring the submission of a remediation strategy be submitted to and approved in writing by the LPA, should contamination, which has not been previously identified on site, be encountered.
- 13.3 The condition recommended by the EPU is considered reasonable and necessary to ensure that future users of the proposed development would not be exposed to potential risks caused by contamination at the site, and subject to its imposition the application is thereby considered acceptable in this regard.

14. CONCLUSION

- 14.1 The application proposes a new 'Creative Arts Wing' building within the existing school grounds. It would replace an existing temporary classroom building on site. The site is previously developed, brownfield land, and is not allocated for other purposes.
- 14.2 The design and scale of the development is appropriate for this location and would not harm the residential amenities of neighbouring occupiers given the nature of the proposed use and distance from the site boundaries.
- 14.3 The development would not cause undue impacts to highway safety, and would be considered acceptable subject to the imposition of conditions.
- 14.4 There are no objections to the proposals from the statutory consultees in relation to the proposals which is considered to be an efficient use of an existing site.

- 14.5 The proposal therefore complies with relevant development plan policies as well as those contained within the NPPF and is considered acceptable when taking into account other material planning considerations.

RECOMMENDATION

Grant planning permission, subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby approved shall be carried out strictly in accordance with the following plans and specifications as approved unless required by any other conditions in this permission:
 - a. 022009 -AAD -01 -ZZ -DR - A -0001 - P01 - WIP – Site Location Plan
 - b. 022009 -AAD -01 -ZZ -DR - A -0002 -PO 2 - Block Plan
 - c. 022009 -AAD -01 -ZZ -DR - A -0005 -PO 2 – Proposed Ground Floor Plan
 - d. 022009 -AAD -01 -ZZ -DR - A -0006 -PO 2 – Proposed 1st/Roof Floor Plan
 - e. 022009 -AAD -01 -ZZ -DR - A -0007 -PO 2 – Proposed Elevations

Reason: In the interests of the visual amenities of the locality and in accordance with polices of the adopted TMBC UDP.

3. Notwithstanding any description of materials in the application form and shown within the Design & Access Statement/elevation drawings no development shall take place until samples and/or full specification of materials to be used externally on the extension hereby approved have been submitted to, and approved in writing by, the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the locality, in accordance with polices OL10: Landscape Quality and Character and C1: Townscape and Urban Form.

4. If, during development, contamination not previously identified is encountered, then no further development (unless otherwise agreed in writing with the Local Planning Authority (LPA)), shall be undertaken at the site until a remediation strategy detailing how this contamination will be appropriately addressed and the remedial works verified has been submitted to, and approved in writing by the LPA. The remediation strategy shall be fully implemented and verified as approved.

Reason: To ensure any unacceptable risks posed by contamination are appropriately addressed and the site is suitable for its proposed use in accordance with paragraph 178 of the National Planning Policy Framework.

5. During demolition/construction no work (including vehicle and plant movements, deliveries, loading and unloading) shall take place outside the hours of 07:30 and 18:00 Mondays to Fridays and 08:00 to 13:00 Saturdays. No work shall take place on Sundays and Bank Holidays.

Reason: To protect the amenities of occupants of nearby properties/dwelling houses in accordance with UDP policies 1.12 and E6.

6. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. The strategy shall demonstrate that foul water and surface water shall be drained from the site via separate mechanisms and shall detail existing and proposed surface water run-off rates. The strategy shall also include details of on-going management and maintenance arrangements. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to reduce the risk of flooding to the proposed development, elsewhere and to future users.

7. No development shall commence until such time as a Construction Environment Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include details of:
 - i. Wheel wash facilities for construction vehicles;
 - ii. Arrangements for temporary construction access;
 - iii. Contractor and construction worker car parking;
 - iv. Turning facilities during the remediation and construction phases; and
 - v. Details of on-site storage facilities.

The development shall be carried out in accordance with the approved Construction Environmental Management Plan.

Reason: In order to avoid the possibility of the public highway being affected by the deposit of mud/or loose materials which could create a potential hazard to road users, in order to protect the amenity of the occupiers of the adjacent properties, in order to protect the visual amenities of the locality and the interests of highway safety.

8. The car parking spaces to serve the development hereby approved (Drawing Number 022009 - AAD -01 -ZZ -DR - A -0002 -PO 2) shall be laid out as shown on the approved site plan prior to the first occupation of that development and shall be retained free from obstruction for their intended use thereafter.

Reason: To ensure adequate car parking arrangements in accordance with UDP policy T1 and the National Planning Policy Framework, in particular paragraph 111.

Informative Notes

1. REASON FOR GRANTING PLANNING PERMISSION

Statement under Article 35 (2) of the Town and Country Planning (Development Management Procedure) England Order 2015 (as amended): The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the NPPF.

2. UNITED UTILITIES DRAINAGE

It is advised that the applicant should not presume that the principles outlined within a drainage strategy will meet the detailed requirements for a successful adoption application. We strongly recommend that no construction commences until the detailed

drainage design, has been assessed and accepted in writing by United Utilities. Any works carried out prior to the technical assessment being approved is done entirely at the developers own risk and could be subject to change. It is further advised that the applicant or developer should contact our Developer Services team for advice if their proposal is in the vicinity of water or wastewater pipelines and apparatus. It is their responsibility to ensure that United Utilities' required access is provided within their layout and that our infrastructure is appropriately protected. The developer would be liable for the cost of any damage to United Utilities' assets resulting from their activity.

3. DEVELOPMENT IN HIGH RISK COAL AREAS

The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant).

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at: www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

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, digging of 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 is trespass, with the potential for court action.

Property-specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com or a similar service provider.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority