



The Coal
Authority

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Selby Sites and Policies Local Plan - Initial Consultation (Consultation)

Consultation Deadline – 19/01/2015

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Person Making Comments

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Date of Response

7 January 2015

Background on The Coal Authority

The Coal Authority is a Non-Departmental Public Body sponsored by the Department of Energy and Climate Change (DECC). The Coal Authority was established by Parliament in 1994 to: undertake specific statutory responsibilities associated with the licensing of coal mining operations in Britain; handle subsidence claims which are not the responsibility of licensed coalmine operators; deal with property and historic liability issues; and provide information on coal mining.

The main areas of planning interest to the Coal Authority in terms of policy making relate to:

- the safeguarding of coal in accordance with the advice contained in The National Planning Policy Framework and Planning Practice Guidance in England, Scottish Planning Policy in Scotland, and Minerals Planning Policy Wales and MTAN2 in Wales;
- the establishment of a suitable policy framework for energy minerals including hydrocarbons in accordance with the advice contained in The National Planning Policy Framework and Planning Practice Guidance in England, Scottish Planning Policy in Scotland, and Minerals Planning Policy Wales and MTAN2 in Wales; and
- ensuring that future development is undertaken safely and reduces the future liability on the tax payer for subsidence and other mining related hazards claims arising from the legacy of coal mining in accordance with the advice in The National Planning Policy Framework and Planning Practice Guidance in England, Scottish Planning Policy in Scotland, and Planning Policy Wales and MTAN2 in Wales.

Background on Coal Mining Issues in Selby

Coal Resources, Development and Hydrocarbons

As you will be aware, the Selby Council area contains deep coal resources which are part of the Kellingley Colliery licenced area. This includes the settlements of Byram, Sutton, Beal, Birkin, Kellington, West Haddlesey, Eggborough, Kellingley, Hensall, Whitley and Womersley.

The Coal Authority is keen to ensure that licensed deep coal resources are not unnecessarily sterilised by sensitive new non-mineral development.

In addition the plan area contains 3 areas approved for the exploration of coal bed methane and 3 PEDL licenced areas are located within Selby.

Coal Mining Legacy

As you will also be aware, the Selby area has been subjected to deep coal mining which will have left a legacy. Whilst most past mining is generally benign in nature, potential public safety and stability problems can be triggered and uncovered by development activities. The mining legacy features present from the previous deep mining activities includes 15 mine entries, geological fissures and 18 surface hazards have been reported to The Coal Authority within the plan area.

Mine entries may be located in built up areas, often under buildings where the owners and occupiers have no knowledge of their presence unless they have received a mining report during the property transaction. Mine entries can also be present in open space and areas of green infrastructure, potentially just under the surface of grassed areas. Mine entries and mining legacy matters should be considered by Planning Authorities to ensure that site allocations and other policies and programmes will not lead to future public safety hazards. No development should take place over mine entries even when treated.

As The Coal Authority owns the coal and coal mine entries on behalf of the state, if a development is to intersect the ground then specific written permission of The Coal Authority may be required.

Specific Comments on The Selby Sites and Policies Local Plan – Initial Consultation Stage

The comments and/or changes which The Coal Authority would like to make or see in relation to the above document are:

Representation No.1

Site/Policy/Paragraph/Proposal – Overall Plan

Comment/Support – The adopted Core Strategy already addresses the issue of land instability within Policy SP15 Sustainable Development and Climate Change. This identifies that the issue of land instability will be considered as part of the development of the Sites and Policies Local Plan. In addition Policy SP19 Design Quality sets out a policy framework for considering land instability as part of development management.

Consequently The Coal Authority considers that the Core Strategy identifies a sufficient policy framework for the topic of unstable land and no further policy content is necessary in the Sites and Policies Local Plan.

In determining site allocations, the methodology should include consideration of land instability as Policy SP15 requires.

Representation No.2

Site/Policy/Paragraph/Proposal – Spatial Strategy

Comment – The Coal Authority has no views on what spatial strategy should be adopted for Selby, that is a matter for local determination.

Where proposed allocations are intended to be located within the Kellingley licensed underground coaling area the potential operational sterilisation relationship between highly sensitive non-mineral surface development and the underground licence should be considered as part of the site allocation methodology.

CONCLUSION

The Coal Authority welcomes the opportunity to make these early comments. We are, of course, willing to discuss the comments made above in further detail if desired and would be happy to negotiate alternative suitable wording to address any of our concerns. The Coal Authority also wishes to continue to be consulted both informally if required and formally on future stages.

Thank you for your attention.

For and on behalf of

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