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Erection of one self-build dwelling (outline - all matters reserved)

Report Item No  
A5

Land At Babelake Street Packington Ashby De La Zouch  
Leicestershire LE65 1WD

Application Reference  
16/00612/OUT

Applicant:  
Mr John Mattley

Date Registered  
23 May 2016

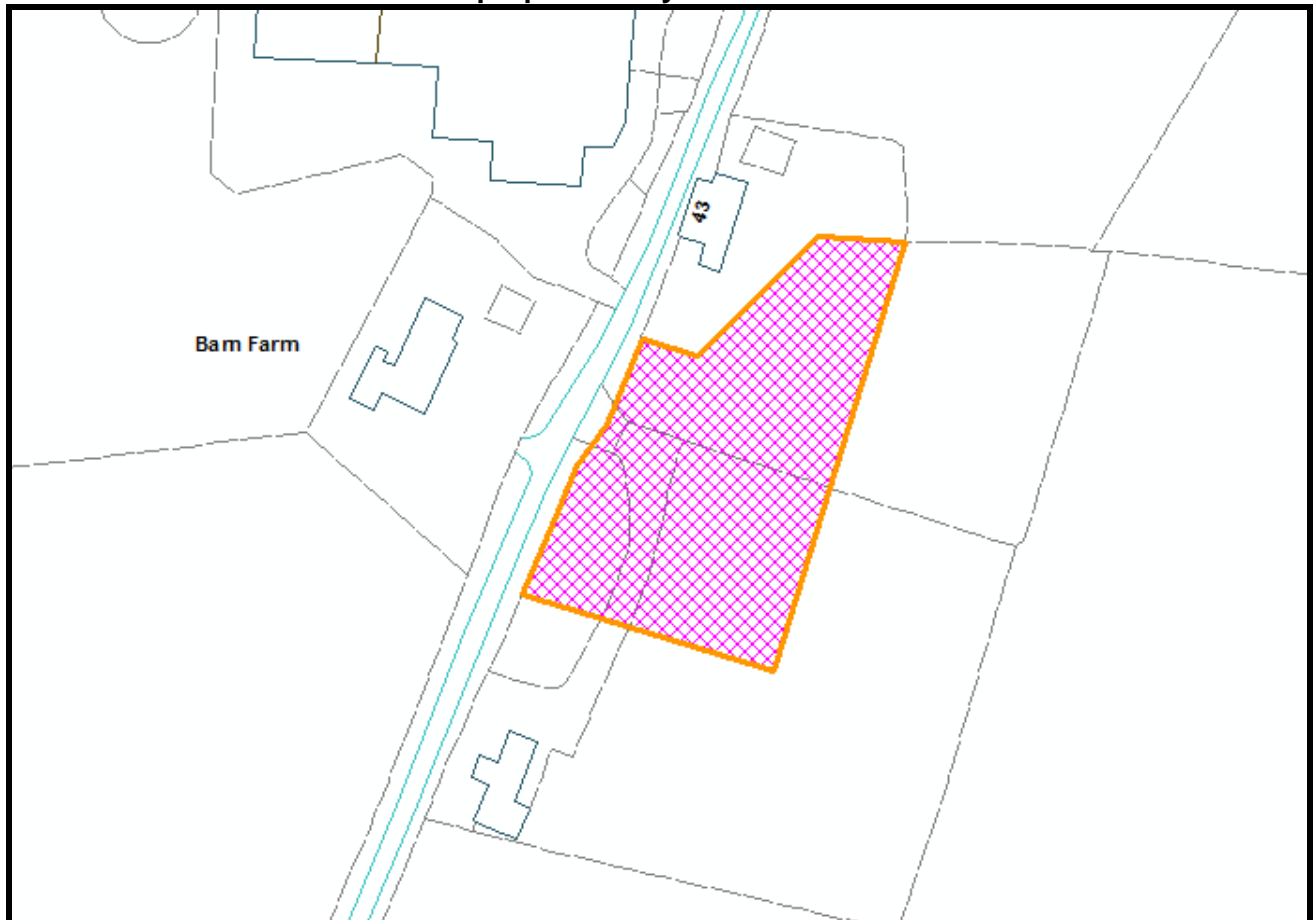
Case Officer:  
Christopher Elston

Target Decision Date  
18 July 2016

Recommendation:  
Permit Subject to a Section 106 Agreement

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**Site Location - Plan for indicative purposes only**



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## **EXECUTIVE SUMMARY OF PROPOSALS**

### **Call In**

The application is brought before Planning Committee as two of the applicant's children are employed as Planning Officers within the Development Management team at the Council.

### **Proposal**

Outline planning permission (with all matters reserved for future determination) is sought for the erection of one self-build dwelling on land at Babelake Street, Packington. The site is 0.19 hectares in size and lies outside the Limits to Development as identified in the adopted North West Leicestershire Local Plan and in the publication version North West Leicestershire Local Plan.

### **Consultations**

No third party representations have been received. Packington Parish Council objects to the proposal. There are no objections raised by other statutory consultees.

### **Planning Policy**

The application site lies outside Limits to Development as defined in the adopted North West Leicestershire Local Plan and in the publication version North West Leicestershire Local Plan. The application has also been assessed against the relevant policies in the NPPF and the adopted and publication version Local Plans and other relevant guidance.

### **Conclusion**

In the overall balance it is considered that the proposal would be a sustainable form of development and is acceptable in principle. The proposal is unlikely to result in a severe impact on highway safety or adversely impact on the River Mease SAC/SSSI and a dwelling could be accommodated on the site without significant detriment to the character of the area, setting of a listed building, residential amenities and trees/hedgerows. There are no other relevant material planning considerations that indicate planning permission should not be granted.

Therefore, it is recommended that the application be granted planning permission.

### **RECOMMENDATION - PERMIT subject to a Section 106 obligation and subject to the imposition of conditions**

**Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.**

## MAIN REPORT

### 1. Proposals and Background

Outline planning permission (with all matters reserved for future determination) is sought for the erection of one self-build dwelling on land at Babelake Street, Packington. The site is 0.19 hectares in size and forms part of a paddock located on the eastern side of Babelake Street. A stable block owned by the applicant lies to the south of the site and the site is adjoined by the remainder of the paddock and two dwellings. The submitted plan indicates that an existing access into the site from Babelake Street (which serves the existing stables and paddock) would be used. As all detailed matters are reserved for future determination, no details of the siting, size or design of the dwelling have been submitted. The supporting information states that the dwelling would be a self-build home.

The site lies outside the Limits to Development as identified in the adopted and publication version Local Plans and lies within the catchment area for the River Mease Special Area of Conservation and the Gilwiskaw Brook (which is a tributary of the River Mease and part of the SSSI) lies approximately 110 metres to the east of the site. Blake Farmhouse (No. 33 Babelake Street) lies approximately 110 metres to the north of the site and is a Grade 2 listed building. The hedgerow fronting the site has been designated as a Local Wildlife Site.

Planning history:

- erection of one single storey storage building for purposes ancillary to equestrian use (13/00670/FUL) approved October 2013;
- change of use of fields to paddock and the erection of stables (02/01462/FUL) approved December 2002;

### 2. Publicity

2 Neighbours have been notified (Date of last notification 26 May 2016)

Press Notice published 1 June 2016

Site Notice published 30 May 2016

### 3. Consultations

Packington Parish Council consulted 26 May 2016

County Highway Authority consulted 26 May 2016

Environment Agency consulted 26 May 2016

Severn Trent Water Limited consulted 26 May 2016

Head of Environmental Protection consulted 26 May 2016

Natural England- Within 2k Of SSSI consulted 26 May 2016

NWLDC Tree Officer consulted 26 May 2016

LCC ecology consulted 26 May 2016

NWLDC Conservation Officer consulted 26 May 2016

Head Of Street Management North West Leicestershire District consulted 26 May 2016

### 4. Summary of Representations Received

#### Statutory Consultees

**Packington Parish Council** objects to the application on the following grounds:

*This application is outside the Limits to Development and in an area which is in open countryside. If allowed to proceed, councillors are concerned that this will set a dangerous precedent in that other owners of stables will wish to consider the same type of development. There are many of these types of owner and land along Babelake Street and if this application is permitted, how could others be refused? There will also be a loss of amenity if this development takes place. The lane is currently used for horse riding, cycling, walking and dog walking and development will spoil this. The road is not suitable for increased traffic and would require extensive works.*

**The Environment Agency** has no objections.

**Leicestershire County Council Ecologist** has no objections subject to conditions.

**Leicestershire County Council Highway Authority** has no objections subject to conditions.

**Natural England** has no objections subject to conditions.

**NWLDC Environmental Protection team** has no environmental observations.

**NWLDC Waste Services team** sets out matters for the developer to take into account in respect of waste collection.

No comments have been received from Severn Trent Water and the NWLDC Tree Officer by the date of this report.

### **Third Party Representations**

No letters of representation have been received.

## **5. Relevant Planning Policy**

### **National Planning Policy Framework (NPPF) - March 2012**

The NPPF (Paragraph 215) indicates that due weight should be given to relevant policies in existing development plans adopted before 2004 according to their degree of consistency with the Framework. The closer the policies in the development plan to the policies in the Framework, the greater weight they may be given.

The following sections of the NPPF are considered relevant to the determination of this application:

Paragraph 10 (Achieving sustainable development)

Paragraph 14 (Presumption in favour of sustainable development)

Paragraph 17 (Core planning principles)

Paragraphs 32 and 35 (Promoting sustainable transport)

Paragraphs 47, 49 and 55 (Delivering a wide choice of high quality homes)

Paragraphs 57, 58, 60, 61 and 64 (Requiring good design)

Paragraphs 69 and 70 (Promoting healthy communities)

Paragraphs 99 and 100 (Meeting the challenge of climate change, flooding and coastal change)

Paragraphs 109, 111, 112, 113, 118, 119 and 123 (Conserving and enhancing the natural environment)

Paragraphs 129, 131, 132, 133 and 134 (Conserving and enhancing the historic environment)

Paragraphs 203 and 206 (Planning conditions and obligations)

**Adopted North West Leicestershire Local Plan (2002):**

The North West Leicestershire Local Plan forms the development plan and the following policies of the Local Plan are consistent with the policies in the NPPF and, save where indicated otherwise within the assessment below, should be afforded weight in the determination of this application:

Policy S1 - Overall Strategy  
Policy S3 - Countryside  
Policy E2 - Landscaped Amenity Open Space  
Policy E3 - Residential Amenities  
Policy E4 - Design  
Policy E7 - Landscaping  
Policy F1 - National Forest - General Policy  
Policy F2 - Tree Planting  
Policy F3 - Landscaping & Planting  
Policy T3 - Highway Standards  
Policy T8 - Parking  
Policy H4/1 - Housing Land Release  
Policy H6 - Housing Density  
Policy H7 - Housing Design

**Publication Version North West Leicestershire Local Plan**

On 15 September 2015 the Council's Full Council approved a draft Local Plan for consultation. That consultation has now ended and the publication version of the Local Plan was agreed by Council on 28th June 2016 with a view to its submission for examination in September 2016. Given the more advanced stage that has now been reached with agreement of a publication version of the Local Plan it is considered that more weight can be attached to the following policies:

Policy S1 - Future Housing and Economic Development Needs  
Policy S2 - Settlement Hierarchy  
Policy S3 - Countryside  
Policy D1 - Design of New Development  
Policy D2 - Amenity  
Policy H6 - House Types and Mix  
Policy IF4 - Transport Infrastructure and New Development  
Policy IF7 - Parking Provision and New Development  
Policy EN1 - Nature Conservation  
Policy EN2 - River Mease Special Area of Conservation  
Policy EN3 - The National Forest  
Policy HE1 - Conservation and Enhancement of North West Leicestershire's Historic Environment  
Policy CC2 - Water - Flood Risk  
Policy CC3 - Water - Sustainable Drainage Systems

**Other Guidance**

Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990  
National Planning Practice Guidance 2014  
The Conservation (Natural Habitats &c.) Regulations 2010 (the 'Habitats Regulations')  
Circular 06/05 (Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within The Planning System)  
River Mease Water Quality Management Plan - August 2011

The River Mease Developer Contributions Scheme (DCS)  
The Community Infrastructure Levy Regulations 2010  
6Cs Design Guide - Leicestershire County Council

## **6. Assessment**

The main issues for consideration in the determination of this application relate to the principle of the development, its visual impact and its impact on the historic environment, residential amenities, ecology and trees, highway safety and on the River Mease Special Area of Conservation.

### **Principle of the Development**

In accordance with the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the starting point for the determination of the application is the Development Plan which, in this instance, includes the adopted North West Leicestershire Local Plan (2002 (as amended)).

The application site lies outside the defined Limits to Development within the adopted Local Plan and the publication version Local Plan with dwellings not being a form of development permitted by Policy S3 of the adopted Local Plan or Policy S3 of the publication version Local Plan. Paragraph 17 of the NPPF highlights the need to recognise the intrinsic character and beauty of the countryside, but does not specifically preclude development within the countryside.

The NPPF requires that the Council should be able to identify a five year supply of housing land with an additional buffer of 5% or 20% depending on its previous record of housing delivery. The Council is able to demonstrate a five year supply of housing (with 20% buffer) against the housing requirement contained in the publication version Local Plan.

Consideration must also be given to whether the proposals constitute sustainable development (including in its economic, social and environmental roles) given the presumption in favour of such as set out in the NPPF.

In terms of social sustainability Packington provides a range of day to day facilities, e.g. a primary school, shop, church, village hall, a public house, play area/recreation ground and some small-scale employment sites, and there is a limited hourly public transport service. These services/facilities are within one km (preferred maximum walking distance) of the site. Ashby-de-la-Zouch is also located approximately 1.7km from the site, where a wider range of services can be found. Whilst there is no footway along this part of Babelake Street, it has a relatively low traffic flow and verges and footways are available further along the road. Furthermore, there are several public footpaths leading off the road linking to the village and National Forest plantations, and the road is used by cyclists/walkers and horse riders from the nearby Champneys spa and stables. As such there are opportunities to walk to the village from the site along a route which is already in use by pedestrians and other non-car users. Therefore, it is considered that occupiers of the dwelling would not necessarily be dependent on the private car.

In terms of environmental sustainability some harm would arise from the loss of greenfield land located within the countryside. However as set out in more detail below, the proposal would not result in an 'isolated' dwelling or any unacceptable impacts on the natural, built or historic environment. Furthermore the dwelling would be self-build, for which there is support at national level with the introduction of new legislation by way of the Self Build and Custom Housebuilding Act 2015 and guidance published the Department for Communities and Local

Government, including the need for the for the Council to provide a self-build/custom build register. To date 37 people, including the applicants, have registered their interest in such projects within the District of North West Leicestershire. There would also be limited economic benefits which would include local construction jobs and helping to maintain local services in the area.

Packington Parish Council's objection includes concerns that the proposal will set a precedent for other dwellings located near to stables, in particular along Babelake Street where there are many stables and areas of land used in connection with horses. The application has not been submitted on the basis of the dwelling being required in connection with use of the stables. Furthermore, any applications for dwellings in the surrounding area would be considered on their own merits.

In conclusion, whilst the proposal would be contrary to Policies S3 of the adopted and publication version Local Plans and would result in some visual harm from loss of greenfield land in the countryside, this would be outweighed by the site's social sustainability credentials, development of a self-build property that would not have unacceptable impacts on the natural, built or historic environment, and the limited economic benefits. Therefore in the overall balance it is considered that the proposal represents a sustainable form of development and is acceptable in principle. In order to ensure that the dwelling is a self-build property, it is considered necessary for the applicant to enter into a Section 106 obligation which would control the commissioning and construction process of the property and its initial occupation.

### **Visual Impact**

The proposal would result in a density of 5.2 dwellings per hectare, which is significantly below that sought under Policy H6 of the adopted Local Plan (a minimum of 30 dwellings per hectare). However the NPPF states that authorities should set their own approach to housing density to reflect local circumstances. This density is considered appropriate having regard to the character of the area and the location of the site within the countryside.

This part of Babelake Street is characterised by sporadic and loose knit development and the proposal would result in the loss of greenfield land within the countryside. However, adjoining the development in three directions are two existing dwellings, the existing stable block and access road (which runs through the site) and a farm complex made up of several buildings and associated hardstanding. As such it is considered that harm to the character and visual amenities of the countryside would be limited as the development would not appear prominent within the rural landscape and would be well screened by the existing frontage hedgerow and seen within existing development.

There is variety in the scale and design of the dwellings along Babelake Street and a self-build dwelling would give an opportunity to reflect local character and distinctiveness. The site could accommodate all of the necessary requirements (private garden, parking/turning space) without being too cramped or resulting in over-development. As such it is considered that the proposal would not be contrary to the provisions of adopted Policy E4 and publication version Policy D1.

### **Historic Environment**

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority, when considering whether or not to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building, or its setting or any features of special architectural or historic interest that the building may possess. Paragraph 131 of the NPPF requires, amongst other things, new development to make a positive contribution to local character and

distinctiveness. Paragraph 132 of the NPPF stipulates that, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Blake Farmhouse (No. 33 Babelake Street) lies approximately 110 metres to the north of the site and is a Grade 2 listed building. Therefore the impact of the development on the setting of the listed building should be given special regard as required by the 1990 Act. No. 33 dates from the 18th century and part of its significance comes from its traditional design and many original details and design features and its prominence within the streetscene (due to its scale and design). Its significance is also due to the farm forming the historic edge to the settlement with countryside beyond.

Significant weight is given to preserving the setting of the Grade 2 listed building. There is some distance between the site and the listed building with intervening screening from No. 43 Babelake Street, No. 33's outbuildings and mature vegetation. Any views of a dwelling in the setting of the listed building from public footpaths and in longer views would be alongside existing development along Babelake Street. There is no evidence to suggest there is any direct functional/historic relationship between the site and the listed building. Therefore it is considered that a dwelling on the site would not adversely impact on the setting of the listed building and would not be harmful to its significance.

### **Residential Amenities**

No. 43 Babelake Street is six metres from the site at its closest point with its private garden adjacent to the site, and has side and rear windows serving habitable rooms. However, given the size of the site it is considered that a dwelling could be accommodated without significant detriment to residential amenities of occupiers of No. 43.

The site is located close to a farm and stables which could result in smells and noise affecting occupiers of the new dwelling. However, no objections have been raised in respect of this matter by the Council's Environmental Protection team and it is not unusual for dwellings to be located close to such uses.

### **Trees and Ecology**

The hedgerow that forms the site's front boundary is identified as a Local Wildlife Site. The application states that there is no intention to remove the hedgerow and the existing access would be utilised. There would be space on the site to accommodate a dwelling without the need to remove or impact on the hedgerow. The County Ecologist has no objections although requests the imposition of a planning condition requiring the hedgerow to be retained. Whilst the County Ecologist also requests imposition of a condition relating to landscaping, given that all detailed matters are reserved for future consideration, such a condition cannot be imposed at this stage.

### **Highway Safety**

The site is located on a straight stretch of Babelake Street within a 30mph zone. The County Highway Authority advises that due to the site's existing use as a pony paddock it does not consider that the proposed dwelling will result in a significant increase in trips and it could be argued that it will reduce the number of vehicles using this access on a daily basis. While the application has not been submitted on the basis of the dwelling being required in connection with the use of the stables, given that the dwelling would be located adjacent to stables and land owned and used by the applicant for the keeping of horses, it is likely that trips to and from the site would decrease. On this basis it is considered reasonable to impose a condition requiring the dwelling to only be occupied by owners/users of the adjacent land and stables in order to



prevent a severing from the dwelling and a potential subsequent increase in vehicles using the access. The Highway Authority has not requested any works are undertaken to Babelake Street. Whilst the Highway Authority has requested the imposition of conditions, given that all detailed matters are reserved for future consideration, such conditions cannot be imposed at this stage. The Highway Authority's advice is that the residual cumulative impacts of development are not considered severe and given the above it is considered that the proposal is unlikely to result in a severe impact on highway safety.

### **River Mease Special Area of Conservation**

The site lies within the catchment area of the River Mease Special Area of Conservation (SAC) and the Gilwiskaw Brook (which is a tributary of the River Mease and part of the SSSI) lies approximately 110 metres to the east of the site. Discharge from the sewage treatment works within the SAC catchment area is a major contributor to the phosphate levels in the river. Therefore, an assessment of whether the proposal would have a significant effect on the SAC is required.

The River Mease Developer Contribution Scheme (DCS) has been produced to meet one of the actions of the River Mease Water Quality Management Plan (WQMP). The DCS advises that all new development which contributes additional wastewater to the foul water catchment areas of the treatment works within the SAC catchment area will be subject to a developer contribution. The DCS is considered to meet the three tests of the 2010 CIL Regulations and paragraph 204 of the NPPF.

As the site is over 30 metres from the nearest public sewer and the applicant does not have permission to connect to a nearby private sewer, two non-mains foul drainage schemes are proposed; a septic tank which would discharge into soakaways and is emptied approximately once a year or a cesspool which is a sealed tank that does not discharge into the ground and needs to be emptied of waste.

Natural England advises that the Council should satisfy itself that there would be no harmful discharges of foul or surface water from the site into the River Mease or its tributaries (which includes the Gilwiskaw Brook). The Environment Agency has no objections. The management of septic tanks is dealt with by the Environment Agency as 'competent authority' under the Environmental Permit system. Furthermore, none of the Severn Trent Water (STW) treatment works in the SAC catchment area accept foul waste from licensed waste collectors, which STW has confirmed and advised that this arrangement will continue in perpetuity. Given the distance from the site to the Gilwiskaw Brook (approx. 110 metres) it is considered that a septic tank or cesspool and a surface water scheme would not adversely impact on the SAC/SSSI. A condition could be imposed requiring discharge of surface water to a sustainable drainage system. On this basis as the foul waste from the site would not be emptied within the SAC catchment area or discharge into the watercourse, there is not a requirement for a contribution under the DCS.

Therefore it can be ascertained that the proposal will, either alone or in combination with other plans or projects, have no likely significant effect on the internationally important interest features of the River Mease SAC, or any of the features of special scientific interest of the River Mease SSSI.

### **Other Matters**

Packington Parish Council has raised concerns regarding impact on the enjoyment of users of Babelake Street. However as there is existing development in the vicinity of the site, including two other dwellings, it is considered that it is unlikely that users of Babelake Street would be

adversely affected. Furthermore, it would be difficult to quantify that the proposal would reduce the number of people using the road as this is very much down to people's preference.

### **Conclusion**

In the overall balance it is considered that the proposal would be a sustainable form of development and is acceptable in principle. The proposal is unlikely to result in a severe impact on highway safety or adversely impact on the River Mease SAC/SSSI and a dwelling could be accommodated on the site without significant detriment to the character of the area, setting of a listed building, residential amenities and trees/hedgerows. There are no other relevant material planning considerations that indicate planning permission should not be granted. It is therefore recommended that planning permission be granted.

### **RECOMMENDATION, PERMIT, subject to a Section 106 obligation and subject to the following condition(s):**

- 1 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted shall begin before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

*Reason- to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).*

- 2 Approval of the details of the access, layout, scale, appearance and landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

*Reason- this permission is in outline only.*

- 3 The development shall be carried out strictly in accordance with the plan entitled 'Land at Babelake Street, Packington' (1:1250) received by the Authority on 23 May 2016, unless otherwise required by a condition of this permission:

*Reason- To determine the scope of this permission.*

- 4 The development hereby approved shall only be occupied by the owners/users of the stable block and land lying within the blue-edged land on the plan entitled 'Land at Babelake Street, Packington' (1:1250).

*Reason - in the interests of highway safety as the severance of the dwelling from the stables is likely to result in an increase in traffic using Babelake Street and the access.*

- 5 No development shall commence on site until such time as precise details of the existing and finished ground levels and the proposed floor levels of the dwelling in relation to an existing datum point have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

*Reason- to ensure the development takes the form envisaged by the Local Planning Authority.*

- 6 The development hereby approved shall only use a septic tank or cesspool for its foul drainage discharge and the foul waste from a septic tank or cesspool shall not be

emptied within the catchment of the River Mease Special Area of Conservation.

*Reason- to prevent an adverse impact on the River Mease Special Area of Conservation/SSSI.*

7 Before the external materials to the roof are installed to the dwelling hereby approved:

- (i) the means of disposal of surface water from the dwelling to soakaways or other sustainable drainage system shall be installed on site; or
- (ii) evidence to demonstrate that these means of drainage are not suitable for the dwelling and alternative details of surface water discharge to mains sewer;

have been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be provided before the external materials to the roof of the dwelling are installed and shall thereafter be so retained.

*Reason- to prevent an adverse impact on the River Mease Special Area of Conservation/SSSI.*

8 The existing hedgerow that forms the boundary of the site with Babelake Street shall not be removed and shall be retained in perpetuity at a minimum height of 1.5 metres.

*Reason - in the interests of ecology and biodiversity as the hedgerow is identified as a Local Wildlife Site.*

#### **Notes to applicant**

1 Outline planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Local Planning Authority has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

2 Written requests to discharge one or more conditions on a planning permission must be accompanied by a fee of £97 per request. Please contact the Local Planning Authority on 01530 454666 for further details.

3 You are advised that an Environmental Permit or exemption from such a Permit will be required from the Environment Agency for installation of a septic tank - <https://www.gov.uk/topic/environmental-management/environmental-permits>

4 The applicants are advised that, under the provisions of the Site Waste Management Plan Regulations 2008, the works may require the preparation of a Site Waste Management Plan (SWMP). Further information can be obtained from the Department for Environment Food and Rural Affairs at [www.defra.gov.uk](http://www.defra.gov.uk)

5 The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards include:

- Collapse of shallow coal mine workings.
- Collapse of, or risk of entry into, mine entries (shafts and adits).
- Gas emissions from coal mines including methane and carbon dioxide.

- Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide.
- Transmission of gases into adjacent properties from underground sources through ground fractures.
- Coal mining subsidence.
- Water emissions from coal mine workings.

Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

Potential hazards or impacts may not necessarily be confined to the development site, and Applicants must take advice and introduce appropriate measures to address risks both within and beyond the development site. As an example the stabilisation of shallow coal workings by grouting may affect, block or divert underground pathways for water or gas.

In coal mining areas there is the potential for existing property and new development to be affected by mine gases, and this must be considered by each developer. Gas prevention measures must be adopted during construction where there is such a risk. The investigation of sites through drilling alone has the potential to displace underground gases or in certain situations may create carbon monoxide where air flush drilling is adopted.

Any intrusive activities which intersect, 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. 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 Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity, and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at [www.groundstability.com](http://www.groundstability.com)