



To all Chief Planning Officers of Local
Authorities and National Park Authorities and
Core List Consultees

Ein cyf/Our ref :
Dyddiad/Dated: 22 October 2010

Dear Colleague,

The Coal Authority - Risk Based Approach to Development Management in the Coalfields

As you will be aware The Coal Authority has developed a risk based approach to raising awareness and managing the coal mining legacy issues within all the coalfield local planning authorities across Wales (and England and Scotland). This approach is one element of The Coal Authority's corporate objective to proactively disseminate a range of coal mining information and work more closely with other public bodies.

I recommend the implementation of this new approach at your earliest opportunity and to develop a positive working relationship with The Coal Authority.

The Coal Authority is a statutory consultee for development within the defined coal mining areas under Article 10(j) of the GPDO 1995 (as amended). The Coal Authority held meetings with the Welsh coalfield local planning authorities earlier this year to introduce the new approach. Once the Memorandum of Understanding has been signed (which simply allows the release of the new data) The Coal Authority will issue an Information Pack (Risk Based Approach to Development Management, Resources for Welsh Local Planning Authorities, Version 1, 2010) along with Coal Mining Development Referral Plans and Data 2010. The Coal Mining Development Referral Area Plans were published on The Coal Authority website on the 14 October 2010. (The Coal Authority will shortly issue an email to all coalfield local planning authorities containing a hyperlink to the plans.)

The implementation of the risk based approach to development management and the determination of planning applications provides a systematic and consistent approach to meet the requirements of paragraph 13.9.1 of Planning Policy Wales (Edition 3, July 2010), which states that:

"Planning decisions need to take into account:

- *the potential hazard that instability could create to the development itself, to its occupants and to the local environment; and*
- *the results of a specialist investigation and assessment by the developer to determine the stability of the ground and to identify any remedial measures required to deal with any instability."*

The basis for the approach is in the definition of areas within the coalfield which have existing real risks associated with past coal mining activities. It should consequently reduce the burden on local



planning authorities in relation to statutory consultation requirements to only those areas where The Coal Authority need to comment rather than all planning applications within the whole coalfield.

I would ask that you communicate the contents of this letter to all the appropriate parties within your authority.

A copy of this letter can be found at www.wales.gov.uk/planning.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Rosemary Thomas', written in a cursive style.

ROSEMARY THOMAS
Chief Planner/Deputy Director
Department for Environment, Sustainability & Housing

**Prif Gynlluniwr/Dirprwy Gyfarwyddwr
Adran yr Amgylchedd, Cynaliadwyedd a Thai**