

Ms Rachel Brophy [also forwarded to [Nicola.Harrison@cumbria.gov.uk](mailto:Nicola.Harrison@cumbria.gov.uk) ]

12/3/19

[Rachel.Brophy@cumbria.gov.uk](mailto:Rachel.Brophy@cumbria.gov.uk)

Planning Officer, Cumbria County Council

Dear Rachel Brophy,

**Re: Application ref 4/17/9007 by West Cumbria Mining Ltd re proposed coal mine at Whitehaven**

**Last week's High Court judgement: A pro-fossil fuel Paragraph in the 2018 NPPF is effectively illegal**

I am writing on behalf of South Lakes Action on Climate Change to make Planning Officers aware of a High Court Judgement which effectively makes illegal a paragraph in the 'Oil, gas and coal exploration and extraction' section of the 2018 NPPF, which has important implications as regards how climate change impacts should be considered as a planning consideration at local government level. **We at SLACtt most strongly advise that this ruling and their implications are given urgent and priority attention by the Planning Officers involved in producing their report to the Development Control Committee on WCM's coal mine application.**

The attached letter is an addition to our letter of objection dated 18/2/18 and covers the above key addition as well as important implications of IPCC's Special Report for 1.5 degrees, WCM's carbon emissions and the many thousands of consequential climate deaths, and also a critique of WCM's claims as regards emissions from shipping coal.

The attached letter was written just before I heard that the Planning Officers have produced their report to the committee on WCM's application.

We regard the implications of the High Court Judgement of sufficient importance, together with the implications of the IPCC SR1.5 report, and the consequent many thousands of deaths that the WCM project will cause, that the report should be withdrawn and revised.

The Court judgement means that Project Officers can no longer work on the basis that the NPPF, the Planning System, and indeed Written Ministerial Statements, are necessarily legally correct in facilitating or providing loop-holes for, the extraction of more fossil fuels. Fossil fuel extraction is now being legally challenged.

This means that the Cumbria County Council, its Planning Officers and Councillor Committee members, can no longer use an excuse that they have to follow government statements or policies that are pro-fossil fuel extraction, when they recommend or decide on fossil applications such as from the WCM.

This also means that any officers who advise councillors to accept WCM's application, and likewise any councillors who vote in favour, will share responsibility for causing the many thousands of climate deaths and air pollution deaths that will very likely result from their decision.

Yours sincerely

Henry Adams on behalf of SLACtt

Dr Henry Adams (retired Ecological Consultant)

... [Kendal] [Mob: 07421 309453]

=====  
Attached was a copy of [www.bit.ly/SLACttNOtoCOAL2](http://www.bit.ly/SLACttNOtoCOAL2)

SLACtt's first objection letter (18/2/18) is here: [www.bit.ly/SLACttNOtoCOAL1](http://www.bit.ly/SLACttNOtoCOAL1)

/-

Copy of the excellent objection letter by Maggie Mason, who has had years of experience in such planning matters:  
[http://www.dragonfly1.plus.com/letter%20of%20objection%20to%204-17-9007\\_MMason.pdf](http://www.dragonfly1.plus.com/letter%20of%20objection%20to%204-17-9007_MMason.pdf)

I also strongly recommend for example the letters [by Laurie Michaelis](#), and by Dr Stuart Parkinson of SGR (both have, or still do, worked on climate science at a high level (eg re IPCC).  
<https://keepcumbriancoalinthehole.wordpress.com/2018/03/02/quaker-charity-and-ipcc-author-blast-coal-mine-plan/>

**South Lakes Action on Climate Change *towards transition* (SLACctt)** objects to WCM's coal mining application because the quantity of greenhouse gases it will release over its projected years of operation would be totally incompatible with the urgent and steep reduction in carbon emissions that climate scientists state we will need to ensure, in order to have any good chance of meeting the temperature goals of the Paris Climate Agreement that the UK and almost all other nations have signed up to, and also to keeping below the 1.5 degree C threshold in the recent IPCC Special Report for 1.5.

Note: WCM aim to extract mainly coking coal for steel-making, but also "middlings coal" for industrial uses. Both result in high carbon emissions.