



The Coal
Authority



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For the Attention of: Dean Clapworthy – Case Officer
Bury Metropolitan Borough Council

[By Email: development.control@bury.gov.uk]

26th October 2022

Dear Mr Clapworthy

PLANNING APPLICATION: 68873

Re-roof the existing roof covering of Unit 3 from slate to insulated metal cladding; External alterations to Unit 3/3A south east/south west elevations including new window/door openings and loading dock canopy; 5 No. new external silos and biomass installations with hoppers and flues to Units 2, 3, 3A, 4, and 5; Former Ashworth, Miller Street, Radcliffe, Manchester, M26 4AF

Thank you for your consultation notification of 13 October 2022 seeking the views of The Coal Authority on the above planning application.

The Coal Authority is a non-departmental public body sponsored by the Department of Business, Energy & Industrial Strategy. As a statutory consultee, The Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

The Coal Authority Response: Material Consideration

I have reviewed the site location plans, the proposals and the supporting information submitted and available to view on the LPA website. I can confirm that the site falls within the defined Development High Risk Area and that a Coal Mining Risk Assessment is required to be submitted to support this application.

The Coal Authority records that the site is in an area of historic recorded and likely unrecorded coal workings at shallow depth. Shallow coal workings can pose a potential risk to surface stability and public safety.

As you will be aware, the Coal Authority's general approach in cases where development is proposed within the Development High Risk Area is to recommend that the applicant obtains coal mining information for the application site and submits a Coal Mining Risk Assessment to support the planning application.

However, you will be aware from our consultation response letter of 1 September 2022 that the Coal Authority raised no objection to condition discharge application 67521 for the erection of an infill warehouse unit (Unit 1 on the Proposed Site Plan) adjacent to Units 3 and 3A, within the northern part of the site. This was on the basis that intrusive site investigations established the presence of a sufficient thickness of competent rock cover over shallow mine workings to ensure surface stability within that part of the site investigated.

Furthermore, we note that the re-roofing of Unit 3 and the installation 5 No. new external silos and biomass installations with hoppers and flues to Units 2, 3, 3A, 4, and 5 would not appear to require substantial foundations or earthworks.

On the basis of the above, we do not consider that requiring a Coal Mining Risk Assessment would be proportionate the scale and nature of development proposed in this particular case and we **do not object** to this planning application.

The Coal Authority does recommend that, should planning permission be granted for this proposal, the following wording is included as an Informative Note on any planning permission granted:

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 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.

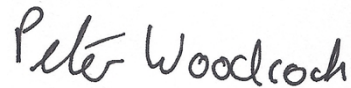
If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/coalauthority

Mine Gas

It should be noted that wherever coal resources or coal mine features exist at shallow depth or at the surface, there is the potential for mine gases to exist. These risks should always be considered by the LPA. The Planning & Development team at the Coal Authority, in its role of statutory consultee in the planning process, only comments on gas issues if our data indicates that gas emissions have been recorded on the site. However, the absence of such a comment should not be interpreted to imply that there are no gas risks present. Whether or not specific emissions have been noted by the Coal Authority, local planning authorities should seek their own technical advice on the gas hazards that may exist, and appropriate measures to be implemented, from technically competent personnel.

Please do not hesitate to contact me if you would like to discuss this matter further.

Yours sincerely,



**Peter Woodcock | BSc (Hons)
Trainee Planning Manager**

Disclaimer

The above consultation response is provided by The Coal Authority as a Statutory Consultee and is based upon the latest available data on the date of the response, and electronic consultation records held by The Coal Authority since 1 April 2013. The comments made are also based upon only the information provided to The Coal Authority by the Local Planning Authority and/or has been published on the Council's website for consultation purposes in relation to this specific planning application. The views and conclusions contained in this response may be subject to review and amendment by The Coal Authority if additional or new data/information (such as a revised Coal Mining Risk Assessment) is provided by the Local Planning Authority or the Applicant for consultation purposes.

In formulating this response The Coal Authority has taken full account of the professional conclusions reached by the competent person who has prepared the Coal Mining Risk Assessment or other similar report. In the event that any future claim for liability arises in relation to this development The Coal Authority will take full account of the views, conclusions and mitigation previously expressed by the professional advisers for this development in relation to ground conditions and the acceptability of development.