

NOTICE OF OUTLINE PLANNING PERMISSION

Town and Country Planning Act 1990 Town and Country Planning (Development Management Procedure) (England) Order 2015

To:

Mr Mark Arrowsmith
MDA DESIGN
84 Longworth Road
Horwich
Bolton
BL6 7BE

On Behalf Of:

Mr Nigel Poole
Genesis House
Stopes Road
Radcliffe
Manchester
BL3 1NP

PART 1 - Particulars of Application

Application Number: 71329

Date of Registration: 10/01/2025

Proposal:

Outline application (all matters reserved) for new warehouse unit (Class B8)

Location:

Land to side of Genesis House, Stopes Road, Radcliffe, Manchester, M26 3TL

PART 2 - Particulars of Decision

Bury Metropolitan Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that permission has been **GRANTED** for the carrying out of the development referred to in Part 1 hereof in accordance with the application and plans submitted subject to the following conditions:-

- 1 Applications for approval of reserved matters must be made not later than:
 - the expiration of three years beginning with the date of the grant of outline planning permission; and
 - that the development to which the permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason. To comply with the requirements of section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 Before the development is commenced, the applicant shall submit detailed plans and particulars to the Local Planning Authority, and obtain their approval under the Town and Country Planning Acts, of the following reserved matters; the layout, scale, appearance, access thereto and the landscaping of the site.

Reason. To ensure the satisfactory development of the site and because this application is in outline only.

- 3 This permission relates to the following plans:

Drawing no. 100 Rev. D: Location Plan; and,
Drawing no. D0277/102 Rev. E: Existing Site Plan

Any application for approval of reserved matters submitted pursuant to condition no. 2 of this permission shall accord with the outline permission insofar as it relates to the maximum number of buildings and the site area.

Reason. The application is granted in outline only in accordance with the provisions of Article 4 of the Town and Country Planning (Development Management Procedure) Order 2015. Any application for reserved matters must be in accordance with and/or not exceed the parameters established as part of this permission.

- 4 Prior to the submission of any reserved matters application seeking approval of a detailed layout of development, a scheme of intrusive investigations shall be carried out on site to establish the risks posed to the development by past opencast and shallow coal mining activity. These works shall be carried out in accordance with authoritative UK guidance.

Reason. To ensure that prior to the commencement of development measures have been agreed which ensure that the site is, or can be made, safe and stable for the development to ensure that the development will accord with the National Planning Policy Framework.

- 5 Under the reserved matters of access and layout details of car parking spaces, sufficient manoeuvring space for delivery vehicles, associated refuse storage and an electric vehicle a scheme for the provision of electric vehicle charging point infrastructure shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall accord with the requirements of SPD11: 'Parking Standards in Bury'.

The development shall not be brought into use until the approved scheme has been implemented. The approved scheme shall thereafter be retained and maintained for the lifetime of the development.

Reason. To encourage the uptake of ultra-low emission vehicles and to promote sustainable modes of travel to accord with Policies JP-C1: An Integrated Network, JP-C5: Streets for All, JP-C8: Transport Requirements of New Development and JP-S5: Clean Air of the Greater Manchester Places for Everyone Joint Development Plan, SPD11: Parking Standards in Bury and the National Planning Policy Framework.

- 6 No vegetation clearance, ground works, site preparation works, or other activities with the potential to impact Great Crested Newts (*Triturus cristatus*) shall take place until a Precautionary Method of Working (PMW) for Great Crested Newts has been submitted to and approved in writing by the Local Planning Authority.

The PMW shall be prepared by a suitably qualified ecologist and shall include, but not be limited to:

- Details of all vegetation clearance, ground works and construction activities with the potential to affect Great Crested Newts;

- Measures to avoid harm to Great Crested Newts during site clearance and construction;
- A phased and supervised vegetation clearance methodology;
- Details of any exclusion fencing or other protective measures required;
- Procedures to be followed should Great Crested Newts be encountered during the works;
- Details of ecological supervision and monitoring, where necessary; and
- A timetable for implementation of all mitigation and avoidance measures.

All vegetation clearance and associated works shall thereafter be carried out in full accordance with the approved PMW.

Reason. To safeguard Great Crested Newts, a protected species, during site clearance and construction works, in the interests of biodiversity conservation and to ensure compliance with the Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2017 (as amended), Policy JP-G8: A Net Enhancement of Biodiversity and Geodiversity of the Greater Manchester Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 7 No clearance of any vegetation in preparation for or during the course of development shall take place during the bird nesting season (March to August inclusive) unless an ecological survey has first been submitted to and approved in writing by the Local Planning Authority which demonstrates that the vegetation to be cleared is not utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no clearance of any vegetation shall take place during the bird nesting season until a methodology for protecting nest sites during the course of the development has been submitted to and approved in writing by the Local Planning Authority. Nest site protection shall thereafter be provided in accordance with the duly approved methodology.

Reason. In order to prevent any habitat disturbance to nesting birds in accordance with the requirements of Policy JP-G8: A Net Enhancement of Biodiversity and Geodiversity of the Greater Manchester Places for Everyone Joint Development Plan, the provisions of the Wildlife and Countryside Act 1981 (as amended) and the National Planning Policy Framework.

- 8 Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:
 - (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
 - (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
 - (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
 - (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
 - (v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason. To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with Policy JP-S4: Flood Risk and the Water Environment of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 9 No development hereby permitted (except demolition and site clearance) within any approved phase shall take place until the works relating to land contamination detailed below are fully completed:

With consideration to human health, controlled waters and the wider environment, the following documents shall be completed to characterise potential risk to sensitive receptors and submitted to the Local Planning Authority for approval:

II. Generic Quantitative Risk Assessment (GQRA). Submission of this document only if PRA requires it.

III. Detailed Quantitative Risk Assessment (DQRA). Submission of this document if GQRA requires it.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

- 10 No development hereby permitted (except demolition and site clearance) shall take place until the works relating to land contamination detailed below are fully completed:

In accordance with the findings of site characterisation and risk assessment within the Phase 1 Preliminary Risk Assessment by LK Group dated May 2024, documents from the following shall be submitted to and approved in writing by the Local Planning Authority:

I. Remedial Options Appraisal.

II. Remediation Strategy.

III. Verification Plan.

The development shall not be brought into use until the approved remedial and verification measures and ongoing monitoring measures have been installed / implemented, which shall thereafter be retained.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

- 11 No external lighting shall be installed on the site unless details have first been submitted to and approved in writing by the Local Planning Authority. The details

shall include the location, height, design, luminance, light spill contours, hours of operation and measures to minimise impacts on biodiversity, including commuting and foraging bats and other nocturnal wildlife. The lighting scheme shall be designed to achieve a dark corridor along habitat features and shall accord with the principles of the Bat Conservation Trust and Institution of Lighting Professionals Guidance Note 08/23 (or any subsequent replacement guidance). The approved scheme shall be implemented in full and thereafter retained as such.

Reason. To safeguard protected and priority species and maintain ecological connectivity in the interests of biodiversity, in accordance with Policy GP-G8: Biodiversity and Geodiversity of the Places for Everyone Joint Development the National Planning Policy Framework.

- 12 The development hereby approved shall be carried out in full accordance with the mitigation strategy measures (including their timetable for implementation) detailed within Section 8 (Mitigation Strategies) of the Preliminary Ecology Appraisal Report (PEAR) by 'ROAVR Group' (ref 24_PEA_BNG_09_13, dated 01 October 2024).

Reason. To ensure that adequate mitigation measures are introduced as part of the development in order that it does not adversely affect the favourable conservation status of any protected species and to ensure the provision of appropriate habitat compensation in accordance with the requirements of Policy JP-G8: Biodiversity and Geodiversity of the Places for Everyone Joint Development Plan, the National Planning Policy Framework, the Conservation of Habitats and Species Regulations 2010 and the Wildlife and Countryside Act 1981 (as amended).

- 13 No above ground development shall commence (excluding the demolition of existing structures) until;

- a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow and surface (opencast) coal mining activity; and
- b) any remediation works and/or mitigation measures to address land instability arising from past coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations, remedial works and mitigatory measures shall be carried out in accordance with authoritative UK guidance.

Reason. The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 187, 196 and 197 of the National Planning Policy Framework.

- 14 No development above foundation level shall take place until a Carbon and Energy Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall demonstrate how the development accords with the energy hierarchy and carbon reduction requirements of Policy JP-S2 (Carbon and Energy) of the Greater Manchester Places for Everyone Joint Development Plan,

including details of energy demand reduction, energy efficiency measures, renewable and low carbon energy technologies, and predicted carbon emissions. The development shall be carried out in accordance with the approved details and retained thereafter.

Reason. To secure a low/ zero carbon form of development and ensure compliance with Policy JP-S2 (Carbon and Energy) of the Greater Manchester Places for Everyone Joint Development Plan.

- 15 No above-ground construction shall take place until a Digital Connectivity Scheme has been submitted to and approved in writing by the Local Planning Authority. The Scheme shall include:

- a) details of the infrastructure required to enable gigabit-capable broadband connections to the development;
- b) a timetable for implementation; and
- c) confirmation of engagement with a telecommunications network provider.

The approved Scheme shall be implemented in full in accordance with the approved details prior to first occupation of the development and shall be retained thereafter.

Reason. To ensure the provision of reliable high-speed digital communications infrastructure in the interests of sustainable development and future connectivity, in accordance with Policy JP-C2: Digital Connectivity of the Places for Everyone Joint Development Plan.

- 16 The development hereby permitted shall not be occupied/brought into use until the works relating to land contamination detailed below are fully completed:

- Where remediation is required, it shall be carried out in full accordance with the approved Remediation Strategy.
- A Verification Report must be submitted to the Local Planning Authority for approval upon completion of remediation works. The Verification Report must include information validating all remediation works carried out; details of imported materials (source/quantity/suitability); details of exported materials; and details of any unexpected contamination.

Reason. To prevent pollution of the surrounding environment and to ensure the safe development of the site before any groundworks take place in the interests of the amenity of future occupiers and other sensitive receptors in accordance with the requirements and in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

- 17 Prior to the first occupation/ use of the development, a signed statement or declaration prepared by a suitably competent person confirming that the site has been made safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason. To ensure that prior to occupation/use of development measures have been implemented to ensure that the site is, made, safe and stable in accordance with the principles of the National Planning Policy Framework.

- 18 The development hereby approved within any approved phase shall not be brought into use until written confirmation is provided to the Local Planning Authority that unexpected or previously unidentified contamination was not encountered during the course of development works.

If, during development, unexpected contamination is found to be present on the site, no further works shall be carried out at the affected location until the following are submitted to the Local Planning Authority for approval:

- I. Risk Assessment (GQRA or DQRA);
- II. Remediation Strategy & Verification Plan;

If remediation is required, it shall be carried out in accordance with the approved Remediation Strategy. Upon completion of remediation works, a Verification Report shall be submitted for approval. The Verification Report must include information validating all remediation works carried out; details of imported materials (source/quantity/suitability); details of exported materials; and details of any unexpected contamination.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

The following policies of the Bury Unitary Development Plan, National and Regional Government were considered relevant:

- EC2/2 EC2/2 - Employment Land and Premises Outside the Employment Generating Areas
- JP-G8 A Net Enhancement of Biodiversity and Geodiversity
- JP-S2 Carbon and Energy
- JP-C2 Digital Connectivity
- NPPF National Planning Policy Framework

This decision relates only to the Town and Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

Applicant Plan Numbers:

Drawing no. 100 Rev. D: Location Plan; and,
Drawing no. D0277/102 Rev. E: Existing Site Plan

NOTES TO APPLICANT

1. Commencement of Development Notification

In accordance with S93G of the Town and Country Planning Act 1990 (As amended by Section 111 Levelling Up & Regeneration Act 2023) there is a legal requirement for you to inform the Council of the date when you intend to commence the development on site via submission of a Commencement Notice. This notice is mandatory for all developments and came into effect on 31 March 2024. You can find more information and download a copy of the Commencement Notice under the Before Starting Work section on our website at:

<https://www.bury.gov.uk/planning-building-control/planning-permission/planning-application-process>

Please send the Commencement of Development Notice to:

Development.Management@bury.gov.uk quoting the application number and site address.

2. The Control of Noise Regulations 1975, Section 60. Control of Noise on Construction Sites

Works carried out in connection with the planning permission shall comply with the above regulations which require the following:

1. All works and ancillary operations which are audible at the boundary of the nearest house or noise receptor, or at such other place as may be agreed with the Council, shall be carried out only between the hours of 0800 and 1800 on Mondays to Fridays and between the hours of 0900 and 1400 on Saturdays and at no time on Sundays and Bank Holidays.
2. The best practicable means, as defined in section 72 of the Control of Pollution Act 1974, to reduce noise to a minimum shall be employed at all times.
3. All plant and machinery in use shall be properly silenced and maintained in accordance with the manufacturer's instructions.
4. Any emergency deviation from the above (1 - 3) shall be notified to Bury Council without delay.

Any contravention of these requirements will trigger the serving of a Notice under Section 60 of The Control of Noise Regulations 1975.

3. Contaminated Land - Condition Discharge

In order to discharge conditions, the actions required by Conditions 9, 11 - 15 shall be completed in accordance with the following guidance: Land Contamination Risk Management (Environment Agency, 2023).

The applicant is advised that they have a duty to adhere to the regulations of Part 2A of the Environmental Protection Act 1990, the National Planning Policy Framework 2024 and the Building Control Regulations with regards to contaminated land. The responsibility to ensure the safe development of land affected by contamination rests primarily with the developer.

Purchasers, where applicable, are advised that they should satisfy themselves that land contamination issues, if present, have been satisfactorily discharged given that the Council expects full compliance with any contaminated land requirements prior to the occupation of the site. Upon occupation such matters could then be the

responsibility of the owner to remedy.

4. ***The local planning authority considers that approval of a BIODIVERSITY GAIN PLAN WILL BE REQUIRED BEFORE DEVELOPMENT COMMENCES***

The development is subject to the statutory biodiversity gain condition under Schedule 7A of the Town and Country Planning Act 1990. The submitted Biodiversity Gain Plan demonstrates that the residual deficit of 0.23 habitat units will be addressed through the purchase of statutory biodiversity credits or a scheme is developed to provide this on-site.

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition ("the biodiversity gain condition") that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

For the purposes of determining whether to approve a Biodiversity Gain Plan, the planning authority in respect of this permission is Bury Council. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below. However, based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

Permissions for phased developments falling within paragraph 19 of Schedule 7A to the Town and Country Planning Act 1990

Where the permission granted has the effect of requiring or permitting the development to proceed in phases, the modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply. In summary: Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun (the overall plan), and before each phase of development may be begun (phase plans).

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition:

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and: (i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or (ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.

4. The permission which has been granted is for development which is exempt being:

4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England)

Order 2015) where: (i) the application for planning permission was made before 2 April 2024; (ii) planning permission is granted which has effect before 2 April 2024; or (iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

4.2 Development below the de minimis threshold, meaning development which: (i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and (ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which: (i) consists of no more than 9 dwellings; (ii) is carried out on a site which has an area no larger than 0.5 hectares; and (iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.6 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

* "original planning permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans. The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat. The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted. Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i. do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii. in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

To discharge the general BNG condition full BNG information will be required such as the full statutory metric including the offsite provision and a Biodiversity Gain Plan evidencing the offsite provider to detail how the units will be secured and how the development will achieve a 10% BNG overall.

In the case of this planning permission, to discharge the condition, the following is required:

- Biodiversity Gain Plan (using DEFRA template), final BNG metric fully filled in including Start tab and on-site/off-site information (off-site information must be filled in by the off-site unit provider) and evidence of the off-site unit provider (including gain site reference number). The off-site units must also be allocated to this application on the Biodiversity Gain Sites Register to discharge the condition.

5. Site's location close to Coal Mining legacies

Please follow the following advice:

1. Ground Investigations and groundworks

Under the Coal Industry Act 1994 any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Mining Remediation Authority since these activities can have serious public health and safety implications. Such activities could include site investigation boreholes, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain permission to enter or disturb our property will result in the potential for court action. Application forms for Mining Remediation Authority permission and further guidance can be obtained from:

www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property.

2. Requirement for Incidental Coal Agreements

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required from the Mining Remediation Authority. Further information regarding Incidental Coal Agreements can be found at:

www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements.

3. Shallow coal seams

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

Signed:

A handwritten signature in black ink, appearing to read 'P. H. H.', is written over a dotted line.

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On behalf of the Council

Date of Decision: 21/07/2026