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For the attention of: Ms C. Booth – Case Officer
Bury Council

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

18 November 2024

Dear Ms Booth

Re: Planning application 71273

Erection and operation of Material Recycling Facility at Pilsworth Quarry, Pilsworth Road, Bury, BL9 8QZ

Thank you for your notification of 4 November 2024 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 for Energy Security and Net Zero. 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

The application site falls partly within the Coal Authority's defined Development High Risk Area. Therefore, within the site and surrounding area there are coal mining features present at surface or shallow depths. The risk these features may pose should be considered as part of the planning process.

More specifically, the Coal Authority's information indicates that the south western part of the site encroaches marginally into an area where historic unrecorded coal mining activity is likely to have taken place at shallow depth. Voids and broken ground associated with such workings can pose a risk to surface stability and public safety.

The application is accompanied by a Phase 1 Desk Study report (July 2023, prepared by Wardell Armstrong). Based on a review of coal mining and geological information, the report identifies that the Arley coal seam is conjectured to outcrop at the site. As such, it concludes that possible unrecorded shallow mine workings in this seam present a potential risk of instability at the site. It goes on to recommend that intrusive investigations are carried out in order to determine the risk from shallow mining legacy and to inform any necessary stabilisation works.

We note that the applicant is also accompanied by a subsequent Phase II Ground Investigation Report (May 2024, also prepared by Wardell Armstrong). This report indicates that intrusive investigations have been carried out at the site, including the drilling of rotary boreholes to depths of 55.0m bgl to establish the shallow coal mining situation. These works were carried out under Coal Authority Permit 27858.

The Phase II report indicates that a significant thickness of superficial deposits was encountered during drilling. It advises that the boreholes did not encounter any coal seams of a significant thickness and did not record any evidence of mine workings, such as a significant loss of drilling flush, voids or broken ground. It goes on to conclude that the risk posed by unrecorded shallow mine workings is low. As such, no recommendations are made for any remedial or mitigatory measures in respect of coal mining legacy matters.

The Coal Authority recommendation to the LPA:

The Coal Authority's Planning & Development Team considers that the content and conclusions of the Phase 1 Desk Study report, as supplemented by those of the Phase II Ground Investigation Report, are sufficient for the purposes of the planning system and meet the requirements of the NPPF in demonstrating that the application site is, or can be made, safe and stable for the proposed development. The Coal Authority therefore has **no objection** to the proposed development. However, further more detailed considerations of ground conditions and foundation design may be required as part of any subsequent building regulations application.

Mine Gas

It should be noted that wherever coal resources or coal mine features exist 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.

If you would like to discuss this matter further, please contact me on the above number.

Yours sincerely

James Smith

James Smith BSc. (Hons), Dip.URP, MRTPI
Planning and Development Manager

Disclaimer

The above consultation response is provided by the Coal Authority as a statutory consultee and is based upon the latest available data and the electronic consultation records held by the Coal Authority since 1 April 2013. The comments made are also based on the information provided to the Coal Authority by the Local Planning Authority and/or information that has been published on the Council's website for consultation purposed 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 advisors for this development in relation to ground conditions and the acceptability of development.