



200 Lichfield Lane
Mansfield
Nottinghamshire
NG18 4RG
T: 01623 637 119 (Planning Enquiries)
E: planningconsultation@coal.gov.uk
W: www.gov.uk/coalauthority

For the attention of: Jennie Townsend – Case Officer
Bury Metropolitan Borough Council

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

16th May 2024

Dear Mr Townsend

Re: Planning Application 70697

Erection of cafe/shop (Use Class E), rebuilding of existing boathouse and associated access road, parking & landscaping; Pilsworth Lake/Fisheries, Moss Hall Road, Bury, OL10 2RF

Thank you for your notification of 2 May 2024 seeking the views of the Coal Authority on the above.

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: **Fundamental Concern**

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 parts of the site fall 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 indicate that there is a recorded mine entry, ref. 383408-002, and its resultant zone of influence within the application site boundary, in the vicinity of the proposed parking areas to the north of the site. A further mine entry, ref. 383408-001 is present within 20m of the northern site boundary, with its potential zone of influence extending into the part of the site where the overflow car park is proposed. We hold no treatment details for either of these features and their recorded positions may be subject to significant departure. Untreated or inadequately treated mine entries pose a potential risk to surface stability and public safety.

We take this opportunity to highlight that any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. The Coal Authority has adopted a policy where, as a general precautionary principle, the building over or within the influencing distance of a mine entry should wherever possible be avoided. The Coal Authority would take this opportunity to make the applicant aware of our adopted policy:

www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Our record also show that the site is in an area of likely historic unrecorded coal workings at shallow depth. If shallow coal workings are present then these may pose a potential risk to surface stability and public safety. However it does not appear that the new café/shop and boat house fall within these parts of the site.

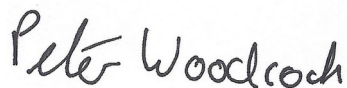
In accordance with the agreed risk-based approach to development management in the defined Development High Risk Areas, the applicant should be informed that they need to submit a Coal Mining Risk Assessment (CMRA) Report to support this planning application. As no relevant information has been submitted at this time the Coal Authority **objects** to this planning application. We would expect the accompanying CMRA to be proportionate to the nature of development proposed.

Please draw the applicants attention to the fact that the Coal Mining Risk Assessment needs to interpret and assess the coal mining risks present and should be based on up-to-date information on the recorded coal mining features on site. If the applicant merely submits a Non Residential Coal Mining Report, an Enviro All-in-One Report or other factual report, obtained from www.groundstability.com or a similar product from private land search suppliers, this will not overcome our objection to the planning application.

The Coal Authority would be very pleased to receive for further consultation and comment any additional information submitted by the applicant.

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

Yours sincerely,



Peter Woodcock | *BSc (Hons), AssocRTPI*

Assistant Planning and Development Manager

General Information for the Applicant

A variety of Coal Mining Report products which provide baseline information on coal mining legacy risks are available from www.groundstability.com. A Coal Mining Risk Assessment should then take the information contained in the Coal Mining Report and interpret the risks identified specifically in relation to the proposed development.

This coal mining information you obtain from a Non-Residential Coal Mining Report, an Enviro-All-in-One Report or other factual report should then be used to assess whether or not past mining activity poses any risk to the development proposal and, where necessary, propose mitigation measures to address any issues of land instability. This could include further intrusive investigation on site to ensure that the Local Planning Authority has sufficient information to determine the planning application.

The Coal Mining Risk Assessment should be prepared by a “competent body”. Links to the relevant professional institutions of competent bodies and guidance on how to produce a Coal Mining Risk Assessment can be found at:

www.gov.uk/planning-applications-coal-mining-risk-assessments

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 Coal Authority since these activities can have serious public health and safety implications. Such activities could include site investigation boreholes, excavations for 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 permission to enter or disturb our property will result in the potential for court action. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property.

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.