



The Coal
Authority



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For the Attention of: Ms J Townsend – Case Officer
Bury Metropolitan Borough Council

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

01st September 2022

Dear Ms Townsend

PLANNING APPLICATION: 67521

Discharge of Condition 11: Demolition of 2 no. small industrial units and the development of 1 no. infill warehouse unit; Former Ashworth, Miller Street, Radcliffe, Manchester, M26 4AF - COND

Thank you for your consultation notification of 11 August 2022 seeking the views of The Coal Authority on the above discharge of condition 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.

We previously commented on the application to which this discharge of condition relates in a letter to the LPA dated 18th March 2022. In this letter we commented on a Phase 1 Geo-Environmental and Coal Mining Risk Assessment report (21053-PWAG-00-XX-RP-G-1000-P01) prepared by PWA Geo-Environmental Ltd, dated February 2022. Based on the conclusions of this report we recommended that relevant planning conditions were imposed on any planning permission granted.

Our interest therefore lies in Condition 11 as imposed by the grant of planning permission, and this requires the following:

No development shall commence until;

a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past coal mining activity;

and

b) any remediation works and/or mitigation measures to address land instability arising from 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 and remedial works shall be carried out in accordance with authoritative UK guidance.

It is noted that the discharge of condition submission is supported by a Phase 2 Geo-environmental and Coal Mining Risk Assessment, dated June 2022 reference 21053-PWAG-00-XX-RP-G-7000-P02. The report authors state that three boreholes have been drilled on site to depths of up to 25m to investigate if shallow coal workings are present beneath the site. It is assumed that the report authors consider that, in their professional opinions, these three boreholes are adequate to properly assess the ground conditions and the risks posed to the development by past coal mining activity.

The report authors note that no evidence of shallow coal seams were encountered during these investigations, however a void was encountered and indicated the presence of shallow coal workings directly below the site, during drilling works. Nevertheless, the author states that in their professional opinion the site has sufficient competent rock cover to mitigate any associated historical coal mining risk. Based on the information within the report the authors conclude that with no significant shallow mine workings or coal being detected, the risk to the proposed development from shallow mine workings is low and mitigation measures are not required.

On the basis of the information currently submitted, and the professional opinions of the report authors set out therein, the Planning team at the Coal Authority would have **no objection** to the LPA discharging Condition 11 should they be minded to do so. Please note that any comments that the Coal Authority may have made in a Planning context are without prejudice to the outcomes of any Permit application.

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

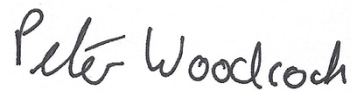
may exist, and appropriate measures to be implemented, from technically competent personnel.

SUDs

We also note that where SUDs are proposed as part of the development scheme consideration will need to be given to the implications of this in relation to the stability and public safety risks posed by coal mining legacy. The developer should seek their own advice from a technically competent person to ensure that a proper assessment has been made of the potential interaction between hydrology, the proposed drainage system and ground stability, including the implications this may have for any mine workings which may be present beneath the site.

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.