



The Coal
Authority



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For the Attention of: Ms H Leach – Case Office
Bury Metropolitan Borough Council

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

17 November 2021

Dear Ms Leach

PLANNING APPLICATION: 67658

Change of use of the land for use as outdoor sports pitches including engineering operations to form 4 pitches, the construction of a clubhouse, ancillary storage structures, creation of access from Radcliffe Moor Road, parking, landscaping, drainage and associated works; Land To West Of, Radcliffe Moor Road/bury New Road, Radcliffe

Thank you for your notification of 28 October 2021 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: Substantive Concern

I have reviewed the proposals and confirm that parts of the application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.

The Coal Authority records indicate that the site lies within an area of both recorded and probable shallow coal mining that may could be attributed to the thick coal seam (TRENCHBONE) inferred to outcrop within the southern and northern parts of the site. In addition there is a recorded mine entry (CA shaft ref: 375408-006) within the eastern

part of the site. The Coal Authority hold no treatment details for this mine entry and due to the historic source plans to plot its current position, this could vary by several meters. The Coal Authority is of the opinion that building over the top of, or in close proximity to, mine entries should be avoided wherever possible, even after they have been capped, in line with our adopted policy:

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

The planning application is accompanied by a Ground Investigation Report, July 2021 prepared for the proposed development by Betts Geo Consulting Engineers. The Report has been informed by their Desk Study Report, October 2020 which identifies that the site is at a very high risk from recorded and unrecorded shallow coal mine workings and the on-site mine entry. The above Desk Study Report also accompanies this planning application.

Accordingly, intrusive ground investigations in the form of 7no. rotary boreholes drilled to a maximum depth of 30m, located within the area of the proposed clubhouse have been undertaken (Section 16.5). Based on the findings of the rotary drilling, the report author informs that no evidence of any coal seams and / or workings were encountered and therefore the risk to the proposed development (from shallow coal mining) is low.

The Report identifies that the on-site mine entry is located 30m south-east of the proposed clubhouse and was not investigated. The report author considers that based on the ground conditions encountered within the boreholes drilled closest to the mineshaft, as rockhead lies at depths of 8.5m to 9.4m an easement (no build exclusion zone) of 10m to the shaft location is advised.

We have been unable to find a plan that illustrates how this 10m relates to the layout seeking approval and therefore it is unclear if this will affect the car parking area (Drawing No. 1002 Revision C – Site Layout Plan). **Accordingly, we consider it prudent that the applicant provides the Local Planning Authority (LPA) with the proposed site layout plan to illustrate this. In the event that the car parking area is within the 10m zone, we would request the submission of what remedial and / or mitigation measures are considered necessary.**

In addition to the above, we note that the current use of this site (agricultural purposes). **Therefore, as this proposal will actively encourage members of the public to use this site, we would request that the applicant provide the LPA with details of how they will ensure that there is no risk to public safety in the event of a catastrophic failure of the recorded on-site mine entry which, based on our records is likely to be untreated. Further input from their geotechnical consultants (Betts Geo Consulting Engineers) may be required.**

The applicant should be aware that where a site is affected by land instability, the responsibility for securing safe development rests with the developer / landowner (NPPF paras. 183 and 184).

In light of the above, we do not consider that the LPA has sufficient information to determine this planning application, and we currently **object** to this proposal.

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

Yours sincerely

D Roberts

Deb Roberts M.Sc. MRTPI
Planning & 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 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.