



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: Helen Pressley – Case Officer

Bury Metropolitan Borough Council

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

19 August 2025

Dear Ms Pressley

Re: 72054

**Demolition of 2 no. Stable Blocks; Erection of 5 no. Dwellings and a Stable Building;
Land Off, Brookbottom Road, Radcliffe, Manchester, M26 4HX**

Thank you for your notification of 31 July 2025 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: **Material Consideration**

I have reviewed the proposals and confirm that the application site falls within the Coal Authority's defined Development High Risk Area. Therefore within the application site and

surrounding area there are recorded coal mining features present at surface or shallow depths. The risk these features may pose should be considered as part of the planning process.

The Coal Authority records indicate that the application site (Drawing No. 4313-23-05B – Location Plan) lies within an area of both recorded and probable historic, unrecorded shallow coal mining. Voids and broken/disturbed ground associated with such workings can pose a risk of ground instability and may give rise to the emission of mine gases.

In addition, the site lies within influencing distance of an off-site mine entry (CA shaft ref: 377408-005 – currently recorded within the neighbouring property) which extends into the south western part of the site (existing access road). The Coal Authority hold no treatment details for this mine entry and due to the historic source plans used to record its current position, this could vary by several metres. Accordingly, this mine entry could be present within the application site (existing access road). 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>

There is also a coal seam of workable thickness which infers to outcrop at or close to the surface of the south western part of the site. However this specific coal mining feature is recorded within the area of the existing access road, and it does not appear that any ground improvement / development works are proposed within this area of the site.

The planning application is accompanied by a Coal Mining Risk Assessment Report (CMRA/1017/00, July 2025) prepared for the proposed development by Marengo Engineering & Geotechnical. The Report has been informed by an appropriate range of sources of historical, geological and coal mining information.

Having carried out a review of the available information, the report authors identify that there are multiple lines of evidence to suggest that historic coal mining activity is present beneath the site, which could have implications for ground stability and development risk. Therefore in order to mitigate the risk, recommendations have been made that further intrusive site investigations are required to confirm the exact ground conditions (depth / condition of any shallow coal seams; depth to rockhead) to ensure that the finding inform the extent of any remedial works and / or mitigation measures that may be required to

address the risks to the site from former coal mining activity, as required by the NPPF paras. 187, 196 & 197.

Whilst our records identify that mine entry (CA shaft: 377408-005) lies within 20m of the site boundary, this is based on the red-line site location plan. We note the report authors have discounted the risk from any recorded mine entries as they consider that these are located more than 20m from the proposed development boundary (Drawing No. 4313-24-10B – Proposed Site Plan) appended to their Report. We are assuming that a positional review of these mine entries has been carried out, based on the information reviewed (geological mapping) as part of their Coal Mining Risk Assessment. In light of the above, we acknowledge the professional opinions given by Marengo Engineering & Geotechnical. However it may be prudent, once site investigations have been undertaken for Marengo Engineering & Geotechnical to confirm, based on the findings of the investigation works, that their desk-based assessment of this specific feature, remains unchanged.

We welcome the comments made by the report authors that unrecorded mining features may exist within the application site and vigilance should be maintained during site preparation works. Should any unrecorded mine entries be encountered, they should initially be fenced off to make the area safe and appropriately assessed by an experienced engineer. Treatment of the mine entry will most likely be required. The Coal Authority will also need to be notified of any such findings.

The intrusive site investigations should be designed and undertaken by competent persons to ensure that these are appropriate to assess the ground conditions on the site to establish the coal-mining legacy present and the risks it may pose to the development and inform any mitigation measures that may be necessary.

The applicant is aware that Permission is required from the Coal Authority Permit and Licensing Team before undertaking any activity, such as ground investigation and ground works, which may disturb coal property. Please note that any comments that the Coal Authority may have made in a Planning context are without prejudice to the outcomes of a Permit application.

Mine Gas

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.

Sustainable Drainage

It should be noted 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.

The Coal Authority Recommendation to the LPA

In light of the above, the Coal Authority recommends the imposition of the following conditions:

1. No development (excluding demolition of existing structures) shall commence until;
 - a) a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and to confirm the applicant's geotechnical consultants opinion regarding mine entry (CA shaft: 377408-005) remains unchanged; 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.

2. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or 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 methods and findings of the intrusive site investigations and the completion of any

remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

This is our recommendation for condition wording. Whilst we appreciate that you may wish to make some amendment to the choice of words, we would respectfully request that the specific parameters to be satisfied are not altered by any changes that may be made.

The Coal Authority has **no objection** to the proposed development **subject to the imposition of the conditions** to secure the above.

The following statement provides the justification why the Coal Authority considers that a pre-commencement condition is required in this instance:

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 & 197 of the National Planning Policy Framework.

It is also requested that the following Informative Notes are included on any planning permission granted:

1 – Mine entries

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Mining Remediation Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at:

[Building on or within the influencing distance of mine entries - GOV.UK](https://www.gov.uk/government/policies/building-on-or-within-the-influencing-distance-of-mine-entries)

2 - Ground Investigations

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation Authority Permit. 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. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property

[What is a permit and how to get one? - GOV.UK \(www.gov.uk\)](http://www.gov.uk/what-is-a-permit-and-how-to-get-one)

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.

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 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.