



The Coal
Authority



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Learning Partner

200 Lichfield Lane
Berry Hill
Mansfield
Nottinghamshire
NG18 4RG

Tel: 01623 637 119 (Planning Enquiries)

Email: planningconsultation@coal.gov.uk

Web: www.gov.uk/coalauthority

For the Attention of: Mr D. Clapworthy – Case Officer
Bury Council

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

8 November 2023

Dear Mr Clapworthy

PLANNING APPLICATION: 70071

Erection of new secondary school alongside supporting sports facilities, car parking, landscaping, site infrastructure, new access road and associated access infrastructure at Site of Radcliffe Leisure Centre, Spring Lane, Radcliffe, Manchester, M26 2SZ - RECONSULTATION

Thank you for your consultation email of 27 October 2023 seeking the further views of the Coal Authority on the above planning application.

The Coal Authority Response: Material Consideration

We last commented on this application in a letter to the LPA dated October 2023. In this letter, we noted the conclusions of the supporting Coal Mining Risk Assessment (August 2023, prepared by Brownfield Solutions Ltd) and raised no objection to the proposal subject to the imposition of relevant conditions on any permission issued. These conditions would secure further investigations into possible unrecorded shallow coal mining activity at the site, the undertaking of any necessary remedial or mitigatory measures, and the verification of the works carried out.

We note that the planning agent has now submitted a Phase II Geo-Environmental Assessment Report (October 2023, again prepared by Brownfield Solutions Ltd) in support of their application. This report indicates that a further phase of intrusive investigations has now been carried out at the site, which included the drilling of eight rotary open boreholes to a maximum depth of 45.00m bgl. These works were carried out under Coal Authority Permit No. 27133.

Section 7.7 of the report indicates that the initial borehole investigation (4 boreholes) and the latest borehole investigation encountered coal seams at shallow depth beneath the site, but highlights that no evidence of workings such as loss of flush, broken ground, voids or soft drilling was recorded during these works.

Due to the number of boreholes undertaken in the area of proposed built development, the absence of evidence of coal workings and given that the majority of the coal seams encountered are not considered to be of workable thickness, the report author considers the risk of unrecorded workings in the area of built development is very low. As such, they conclude that the treatment of mine workings is not required for proposed structures.

Despite the lack of borehole coverage in other parts of the site, the report author considers that the risk of shallow coal mining across the wider site is low due to the high groundwater table and significant thickness of superficial deposits. They do, however, recommend at Section 10.2 that an appropriate geogrid reinforcement should be installed within external areas of proposed hardstanding highways and car parking located within the Coal Authority Development High Risk Area as a form of mass subsidence prevention.

In light of the additional information now submitted, we wish to revise our recommendation to the LPA as follows:

The Coal Authority Recommendation to the LPA

The Coal Authority's Planning & Development Team notes the professional opinions expressed in the supporting the Phase II Geo-Environmental Assessment Report; that whilst remedial and mitigatory measures are not required for the school building, precautionary measures should be incorporated into external parts of the development in order to mitigate the risk posed by coal mining legacy and to ensure the safety and stability of the development.

As such, should the LPA be minded to grant planning permission for the proposed development, we would recommend that the following conditions are included on the Decision Notice:

- 1. Proposed areas of hardstanding located within the Coal Authority Development High Risk Area, including access roads and vehicle parking, shall be constructed with appropriate geogrid reinforcement to protect the development from the effects of potential land instability derived from any shallow coal mine workings present, as outlined in Section 10.2 of the supporting Phase II Geo-Environmental Assessment Report. These measures shall be carried out in accordance with authoritative UK guidance.***
- 2. Prior to the occupation of the development a signed statement or declaration prepared by a suitably competent person confirming that the site 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 that the mitigation measures necessary to address the risks posed by past coal mining activity have been implemented in full.

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

Should planning permission be granted for this proposal, we also request that the following Informative Notes are included on the decision notice:

1 - Ground Investigations and groundworks

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.

2 - 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.

3 - Mine entry used for waste disposal

The Coal Authority records indicate that close to this site there is a mine entry (reference 378407-005) in which it is believed waste material may have been deposited. Consideration will need to be given to the potential risks this may pose, not only to the development itself but also to any investigatory and remedial operations necessary to ensure its safety and stability. Appropriate advice from a technically competent person should be sought on the potential risks posed by any fill material and the possible implications of this for the works proposed.

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

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 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.