



The Coal
Authority



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

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

31 January 2022

Dear Jennie

PLANNING APPLICATION: 67799

Erection of 1 no. attached dwelling; land adjacent to 88 Watling Street, Tottington, Bury, BL8 3QW

Thank you for your consultation letter of 26 January 2022 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

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.

In this instance, the Coal Authority records indicate that the application site may have been subject to historic unrecorded coal workings at shallow depth and that a thick coal seam outcropped across the site.

The Coal Authority considers that insufficient information has been submitted to determine whether or not issues of land instability can be satisfactorily overcome. Whilst the submitted Coal Mining Risk Assessment (September 2021, prepared by Earth Environmental & Geotechnical Ltd) correctly identifies the risks to the development posed by potential historic unrecorded shallow coal mine workings in two seams of coal and proposes a bespoke foundation, the Coal Authority considers that no justification can be

given for the recommended foundation solution without a full knowledge of ground conditions beneath the site.

As opposed to the mitigation strategy proposed by the applicant, the Coal Authority would suggest that in order to definitively prove/disprove the presence of shallow mine workings the drilling of boreholes on site to c.30m depth would be necessary. In the event that shallow voids are encountered without sufficient competent rock cover above, then these will need to be filled by grouting to stabilise the land. As a public body, we are not party to the costs of such investigations, but specialist drilling companies would be able to provide quotes.

Consequently, and due to the very limited assessment carried out of the risks that might be posed by probable underground coal mining, the Coal Authority **objects** to the proposal, and we consider that the applicant needs to revise and resubmit the submitted information to the LPA.

The Coal Authority Recommendation to the LPA

The information submitted fails to fully assess the risks posed by potential historic unrecorded shallow underground coal workings.

The applicant should assess whether or not past mining activity poses any risk to their development proposal and, where necessary, propose mitigation measures to address any issues of land instability. This should include further intrusive site investigation to ensure that the LPA has sufficient information to determine the planning application.

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

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

Yours sincerely

Chris MacArthur

Chris MacArthur B.Sc. (Hons), DipTP, MRTPI
Planning Liaison Manager

General Information for the Applicant

Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of The Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission will result in trespass, with the potential for court action. In the event that you are proposing to undertake such work in the Forest of Dean local authority area our permission may not be required; it is recommended that you check with us prior to

commencing any works. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at:
<https://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 coal mining 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.