



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: Ms H. Pressley – Case Officer
Bury Council

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

9 September 2026

Dear Ms Pressley

Re: Planning application 72688

Demolition of existing buildings and erection of a building comprising of a boiler workshop unit; extension to an existing unit (Use Class B2 and ancillary staff accommodation/office) and associated works at Unit 3, Irwell Industrial Estate, Lower Woodhill Road, Bury, BL8 1AR - RECONSULTATION

Thank you for your notification of 2 September 2026 seeking the further views of the Coal Authority (trading as the Mining Remediation Authority) on the above planning application.

The Coal Authority response: FUNDAMENTAL CONCERN

As you are aware the application site falls within the defined Development High Risk Area. Our records indicate the presence of two mine shafts within/adjacent to the site and the potential for the presence beneath the site of historic unrecorded shallow coal mine workings. This coal mining legacy can pose a risk to surface stability and public safety.

You will recall that we last commented on this application in our initial consultation response letter of 8 May 2026. In this letter, we objected to the proposal on the basis the supporting Coal Mining Risk Assessment (3 March 2026, prepared by REFA) did not demonstrate that the proposed built development would be sited in a manner which would avoid recorded mine shaft 379411-001 and its associated zone of influence.

We recommended that intrusive investigations should be carried out prior to the determination of the application in order to locate the recorded mine shaft, to define its zone of influence and to enable any necessary revisions to be made to the site layout to ensure that the built development avoids the shaft and its zone of influence.

We understand that the applicant has now submitted a Phase II Geo-Environmental Investigation Report and Mine Shaft Investigation (Version 002, 27 August 2026, prepared by REFA) in support of their application; however, the Coal Authority's Planning & Development Team does not consider that this adequately addresses the impact of coal mining legacy on the scheme of development currently proposed and we must therefore **MAINTAIN OUR OBJECTION** to the application.

The report indicates that three rotary open hole boreholes drilled to maximum depths of 30.00m bgl within the site to determine the presence of any shallow coal mine workings. It advises that whilst coal seams were encountered in the boreholes, these were found to be intact. No voids or backfilled workings were encountered during drilling. No recommendations are made for any further works in respect of shallow coal mining legacy.

The report indicates that the presence of various buried services and above ground site features posed constraints to undertaking a search for the recorded mine shaft 379411-001. As such, it indicates that only a single probe hole was drilled close to the recorded position of the shaft in an attempt to locate the feature. No evidence of the shaft was encountered, and it concludes that *'the mine shaft is not situated precisely at that coordinate.'*

In terms of further works, paragraph 10.2.1 of the report states, *'A geophysical survey could be conducted within the area of the potential mine shaft, however the opinion of a specialist geophysical consultant would be required to assess the overall likelihood of this methodology being successful. Due to the location of the potential mine shaft on the site, it is inaccessible to propose further intrusive borehole or excavations within <1.0m of the given vicinity without a requirement for a multitude of additional safety precautions and altering the surrounding area, for instance, a metal fence stands to the north, the hut containing ACMs towards the south west and an abundance of underground services that run in overlapping directions surrounding the location.'*

In consideration of the content of the latest report submitted we wish to raise the following matters of concern:

- Recorded mine shaft 379411-001 has an allotted departure distance of 8m due to potential plotting inaccuracies. Whilst we acknowledge the constraints affecting the search for shaft 379411-001, the undertaking of a single probe hole does not represent an adequate search for the feature. An intrusive investigation extending across an 8m radius from the recorded position of the shaft would typically be expected.

- As the situation stands at present, the exact position of shaft 379411-001 remains unproven, further works to locate the feature do not appear possible, the building could be within its zone of influence and no robust measures are proposed to mitigate the safety and stability risk it poses to the proposed building should it be present within or adjacent to the building footprint. As such, we consider that the design and layout of the proposed building should be revised to avoid the area of potential instability associated with the shaft, which should be calculated based upon its recorded position, departure distance, and the local depth to rockhead. This should be clearly demonstrated on the Site Plan as Proposed.
- No definitive conclusion is provided in the report to confirm that the author is satisfied that possible unrecorded shallow coal mine workings do not pose a risk of instability to the proposed built development.
- Based on the results of the three boreholes and the probe hole, the report concludes that shallow underground workings associated with the Arley Mine seam are not present beneath the site development area. It does not, however, address the matter of recorded shaft 379411-001 being 7.3m, suggesting that it accessed workings in the Arley coal seam at shallow depth in the immediate vicinity of the proposed building.

The applicant should be advised of our continued objection to the applicant and requested to address the matters of concern outlined above.

If you would like to discuss this matter further, please contact me on the above number.

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 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.

