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For the attention of: Ms H. Pressley – Case Officer
Bury Council

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

8 May 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

Thank you for your notification of 23 April 2026 seeking the views of the Coal Authority (trading as the Mining Remediation Authority) on the above planning application.

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: FUNDAMENTAL CONCERN

The application site falls partly within the defined Development High Risk Area. Therefore, within the 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.

More specifically, our records indicate that a mine entry (shaft, ref. 379411-001) is present within the site, close to where the access road enters the site. Due to potential plotting

inaccuracies, the actual position of this feature could depart/deviate from its plotted position by several metres. We hold no details of any past treatment of the shaft. An untreated or inadequately treated mine entry and its resultant zone of influence pose a significant risk not only to surface stability but also public safety.

Our records also indicate that the potential zone of influence of a further off-site mine entry (shaft ref. 379411-002) extends into the site. The plotted position of this feature is c.2.5m to the east of the existing access road to the site, in the parking area to the neighbouring premises. It should be noted that due to potential plotting inaccuracies, this shaft could actually be present within the existing access road. However, it does not appear that any development is proposed in this part of the site, the only proposal being the relocation of car parking to an existing hardstanding to the western side of the existing access road.

We take this opportunity to highlight that any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. The Coal Authority has adopted a policy where, as a general precautionary principle, the building over or within the influencing distance of a mine entry should wherever possible be avoided. Our adopted policy on the matter can be found at:

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

Our information also indicates that the site lies in an area where historic unrecorded coal mining is likely to have taken place at shallow depth. Voids and broken ground associated with such workings can pose a risk to land stability and public safety.

The planning application is accompanied by a Coal Mining Risk Assessment (3 March 2026, prepared by REFA); 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 therefore **OBJECT** to the application.

Based on a review of coal mining and geological information the report identifies a potential risk of instability at the site from probable unrecorded past shallow coal mining activity. Accordingly, it goes on to recommend the undertaking of a borehole investigation in order to further assess the shallow coal mining situation and to inform any necessary remedial works, such as the grouting of any workings present.

With regards to mine entries, the report discounts any risk to the proposed development from off-site shaft ref. 379411-002. It does, however, acknowledge the presence of the on-site shaft and recommends that *'The investigation should also comprise of rotary drilling to investigate the presence of shaft 379411-001 and its current condition/position in relation to the development.'*

The Coal Authority's Planning & Development Team welcomes the recommendations made in the submitted report for the investigation and remediation of coal mining legacy affecting the site. However, in consideration of our adopted policy mentioned above, we are concerned that the report is unable to demonstrate that the detailed layout of built development under consideration by the LPA, which will be fixed should planning permission be granted, is located clear of shaft 379411-001 and its associated zone of influence.

The recorded on-site mine shaft and its associated potential zone of influence are not shown on the Site plan as Proposed. However, considering potential plotting inaccuracies and the 8m departure distance allotted to this feature, it would appear that the shaft could be located immediately adjacent to the new boiler shed, with this building located within the shaft's zone of influence. This would conflict with our adopted policy.

In order to demonstrate the acceptability of the proposed detailed development layout for which approval is being sought, the Coal Authority's Planning & Development Team considers that intrusive investigations should be carried out prior to the determination of the application in order to locate the recorded mine shaft.

Prior to the undertaking of any such investigations, we consider that it would be prudent for the applicant to carry out a positional review of the shaft from source data, to ensure that investigations are based upon the most accurate best plot position for the feature.

The information gained from these site investigations should be used to calculate the extent of the zone of influence of the shaft. This will allow any necessary revisions to be made to the site layout to ensure that the built development is sited in a manner which avoids the shaft and its associated zone of influence. These details should be clearly shown on the Site Plan as Proposed, revised as necessary.

The applicant should note that Permission is required from our Permitting Team before undertaking any activity, such as ground investigation and ground works, which may disturb our property. Any comments that we may have made in a Planning context are without prejudice to the outcomes of a Permit application.

Mine Gas

It should be noted that 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.

SuDS

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

The supporting Coal Mining Risk Assessment has failed to demonstrate that the proposed detailed layout of development has been suitably informed by the recorded mine entry present within the site. It is the opinion of the Coal Authority's Planning & Development Team that the risk and uncertainty posed is such that specialist investigation is required prior to the determination of the application to ensure that the LPA is satisfied that the application site can be safely developed in the manner proposed.

The applicant should therefore be required to carry out intrusive site investigation works, subject to obtaining Mining Remediation Authority permission, to determine the extent of past coal mining activities and the implications for the layout and design for their development proposal. Any remedial, preventative and mitigatory measures should then be proposed as part of a revised report, as necessary, to address issues of land instability.

We would be 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 wish to discuss the above matters further.

Yours sincerely

James Smith

James Smith BSc. (Hons), Dip.URP, MRTPI
Planning and Development 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 Mining Remediation Authority, since such activities can have serious public health and safety implications. Failure to obtain permission will result in the potential for court action. Application forms for Mining Remediation Authority permission can be obtained from:
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 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.