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For the attention of: Jennie Townsend – Case Officer

Bury Metropolitan Borough Council

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

12 August 2026

Dear Ms Townsend

Re: 72962

**Enclosure of an existing courtyard including provision of new toilet facilities;
Newbank Garden Centre, Bury Road, Radcliffe, Manchester, M26 9XW**

Thank you for your notification of 3 August 2026 seeking the views of the Coal Authority on the above.

The Coal Authority (now trading as the Mining Remediation 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 site lies within an area of probable historic unrecorded shallow coal mining and coal seams of workable thickness infer to outcrop at or close to the surface of the northern part of the site that may have been historically worked from the surface to shallow depths beneath the site. These coal mining features could affect public safety and surface stability for new built development at the site.

The planning application is accompanied by a Desk-Based Coal Mining Risk Assessment Report (LKC261155, 25th June 2026) produced by LK Consult Ltd for *“enclosure of existing courtyard beneath new roof, with refurbished toilet facilities and new café kiosk. New wall structure to enclose the courtyard with shallow strip footings”*. The Report has been informed by an appropriate range of sources of historical, geological and coal mining information.

Having carried out a comprehensive review of the available information, the report authors highlight that there could be several coal seams that may have been historically worked within influencing distance of the surface. However Table 3-1 states that *“given the low sensitivity commercial nature of the development, lack of significant groundworks and as no significant increase in loadings anticipated, the risk of surface instability is considered to be low. Precautionary remedial measures such as a reinforced pad foundation to allow for minimal settlement should be implemented, subject to Mining Remediation Authority approval”*.

The Planning team at the Coal Authority acknowledge the professional opinions made by LK Consult Ltd, based on their review of an appropriate range of sources of information and in the context of the development being considered at this time.

We welcome the comments made by the report author 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 (ie LK Consult Ltd). Treatment of the mine entry will most likely be required. The Coal Authority will also need to be notified of any such findings.

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.

Sustainable Drainage

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 Coal Authority considers that the content and conclusions of Desk-Based Coal Mining Risk Assessment Report (LKC261155, 25th June 2026) are sufficient for the purposes of the planning system in demonstrating (based on the professional opinion of LK Consult Ltd) that the proposed development is safe and stable; subject to the precautionary remedial measures (such as a reinforced pad foundation) to allow for minimal settlement to be implemented. Foundation design will be considered as part of the applicant's subsequent building regulations application. Accordingly, the Coal Authority has **no objection** to the proposed development.

We consider it prudent that the LPA add the following wording as an Informative Note to the Decision Notice should the LPA grant planning permission:

If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at: [Mining Remediation Authority - GOV.UK](https://www.mra.gov.uk/)

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

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.