



The Coal
Authority



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For the Attention of: Ms H Leach – Case Officer
Bury Metropolitan Borough Council

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

31st May 2023

Dear Ms Leach

PLANNING APPLICATION: 69580

1. Demolition of buildings and erection of flexible events hall with associated servicing, parking and landscaping 2. New canopy structure to cover existing outdoor market 3. Temporary permission sought for area of Bury Market car park to be utilised for site cabins for the duration of the build; Land & Buildings At Murray Road/, 2-10 Princess Parade, /47-51 Market Street, & Bury Market, Bury, BL9 0BJ

Thank you for your notification of the 11th May 2023 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 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 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.

Our records indicate that the site is in an area of probable coal mine workings at shallow depth. If shallow coal workings are present then these may pose a potential risk to surface stability and public safety.

The planning application is supported by a Geoenvironmental Appraisal, dated August 2022 and prepared by ID Geoenvironmental Limited. This report has been informed by a range of sources of information, including the findings of intrusive site investigations.

Based on their review of available information, and the findings of the site investigations, the report authors identified those parts of the site where they consider that an area of low risk from past coal mining activity is present. The remainder of the site they conclude is not a risk from past coal mining activity. This low risk area coincides with a small part of the site where the market canopy is proposed. In this area the report authors state that further investigations may be necessary to inform foundation design for the canopy by the structural engineer.

On the basis of the information submitted, and the professional opinions of the report authors set out therein, and subject to the recommendations in the report being implemented on site, the Planning team at the Coal Authority has **no objection** to this application.

Please note that any comments that the Coal Authority may have made in a Planning context are without prejudice to the outcomes of any Permit application.

SUDs

It should be noted that 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.

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.

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

Yours sincerely

Melanie Lindsley

Melanie Lindsley BA (Hons), DipEH, DipURP, MA, PGCertUD, PGCertSP, MRTPI
Development Team Leader (Planning)

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.