



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: Helen Pressley – Case Officer

Bury Metropolitan Borough Council

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

04 July 2024

Dear Ms Pressley

Re: 70805

Erection of 4no bungalows and a block of 39 no. apartments for the over 55s including communal facilities, landscaping and car parking provision; LAND OFF, FLETCHER FOLD ROAD, BURY, BL9 9RX

Thank you for your notification of 25 June 2024 seeking the views of the Coal Authority on the above.

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 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. This could affect public safety and surface stability for the proposed development.

The planning application is accompanied by a Report on Coal Mining Related Site Investigation Works (T012 SFK (TLC1136) rep BS LKConsult 140121, January 2021) prepared for the proposed development by The Land Consultancy Limited. The Report has been informed by an appropriate range of sources of:

- geological and coal mining information;
- the conclusions and recommendations of a desk-based coal mining risk assessment (CMRA) completed for the site by LK Consult Ltd; and
- the results of intrusive site investigations in the form of three rotary boreholes drilled to a depth of 36m. Borehole logs and a plan to illustrate where the boreholes were drilled are appended to the Report. We are pleased to note that the investigations were carried out under the terms and condition of a Coal Authority Permit: 21205.

It should be noted that the Coal Authority have not had sight of the CMRA.

Notwithstanding the above, Section 1.2 of the Site Investigation Report informs that it was identified (within the CMRA) that the site was potentially being at risk of being affected by shallow coal mining related ground subsidence (Trencherbone coal seam c.2m – 4.8m thick, likely to be present at c.13m below rock head surface beneath the site).

Based on the results of the rotary drilling works, Section 5.3.3 states that no coal seams or evidence of the presence of coal workings was recorded. The Planning team at the Coal Authority are assuming that as the drilling works were designed (The Land Consultancy Limited) and undertaken (Rotary Test Drilling Ltd) by competent persons, they considered that three boreholes is adequate to identify the presence or otherwise of shallow coal seams / workings within the overall site.

Based on the analysis of the findings of the rotary drilling works, Section 6.8.7 concludes that the risk to the proposed development from unrecorded shallow workings within the

Trencherbone coal seam is considered to be very low, and consolidation works (by drilling and grouting) are not considered necessary. No mitigation measures have been identified. The Coal Authority welcomes the comments made by the report authors 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. Treatment of the mine entry will most likely be required. The Coal Authority will also need to be notified of any such findings.

Surface Coal Resource

The Coal Authority's records indicate that surface coal resource is present on the site, although this should not be taken to imply that mineral extraction would be economically viable, technically feasible or environmentally acceptable. As you will be aware, those authorities with responsibility for minerals planning and safeguarding will have identified where they consider minerals of national importance are present in your area and related policy considerations. As part of the planning application decision making process consideration should be given to such advice in respect of the indicated surface coal resource.

Mine Gas

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

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.

The Coal Authority Recommendation to the LPA

The Coal Authority considers that the content and conclusions of Report on Coal Mining Related Site Investigation Works (T012 SFK (TLC1136) rep BS LKConsult 140121, January 2021) are sufficient for the purposes of the planning system (NPPF paras. 189 and 190) in demonstrating (based on the professional opinion of The Land Consultancy Limited) that the application site is safe and stable for the proposed development. 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 features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0800 288 4242. Further information is available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

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

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.