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For the attention of: Jennie Townsend – Case Officer

Bury Metropolitan Borough Council

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

17th June 2025

Dear Ms Townsend

Re: Planning Application 71888

Construction, operation and decommissioning of a Battery Energy Storage System (BESS) facility and associated infrastructure; Shore Top Farm, Kearsley Road, Radcliffe, Manchester, M26 1FA

Thank you for your notification of 1 June 2025 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 site location plans and the proposals and supporting information submitted and available to view on the LPA website and can confirm that part of the site falls within the defined Development High Risk Area.

The Coal Authority records that the southern part of the site is in an area of historic recorded likely unrecorded coal workings at shallow depth. Voids and broken ground associated with such workings may pose a potential risk to surface stability and public safety.

We note that this application has been accompanied by a Phase I Geo-Environmental Assessment Report (LN/M5678/13072 Rev B) prepared by Brownfield Solutions Limited, dated 7th April 2025. The report has been based upon a review Coal Authority data and geological information, and concludes that *“The area where built development is proposed is not in the Development High Risk Area. Thus, a Coal Mining Risk Assessment is not considered to be required at this stage.”*

In light of the above, we wish to confirm that the proposed Battery Energy Storage System (BESS) facility and associated infrastructure would be sited entirely outside the defined Development High Risk Area, with only the proposed access track maintenance access located within the High Risk Area.

In light of the above, the Coal Authority’s Planning & Development Team wishes to raise **no objection** to this planning application. However, we do recommend that, should planning permission be granted for this proposal, the following wording is included as an Informative Note on any planning permission issued:

Informative Note

The proposed development lies within an area that has been defined by the Mining Remediation Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Mining Remediation Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available

at: <https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries> .

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required. Further information regarding Incidental Coal Agreements can be found here - <https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements>

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: <https://www.gov.uk/government/organisations/mining-remediation-authority>

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

Yours sincerely,



Peter Woodcock | BSc (Hons), AssocRTPI
Assistant 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.