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**For the attention of: Rachel Carney – Case Officer**

Rochdale Metropolitan Borough Council

[By email: [development.management@rochdale.gov.uk](mailto:development.management@rochdale.gov.uk)]

1<sup>st</sup> July 2025

Dear Ms Carney

**Re: Planning Application 25/00541/FUL**

**Demolition and site clearance of existing Teaching Block B and outbuildings and Erection of New Teaching Building (Use Class F1), repair and alterations to retained teaching buildings, revised means of access, car parking, cycle parking, drainage, infrastructure, landscaping and ancillary works; Hopwood Hall College Rochdale Campus, St Marys Gate, Rochdale, OL12 6RY**

Thank you for your notification of 16 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, the proposals and the supporting information submitted and available to view on the LPA website. I can confirm that the site falls within the defined Development High Risk Area.

The Coal Authority records that the site is in an area of likely historic unrecorded coal workings at shallow depth. If shallow coal workings are present then these may pose a potential risk to surface stability and public safety.

We note that this application is accompanied by a Coal Mining Risk Assessment (CMRA) report by Tier Environmental Ltd, dated 6<sup>th</sup> February 2025. Subsequently, a Specification for The Stabilisation of Shallow Mineworkings report, also prepared by Tier Environmental Ltd, date 11<sup>th</sup> April 2025 is submitted by the applicant. We are aware that the submitted Remediation Strategy & Build Phase Verification Plan prepared by LK Consult Ltd, and dated 25<sup>th</sup> April refers to potential contaminated land pollutant linkages therefore not specific to coal mining legacy related matters.

We note that the CMRA has been based upon a review of coal mining and geological information, and present the finding of intrusive investigations in order to assess the shallow coal mining situation beneath the site. The report authors state that three boreholes have been drilled on site to depths of up to 40m. These works were carried out under Coal Authority permit reference 29084.

The boreholes drilled on site encountered evidence of likely/possible shallow mineworkings present underlying the site. The report author goes on to advise that *“the building, attenuation and drainage corridors will require stabilisation via proof grouting. The full extent of these works will be detailed within a specification to be produced by Tier in due course.”*

As such we note that within the Specification for The Stabilisation of Shallow Mineworkings report, the report’s author comments it is *“recommended that the building footprint, substation, sprinkler and attenuation tanks are stabilised by a series of drilling and grouting.”* As shown on the Grouting Plan drawing No. TE1880-TE-00-XX-DR-GE-026-V06.

Whilst we welcome the intention of the applicant to undertaken stabilisation work on site, we must highlight that any remedial works and/or mitigation measures that may be necessary to ensure the safety and stability of the proposed development should refer to the site as a whole, including buildings and external parts of the site such as the hard landscaped and vehicle parking areas. Such works/measures may include grouting stabilisation works and foundation solutions.

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

## The Coal Authority Recommendation to the LPA

The Coal Authority concurs with the conclusions of the Coal Mining Risk Assessment and Specification for The Stabilisation of Shallow Mineworkings reports; that coal mining legacy poses a risk to the proposed development and the identified remedial and mitigation measures are necessary in order to ensure the safety and stability of the proposed development.

As such, should planning permission be granted for the proposed development, we would recommend that the following conditions are included on the Decision Notice:

1. ***No above ground development shall commence until the remediation works and mitigation measures to address land instability arising from shallow coal mining legacy have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.***

***The remedial works shall be carried out in accordance with authoritative UK guidance.***

2. ***Prior to the first occupation of the development a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the completion of any remedial works and mitigation necessary to address the risks posed by past coal mining activity.***

The Coal Authority therefore **do not object** to the proposed development **subject to the imposition of the above conditions**. Whilst we appreciate that you may wish to make some amendment to the choice of words, we would respectfully request that the specific parameters to be satisfied are not altered by any changes that may be made.

Should planning permission be granted for this proposal, we also request that the following wording is included as Informative Notes on any decision notice:

### 1 - Ground Investigations

***Under the Coal Industry Act 1994 any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority since these activities can have serious public***

**health and safety implications. 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. Failure to obtain permission to enter or disturb our property will result in the potential for court action. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at: [www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property](http://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property)**

## **2 - Shallow coal seams**

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

## **3- Requirement for Incidental Coal Agreements**

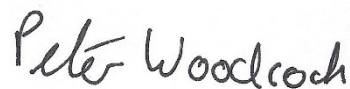
***If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required from the Coal Authority. Further 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>***

The following statement provides the justification why the Coal Authority considers that a pre-commencement condition is required in this instance:

*The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 187, 196 and 197 of the National Planning Policy Framework.*

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.*