

Date: 26 September 2023
Your Ref: Warren Nicholls discharge of ...
Our Ref: 16596/23



Planning Control
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Mr Gary Dearden
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Dear Mr Gary Dearden,

TOWN AND COUNTRY PLANNING ACT 1990

Application No: 16596/23

Proposal: DISCHARGE OF CONDITIONS 3 (PRELIMINARY RISK ASSESSMENT) 4 (COAL MINING) ON APPLICATION 13238/22

Location: MAJESTIC SELF DRIVE HENRY LEE STREET BOLTON BL3 3PT

I write to confirm that the application to discharge the conditions below has been determined as follows:

CONDITION 3 LAND CONTAMINATION/GROUND GAS (PRE-COM)

Development shall not commence until the following information has been submitted in writing and written permission at each stage has been granted by the Local Planning Authority.

- i. A preliminary risk assessment to determine the potential for the site to be contaminated shall be undertaken and approved by the Local Planning Authority.
- ii. Should the preliminary risk assessment recommend that site investigations are required. Prior to any physical site investigation, a methodology shall be approved by the Local Planning Authority. This shall include an assessment to determine the nature and extent of any contamination affecting the site and the potential for off-site migration. Provision of a comprehensive site investigation and risk assessment examining identified potential pollutant linkages in the Preliminary Risk Assessment should be presented and approved by the Local Planning Authority.
- iii. Where necessary a scheme of remediation to remove any unacceptable risk to human health, buildings and the environment shall be approved by the Local Planning Authority prior to implementation.
- iv. Any additional or unforeseen contamination encountered during development shall be notified to the Local Planning Authority as soon as practicably possible and a remedial scheme to deal with this approved by the Local Planning Authority.
- v. Upon completion of any approved remediation schemes, and prior to occupation, a completion report demonstrating that the scheme has been appropriately implemented and the site is suitable for its intended end use shall be approved in writing by the Local Planning Authority.

The discharge of this planning condition will be given in writing by the Local Planning Authority on completion of the development and once all information specified within this condition and other requested information have been provided to the satisfaction of the Local Planning Authority and

occupation/use of the development shall not commence until this time, unless otherwise agreed by the Local Planning Authority.

The Council's Pollution Control team were consulted on the discharge of the above condition and provided the following comments:

"The PRA has been assessed and remediation is required, although a site investigation is not necessary".

Condition 3 is therefore discharged.

CONDITION 4 INTRUSIVE INVESTIGATIONS COAL (PRE COM)

4 Development shall not commence until:

i. a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and

ii. any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

The UK Coal Authority have been consulted on the discharge of the above condition and provided the following comments:

"Condition 4 of the permission seeks to ensure the undertaking of intrusive site investigations, the implementation of any necessary remedial measures and verification.

The Coal Authority notes the submitted letter (dated 29 June 2023) from Demeter Environmental Ltd, which has been submitted in support of the discharge of the aforementioned planning conditions. The content of the letter confirms the undertaking of an intrusive investigation comprising of a rotary borehole.

The letter confirms that no significant coal seams or shallow workings were encountered in the borehole. Consequently, the Coal Authority is satisfied that the issue of the potential for coal mining legacy to affect the proposed development has been adequately investigated. The Coal Authority would therefore have no objections to the LPA discharging Condition 4".

Condition 4 is therefore discharged.

Yours sincerely,

Matthew Sharrocks
Planning Officer
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