



**The Coal
Authority**



INVESTOR IN PEOPLE

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For the Attention of: Mr S Daniel – Case Officer
Kirklees Council

[By Email: stuart.daniel@kirklees.gov.uk]

1 April 2015

Dear Mr Daniel

PLANNING APPLICATION: 2015/62/90435/E

Erection of 14 dwellings with integral garages - Parkham Foods Ltd, 22-26 Halifax Road, Liversedge, WF15 6JQ

Thank you for your notification of 16 March 2015 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 of Energy and Climate Change. 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.

The Coal Authority records indicate that the site is in an area of likely historic unrecorded underground coal mine workings at shallow depth.

The planning application is supported by a Desk Study Report, dated 8 January 2007 and prepared by Worms Eye Geotechnical. The report has been informed by historic maps and a Coal Mining Report.

Having reviewed the coal mining and geological information the report concludes that there is a potential risk to the development from past coal mining activity and therefore

recommends that intrusive site investigations are carried out in order to establish the exact situation in respect fo coal mining legacy issues. The findings of these intrusive site investigations should inform any mitigation measures which may be required.

The Coal Authority Recommendation to the LPA

The Coal Authority concurs with the recommendations of the Desk Study Report ; that coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site.

The Coal Authority recommends that the LPA impose a Planning Condition should planning permission be granted for the proposed development requiring these site investigation works prior to commencement of development.

In the event that the site investigations confirm the need for remedial works to ensure the safety and stability of the proposed development, this should also be conditioned to ensure that any remedial works identified by the site investigation are undertaken prior to commencement of the development.

The Coal Authority considers that the content and conclusions of the Desk Study Report are sufficient for the purposes of the planning system and meets the requirements of the NPPF in demonstrating that the application site is, or can be made, safe and stable for the proposed development. The Coal Authority therefore has **no objection** to the proposed development **subject to the imposition of a condition or conditions to secure the above.**

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, MRTPI
Planning Liaison Manager

General Information for the Applicant

Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of The Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission will result in trespass, with the potential for court action. In the event that you are proposing to undertake such work in the Forest of Dean local authority area our permission may not be required; it is recommended that you check with us prior to

commencing any works. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at:
<https://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property>

Disclaimer

The above consultation response is provided by The Coal Authority as a Statutory Consultee and is based upon the latest available coal mining 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.