



**The Coal  
Authority**



INVESTOR IN PEOPLE



**RTPI**  
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For the Attention of: Farzana Tabasum – Case Officer  
Kirklees Council

[By Email: [DC.Admin@kirklees.gov.uk](mailto:DC.Admin@kirklees.gov.uk)]

16 November 2017

Dear Farzana

**PLANNING APPLICATION: 2016/60/92298/E**

**Outline application for re-development of former waste water treatment works following demolition of existing structures to provide employment uses (use classes B1(c), B2 and B8); Former North Bierley Waste Water Treatment Works, Oakenshaw, Bradford, BD12 7ET - RECONSULTATION**

Thank you for your consultation letter of 6 November 2017 seeking the views of The Coal Authority on the amended proposals.

The Coal Authority is a non-departmental public body sponsored by the Department for Business, Energy & Industrial Strategy. 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:**

Whilst The Coal Authority notes both the changes to the land uses proposed and the amended developable area, on the basis that the mining setting, the Phase II Intrusive Site Investigation and the Mining Remediation Strategy all remain valid, the recommended conditions as detailed in our response letter (dated 1 August 2016) is also still valid. For convenience I have included that recommendation below.

**The Coal Authority Recommendation to the LPA**

The Coal Authority concurs with the recommendations of the Environmental Statement (July 2016, prepared by Turley); that coal mining legacy potentially poses a risk to the proposed development and that further 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 that remedial works would be needed to treat recorded mine entries beneath any parts of the site where built development is proposed, this should be conditioned to ensure that the site layout is amended to avoid them. The condition should also ensure that any remedial works identified by the site investigation to consolidate any shallow mine workings are undertaken prior to commencement of the development.

A condition should therefore require prior to the submission of the reserved matters:

- \* The submission of a scheme of intrusive site investigations for the mine entries for approval;
- \* The submission of a scheme of intrusive site investigations for the shallow coal workings for approval; and
- \* The undertaking of both of those schemes of intrusive site investigations.

A condition should require as part of the reserved matters application:

- \* The submission of a report of findings arising from both of the intrusive site investigations, including the results of any gas monitoring undertaken;
- \* The submission of a layout plan which identifies appropriate zones of influence for the recorded mine entries on site, and the definition of suitable 'no-build' zones;
- \* The submission of a scheme of treatment for the recorded mine entries for approval;
- \* The submission of a scheme of remedial works for the shallow coal workings for approval.

A condition should also require prior to the commencement of development:

- \* The implementation of those remedial works.

The Coal Authority considers that the content and conclusions of the Environmental Statement (July 2016, prepared by Turley) are sufficient for the purposes of the planning system and meet 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

**Chris MacArthur** B.Sc. (Hons), DipTP, 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:  
[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)

Building over or within the influencing distance of a mine entry (shaft or adit) can be dangerous and has the potential for significant risks to both the development and the occupiers if not undertaken appropriately. The Coal Authority would draw your attention to our adopted policy regarding new development and mine entries:  
[www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries](http://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries)

## 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.*

