



**The Coal  
Authority**



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Learning Partner

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For the Attention of: Mr Matthew Woodward – Case Officer  
Kirklees Council

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

13 June 2017

Dear Mr Woodward

**PLANNING APPLICATION: 2017/62/91677/E**

**Erection of 43 retirement living apartments, 83 bed care home with provision of communal facilities, landscaping and car parking and erection of 7 affordable dwellings at Land At, Serpentine Road, Cleckheaton, Kirklees, BD19 3NA**

Thank you for your consultation letter of 31 May 2017 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 for Business, Energy and 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: 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 likely to have been subject to historic unrecorded underground shallow coal mining.

The applicant has obtained appropriate and up-to-date coal mining information for the proposed development site; including information from BGS with regard to geological mapping and information from The Coal Authority in the form of a CON29M Non-Residential Mining Report. This information has been used to inform a Phase 2: Ground

Investigation Report (March 2016, prepared by Arc Environmental Limited) to accompany the planning application.

Based on the review of the above information the report identifies that a previous intrusive site investigation (June 2012) on the site included the drilling of 2 no. rotary boreholes to depths of between c.22m (RBH1) and c.27m (RBH2) at the site. No coal was recorded in RBH1 and intact coal was recorded between c. 10.50m and c.10.80m in RBH2.

Based on Mining Assessment and intrusive investigations undertaken, it is considered that no further assessment or intrusive investigation works are required with regards to historical coal mining activities and it can be seen there is no significant risk to the site associated with past shallow coal mining activities (i.e. crown hole formation or mine gas).

#### The Coal Authority Recommendation to the LPA

The Coal Authority is satisfied with the broad conclusions of the Phase 2: Ground Investigation Report, informed by the site investigation works; that coal mining legacy issues are not significant within the application site and do not pose a risk to the proposed development. Accordingly, The Coal Authority **does not object** to the proposed development and no specific mitigation measures are required as part of this development proposal to address coal mining legacy issues. However, further more detailed considerations of ground conditions and/or foundation design may be required as part of any subsequent building regulations application.

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

Yours sincerely

*Ashley Langrick*

**Ashley Langrick** BA (HONS) Dip TRP 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 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.*