The Coal Authority

INVESTOR IN PEOPLE

RTPI Learning Partner

200 Lichfield Lane
Berry Hill
Mansfield
Nottinghamshire
NG18 4RG

Tel: 01623 637 119 (Planning Enquiries)

Email: planningconsultation@coal.gov.uk

Web: www.gov.uk/coalauthority

For the Attention of: Liz Chippendale – Case Officer
Kirklees Council

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

19 February 2019

Dear Ms Chippendale

PLANNING APPLICATION: 2019/62/90190/E

Erection of 3 dwellings (within a Conservation Area); Adj, 1 Low Gate, Kirkburton, Huddersfield, Kirklees, HD8 0SE

Thank you for your notification of 06 February 2019 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 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: **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; specifically historic unrecorded underground coal mining at shallow depth.

The planning application is accompanied by a Coal Mining Risk Assessment (dated 1st February 2019) prepared for the proposed development by Beam Consulting Engineers Ltd. This Assessment has been informed by an appropriate range of sources of information including an up-to-date coal mining report; historical maps; and BGS geological records.

Based on this review of available information, the report author concurs with our information and considers that there is a moderate risk to this proposal from historic

unrecorded coal mining at shallow depth. Accordingly appropriate recommendations have been made that intrusive ground investigation works (a series of rotary boreholes drilled to 30m depth) are considered necessary in order to confirm the presence or otherwise of shallow coal workings and establish the nature and extend of any remedial consolidation works required, if deemed necessary. In the likely event that mine workings are encountered, the Coal Authority considers that due consideration should also be afforded to the potential risk posed by mine gas to the proposed development.

The nature and extent of these ground investigations will require written consent / agreement from the Coal Authority's Licensing and Permitting Department, prior to the commencement of these works.

The Coal Authority Recommendation to the LPA

The Coal Authority concurs with the recommendations of the Coal Mining Risk Assessment (dated 1st February 2019); based on the professional opinion of Beam Consulting Engineers Ltd that coal mining legacy poses a medium risk to the proposed development and that intrusive site investigation works are considered necessary, in order to establish the exact situation regarding coal mining legacy issues for the site.

In order to ensure that sufficient information is provided by the applicant to demonstrate to the LPA that the site is, or can be made, safe and stable for the development proposed you may wish to consider the imposition of planning conditions which cover the issues set out below.

Prior to the commencement of development:
* The undertaking of an appropriate scheme of intrusive site investigations;
* The submission of a report of findings arising from the intrusive site investigations;
* The submission of a scheme of remedial works for approval; and
* Implementation of those remedial works.

The Coal Authority has **no objection** to the proposed development, **subject to the imposition of a planning 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

D Roberts

Deb Roberts *M.Sc. MRTPI*
Planning 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.