



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: Mr Josh Kwok – Case Officer
Kirklees Council

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

27 February 2019

Dear Mr Kwok

PLANNING APPLICATION: 2019/44/90422/E

Discharge conditions 3 (materials), 7 (ground investigation report), 8 (boundary treatment) on previous permission 2014/62/93679/E for erection of detached dwelling at Adjacent To, 20 Bank View, Birkenshaw, Bradford, West Yorkshire, BD11 2AG

Thank you for your consultation letter of 18 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: Further information required

As you are aware 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 application to discharge planning conditions.

The Coal Authority records indicate that the site is likely to have been subject to historic unrecorded underground shallow coal mining. The site also lies within a Surface Coal Resource Zone.

Condition 7 of the planning approval (ref. 2014/62/93679/E) reads; *'The development shall be carried out in accordance with the recommendations contained within the Geological and Mining Appraisal and Ground Investigation Report, including a scheme of remedial*

measures which shall be submitted to and approved in writing by the Local Planning Authority before development commences. The remedial measures shall be implemented in accordance with the approved details and retained thereafter’.

The reason for the imposition of condition 7 reads; ‘So as to protect existing and future residents from the effects of historic coal mining legacy and to comply with Policy G6 of the Unitary Development Plan and guidance contained within the National Planning Policy Framework’.

The applicant appears to have resubmitted a copy of the Geological & Mining Appraisal and Ground Investigation (dated December 2013, produced by Sub Surface North East) in order to discharge the above condition. Whilst section 4.2.4 of the Report broadly identifies remedial measures proposed by the applicant following the intrusive site investigation works it does not provide any detail. The detailed remedial measures, which should also be submitted to the Coal Authority’s Permitting Team, should include a specification of works for the treatment of coal mine workings and a grout plan.

Condition 7 of the planning approval acknowledges the recommendations contained within the Geological and Mining Appraisal and Ground Investigation Report but also requires the submission of a scheme of remedial measures.

Until such time as the above is provided, **the Coal Authority would not recommend that the LPA discharges Condition 7 of planning approval 2014/62/93679/E.**

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 – Corporate Projects

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.