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 N. Hirst – Case Officer
Kirklees Council

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

3 June 2019

Dear Mr Hirst

**APPLICATION: 2019/91535**

**Discharge conditions 4 (site investigation), 5 (materials), 6 (footway) on previous permission for erection of one detached dwelling with detached garage (application ref. 2017/93819) at Land South West of 20 Gynn Lane, Honley, Holmfirth, Kirklees, HD9 6LF**

Thank you for your consultation letter of 14 May 2019 seeking the views of the Coal Authority on the above application.

The Coal Authority Response:

The Coal Authority's particular interest in this instance lies with Condition 4 of planning permission 2017/93819, which relates to the investigation and, if necessary, the remediation of coal mining legacy affecting the site.

We note that the discharge of condition application is accompanied by a Mining Report (April 2019, prepared by Ashton Bennett Consultancy) which details and interprets the results of intrusive investigations. These include 4 boreholes drilled to establish whether the Pot Clay Coal, which is conjectured to outcrop across the site, has been worked at shallow depth and could therefore affect the safety and stability of the proposed development.

Section 9 of the submitted report states that "*The Pot Clay Coal was not encountered to 30m bgl. Based on the depth of made ground it is assumed that the coal was excavated and replaced with reworked mudstone. As a coal mine was present nearby to the immediate north east and as the adjacent Grove House Mill and sawmill would have required coal for energy this is considered the most likely reason for not encountering the*

*coal seam. It is considered a low risk that the site could be detrimentally affected by shallow or deep mining*."

As such, no remedial measures are proposed in respect of shallow coal mining legacy, although we note that recommendations are made regarding foundation design to address the presence of made ground across the site.

**On the basis of the information submitted and the conclusions reached by the report author regarding the risk posed by coal mining legacy, the Coal Authority would have no objection to the LPA discharging the relevant parts of Condition 4 of the issued consent.**

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

Yours sincerely

*James Smith*

**James Smith** *BSc. (Hons), Dip.URP, 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

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.*