



The Coal
Authority



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For the Attention of: Ms K Mansell – Case Officer
Kirklees Council

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

31st December 2021

Dear Ms Mansell

PLANNING APPLICATION: 2020/44/91808/E

Discharge conditions 16 and 25 on previous permission 2016/60/92298/E for 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, BD12 7ET

Thank you for your notification of 20th December 2021 seeking the views of The Coal Authority on the above.

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.

We have previously commented on the original application to which this discharge of condition relates and subsequent application in several letters to the LPA, the last correspondence on this was issued via email on the 10th November 2021.

This current submission relates to Phase 2 only and seeks to address the requirements of Condition 16. This condition requires the following:

Prior to the submission of reserved matters, the developer shall submit a report

detailing intrusive site investigations for the mine entries and shallow coal workings on site for the written approval of the Local Planning Authority.

In the area of identified as Phase 2 there are two recorded mine entries present. The discharge of condition submission is supported by a Mine Entry Investigation and Preliminary Treatment Strategy, dated 7 May 2020 (final) and prepared by Curtins. This report sets out details of the investigations carried out on site and their findings.

The report confirms that intrusive investigations have identified one of the two recorded mine shafts recorded in the Phase 2 development, the Bateman shaft, was identified, but they state that they consider it highly likely that the Valley Pit shaft is also present. The report authors state that given the identification of the Bateman shaft from Coal Authority data, the Coal Authority data for the Valley Pit shaft may be broadly accurate, albeit that the location may differ and further investigation of the Valley Pit shaft is required.

The report authors conclude that further intrusive site investigations are necessary to locate the second mine entry recorded in Phase 2 of the site. On this basis we do not recommend that the LPA discharge Condition 16 in respect of Phase 2 at the current time.

We would be pleased to comment on any additional information the applicant may wish to submit.

It should be noted that where SUDs are proposed as part of the development scheme consideration will need to be given to the implications of this in relation to the stability and public safety risks posed by coal mining legacy. The developer should seek their own advice from a technically competent person to ensure that a proper assessment has been made of the potential interaction between hydrology, the proposed drainage system and ground stability, including the implications this may have for any mine workings which may be present beneath the site.

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

Yours sincerely

Melanie Lindsley BA (Hons), DipEH, DipURP, MA, PGCertUD, PGCertSP, MRTPI
Development Team Leader (Planning)

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.