



The Coal  
Authority



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For the Attention of: Mr C. Carroll – Case Officer  
Kirklees Council

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

14 August 2020

Dear Mr Carroll

**PLANNING APPLICATION: 2020/62/91896/W**

**Demolition of existing dwelling and erection of 25 dwellings with associated access and external works at Pentlands, New Mill Road, Holmfirth, Kirklees, HD9 7LN - RECONSULTATION**

Thank you for your consultation letter of 3 August 2020 seeking the further views of the Coal Authority on the above planning application.

**The Coal Authority Response: Material Consideration**

As you are aware, the application site falls within the defined Development High Risk Area. The Coal Authority's information indicates that the Upper Meltham coal seam outcrops at or close to the surface across the central part of the application site, dipping in an easterly direction. Historic unrecorded shallow mining activity associated with this coal seam is likely to have taken place at shallow depth beneath the eastern half of the site.

You will recall from our initial consultation response letter of 24 July 2020 that we noted the submission of a Phase 1 Environmental Desk Study (17 January 2019, prepared by RGS) in support of the proposal. However, we objected to the proposal on the basis that the Phase 1 report relied upon the content and conclusions of an earlier Shallow Coal Mining Risk Assessment & Coal Recovery Report compiled in 2014, which related to a smaller development proposal in the western half of the current application site, located outside the defined Development High Risk Area.

We are therefore pleased to note that the applicant has now submitted a revised Phase 1 Environmental Desk Study (29 July 2020, prepared by RGS) in support of their proposal. Section 3 of this report provides a Coal Mining Risk Assessment, which draws upon relevant sources of coal mining and geological information, and reviews the conclusions of the earlier assessment of coal mining risk carried out for the site.

The author of the revised Phase 1 report considers that, on the basis of available geological information, the Upper Meltham coal seam is not present below the application site. As such, they conclude that the risk posed to the proposed development by shallow mine workings associated with this seam is low. They go on to confirm that they are satisfied that no further assessment or intrusive investigation is required with regards to instability associated with unrecorded mining.

Based on the information submitted, and the professional opinions of the report author set out therein, the Coal Authority wishes to **withdraw its objection** to the planning application. 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

**James Smith** *BSc. (Hons), Dip.URP, MRTPI*  
**Planning Liaison Manager**

#### 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.*