



The Coal
Authority



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

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

6 November 2020

Dear Ms Chew

APPLICATION: 2020/44/93563/W

Discharge of conditions 5, 6, 7 on previous permission 2020/91092 for demolition of existing dwelling (no 81 Common End Lane) to be replaced with a new detached dwelling at 81 Common End Lane, Lepton, Huddersfield, HD8 0AF

Thank you for your consultation letter of 22 October 2020 seeking the views of the Coal Authority regarding the above application.

The Coal Authority Response:

The Coal Authority's particular interest in this instance lies with Conditions 5 and 6 of planning permission 2020/91092, which are reproduced below:

5. *No development shall commence (excluding the demolition of existing structures) until intrusive investigations have been carried out on site to establish the exact situation in respect of coal mining legacy features. The findings of the intrusive site investigations shall be submitted to the Local Planning Authority for consideration and approval in writing. The intrusive site investigations shall be carried out in accordance with authoritative UK guidance.*
6. *Where the findings of the intrusive site investigations (required by the condition 5 above) identify the coal mining legacy on the site poses a risk to surface stability, no development shall commence (excluding the demolition of existing structures) until a detailed remediation scheme to protect the development from the effects of such land instability has been submitted to the Local Planning Authority for consideration and approval in writing. Following approval, the remedial works shall be implemented on site in complete accordance with the approved details.*

The application is accompanied by a Coal Investigation report (29 September 2020, prepared by RGS), which indicates that three boreholes were drilled at the site to a maximum depth of 30.0m bgl in order to investigate possible unrecorded shallow coal mining legacy which could pose a risk to the proposed development.

The report indicates that whilst the Better Bed Band coal seam does not appear to have been worked beneath the site, it highlights that voids, considered to be associated with workings within the Black Bed Coal seam, were encountered during drilling. Based on the thickness of the voids and their depth, the report considers that instability derived from these workings is unlikely, but it is unable to discount the potential for voids migrating to the surface. Other losses of losses of flush during drilling were attributed to joints and fractures within the rock.

On the basis of the results of the intrusive site investigations, the report author recommends that the dwelling should be constructed with raft foundations as a precautionary measure against shallow coal mining related settlement.

Based on the information submitted, and the professional opinions and recommendations of the report author set out therein, the Coal Authority wishes to raise no objection to the LPA discharging Condition 5. We would have no objection to the LPA discharging Condition 6 of the issued consent providing that the dwelling is constructed with a raft foundation, as recommended in the report, which is designed by a suitably qualified and experienced person to adequately mitigate against shallow coal mining related ground movement.

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

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.