



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 L Robinson
Kirklees Council

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

13 July 2021

Dear Mr Robinson

PLANNING APPLICATION: 2021/62/92041/E

Erection of two dwellings; Adjacent, 41/43 Bank Street, Mirfield, Kirklees, WF14 9QF

Thank you for your consultation letter of 06 July 2021 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: Material Consideration

As you are aware the application site falls within the defined Development High Risk Area. The Coal Authority records indicate that a thick coal seam outcrops at or close to the surface of the site which may have been worked in the past and historic unrecorded underground coal mining is likely to have taken place beneath the site at shallow depth.

A Coal Mining Site Investigation Report (dated February 2020, prepared by Your Environment) has been submitted to comprise part of the application documentation, which was also submitted with a previous application (ref. 2019/62/92723/E) on the site.

The report refers to the previous intrusive site investigation carried out by Ace Drilling Services Limited. The report highlights that investigation recorded voids and significant broken ground from 10.20mbgl. The CIRIA publication SP32 *Construction over abandoned mine workings*, indicates that 10 times the thickness of seam of competent rock is required above coal seams and workings. However, the report identifies that given the thickness and depth of broken ground and voided ground it is considered that there is

likely to be insufficient cover in this instance. In view of this it is recommended that the area below the house and driveways is pressure grouted.

The Coal Authority Recommendation to the LPA

The Coal Authority concurs with the recommendations of the Coal Mining Site Investigation Report; that coal mining legacy potentially poses a risk to the proposed development and that remediation works should be undertaken prior to development in order to ensure surface stability.

Accordingly, the Coal Authority recommends the imposition of the following condition:

1. *No development shall commence until the remediation measures identified in Section 9.2 of Coal Mining Site Investigation Report (dated February 2020, prepared by Your Environment) have been implemented on site.*

The Coal Authority therefore has **no objection** to the proposed development **subject to the imposition of a condition or conditions to secure the above.**

This is our recommendation for condition wording. Whilst we appreciate that you may wish to make some amendment to the choice of words, we would respectfully request that the specific parameters to be satisfied are not altered by any changes that may be made.

The following statement provides the justification why the Coal Authority considers that a pre-commencement condition is required in this instance:

The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 178 and 179 of the National Planning Policy Framework.

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.