



The Coal
Authority



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For the Attention of: Ms L Yeadon – Case Officer
Kirklees Council

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

09 July 2021

Dear Ms Yeadon

PLANNING APPLICATION: 2021/44/92427/W

Discharge conditions 9 and 10 on previous permission 2020/62/91228/W for demolition of existing dwelling and erection of residential development to form student accommodation with associated access and parking; 48 Stile Common Road, Primrose Hill, Huddersfield, Kirklees, HD4 6DE

Thank you for your notification of 24 June 2021 seeking the views of the Coal Authority on the above discharge of condition application.

Condition 9 requires that:

No development shall commence until intrusive site 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; and

Condition 10:

Where the findings of the intrusive site investigations (required by Condition 9) identify that coal mining legacy on the site poses a risk to surface stability, no development shall commence 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.

We note that the wording of this condition reflects our recommendation to the Local Planning Authority (LPA) dated 19 May 2020, made in light of the content and conclusions of the Coal Mining Risk Assessment, dated March 2020 prepared by Rogers Geotechnical Services Ltd submitted by the applicant in support of their planning application.

The discharge of condition application is accompanied by a Coal Investigation Report, 10 June 2021 also prepared by Rogers Geotechnical Services Ltd. The Report has been informed by a review of the above Assessment together with the results of intrusive ground investigations. We are pleased to note that the Coal Authority's written consent was obtained prior to the commencement of the works and carried out in accordance with the terms and conditions of Permit ref: 21138.

The report author informs that shallow coal workings were found at very shallow depths (near surface) and at depths of 32.5m. However based on the depths of rock cover beneath the site, the Report informs that it is only the very shallow coal workings that present a surface instability risk to the redevelopment of this site.

We note that as a result of the gas monitoring works, Section 8 informs that the drilling phase suggests that there is a low risk of gases associated within the mine workings. However further monitoring will be undertaken. The LPA may wish to liaise with their in-house Environmental Health team on this specific issue.

A remediation strategy has been provided (Section 9.1) which considers that the most cost effective and practical measures would be to excavate the workings / remnant coal and re-instate with suitably compacted material. The Coal Authority's planning team welcome this approach to create a stable development platform and this is a sustainable solution. The applicant should note that Permission is required from the Coal Authority Permit and Licensing Team to remove the coal and obtain an Incidental Coal Agreement.

In light of the above, subject to the remediation works (Section 9.1) are carried as per the recommendations of Rogers Geotechnical Services Ltd, the Coal Authority would have no objection to the LPA discharging Conditions 9 and 10 of planning permission: 2020/62/91228/W, if they are minded to do so.

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

Yours sincerely

Deb Roberts M.Sc. MRTPI
Planning & Development Manager

General Information for the Applicant / Developer

Information on the Coal Authority's Incidental Coal Agreements can be found:
<https://www.gov.uk/government/publications/incidental-coal-agreement>

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

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.