



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 N. Bearcroft – Case Officer
Kirklees Council

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

23 November 2021

Dear Mr Bearcroft

APPLICATION: 2021/44/93078/W

Discharge of conditions 3 (materials), 5 (cycle parking) & 7 - 11 (contamination & coal mining legacy) 12 (noise) on previous permission no. 2019/62/93483/W for Erection of 4no. A1/A3 ground floor units, 3no.B1 offices and ancillary space, a free standing ATM and car park, Adjacent 17 Hillhouse Lane, Fartown, Huddersfield, HD1 6EF

Thank you for your consultation letter of 9 November 2021 seeking the views of the Coal Authority on the above application.

The Coal Authority Response:

The Coal Authority's particular interest in this instance lies with Conditions 7-11 of planning permission 2019/62/93483, which include the requirement to investigate and, if necessary, remediate coal mining legacy affecting the site.

The LPA previously consulted us on condition discharge application 2021/44/91457/W in June this year, in which the applicant sought to discharge several conditions attached to the planning permission 2019/62/93483, including Condition 7-11. Based on the content and conclusions of a supporting Rotary Borehole Site Investigation Report (December 2020, prepared by Geoinvestigate Limited), we raised no objection to the application in our letter to the LPA of 21 June.

It would appear that the applicant is once again seeking approval from the LPA in respect of details reserved by Conditions 7-11 of the issued consent. We note that the application is accompanied by the same Rotary Borehole Site Investigation Report, which we reviewed previously in connection with conditions discharge application 2021/44/91457/W.

As we highlighted in our previous response the letter, the submitted report indicates that three boreholes were drilled to maximum depths to 30m bgl in order to establish whether shallow coal mine workings were present beneath the site. These works were carried out under Coal Authority Permit 20953.

The report indicates that a single intact coal seam (considered to be the Soft Bed coal) was encountered in each borehole at depths of c.27m bgl. No broken ground or voids were recorded during drilling. Based on the results of the investigation, the report author is satisfied that shallow coal mining legacy does not pose a risk to the proposed development and that no special foundations or ground treatments are required in this regard.

Based on the information submitted, and the professional opinions of the report author set out therein, the Coal Authority wishes to raise **no objection** to the LPA discharging the relevant parts of the aforementioned conditions in respect of coal mining legacy related stability matters.

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 and Development 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.