



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 C Harrison – Case Officer
Kirklees Council

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

13 December 2021

Dear Mr Harrison

PLANNING APPLICATION: 2021/62/94291/E

Erection of detached dwelling; Land Adjacent, 15 Lower Lark Hill, Moorbottom, Cleckheaton, Kirklees, BD19 6JJ

Thank you for your notification of 03 December 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

I have reviewed the proposals and confirm that parts of the application site falls within the defined Development High Risk Area; specifically probable shallow coal mining within the existing access road only. In addition, within 20m of the site boundary there is a recorded off-site mine entry (CA shaft ref: 417425-015). Our records inform that the shaft was *located and capped by developers in 1987*.

It is noted that the planning application is accompanied by a Phase 1 Desk Study Report, June 2017 prepared by RB Geotechnical who recommends (Section 11) that a Coal Mining Risk Assessment be carried out for the site due to the close proximity to historic mine shafts and the potential for mine workings.

However, the part of the site where the new development is proposed (Drawing No. 03 Revision D – Proposed Block Plan) lies outside of the High Risk Area as defined by the Coal Authority. Therefore, we do not consider it necessary for the applicant to submit a Coal Mining Risk Assessment in support of this current proposal and we have **no objection** to this planning application.

Although the development proposed is outside of the defined Development High Risk Area as the site lies within an area where coal mining activity has taken place it is requested that the following wording is included as an Informative Note on any planning permission granted:

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

Notwithstanding the above, the LPA should afford due consideration to the professional opinions made by RB Geotechnical as part of their decision making process for this planning application in order that the LPA are satisfied that the applicant has / is able to demonstrate that the site is safe and / stable (NPPF paras.183 and 184).

Mine Gas

It should be noted that wherever coal resources or coal mine features exist at shallow depth or at the surface, there is the potential for mine gases to exist. These risks should always be considered by the LPA. The Planning & Development team at the Coal Authority, in its role of statutory consultee in the planning process, only comments on gas issues if our data indicates that gas emissions have been recorded on the site. However, the absence of such a comment should not be interpreted to imply that there are no gas risks present. Whether or not specific emissions have been noted by the Coal Authority, local planning authorities should seek their own technical advice on the gas hazards that may exist, and appropriate measures to be implemented, from technically competent personnel.

Sustainable Drainage

It should be noted that where SUDs are proposed as part of the development scheme consideration will need to be given to the implications of this in relation to the stability and public safety risks posed by coal mining legacy. The developer should seek their own advice from a technically competent person to ensure that a proper assessment has been made of the potential interaction between hydrology, the proposed drainage system and ground stability, including the implications this may have for any mine workings which may be present beneath the site.

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

Disclaimer

The above consultation response is provided by the Coal Authority as a Statutory Consultee and is based upon the latest available coal mining 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.