



The Coal  
Authority



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RTPI  
Learning Partner

200 Lichfield Lane  
Berry Hill  
Mansfield  
Nottinghamshire  
NG18 4RG

Tel: 01623 637 119 (Planning Enquiries)

Email: [planningconsultation@coal.gov.uk](mailto:planningconsultation@coal.gov.uk)

Web: [www.gov.uk/coalauthority](http://www.gov.uk/coalauthority)

For the Attention of: Mr R Gilbert – Case Officer  
Kirklees Council

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

29 July 2022

Dear Mr Gilbert

**PLANNING APPLICATION: 2022/62/91477/W**

**Hybrid Planning Application for the erection of an industrial unit for E(g)/B2 /B8 use with associated access, parking, groundworks and landscaping in conjunction with an outline application for mixed use development use class E(a), E(b), E(g), B2 and B8; Land Off, Lindley Moor Lane, Lindley, Huddersfield, HD3 3SX**

Thank you for your notification of 11 July 2022 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; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.

The Coal Authority records indicate that the site lies within an area of probable unrecorded shallow coal mining that may be attributed to the thick coal seams inferred to outcrop at or close to the surface of the site. This could affect the safety and stability for the proposed development.

The planning application is accompanied by two Reports, prepared by Haigh Huddleston & Associates:

Phase 1 Geo-environmental Report (E21/7768/R001, Sep 2021); and

Phase 2 Geo-environmental Report (E21/7768/R002, APRIL 2022).

The Phase 2 Report has been informed by the content and conclusions of the Phase 1 Report together with the results of intrusive ground investigation works. We note that ten rotary boreholes were drilled to depth of 30m (Section 7.2) in order to confirm the ground conditions relative to shallow coal seams or workings. Borehole logs and a plan to illustrate where the boreholes were drilled are appended to the Report,

Based on the analysis of the findings of the ground investigation works, the report author informs that where evidence of shallow coal seams were encountered there was only one borehole (BH No. 10) where the seam thickness to rock cover was below the industry standards. As a general rule of thumb, if there is less than the standard 10 times seam (or extraction) thickness to rock cover ratio, this could affect the surface stability for the redevelopment of a site (CIRIA C758D Abandoned mine workings manual). However Section 10.2.4 identifies that as part of the window sampling boreholes, evidence of coal seams outcropping at or close to the surface of the site were found however the report author concludes that it is unlikely that these seams would have been worked using underground methods and most likely to have been extracted using bellpits (Section 10.2.1).

Whilst no evidence was found that any coal seams had been worked (Section 10.2.5) due to the shallow nature of coal and the likely extraction via bellpits, recommendations have been made that a site scrape and watching brief is undertaken during development works to allow a visual inspection of the underlying natural strata to determine the presence of any features. The visual inspection should be carried out by a suitably qualified and experienced person (ie Haigh Huddleston & Associates) and foundations will need to be designed accordingly (Section 10.1.4). The applicant should be aware that should any ground anomaly relative to coal be found, the Coal Authority will also need to be notified

### 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.

### The Coal Authority Recommendation to the LPA

The Coal Authority considers that the content and conclusions of the Phase 2 Geo-environmental Report (E21/7768/R002, APRIL 2022) based on the professional opinion provided by Haigh Huddleston & Associates are sufficient for the purposes of the planning system and meets the requirements of NPPF (paras. 183 and 1884) in demonstrating that the application site is, or can be made, safe and stable for the proposed development. The Coal Authority therefore has **no objection** to the proposed development. However, further more detailed considerations of ground conditions and/or foundation design may be required as part of any subsequent building regulations application.

In the interest of public safety, 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](http://www.gov.uk/government/organisations/the-coal-authority)

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 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.*