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The Coal  
Authority

For the Attention of: William Simcock – Case Officer  
Kirklees Council

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

10 March 2023

Dear Mr Simcock

**PLANNING APPLICATION: 2023/62/90172/W**

**Change of use, alterations, part demolition of boundary wall and erection of two storey side extension to convert from hot food takeaway to residential (Listed Building within a Conservation Area); 114 Fitzwilliam Street, Huddersfield, HD1 5PH**

Thank you for your notification of 27 February 2023 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 for Energy Security and Net Zero. 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: **Fundamental Concern**

I have reviewed the site location plans, the proposals and the supporting information submitted and available to view on the LPA website. I can confirm that the site falls within the defined Development High Risk Area and that a Coal Mining Risk Assessment, or equivalent report, is required to be submitted to support this application.

The Coal Authority records indicate that the site lies within an area of probable unrecorded shallow coal mining which if present could affect public safety and surface stability for new built development taking place as part of the proposed development.

In accordance with the agreed risk-based approach to development management in the defined Development High Risk Areas, the applicant should be informed that they need to submit a Coal Mining Risk Assessment Report, or equivalent report, to support this planning application (two-storey side extension). As no relevant information has been submitted at this time the Coal Authority **objects** to this planning application.

***Please draw the applicants attention to the fact that the Coal Mining Risk Assessment needs to interpret and assess the coal mining risks present and should be based on up-to-date information on the recorded coal mining features on site. If the applicant merely submits a Non Residential Coal Mining Report, an Enviro All-in-One Report or other factual report, obtained from [www.groundstability.com](http://www.groundstability.com) or a similar product from private land search suppliers, this will not overcome our objection to the planning application.***

The Coal Authority would be very pleased to receive for further consultation and comment any additional information submitted by the applicant.

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

Yours sincerely

D Roberts

**Deb Roberts** M.Sc. MRTPI

**Planning & Development Manager**

General Information for the Applicant

The need for a Coal Mining Risk Assessment is set out in the National Planning Practice Guide at:

<http://planningguidance.planningportal.gov.uk/blog/guidance/land-stability/land-stability-guidance/>

The Coal Mining Risk Assessment should be prepared by a “competent body”. Links to the relevant professional institutions of competent bodies can be found at:

<https://www.gov.uk/planning-applications-coal-mining-risk-assessments>

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.