



The Coal
Authority



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For the Attention of: Farzana Tabasum – Case Officer
Kirklees Council

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

3 July 2023

Dear Farzana

PLANNING APPLICATION: 2023/62/91280/E0

Extension to previous Bromley Farm Quarry for extraction of clay, shale and incidental coal; Bromley Farm Quarry, Barnsley Road, Upper Cumberworth, Huddersfield, HD8 8PD

Thank you for your consultation letter of 14 June 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: Material Consideration

The application site falls within the defined Development High Risk Area.

The Coal Authority records indicate that 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, specifically both actual and

probable shallow workings. Voids and broken ground associated with such workings can pose a risk of ground instability and may give rise to the emission of mine gases.

In addition to the above, our records indicate the presence of one recorded mine entry (shaft) within close proximity of the planning boundary. An untreated mine entry and its resultant zone of influence pose a significant risk not only to surface stability but also public safety.

The Coal Authority notes the accompanying Coal Mining Risk Assessment (December 2022, prepared by Silkstone Environmental Ltd), which has been informed by appropriate geological and mining information. The content of the report confirms that mine workings will be removed as part of the operational process and that any mine entries will also be excavated. When considering the modest nature of the proposals, the Coal Authority considers this reasonable and proportionate.

On account of the above, the Coal Authority **has no objection** to this planning application.

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.

SUDS

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 information submitted in support of this planning application is broadly sufficient for the purposes of the planning system and meets the requirements of the planning system in demonstrating that the application site is, or can be made, safe and stable for the proposed development.

The Coal Authority would expect the development to be carried out in accordance with the measures detailed in section 7.4 of the Coal Mining Risk Assessment (December 2022, prepared by Silkstone Environmental Ltd)

The Coal Authority therefore **has no objection** to this planning application on the basis of the information submitted.

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

Yours sincerely

Chris MacArthur

Chris MacArthur B.Sc. (Hons), DipTP, MRTPI
Planning Liaison Manager

Disclaimer

The above consultation response is provided by The Coal Authority as a Statutory Consultee and is based upon the latest available data and records held by The Coal Authority on the date of the response. 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.