The Coal Authority

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For the attention of: Emma Thompson – Case Officer
Kirklees Council

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

21st August 2024

Dear Mr Thompson

Re: Planning Application 2023/62/91480/E

Erection of semi-permanent multi-use structure; Whistlestop Valley, Park Mill Way, Clayton West, Huddersfield, Hd8 9xj - 2nd Reconsultation

Thank you for your notification of 8 August 2024 seeking the further views of the Coal Authority on the above.

The Coal Authority Response: **Substantive Concern**

The Coal Authority previously objected to this application in a letter dated 22nd January 2024 as no Coal Mining Risk Assessment was submitted by the applicant to support the application.

We note that this application is accompanied by a Coal Mining Risk Assessment report prepared by the jnp group Consulting Engineers and dated October 2016; however, we do not consider that this adequately addresses the impact of coal mining legacy on the proposed development and we therefore **maintain our objection** to the proposal.

Whilst the Coal Authority notes the professional opinions expressed in the Coal Mining Risk Assessment. We must highlight that the report refers to the proposed development for the construction of a new first floor on the existing building and a new perimeter canopy. This

clearly does not relate to the development currently proposed consisting of the erection of an entirely new structure.

In light of the above and 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 to support the current planning application proposal. This assessment should be prepared by a suitably qualified person. Without such a risk assessment, the Coal Authority does not consider that the LPA has sufficient information to determine this 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,

Peter Woodcock | *BSc (Hons), AssocRTPI*
Assistant 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 and the electronic consultation records held by the Coal Authority since 1 April 2013. The comments made are also based on the information provided to the Coal Authority by the Local Planning Authority and/or information that has been published on the Council's website for consultation purposed 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 advisors for this development in relation to ground conditions and the acceptability of development.