

**KIRKLEES METROPOLITAN COUNCIL  
INVESTMENT & REGENERATION SERVICE**

**DEVELOPMENT MANAGEMENT**

**Town and Country Planning Act 1990 (as amended)**

**DELEGATED DECISION TO DETERMINE APPLICATIONS FOR  
CONSENT, AGREEMENT OR APPROVAL REQUIRED BY CONDITION**

Reference No:	<b>2023/44/91673/E</b>
Site Address:	Low Farm, Wakefield Road, Grange Moor, Huddersfield, WF4 4BB
Description:	Discharge condition 16 (Coal Mining Risk Assessment) on previous permission 2021/93644 for erection and operation of grid-connected solar photovoltaic farm to supply up to 49.9MW, with ancillary infrastructure and landscaping and biodiversity enhancements
Recommending Officer:	Nick Hirst

**DECISION – Discharge of Conditions-Approved**

**I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.**

Majors Team

***AUTHORISED OFFICER***

**Date: 18-Jul-2023**

**Application:** 2023/44/91673/E

**Site:** Low Farm, Wakefield Road, Grange Moor, Huddersfield, WF4 4BB

**Proposal:** Discharge condition 16 (Coal Mining Risk Assessment) on previous permission 2021/93644 for erection and operation of grid-connected solar photovoltaic farm to supply up to 49.9MW, with ancillary infrastructure and landscaping and biodiversity enhancements

## **Assessment**

### Condition 16 (Coal Mining Risk Assessment)

*16. Prior to development commencing, a scheme of intrusive site investigations relating to Coal Mining Risk, shall be carried out on site to establish the risks posed to the development by past coal mining activity. Thereafter, a remediation strategy to address any identified land stability issues arising from coal mining, shall be submitted to, and approved in writing by, the Local Planning Authority. This should include the submission of the approved layout plan to illustrate the actual position of the recorded mine entries, if found present and calculated no build exclusion zones of each mine entry within influencing distance of the site. Remediation of the shall thereafter take place in accordance with the approved details.*

**Reason:** *To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 178 and 179 of the National Planning Policy Framework. The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 183 and 184 of the National Planning Policy Framework*

The submitted details have been reviewed by the Coal Authority, who requested the condition. They advise that:

*Solar arrays are now exempt from requiring coal mining risk assessments, as the applicant's agent correctly acknowledges in their supporting letter dated 2 June 2023. On the basis that the content of the letter confirms that cognisance will be afforded to positioning the arrays and associated infrastructure away from the mine entries and their zones of influence, the Coal Authority would raise no objections should the LPA be minded to discharge Condition 16.*

Officers support the Coal Authorities assessment. In summary the investigations have concluded no remediation is necessary, due to infrastructure (i.e. access roads, transformer units and substations) being

positioned outside of coal works zones of influence. Solar panels within the ZOIs are not opposed by the CA in accordance with their guidance.

Accordingly, officer recommend that condition 16 be discharged. Given the outcome, there are no ongoing requirements and the condition may be discharged in full.

**Recommendation:** Approve discharge of condition.

**Report Dated:** 12.07.2023

**Proposed Letter Text**

Condition 16 (Coal Mining Risk Assessment)

You have submitted the letter titled 'Low Farm Solar Farm, Wakefield: Planning Condition 16 Coal Mining Risk' and dated the 2<sup>nd</sup> of June 2023 to discharge condition 16. Condition 16 has two parts, requiring appropriate site investigation and details of any necessary remediation. The submitted letter details that the site investigations conclude no remediation is necessary.

The submitted details are considered acceptable and condition 16 is hereby discharged.