



The Coal
Authority



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For the Attention of: Elenya Jackson – Case Officer
Kirklees Council

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

7 August 2023

Dear Elenya

APPLICATION: 2023/44/92058/E

Discharge of conditions 11. (land contamination) 12. & 13. (Phase II Intrusive Site Investigation Report) on previous permission no. 2020/90264 for erection of detached dwelling at Land Adj, 20 Quarryside Road, Mirfield, WF14 9QQ

Thank you for your consultation letter of 20 July 2023 seeking the views of the Coal Authority on the above application.

The Coal Authority Response:

The application site falls within the defined Development High Risk Area. The Coal Authority's information indicates that the site lies in an area where historic unrecorded underground coal mining is likely to have taken place at shallow depth. Such workings can pose a risk of ground instability and may give rise to the emission of mine gases.

As such, our particular interest in this instance lies with Condition 13 of planning permission 2020/90264, which states:

13. *Groundworks shall not commence until a Phase II Intrusive Site Investigation Report to establish the exact situation regarding coal mining legacy issues on the site has been submitted to and approved in writing by the Local Planning Authority.*

We note that the condition discharge application is accompanied by a Phase II: Ground Investigation & Updated Risk Assessment (June 2023, prepared by Geoenviro Solutions Limited), which indicates that investigations recently carried out at the site included the drilling of a rotary open hole borehole to a depth of 26.30m bgl. This was carried out under Coal Authority Permit No. 26612.

Section 4.4 of the report advises that no coal seams or mine workings were encountered in the borehole. As such, the report concludes at Section 7.1 that the site is considered to be at a very low risk from historical mine workings associated with the Shertcliffe Coal seam (identified at desk-based assessment stage as potentially having been worked at shallow depth beneath the site). No further investigations or specific remedial or mitigation measures are proposed in respect of shallow coal mining legacy.

Based on the information submitted and the professional opinions contained therein, the Coal Authority's Planning & Development Team would have no objection to the LPA discharging Condition 13 of the issued consent, in terms of coal mining related land instability matters, should it see fit.

We note and welcome the recommendation contained in the report that it would be prudent to undertake a site strip back to natural ground to confirm the absence of any unrecorded mine entries within the site. We wish to point out that should such a feature be encountered on site, appropriate treatment will be required in accordance with a Coal Authority Permit.

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

Yours sincerely

James Smith *BSc. (Hons), Dip.URP, MRTPI*
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 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.