



The Coal
Authority

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For the attention of: Nicole Helliwell – Case Officer

Kirklees Council

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

1 February 2024

Dear Nicole

Re: 2023/62/93388/E

Change of use from domestic to commercial, demolition of existing workshop and erection of three storey office building (within a Conservation Area); Dene End Funeral Home, 50 North Road, Kirkburton, Huddersfield, HD8 0RW

Thank you for your consultation letter of 23 January 2024 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; therefore 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 application. Specifically, our

records indicate that the site is likely implicated upon by historic unrecorded underground coal mining at shallow depth and a thick coal seam outcrop.

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.

The Coal Authority notes the submitted Report on Rotary Probing (dated August 2018) from RGS Ltd, which confirms site investigations across the site comprising of rotary borehole. On the basis that the letter confirms that no coal seams were encountered to a depth of 30m bgl and that the site is considered to be safe and stable from a mining viewpoint, the Planning and Development Team at the Coal Authority has **no objections** 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 content and conclusions of the information prepared by RGS Ltd is sufficient for the purposes of the planning system in demonstrating that the application site is safe and stable for the development. The Coal Authority therefore **has no objection** to the development.

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

Yours sincerely

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 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.

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.



Making a **better future** for people
and the environment **in mining areas**