



The Coal
Authority

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For the attention of: Elenya Jackson – Case Officer

Kirklees Council

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

26 March 2024

Dear Elenya

Re: 2023/44/93652/E

Discharge conditions 4 (site investigation), 5 (coal mining), 10-13 (site investigations), 14 (noise) on previous permission 2020/91865 for erection of vehicle repair garage and boundary fence/gates; 103 Heckmondwike Road, Dewsbury Moor, Dewsbury, Kirklees, WF13 3PG – FURTHER INFORMATION RECEIVED.

I refer to the email from the applicant's agent (Nazia Shah) dated 14 March 2024 and the accompanying letter (dated 13 March 2024) from Tariq Khan of EverStruct Consulting Engineers.

You will recall that we have previously been unable to recommend the LPA discharge Condition 5, specifically in the absence of any commentary from the applicant to confirm how the structural integrity of proposed structure will be safeguarded from the underlying worked shallow coal seams.

In noting the submitted letter from EverStruct Consulting Engineers, the content of which confirms a proposed foundation to accord with CIRIA C758D, and on the proviso that the foundation is installed accordingly, the Planning and Development Team at the Coal Authority **would now raise no objections, should the LPA be minded to discharge Condition 5.**

Notwithstanding the above, in the event of any structural compromise to the building and subsequent claim, circumstantial evidence in the way of a Building Regulations Certificate to demonstrate that the approved foundation was installed accordingly may be required.

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 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.