



The Coal
Authority

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For the attention of: Mr N. Hirst – Case Officer
Kirklees Council

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

26 March 2024

Dear Mr Hirst

Re: Application 2024/61/90058/W

Reserved Matters application, including the considerations of appearance, scale, layout, and landscaping, for the erection of 67 dwellings, pursuant to outline permission 2020/92307 for the erection of residential development (up to 75 units) and the discharge of conditions 7, 8, 9, 10, 11, 12, 13, 14, and 15 at Penistone Road / Rowley Lane, Fenay Bridge, Huddersfield, HD8 0JS

Thank you for your notification of 6 March 2024 seeking the views of the Coal Authority on the above 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 partly within the defined Development High Risk Area. The Coal Authority's information indicates that the Better Bed Coal seam is conjectured to outcrop at or close to surface within the eastern part of the site, dipping in a north easterly direction.

The original application for outline planning permission (2020/92307) was accompanied by a Phase 1 Geo-environmental Assessment report (March 2021, prepared by ECUS Ltd). This

report considered that the Better Bed coal seam is likely to be present beyond the eastern site boundary, with no shallow coal or associated mine workings present beneath the application site. The report concluded that the risk posed by shallow mine workings is 'low' and, as such, no further investigation or mitigation measures were considered necessary in respect of shallow mine working related instability matters.

The Coal Authority's Planning & Development Team withdrew its objection to the outline application based on the content and professional opinions expressed in the aforementioned report and did not request the imposition of conditions on any permission granted.

We note that the applicant has now applied for approval of reserved matters details and the discharge of non-coal mining related conditions attached to the outline consent. As coal mining legacy related land instability matters were satisfactorily addressed at outline stage, the Coal Authority's Planning & Development Team wishes to raise **no objection** to the current reserved matters application and we have no comments to make regarding the discharge of conditions.

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

Yours sincerely

James Smith

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 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.

