



The Coal
Authority

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For the attention of: Tom Hunt - Case Officer

Kirklees Council

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

5th March 2024

Dear Mr Hunt

Re: Discharge of Condition Application 2024/44/90437/W

Discharge conditions 5 and 6 (Phase II SI Report) on previous permission 2023/92417 for erection of two storey welfare facility building (within a Conservation Area); Greenhead Park Depot, Trinity Street, Huddersfield, HD1 4DT

Thank you for your notification of 16 February 2024 seeking the views of the Coal Authority on the above.

The Coal Authority Response: **Further Information Required**

We previously commented on application 2023/48/92417/W in a letter to the LPA dated 19th September. In this letter, we commented on the Coal Mining Risk Assessment report (C3545/23/E/CMRA) prepared by Rogers Geotechnical Services Ltd and dated 10th July 2023, submitted by the applicant. Based on the conclusions of this report we recommended that relevant planning conditions were imposed on any planning permission granted.

We note that this consultation is in relation to the submission of information pursuant to Conditions 5 and 6 of the issued consent, for which our interest lies. This condition requires the following:

5. Notwithstanding the submitted Coal Mining Risk Assessment (ref:- Coal Mining Risk Assessment Report by RGS Environmental Geotechnical Specialists. Job No. C3545/23/E/CMRA. Date: 10/07/2023.) No development shall commence until the following has occurred in consecutive order:-

- (i) a scheme of further intrusive site investigation works which includes an assessment of land stability and a ground gas risk assessment has been submitted to and approved in writing by the Local Planning Authority in consultation with the Coal Authority;
- (ii) the intrusive site investigation works comprising the approved scheme have been undertaken;
- (iii) a report detailing the findings arising from the intrusive site investigations has been submitted to and approved in writing by the Local Planning Authority in consultation with the Coal Authority;
- (iv) a scheme detailing any remedial works required has been submitted to and approved in writing by the Local Planning Authority in consultation with the Coal Authority; and
- (v) the remedial works comprising the approved scheme have been implemented which shall thereafter be retained and maintained.

6. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

We note that this Discharge of Condition application is supported by a Phase 2 Geo-Environmental Report prepared by Rogers Geotechnical Services, 25th January 2024. The report presents the findings of intrusive investigations with regards to shallow coal mining activity potentially present beneath the site.

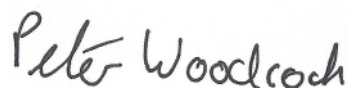
The report details that 2 boreholes were undertaken on the site to a maximum depth of 10m, carried out under Coal Authority Permit reference 27739. In part 10 of the report, the author comments that the Soft Bed coal seam targeted by intrusive investigations was absent from all borehole positions. The report author therefore concludes “it is considered that it is highly unlikely that shallow coal workings are present beneath or in close proximity to the area of the proposed development.”

Whilst we note the conclusions within the report, we are aware that section 4.7 of the report refers to the borehole positions shown on the site plan, which is presented in Appendix 1. However it would appear that the locations of BH01 and BH02 are absent from this site plan. **We would therefore request that the locations boreholes BH01 and BH02 are show on the appropriate site plan.**

The Coal Authority would be very pleased to receive for further consultation and comment any additional information submitted by the applicant.

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

Yours sincerely,



Peter Woodcock | *BSc (Hons), AssocRTPI*
Assistant 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.

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 advisors for this development in relation to ground conditions and the acceptability of development.