



The Coal  
Authority

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**For the attention of: Edward Cheseldine – Case Officer**

Kirklees Council

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

(Copy email: Mr Jake Hinchliffe – redacted)

10 April 2024

Dear Mr Cheseldine

**Re: 2024/62/90610/E**

**Demolition of existing bungalow and erection of two storey dwelling; 22 CROWLEES ROAD, MIRFIELD, WF14 9PJ: FURTHER INFORMATION RECEIVED**

As you are aware, the Coal Authority objected to this planning application in our previous letter to you dated 20 March 2024 as no Coal Mining Risk Assessment had been submitted in support of this application. The applicant had failed to demonstrate that the site is safe and stable for the development proposed (NPPF paras. 189 and 190).

The Coal Authority response: **Substantive Concern**

The Coal Authority are now in receipt of an email from Mr Jake Hinchliffe dated 04 April 2024 providing additional / background information to support this current application.

We note that planning permission was approved under householder development (2023/93151) for this site: *Erection of an additional storey to the existing dwelling, hip to gable extension, roof extension and rear extension with external alterations.* Householder

development is exempt from requiring the LPA to consult us and / or the submission of a Coal Mining Risk Assessment (Part A – Exempt by type of application).

However, this current application results will result in the demolition of an existing building in order to erect a two-storey dwelling, which we note requires the underpinning around existing foundations / ground works. Therefore, a Coal Mining Risk Assessment is considered necessary to ensure that the coal mining legacy identified at this site (probable historic unrecorded shallow coal mining) is assessed by a suitably qualified and experienced person (competent in dealing with ground stability and mining-related hazard). The Coal Mining Risk Assessment should be development specific and identify any risks and where applicable, how the risks can be mitigated.

Based on the above, the Coal Authority **maintains its objection**.

The applicant should be made aware that where a site is affected by land stability issues, the responsibility for securing safe development rests with the developer and / or landowner (NPPF paras. 189 and 190).

I hope this clarifies our position on this matter, however if you would like to discuss this matter further, please contact me on the above number.

Yours sincerely

**Deb Roberts** M.Sc. MRTPI

**Planning & Development Manager**

### **General information for the applicant**

The applicant can find information on planning applications and Coal Mining Risk Assessments on the link below:

[Planning applications and Coal Mining Risk Assessments - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

### **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 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.