



The Coal
Authority

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For the attention of: Edward Cheseldine – Case Officer

Kirklees Council

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

9th May 2024

Dear Mr Cheseldine

Re: Planning Application 2024/48/90831/E

Change of use from residential dementia care to adult day care facility and refurbishment of existing building and external areas; Mill Dale / Crecent Dale Care Homes, Nunroyd, Heckmondwike, WF16 9HB

Thank you for your notification of 29 April 2024 seeking the views of the Coal Authority on the above.

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**

I have reviewed the site location plans and the proposals and supporting information submitted and available to view on the LPA website and can confirm that the site falls within the defined Development High Risk Area.

The Coal Authority records that the site is in an area of likely historic unrecorded coal workings at shallow depth. If shallow coal workings are present then these may pose a potential risk to surface stability and public safety.

As you will be aware, the Coal Authority's general approach in cases where development is proposed within the Development High Risk Area is to recommend that the applicant obtains coal mining information for the application site and submits a Coal Mining Risk Assessment to support the planning application.

However, when considering the nature of this particular development proposal, we acknowledge that the change of use from residential dementia care to adult day care facility would fall on the Coal Authority published exemptions list. Whilst the proposal will also entail the construction of a link circulation, we note that this will be single storey in form and of a domestic scale. On this basis we do not consider that requiring a Coal Mining Risk Assessment would be proportionate to the nature of the development proposed in this particular case and **do not object** to this planning application.

However, the Coal Authority does recommend that, should planning permission be granted for this proposal, the following wording is included as an Informative Note on any planning permission granted:

Informative Note

The proposed development lies within an area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Under the Coal Industry Act 1994 any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority since these activities can have serious public health and safety implications. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain permission to enter or disturb our property will result in the potential for court action. Application forms for Coal Authority permission and further guidance can be obtained from

The Coal Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property

Shallow coal seams

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0800 288 4242. Further information is available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

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.