



The Coal
Authority

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For the attention of: Nina Sayers – Case Officer

Kirklees Council

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

04 September 2024

Dear Ms Sayers

Re: 2024/62/90899/E

Erection of concrete batching plant, single storey office block and installation of concrete pad; NEWLAY CONCRETE, THORNHILL WORKS, CALDER ROAD, RAVENSTHORPE, DEWSBURY, WF12 9HY - RECONSULTATION

Thank you for your notification of 21 August 2024 seeking the views of the Coal Authority on further information submitted in support of the above.

The Coal Authority response: **Clarification Required**

As you are aware, the Coal Authority objected to this planning application in our previous letter to you dated 22 April 2024. We did not consider that the applicant (based on the professional opinion provided by their geotechnical consultant: C J BALLAM BSc (Geography and Geology Combined Honours) had fully assessed the coal mining legacy identified at this site (failed to identify and address the risks of probable historic unrecorded shallow coal mining).

The planning application is now accompanied by an Intrusive Coal Mining Investigation Report (NCL/03/WWjcl2, 01st August 2024) prepared by ARP Geotechnical Ltd. The Report has been informed by the conclusions of ARP's Coal Mining Risk Assessment Report (NCL/03/JR, dated 17th May 2024) including the results of intrusive site investigations which included three rotary boreholes drilled to a maximum depth of 20m (beneath the footprint / immediately adjacent to the associated infrastructure) and windowless sample boreholes. Borehole logs and a plan to illustrate where the drilling works were carried out are appended to the Report. We note that the investigation was designed, organised, and supervised (on a full-time basis) by ARP Geotechnical Ltd,

Based on the results and an analysis of the findings of the ground investigations works, the report authors inform that whilst shallow coal workings (1.0m thick) were encountered within two of the three rotary boreholes, they are satisfied that sufficient competent rock cover is present above these workings to present a risk of surface instability. The Report concludes that no ground stabilisation will be required.

We note that the Report informs that there is potentially insufficient rock cover within the area at WS3; however, as no infrastructure is proposed at or near this location, other than the concrete hardstanding, no further works would be required. The Report goes on to state that in the event that any infrastructure is proposed in this location in the future, further investigation would be recommended.

We acknowledge the professional opinions made by ARP Geotechnical Ltd, however it is unclear if the formation of the concrete hardstanding area will intensify the use within this specific part of the site. Therefore, we consider that in order for the applicant to demonstrate to the LPA that the site, **as a whole** is safe and stable, as required by the NPPF paras. 189 and 190, we would respectfully request that ARP Geotechnical Ltd confirm that based on the above, they remain satisfied that no remedial or mitigation measures are considered necessary for the area of concrete hardstanding.

If you would like to discuss this matter further, please contact me on the above number.

Yours sincerely

D Roberts

Deb Roberts *M.Sc. MRTPI*

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