



The Coal
Authority

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For the attention of: Ms K. Chew – Case Officer
Kirklees Council

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

16 May 2024

Dear Ms Chew

Re: Planning application 2024/62/91053/W

Demolition of existing concrete plant and installation of replacement concrete plant with associated alterations at Myers Group Ltd, Barr Street, Huddersfield, HD1 6PB

Thank you for your notification of 3 May 2024 seeking the views of the Coal Authority on the above planning application. We assume that you have consulted us on the basis that the proposed development will require significant new foundations or earthworks.

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: FUNDAMENTAL CONCERN

I have reviewed the site location plan, the proposals and the supporting information submitted and available to view on the LPA website. I can confirm that the application site falls within the defined Development High Risk Area and that a Coal Mining Risk Assessment is required to support this application.

The Coal Authority records indicate that the site lies in an area where coal mining has taken place at shallow depth. Voids and broken ground associated with such workings can pose a risk of ground instability and may give rise to the emission of mine gases.

In accordance with the agreed risk-based approach to development management in the defined Development High Risk Areas, the applicant should be informed that they need to submit a Coal Mining Risk Assessment to support their application. As no relevant information has been submitted at this time the Coal Authority **objects** to the application.

Please draw the applicant's attention to the fact that the Coal Mining Risk Assessment needs to interpret and assess the coal mining risks present and should be based on up-to-date information on the recorded coal mining features on site. If the applicant merely submits a Non Residential Coal Mining Report, an Enviro All-in-One Report or other factual report, obtained from www.groundstability.com or a similar product from private land search suppliers, this will not overcome our objection to the planning application.

We would be 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

James Smith *BSc. (Hons), Dip.URP, MRTPI*
Planning and Development Manager

General Information for the Applicant

The coal mining information obtained from a Non-Residential Coal Mining Report, an Enviro-All-in-One Report or other factual report should be used to assess whether or not past mining activity poses any risk to the development proposal and, where necessary, propose mitigation measures to address any issues of land instability. This could include further intrusive investigation on site to ensure that the Local Planning Authority has sufficient information to determine the planning application.

The Coal Mining Risk Assessment should be prepared by a "competent body". Links to the relevant professional institutions of competent bodies and guidance on how to produce a Coal Mining Risk Assessment can be found at:

www.gov.uk/planning-applications-coal-mining-risk-assessments.

Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of the Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain

permission 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

Disclaimer

The above consultation response is provided by the Coal Authority as a Statutory Consultee and is based upon the latest available coal mining data on the date of the response, and electronic consultation records held by the Coal Authority since 1 April 2013. The comments made are also based upon only the information provided to the Coal Authority by the Local Planning Authority and/or 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.