The Coal Authority

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For the attention of: Nicole Helliwell – Case Officer
Kirklees Council

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

16 August 2024

Dear Ms Helliwell

Re: 2024/61/91143/E

Reserved matters application pursuant to outline permission 2020/93432 (APP/Z4718/W/21/3274396) for erection of residential development (plot 1); LAND AT, WHITLEY ROAD, WHITLEY, DEWSBURY, WF12 0LZ

Thank you for your notification of 1 August 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**

As you are aware, the Coal Authority were consulted on as part of the planning consultation process for outline permission: 2020/93432. No objections were raised by

the Coal Authority, subject to the LPA imposing a suitably worded condition to secure the undertaking of intrusive site investigations as recommended by RB Geotechnical, report authors of the Coal Mining Risk Assessment (CMRA), September 2020 submitted by the applicant in support of their planning application. We are pleased to note that a condition was imposed by the Planning Inspectorate (Condition 5).

The reserved matters application is accompanied by a Coal Mining Investigation Report (C3619/23/E/5493, 01/069/2023) prepared by Rogers Geotechnical Services Ltd. The Report has been informed by the recommendations of the above CMRA and the findings of two rotary boreholes drilled to 30m depth within the site. Borehole logs and a plan to illustrate where the boreholes were drilled are appended to the Report. We are pleased to note that the investigations were carried out under the terms and condition of a Coal Authority Permit: 26961.

Based on the results of the site investigations and an analysis of their findings, the report authors inform that no coal seams or evidence of workings were encountered during the investigation and no remedial and / or mitigation measures have been identified.

The Coal Authority has **no objections** to this reserved matters application (and the discharge of Condition 5), based on the professional opinion provided by Rogers Geotechnical Services Ltd informed by the above site investigations.

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

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.