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For the attention of: Edward Cheseldine – Case Officer
Kirklees Council

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

[Copy email: David Hayman – redacted]

13 August 2024

Dear Mr Cheseldine

Re: 2024/62/91533/E

Demolition of existing bungalow and erection of one new dwelling; 22 CROWLEES ROAD, MIRFIELD, WF14 9PJ – FURTHER RECONSULTATION

Thank you for your notification of 8 August 2024 seeking the views of the Coal Authority on further information submitted in support of the above.

The Coal Authority response: **Material Consideration**

As you are aware, the Coal Authority raised no objection to this planning application in our most recent letter to you dated 8 July 2024. This was subject to the LPA imposing a suitably worded condition to secure the undertaking of intrusive site investigation prior to commencement of development as per the recommendations made by Michael D Joyce Associates LLP, report author of the Coal Mining Risk Assessment Report (4388, June 2024) previously submitted by the applicant.

The planning application is now accompanied by a Rotary Drilling Report (4401, August 2024) also prepared by Michael D Joyce Associates LLP. The Report has been informed by the above Coal Mining Risk Assessment together with results of recommended intrusive site investigations in the form of 2no. rotary boreholes drilled to 30m depth. Borehole logs and a plan to illustrate where the boreholes were drilled are appended to the Report.

Based on the analysis of the findings of the rotary drilling works the report author informs that whilst two shallow coal seams were encountered within the two boreholes, these were *"far too thin to have been of any economic value"* and no evidence was found that these seams had been worked. Section 5.6 concludes that no evidence of any significant coal seam was encountered and therefore the site is not at risk from shallow mining. No remedial and / or mitigation measures are therefore required (Section 6.2).

As the site investigations were designed and undertaken by a competent person and have been carried out as per current authoritative UK guidance we are assuming that Michael D Joyce Associates LLP are satisfied that the investigations were sufficient to determine the safety and stability of the site, as a whole and not just the planned dwelling.

The Coal Authority Recommendation to the LPA

The Coal Authority considers that the content and conclusions of Rotary Drilling Report (4401, August 2024) are sufficient for the purposes of the planning system in demonstrating (based on the professional opinion of Michael D Joyce Associates LLP) that the application site is safe and stable for the proposed development. The Coal Authority has **no objection** to the proposed development.

Please note that any comments that the Coal Authority may have made in a Planning context are without prejudice to the outcomes of a Permit application.

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 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.