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For the attention of: Ms E. Thornhill – Case Officer
Kirklees Council

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

9 August 2024

Dear Ms Thornhill

Re: Planning application 2024/70/91591/E

Variation conditions 2-6, 15, 29 on previous permission 2021/92528 for erection of retail development, associated parking, servicing areas and landscaping at Land Off Bankwood Way, Birstall Retail Park, Birstall, Batley, WF17 9DT

Thank you for your notification of 8 August 2024 seeking the views of the Coal Authority on the above planning application.

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

The application site falls within the defined Development High Risk Area. The Coal Authority records indicate that the plotted position of a recorded mine entry (adit, CA ref. 423427-054) is within the north eastern part of the site. We hold no details of any past treatment of this former coal mining related feature. In addition, the site lies in an area where underground coal mining activity is recorded to have taken place at shallow depth and where further historic unrecorded shallow coal mining is likely to have occurred.

You will be aware that, taking into account the content and professional opinions expressed in the supporting Detailed Coal Mining Risk Assessment (28 October 2021,

prepared by Sirius), the Coal Authority's Planning & Development Team withdrew its objection to planning application 2021/92528, to which the current variation of condition application relates. The removal of our objection was subject to the imposition of a relevant conditions on any permission issued. We are therefore pleased to note that our recommended conditions are reflected in Conditions 21 and 22 of the consent subsequently issued.

We note that the current application seeks to vary a number of conditions attached to the permission in order to enable development to proceed in accordance with revised plans and information, none of which would appear to have any bearing on the comments made in our most recent response letter regarding the development.

In light of the above, we have no specific comments to make regarding these revisions to the proposed scheme of development. We therefore wish to raise **NO OBJECTION** to this application **subject to Conditions 21 and 22 of 2021/92528 being re-imposed on any new planning permission granted.**

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

Yours sincerely

James Smith *BSc. (Hons), Dip.URP, MRTPI*
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.