



The Coal
Authority

200 Lichfield Lane
Mansfield
Nottinghamshire
NG18 4RG

T: 01623 637 119 (Planning Enquiries)

E: planningconsultation@coal.gov.uk

W: www.gov.uk/coalauthority

For the attention of: William Simcock – Case Officer

Kirklees Council

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

30 September 2024

Dear Mr Simcock

Re: 2024/44/92512/E

Discharge of details reserved by conditions 5 (internal roads), 6 (right turn lane), 8 (materials), 13 (ecological enhancement), 14 (coal mining legacy), 17 (temporary drainage), 18 (temporary waste arrangements), 20 (phase I study), 25 (air quality) and 27 (Construction Environmental Management Plan) of previous permission 2020/92802 for erection of 10 dwellings with associated infrastructure; LAND AT, WHITEHALL ROAD WEST, BIRKENSHAW, BD11 2LS

Thank you for your notification of 19 September 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's specific interest is Condition 14:

14. No development shall commence until;

- a) a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and;
- b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

We note that the wording of this condition reflects our recommendation to the Local Planning Authority (LPA) dated 02 November 2020, made in light of the content and conclusions of the Geological & Mining Appraisal, September 2020 prepared by Sub Surface North East Limited submitted by the applicant in support of their planning application.

Having reviewed the documents currently available on the LPA planning portal, I have only been able to find the following documents relative to the Coal Authority:

- Coal Mining Search Report, dated 30 Apr 08 prepared by CoalSearchPlus+ by David Bellis Consulting Surveyors (titled Coal Mining Assessment on the planning portal) and
- Report (08 September 2008) prepared by JNP Group (Consulting Engineers), detailing a trail pitting exercise (titled Trial Pit Information on the planning portal).

Accordingly, I have been unable to find any report on the findings of intrusive site investigations recommended within the Geological & Mining Appraisal, September 2020 and therefore, I am unable to provide any detailed comments on this discharge of condition application.

We welcome the opportunity to comment further on this discharge of condition application once further information has been submitted.

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.