



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: Liz Chippendale – Case Officer

Kirklees Council

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

29th January 2026

Dear Ms Chippendale

Re: Planning Application 2024/62/93474/W

Change of use from vacant industrial unit to 21 flats / maisonettes including partial demolition and new build; 35 St John's Road, Birkby, Huddersfield, HD1 5DX

Thank you for your notification of 26 January 2026 seeking the views of the Coal Authority (trading as the Mining Remediation 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: **Fundamental Concern**

I have reviewed the site location plans, the proposals and the supporting information submitted and available to view on the LPA website. I can confirm that part of the the site falls within the defined Development High Risk Area.

The Coal Authority's information indicates that mine entry (adit) reference 414417-001 and its associated zone of influence is present within the south western part of the site. Due to potential plotting inaccuracies, the actual position of this feature could deviate from its

plotted position by several metres. We hold no past treatment details for this feature and an untreated or inadequately treated mine entry and its resultant zone of influence pose a significant risk not only to surface stability but also public safety.

Our records also show that the western portion of the site is in an area of likely historic unrecorded coal workings at shallow depth. If shallow coal workings are present then these may pose a potential risk to surface stability and public safety.

We note that this application is accompanied by a Coal Mining Risk Assessment report prepared by Rogers Geotechnical Services Ltd, dated 28th March 2025. The report has been based upon a review of coal mining and geological information, and identifies that the Soft Bed Coal outcrop, which may have been worked at shallow depth, is present beneath the south west corner of the site and notes the presence of adit 414417-001 in the same part of the site, oriented away from the outcrop and into the hillside.

However, the report author comments that *“given the conjectured position of the adit, it is considered that the mine entry is targeting the Soft Bed coal seam. As such, it is considered unlikely that any workings are present below the site itself as the orientation of the mine entry is away from the site. As such, a low risk has been deemed with respect to the risks to the site from shallow coal workings.”*

In respect of the mine adit the report author details that *“the location of the adit given by the Coal Authority has been given a departure of 10m radius from the given coordinates. As such, whilst the general topography of the area would suggest the adit is most likely set into the hillside, there remains the possibility that the adit is present below the new building footprint. Therefore, a moderate risk rating has been assigned to the site with respect to mine entries.”*

In light of the above the report author has recommended no development should take place without further investigation to conclusively determine the presence and condition of this mine entry (adit). As such they advise that intrusive investigations are undertaken across the site to identify the mine adit.

We wish to highlight that the Coal Authority is of the opinion that building over, or within the zones of influence, of mine entries should be avoided wherever possible, even after they have been treated, in line with our adopted policy which can be found at:

<https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries> .

In this instance, it appears that proposed plots 18 and 19 and the new courtyard/garden area may be sited directly above mine adit 414417-001, with its associated potential zone of influence encroaching beneath the part of the existing building to be retained. As such we would expect a plan to show the position of the mine adit feature and its departure distance in the context of the specific scheme of development to be provided.

The Planning team acknowledges that there already exists a building above the plotted position of the adit and, as such, it may have already been built over. Nevertheless, we would expect justification to be provided by the applicant as to why the adit feature cannot be avoided within the detailed layout of the proposed scheme.

In exceptional circumstances the Coal Authority has in the past not objected to planning applications which would result in the building over or within the zone of influence of a mine entry. However, it should be stressed that in such instances the planning application has included a detailed and robust planning argument as to why construction over these features cannot be avoided.

Where layouts cannot be amended, for example where operational reasons dictate otherwise or sites are constrained, the development proposal should be supported by a thorough justification for this and a robust engineering strategy, in compliance with CIRIA (C758D), to demonstrate how the development will be made safe and stable. This should include an outline as to how the mine entry will be treated if located and how development will be designed to address its presence.

In light of the above, on the basis of the information reviewed, the Coal Authority's Planning & Development Team must **OBJECT** to the planning application. The applicant should be advised of our objection and request to submit a further report which addresses the matters of concern raised above.

The Coal Authority would be very 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,

Peter Woodcock | *BSc (Hons), AssocRTPI*
Assistant 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.

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.