



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]

24th February 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 - RECONSULTATION

Thank you for your notification of 16 February 2026 seeking the further views of the Coal Authority (trading as the Mining Remediation Authority) on the above.

The Coal Authority response: **Fundamental Concern**

The Planning team recently commented on this application in a letter to the LPA dated 29th January 2026 and requested further consideration to be given to recorded on site mine adit 414417-001, including the provision of justification in planning context in relation to detailed site layout plans and outline any possible engineering strategies to remediate or mitigate the feature. This was in light of the existing building currently in situ and where new development is proposed.

We note that the application is now supported by Consultation Response to Coal Mining Risk Assessment prepared by Roger Geotechnical Services Ltd and dated 12th February 2026.

We acknowledge that within the response the report author is aware of our mine entry policy, whereby building over, or within the zones of influence, of mine entries should be avoided wherever possible, even after they have been treated. Furthermore, the report author is aware that the site area has been built over previously.

In response to our previous concerns that 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, the report author comments that: *“RGS suggest it would be more appropriate for the latter sentence to be readdressed once further investigation is undertaken. Indeed, should the adit be found to be absent all together, then there would be no requirement to consider this feature moving forward. If say the adit had a recorded position, then it is considered the latter would be more reasonable. However, for planning purposes it would seem more appropriate at this stage to retain current plans until investigation has been completed.”*

In light of the above, it would appear the applicant’s technical consultants are advocating the undertaking of intrusive investigations to establish the presence or otherwise of the adit within the site, in order to inform the layout of development prior to this being fixed by the granting of planning permission. In consideration of our adopted mine entry policy, we support this approach and would expect, as shown on the third plan in the response document, the area in green within the planning boundary to be investigated covering the adit’s full departure (plotting inaccuracy).

The results of these investigations should be incorporated into a revised Coal Mining Risk Assessment, and should be used to define an appropriate ‘no-build’ zone around the adit and in the formulation of a suitable scheme of remedial/mitigatory measures, should it be positively located on site. An amended site layout drawing should then be provided which demonstrates how built development is to be arranged on site in a manner which avoids the defined ‘no-build’ zone.

Should the adit not be found and assumed to lie adjacent to the boundary, a “worst case approach” should be adopted whereby the adits calculated zone of influence should be established and suitable no build zone be formulated on the detailed layout plan.

In cognisance of the existing building on site, we wish to reiterate that 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 and as to why construction over these features cannot be avoided along with robust engineering strategy, in compliance with CIRIA (C758D), to demonstrate how the development will be made safe and stable.

The applicant should note that Permission is required from the Coal Authority Permitting Team before undertaking any activity, such as ground investigation and ground works,

which may disturb coal property. 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.

Until the above matters have been satisfactorily addressed the Planning team **MAINTAINS IT OBJECTION** to the planning application at the current time.

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 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.