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For the attention of: Nina Sayers - Case Officer
Kirklees Council

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

16th July 2025

Dear Ms Sayers

Re: Planning Application 2025/62/91018/E

Erection of agricultural building; Cockermouth Farm, 5 Cockermouth Lane, Flockton, Huddersfield, WF4 4BS

Thank you for your notification of 27 June 2025 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 response: **Material Consideration**

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 the site falls within the defined Development High Risk Area.

The Coal Authority records indicate that a coal seam is conjectured to outcrop to the south of the site of the proposed building, dipping in a northerly direction, which may have been

worked in the past. If shallow workings are present then those may pose a potential risk to surface stability and public safety.

Our records also show that the access track lies within the boundary of a wider site from which coal has been removed by surface mining methods and where historic unrecorded shallow coal is likely to have occurred.

Furthermore, the Coal Authority's information indicates that 2 mine entries and their associated zones of influence are recorded within 20m of the southern part of the site and where the access track joins the main road (Long Lane). Due to potential plotting inaccuracies, the actual positions of these features could deviate from their plotted position by several metres. Our records suggest that mine entry reference 421414-018 has been filled to an unknown specification. 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.

Notwithstanding the above we note the mine entry features are present in the vicinity of the existing access track and sufficiently distant from the proposed agricultural building.

We note that this application is accompanied by information regarding the need for a Coal Mining Risk Assessment (CMRA) report, prepared by Alistair Flatman Planning and dated April 2025. The information submitted considers that a CMRA report is not required to support this application on the basis that the proposed agricultural building will not require significant groundworks or foundations.

The submitted information also refers to a previous application on the site that was approved without the need for a CMRA. We wish to highlight that we raised no objection to the only other application we have on record adjacent to the site, reference 2022/62/93108/E, due to the proposed development being outside the Development High Risk Area.

The Planning team at the Coal Authority provide comment on a case by case basis and when considering the nature of this particular development proposal, we note that it will entail a clad steel portal frame building to be bolted to 10/12 concrete pads created on site. Each pad is created by digging a hole circa 0.5m deep and then the frame is bolted to the concrete pad.

As such it does not appear that the agricultural building will require substantial foundations or earthworks. On this basis we do not consider that requiring a Coal Mining Risk Assessment would be proportionate to the nature of the development proposed in this particular case and **do not object** to this planning application.

However, the Coal Authority does recommend that, should planning permission be granted for this proposal, the following wording is included as an Informative Note on any planning permission granted:

Informative Note

The proposed development lies within an area that has been defined by the Mining Remediation Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Mining Remediation Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at: https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries .

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.
If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required. Further information regarding Incidental Coal Agreements can be found here - https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements

If any coal mining feature is unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: https://www.gov.uk/government/organisations/mining-remediation-authority

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.