



The Coal  
Authority

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**For the attention of: Ms N. Helliwell – Case Officer**

Kirklees Council

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

20 June 2025

Dear Ms Helliwell

**Re: Application 2025/44/91549/E**

**Discharge of details reserved by conditions 5 (Phase I Desk Study Report), 14 (airborne sound insulation), 15 and 16 (intrusive site investigations and remedial works) on previous permission 2023/92462 for erection of retail unit with first floor flat with external access stair at The Dale Inn, 408 Wakefield Road, Denby Dale, Huddersfield, HD8 8RP**

Thank you for your notification of 6 June 2025 seeking the views of the Coal Authority (operating as the Mining Remediation Authority) on the above application.

**The Coal Authority response:**

The application site falls within the Coal Authority's defined Development High Risk Area. Our information indicates that the site lies in an area where historic unrecorded underground coal mining is likely to have taken place at shallow depth. Such workings can pose a risk of ground instability and may give rise to the emission of mine gases.

Our particular interest in approved planning application 2023/92462 therefore lies with Conditions 15 and 16, which state:

15. *No development shall commence until;*

- a) *a scheme of intrusive 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.*

16. *Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.*

Condition 15 does not require the submission of any information for approval, whilst Condition 16 requires the submission for approval of a statement from a competent person to confirm that investigations and any necessary remedial works have been carried out and that the site is safe and stable.

We note that the applicant has submitted a Grouting Validation Report (23 May 2025, prepared by Lyons CMC) in support of their application. This report indicates that evidence of shallow mine workings was encountered during an initial borehole investigation at depths within influencing distance of the proposed development. It advises that 15 tonnes of grout was subsequently injected into 30 treatment holes drilled on site to stabilise the identified workings. These works were carried out under Coal Authority Permit No. 29707.

The Coal Authority's Planning & Development Team welcomes the investigatory and remedial works carried out on site. We note from Section 3.0 of the report that the author appears to be satisfied with the efficacy of the remedial works undertaken, although this stops short of the explicit statement / declaration required by Condition 16 to confirm that they are satisfied that the site has been made safe and stable for the approved scheme of development.

**Subject to receipt by the LPA of the aforementioned statement / declaration from a suitably competent person confirming the remedial works have rendered the site safe and stable, the Coal Authority's Planning & Development Team would have no objection to the LPA discharging Conditions 15 and 16 of the issued consent, should it see fit.**

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.

*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.*