



The Coal  
Authority

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**For the attention of: Nicole Helliwell – Case Officer**

Kirklees Council

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

28 October 2025

Dear Ms Helliwell

**Re: 2025/62/91576/E**

**Erection of detached dwelling; Land Adj, 47 Cresswell Lane, Heckmondwike, WF13 4PJ**

Thank you for your notification of 10 October 2025 seeking the views of the Coal Authority on the above.

The Coal Authority (now trading as the Mining Remediation 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: **Clarification Required**

I have reviewed the proposals and confirm that the application site falls within the Coal Authority's defined Development High Risk Area. Therefore within the application site and surrounding area there are recorded coal mining features present at surface or shallow

depths. The risk these features may pose should be considered as part of the planning process.

The Coal Authority records indicate that a coal seam (LOW FENTON; also known as 2<sup>nd</sup> Brown Metal Coal) of workable thickness infers to outcrop at or close to the surface of the western part of the site that may have been historically worked from the surface within the site. This could impact on public safety and surface stability for the proposed development.

The planning application is accompanied by a Coal Mining Risk Assessment Report (4485, July 2025) prepared for the proposed development by Michael D Joyce Associates LLP (Geotechnical and Geoenvironmental Consultants). The Report has been informed by historical, geological and coal mining information.

Having carried out a review of the available information the report author states that a coal seam outcrop (geological mapping) shows the 2<sup>nd</sup> Brown Metal Coal outcropping approximately through the eastern part of the site and based on geological memoirs could result in the Brown Metal Coals being at shallow depth beneath the study site (Section 3.2.4). However the report author goes on to state that as the Mining Remediation Authority states that probable unrecorded shallow workings are determined as 'None' it is unlikely that the Fenton Coal will have been worked. Accordingly the Report concludes that no further investigations or special precautions are required.

We acknowledge that the Consultants Coal Mining Report, 10 July 2025 (part of the evidence used to inform the Assessment) states that 'Probable unrecorded shallow workings = None'. However, as the Report states that the Low Fenton coal seam is of 'workable thickness', we would respectfully ask that the report author confirms that they remain satisfied that there is no risk to the proposed development from shallow coal workings in the Low Fenton seam and no mitigation measures are considered necessary.

Subject to the submission of the above (underlined text) the Planning team at the Coal Authority would have no objection to the proposed development. This would be subject to the LPA adding the following wording to the Decision Notice:

*The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this*

*should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.*

*Further information is also available on the Mining Remediation Authority website at: [Mining Remediation Authority - GOV.UK](http://MiningRemediationAuthority.gov.uk)*

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 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.*