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For the attention of: Katie Chew, Case Officer
Kirklees Council

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

22nd August 2025

Dear Katie,

Re: 2025/44/92149/W

Discharge of details reserved by conditions 10 (Site Investigation (Coal)) and 25 (Drainage Strategy) on previous permission 2024/92472; Piazza Centre, Princess Alexandra Walk, Huddersfield, HD1 2RS.

Thank you for your notification of 5th August 2025 seeking the views of the Coal Authority on the above. Condition 10 is coal mining activity related and relevant to our comment, it states:

10. 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 (or any component part or parts, as referred to in condition 3) 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.

We note that on 7th January 2025 we responded by letter in regard to an application to discharge related pre-commencement Condition 9 ref. 2024/44/91365/W of previous permission 2022/93248 of which 2024/92472 is a variation. At that time, we were satisfied

with the information provided within a Ground Investigation Report prepared by Ove Arup & Partners Limited dated 28th March 2023, Report Ref. CDT430201-ARP-XX-XX-RP-CG-0002, rev. P01 such that we raised no objection to the local planning authority discharging Condition 9.

Supporting this application is a Ground Gas Risk Review prepared by consultant Curtins dated 20th December 2024, report ref. 081801-CUR-XX-XX-T-GE-00003-P02 and a cover letter to the partial discharge application from Pegasus Group dated 30th July 2025 which refers directly to the aforementioned Curtins report (described as a Technical Note) in addressing Condition 10 on page 5. The primary function of the Curtins report is to consider the ground gas risks which incidentally it concludes that the source of elevated carbon dioxide present was not thermogenic and that no gas mitigation was considered necessary. Since the report authors were not apparently directly tasked with addressing Condition 10 they fail to mention that the aforementioned Arup report, to which they refer, did not require any recommendations for remedial measures associated with shallow coal mining as far as instability related matters are concerned. This accords with the reiterated statement made by Arup that *'No evidence of workings was identified during the ground investigation'*.

Pegasus Group in their cover letter then confirm that *'No remediation measures are identified for part 1'*, we assume that refers to the phase 1 planning boundary.

On the basis of the information provided and reference to the earlier reporting and in so far as mining instability matters are concerned the Coal Authority's Planning Team have **no objection to the LPA granting partial discharge of Condition 10** as sought, as and when it sees fit.

The applicant may wish to consider that for clarity, and to best demonstrate compliance with conditions, future phased applications are accompanied by a consultants' (competent persons) technical note, which specifically references and addresses the conditions the applicant wishes to discharge.

If you would like to discuss this matter further, please contact me on the above number.

Yours sincerely,

Geotechnical & 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.