



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: Nicole Helliwell – Case Officer
Kirklees Council

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

26 August 2025

Dear Ms Helliwell

Re: Planning application 2025/62/92205/E

**Erection of ammonia based refrigeration plant equipment at Mars Care And Treats
Petcare Europe Ltd, Oakwell Way, Birstall, Batley, WF17 9LU**

Thank you for your notification of 21 August 2025 seeking the views of the Coal Authority (trading as the Mining Remediation 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 plan, the proposals and supporting information submitted and available to view on the LPA website and can confirm that the application site falls within the defined Development High Risk Area.

The Coal Authority records indicate that the site lies in an area where underground coal mining has taken place at shallow depth and where further historic unrecorded shallow coal mining is likely to have occurred. Voids and broken ground associated with such workings may pose a risk to ground stability and public safety.

In addition, our records also indicates that the plotted position of an on-site mine shaft 423427-061 is located in the north eastern part of the access track with its potential zone of influence covering part of the access track. Due to potential plotting inaccuracies, the actual position of the shaft could deviate from its plotted position by several meters. We hold no details of any past treatment of this former coal mining related feature. Whilst 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, this feature is located away from the proposed development.

As you will be aware, the Coal Authority's general approach in cases where development is proposed within the Development High Risk Area is to recommend that the applicant obtains coal mining information for the application site and submits a Coal Mining Risk Assessment to support their planning application.

We note that the application is accompanied by a Non-Residential Coal and Brine Report. We must point out that this is a factual report only and this information does not provide any assessment of the potential risks posed by past coal mining activity to development proposals.

However, we note that the planning application is also accompanied by a Technical Note (prepared by PeterDann engineering possibilities, dated 13th August 2025) that has been submitted in line of a full Coal Mining Risk Assessment. This document shows previous grouting that has been completed on site in the past as well as giving more on an insight into the Ammonia Project foundations and groundworks required. The Technical Note summary highlights that the proposal will be *'situated entirely within an area of the site that benefitted from extensive grouting works undertaken in 2011'* and *'the new equipment will be installed on existing concrete hardstanding constructed over grouted ground, with additional concrete plinths and foundation pads designed to accommodate relatively modest plant loads.'* With the final comments on the document stating that *'given the location of the proposed works, the nature of the ground treatment already undertaken, and the relatively lightweight nature of the new plant, it is considered that the risks associated with historic coal mining activity have been appropriately addressed.'*

Taking the above into account and the Grouting Location Plan submitted to the LPA website (drawing no 10-3302/550), the Coal Authority's Planning & Development Team does not consider that a Coal Mining Risk Assessment is required to support the proposal in this particular case and we **DO NOT OBJECT** to this planning application.

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



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

What is a permit and how to get one? –

<https://www.gov.uk/government/publications/permit-process/permit-process>

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 features are unexpectedly encountered, 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

Bradley Shelton

Apprentice Town Planner

Disclaimer

The above consultation response is provided by the Coal Authority as a Statutory Consultee and is based upon the latest available coal mining data on the date of the response, and electronic consultation records held by the Coal Authority since 1 April 2013. The comments made are also based upon only the information provided to the Coal Authority by the Local Planning Authority and/or 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.