The Coal Authority

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For the attention of: Nicole Helliwell, Case Officer
Kirklees Council

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

11th September 2025

Dear Nicole,

Re: Application 2025/44/92368/E

Discharge of details reserved by conditions 4 (materials), 5 (boundary treatments), 6 (Phase I Desk Study Report), 7 (Phase II Intrusive Site Investigation Report), 11 (bird/bat roost box), 12 and 13 (intrusive investigations) on previous permission 2023/92066 for erection of two semidetached dwellings with associated alterations; 89 Whitcliffe Road, Cleckheaton, BD19 3EA.

Thank you for your notification of 28th August 2025 seeking the views of the Coal Authority on the above. Conditions 12 and 13 relate to coal mining activity and state:

> *12. 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 shallow 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.*

13. 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.

In support of the application the following documents were supplied:

1). Coal Mining Risk Assessment (CMRA) dated 13th December 2023 prepared by the Coal Authority's commercial team.
2). Phase 2 Intrusive Site Investigation Report (Ref. G25122) prepared by consultant Geoinvestigate Limited dated May 2025.

Item 2 includes the findings of a ground investigation conducted on the subject site as a result of recommendations made within the earlier CMRA. Two boreholes were drilled to a depth of 30.00m (identified as RH1 & RH2). The rotary boreholes encountered rockhead at depths between 1.20m and 1.30m comprising varying bands of mudstone, siltstone, sandstone and shale, which was proven to the base of each borehole. The findings are summarised as:

'No broken/weak ground or voids were encountered during the drilling process but a thin band of coal 200-300mm thick was encountered in both boreholes at 13.40m (RH1) and 13.50m (RH2). Full flush return was maintained throughout the drilling process'.

The authors then confirm their interpretation that: *'Although this coal seam was encountered in both RH1 and RH2 at 13.40m and 13.50m respectively, no voids or broken ground were encountered indicative of the seam being worked and so does not pose a threat to ground surface stability beneath the proposed development.*' Geoinvestigate from these findings then conclude that:

'Therefore, no evidence of mining is present within 30m of the site surface and an ample 12m of unbroken rock cover has been confirmed. When referencing the ten-times thickness rule of thumb discussed above, there appears to be an ample competent rock cover to the seam thickness ratio.'

On the basis that the recommendations for investigations made within the CMRA have been undertaken and the competent person/s have confirmed that no mitigation measures are required in respect to mining related ground instability the Coal Authority's Planning Team considers that the applicant has complied with the requirements of the

relevant conditions and consequently we have **no objection to the LPA discharging Conditions 12 and 13** of the approved consent.

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.