



The Coal
Authority

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For the attention of: Ms M. Storer – Case Officer

Kirklees Council

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

24 September 2025

Dear Ms Storer

Re: Application 2025/44/92511/W

Discharge of condition 11 (safety) on previous permission 2024/91053 for demolition of existing concrete plant and installation of replacement concrete plant with associated alterations at Myers Group Ltd, Barr Street, Huddersfield, HD1 6PB

Thank you for your notification of 5 September 2025 seeking the views of the Coal Authority (trading as the Mining Remediation Authority) on the above application.

The Coal Authority response:

The Coal Authority's particular interest in planning permission 2024/91053 lies with Conditions 10 and 11, which state:

10. *No above ground development shall commence (excluding the demolition of existing structures) 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.

11. *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.*

You will recall that we previously provided commented on an application 2024/44/93521/W in relation to the discharge of Condition 10. We noted in our consultation response letters that information prepared by ARP Geotechnical Ltd had been submitted to confirm that a drilling and grouting exercise had been successfully carried out to stabilise shallow mine workings present beneath the site. We also acknowledged that confirmation had been provided by James Dalton of James Dalton Consultants Ltd that, following the completion of the grouting operation, an appropriate reinforced concrete foundation slab was constructed for the new plant. On the basis of the information presented, we commented that we were satisfied that the requirements of Condition 10 had been satisfactorily addressed.

We note that the applicant has now applied to discharge Condition 11. The application is accompanied by email correspondence from Mr Dalton, dated 8 August 2025, which reiterates comments previously made regarding the successful completion of the remedial and mitigatory measures on site.

Based on the information submitted and the professional opinions contained therein, the Coal Authority's Planning & Development Team would have no objection to the LPA discharging Condition 11 of the issued consent, in terms of coal mining legacy related land instability matters, 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 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.

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.