



The Coal
Authority

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For the attention of: Elenya Jackson – Case Officer

Kirklees Council

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

30 October 2025

Dear Ms Jackson

Re: 2025/62/92777/E

Demolition of existing dwelling and associated buildings and erection of replacement dwelling with associated works; 5 Barnsley Road, Flockton, Huddersfield, WF4 4DN

Thank you for your notification of 14 October 2025 seeking the views of the Coal 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 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 within or within 20m of the site boundary there are two recorded mine entries (1 x on-site; 1 x off-site). With regards to the off-site mine entry (CA shaft ref: 422415-001) our records indicate that this *“was filled to British Coal specifications in January 1989”*. As the position of this mine entry is known (recorded within the site to the north of the application site) it is unlikely that this mine entry would present a risk to the application site. However we hold no treatment details for the on-site mine entry (CA shaft ref: 422415-012) and therefore this should be considered as an untreated shaft. Due to the historic source plans used to record its current position, this could vary by several metres. This could present a significant risk to public safety and surface stability for the redevelopment of the site. The Coal Authority is of the opinion that building over the top of, or in close proximity to, mine entries should be avoided wherever possible, even after they have been capped, in line with our adopted policy: [Building on or within the influencing distance of mine entries - GOV.UK](#) In addition, our records indicate that the site lies within an area of both recorded and probable historic unrecorded shallow coal mining. Voids and broken/disturbed ground associated with such workings can pose a risk of ground instability and may give rise to the emission of mine gases.

The planning application is accompanied by a Coal Mining Risk Assessment Report, August 2025 (Appendix D of the Phase I Desk Study Report, August 2025) prepared by RB Geotechnical Ltd. The Report has been informed by historical, geological and coal mining information.

Having carried out a review of the available information, the report authors consider that there is a high risk of potential unrecorded mine workings, due to it being in an area of probable mine workings and the presence of an on-site mine entry. Whilst we note that the report authors state that the site is not at risk from recorded shallow coal mine workings Section 3: Table Summary and Section 3.1, as identified within the Coal Authority Mining Report, included in Appendix E, this does in fact state that the site could be affected by shallow coal seams:

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Past underground coal mining

The property is in a surface area that could be affected by underground mining in 5 seams of coal at shallow to 160m depth, and last worked in 1964.

Notwithstanding the above, recommendations have been made that *intrusive investigations will be required in order to fully assess the risks posed by potential unrecorded mine workings (and therefore recorded shallow workings) on the site*. The Report highlights that the investigations should extend to establish the exact location and condition of the on-site mine entry. The applicant should be made aware that in the event that shallow coal mine workings are encountered, and the mine entry has not been treated or is found to be inadequately treated, further treatment, in compliance with current authoritative UK guidance (CIRIA C758D – Abandoned mine workings manual) will most likely be required.

When a site is affected by on-site mine entries, we would normally expect the exact location and condition of a mine entry to have been confirmed in order that this feature informs the layout of the development to ensure that adequate separation between any buildings and the mine entry have been incorporated. In addition, the results of a mine entry investigation will enable the applicant's geotechnical consultant to design the necessary remedial works and mitigation measures required, including calculating its zone of influence (no build exclusion zone) to ensure the site can be made safe and stable. However, taking into consideration the current use of the site (existing residential use) and based on the layout seeking consideration (Drawing No. 16 – Proposed Site Plan), there would appear to be adequate separation between the new dwelling and the mine entry and the proposed building is likely to be further away from the mine entry than the existing building.

The intrusive site investigations should be designed and undertaken by competent persons to ensure that these are appropriate to assess the ground conditions on the site to establish the coal-mining legacy present and the risks it may pose to the development and inform any mitigation measures that may be necessary.

The applicant is aware that Permission is required from the Coal Authority Permit and Licensing Team before undertaking any activity, such as ground investigation and ground works, which may disturb coal property. Please note that any comments that the Coal Authority may have made in a Planning context are without prejudice to the outcomes of a Permit application.

Mine Gas

Wherever coal resources or coal mine features exist at shallow depth or at the surface, there is the potential for mine gases to exist. These risks should always be considered by the LPA. The Planning & Development team at the Coal Authority, in its role of statutory

consultee in the planning process, only comments on gas issues if our data indicates that gas emissions have been recorded on the site. However, the absence of such a comment should not be interpreted to imply that there are no gas risks present. Whether or not specific emissions have been noted by the Coal Authority, local planning authorities should seek their own technical advice on the gas hazards that may exist, and appropriate measures to be implemented, from technically competent personnel.

Sustainable Drainage

It should be noted that where SUDs are proposed as part of the development scheme consideration will need to be given to the implications of this in relation to the stability and public safety risks posed by coal mining legacy. The developer should seek their own advice from a technically competent person to ensure that a proper assessment has been made of the potential interaction between hydrology, the proposed drainage system and ground stability, including the implications this may have for any mine workings which may be present beneath the site.

The Coal Authority Recommendation to the LPA

In light of the above, the Coal Authority recommends the imposition of the following conditions:

1. No development (excluding demolition) shall commence until;
 - a) a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past 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. This should include the submission of the approved site layout plan to illustrate the exact location (and grid co-ordinates) of the mine entry and its calculated zone of influence (no build exclusion zone) to illustrate how this feature relates to the approved layout.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

2. 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.

This is our recommendation for condition wording. Whilst we appreciate that you may wish to make some amendment to the choice of words, we would respectfully request that the specific parameters to be satisfied are not altered by any changes that may be made.

The Coal Authority has **no objection** to the proposed development **subject to the imposition of the conditions** to secure the above and the layout being approved as per **Drawing No. 16 – Proposed Site Plan**.

It is also requested that the following Informative Notes are included on any planning permission granted:

1 - Mine entries

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:

[Building on or within the influencing distance of mine entries - GOV.UK](#)

2 - Ground Investigations

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? - GOV.UK \(www.gov.uk\)](#)

3 - Shallow coal seams

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

Please do not hesitate to contact me if you would like to discuss this matter further.

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 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.