



The Coal  
Authority

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**For the attention of: Elenya Jackson – Case Officer**

Kirklees Council

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

25 November 2025

Dear Ms Jackson

**Re: 2025/62/92993/E**

**Erection of detached dwelling with integral garage; Rear Of, 9 Riley Lane, Kirkburton, Huddersfield, HD8 0RZ**

Thank you for your notification of 21 November 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: **Substantive Concern - Layout**

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 a mine entry (CA adit ref: 419412-004) is present within the site and as a result of this feature a recorded shallow roadway lies beneath the site. The Coal Authority hold no treatment for this mine entry and therefore should be considered as an untreated feature. In addition, the site lies within an area of probable historic unrecorded shallow coal mining. These coal mining features present a significant risk to public safety and surface stability to the proposed development.

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 accordance with Drawing No. 711 Revision P09 – Proposed Site Plan the proposed building will be over the mine adit, therefore, the layout does not accord with our adopted policy and we therefore **object to the layout of the development.**

The planning application is accompanied by a Coal Mining Risk Assessment Report (CCG-C-18-10746, January 2019) produced by CC Geotechnical Limited for residential development at the site. The Report has been informed by a range of sources of historical, geological and coal mining information.

We note that the Coal Authority were consulted on a previous application for this site: *2018/62/92806/E - Erection of detached dwelling with integral garage* which was also accompanied by the above Report. Based on the recommendations made by the report author, at that time, we raised no objections to the proposed development, subject to the LPA imposing a suitably worded condition to secure the undertaking of intrusive site investigations to confirm the extent of any shallow coal mine working beneath the site and as the report authors considered that based on the Coal Authority's recorded position of the mine adit (recorded on the site boundary) and the orientation of this is south-westerly, this would be away from the proposed development area and excavations to confirm that this does not extend within the site would be required.

However, since the above Report was prepared (2019) our data has been updated and the mine adit is now recorded as being present within the application site and whilst its orientation remaining in a south westerly direction, the risks that this feature presents,

including the shallow roadway, could significantly affect the safety and stability for the proposed development. Accordingly, as the applicant is seeking full planning permission and therefore the layout is being considered by the LPA we consider that the site investigations for the mine adit are carried out prior to determination so that its exact location and condition is confirmed. The findings should then inform the layout of the development, so that the applicant's geotechnical consultants can calculate the zone of influence of this feature and for this to be considered as a no build exclusion zone. The no build exclusion zone should then inform the layout to ensure that no buildings will be over, or within the influencing distance of the mine adit. A site layout plan should be provided to illustrate the location (and grid co-ordinates) of the mine entry, if found within the site; together with its calculated zone of influence and how the buildings relate to the no build zones. Where avoiding the no build zones is not possible, we would expect the findings of the site investigations to confirm the extent of the remedial works and / or mitigation measures required to ensure that the applicant is able to demonstrate that the site can safely accommodate the proposed development and to demonstrate to the LPA that any risks to public safety and surface stability can be fully addressed, as required by the NPPF paras.. 187, 196 & 197.

In light of the above, the Coal Authority currently **object** to this planning application, as we do not consider that the LPA has sufficient information to determine this application. Whilst we acknowledge that the site has previously been assessed by CC Geotechnical Limited, this is not based on the most up-to-date information for the on-site mine adit (updated position; shallow roadway). We would suggest that the applicant liaise with their geotechnical consultants: CC Geotechnical Limited on this specific matter so that they can carry out a revised assessment based on the above.

We welcome the opportunity to comment further once an up-to-date Coal Mining Risk Assessment Report has been provided.

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

Yours sincerely

**Deb Roberts** *M.Sc. MRTPI*  
**Planning & Development Manager**

## General Information for the Applicant

*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](#)

*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](http://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 \(www.gov.uk\)](#)

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

## **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.*