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For the attention of: Ms K. Chew – Case Officer
Kirklees Council

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

26 March 2026

Dear Ms Chew

Re: Planning application 2025/62/93355/E

Erection of 75 residential dwellings with associated landscaping, open space, highways and drainage infrastructure at Land off Woodward Court, Mirfield, WF14 0PY - RECONSULTATION

Thank you for your notification of 24 March 2026 seeking the further views of the Coal Authority (trading as the Mining Remediation Authority) on the above planning application.

The Coal Authority response: SUBSTANTIVE CONCERN

We last commented on this proposal in our initial consultation response letter of 14 January 2026. In this letter, we noted the submission of a supporting Geoenvironmental Appraisal (December 2022, prepared by Lithos) but nevertheless objected to the application. We raised a number of specific (bulleted) concerns/comments and requested that these be addressed in a revised Geotechnical Appraisal.

We understand that your reconsultation relates to the submission by the applicant of a 'Specification for the investigation and treatment of shallow workings & mine entries' (March 2026, again prepared by Lithos). As its title indicates, this document sets out proposals to treat coal mining legacy affecting the site. However, whilst we note the

content of the report, we do not consider that it satisfactorily addresses the matters we previously raised.
In our initial letter we advised:

- *Given the number of unrecorded features encountered previously, we assume that the applicant has undertaken a further soil strip across the additional development areas in order to establish whether any unrecorded mine entries are present within these parts of the site. In consideration of our adopted policy mentioned above, we assume that the layout of development has been suitably informed by the presence of any such features encountered.*
- *Should soil stripping of the additional development areas have not been carried out, we consider these further investigations should be undertaken prior to the determination of the application to ensure that any unrecorded mine entries present are identified and in order to inform the detailed layout of development under consideration by the LPA.*

The specification states at paragraph 1.2.4 that '*a soil strip undertaken in 2018 was based on the proposed housing layout at that time which comprised 61 plots. The current layout includes more plots (75) and shows development in areas beyond that previously stripped*.' It goes on to comment at paragraph 1.2.5 that '*Prior to commencement of the works described in this Specification, Bellway will commission further soil stripping to allow examination of the exposed natural Subsoil beneath the entire footprint of the development currently proposed (including the SuDS basin)*.'

In light of the above, it is evident that the matters we previously raised regarding the undertaking of further investigations in respect of the additional development areas prior to the determination of the application have not been addressed.

We previously requested:

- *The location of all mine entries encountered on site and their associated zones of influence / no-build zones should be clearly shown on the proposed Site Layout plan.*

We note that Drawing nos. 5670/21 and 5670/22 included in Appendix A of the specification document show the previously unrecorded mine entries/features and the their zones of influence / no build zones (as calculated in the Geoenvironmental Appraisal) in the context of the current development layout. However, it is clear there exists the potential for further mine entries to be present as the full site strip has yet to take place, as mentioned above.

With regards to the treatment of shallow mine workings, we note that the specification document indicates that proof drilling and grouting of shallow mine workings is proposed at those plots located close to the previously identified mine entries, as shown on Drawing no. 5670/21. We note that these treatment works do not extend radially away from the mine entries but will focus on the buildings close by. The specification document indicates

that the same approach will be adopted for any further mine entry features encountered elsewhere on the site.

Given the limited treatment works, it would appear that external parts of the site, such as roads, hard surfaced parking areas, paths and gardens near to the mine entries and presumably considered to be potentially underlain by shallow mine workings will not be treated. The justification for this approach is unclear. It is also unclear why the potential for the presence of underground workings extending further from the mine entries, and therefore potentially requiring treatment, has been discounted.

Until the above matters have been satisfactorily addressed by the applicant, the Coal Authority's Planning & Development Team **remains unable to withdraw its objection** to this planning application.

We would be pleased to receive for further consultation and comment any additional information prepared and submitted by the applicant.

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 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.