St Andrew's House
23 Kingfield Road
Sheffield, S11 9AS
mail@eastwoodce.com
0114 255 4554
eastwoodce.com

49653-ECE-XX-XX-RP-C-0003
CH/JSC

7th July 2026

Technical Note – Response to Lead Local Flood Authority comments

Land off Woodward Court, Mirfield

Client:	Bellway Homes Ltd (Yorkshire)
Project:	Land off Woodward Court, Mirfield

This Technical Note has been prepared to provide additional detail for the development site off Woodward Court in Mirfield (Application Ref: 2025/93355) following receipt of consultee comments from the Lead Local Flood Authority dated 22nd March 2026 and 17th April 2026.

This should be read in conjunction with the sites Flood Risk Assessment (Ref: 49653-ECE-XX-XX-RP-C-0001), Drainage Assessment Report (Ref: 49653-ECE-XX-XX-RP-C-0002), Drainage Appraisal (Ref: 49653-ECE-XX-XX-DR-C-0016), Envireau Water Technical Letter (Ref: 3491453 Rev 2) and the Lithos Site Investigation Reports (Ref: 1668/1F, 5670/013/SRJ and 5670/B).

Infiltration

Surface water drainage for the site has been considered in line with the drainage hierarchy in Building Regulations Part H 2015 and Planning Practice Guidance 'Reducing the causes and impacts of flooding', paragraph 80.

The option for surface water to discharge to the sewer was reviewed following receipt of a Site Investigation report conducted by Lithos (Ref: 1668/1F) noting that there was potential for ground stability issues as a result of focussed sustained water reaching shallow mine workings. It was

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Registered Office: St Andrew's House, 23 Kingfield Road, Sheffield, S11 9AS, Company No: 1835021, VAT Registration No: 738 2114 44

Directors: **C A Topliss** BSc CEnv CSci CGeol SiLC FICE FGS I **S J English** BEng CEng MIStructE I **A R Priest** BEng **M P Chappell** BEng CEng FIStructE I **K Edwards** MSci CGeol FGS I **C Hodge** EngTech MICE

Technical Directors: **A J Kerslake** BEng FGS I **A M Cross** MEng CEng MICE I **A Lavelle** MEng CEng MICE I **A J Cartlidge** MEng CEng MIStructE

Associates/Principals: **R A Noble** BSc FGS I **C L Capes** BSc FGS I **R Wall** BSc CGeol FGS I **W T Chidawanyika** BSc CEng MIEI MICE **C J Burgoyne** BSc IEng MICE I **G C Burgin** BSc MSc FGS

Consultants: **P Richardson** BSc CEng MICE FIStructE I **S D Preston** BEng CEng FICE FIStructE I **A G Marshall** BEng CEng MIStructE

therefore recommended within the Site Investigation report that any infiltration features were limited to POS areas, as per the submitted proposals (Drainage Appraisal, Ref: 49653-ECE-XX-XX-DR-C-0016).

The Lead Local Flood Authority response dated 22nd March 2026 notes that there is little weathered rock and that fissures in the bedrock were being relied on for infiltration drainage. The Lead Local Flood Authority have asked for the Coal Authority to provide their opinion on the use of soakaways above mine workings.

The National Coal Authority have been consulted in regards to the suitability of infiltration on this site. Their response is included in Appendix 1 and states the following:

> *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'.*

Bellway have procured a Technical Letter from Envireau Water (Ref: 3491453 Rev 2) dated 3rd July 2026, assessing the suitability and risk associated with infiltration in the vicinity of mine workings. Envireau Water were instructed to review site conditions and confirm whether infiltration would be suitable for this site. The Envireau Water letter notes that there is no correlation between infiltration rates and the presence or depth of the coal workings.

The Site Investigation report (Ref: 1668/1F) also comments that the workings are deep enough to not be affected by soakaways. The Envireau Water Technical Letter notes the proposed infiltration basin lies on the southern boundary which is not underlain by coal workings. It is not expected that grouting will take place below the basin and is only expected to treat the shafts, therefore infiltration rates will not be affected. The Lithos report (Ref: 5670/013/SRJ) dated 28th May 2026 notes that the mine entry points near the basin area will be grouted or capped. Lithos have also prepared a specification for the investigation and treatment of shallow workings and mine entries (Ref: 5670/B).

The basin shape has been designed to ensure that all mine entry points and their zone of influence (defined in the Lithos report (Ref: 5670/013/SRJ)) are located out of the basin infiltration area.

A single attenuation basin has been designed using the lowest recorded infiltration rate. The Envireau Water Technical Letter acknowledges that this is a conservative approach for the known ground conditions, therefore the infiltration basin is not expected to have a detrimental effect on mine workings given their depth (~10 m below the basin). Based on the information above, infiltration is proposed as a suitable method for surface water disposal on this site.

Alternative surface water outfall

Yorkshire Water were contacted to determine an alternative surface water outfall option should infiltration drainage be proven to be unviable. Their response notes that surface water may discharge to the 300 mm public surface water sewer in Woodward Court if evidence is provided that infiltration is not viable. The surface water discharge rate to this sewer must be restricted to 3.5 l/s. A surface water pump would be required to connect to this sewer.

Re-emergence

The Envireau Water Technical Letter states that it is not anticipated that the proposed drainage scheme would increase the volume of water entering the mine workings. It is also noted that the drainage scheme proposed does not increase the risk of mine water re-emergence off-site.

Foul water discharge

As stated in the comments received from the Lead Local Flood Authority, sites have a right to connect foul water to a sewer.

The Yorkshire Water consultee comments received on 7th April 2026 (Appendix 2) note that they have no objections in principle to the proposed foul water discharge point to the public combined sewer in Hepworth Lane. This comment has subsequently been cleared by Paul Farndale in the Lead Local Flood Authority consultation comments received on 17th April 2026.

Yours sincerely,

Jessica Steels-Crotty
Environmental Engineer

Eastwood
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Appendix 1 – National Coal Authority Consultation

200 Lichfield Lane
Mansfield
Nottinghamshire
NG18 4RG
T: 01623 637 119 (Planning Enquiries)
E: planningconsultation@coal.gov.uk
W: www.gov.uk/coalauthority

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

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

14 January 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

Thank you for your notification of 9 January 2026 seeking the views of the Coal Authority (trading as the Mining Remediation Authority) on the above planning application.

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

The application site falls within the defined Development High Risk Area. Therefore, within the site and surrounding area there are coal mining features present at surface or shallow depths. The risk these features may pose should be considered as part of the planning process.

More specifically, our information indicates that the site lies in an area where historic unrecorded underground coal mining is likely to have taken place at shallow depth. Voids

and broken ground associated with such workings can pose a risk to surface stability and public safety.

We are also aware that previous investigations undertaken at the site encountered a number of unrecorded mine entries. An untreated or inadequately treated mine entry and its resultant zone of influence pose a significant risk not only to surface stability but also public safety.

It should be noted that any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. We have adopted a policy where, as a general precautionary principle, the building over or within the influencing distance of a mine entry should wherever possible be avoided. Our adopted policy on the matter can be found at: www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries.

We note that the planning application is accompanied by a Geoenvironmental Appraisal (December 2022, prepared by Lithos); however, the Coal Authority's Planning & Development Team does not consider that this adequately addresses the impact of coal mining legacy on the specific scheme of development currently proposed. We therefore **OBJECT** to the proposal and consider that the applicant needs to revise and resubmit their report to the LPA.

Based on a review of coal mining and geological information along with the results of several phases of intrusive investigations, the Geoenvironmental Appraisal acknowledges that the site has been subject to past coal mining activity. It indicates that evidence of shallow mine workings was recorded during borehole drilling and that 12 previously unrecorded mine entries were encountered during a soil strip.

The report goes on to recommend the undertaking of remedial treatment works to stabilise the mine entries and any localised areas of mine workings. It also calculates the zone of influence of the mine entries encountered and defines corresponding no-build zones around these features. It advises that the development layout should be informed by these no-build zones to ensure that adequate separation is provided between the mine entries and proposed dwellings.

Whilst we note the professional opinions expressed in the submitted report, we wish to raise the following concerns/comments which should be addressed in the revised Geotechnical Appraisal:

- It is evident from Section 1.2 of the report and the Proposed Site Layout contained in Appendix B that it has been produced to inform an earlier proposed scheme of

residential development at the site comprising the erection of 61 dwellings rather than the 75 dwellings currently proposed.

- A previous partial soil strip was carried out at the site, as shown on the Mining Features drawing contained in Appendix B, which encountered a number of previously unrecorded mine entries. This soil strip did not extend across the entirety of the parts of the site where development is now proposed.
- 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 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.
- Clarification as to the need or otherwise for any further investigation/remediation of shallow coal mining legacy affecting the additional development areas should also be included in the revised report.

The applicant should note that permission is required from our Permitting Team before undertaking any activity, such as ground investigation and treatment works, which disturb our property. Any comments that we may have made in a Planning context are without prejudice to the outcomes of a Permit application.

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, such as any unrecorded mine entries that may be present. 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.

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

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.

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Appendix 2 – Yorkshire Water Consultation

Yorkshire Water Services
Land and Property
Western House
Western Way
Halifax Road
Bradford
BD6 2SZ

Tel: 0345 120 8482

Email:
planningconsultation@yorkshirewater.co.uk

Mathias Franklin
Head of Planning Services
Kirklees Metropolitan District Council
P.O. Box B93
Civic Centre
Huddersfield
HD1 2JR

For telephone enquiries ring:

George Mullaney on 0345 120 8482

Your Ref: 2025/93355

Our Ref: B/00708

7th April 2026

Dear Sir/Madam,

Land off Woodward Court, Mirfield - (KIRK) Erection of 75 residential dwellings with associated landscaping, open space, highways and drainage infrastructure

Thank you for consulting Yorkshire Water regarding the above proposed development. We have the following comments:

YorkshireWater

Waste Water

If planning permission is to be granted, the following condition should be attached in order to protect the local aquatic environment and Yorkshire Water infrastructure:

The development shall be carried out in accordance with the details shown on the submitted Drainage Assessment prepared by Eastwood Consulting Engineers, dated 26/11/2025 unless otherwise agreed in writing with the Local Planning Authority.
(In the interest of satisfactory and sustainable drainage)

1) The submitted Drainage Assessment prepared by Eastwood Consulting Engineers, dated 26/11/2025 is acceptable. In summary, the report states that:

a) Foul water will discharge to public combined water sewer
b) Sub-soil conditions support the use of soakaways
c) A watercourse is remote from the site
d) Surface water will discharge to soakaway

2) Yorkshire Water has no objection in principle to:

a) The proposed separate systems of drainage on site and off site
b) The proposed point of discharge of foul water to the public 150/225mm diameter combined sewer in Hepworth Lane
c) The submitted drawing shows surface water proposed to be drained to soakaway

submitted on drawing 49653-ECE-XX-XX-DR-C-0016 (revision P03) dated 26/11/2025 that has been prepared by Eastwood Consulting Engineers.

The developer should also note that the site drainage details submitted have not been approved for the purposes of adoption or diversion. If the developer wishes to have the sewers included in a sewer adoption/diversion agreement with Yorkshire Water (under Sections 104 and 185 of the Water Industry Act 1991), they should contact our Developer Services Team (tel 0345 120 84 82, email: technical.sewerage@yorkshirewater.co.uk) at the earliest opportunity. Sewers intended for adoption and diversion should be designed and constructed in accordance with the WRc publication 'Sewers for Adoption - a design and construction guide for developers' 6th Edition, as supplemented by Yorkshire Water's requirements.

3) Yorkshire Water promote the surface water disposal hierarchy and the developer must

provide evidence to demonstrate that surface water disposal via infiltration or watercourse are not reasonably practical before considering disposal to public sewer.

a) It is noted from the submitted planning application that surface water is proposed to be drained to soakaway.
b) The developer should note that further restrictions on surface water disposal from the site may be imposed by other parties. The developer is strongly advised to seek advice/comments from the Environment Agency/Land Drainage Authority/Internal Drainage Board with regard to surface water disposal from the site. The landowners consent will be required for the construction of a new outfall structure.
c) As surface water from the site is not proposed to discharge to the public sewer network, no assessment of the capacity of the public sewers to receive surface water has been undertaken. Should the surface water disposal proposals change, further consultation with Yorkshire Water will be required.

Yours faithfully

George Mullaney
Town Planning Technician

Subject: RE: V881026 - Woodward Court (land off) Mirfield WF14 0PY (49653) [Filed 13 May 2026 09:58]
Sent: 13/05/2026, 09:51:57
From:
To:

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Filed by Mail Manager

If you're able to provide evidence that infiltration isn't viable, surface water may discharge to the public 300mm diameter surface water sewer in Woodward Court, the flow rate will must be limited to a maximum rate of 3.5 litres/second.

Kind regards

YorkshireWater

George Mullaney
Town Planning Technician
Land and Property
0345 120 8482
yorkshirewater.com/developers

From: Jessica Steels-Crotty <jessica.steels-crotty@eastwoodce.com>
Sent: 22 April 2026 11:04
To: Technical Sewerage <technical.sewerage@yorkshirewater.co.uk>
Subject: RE: V881026 - Woodward Court (land off) Mirfield WF14 0PY (49653)

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Good morning George,

Thank you for the email below.

We are currently exploring the viability of infiltration for surface water drainage, however there is potential that this may not be suitable.

As a last resort, if all other surface water disposal options are discounted, please can you advise on the nearest surface water sewer that may be able to accept surface water discharge from the site.

Kind regards,

Jessica Steels-Crotty BSc MCIWEM
Environmental Engineer

Please note that I work compressed hours so may not be available on Friday afternoons.

T: 0114 255 4554
www.eastwoodce.com

Eastwood

Eastwood Consulting Engineers is a trading name of Eastwood and Partners (Consulting Engineers) Limited
Registered Office: St Andrew's House, 23 Kingfield Road, Sheffield, S11 9AS
Company No: 1835021, VAT Registration No: 738 2114 44