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For the attention of: Kerri Simpson – Case Officer

Kirklees Council

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

05 March 2026

Dear Ms Simpson

Re: 2026/62/90356/E

Erection of dwelling and associated works; Bell Cabin, Long Lane, Earlseaton, Dewsbury, WF12 8LG

Thank you for your notification of 27 February 2026 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 part of 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 mine entries (1 x on-site mineshaft -CA ref:425420-004 and 1 x off-site mineshaft: CA ref 425420-006) The Coal Authority hold information for the on-site mineshaft and that this was *"encountered by Geoinvestigate Ltd. Shaft found to be filled with colliery spoil"*. We hold no treatment details for the off-site mine entry. Any untreated or inadequately treated mine entry poses a significant risk to public safety and surface stability for the redevelopment of this 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 accordance with Drawing No. (100) 03) Proposed Site Plan, illustrates the *"Zone of Influence of capped mineshaft as per application: 2022/62/90804/E. Mine Shaft Drilling Investigation Report"*.

The planning application is accompanied by two Reports prepared by Geoinvestigate Ltd:

- Phase 1 Desk Study Site Investigation Report (G23326, October 2023);and
- Phase 2 Intrusive Site Investigation Report (G23326, October 2023). It should be noted that the Phase 2 Report is to investigate contamination issues, not mineshafts.

The Coal Authority were consulted by the LPA on the previous application for this site: 2022/62/90804/E - *Erection of dwelling, formation of access and other associated operations*. The planning application was accompanied by a Mine Shaft Drilling Investigation Report (G21038, 13 August 2021) produced by Geoinvestigate Ltd. The Report had been informed the findings of intrusive site investigations to confirm the presence and condition of the on-site mine entry 425420-004, which was *found to be uncapped, filled with weak material and located very close to or perhaps even a little way under the lowest of 3 flimsy retaining walls".... The mineshaft remains unstable / movement is ongoing"*. The results of the investigations enabled the report author to calculate the zone of influence of the found mine entry. Based on the position of the dwelling at that time, the report author was satisfied that the dwelling (located some 30m to the south of the shaft) would be outside the influencing distance of the mineshaft(s). The applicant was made aware that the mineshaft will need to be treated and capped.

Based on all the information submitted in support of the previous application we were able to withdraw our objections subject to the LPA imposing a suitably worded condition to secure the undertaking of the remedial works for the on-site mine shaft and any mitigation measures that may be required. We are pleased to note that the LPA imposed such a condition (Condition 7).

We note that the proposed site layout plan for this current application, illustrated the red area shows the zone of influence of a capped mineshaft, and therefore we are assuming that the treatment works have now been undertaken. However the Planning team at the Coal Authority have not had sight of or reviewed any information on any treatment works carried out at the site. It is assumed that the LPA have no knowledge of said information.

In light of the above, we would have no objection to the proposed development in accordance with the proposed layout (Drawing No. (100) 03) Proposed Site Plan) as the proposed dwelling is illustrated as being outside the zone of influence of the mineshaft. However we would recommend that the LPA impose the same, or similarly worded condition (Condition 7) as per the approved development: 2022/62/90804/E.

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.

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

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

[What is a permit and how to get one? - GOV.UK \(www.gov.uk\)](#)

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.