



The Coal
Authority

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For the attention of: Emma Thompson – Case Officer

Kirklees Council

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

24 February 2026

Dear Emma

Re: 2026/44/90507/E

Discharge of details reserved by conditions 4 (bat and bird boxes), 5 (bins), 6 (Phase II Report), 7-11 (Remediation Strategy), 12 (boundaries) on previous permission 2025/91577 for erection of two semi-detached dwellings; land adjacent to 21 Westcliffe Rise, Cleckheaton, BD19 5HX

Thank you for your notification of 20 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: **Substantive Concern**

Conditions 10 and 11 of the planning permission seek to address coal mining legacy and require the undertaking of intrusive site investigations, any necessary remedial measures and verification.

The Coal Authority records indicate that the site is likely to have been subject to unrecorded coal mining at shallow depth. Voids and broken ground associated with such workings can pose a risk of ground instability and may give rise to the emission of mine gases.

The applicant has submitted the same Phase 1 Environmental Desk Study & Coal Mining Risk Assessment (26 May 2023), which accompanied the planning application and which recommends the undertaking of an intrusive investigation to establish any necessary remedial measures. We reviewed this at the time, which incurred the imposition of the aforementioned conditions. The report is therefore no longer relevant.

Along with the aforementioned report, a Phase 2 Geo-Environmental Report (20 August 2025, prepared by RGS Ltd) supports this discharge of condition application. However, the Coal Authority does not consider that this adequately addresses the impact of coal mining legacy on the proposed development.

The Coal Authority is therefore **unable to recommend the LPA discharge Conditions 10 and 11** and we consider that the applicant needs to revise and resubmit the Report to the LPA.

The Report is unsatisfactory as the investigations undertaken could not be considered sufficient to the extent to fully discount the risks posed by shallow coal mine workings, specifically in regard to ground stability.

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

Yours sincerely

Chris MacArthur *B.Sc.(Hons), DipTP, MRTPI*
Planning Liaison Manager

General Information for the Applicant

Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of The Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission will result in trespass, with the potential for court action. In the event that you are proposing to undertake such work in the Forest of Dean local authority area our permission may not be required; it is recommended that you check with us prior to

commencing any works. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at:

<https://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property>

Disclaimer

The above consultation response is provided by The Coal Authority as a Statutory Consultee and is based upon the latest available coal mining data on the date of the response, and electronic consultation records held by The Coal Authority since 1 April 2013. The comments made are also based upon only the information provided to The Coal Authority by the Local Planning Authority and/or 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.