



The Coal
Authority

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For the attention of: Emma Thompson – Case Officer

Kirklees Council

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

5 May 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 -RECONSULTATION

Thank you for your notification of 28 April 2026 seeking the further views of the Coal Authority on the above.

The Coal Authority response:

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 previously submitted the same Phase 1 Environmental Desk Study & Coal Mining Risk Assessment (26 May 2023), which accompanied the planning application and which recommended 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 was therefore considered no longer relevant.

Along with the aforementioned report, a Phase 2 Geo-Environmental Report (20 August 2025, prepared by RGS Ltd) also supported this discharge of condition application. However, the Coal Authority did not consider that it adequately addressed the impact of coal mining legacy on the proposed development. The Coal Authority was therefore unable to recommend the LPA discharge Conditions 10 and 11 and we considered that the applicant needed to revise and resubmit the Report to the LPA.

The Report was 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.

The Coal Authority is therefore now pleased to note the submitted Rotary Drilling Report (dated April 2026) from Michael D Joyce Associates LLP in support of the discharge of the aforementioned planning conditions. The content of the Report confirms the sinking of two rotary boreholes to confirm ground conditions and to identify any necessary remedial measures. The Report provides confirmation that only two unworked coal seams were encountered, with no evidence of any shallow workings.

On account of the above, the Planning and Development Team at the Coal Authority is now satisfied that the issue of the potential for coal mining legacy to affect the proposed development has been adequately investigated. The Coal Authority would therefore now **have no objections to the LPA discharging Conditions 10 and 11** on the basis of the aforementioned details submitted by the applicant.

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

[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.

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 advisers for this development in relation to ground conditions and the acceptability of development.