



The Coal  
Authority

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**For the attention of: Nicole Helliwell – Case Officer**

Kirklees Council

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

9<sup>th</sup> April 2026

Dear Ms Helliwell

**Re: Planning application 2026/62/90706/E**

**Erection of temporary portakabin building for a period of 5 years at Mars Care and Treats Petcare Europe Ltd, Oakwell Way, Birstall, Batley, WF17 9LU**

Thank you for your notification of 7 April 2026 seeking the views of the Coal Authority (trading as the Mining Remediation 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 site location plan, the proposals and supporting information submitted and available to view on the LPA website and can confirm that the application site falls within the defined Development High Risk Area (DHRA).

More specifically, the Coal Authority records indicate that the site lies in an area where underground coal mining has taken place at shallow depth and where further historic unrecorded shallow underground coal mining is likely to have occurred. Voids and broken ground associated with such workings may pose a risk to ground stability and public safety.

As you will be aware, the Coal Authority's general approach in cases where development is proposed within the DHRA is to recommend that the applicant obtains coal mining information for the application site and submits a Coal Mining Risk Assessment (CMRA) to support their planning application.

However, you will also be aware from the Exemptions List included in the Coal Authority's Guidance for Local Planning Authorities – England (Version 8 – January 2025), that there are some development proposals which, due to their application type or nature, do not need to be supported by a CMRA even though they are located within the DHRA. One such exemption is where the erection of buildings/structures is proposed that require minimal foundations or groundworks.

In this particular case, we note that the application is proposing the erection of a portakabin and this would appear to be a modular building, that we assume does not require significant foundations or groundworks. Therefore, this type of development would fall under part B (exempt by nature of development) on the Coal Authority's exemption list.

Taking into account the above, the Coal Authority's Planning & Development Team do not consider that a Coal Mining Risk Assessment is required to support the proposal in this case, and we **DO NOT OBJECT** to this planning application.

However, we do recommend that, should planning permission be granted for this proposal, the following wording is included as an Informative Note on any planning permission granted:

***The proposed development lies within an area that has been defined by the Mining Remediation Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.***

***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](http://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property)***

***What is a permit and how to get one? –***

***<https://www.gov.uk/government/publications/permit-process/permit-process>***

***If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: <https://www.gov.uk/government/organisations/mining-remediation-authority>.***

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

Yours sincerely

**Benjamin Fitzpatrick**

**Apprentice Town Planner**

### **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.