



The Coal
Authority

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For the attention of: Ms N. Helliwell – Case Officer

Kirklees Council

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

26 May 2026

Dear Ms Helliwell

Re: Application 2026/44/91357/E

Discharge of details reserved by conditions 4 (intrusive site investigations), 5 (declaration) and 6 (coal workings) on previous permission 2025/92378 for erection of agricultural building at Top Ashlea, Bristfield Road, Bristfield, Dewsbury, WF12 0PA

Thank you for your notification of 22 May 2026 seeking the views of the Coal Authority (trading as the Mining Remediation Authority) on the above application.

The Coal Authority response:

Conditions 4, 5 and 6 refer to coal mining legacy matters and state:

4. *Within three months of the date of this decision;*
 - a) *a scheme of intrusive investigations shall be carried out on site to establish the risks posed to the development by past shallow coal mining activity; and*
 - a) *any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, shall be implemented on site in full in order to ensure that the site is made safe and stable for the development. The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.*

5. *Within one month of the required measures being undertaken as set out in Condition 4 (a and b), a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.*
6. *If contamination, the presence of coal and/or evidence of coal workings not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all works in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Works in the affected area shall not recommence until either (a) a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority or (b) the Local Planning Authority has confirmed in writing that remediation measures are not required.*

The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy.

Following completion of any measures identified in the approved Remediation Strategy a Verification Report shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as that part of the site has been remediated in accordance with the approved Remediation Strategy and a Verification Report in respect of those works has been approved in writing by the Local Planning Authority.

The application is accompanied by a report prepared by David Martin, Civil and Structural Engineer, dated 13 April 2026. This includes in Appendix A a Factual Report on Intrusive Coal Mining Investigation (27 March 2026, prepared by ARP Chartered Consulting Engineers).

Mr Martin advises that three rotary boreholes were drilled to a maximum depth of 30.0m bgl in January 2026, as per the detail contained in the appended ARP report. He notes that intact coal seams were encountered in the boreholes, with no evidence of past shallow coal mining workings being recorded during drilling.

In consideration of the results of the borehole investigation along with site observations, Mr Martin confirms in respect of Condition 5 that:

- *No evidence of shallow coal mining workings or associated instability has been identified;*
- *No remedial works or mitigation measures are required; and*
- *The site is considered safe and stable for the approved development.*

Based on the information submitted and the professional opinions contained therein, the Coal Authority's Planning & Development Team would have no objection to the LPA discharging Conditions 4 and 5 of the issued consent, in terms of coal mining legacy related land instability matters, should it see fit.

Condition 6 sets out the steps to be taken in the event that unexpected contamination, coal and/or evidence of coal workings is encountered during development. Mr Martin confirms that no such evidence was encountered. We therefore concur with Mr Martin's conclusion that no reporting is necessary under this condition and consequently there is no requirement to discharge this condition.

If you would like to discuss this matter further, please contact me on the above number.

Yours sincerely

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 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.