

Our Ref: CRM.3030.020

Date: 16th June 2026
Email: tom.baguley@enzygo.com

Planning and Development,
Kirkless Council
PO Box 1720,
Huddersfield, HD1 9EL

Dear Sir / Madam

Town and Country Planning Act 1990 (as amended)

Application for Approval of Details Reserved by Condition 5 attached to Planning Permission Ref: 2025/62/91965/E

Site: Land at Gelderd Road, Birstall, Batley, WF17 9LS

Introduction

Enzygo Ltd has been instructed by Tesla Motors Ltd to submit an application for the approval of details reserved by condition in order to fully discharge condition 5 attached to planning permission ref. 2025/62/91965/E for the installation of electric vehicle charging infrastructure at land off Gelderd Road, Birstall, Batley WF17 9LS.

This application is supported by a suite of documents to provide the information as required by each of the aforementioned conditions:

1. Application Forms (Completed and Signed)
2. Site Location Plan
3. Decision Notice 2025/62/91965/E
4. This Cover Letter
5. Ground Stability and Site Safety Declaration, prepared by Solmek
6. Phase 2 Site Investigation Report, prepared by Solmek

Condition 5 – Phase II Intrusive Site Investigation Report

Condition 5 states:

"No groundworks (other than those required for a site investigation report) shall commence until a Phase II Intrusive Site Investigation Report by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority."

To satisfy the requirements of this condition, the Applicant submits the Phase 2 Site Investigation Report (Ref. NE-26-043) prepared by Solmek Ltd, a suitably qualified geotechnical and engineering geology consultancy.

The intrusive investigation was undertaken between 24 April and 5 May 2026 and comprised:

- Eight machine excavated trial pits/trenches across the site to investigate shallow ground conditions and former opencast mining features;
- Five rotary open-hole boreholes to depths of up to 45 metres below ground level to assess the potential presence of historic underground mine workings;
- In-situ CBR testing; and
- Geotechnical laboratory testing of recovered samples.

The investigation confirmed that the site is predominantly underlain by shallow mudstone bedrock with only limited areas of made ground. No groundwater was encountered during the investigation.

Compliance with Condition 3

The submitted Site Investigation Report also addresses the requirements of Condition 3, which requires intrusive investigation of the risks posed by historic shallow coal mining activity and implementation of any necessary remediation or mitigation measures.

The report concludes that:

- The former opencast workings do not extend into the proposed development area to an extent that would compromise development;
- The opencast highwall is likely to lie further north-west of the site;
- Potential historic underground mine workings, where present, occur at significant depth beneath the site and are protected by substantial competent rock cover;
- The proposed development is unlikely to be adversely affected by historic coal mining activity; and
- Grout stabilisation works or other mining remediation measures are not required.

Accordingly, the intrusive investigation demonstrates that the site is safe and stable for the approved development and that no further coal mining remediation or mitigation measures are necessary.

To further support this conclusion, a Ground Stability and Site Safety Declaration prepared by Solmek Ltd accompanies this submission.

The site is considered safe and stable for the approved development.

I trust the enclosed is sufficient for you to determine this application. If you require any additional information, please do not hesitate to contact me.

Yours sincerely

Tom Baguley MRTPI
Principal Planning Consultant
Enzygo Ltd



**Enzygo Ltd, Enzygo GeoEnvironmental Ltd, Brown2Green Associates Ltd,
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