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For the attention of: Mr W. Simcock – Case Officer
Kirklees Council

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

5 October 2026

Dear Mr Simcock

Re: Application 2026/44/92443/E

Discharge of details reserved by conditions 7 (road priorities), 8 (signage), 16 (landscaping), 22 (declaration), 25 (delivery/loading area), 29 (air quality) and 30 (external lighting) on previous permission 2024/91591 for variation of conditions 2-6, 15 and 29 on previous permission 2021/92528 for erection of retail development, associated parking, servicing areas and landscaping at Land off Birstall Retail Park, Bankwood Way, Birstall, Batley, Kirklees, WF17 9DT - RECONSULTATION

Thank you for your notification of 30 September 2026 seeking the further views of the Coal Authority (trading as the Mining Remediation Authority) on the above application.

The Coal Authority response:

Further to matters raised in our initial consultation response letter of 10 September 2026 regarding the discharge of coal mining legacy related Condition 22, we note that the applicant has submitted a revised Verification Report (Ref. 1080.08.02, dated September 2026, prepared by Remada) for consideration by the LPA.

The revised report advises that a review of previous reports prepared for the site has been undertaken which informed a programme of drilling and grouting subsequently carried out at the site by Soil Engineering Ltd in October 2025. The report states under Section 5.1 'Coal Mining Legacy Declaration' that *'In total, 19 probeholes were drilled in the proposed Home Bargains store footprint and 23 probeholes were drilled in the proposed Lidl store footprint. No*

cavities were identified and probeholes were backfilled with cement. No further action was considered necessary with regard to worked mine seams and therefore the site is considered safe and stable, in terms of coal mining legacy, for the approved scheme of development.'

Based on the information now submitted and the professional opinions contained therein, the Coal Authority's Planning & Development Team would have no objection to the LPA discharging Condition 22 of the issued consent, in terms of coal mining legacy related land instability matters, should it see fit.

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 purposed 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.