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For the attention of: James Evans, Case Officer
Kirklees Council

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

23rd October 2026

Dear James,

Re: Application 2026/44/92485/E

Discharge of details reserved by conditions 3 (Phase I Desk Study Report), 4 (Phase II Desk Study Report), 5 (Remediation Strategy), 6 (Remediation Strategy), 7 (Validation Report), 8 (intrusive investigations) on previous permission 2023/93729 for erection of detached dwelling; Adj, 43 Bridle Street, Soothill, Batley, WF17 6LU.

Thank you for your notification of 14th October 2026 seeking the views of the Coal Authority on the above, Condition 8 specifically, which is coal mining related and states:

8. No development shall commence until a scheme has been submitted to, and approved in

writing, in relation to land stability. The submitted scheme shall include:

a) a scheme of intrusive investigations that has been carried out on site to establish the risks posed to the development by shallow coal mine workings, and;

b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary and that these have been implemented on site in full in order to ensure that the site is safe and stable for the development proposed. The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

This application is supported by a Soil and Structures Phase 1, 2 & 3 combined report with revised CMRA, ref 2016-R-001-V02, dated September 2026. This update includes the findings of a ground investigation, including two rotary boreholes to assess the risk from possible shallow unrecorded coal mine workings. A camera survey of RO101 confirmed the presence of shallow voiding, and RO102 confirmed similar conditions with bedding plane delamination above the voided horizon attributed to the exploitation of the Swallow Wood Coal. The voiding was noted on the ground model to be very shallow, from 3.1 to 5.4m across the two boreholes.

Within Section 6.1 'Groundworks' the author recommends risk reduction posed by the shallow mining to avoid surface instability and foundation failure (Section 6.2) through grouting of mining voids ahead of groundworks being completed, requiring the demolition of the existing structure. The recommendation is for no drainage to ground because of the risk posed by water infiltration.

The combined report and updated CMRA confirm that a scheme of site investigations has been carried out; however, it does not include evidence that the recommended remedial and mitigation measures have been implemented on site in full as required by Condition 8 (b). Consequently, whilst we welcome the report as confirming the applicant has complied with Condition 8 (a) and undertaken investigations to assess the risk, the Coal Authority's Planning Team is, based on the reporting provided, **unable to recommend the discharge of Condition 8** in full.

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

Yours sincerely,

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.

