The Coal Authority

INVESTOR IN PEOPLE

RTPI Learning Partner

200 Lichfield Lane
Berry Hill
Mansfield
Nottinghamshire
NG18 4RG

Tel: 01623 637 119 (Planning Enquiries)

Email: planningconsultation@coal.gov.uk

Web: www.gov.uk/coalauthority

For the Attention of: Emma Thompson – Case Officer
Kirklees Council

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

23 July 2018

Dear Ms Thompson

PLANNING APPLICATION: 2018/92059

Erection of two semi-detached dwellings with associated garden space and hardstanding; Adj, 163 North Road, Ravensthorpe, Dewsbury, Kirklees, WF13 3AQ

Thank you for your consultation letter of 04 July 2018 seeking the views of The Coal Authority on the above planning application.

The Coal Authority is a non-departmental public body sponsored by the Department of Business, Energy & Industrial Strategy. 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 proposals and confirm that the application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application. The Coal Authority records indicate that the site has been subject to both recorded and unrecorded underground coal mining at shallow depth.

The planning application is accompanied by a Coal Mining Risk Assessment prepared for the application site by Demeter Environmental Ltd ref: 18-05-18 Revision 0 (dated May 2018), which has been informed by an appropriate range of sources of information.

Based on this review of existing geological, historical and coal mining information, the report author concurs with our records (Table 4) that the site is at risk from both recorded and unrecorded shallow coal mine workings. Accordingly Section 7.1.1 recommends that

detailed ground investigations are required in order to determine the depth, thickness and condition of these workings. Whilst the report author recommends that initially one borehole to a depth of 30m is undertaken, we are pleased to note that additional boreholes will be carried out if coal (intact or worked seams) are found present beneath the site.

We are pleased to note that the applicant is aware that the Coal Authority's written consent, prior to commencement of the above works, will be required.

Once the exact ground conditions have been established a competent person can then confirm and design an appropriate mitigation strategy such as grouting and stabilisation works, specific foundation design and / or gas protection measures, if deemed necessary, to ensure the safety and stability of the proposed development.

Due to the history of mining in the area, we welcome the comments made (Section 8) that vigilance is to be maintained during development works for any evidence of unrecorded mine entries and if found, they should be thoroughly investigated and treated as required. The Coal Authority will also need to be notified if any ground anomalies relative to coal are found.

Based on the above, the Coal Authority considers that an adequate assessment of the coal mining risks associated with this site has been carried out. Therefore, in order to ensure that sufficient information is provided by the applicant to demonstrate to the LPA that the site is, or can be made, safe and stable for the development proposed (as required by emerging local policy PLP 53 – Contaminated and Unstable Land of Kirklees Draft Local Plan Strategy & Policies, Publication Version and the NPPF, paragraphs 120-121) you may wish to consider the imposition of planning conditions which cover the issues set out below.

Prior to the commencement of development:
* The undertaking of the scheme of intrusive site investigations (as outlined in Table 7.1.1 of the Coal Mining Risk Assessment prepared by Demeter Environmental Ltd ref: 18-05-18 Revision 0 (dated May 2018), to properly assess the ground conditions on the site and establish the risks posed to the development by past coal mining activity;
* The submission of a report of findings arising from the intrusive site investigations and any remedial works and/or mitigation measures considered necessary;
* Implementation of the remedial works and/or mitigation measures.

The Coal Authority has **no objection** to the proposed development, **subject to the imposition of a planning condition or conditions to secure the above**

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

Yours sincerely

D Roberts

Deb Roberts *M.Sc.*
Planning Liaison Officer

General Information for the Applicant

Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of The Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission will result in trespass, with the potential for court action. In the event that you are proposing to undertake such work in the Forest of Dean local authority area our permission may not be required; it is recommended that you check with us prior to commencing any works. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at:
https://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property

Disclaimer

The above consultation response is provided by The Coal Authority as a Statutory Consultee and is based upon the latest available 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.

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 advisers for this development in relation to ground conditions and the acceptability of development.