



The Coal
Authority

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For the attention of: Rachael Roddis – Case Officer

Barnsley Metropolitan Borough Council

[By email: developmentmanagement@barnsley.gov.uk]

25 June 2025

Dear Ms Roddis

Re: 2025/0149

Change of use of land to a gypsy/traveller site including erection of a day room; hardstanding and boundary treatments (Retrospective); Hill Top Park, Land Off Wakefield Road, Smithies, Barnsley, S71 1ND

Thank you for your notification of 9 June 2025 seeking the views of the Coal Authority on the above.

The Coal Authority is a non-departmental public body sponsored by the Department for Energy Security and Net Zero. 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: **Fundamental Concern (Layout)**

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 lies in an area of both recorded and probable (unrecorded) shallow coal mining (including coal seam outcrops) and within, or within 20m of the site there are 6no. recorded mine entries (3no. within the site; and 3no. within influencing distance of the site). The Coal Authority is of the opinion that building over the top of, or in close proximity to, mine entries should be avoided wherever possible, even after they have been capped, in line with our adopted policy:

<https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries> Based on the limited information known for these recorded mine entries, the entire site lies within influencing distance of these features. Therefore it is currently unclear if the permanent building (day room) can be built outside the zone of influence of these features in line with our adopted policy.

The planning application is accompanied by a Coal Mining Risk Assessment Report (Version 1, 22nd April 2025) prepared for the proposed development by EnviroSolution Ltd. The Report has been informed by an appropriate range of sources of historical, geological and coal mining information (Section 1.4)

Having carried out a review of the available information, the report authors concur with our records and inform that there is currently a risk to public safety and surface stability for the proposed development at the site. Recommendations have been made that intrusive site investigations (and gas monitoring) are required (shallow coal mining / location and condition of the mine entries) in order to inform the extent of any remedial and / or mitigation measures that may be required to ensure that the development can be made safe and stable (as required by the NPPF paras. 187, 196 & 197). The applicant is aware that any shallow coal workings will need to be stabilised (grout injection boreholes) and due to the presence of the mine entries building over any mine entry should be avoided. Any mine entry found within the site may require treatment works (shaft stabilised / re-inforced concrete cap).

We acknowledge that the site has been assessed by a competent body (EnviroSolution Ltd), and mitigation measures to address the risks that former coal mining activity within the site have been identified. However, as the applicant is seeking full planning permission,

and therefore the layout is to be determined, we have concerns, specifically the siting of the day room. In accordance with Drawing No BAWA 001 – Proposed Site Plan the day room is over and / or within influencing distance of all mine entries affecting the site. This layout does not accord with our adopted policy (above).

Accordingly, the Coal Authority **objects** to this planning application as a result of the **significant layout implications presented by the recorded mine entries**. We consider that the applicant has failed to demonstrate to the LPA that the application site can safely accommodate the proposed development.

The applicant should be advised that the recommended intrusive site investigations should be undertaken to locate and determine the condition of the recorded mine entries within the site boundary. Zones of influence should be calculated for these features and any off-site mine entry within influencing distance of the site and the zones should be considered as no build exclusion zones. These no build exclusion zones should then inform the site layout; predominantly the siting of permanent structures. We would expect that these works are undertaken prior to determination and a report of the findings along with a layout plan plotting the found location of these features and their no-build exclusion zones should be submitted for consideration along with any remedial and mitigatory measures proposed.

The intrusive site investigations should be designed and undertaken by competent persons and should be appropriate to assess the ground conditions on the site in order to establish the coal-mining legacy present and the risks it may pose to the development and inform any mitigation measures that may be necessary.

The applicant should note that Permission is required from the Coal Authority Permit and Licensing Team before undertaking any activity, such as ground investigation and ground works, which may disturb coal property. Please note that any comments that the Coal Authority may have made in a Planning context are without prejudice to the outcomes of a Permit application.

We welcome the opportunity to review and comment on further information submitted in support of this planning application.

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

Yours sincerely

D Roberts

Deb Roberts *M.Sc. MRTPI*

Planning & Development Manager

General Information for the Applicant

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Mining Remediation Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at: [Building on or within the influencing distance of mine entries - GOV.UK](#)

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property
[What is a permit and how to get one? - GOV.UK \(www.gov.uk\)](#)

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

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.