



The Coal
Authority

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For the attention of: Ms L. Bennett – Case Officer

Barnsley Metropolitan Borough Council

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

5 February 2026

Dear Ms Bennett

Re: Planning application 2026/0054

Installation of a modular banking cabin at Tesco Stores, Market Lane, Penistone, Barnsley, S36 6TS

Thank you for your notification of 29 January 2026 seeking the views of the Coal Authority (trading as the Mining Remediation Authority) on the above planning application.

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: MATERIAL CONSIDERATION

The application site falls within the defined Development High Risk Area. Therefore, within the site and surrounding area there are coal mining features present at surface or shallow depths. The risk these features may pose should be considered as part of the planning process.

More specifically, our information indicates that the Penistone Low coal seam is conjectured to outcrop to the west of the application site, dipping in an easterly direction

beneath the site, which may have been worked in the past. Voids and broken ground associated with such workings can pose a risk to surface stability and public safety.

The application is accompanied by a Coal Mining Risk Assessment: Desk Study (13 January 2026, prepared by Arbtech Consulting Ltd). Based on a review of coal mining and geological information the report acknowledges the Penistone Low coal seam, which is shown as being of a workable thickness, is likely to underlie the site.

Nevertheless, in consideration of the nature of the development proposed and taking into account a calculated depth of the shallowest seam and the lack of evidence of coal mining beneath the now developed Tesco site and in the wider area, the report concludes that risk to the proposed development from historic coal mining is low.

The report advises that no intrusive investigations or remedial works are necessary. It does, however, recommend that vigilance should be maintained during development for any anomalous ground conditions that may represent unrecorded coal mining legacy features. It advises that any such features encountered should be subject to further investigation with any necessary mitigation measures implemented. We wish to comment that any works to investigate or treat suspected coal mining features will require the prior permission of the Mining Remediation Authority's Permitting Team.

Mine Gas

It should be noted that wherever coal resources or coal mine features are present there is the potential for mine gases to exist. These risks should always be considered by the LPA. In this particular instance, the submitted report advises the developer to undertake a detailed Gas Risk Assessment. However, the absence of such a comment should not be interpreted to imply that there are no gas risks present. Whether or not specific emissions have been noted by the Coal Authority, local planning authorities should seek their own technical advice on the gas hazards that may exist, and appropriate measures to be implemented, from technically competent personnel.

The Coal Authority Recommendation to the LPA

In consideration of the modular nature of development proposed, which appears to require only limited groundworks, the Coal Authority's Planning & Development Team considers that the Coal Mining Risk Assessment: Desk Study and the professional opinions contained therein are sufficient for the purposes of the planning system in demonstrating that coal mining legacy issues are not significant within the site and that the site is, or can be made, safe and stable for the proposed development. We therefore wish to raise **no objection** to this planning application.

We do however recommend that the following Informative Notes are included on any planning permission decision notice issued:

1 - Ground Investigations and groundworks

Under the Coal Industry Act 1994 any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Mining Remediation Authority since these activities can have serious public health and safety implications. Such activities could include site investigation boreholes, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain permission to enter or disturb our property will result in the potential for court action. Application forms for Mining Remediation Authority permission and further guidance can be obtained from our website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property.

2 - Requirement for Incidental Coal Agreements

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required from the Mining Remediation Authority. Further information regarding Incidental Coal Agreements can be found at: www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements.

3. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered on site, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or, if a hazard is encountered, our emergency line should be contacted on 0800 288 4242. Further information is also available on the Mining Remediation Authority website at: www.gov.uk/government/organisations/mining-remediation-authority.

Please do not hesitate to contact me if you wish to discuss the above matters further.

Yours sincerely

James Smith

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 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.