



200 Lichfield Lane
Mansfield
Nottinghamshire
NG18 4RG

For the attention of: Mr M. Marsden – Case Officer
Barnsley Metropolitan Borough Council

22 July 2026

Dear Mr Marsden

Re: Planning application 2026/0479

Demolition of existing dwellinghouse and erection of replacement dwelling (Custom/Self-Build) at 29 Hermit Lane, Higham, Barnsley, S75 1PL

Thank you for your notification of 17 July 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 partly within the defined Development High Risk Area (DHRA). Our information indicates that the northern portion of the application site lies in an area where historic unrecorded underground coal mining is likely to have taken place at shallow depth. Such workings can pose a risk to surface stability and public safety.

We note that the application is accompanied by a Phase 1 Environmental Desk Study & Coal Mining Risk Assessment (1 June 2026, prepared by RGS). Based on a review of coal mining and geological information, the report is unable to discount the potential for instability at the site from possible unrecorded shallow coal mine workings. It goes on to

recommend at Section 5.2.4 that *'An investigation into the presence of recorded/unrecorded coal workings beneath the site should be undertaken. This should prove/disprove the presence of workings within the seams thought to be present beneath the site.'*

We must point out that the existing dwelling on site and the proposed replacement dwelling is/will be located entirely outside the DHRA, i.e. will be situated within the Development Low Risk Area (DLRA). As such, it could be argued that the proposal would be exempt from the need to be supported by a Coal Mining Risk Assessment.

In light of the above, the Coal Authority's Planning & Development Team wishes to raise **no objection** to this planning application. It is for the LPA to determine whether it considers that the investigations recommended in the submitted report, in the DLRA, are required in this instance in order to demonstrate that the site is, or can be made, safe and stable for the proposed development.

We do however recommend that the following wording in italics is included as an informative note within any planning permission decision notice:

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, excavations for foundations, 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: 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 - Shallow coal seams

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

Mine Gas

It should be noted that wherever coal resources or coal mine features exist there is the potential for mine gases to exist. These risks should always be considered by the LPA. The Planning & Development Team at the Coal Authority, in its role of statutory consultee in the planning process, only comments on gas issues if our data indicates that gas emissions have been recorded on the site. 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.

SuDS

Where SuDS are proposed as part of the development scheme consideration will need to be given to the implications of this in relation to the stability and public safety risks posed by coal mining legacy. The developer should seek their own advice from a technically competent person to ensure that a proper assessment has been made of the potential interaction between hydrology, the proposed drainage system and ground stability, including the implications this may have for any mine workings which may be present beneath the site.

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

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 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.