

# RISK BASED APPROACH TO DEVELOPMENT MANAGEMENT

## RESOURCES FOR DEVELOPERS



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## **NEW RISK BASED APPROACH TO COAL MINING LEGACY IN DEVELOPMENT MANAGEMENT**

### **BACKGROUND**

The Coal Authority is a statutory consultee for development within the defined coal mining areas. This is in part due to one of our specific responsibilities being to manage the environmental legacy of past coal mining activity.

The defined coalfields cover a significant spatial area and a new department was established at The Coal Authority to lead the work on refining these coalfield areas and then work with Local Planning Authorities to introduce and implement a new risk based approach to development management and the determination of planning applications within these areas.

The new risk based approach provides a more systematic and consistent approach to addressing coal mining legacy issues through the Development Management process.

#### **Coal Mining Development Referral Areas**

The Coal Authority has used its extensive mining records to prepare plans called “Coal Mining Development Referral Area Plans” for all coalfield Local Planning Authorities, which effectively refines the defined coalfield areas into areas of higher risk (known as the Coal Mining Development Referral Area) and lower risk (known as the Standing Advice Area).

The Coal Mining Development Referral Areas contain a range of specific mining legacy risks to the surface, including mine entries; shallow coal workings; workable coal seam outcrops; mine gas sites and areas; recorded coal mining related hazards; geological features; and previous surface mining sites.

The Standing Advice Area is the remainder of the defined coalfield. In this area no known defined risks have been recorded, and this area presents a lower potential risk to new development proposals; although there may still be unrecorded issues in the Standing Advice Area.

## **COAL MINING DEVELOPMENT REFERRAL AREAS**

Coal Mining Development Referral Areas contain the following coal mining features.

All these features are currently reported upon in Coal Authority Coal Mining Reports which are produced from the Mining Reports and Surface Damage System which is based on the records held at The Coal Authority offices in Mansfield, Nottinghamshire.

- Mine Entries
- Shallow Coal Mining Workings (to a depth of 30 metres or 10 times the seam thickness)
- Probable Shallow Coal Mining Workings
- Coal Seam Outcrops
- Mine Gas Sites and Areas
- Geological Features
- Surface Mining (Opencast) Sites
- Recorded Coal Mining Related Hazards

### **MINE ENTRIES** (with Zone of Influence buffer)

There are approximately 171,000 recorded mine entries within The Coal Authority system. The amount of information held on each of these is variable, some have full records including the known position, condition and details of how it has been treated. The majority have virtually no records other than the approximate position.

Mine entries have the potential to collapse causing potential land instability, but there is a further risk that mine entries provide a potential pathway to the surface for mine gases and mine water.



Mine Entries: Open Countryside and within Existing Developed Areas

### **SHALLOW AND PROBABLE SHALLOW COAL MINE WORKINGS**

Recorded shallow workings and associated probable shallow mine workings make up a large proportion of the Coal Mining Development Referral Areas.

Shallow mining is usually defined as depth of less than 30m. Where coal mining has taken place at shallow depth there is a risk that these workings could collapse and cause instability problems at the surface. Development activities or vehicle movements could provide a trigger for these problems to occur.

In addition to potential instability caused by shallow mine workings there is the further risk that pathways through the covering strata can allow the transmission of mine gases and mine water to the surface.



The Collapse of Shallow Coal Mining Workings

### **COAL SEAM OUTCROPS**

Coal mining in the UK originated from working outcropping coal seams from the surface. There are few records of this early coal mining and as a result there is the potential for unrecorded shallow mine workings in the vicinity of all workable outcropping coal seams.

The position of outcropping coal seams within The Coal Authority system is derived from a mixture of geological data and Coal Authority records.

### **MINE GAS SITES AND AREAS**

Mine workings (and surrounding ground) can contain toxic and explosive pressurised gases. The main gases found in coal mines are carbon dioxide, methane, carbon monoxide, oxygen deficient air and hydrogen sulphide. All are very dangerous and can cause loss of life. Mine gases can find routes to the surface through mine openings and other points of weakness in the overlying strata including porous sandstone strata. How, where and when gases move is very difficult to predict and can extend for some distance from the origin.

The Coal Authority regularly monitors and manages existing and suspected mine gas with the installation of vents to safely disperse the gases to atmosphere. Occasionally mine gases affect residential properties which are monitored with special meters with alarms to ensure that the concentrations do not pose a risk to health or safety.



Mine Gas Vents

**SURFACE MINING SITES (formerly known as Opencast Mining Sites)**

Surface coal mining operations is a relatively modern way of mining coal. Although the location of the sites are fairly well known; there is less information recorded in some cases about the extent and depth of the excavated areas or the nature, state and condition of the material used to backfill the site following the end of mining operations.

The Coal Mining Development Referral Areas include the boundaries of past surface mining sites, but not the extent of the excavation. It is the backfill material which can contain toxic and explosive gases. The base of excavation may be connected to open underground workings which can be the pathway for the migration of these gases from deeper underground workings. Any disturbance or alteration of backfill materials can change its physical properties with the potential for instability as well as the potential for the emission of mine gases and minewater.

**GEOLOGICAL FEATURES**

Out of the 500 surface hazards reported annually to The Coal Authority, approximately 5% are attributable to geological disturbances and fissures.

Fault lines, breaks and weaknesses exist due to natural geological activities. The underground extraction of coal creates additional stresses and strains that can exacerbate the existing faults and breaks causing weaknesses within the rocks and sometimes large cracks (fissures) to appear at the surface. Development activities and vehicle movements could cause land instability problems as well as the opportunities for mine gas and mine water emissions.



Coal Mining Related Fissures

**RECORDED COAL MINING RELATED HAZARD SITES**

All coal related surface hazard sites that The Coal Authority has dealt with are recorded and form part of the Coal Mining Development Referral Areas. They give an indication that there has been and may be coal related public safety issues within a site or its locality that need to be considered.

## **NON-HOUSEHOLDER PLANNING APPLICATIONS IN DEVELOPMENT REFERRAL AREAS**

A Coal Mining Risk Assessment is required for **Non-Householder Developments** (which include some intersection with the ground) **in Coal Mining Development Referral Areas**

Applicants should prepare and submit a Coal Mining Risk Assessment as part of the planning application for non-householder development proposals within Development Referral Areas (or ensure that an assessment of coal mining risk forms part of the Environmental Statement for EIA related development).

The Coal Mining Risk Assessment will enable the LPA to ensure that coal mining information has been considered, with any resulting issues of land instability identified, and that appropriate mitigation measures have been included within the overall scheme to prevent future public safety problems.

As a Statutory Consultee, The Coal Authority will be consulted on all planning applications for development in Coal Mining Development Referral Areas.

The Coal Authority recognises, however, that certain types of non-householder developments are unlikely to raise issues of substance in relation to coal mining legacy. These could include, for example, applications to change the use of an existing building, together with non-planning consents such as conservation area and listed building consent applications, and advertisement consent applications. To this end, we have included a table overleaf which outlines the types of application which will not normally require a Coal Mining Risk Assessment.

**FOR WHAT TYPES OF PLANNING APPLICATION IS A COAL MINING RISK ASSESSMENT REQUIRED?**

**Key Principle:** If the development proposal would intersect the ground, then a Coal Mining Risk Assessment should be submitted with the planning application. For EIA-related development the Coal Mining Risk Assessment can form part of the Environmental Statement.

Type of Application	Coal Mining Risk Assessment (CMRA) ✓ / X	Exceptions
Full Planning Permission (non-householder)	✓	Not required for Change of Use applications
Outline Planning Permission (non-householder)	✓	
Reserved Matters/ Reserved Details	X	
Householder Development	X	
Listed Building Consent	X	
Demolition in a Conservation Area	X	
Advertisement Consent	X	
Lawful Development Certificate	X	
Prior Notification of Agricultural Development	X	
Prior Notification for PD by Electronic Code Operators	X	
Hedgerow Removal Notice	X	
Prior Notification for Demolition	X	
Variation or Removal of Condition	X	Coal Authority should be consulted if the Condition to be varied/removed relates to CMRA
Tree Works: TPO or in Conservation Area	X	
Winning or Working of Minerals	✓	

Note: Only in Coal Mining Development Referral Areas

## **HOUSEHOLDER PLANNING APPLICATIONS IN DEVELOPMENT REFERRAL AREAS**

A Coal Mining Risk Assessment is **not** required for **Householder Developments** in Coal Mining Development Referral Areas

Instead, the LPA will include a specific Informative Note with the Decision Notice for householder developments within Development Referral Areas as a more proportionate approach.

The Informative Note identifies to the applicant that the site is within an area of likely coal mining legacy, but the nature of householder development means that the planning process has limited opportunity to consider the principle of development in such cases. In addition, considerations of site selection and options for amending the development layout etc. are highly limited such that an engineering solution is likely to be necessary to facilitate development.

The current Building Regulations in these cases will consider issues of stability for proposals of this nature and an engineering solution can be devised through that process if any problems are subsequently found on the site. This approach has been introduced to make the new approach proportionate and practical for applicants, following feedback on the pilot project that was undertaken prior to introducing this scheme.

The Coal Authority will not be specifically consulted on any planning applications for householder development in Development Referral Areas.

## **PLANNING APPLICATIONS IN STANDING ADVICE AREAS**

A Coal Mining Risk Assessment is **not** required for any form of development within **Standing Advice Areas** (Remainder of the Coalfield)

Within the Standing Advice Areas past coal mining activity will have taken place. However, this activity was at depth, with no recorded surface hazards, and therefore poses a lower risk to development proposals. Unrecorded mining related hazards might still exist within the Standing Advice Area.

The LPA will therefore include a general Standing Advice informative note with the Decision Notice for all planning applications within the Standing Advice Areas to reflect the lower level of risk to development proposals in these locations.

The Coal Authority will not be specifically consulted on any planning applications within the Standing Advice areas.

## **WHO CAN PREPARE MY COAL MINING RISK ASSESSMENT REPORT?**

Your Coal Mining Risk Assessment Report will need to be prepared by a suitably qualified 'competent' person with a recognised relevant qualification, sufficient experience in dealing with ground stability and mining legacy related issues, and membership of a relevant professional organisation.

The following extract from the former Planning Policy Guidance Note 14 (Development on Unstable Land), provided an outline of the types of professional organisations which appropriately qualified people would be expected to be chartered members of. This remains a helpful pointer to the types of people that are likely to be able to undertake a Coal Mining Risk Assessment:

**Extract from Appendix 2E of the former Planning Policy Guidance Note 14 (PPG14) "Development on Unstable Land" DoE, 1990:**

"2.E.2 The preparation of a ground stability report is a technical task demanding a wide range of expertise in engineering geology, geomorphology, hydrogeology, mining, geotechnical engineering and foundation design. Such reports should be prepared by a competent person with proven experience in the fields relevant to subsidence of natural and mining/industrial cavities and due to adverse foundation conditions. **Appropriately qualified people would be expected to be chartered members of a relevant professional institution, such as the Geological Society, the Institution of Civil Engineers, the Institution of Mining and Metallurgy<sup>1</sup>, the Royal Institution of Chartered Surveyors or other relevant professional institutions.....**"

### **Web links to the relevant professional institutions:**

- Geological Society: [www.geolsoc.org.uk/index.html](http://www.geolsoc.org.uk/index.html)
- Institution of Civil Engineers: [www.ice.org.uk/homepage/index.asp](http://www.ice.org.uk/homepage/index.asp)
- Institute of Materials, Minerals and Mining: [www.iom3.org](http://www.iom3.org)
- Royal Institution of Chartered Surveyors: [www.rics.org/uk](http://www.rics.org/uk)

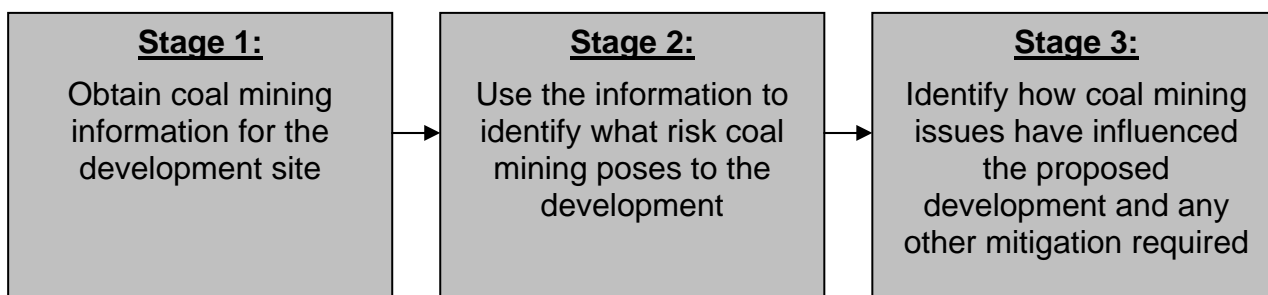
In addition, there may be other relevant professional disciplines or institutions that have appropriate expertise to undertake Coal Mining Risk Assessments. These could include, for example, the Institution of Structural Engineers ([www.istructe.org](http://www.istructe.org)).

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<sup>1</sup> More recently superseded by the Institute of Materials, Minerals and Mining (see web address above)

## **REQUIREMENTS OF A COAL MINING RISK ASSESSMENT REPORT**

The Coal Authority considers that a Coal Mining Risk Assessment Report should comprise three key stages:



### **STAGE 1: OBTAIN COAL MINING INFORMATION**

The Coal Mining Risk Assessment Report must be based on up-to-date coal mining/geological information. Site specific coal mining information can be obtained from any of the following sources:

- Buying a Coal Mining Report using the contact details below
  - Tel: 0845 762 6848
  - Website: [www.groundstability.com](http://www.groundstability.com)
- Visiting, by appointment, the Coal Authority's Mining Records Office in Mansfield, Nottinghamshire
  - Tel: 01623 637 233
- Contacting the British Geological Survey
  - Tel: 0115 936 3100
  - Website: [www.bgs.ac.uk](http://www.bgs.ac.uk)
- Contacting a suitably qualified company

### **STAGE 2: IDENTIFY WHAT RISKS COAL MINING POSES TO THE PROPOSED DEVELOPMENT**

The Coal Authority would expect an assessment of the site specific coal mining information, and the identification of any risk to the proposed development, to include consideration of the **cumulative impact** of the following issues:

- Are there **recorded coal mine entries** within the site or within 20 metres of the site boundary?

- Is the proposed development in the likely zone of influence of **past underground coal mining**?
- Is the proposed development in the likely zone of influence of any **present underground coal workings**?
- Is the proposed development within the likely zone of influence of **underground coal workings at shallow depth** (depths of less than 30m)?
- Is there a possibility of **unrecorded shallow mine workings and/or mine entries**?
- Is there a record of **mine gas** emissions within the site boundary?
- Is the proposed development in an area for which the Coal Authority is determining or has granted a **license to remove coal** by underground methods?
- Are there known **faults or other lines of weakness** due to coal mining at the site?
- Has the site been subject to remedial works by, or on behalf of, the Coal Authority under its **surface hazard** call out procedures?
- Is the proposed development within the boundary of a **surface mining/opencast site from which coal has been removed** by surface mining/opencast methods?
- Is the proposed development within 200 metres of a **surface mining/opencast site from which coal is being removed**?

### **STAGE 3: IDENTIFY HOW COAL MINING ISSUES HAVE INFLUENCED THE PROPOSED DEVELOPMENT AND WHETHER ANY OTHER MITIGATION MEASURES ARE REQUIRED**

The Coal Mining Risk Assessment Report should conclude by identifying how any coal mining issues have influenced the proposed development – for example through influencing the design and layout of the proposal by identifying areas where built development should not take place owing to the presence of coal mining features, such as mine entries.

The Coal Mining Risk Assessment Report should also identify any other mitigation/treatment/remediation measures that are necessary to ensure that the development is not subject to land instability or other public safety risks associated with former coal mining activities. This could include, for example, the need to incorporate gas proof membranes within buildings and/or the need to treat shallow coal mine workings to ensure stability of land prior to development.

#### **NOTE**

Any intrusive activities which intersect, disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of The Coal Authority. The Coal Mining Risk Assessment Report should note whether Coal Authority permission has been obtained/will be required for any site investigation and/or mitigation works. Information on The Coal Authority's permissions process can be found at:

[www.coal.gov.uk/services/permissions/index.cfm](http://www.coal.gov.uk/services/permissions/index.cfm)

**1. INTRODUCTION**

- Description and layout of proposed development
- Site location plan
- The purpose and scope of the Coal Mining Risk Assessment:
  - Desktop review of available up to date site specific information
  - Identify and assess the risks (individually and cumulatively) to the proposed development
  - Set out mitigation strategy and how coal mining legacy has influenced the development
  - Demonstrate to the Local Planning Authority that the site is, or can be made safe and stable

**2. SOURCES OF INFORMATION USED TO  
INFORM THE REPORT**

- Identify the sources of information used which could include, but not limited to:
  - Coal Mining Report
  - Coal Authority Records (i.e. abandonment plans)
  - Geological information at the British Geological Survey
  - Historic Ordnance Survey mapping
  - Past ground condition surveys for the site/nearby sites
  - Past intrusive site investigation works for the site/nearby sites

**3. IDENTIFICATION AND ASSESSMENT OF  
SITE SPECIFIC RISKS**

- Summarise the site specific risks identified
- Assess how the risks both individually and cumulatively affect the proposed development

**4. MITIGATION STRATEGY PROPOSED**

- Explain how the risks have influenced the proposed development layout/design
- Set out the proposed mitigation strategy for the risks identified
- For exceptional circumstances, set out the strategy for further site investigations
- Identify whether Coal Authority Permission will be required

**5. CONCLUSION**

- Summarise the risks and the mitigation
- Clearly identify whether the site is, or can be made safe and stable

**RELEVANT APPENDICES**

- Include copies of the information used in section 2

# COAL MINING RISK ASSESSMENT

## MODEL REPORT TEMPLATE – LAST UPDATED JANUARY 2011

### 1. INTRODUCTION

*Name of applicant* has submitted a planning application for the proposed development at *site location of description of development*.

*Name of company/individual* has been commissioned to prepare a Coal Mining Risk Assessment Report of the proposed development site, in order to provide the Local Planning Authority with information on coal mining and an assessment of its impact on land stability.

#### **Site Location and Description**

*Insert relevant information and include the site location plan in the Appendix*

#### **Description and Layout of Proposed Development**

*Insert planning application description and include the layout plans wherever possible.*

#### **Scope of the Coal Mining Risk Assessment**

The purpose of this Coal Mining Risk Assessment Report is to:

- Present a desk-based review of all available information on the coal mining issues which are relevant to the application site;
- Use that information to identify and assess the risks to the proposed development from coal mining legacy, including the cumulative impact of issues;
- Set out appropriate mitigation measures to address the coal mining legacy issues affecting the site, including any necessary remedial works and/or demonstrate how coal mining issues have influenced the proposed development; and
- Demonstrate to the Local Planning Authority that the application site is, or can be made, safe and stable to meet the requirements of national planning policy with regard to development on unstable land.

### 2. SOURCES OF INFORMATION USED TO INFORM THIS REPORT

*Provide details of the sources of information obtained upon which the risk assessment of coal mining issues has been based. Reports/extracts should be appended. This could include, but is not limited to:*

- *An up-to-date Coal Mining Report or Ground Stability Report from [www.groundstability.com](http://www.groundstability.com) or 0845 762 6848.*
- *Information obtained from a visit to The Coal Authority's Mining Records Office in Mansfield, Nottinghamshire (By appointment: 01623 637 233).*
- *Geological information obtained from the British Geological Survey ([www.bgs.ac.uk](http://www.bgs.ac.uk) or 0115 936 3100).*
- *A Site history based on historic Ordnance Survey mapping of the area.*
- *Past desk-based assessments of ground conditions for the application site or adjacent/nearby sites.*
- *Results of past intrusive site investigation works undertaken to assess ground conditions for the application site or adjacent/nearby sites.*

### 3. IDENTIFICATION AND ASSESSMENT OF SITE SPECIFIC COAL MINING RISKS

The table below summarises the potential risks associated with coal mining legacy for the proposed development site, identified from *list sources of information*.

Coal Mining Issue	Yes	No	Risk Assessment
Underground coal mining (recorded at shallow depths)			
Underground coal mining (probable at shallow depths)			
Mine entries (shafts and adits)			
Coal mining geology (fissures)			
Record of past mine gas emissions			
Recorded coal mining surface hazard			
Surface mining (opencast workings)			

*For those coal mining issues identified as “yes” a more detailed discussion and assessment should be made of the risks, both individually and cumulatively, to the application site and the proposed development.*

### 4. MITIGATION STRATEGY PROPOSED

*This section is the key part of the Coal Mining Risk Assessment Report. It should explain how the coal mining issues have influenced the proposed layout and design of the development. The mitigation strategy will set out and illustrate with plans where necessary how the on site issues identified in section 3 will be dealt with to ensure safety and stability of the development. You may wish to refer to the Construction Industry Research and Information Association (CIRIA) publication Special Publication 32 “Construction over Abandoned Mine Workings”*

*Occasionally where the desk-based assessment cannot conclude with certainty the extent of the coal mining risks on the site; details of further proposed on-site intrusive investigation works should be set out.*

*However, it is of paramount importance that this does not simply evade the issue and therefore place the Local Planning Authority in a position where it cannot be satisfied that coal mining legacy could give rise to some doubt that planning permission could not be granted.*

#### **The Coal Authority Permission**

*Prior written permission from The Coal Authority is required for intrusive activities which will disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits). Further information on The Coal Authority’s permissions process can be found at: [www.coal.gov.uk/services/permissions/index.cfm](http://www.coal.gov.uk/services/permissions/index.cfm)*

*The report should state whether enquiries have been made or will be made; whether applications have submitted or permission has already been obtained from The Coal Authority for the mitigation and/or further site investigation works.*

### 6. CONCLUSION

*The Coal Authority would expect the Coal Mining Risk Assessment Report to conclude with a brief summary of risks and the remedial measures required for the proposed development site. The Report should demonstrate a clear strategy for addressing the coal mining legacy and how the requirements of national planning policy with regard to development on unstable land have been addressed.*

### RELEVANT APPENDICES

*The Coal Authority will expect copies of the information that are identified in section 2 and have been used within the report to be included within the appendices*

## WHY DO I HAVE TO SUBMIT A COAL MINING RISK ASSESSMENT?

A Coal Mining Risk Assessment (CMRA) needs to be submitted with planning applications where the application site is located in the Coal Mining Development Referral Area. This area has been defined using our coal mining information and contains known coal mining related features and hazards that could result in unstable land and may give rise to other public safety issues such as mine gas.

**If your application site is located within the Coal Mining Development Referral Area there will be one or more coal mining issues that need to be taken into account and addressed.**

## WHY CAN'T COAL MINING ISSUES BE DEALT WITH BY CONDITION OR THROUGH BUILDING CONTROL?

National planning policy (NPPF/PPW/SPP) makes clear that unstable land should be taken into account in planning decisions through the Development Management process.

Coal mining legacy issues can impact on whether a site is suitable for development and may have a significant impact on development costs. Specific coal mining features and hazards need to be taken into account in the siting, design, orientation and layout of development proposals. It may also have implications for the groundworks required and the construction methods necessary to be undertaken. It is therefore important to have an appreciation of these issues as early as possible in the development process to avoid unexpected costs at a later stage and/or cases where planning permission is granted and cannot subsequently be implemented because changes are required at the subsequent Building Control/Building Standards stage.

It is important to stress that, in the vast majority of cases, the CMRA will be a desk-based assessment. This needs to demonstrate that the site is suitable for development and that, if necessary, mitigation measures can address any land stability or other public safety issues. However, the CMRA is not necessarily expected to set out the full construction detail of a specific mitigation strategy as this may then be more appropriately dealt with at the Building Control stage.

## WHAT SHOULD A COAL MINING RISK ASSESSMENT INCLUDE?

The CMRA will need to be prepared by a suitably qualified competent person (i.e. structural engineer, civil engineer, chartered surveyor etc.) and should consist of three key stages. These are:

### **Stage 1**

Obtain up-to-date coal mining information for the application site

Information could be obtained by ordering a Coal Authority Mining Report from [www.groundstability.com](http://www.groundstability.com) or 0845 762 6848. However, other information sources, such as British Geological Survey data can be used.

### **Stage 2:**

Use the information to identify what risk(s) coal mining legacy poses to the proposed development

What are the individual and cumulative risks from coal mining legacy issues. This could include the risk of subsidence/land instability, mine entry collapse, mine gas etc.

### **Stage 3:**

Identify how coal mining legacy issues have influenced the proposed development (i.e. siting, design, orientation, construction methods) and any other mitigation required

The layout should be designed to avoid specific mining legacy features where possible. Details of any further works and mitigation measures that will be required should also be provided. This could include intrusive site investigations, specific foundation solutions, treatment of mine entries and or/shallow mine workings, prior extraction of the remnant coal to remove the legacy etc.

The Coal Mining Risk Assessment should consider whether the option of looking at prior extraction of any shallow/surface coal may be a more cost-effective option to treating the mining legacy by other means (e.g. grouting). In many cases, removing the remnant shallow coal from a site which has previously been subjected to shallow underground mining can be cost-neutral, whereas grouting the workings can be very costly.

Details of who can undertake a CMRA, more information on the expected content and a suggested template for a CMRA can be found elsewhere in this resource pack.

### **IS SUBMITTING A COAL AUTHORITY MINING REPORT SUFFICIENT?**

The submission of a Coal Mining Report is not adequate, as this simply presents coal mining information for the application site. It therefore only represents the first stage of the risk assessment process. The more important stages are to use the information to identify any risks to the proposed development and to outline any mitigation measures that are required to ensure the development will not be adversely affected – these are the key requirements of the CMRA.

### **WHAT IS EXPECTED IN AREAS OF SUSPECTED HISTORIC (UNRECORDED) SHALLOW COAL MINING?**

Because of the historic nature of coal mining activities in the UK, not all old/ancient mine workings are recorded. There will be some cases where an application site lies in an area of probable shallow coal mine workings. If a Coal Authority Mining Report is used as the source of information, this will be identified in the section relating to past underground mining where the following text will appear: *“In addition the property is in an area where the Coal Authority believe there is coal at or close to the surface. This coal may have been worked at some time in the past.”*

In areas of probable shallow mining, the CMRA should contain as much information as possible to help assess (or potentially discount) the likely risk of such workings. This could include drawing on information sources from BGS records ([www.bgs.ac.uk](http://www.bgs.ac.uk)) or, where available, other site investigations or boreholes that have taken place on or in the vicinity of the application site.

The CMRA would also be expected to identify any further site investigations that might be required to prove/disprove the presence of shallow underground mine workings and outline what mitigation measures are likely to be necessary in the event that they are found. The LPA could then make these measures the subject of a planning condition.

### **FURTHER GUIDANCE**

A range of guidance documents are available on The Coal Authority’s website. Additional contact details for The Coal Authority’s Planning Division are provided at the end of this resource pack.

## **THE NEED TO CONSIDER THE PRIOR EXTRACTION OF COAL RESOURCES AHEAD OF DEVELOPMENT**

Across the country valuable surface coal resources are being needlessly sterilised by new non-mineral development such as housing, employment and retail. In England the National Planning Policy Framework (and previously MPS1) sets out the Government's desire to ensure that minerals are safeguarded from sterilisation through the definition of Mineral Safeguarding Areas (MSAs). Similar obligations are set out in Minerals Planning Policy Wales, with a slightly different approach being advocated in Scotland under Scottish Planning Policy.

The roll-out of MSAs across England has been slow due to the general progress on LDFs, particularly as definitive boundaries need to be set out on proposals maps which usually accompany site allocation documents which tend to be the last to be undertaken.

Defining MSAs and other safeguarding areas for minerals does not achieve the Government's aims on its own; safeguarding area policies need to be properly implemented when applications for non-mineral development come forward in such areas. Part of that consideration includes the need to assess the potential for the mineral to be extracted ahead of development being undertaken. This is known as prior extraction or pre-extraction. The prior extraction of coal resources has been successfully undertaken across the country both in urban and rural areas over many decades. In addition this can address mining legacy issues on some sites thereby facilitating safe development, whereas on other sites it can generate much needed additional revenue from coal sales. In all cases where coal is present on a development site, a separate permission is needed from The Coal Authority to intersect with or to remove the coal because it is owned by the State, this is a simple process dealt with by the operator themselves.

Prior extraction of coal can take place within major urban conurbations, it can occur on a small or large scale, and examples are recorded on sites ranging from 0.3Ha to 28.0Ha.

Practical Example: Sackville Street/Fitzwilliam Street in Barnsley which was the brown field site of the former Canister Works. 0.85 Hectares mixed use development including 188 residential units with ground floor A1/A3 units and parking within the main built up area Barnsley town centre. The site is located in an area of surface coal resource and also former mining legacy including shallow workings and mine entries. 1,600 tonnes of coal were extracted within 4 weeks as part of the other site works. This development achieved two national policy objectives; avoiding the unnecessary sterilisation of coal and removed existing land instability caused by former coal mining. The development was successfully completed and now makes a vibrant contribution to the street scene.

Such extraction is usually undertaken as part of the overall groundwork activities on site and it normally only takes a matter of days or weeks rather than months or years. Also the appearance of such prior extraction looks more like other site preparation activity; it does not look like what most people would consider being mineral extraction.



Pillars of coal being extracted as part of ground works: prevents sterilisation and effective method of remediating unstable ground caused by former coal workings



Coal close to the surface being extracted as part of ground works: prevents sterilisation and effective method of remediating unstable ground caused by former coal workings

Outcrop of coal close to the surface which would be sterilised without prior extraction and has the potential to cause instability for surface development



Outcrop of coal close to the surface which would be sterilised without prior extraction and has the potential to cause instability for surface development



As the protection of coal as a valuable energy mineral is important to the future diversity and flexibility of the UK energy market, The Coal Authority is charged with ensuring that the surface coal resource across the country is not needlessly sterilised by non-mineral development as one of the organisation's objectives. Further information on coal resource issues and the planning system can be seen on our website:

<http://coal.decc.gov.uk/en/coal/cms/services/planning/planning.aspx>.

The Confederation of UK Coal Producers (CoalPro) is the Industry Body and together with the individual operating companies are keen to promote the opportunities for prior extraction of coal resources amongst decision makers and developers. Further details of operators can be obtained from [www.coalpro.co.uk/members.shtml](http://www.coalpro.co.uk/members.shtml)

## PLANNING & LOCAL AUTHORITY LIAISON CONTACTS

Planning Enquiries: 01623 637 119

Planning Email: [planningconsultation@coal.gov.uk](mailto:planningconsultation@coal.gov.uk)

Planning Website: [www.coal.gov.uk/services/planning/index.cfm](http://www.coal.gov.uk/services/planning/index.cfm)

Address: Planning & Local Authority Liaison Department  
The Coal Authority  
200 Lichfield Lane  
Berry Hill  
Mansfield  
Nottinghamshire  
NG18 4RG

The Coal Authority is able to provide free and timely advice to applicants at all stages of the Development Management process - including the pre-application stage, re-consultations and applications to discharge planning conditions.

## OTHER USEFUL CONTACTS

### **Surface Hazards 24 Hour Emergency Service**

Tel: 01623 646 333

### **Mining Reports Service** (To purchase site specific coal mining information)

Website: [www.groundstability.com](http://www.groundstability.com)  
Email: [groundstability@coal.gov.uk](mailto:groundstability@coal.gov.uk)  
Tel: 0845 762 6848

### **Permissions Service** (To enter or disturb coal mine entries and coal seams)

Website: [www.coal.gov.uk/services/permissions/index.cfm](http://www.coal.gov.uk/services/permissions/index.cfm)  
Email: [permissions@coal.gov.uk](mailto:permissions@coal.gov.uk)  
Tel: 01623 637 339

### **Licensing Service** (For extraction and exploitation of coal resources)

Website: [www.coal.gov.uk/services/licensing/index.cfm](http://www.coal.gov.uk/services/licensing/index.cfm)  
Tel: 01623 637 000