



Mining
Remediation
Authority

GUIDANCE FOR LOCAL PLANNING AUTHORITIES – ENGLAND



An example of void migration

Version 8 - January 2025

PUBLISHED BY THE PLANNING AND DEVELOPMENT TEAM



Delivering for the
communities we serve

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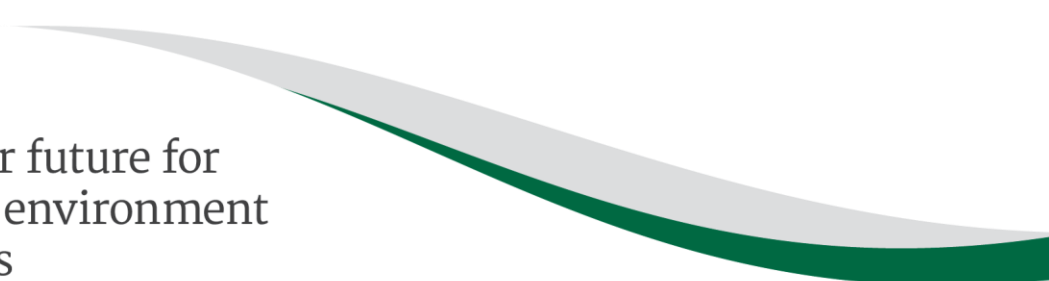
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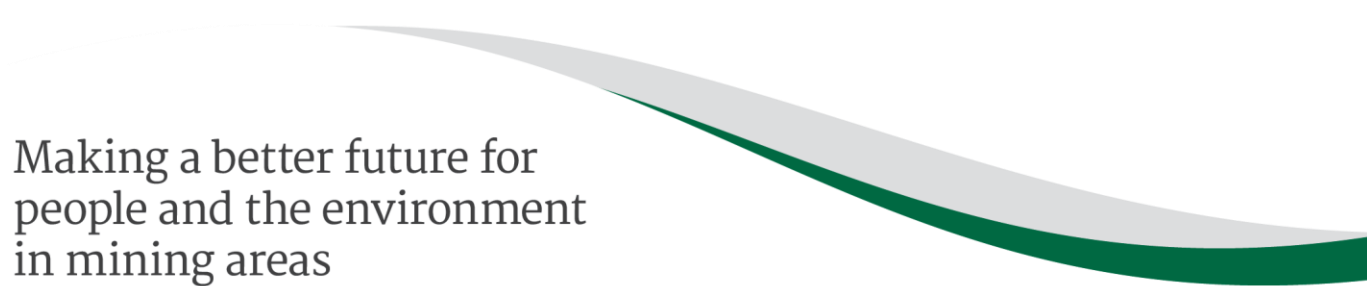
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1. Information about the Authority

In order to better reflect the wide range of work that the Authority undertakes on the 28th November 2024 the Coal Authority changed its business name to the Mining Remediation Authority. Our role and remit as a statutory consultee in the Planning process remains unchanged. For the purposes of the Planning process and our advisory role to coalfield LPAs we will continue to use references to the Coal Authority in our statutory responses. You may however have noticed that our email address, website and other aspects of our communications have all changed to reflect our new business name. Over the next few months further changes will be made and we anticipate the trading name change becoming a full, legal change in due course. We will ensure you are kept informed of any significant changes and a new version of this guidance will be issued when our legal name changes.

The aim of this document

The Planning & Development Team always seek to provide you with a high quality and efficient service in our role as a statutory consultee in the development management and planning policy processes. The aim of this document is to provide helpful advice for Planning Officers at Local Planning Authorities, setting out the context to our remit in order to support the formal comments we make as part of the statutory consultation process.

As you may be aware we update and re-issue our guidance, and email it out to all coalfield LPAs, every two years. We do this in order to ensure that you are fully aware of any changes we make to the way we operate. Our updated guidance also takes account of any changes in the legislative framework.

This document supersedes and replaces the previous version (Version 7) which was issued in December 2023.

Date of publication of this guidance: January 2025

Next revision scheduled for: January 2027

Further review

As noted above, the next revision of this document is scheduled for January 2027. However, if there are changes to legislation, policy direction or any other material circumstances that require us to update our guidance in the interim, a revised version may be published and sent out to you at an earlier date.

We are always happy to receive your comments and suggestions as to the type of content it would be helpful to include in the guidance. If there is anything that you think needs more explanation, please do not hesitate to let us know. Please direct any comments you may have to either:

[REDACTED]

Principal Planning & Development Manager

Email: [REDACTED]

Phone contact: [REDACTED]

Or email the main Planning team inbox

Email: planningconsultation@miningremediation.gov.uk

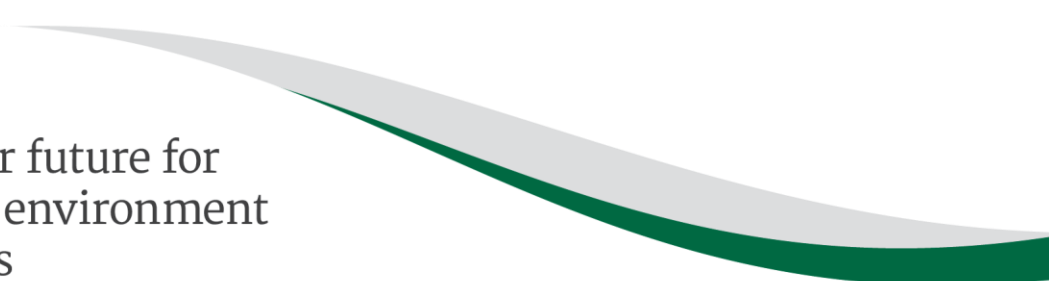
2. The Mining Remediation Authority – Our role and remit

The Coal Authority is an executive non-departmental public body, established in 1994, and currently sponsored by the Department for Energy Security & Net Zero (DESNZ). Since 28th November 2024 the business name of the Coal Authority has been changed to the Mining Remediation Authority.

We have a national remit and cover England, Scotland and Wales from a central office based in Mansfield, Nottinghamshire. Most of our staff are based in Mansfield, but we also have regional engineers and other team members based in the coalfield areas of Britain so we can respond quickly to mining safety issues wherever they occur.

We manage the effects of past mining, including subsidence damage claims which are not the responsibility of licensed coal mine operators. We also deal with mine water pollution and other mining legacy issues.

The Authority uses its skills and expertise to provide services to other government departments and agencies, local governments and commercial partners. We also



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contribute to the delivery of the UK Government's environmental, social and economic priorities.

How the Planning & Development Team manage statutory consultations

It should be noted that the focus of the Planning and Development team is on coal mining legacy only and the risks that this may pose to land stability in the context of planning applications for new development and emerging Development Plans. We do not provide detailed comments on other forms of mineral extraction which may have taken place on a site and the risks this may pose to the development. Other risks posed to land stability will however need to be considered by the Local Planning Authority (LPA) and the developer as part of the decision making process.

In representing the interests of DESNZ, the Planning team seek to ensure that new development is safe and stable to protect public safety and reduce the future liability on the tax payer for subsidence and other mining related hazards' claims arising from the legacy of coal mining. In respect of development management, the Town and Country Planning (Development Management Procedure) (England) Order 2015, Schedule 4(o) defines the Coal Authority as a statutory consultee. The Coal Authority are identified in Schedule 4 (o) as a consultee prior to a decision being made where development involves the provision of a building or pipeline in an area of coal working notified to the local planning authority.

We also seek to ensure that relevant policies in respect of land instability are included in Development Plans. *(Please see Section 6 of this document)*

The Planning & Development Team consists of qualified town planners, a geotechnical professional and support staff and are based in our Headquarters in Mansfield, Nottinghamshire; all of the team operate on a national basis covering England, Scotland and Wales.

In order to ensure that all consultations and enquiries are dealt with in a timely manner we provide you with a single point of contact for all consultation emails. This inbox is constantly monitored during normal working hours to ensure any requests are dealt with swiftly. The address for our main email inbox is: planningconsultation@miningremediation.gov.uk

The Planning & Development Team also have a main telephone number which is monitored during normal office hours and answered by our support staff, the Registration Team, consisting of a Registration Process Co-ordinator and Planning Support Officers. Should you have any general enquires or questions about response timescales, or other such procedural matters, please use this main number **01623 637119** to speak to our Planning Support Officers.

However, if you wish to contact a specific member of the Planning Team in respect of a response received to a statutory consultation or any other issue then please contact us directly using the following telephone numbers:

██████████ - Principal Development Manager	Tel: ██████████
██████████ - Planning & Development Manager	Tel: ██████████ or ██████████
██████████ - Planning & Development Manager	Tel: 0██████████ or ██████████
██████████ - Planning & Development Manager	Tel: ██████████ or ██████████
██████████ - Planning & Development Manager (Corporate Projects)	Tel: ██████████
██████████ - Assistant Planning & Development Manager	Tel: ██████████ or ██████████
██████████ - Geotechnical & Development Manager	Tel: ██████████ or ██████████
██████████ - Registration Process Co-ordinator	Tel: ██████████
██████████ - Planning Apprentice	Tel: ██████████

In terms of timescales for responding to consultations we always seek to achieve the standards indicated below when providing you with consultation feedback. We appreciate that sometimes you need a response in a shorter timescale, and we will always endeavour to meet such Case Officer requests subject to available resources.

Types of Consultation	Timescales for Responding
Planning Application consultations from LPAs	21 calendar days (from date of request) in accordance with regulations

Re-Consultations from LPAs	14 calendar days from date of receipt (unless different timescale specified by LPA)
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It should be noted however that in times of high workload and/or limited staff resources the Planning & Development Team reserve the right to take up to 21 days to provide comments back to you, in line with the statutory requirements. Please note that while we will always seek to deal with consultation requests as quickly as we can, we cannot be held responsible for delays in us receiving consultation requests resulting from us having been omitted from the original consultation list. In such cases the LPA is still required to allow us up to the full 21 days to respond.

We have a duty to respond to the LPA as decision maker. Therefore for statutory purposes we communicate with you, as Case Officers, and not with the developer or their agents. It is important that any additional information which an applicant may wish to submit to address comments we have made in respect of coal mining legacy should always be sent directly to the LPA. In this way we seek to ensure that Case Officers have an opportunity to review all information submitted and to seek our further comments should they wish to do so.

We classify our consultation responses in accordance with previous consultee guidance published. This relates to providing a categorised response, namely: fundamental, substantive and material. We have continued to use these categorisations as we feel it provides you with a clear initial view of the information we have reviewed and our opinions. The terms we use and how they relate to the information we have reviewed are included in summary below:

- **Fundamental Concern** – where no relevant Coal Mining Risk Assessment, or other equivalent report, has been submitted to support the application. We also use this category when recorded features are present which impact on the layout of development but they have not been adequately addressed.
- **Substantive Concern** – where some coal mining information has been submitted but an insufficient assessment of the site/development has been made or information is either missing, lacking or misinterpreted.
- **Material Consideration** – where information submitted is satisfactory. However, in some cases requirements for site investigation or remedial works may require pre-commencement planning conditions to be imposed.

Pre-Application Consultations from LPA

If the Coal Authority is consulted on pre-application submissions by the Local Planning Authority we will provide a substantive response (as defined by the Development Management Procedure Order). This will identify what coal mining legacy is present on the site and what information we would expect to support a similar formal planning application. We will also review any relevant information submitted to the Local Planning Authority to support the pre-application submission.

Pre-application Advice for Third Parties

In line with many other statutory consultees, the Planning & Development Team provides a chargeable Pre-Application Advice Service (PAS) for applicants and their advisors.

We offer a variety of services from written confirmation of the need for a Coal Mining Risk Assessment to detailed reviews of draft Coal Mining Risk Assessments and technical reports to meetings to discuss complex coal mining issues on sites. Links to further information on this service are provided below:

[Pre-application planning and technical advice for proposals within the Development High Risk Area on the coalfield - GOV.UK](#)

[Pre-application Advice Service guide](#)

Where our planning and technical advice is requested in the context of a pre-application enquiry, our fees for this service are based on cost recovery rates. We will be happy to discuss fee proposals further with any applicants or their professional advisers interested in obtaining our advice. Our fees are dependent on the professional staff time required to provide the advice sought, so fee proposals vary in accordance with the questions being asked, the relative complexity of sites and the scale of development concerned. We are always happy to provide a written fee proposal and details of our terms and conditions to interested parties.

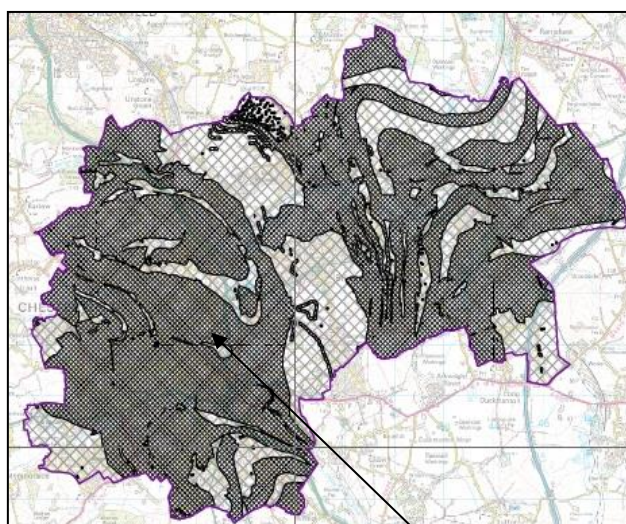
We request that LPAs direct any third party enquirers seeking pre-application advice in respect of coal mining legacy issues to the Planning & Development Team at the Mining Remediation Authority.

Enquiries regarding our Pre-application Advice service should be sent to the following e-mail address: planningadvice@miningremediation.gov.uk

3. The approach we take to Development Management

How we define the Consultation Areas

In common with other consultees the approach we use involves the definition of spatial areas based upon the degree of risk. The Coal Authority defines all land within the coalfield as falling within either the Development High Risk Area or the Development Low Risk Area.



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Light hatched area defines Low Risk

Dark hatched area defines High Risk

The data we provide to LPAs

We provided all coalfield LPAs with GIS data updates annually. This data is made available through the data portal facility, where the Development Risk, Low Risk and High Risk and Surface Coal Resource plans can be downloaded.

For any enquiries regarding the downloadable GIS data, such as a password enquiry or personnel changes, please contact the Planning Registration team on the general planning enquiry line on 01623 637 119. Alternatively you can email our general in-box planningconsultation@miningremediation.gov.uk with your enquiry.

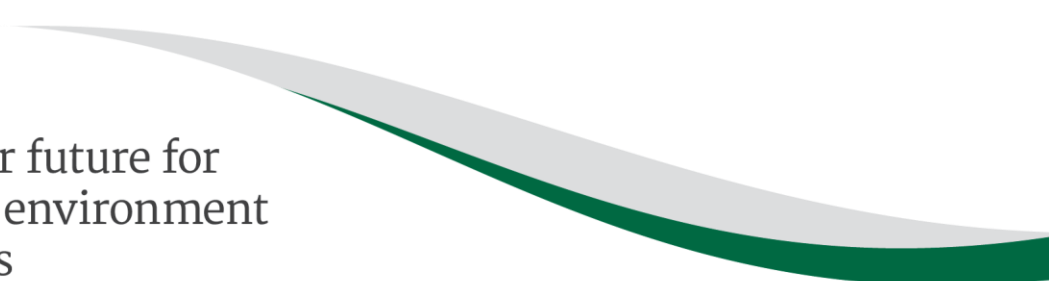
We are also mindful that some LPAs are unable to utilise the shapefile format that we have provided our data in during the past few years. Our colleagues in the digital team have created a WFS link for those who are no longer able to utilise shapefiles and we are working with all coalfield LPAs to ensure that everyone has the DHRA and DLRA data they need. Should you wish to enquire about a WFS please email us on our main address; planningconsultation@miningremediation.gov.uk with your enquiry.

To encourage more use of the data we hold the Mining Remediation Authority are now providing public sector bodies' with access to our mining data to support their core business at zero cost. This is for public sector bodies who primarily act in the interest of the public and the environment and to support us in our mission to "make a better future for people and the environment in mining areas".

As you will be aware certain coal mining features have implications for layout of built development, these are; mine entries, fissures and surface mining highwalls. Where these features are recorded to be present the ability for you to identify them on a site prior to your consultation with us could help in your early discussions with developers and applicants. Knowing what features are present on a site could also be helpful in a variety of other ways, including:

- Planning Policy - during the site selection process, where coal mining features may impact on the quantum of development which can be accommodated on a site
- Development Management – when there is no requirement to consult with the Coal Authority, for example householder extensions, the data will enable you to assess if any coal mining features are present which have implications for layout. This could then inform your discussions with the applicant in order to ensure that ground conditions, and risks posed by coal mining features, are properly considered as part of the development proposal. It would also give you the ability to more confidently engage with developers on the issue of coal mining features and their implications.

The Planning team sent out an email regarding this public sector licence opportunity in July 2024. Uptake of this has been very good, For anyone interested in this data please contact either the Planning and Development team on 01623 637119 or email

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planningconsultation@miningremediation.gov.uk or email the Data team on datasolutions@miningremediation.gov.uk.

What makes up the Development High Risk and Low Risk Areas

The **Development Low Risk Area** – covers those parts of the coalfield where coal mining activity occurred at such depth that it is unlikely to pose a risk to the stability of the ground surface and therefore any new development proposed. In the Low Risk area our records indicate no known coal mining features at surface or shallow depth.

The **Development High Risk Area** - contains specific recorded coal mining features at surface or shallow depth. Some of these relate to specific records of coal mining features, and some relate to the likelihood of past coal mining activity being undertaken due to the geology of the area. The coal mining features identified as posing a risk to surface stability include:

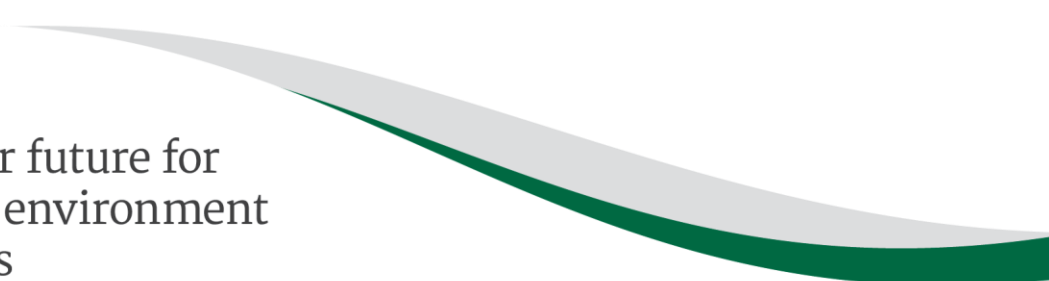
- mine entries and their zones of influence;
- shallow coal workings (recorded and probable);
- workable coal seam outcrops;
- recorded coal mining related hazards;
- geological features (fissures and break lines); and,
- former opencast/surface mining sites.

These features, which make up the Development High Risk Areas are considered in more detail below.

Mine Entries and their zones of influence

The Mining Remediation Authority hold records for approximately 173,000 recorded mine entries, however the amount of information held on each of these is variable. For some, we have full records including the known position, condition and details of treatment. For the majority of recorded mine entries we hold no information other than their approximate position.

Mine entries have the potential to collapse causing land instability, and they also provide a potential pathway to the surface for mine gases and mine water. These features pose a significant risk to surface stability and public safety



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The area around a mine entry is also potentially unstable. This is known as the zone of influence. The extent of the zone of influence is very much dependent on ground conditions on site, specifically the depth of superficial deposits above rock-head. An example of a mine entry collapse, its treatment and the site being back in use are included below.



Recorded Shallow and Probable Shallow Coal Mine Workings

Areas of recorded shallow coal workings and probable shallow coal workings make up a large proportion of the Development High Risk Area.

Shallow mining is generally defined as being within 30m of surface level. However the depth at which coal workings impact on surface stability is different in some parts of the country as it relates to local ground conditions and the thickness of the coal seams present, which impacts on the amount of material likely to have been extracted. In some areas workings which lie beyond 30m depth can pose a risk to ground stability. New development activities and their associated ground and vehicle movements can provide a trigger for subsidence to occur. Some examples of ground collapses are included below.



Coal Seam Outcrops

Coal mining in the UK originated in coal seams which were close to the surface and easily accessible; these are known as outcropping coal seams. There are few records of early coal mining activity and as a result there is the potential for unrecorded shallow coal mine workings to be present in the vicinity of all coal seams which are close to the surface. The Coal Authority's records of outcropping coal seams are derived from a mixture of geological plans, geological data and historic documentation.

Opencast/Surface mining sites

For some surface mining sites, particularly older ones, there is often a lack of recorded information about the extent and depth of the excavated, or worked areas. The position of the 'high walls' which form the edges of the excavated areas is usually uncertain and the backfill materials within the excavated areas can be unstable. There is therefore a risk arising to new developments which straddle the high wall, arising from differential settlement, where the backfill meets the solid unexcavated ground.

Recorded mine gas sites

Mine workings can contain toxic and potentially explosive pressurised gases. Mine gases are very dangerous and can cause loss of life. Mine gases can find routes to the surface through

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mine entries and other points of weakness in the overlying strata including porous sandstone. The Mining Remediation Authority monitors and manages existing and suspected mine gas sites, including the installation of vents to safely disperse the gases to atmosphere. However, it should be borne in mind that whether or not a specific incidence of mine gas has been recorded, there is always a risk that mine gas may occur where coal mining features exist at the surface or shallow depth.

Reported Coal Mining Hazards

The Coal Authority keeps records of known coal mining related hazards, for example locations where surface stability issues have been reported.

Fissures and Breaklines

Fault lines, breaks and weaknesses exist naturally in the ground due to geological conditions. However, the extraction of coal underground creates additional stresses and strains that can exacerbate the existing faults and breaks. This may cause large cracks (fissures) to appear at the surface. An example of a fissure is shown below.



The process we operate

Development Low Risk Area

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Where a site falls within the defined Development Low Risk Area there is no requirement to consult us. We do however recommend that in such cases our Standing Advice is included as part of any consent granted. Although extremely unlikely, unrecorded coal mining related hazards could still exist in the low risk area. Therefore developers need to remain mindful that their site falls within the coalfield, and if unrecorded coal-mining hazards are found, they should contact the Coal Authority for further advice. The following Standing Advice note should be treated as our consultation response:

Development Low Risk Area - Standing Advice

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at:
[Mining Remediation Authority - GOV.UK](https://www.mra.gov.uk)

Standing Advice valid from 1st January 2025 until 31st December 2026

Development High Risk Area

Within the Development High Risk Area there are recorded coal mining features at surface or shallow depth which pose risks to ground stability and public safety and which need to be assessed and addressed as part of new development proposals.

For most forms of development within the Development High Risk Area, planning applications should be supported by a Coal Mining Risk Assessment and Local Planning Authorities are required to consult the Coal Authority. However, such requirements do not apply to applications or development types that are identified on our published Exemptions List.

When required, the Coal Mining Risk Assessment should demonstrate how coal mining legacy risks have been considered in the context of the proposed development and how the developer will ensure that the proposed development will be safe and stable.

Paragraphs 187, 196 and 197 of the National Planning Policy Framework (NPPF) make it clear that land instability issues should be considered as part of development proposals and that the responsibility for securing a safe development rests with the developer and/or landowner.

National Planning Practice Guidance, which supports the NPPF also provides guidance on issues of land stability. This guidance confirms the requirement for submission of a Coal Mining Risk Assessment with planning applications for development within the Development High Risk Area.

The Exemptions List

We aim to provide a consistent approach to assessing development proposals across the coalfield. However, we recognise that flexibility and discretion is a necessary part of the planning system and as such there are some development proposals, which due to their type or nature, where we do not require a Coal Mining Risk Assessment even though they are located within the Development High Risk Area.

We have prepared the following Exemptions List, which is divided into two parts: Type of Application and Nature of Development. Only one of these requirements needs to be met, so either the application type or the nature of development may make the submission exempt from the requirement to be supported by a Coal Mining Risk Assessment. For these cases there is no need for you to consult the Planning & Development Team. We do however, request that you attach our Informative Note to the Decision Notice if permission is granted.

Prior notification applications fall within the exemptions list. However we consider it is prudent for you to consult us on these types of submissions where demolition of existing buildings and erection of new dwellings is proposed. This will enable us to provide you with information on the coal mining legacy features present. Although we appreciate that land instability is not a condition for formal consideration currently as part of the prior notification process, it would enable the applicant to consider the potential risks posed, and possible layout implications, of any recorded coal mining features present.

Access to the Public Sector Data Licence will enable you to view the coal mining features present on a site and better assess the risks that they may pose to new built development.

We appreciate that there may be other times when it is not considered that a Coal Mining Risk Assessment is necessary. This may include when the area of built development itself is

located within the Development Low Risk Area although the wider site extends into the Development High Risk Area. We are always happy to advise in cases where you are unsure based on the data that you have available, so please do not hesitate to contact us if you require further guidance.

The Coal Authority Exemptions List will be published on our website www.gov.uk and is included within this guidance document for completeness.

The LPA may consider that there are other cases where an exemption is justified, which lie beyond the examples given below.

Part A – Exempt by Type of Application

Type of Application	Do we need to be consulted and is a CMRA required?
Householder Development	No
Heritage Consents (Listed Building or Conservation Areas)	No
Advertisement Consent	No
Lawful Development Certificates	No
Prior Notifications – * where built development is proposed	No
Hazardous Substances Consent	No
Tree or Hedgerow Works (TPO or in Conservation Area)	No

**** Prior Notifications under Class ZA – Although we appreciate that ground instability is not a formal consideration of the prior notification process we would however welcome the opportunity to provide the LPA with comments on the coal mining legacy features present,***

for information only, on sites where demolition and construction of new dwellings is proposed via this process.

Part B – Exempt by Nature of Development

As well as types of development which can be considered as exemptions there may also be exemptions made for the nature of the development proposed. The key consideration for Case Officers in these cases is whether or not the development will require any form of groundworks, and if so, are these groundworks deemed to be significant. As noted earlier in this document, development activities, including those which require significant groundworks, can create a trigger for subsidence and ground instability to occur.

Some examples of where groundworks are likely to be insignificant for development proposals including;

- Bin stores and smoking shelters – these are unlikely to require deep and extensive foundations or groundworks.
- Storage containers, modular buildings – unlikely to require any groundworks – usually placed on existing site surface or on slabs.
- Solar arrays – the solar panels are unlikely to require deep and extensive foundations or groundworks and are often merely placed on the site surface freestanding with adjustable legs.

The best person to consider the nature and significance of any groundworks required to facilitate a development proposal is the Case Officer. We are keen to ensure that the process is flexible and allows you to use your professional judgement. However, if you are unsure about whether or not a development proposal should be supported by a Coal Mining Risk Assessment then please do get in touch with us so that we can provide you with our professional opinion. The Exemptions List for those proposals exempt on the basis of their nature is set out below.

Nature of Development	Typical Recent Examples	Do we need to be consulted – is a CMRA required? (Yes / No)	Justification

Pure Changes of Use of land or buildings	Agricultural land to garden use; office to residential	No	No ground works
Changes of use of land where no buildings or structures are proposed and groundworks are minimal	Car parks with provision of unbound surface, external manège, external storage areas, provision of unbound footpaths	No	Minimal groundworks. Such exemptions will only apply where there are no significant groundworks or engineering operations (beyond possible surface scraping and installation of loose covering materials).
Erection of Buildings/Structures with minimal foundations/ground works required	Electric vehicle charging points, ground mounted air con units, air source heat pumps, decking, smoking shelters, building canopies, Containerised Back-up generators, Portacabins/modular buildings, free standing canopies, **solar arrays	No	The erection of these types of buildings/structures are likely to require minimal disturbance of ground
Means of enclosure	Fences, walls, gates	No	Minimal disturbance of ground

Street type furniture	Signage; public art, lighting/CCTV columns, cycle racks, benches	No	Minimal disturbance of ground
Alterations to existing non-residential buildings	New shop frontages, new windows or door openings, addition of mezzanines	No	No ground works

Please Note:

***** Where built development is proposed within the DHRA to support the solar farm, including masonry structures, and/or large kiosks with substantial foundations, a CMRA should be provided to the LPA.***

It would be prudent to assess any proposals which fall on the Exemptions List against the coal mining features data layers available from the Mining Remediation Authority via a Public Sector Data licence. This will ensure that if any features are present which may impact development layout the risks these may pose can inform your discussions with the applicant in order to ensure that ground conditions, and risks posed by coal mining features, are properly considered as part of the development proposal. This may be specifically relevant to householder development and modular buildings.

3.2.4 Informative Note for Exempt Development Proposals

As noted we have identified some development proposals which due to their type or nature, we do not consider need to be supported by a desk based Coal Mining Risk Assessment. For these 'exempt' applications there is no requirement to consult the Planning & Development Team. We do however request that you attach the following Informative Note to any consent granted. This Informative Note is our deemed consultation response.

Please note that if we are consulted on a proposal which falls on our Exemptions List, for whatever reason, no formal response will be received. The auto response issued provides signposting to the Exemptions List and the need to include our Informative Note on any approval granted. This is deemed our response.

The Informative Note is designed to make clear to the applicant/developer that their site falls within an area of coal mining legacy. Whilst the type or nature of development is unlikely to be at significant risk, the note highlights the need to consider ground conditions.

Informative Note

The proposed development lies within an area that has been defined by the Mining Remediation Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); sites of recorded mine gas incidents and former surface mining. Although such features are seldom readily visible, they are often present and problems can occur, particularly as a result of new development taking place.

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 building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice should be sought to ensure a suitable engineering solution can be designed, which takes into account all the relevant 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) require 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.

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. Further information regarding Incidental Coal Agreements can be found here -

<https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements>

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at:

[Mining Remediation Authority - GOV.UK](#)

Informative Note valid from 1st January 2025 until 31st December 2026

4. The desk based Coal Mining Risk Assessment

4.1 Who should prepare the Coal Mining Risk Assessment?

The preparation of a desk-based Coal Mining Risk Assessment provides the applicant with the opportunity to commission a suitably qualified person, competent in dealing with issues of ground stability and mining legacy related issues, to review relevant information and to potentially discount the risks posed to the site and development by past coal mining activity. Where this is not the case, and the risks cannot be discounted, it provides the opportunity for the further investigations necessary to be discussed.

The following are types of relevant degrees, which professionals competent to carry out a desk based Coal Mining Risk Assessment may hold:

- Geology
- Geotechnical Engineering
- Mineral Surveying
- Mining Engineering
- Structural Engineering

It is likely that a competent person with these qualifications will be a member of one or more of the following relevant professional institutions:

- Geological Society: www.geolsoc.org.uk

- Institute of Civil Engineers: www.ice.org.uk
- Institute of Materials, Minerals and Mining: www.iom3.org
- Royal Institute of Chartered Surveyors: www.rics.org/uk
- Institution of Structural Engineers: www.istructe.org

Although these professionals may be competent to prepare the desk based assessment, the sign off for these reports should ideally come from a chartered Engineer or Geologist. As is common with this type of professional reporting, those persons who have prepared and endorsed the Coal Mining Risk Assessment should be identified in the report. The report submitted to support the planning application should be the final version, signed off by the competent report authors and should not be in a 'draft' or 'issue for comments' form.

What is the purpose of a Coal Mining Risk Assessment and what information should it include?

The desk based Coal Mining Risk Assessment report should provide the following:

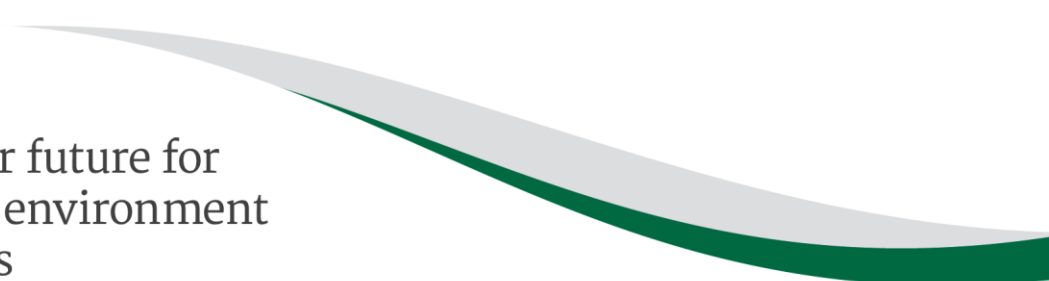
- A desk-based review of all available coal mining and geological information relevant to the application site and the proposed development;
- Identification and Assessment of the risks to the proposed development from coal mining legacy, including the cumulative impact of relevant features;
- Appropriate mitigation measures to address the coal mining legacy issues affecting the site, including any necessary remedial works and an explanation of how coal mining issues have influenced the proposed development; and
- Clear evidence to demonstrate to the Local Planning Authority that the application site is, or can be made, safe and stable, in order to meet the requirements of national planning policy with regard to development on unstable land, so ensuring a safe and stable development.

In order to assist in the preparation of these reports we have set out below a brief outline of what we would expect an appropriate Coal Mining Risk Assessment to include.

1. INTRODUCTION

Site Location and Description

Including site location plan



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Description and Layout of Proposed Development

Including the planning application description and the inclusion of layout plans where possible.

2. SOURCES OF INFORMATION USED TO INFORM THE REPORT

This could include, but is not limited to:

- *An up-to-date Consultants Coal Mining Report, or similar factual report.*
- *Mine abandonment plans*
- *Geological information*
- *A site history based on historic 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

This part of the report should identify the potential risks associated with coal mining legacy for the proposed development site, identified from sources of information in section 2. This should include consideration of such specific risks as:

- mine entries;
- shallow coal workings (recorded and probable);
- workable coal seam outcrops;
- mine gas;
- recorded coal mining related hazards;
- geological features (fissures and break lines); and
- former surface mining sites.

The potential for interaction between different factors which may have an impact on ground stability should also be appropriately considered, such as the depth of competent rock cover above any shallow coal workings and specific geological characteristics.

It should be noted that if a site contains mine entries we would expect the exact location of these features to be established by intrusive site investigations and the findings of these to be set out in the report, specifically when the layout of the development is being considered or the quantum of development is identified. This is in order to demonstrate to the LPA that the layout of the development has been informed by the location of the mine entries and any necessary 'no-build' zones. 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:

www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Where surface mining high-walls and fissures are identified as being present on a site we would also expect the layout plan to ensure that buildings do not straddle these features wherever possible.

For those coal mining features identified as being present on the site a more detailed discussion and assessment should be made of the risks, both individually and cumulatively, to the proposed development.

4. REMEDIAL STRATEGY PROPOSED

This section is a key part of the Coal Mining Risk Assessment Report and should explain how consideration of coal mining features has influenced the proposed layout and design of the development, where this is necessary.

The remedial strategy should set out, and illustrate with plans in the case of mine entries and surface mining high-walls, how the stability risks identified will be dealt with to ensure safety and stability of the development. Consideration should also be given to other mining related risks which may be relevant.

We will make you aware if our records indicate that emissions of mine gas have previously been recorded within the application boundary. We do not however, provide detailed

comments on gas monitoring findings or gas protection measures. You should seek technical advice in this regard either from your colleagues with this expertise in-house, or externally, where there is insufficient expertise in this field within the Local Authority.

In circumstances where the desk-based assessment cannot provide adequate evidence to discount the risks posed to the development by past coal mining activity appropriate recommendations for further investigatory works should be included in the report.

5. CONCLUSION

The Coal Mining Risk Assessment Report should conclude with a summary of the coal mining legacy risks, any further investigations necessary and recommendations for remedial works and/or mitigation measures to ensure the safety and stability of the proposed development. The Report should demonstrate a clear strategy for addressing the coal mining legacy features identified as posing a risk to the development.

Copies of any relevant supporting information should be included within the appendices of the Coal Mining Risk Assessment. This is particularly important when information has been used to discount any risks posed by past coal mining activity, such as borehole data etc.

5. Planning Conditions

As set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015, Schedule 4(o) the Coal Authority is a statutory consultee prior to the grant of permission. We are therefore not a statutory consultee on the discharge of planning conditions, although we will always try to assist and advise Case Officers when our input is sought.

We acknowledge that it is for the LPA to draft, impose and enforce planning conditions. With this, and our remit, in mind we provide some recommended wording for conditions which we hope provide a basis for your consideration in this matter. Our recommended condition wording may be amended dependent on the type of application and the complexity of coal mining legacy present.

The NPPF, as you will no doubt be aware, puts the onus on the developer to ensure that the site is safe and stable for the development proposed and for them to demonstrate this to

the LPA. We therefore consider that in the best interests of efficiency, and in line with Government guidance, it is appropriate to place reliance on carrying out appropriate investigations and remedial works (to establish and address risks posed by coal mining legacy) on the developer.

The second part of the suggested condition wording then enables the developer to provide evidence to the LPA that all necessary works have been carried out on site and that the site has been made safe and stable. This enables a more efficient process to be implemented, one which will hopefully prevent delays to the development and give the LPA more confidence in reviewing a validation document. That document should be signed off by a competent person, so that the LPA should be capable of discharging the condition without further input from the Coal Authority should it be minded to do so.

6. Planning Policy

The Coal Authority is a statutory consultee under the Town and Country Planning (Local Planning) (England) Regulations 2012. We provide comments on various planning policy consultation documents including; Local Development Plans and all their associated documents, Supplementary Planning Documents, Masterplans, Area Action Plans and Neighbourhood Plans.

In light of our remit, we seek to ensure that sites being considered for allocation are assessed against the coal mining data that we provide to all coalfield LPAs. This is to ensure that any constraints to development, such as mine entries, surface mining high-walls and fissures, which may impact on the quantum of development that can be accommodated on a site, can be identified at an early stage. The data layers we share through the Public Sector Data Licence will be a valuable tool for the LPA when reviewing sites and assessing the quantum of development that can be accommodated.

Where recorded coal mining features pose a risk to surface stability and public safety we will request that the LPA includes specific policy wording within the Local Plan to ensure that these land instability issues are addressed. We are always happy to enter into discussions

to resolve any concerns we have raised with the LPA regarding the drafting of Local Plan policies in this regard.

We no longer require the safeguarding of surface coal resource, although we do provide the LPA with the downloadable Surface Coal Resource Plans to assist its own decision making. Where our records indicate that surface coal resource is present in the area, this should not be taken to imply that mineral extraction would be economically viable, technically feasible or environmentally acceptable. As you will be aware those authorities with responsibility for minerals planning and safeguarding will have identified where they consider minerals of national importance are present in your area and related policy considerations. As part of the planning process consideration should be given to such advice in respect of the indicated surface coal resource.

7. Coal Authority GIS Downloadable Data

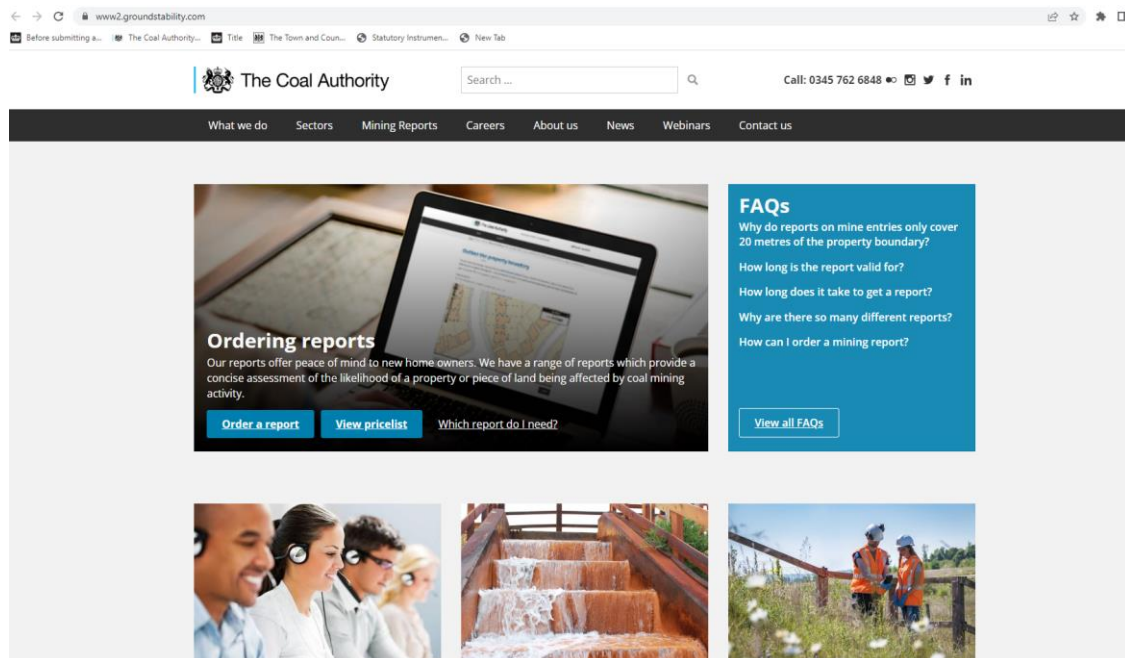
We provide all coalfield LPAs with GIS data in respect of Development Risk Areas. The data and plans are updated and republished annually, usually in April, where our identified contact for each LPA will be notified that the updated information is available to download. It will also be made available by a WFS link for those who require a different format to shapefiles.

The Coal Authority's data is regularly updated, and it is important that all LPA officers have access to the most up to date datasets available. Not using the most up to date data could have significant ground stability and public safety risks when new development is proposed. It is therefore important to ensure that the LPA contact for such GIS data updates the systems you use as soon as possible once the new data has been released.

Using the most up to date datasets ensures that you know when the Coal Authority should be consulted in its role as a Statutory Consultee, and when the potential need for a Coal Mining Risk Assessment should be considered. Our data sets are relevant for both development management and planning policy processes.

All LPAs have been provided with details of how the datasets can be accessed. A summary of the downloadable data process is set out below in case earlier instructions have gone astray or someone else now needs to manage the process.

1. On the internet find the groundstability.com page



2. Click 'Order a Mining Report' then add your username and password to the registered customer section, confirming that you have read the terms and conditions.

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← → ↻ groundstability.com/public/web/home.xhtml

Before submitting a... The Coal Authority... Title The Town and Coun... Statutory Instrumen... New Tab

 **The Coal Authority** You have 0 items in your basket **Call: 0345 762 6848**

Home Products



Which is the right report for you?

Our reports offer peace of mind to new home owners. We have a range of reports which provide a concise assessment of the likelihood of a property or piece of land being affected by coal mining activity.

Our reports offer expert advice based on our unique database of coal mining information as well as our vast archive of historical maps and plans.

Our reports give clear information about the risks or the nature of any hazards and will recommend any further reports as necessary.

To find out if you need a mining report or which report is the best for your needs, please login or continue as a guest.

[Find out more about us.](#)

REGISTERED CUSTOMERS

Username (required)

Password (required)

☐ I have read and accept the [Terms and Conditions](#) and [Privacy Policy](#)

Login

[I have forgotten my password](#)

GUESTS

☐ I have read and accept the [Terms and Conditions](#) and [Privacy Policy](#)

Continue

- You will be taken to a page which confirms your LPAs registered contact and asks in large blue print: "Which is the right report for you?"

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Hello Debra Roberts, welcome to the Coal Authority.

[Sign Out](#)



Which is the right report for you?

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From the 'Account' toolbar, you can view and maintain your account and view and download previous reports that you have ordered.

From the 'Products' toolbar, you can order a report. You can also view our handy table on which reports are available and what is included in each report. We have now introduced the ability to order using the boundary of a previous report that you have ordered, which reduces the amount of time you have to spend drawing boundaries for any follow on reports.

Find out more about [our mining reports](#).

Screen reference: INT002

4. Click onto the 4th tab 'Authority products' and then 'Download Authority Products' tab



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[Home](#) [Account](#) [Products](#) [Authority products](#)

[Download Authority product](#)

Hello Debra Roberts, welcome to the Coal Authority. [Sign Out](#)



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Find out more about [our mining reports](#).

Screen reference: INT002

[Data Access Information](#) [Our services](#) [Accessibility](#) [Terms and conditions](#) [Generation of data](#) [Privacy policy](#)

 The Coal Authority
The Coal Authority, 200 Lifford Lane, Mansfield, Nottinghamshire NG20 8JG

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5. This will take you to the 'Data exchange' page where all your data will be available for you to download.

The Coal Authority

You have 0 items in your basket

Call: 0345 762 6848

[Home](#)[Account](#)[Products](#)[Authority products](#)

Data exchange

Product download

This portal allows you to download products (such as the Coal Mining Development Referral Areas, Specific Coal Mining Risk and Surface Coal Resource Areas) that have been published by the Coal Authority for the areas your organisation has an interest in.

To download a product, please click on the download hyperlink in the actions column of the product.

If the data you require is not listed here, or if you are experiencing difficulties downloading the data, please contact the Coal Authority's Planning Department on 01623 637119.

Product	Format	Area	Published date	Actions
Surface Coal Resource	PDF	Argyll and Bute Historic	12/04/2022	Download
Surface Coal Resource	ESRI_SHAPEFILE	Argyll and Bute Historic	12/04/2022	Download
Surface Coal Resource	MAP_INFO	Argyll and Bute Historic	12/04/2022	Download
Surface Coal Resource	PDF	Clackmannanshire Historic	12/04/2022	Download
Surface Coal Resource	MAP_INFO	Clackmannanshire Historic	12/04/2022	Download
Surface Coal Resource	ESRI_SHAPEFILE	Clackmannanshire Historic	12/04/2022	Download
Surface Coal Resource	ESRI_SHAPEFILE	Mansfield District Historic	13/04/2022	Download
Surface Coal Resource	MAP_INFO	Mansfield District Historic	13/04/2022	Download
Surface Coal Resource	PDF	Mansfield District Historic	13/04/2022	Download
Development Risk	MAP_INFO	Mansfield District Historic	13/04/2022	Download
Development Risk	ESRI_SHAPEFILE	Mansfield District Historic	13/04/2022	Download
Development Risk	PDF	Mansfield District Historic	13/04/2022	Download
Development Risk	PDF	Argyll and Bute Historic	12/04/2022	Download
Development Risk	MAP_INFO	Clackmannanshire Historic	12/04/2022	Download
Development Risk	PDF	Clackmannanshire Historic	12/04/2022	Download
Development Risk	ESRI_SHAPEFILE	Clackmannanshire Historic	12/04/2022	Download
Development Risk	ESRI_SHAPEFILE	Argyll and Bute Historic	12/04/2022	Download
Development Risk	MAP_INFO	Argyll and Bute Historic	12/04/2022	Download

Close

NB: The screenshot is only an example. You will only be able to view and access the relevant data for your own authority.

Once you have downloaded the data from the ground stability website this will save as a zipped file, and the information with the file will be seen as below.

\\CP-FPS-01\RDf\$\roberd\Desktop\Mansfield District Development Risk MAP_INFO Data.zip\

File Edit View Favorites Tools Help

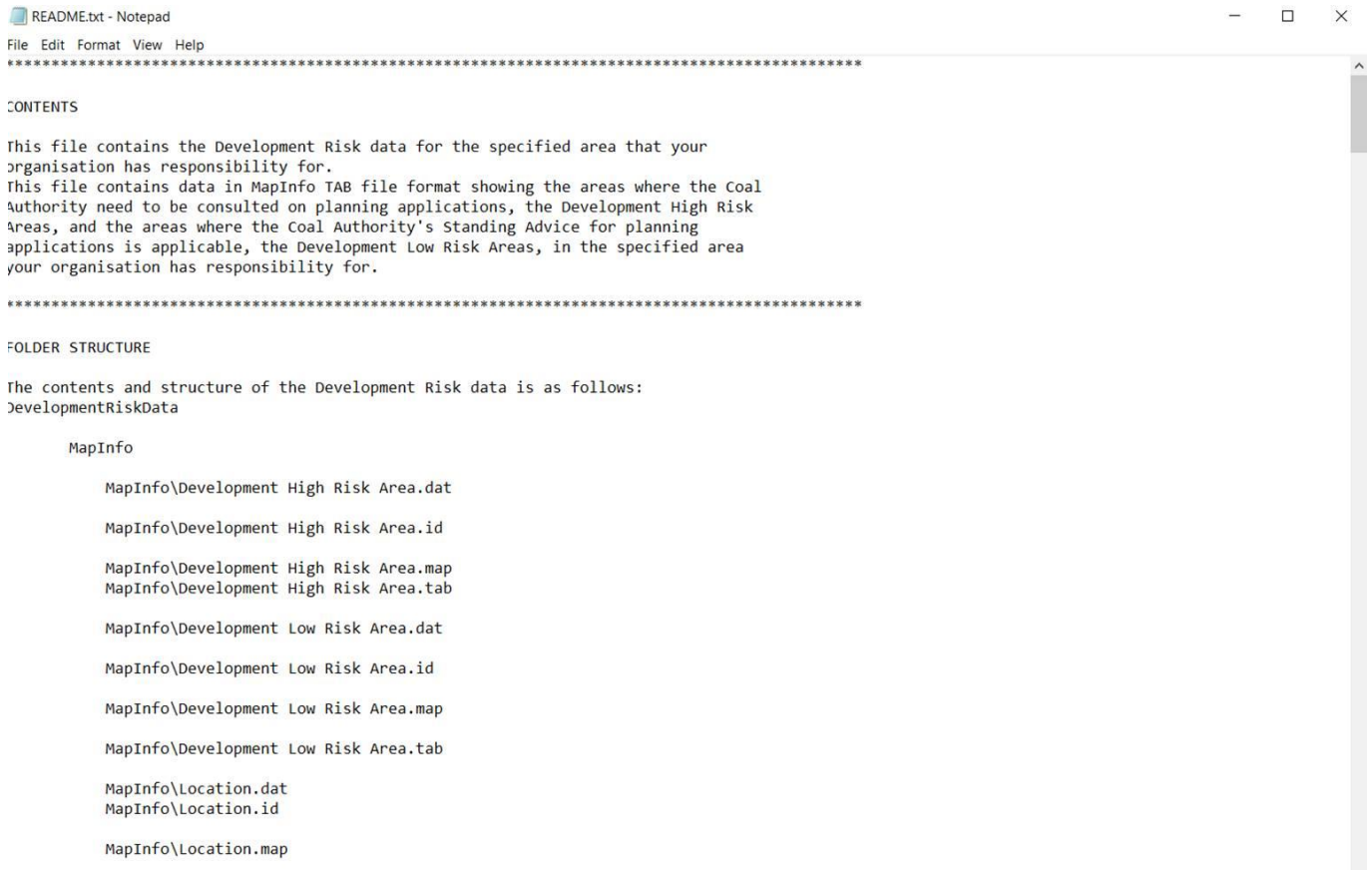
Add Extract Test Copy Move Delete Info

\\CP-FPS-01\RDf\$\roberd\Desktop\Mansfield District Development Risk MAP_INFO Data.zip\

Name	Size	Packed Size	Modified	Created	Accessed	Attributes	Encrypted	Comment	CRC	Method	Characterist
MapInfo	286 778	156 244							D3A9C28D		
Metadata	34 310	9 999							888EA48E		
README.txt	59 222	1 908	2022-04-13...					-	8A93A07B	Deflate	Descriptor ..

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Please ensure that you open the 'READ Me txt' file in the zipped folder. Please see example of content below.



```
README.txt - Notepad
File Edit Format View Help
*****

CONTENTS

This file contains the Development Risk data for the specified area that your
organisation has responsibility for.
This file contains data in MapInfo TAB file format showing the areas where the Coal
Authority need to be consulted on planning applications, the Development High Risk
Areas, and the areas where the Coal Authority's Standing Advice for planning
applications is applicable, the Development Low Risk Areas, in the specified area
your organisation has responsibility for.

*****

FOLDER STRUCTURE

The contents and structure of the Development Risk data is as follows:
DevelopmentRiskData

MapInfo

MapInfo\Development High Risk Area.dat
MapInfo\Development High Risk Area.id
MapInfo\Development High Risk Area.map
MapInfo\Development High Risk Area.tab
MapInfo\Development Low Risk Area.dat
MapInfo\Development Low Risk Area.id
MapInfo\Development Low Risk Area.map
MapInfo\Development Low Risk Area.tab
MapInfo\Location.dat
MapInfo\Location.id
MapInfo\Location.map
```

WFS Link

For those who are unable to utilise shapefiles we are working with our Data Solutions team to provide a WFS so our data can be provided in a different format. As noted previously in this guidance for further information on the WFS link please email planningconsultation@miningremediation.gov.uk

8. Questions we are frequently asked

- **What is the difference between a Coal Mining Report and a Coal Mining Risk Assessment?**

Many applicants submit a factual Coal Mining Report thinking that this is a Coal Mining Risk Assessment. However, it is not. It is simply a factual report which presents records of coal mining information for the application site. These reports provide no

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assessment of the potential risks that the recorded coal mining features on site pose to the development proposed and do not show how the proposed development has been designed and laid out in consideration of those risks, should this be necessary.

The examples below are all types of reports which contain only factual coal mining information. For clarity we will object to any planning application which is only supported by any of the following documents, although please note that this is not an exhaustive list:

- Enviro-All-in-One Reports
 - CON29M Reports
 - Consultants Coal Mining Report
 - Commercial Enviro-All-in-One
 - Residential COND29M
- **Do retrospective planning applications submitted to regularise development undertaken without planning permission require a CMRA?**

Yes, even when the buildings have already been erected, the planning application for retention of works carried out should include some written evidence, prepared by a competent person, to demonstrate how the ground conditions and risks posed by recorded coal mining features have been considered and taken into account in the construction phase.

- **Why can't the submission of a Coal Mining Risk Assessment be dealt with by a planning condition?**

The Coal Mining Risk Assessment should inform the principle of the development; it needs to demonstrate to the Local Planning Authority that the site is safe and stable for the development proposed. In cases where the mining legacy has implications for development layout the findings of the Coal Mining Risk Assessment should directly inform the design of the development proposals.

Where the Coal Mining Risk Assessment is completed too late in the development management process it could result in developers having to re-submit a planning application to amend the layout to avoid the cost of expensive engineering works. Where the Coal Mining Risk Assessment concludes that the site can be made safe and stable for the development proposed but recommends site investigations and

remedial measures, if necessary, then these works can be covered by a pre-commencement condition.

- **Do you expect the Local Planning Authority to refuse planning permission if a Coal Mining Risk Assessment is not submitted or is not of an adequate standard to demonstrate that the site is safe and stable? If so, will you support us at any subsequent appeal?**

We consider that there is sufficient emphasis within the NPPF and NPPG to refuse a planning application that does not provide sufficient information to demonstrate to the Local Planning Authority that the site is, or can be made, safe and stable for the development proposed. The Planning & Development Team will support you if required at subsequent appeals if this is the case, either by providing supporting text for inclusion in your appeal statement and/or by attending any appeal hearing or inquiry scheduled.

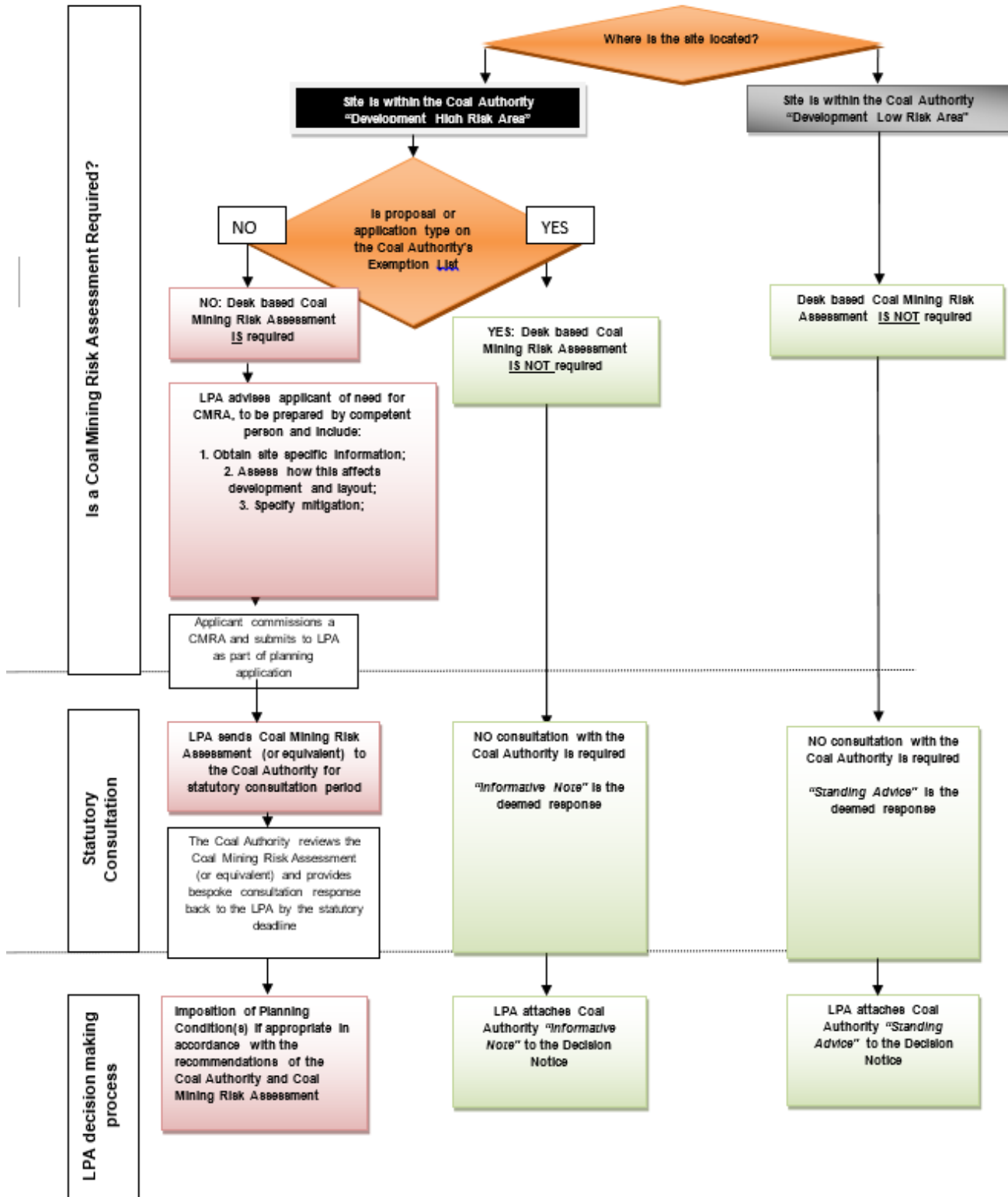
- **When is a Coal Mining Risk Assessment (or equivalent) too old and out of date?**

A desk based assessment uses information sources which can change over time. As a general rule of thumb any desk based report which is more than 4 years old is likely to be too old, since relevant information is liable to be updated and changed. A site investigation report however is different because it is based on intrusive investigation of the ground and therefore the results will provide factual confirmation of existing coal mining features which will not change.

5.1 Flowchart

The following flow chart shows the journey of a development proposal through the process we operate. We hope you find it helpful but please let us know if you think we could provide you with any further information in order to clarify the process.

DEVELOPMENT PROPOSALS IN COALFIELD AREAS



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