

The “Exemptions List” for the Risk Based Approach to Development Management

The overall process aims to provide a consistent approach to assessing development proposals across the coalfields. It is recognised that flexibility and discretion is a necessary part of the planning system and as such there may be exemptions to the requirement for an applicant to submit a desk based Coal Mining Risk Assessment in support of a development proposal within the Development High Risk Area.

The Exemptions List is divided into two parts: Type of Application and Nature of Development. Only one of these needs to be met; either it is the application type or nature of development which would exempt the need for a desk based Coal Mining Risk Assessment and also the consequential need for the LPA to consult The Coal Authority.

Part A – Type of Application

Type of Application	CMRA required? (Yes / No)	Justification
Householder Development	No	No spatial influence over development location (i.e. no/limited ability to re-position extensions)
Heritage Consents (Listed Building or Conservation Areas)	No	
Advertisement Consent	No	No significant ground works
Lawful Development Certificates	No	
Prior Notification (any type)	No	
Hazardous Substances Consent	No	Limited scope of influence
Tree or Hedgerow Works (TPO or in Conservation Area)	No	

Part B - Nature of Development

There may also be exemptions made for the nature of development, **where the engineering operations are minimal and therefore would not require the applicant to obtain a Coal Authority Permit** for ground works that intersect coal/workings.

The LPA will be able to advise you if you are in any doubt as to whether or not you need to submit a Coal Mining Risk Assessment with your planning application.

This list is not exhaustive, but is an illustration based upon recent example cases.

Nature of Development	Typical Recent Examples	CMRA required? (Yes / No)	Justification
Change of Use with no associated works (land or buildings) – where no engineering works or ground works are proposed	Agriculture to garden; office to residential	No	No significant ground works
Non-permanent structures with no ground works	Back-up generators; solar arrays; portacabins; decking; smoking shelters	No	No significant ground works
Means of enclosure	Fences, walls	No	No significant ground works
Street type furniture	Signage; public art, lighting/CCTV columns, cycle racks, benches	No	No significant ground works
Alterations to existing non-residential buildings that create no new floor space	New shop frontages, new windows or door openings, signage	No	No significant ground works