The Coal Authority

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For the attention of: Ms S Hill
Wrexham County Borough Council

[By email: planning@wrexham.gov.uk]

11 December 2024

Dear Ms Hill

Re: P/2024/1629

Adeiladu 2 annedd / Erection of 2 dwellings; Land At Tan Y Graig Off, High Street, Cefn Mawr, Wrexham, LL14 3DD

Thank you for your notification of 29 November 2024 seeking the views of the Coal Authority on the above.

The Coal Authority is a non-departmental public body sponsored by the Department for Energy Security and Net Zero (DESNZ). As a statutory consultee, The Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

The Coal Authority Response: **Substantive Concern**

I have reviewed the site location plans, the proposals and the supporting information submitted and available to view on the LPA website. I can confirm that the site falls within the defined Development High Risk Area and that a Coal Mining Risk Assessment is required to support this application.

The Coal Authority records indicate that the application site is likely to have been subject to historic unrecorded coal mine workings at shallow depth associated with a thick coal outcrop. Voids and

broken ground associated with such workings can pose a risk of ground instability and may give rise to the emission of mine gases. The site also lies within a Surface Coal Resource Zone.

The applicant has submitted some coal mining information to accompany the planning application; namely a Ground Investigation and Preliminary Contamination Assessment (dated December 2005, prepared by E-Geo Solutions Ltd). However, this does not relate to potential land instability caused by any coal mining activity beneath the site. The Coal Authority therefore **objects** to this planning application.

In accordance with the agreed risk-based approach to development management in the defined Development High Risk Areas, the applicant should be informed that they need to submit a Coal Mining Risk Assessment Report, or equivalent report, to support this planning application. This assessment should be prepared by a suitably qualified person. Without such a risk assessment, the Coal Authority does not consider that the LPA has sufficient information to determine this planning application.

It is a requirement of Planning Policy Wales (2021), paragraphs 6.9.23 to 6.9.28, that the applicant demonstrates to the satisfaction of the LPA that the application site is safe, stable and suitable for development.

The Coal Authority would be very pleased to receive for further consultation and comment any additional information submitted by the applicant.

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

Yours sincerely

Ashley Langrick

Ashley Langrick BA (HONS) Dip TRP MRTPI
Planning and Development Manager (Corporate Projects)

<u>General Information for the Applicant</u>

The coal mining information within the Coal Mining Report (such as a Non-Residential Coal Mining Report, an Enviro-All-in-One Report or other factual report) already obtained should be used as the basis for a Coal Mining Risk Assessment Report (CMRA). The CMRA should assess whether or not past mining activity poses any risk to the development proposal and, if necessary, propose mitigation measures to address any issues of land instability. This could include further intrusive

investigation on site to ensure that the Local Planning Authority has sufficient information to determine the planning application.

Guidance on how to produce a Coal Mining Risk Assessment is also contained at: https://www.gov.uk/planning-applications-coal-mining-risk-assessments

The Coal Authority's records indicate that surface coal resource is present on the site, although 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 application decision making process consideration should be given to such advice in respect of the indicated surface coal resource.

PLEASE INCLUDE AS INFORMATIVE NOTES FOR APPLICANTS ON ANY PLANNING PERMISSION GRANTED

Ground Investigations:
Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of The Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission to enter or disturb our property will result in the potential for court action. In the event that you are proposing to undertake such work in the Forest of Dean local authority area our permission may not be required; it is recommended that you check with us prior to commencing any works. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at:www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property

Shallow coal seams:
In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities. To check your site for coal mining features on or near to the surface the Coal Authority interactive map viewer allows you to view selected coal mining information in your browser graphically. To check a particular location either enter a post code or use your mouse to zoom in to view the surrounding area.

Disclaimer

The above consultation response is provided by the Coal Authority as a Statutory Consultee and is based upon the latest available coal mining data on the date of the response, and electronic consultation records held by the Coal Authority since 1 April 2013. The comments made are also

based upon only the information provided to the Coal Authority by the Local Planning Authority and/or has been published on the Council's website for consultation purposes in relation to this specific planning application. The views and conclusions contained in this response may be subject to review and amendment by the Coal Authority if additional or new data/information (such as a revised Coal Mining Risk Assessment) is provided by the Local Planning Authority or the applicant for consultation purposes.