



The Coal
Authority



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For the Attention of: Ms S Holman – Case Officer
Wrexham County Borough Council

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

19 February 2020

Dear Ms Holman

PLANNING APPLICATION: P/2020/0051

Change of use to D2 visitor and interpretation centre to include renovation works to the agents house and pattern shop, creation of stage areas, cider brewery and WC facilities; Brymbo Iron And Steel Works Heritage Centre, New High Street, Brymbo, Wrexham, LL11 5AX

Thank you for your notification of 29 January 2020 seeking the views of The Coal Authority on the above planning application.

The Coal Authority is a non-departmental public body sponsored by the Department of Business, Energy & Industrial Strategy. As a statutory consultee, The Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

The Coal Authority Response: Material Consideration

I have reviewed the proposals and confirm that the application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.

Our records indicate that there are 6 mine entries within, or within 20m of the site boundary. The site is also in an area of recorded and likely unrecorded coal mine workings at shallow depth.

The planning application is supported by a Mining Report, dated January 2020 and prepared by GroundSolve Ltd. This report has been informed by a range of sources of information.

The report acknowledges the presence of the mine entries and the shallow coal workings on site. The report states that the some of the adits present could trend under the path leading to the main development area and the only risk is to site walkers and no further works are required. The Coal Authority are concerned that the adits pose a potential risk to the safety of visitors to the site and on this basis we would expected a more detailed assessment, with intrusive investigation if necessary, of these features and how they may impact on the proposals.

In respect of the shallow coal workings the report authors recommend that intrusive site investigations are carried out on site to establish the exact situation in respect of coal mining legacy issues. The report author states that as there are no buildings proposed no remedial works will be necessary. However, we would expect the findings of the intrusive investigations to inform what remedial works and/or mitigation measures are necessary to ensure the safety and stability of the site in order to ensure no risks arise to on site visitors.

The intrusive site investigations should be designed by a competent person and should ensure that they are adequate to properly assess the ground conditions on the site in order to establish the exaction situation in respect of coal mining legacy and the potential risks posed to the development by past coal mining activity. The nature and extent of the intrusive site investigations should be agreed with the Permitting Section of the Coal Authority as part of the permissions process. The findings of the intrusive site investigations should inform any remedial measures which may be required.

The Coal Authority Recommendation to the LPA

The Coal Authority concurs with the recommendations of the Mining Report; that coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site.

This is our recommendation for condition wording. Whilst we appreciate that you may wish to make some amendment to the choice of words, we would respectfully request that the specific parameters to be satisfied are not altered by any changes that may be made.

1. *No development shall commence until intrusive site investigations have been carried out on site to establish the exact situation in respect of coal mining legacy features. The findings of the intrusive site investigations shall be submitted to the Local Planning Authority for consideration and approval in writing. The intrusive site investigations shall be carried out in accordance with authoritative UK guidance.*
2. *Where the findings of the intrusive site investigations (required by condition **XX** above) identify that coal mining legacy on the site poses a risk to surface stability, no development shall commence until a detailed remediation scheme and/or mitigation measures to protect the development from the effects of such land instability has been submitted to the Local Planning Authority for consideration and approval in writing. Following approval, the remedial works shall be implemented on site in complete accordance with the approved details.*

The Coal Authority therefore has **no objection** to the proposed development **subject to the imposition of a condition or conditions to secure the above**.

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

Yours sincerely

Melanie Lindsley

Melanie Lindsley BA (Hons), DipEH, DipURP, MA, PGCertUD, PGCertSP, MRTPI
Development Team Leader (Planning)

General Information for the Applicant

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 will result in trespass, with 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

Disclaimer

The above consultation response is provided by The Coal Authority as a Statutory Consultee and is based upon the latest available data on the date of the response, and electronic consultation records held by The Coal Authority since 1 April 2013. The comments made are also based upon only the information provided to The Coal Authority by the Local Planning Authority and/or has been published on the Council's website for consultation purposes in relation to this specific planning application. The views and conclusions contained in this response may be subject to review and amendment by The Coal Authority if additional or new data/information (such as a revised Coal Mining Risk Assessment) is provided by the Local Planning Authority or the Applicant for consultation purposes.

In formulating this response The Coal Authority has taken full account of the professional conclusions reached by the competent person who has prepared the Coal Mining Risk Assessment or other similar report. In the event that any future claim for liability arises in relation to this development The Coal Authority will take full account of the views, conclusions and mitigation previously expressed by the professional advisers for this development in relation to ground conditions and the acceptability of development.