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For the attention of: Jenni Perkins – Case Officer

Wrexham County Borough Council

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

13 March 2025

Dear Ms Perkins

Re: Planning application P/2024/0315

Change of use of 3 individual fields from agricultural land to sui generis (dog walking fields) (partly in retrospect) at Plas Issa Farm, Cristionydd Lane, Penycae, Wrexham, LL14 1TT

Thank you for your notification of 7 March 2025 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. 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 site location plan, the proposals and supporting information submitted and available to view on the LPA website and can confirm that parts of the application site falls within the defined Development High Risk Area.

The Coal Authority's information indicates that parts of fields 1, 2 and the car park lies in an area of outcropping coal seams, which may have been worked in the past. Voids and broken ground associated with such workings may pose a risk to ground stability and public safety.

In addition, the Coal Authority records indicate that the plotted position of on-site mine shaft 328344-028 is located in the south eastern part of the field 3, with its potential zone of influence extending in the southern part of the site. Due to potential plotting inaccuracies, the actual position of the shaft could deviate from its plotted position by several meters. We hold no details of any past treatment of this former coal mining related feature. An untreated or inadequately treated mine entry and its resultant zone of influence pose a significant risk not only to surface stability but also public safety.

Our records also indicate that the north eastern corner of field 3 marginally clips an area where underground coal mining has taken place at shallow depth. Voids and broken ground associated with such workings may pose a risk to ground stability and public safety.

Furthermore, our records also indicate that part of the access track clips the site lies within the boundaries of a wider site from which coal has been extracted by surface (opencast) mining methods. Where such mining has taken place general settlement of backfill and differential settlement over / in the vicinity of buried opencast highwalls can occur, which in turn can result in damage to buildings and structures. The Coal Authority seeks to ensure that proposal avoid the siting of built development over or within the immediate vicinity of highwalls wherever possible.

As you will be aware, the Coal Authority's general approach in cases where development is proposed within the Development High Risk Area is to recommend that the applicant obtains coal mining information for the application site and submits a Coal Mining Risk Assessment to support their planning application.

However, in this instance we note that the application is primarily for a change of use and whilst boundary treatments and alterations to the access are proposed, these would not appear to require substantial groundworks or earthworks. The Coal Authority's Planning & Development Team therefore does not consider that a Coal Mining Risk Assessment is required to support the proposal in this particular case and we **DO NOT OBJECT** to this planning application.

However, we wish to highlight that the recorded mine entry does pose a potential public safety risk to those utilising field 3. The LPA needs to be satisfied that the site is suitable and safe for the new use and may consider it prudent to require additional information from the applicant in this regard. The applicant should demonstrate to you that they are aware of the recorded mine entry and its zone of influence, they have assessed its relationship to the development and are able to manage any risk posed.

However, we do recommend that, should planning permission be granted for this proposal, the following wording is included as an Informative Note on any planning permission granted:

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); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be 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 the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure a suitable engineering design which takes account of all relevant safety and environmental 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:

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

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires 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? -

<https://www.gov.uk/government/publications/permit-process/permit-process>

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: <https://www.gov.uk/government/organisations/mining-remediation-authority>.

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

Yours sincerely

Bradley Shelton

Bradley Shelton

Apprentice Town Planner

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.