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For the attention of: Jenni Perkins – Case Officer
Wrexham County Borough Council

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

20th June 2025

Dear Ms Perkins

Re: Planning Application P/2025/0337

Demolition of two double classroom buildings and replacement with a new 4 classrom block for infants/new nursery (phase 1). Construction of new 4 block classroom for juniors (phase 2); Ysgol Id Hooson, Heol Caradoc, Rhosllanerchrugog, Wrexham, LL14 2DX

Thank you for your notification of 3 June 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 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.

The Coal Authority's information indicates that 2 mine entries 328346-056 and 328346-059 are present within the site. Due to potential plotting inaccuracies, the actual positions of these features could deviate from their plotted position by several metres. 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 show that the site is in an area of likely historic unrecorded coal workings at shallow depth. If shallow coal workings are present then these may pose a potential risk to surface stability and public safety.

We note that this application is accompanied by a Phase I Geoenvironmental Assessment Including Phase 1 Coal Mining Risk Assessment report prepared by Eccles Associates Limited, dated 16th October 2024. The report has been based upon a review of coal mining and geological information, and recommended that intrusive investigations should be carried out to assess the shallow mining situation beneath the site. The also identifies that two mine entries 328346-056 and 328346-059 are present within the site and have limited treatment details available.

As result of the above report we are pleased to note that a Phase II Site Investigation Including Coal Mining Risk Assessment prepared Eccles Associates Limited, dated 27th November and submitted by the applicant. We note that 3 boreholes were undertaken on site to a maximum depth of 45m. These works were carried out under Coal Authority Permit reference 29091.

The report authors confirms that evidence of thin coal was discovered during the intrusive works however no evidence of mined seams and voided ground was encountered. The report author goes on to conclude that *"the risk to the project from shallow mining is low and no mitigation measures are required."* As such they do no recommend any further work in terms of shallow coal mining activity.

In relation to the two mine entries present on site the report acknowledges that a shaft is present relatively close to the location of the sports pitch. The report author notes in the Phase I Geoenvironmental Assessment Including Phase 1 Coal Mining Risk Assessment report that *"should the sports pitch locations be finalised, and be within around 10m of the anticipated locations of the mine shafts, then further investigation would be required to assess if the shaft has been suitably backfilled."*

We take this opportunity to highlight that the Coal Authority is of the opinion that building over, or within the zones of influence, of mine entries should be avoided wherever possible, even after they have been treated, in line with our adopted policy which can be found at:
https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries.

We note that on-site shaft 328346-056 is located within the existing car park and where no development is proposed to take place. However, shaft 328346-059 is located to the south of the existing school building. The Phase 1 report advises '*Investigation of the potential mine shaft 328346-059 is not proposed at this time as the shaft (+/- 10m departure) is 30m from the proposed buildings*.' It goes on to comment that '*Should the sports pitch locations be finalised, and be within around 10m of the anticipated locations of the mine shafts, then further investigation would be required to assess if the shaft has been suitably backfilled. It is recommended that this would be carried out as part of a later stage of investigation if this is required*.'

We note that the submitted reports were based on a different development layout to that currently under consideration by the LPA. Nevertheless, we accept that the proposed classroom buildings are unlikely to encroach within the potential zone of influence of shaft 328346-056. However, it appears that the proposed MUGA, which we understand is included in the application (although not mentioned in the development description), will be created over the shaft.

In light of the above, the Planning team at the Coal Authority consider that further SI and any necessary remediation should be undertaken on site to establish the location and condition of shaft 328346-059. The intrusive site investigations should be designed and undertaken by competent persons and should be appropriate to assess the ground conditions on the site in order to establish the coal mining legacy present and the risks it may pose to the development and inform any remedial works and/or mitigation measures that may be necessary. It may be prudent to consider specific mitigation measures to be incorporated within the MUGA design, such as geogrid or a reinforced foundation solution.

The applicant should note that Permission is required from the Coal Authority Permit and Licensing Team before undertaking any activity, such as ground investigation and ground works, which may disturb coal property. Please note that any comments that the Coal Authority may have made in a Planning context are without prejudice to the outcomes of a Permit application.

The Coal Authority Recommendation to the LPA

The Planning Team at the Coal Authority concurs with the conclusions of Phase I Geoenvironmental Assessment and Phase II Site Investigation Including Coal Mining Risk Assessment reports; that coal mining legacy potentially poses a risk to the proposed

development and that investigations are required, along with possible remedial measures, in order to ensure the safety and stability of the proposed development.

As such, should planning permission be granted for the proposed development, we would recommend that the following conditions are included on the Decision Notice:

1. ***No above ground development shall commence until (excluding demolition of existing structures and site clearance);***

   a) a scheme of intrusive investigations has been carried out on site to in order to locate and establish the risks posed to the development by mine entry 328346-059 ; and

   b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

   The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

2. ***Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.***

The Coal Authority therefore **do not object** to the proposed development **subject to the imposition of the above conditions**. 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.

Should planning permission be granted for this proposal, we also request that the following wording is included as Informative Notes on any decision notice:

1 - Ground Investigations

Under the Coal Industry Act 1994 any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority since these activities can have serious public health and safety implications. 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.

Failure to obtain permission to enter or disturb our property will result in the potential for court action. 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

2 - 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.

3- Requirement for Incidental Coal Agreements

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 from the Coal Authority. 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

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

Yours sincerely,

Peter Woodcock

Peter Woodcock | *BSc (Hons), AssocRTPI*
Assistant Planning and Development Manager

Disclaimer

The above consultation response is provided by the Coal Authority as a statutory consultee and is based upon the latest available data and the electronic consultation records held by the Coal Authority since 1 April 2013. The comments made are also based on the information provided to the Coal Authority by the Local Planning Authority and/or information that has been published on the Council's website for consultation purposed 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 advisors for this development in relation to ground conditions and the acceptability of development.