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For the attention of: Sharon Holman – Case Officer
Wrexham County Borough Council

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

2 September 2024

Dear Sharon

Re: P/2023/0823

Erection of dwelling; Hillcroft, Wrexham Road, Pentre Bychan, Wrexham, LL14 4DT-RECONSULTATION

Thank you for your notification of 20 August 2024 seeking the further views of the Coal Authority on the above.

The Coal Authority response: Material Consideration

The application site falls within the defined Development High Risk Area.

The Coal Authority records indicate that 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. In this instance, our records indicate that there is one recorded mine entry (shaft) within the planning boundary and a further recorded mine entry (shaft) within close proximity of the planning boundary. An untreated mine entry and its resultant zone of influence pose a significant risk not only to surface stability but also public safety.

The applicant previously submitted some coal mining information to accompany the planning application; however, the Coal Authority did not consider it adequately addressed

the impact of coal mining legacy on the proposed development. We therefore objected to the planning application.

The Coal Authority is therefore now pleased to note the submitted Mineshaft Investigation Report (30 July 2024, prepared by NKC Geotech Ltd), the content of which confirms the drilling of rotary boreholes to determine the exact zone of influence of the mineshaft, which is onsite. On the basis that the appended drawing shows the proposed dwelling outside of the confirmed zone of influence of the shaft, and subject to a condition to ensure the full remediation of the shaft to ensure a safe and stable development, the Coal Authority has **no objections to this planning application**.

Mine Gas

It should be noted that wherever coal resources or coal mine features exist at shallow depth or at the surface, there is the potential for mine gases to exist. These risks should always be considered by the LPA. The Planning & Development team at the Coal Authority, in its role of statutory consultee in the planning process, only comments on gas issues if our data indicates that gas emissions have been recorded on the site. However, the absence of such a comment should not be interpreted to imply that there are no gas risks present. Whether or not specific emissions have been noted by the Coal Authority, local planning authorities should seek their own technical advice on the gas hazards that may exist, and appropriate measures to be implemented, from technically competent personnel.

Sustainable Drainage

It should be noted that where SUDs are proposed as part of the development scheme consideration will need to be given to the implications of this in relation to the stability and public safety risks posed by coal mining legacy. The developer should seek their own advice from a technically competent person to ensure that a proper assessment has been made of the potential interaction between hydrology, the proposed drainage system and ground stability, including the implications this may have for any mine workings which may be present beneath the site.

The Coal Authority Recommendation to the LPA

A recorded mine entry (shaft) poses a risk to the proposed development and remedial measures will be required to be undertaken prior to the commencement of development to ensure a safe development.

Accordingly, the Coal Authority recommends the imposition of the following conditions:

1. *No development shall commence until;*

a) remedial measures to address land instability arising from the onsite recorded mine entry (shaft) have been implemented on site in full in order to ensure that the site is safe and stable for the development proposed.

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 completion of the required remedial works to address the risks posed by the onsite recorded mine entry (shaft).*

The Coal Authority therefore **withdraws its objection** to the proposed development **subject to the imposition of the conditions to secure the above.** *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.*

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

1 – 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

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

Yours sincerely

Chris MacArthur

Chris MacArthur *B.Sc.(Hons), DipTP, MRTPI*

Planning Liaison Manager

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.



Making a **better future** for people
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