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For the attention of: Simon Greenland – Case Officer
Wrexham County Borough Council

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

23 May 2024

Dear Simon

Re: P/2024/0197

Erection of new stabling, hardstanding and Fencing (partly in retrospect); land to the north of Brymbo Road, Bwlchgwyn, Wrexham - RECONSULTATION

Thank you for your notification of 15 May 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 information indicates 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. Our records indicate the presence of one recorded mine entry (shaft) within 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.

In addition to the above, our records indicate that the site is likely to have been subject to unrecorded underground coal mining at shallow depth. Voids and broken/disturbed

ground associated with such workings can pose a risk of ground instability and may give rise to the emission of mine gases.

Whilst we previously noted that the applicant was seeking retrospective consent, there appeared to be no evidence to demonstrate that coal mining issues were taken into consideration, prior to the development being undertaken.

The Coal Authority now notes the submitted Coal Mining Risk Assessment (Undated, prepared by En-Plan), which appears to have been manufactured from a report prepared by Wardell Armstrong for a different site and which may or may not have copyright implications for the author of the report. Despite this, the assessment of the risks posed by coal mining legacy are not considered to be adequate to the Coal Authority, specifically in regard to the risks posed by potentially unrecorded shallow coal mine workings, which our data confirms potentially implicate on the site. The nearby opencast working may reinforce this further.

On account of the above, the Coal Authority considers that the report should be revised and resubmitted to fully address these concerns. The Coal Authority therefore **maintains its objection** to this planning application.

The Coal Authority Recommendation to the LPA

The information submitted fails to fully assess the risks posed by potential historic unrecorded shallow underground coal workings.

The applicant should assess whether or not past mining activity poses any risk to their development proposal and, where necessary, propose appropriate mitigation measures to address land instability issues. This could include further appropriate intrusive site investigation to ensure that the LPA has sufficient information to determine the planning application.

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

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

Yours sincerely

Chris MacArthur

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:

<https://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 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.

