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

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

23 May 2024

Dear Jenni

Re: P/2023/0624

Conversion of former machine shop to exhibition area (use class d1) with cafe and shop, business use (use class b1) and general industrial use (use class b2) and erection of two lean-to extensions to the side of machine shop; Brymbo Iron and Steelworks Heritage Centre, New High Street, Brymbo, Wrexham – FURTHER INFORMATION RECEIVED

Thank you for your notification of 13 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.

The Coal Authority records indicate that the site has been subject to historic recorded underground coal mining at shallow depth and is likely to have been subject to historic

unrecorded underground coal mining at shallow depth associated with a thick coal seam outcrop, which may have been worked from the surface.

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

In addition to the above, our records indicate the presence of four recorded mine entries (shafts and adit) within, or 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 Coal Authority initially objected to this planning application, as the required Coal Mining Risk Assessment Report had not been submitted as part of the application.

The applicant then submitted a Mining Report (January 2020, prepared by GroundSolve Ltd). Despite this, we took the opportunity to highlight that development over or within the influencing distance of a mine entry raises significant safety and engineering risks and exposes all parties to potential financial liabilities.

Due to plotting inaccuracies, we confirmed that the actual positions of shafts 329353-135 and 329353-136 are not known for certain and that they could deviate from their plotted position by several metres (c.8m). As such, we confirmed that the shafts could be present within close proximity of the planning boundary, which the accompanying CMRA confirmed.

As a result, we confirmed that the features could be very close to the proposed built development, with their associated zones of influence/instability extending across the extension footprints. We confirmed this conflicted with our aforementioned adopted policy.

As such, whilst the investigation of the mine entries was proposed, we confirmed that the site investigations should be undertaken prior to determination of the planning application in order to establish whether the mine shafts were present within the application site, their condition and to establish the extent of their potential zone of influence. We confirmed that the results of the investigations should be incorporated into a revised Coal Mining Risk Assessment and should be used to define an appropriate 'no-build' zone around the shafts and in the formulation of a suitable scheme of remedial/mitigatory measures. In the event of the shafts being discounted from being within the site, we confirmed that due consideration should be given to the extent of the site which may be affected by an off-site shaft collapse. To address this, we confirmed that an amended site layout drawing should then be provided to demonstrate how the built development would be arranged in a manner that avoids the defined 'no-build' zone.



The Coal Authority now notes the submitted Planning Statement dated 13 May 2024 from TACP Architects Ltd, the content of which is able to discount any undue stability risks to the proposed development from shaft -136, specifically due to its distance away (worst-case scenario) and the likely shallow rockhead.

In terms of shaft -135, the Statement provides specific anecdotal information on the location of the shaft and its predicted location in the area of a former office building, which was removed as part of reclamation works in the 1990s. Whilst some uncertainty remains as to the extent of any remedial works to the shaft, given both the distance away from the nearest proposed extension, which would sit within the footprint of a former brick built projection, the Coal Authority is satisfied with the conclusions made by the applicant's agent; that the shaft poses a low risk to the development. In addition, in respect of both the former brick built building that the lean to extension would replace, together with the proposed mitigation in the form of a reinforced raft foundation, the Coal Authority considers these measures proportionate to mitigate any low stability risks posed by the mine entry and the recorded shallow coalmine workings. On the basis that it will be for the Building Regulations process to ensure the installation of the proposed foundation, **the Coal Authority withdraws its objection to this planning application, unconditionally.**

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 and records held by The Coal Authority on the date of the response. 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.

