



The Coal
Authority

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For the attention of: Jenni Perkins – Case Officer

Wrexham County Borough Council

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

27 February 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 - RECONSULTATION

Thank you for your notification of 14 February 2024 seeking the further views of the Coal Authority on the above.

The Coal Authority response: Substantive Concern

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 previously objected to this planning application, as the required Coal Mining Risk Assessment Report had not been submitted as part of the application.

We note that the application is now accompanied by a Mining Report (January 2020, prepared by GroundSolve Ltd). Despite this, we take this 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. The Coal Authority has adopted a policy where, as a general precautionary principle, the building over or within the influencing distance of a mine entry should wherever possible be avoided, even when these features are treated. Our adopted policy on this matter can be found at:

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

Due to plotting inaccuracies the actual positions of shafts 329353-135 and 329353-136 are not known for certain and could deviate from their plotted position by several metres (c.8m). As such, the shafts could be present within close proximity of the planning boundary, which is confirmed within the accompanying CMRA. The features could therefore be very close to the proposed built development, with their associated zones of influence/instability extending across the extension footprints. This would conflict with our aforementioned adopted policy.

As such, in light of our policy, and whilst the investigation of the mine entries is proposed, the Coal Authority considers that site investigations designed and carried out by competent persons should be undertaken prior to determination of the planning application in order to establish whether the mine shafts are present within the application site, their condition and to establish the extent of their potential zone of influence.

The results of these 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. Should the shafts not be located and be assumed to lie off-site, due consideration should be given to the extent of the site which may be affected by an off-site shaft collapse. An amended site layout drawing should then be provided which demonstrates how built development is to be arranged on site in a manner that avoids the defined 'no-build' zone.

On account of the above, the Coal Authority **maintains its objection** to this planning application.

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

Prior to the undertaking of investigations into the recorded mine shafts, the Coal Authority considers that it would be prudent for the applicant to carry out a positional review of the features from source data, to ensure that investigations are based upon the most accurate best plot position for the shaft.

We would be pleased to receive for further consultation and comment any additional information submitted by the applicant.

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

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. 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

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.

