



**The Coal
Authority**



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For the Attention of: Ms S. Greenland – Case Officer
Wrexham County Borough Council

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

25 April 2022

Dear Mr Greenland

PLANNING APPLICATION: P/2022/0306

Erection of 6 no. Industrial units (Class B2) at Site of Wynnstay Technology Park, Llangollen Road, Ruabon, Wrexham

Thank you for your consultation letter of 4 April 2022 seeking the views of the Coal Authority on the above planning application.

The Coal Authority is a non-departmental public body sponsored by the Department of Business, Energy & Industrial Strategy. 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: Substantive Concern

The application site falls partly within the defined Development High Risk Area; therefore 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's information indicates that recorded off-site mine shaft 329343-194 is located close to the northern site boundary. The potential zone of influence of the shaft encroaches in to the site. Our information indicates that this feature was filled with colliery shale to an unknown specification in c.1970 and was subsequently treated in accordance with British Coal recommendations by Wrexham Maelor Borough Council. This subsequent

treatment entailed the pressure grouting of the shaft fill and the capping of the shaft with a reinforced concrete cap situated in competent clay.

We take this opportunity to highlight that any form of development over or within the influencing distance of a mine entry can be dangerous and 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. Our adopted policy on the matter can be found at:

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

The planning application is accompanied by a Preliminary Risk Assessment report (25 July 2019, unattributed); however, the Coal Authority does not consider that this adequately addresses the impact of coal mining legacy on the proposed development. We therefore **OBJECT** to the proposal.

The submitted report concludes at Section 3.3 in respect of coal mining legacy that *"Based on the recorded geology beneath the Site and the Coal Authority information, the potential for coal mining to impact upon the proposed development has been discounted due to the depth of the recorded coal deposits and the treatment of the on-site shaft."*

Whilst we note the above conclusion, we must highlight that Section 1 of the report makes it clear that it has been produced to inform residential use of a site, as shown on the Proposed Block Plan appended to the report. This plan (red line) clearly shows that the current planning application site lies outside the study area for the report.

In light of the above, and on the basis that the proposed development would be sited close to the northern site boundary, the applicant should be requested to provide a site and development specific Coal Mining Risk Assessment or alternatively an addendum to the existing report to demonstrate that the current application site is, or can be made, safe and stable for the proposed development. The additional information should address the following points:

- Provide clarification as to the report author and confirmation that they are suitably qualified to offer an opinion on coal mining related safety and stability matters;
- Provide clarification regarding annotations shown on the Proposed Block Plan (Drawing No. 21/2210/03). We note that the proposed layout of development would be located clear of the two concentric circles shown on this drawing. We assume that these are centred on the recorded position of the recorded mine shaft, but are unclear what they actually denote (the

inner circle would be c.8m in diameter which is likely to be far larger than the shaft diameter); and

- The Proposed Block Plan should be revised, as necessary, to clearly show the shaft position, the extent of its cap and its associated zone of influence. This should demonstrate that the layout of the industrial development currently under consideration by the LPA will be located clear of the zone of influence of the shaft.

The Coal Authority 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

James Smith

James Smith *BSc. (Hons), Dip.URP, MRTPI*
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 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.