



**The Coal
Authority**



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Learning Partner

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

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

6 May 2022

Dear Sharon

PLANNING APPLICATION: P/2022/0277

RESERVED MATTERS PERSUANT TO OUTLINE PLANNING PERMISSION - P/2019/0829 (ACCESS, APPEARANCE, LANDSCAPING, LAYOUT AND SCALE) ERECTION OF DWELLING; Hillcroft, Wrexham Road, Pentre, Bychan, Wrexham - RECONSULTATION

Thank you for your consultation letter of 26 April 2022 seeking the views of the Coal Authority on the additional information submitted in support of the above planning application.

The Coal Authority Response: Material Consideration

Condition 10 requires that:

10. Prior to submission of the reserved matters, a scheme of intrusive site investigations for the on-site mine entry, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include submission of a report of findings, including any gas monitoring undertaken, submission of a layout plan identifying zones of influence for the recorded mine entry and off site mine entry and submission of a scheme of treatment for the on site recorded mine entry. The development hereby approved shall be carried out and implemented in accordance with the approved details and remedial works identified in the approved site investigations scheme.

The Coal Authority was previously unable to comment on this planning application, specifically as only the Supporting Statement for the Coal Authority by independent Structural Engineer (Letter from Andrew Hannett Limited dated 17 March 2022) was

available from the Council's website. The Mining Investigation Report, as referred to, did not appear to be available.

The Coal Authority now notes the enclosed letter (dated 25 May 2021) from Groundsolve Ltd (i.e. the Mining Investigation Report, as previously referred to) and has considered this within the context of the proposed development layout. The letter indicates that the footprint of the dwelling would be within the zone of influence of the shaft, which is unacceptable to the Coal Authority and contrary to our policy on building over, or within close proximity of mine entries (see below). On the basis that the content of the letter goes on to indicate that the shaft has not been remediated to a standard that would reflect the end use now proposed, and that only bespoke foundations, which ultimately may render the scheme economically unviable, could mitigate those significant risks, the Coal Authority **objects to this planning application**.

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

Building over or within the influencing distance of a mine entry (shaft or adit) can be dangerous and has the potential for significant risks to both the development and the occupiers if not undertaken appropriately. The Coal Authority would draw your attention to our adopted policy regarding new development and mine entries:

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

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 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.