

For the Attention of: Philip Forster – Case Officer
Wrexham County Borough Council

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

[Copy Email: philip.forster@wrexham.gov.uk]

29 August 2018

Dear Mr Forster

PLANNING APPLICATION: P/2018/0463

Demolition of existing petrol filling station and adjacent residential property and construction of a petrol filling station, convenience store and associated car parking; Co Operative Group Ltd, High Street, Coedpoeth, Wrexham, LL11 3UF: Re-consultation

Thank you for your consultation letter of 17 August 2018 seeking the views of The Coal Authority on the above planning application.

The Coal Authority Response: Material Consideration

As you are aware the Coal Authority objected to this planning application in our previous letter to the LPA dated 28 June 2018 as the applicant failed to submit the required Coal Mining Risk Assessment or equivalent, to identify risks posed to the proposed development by coal mining legacy.

This planning application is now accompanied by a desk based Coal Mining Risk Assessment prepared for the proposed development by Subadra Consulting Ltd, ref: CP17129 CL 003 (dated August 2018) which has been informed by an appropriate range of sources of information.

Based on this review of geological and coal mining information, the report author concludes that the site does not overly any known mine workings at shallow depth however the report concurs with our information that shallow coal may have been worked at some time in the past beneath the site.

The report author has reviewed historic borehole logs from site investigations undertaken within the surrounding area (100m north and 120m south of the site, and the first coal seams encountered were 13.4m and 9.2m depth respectively) the report author concludes that the risk of unrecorded former mine workings affecting the proposed development is negligible.

Whilst we acknowledge that the report author has considered all available information, there remains the fact that the actual ground conditions / coal workings within this specific site remain unknown. Based on findings within the surrounding area that coal exists at shallow depth, we considers that in order to confirm the presence or absence of unrecorded shallow coal mine workings beneath the application site, intrusive site investigations in the form of rotary boreholes are considered necessary. These works will require written consent from the Coal Authority's Permitting Department as part of the permitting process.

Once the exact ground conditions have been established a competent person can then confirm and design an appropriate mitigation strategy such as grouting and stabilisation works, specific foundation design and / or gas protection measures, if deemed necessary, to ensure the safety and stability of the proposed development.

We would like to add that mine gases can find routes to the surface through mine openings and other points of weakness in the overlying strata. How, where and when gases move is very difficult to predict and can extend for some distance from the origin. Therefore, we would expect gas monitoring installations to also be carried alongside the above site investigation works or alternatively gas protection measures to be incorporated as part of the foundation design.

Therefore, in order to ensure that sufficient information is provided by the applicant to demonstrate to the LPA that the site is, or can be made, safe and stable for the development proposed (as required by Planning Policy Wales, paragraph 13.9) you may wish to consider the imposition of planning conditions which cover the issues set out below.

Prior to the commencement of development:

- * The undertaking of the scheme of intrusive site investigations, designed by a competent person and adequate to properly assess the ground conditions on the site and establish the risks posed to the development by past coal mining activity;
- * The submission of a report of findings arising from the intrusive site investigations and any remedial works and/or mitigation measures considered necessary;
- * Implementation of the remedial works and/or mitigation measures.

The Coal Authority is able to **withdraw our objection** to the proposed development, **subject to the imposition of a planning condition or conditions to secure the above.**

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

Yours sincerely

D Roberts

Deb Roberts *M.Sc.*

Planning Liaison Officer

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 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.