



**The Coal
Authority**



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Learning Partner

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For the Attention of: Ms C Jones – Case Officer
Wrexham County Borough Council

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

13 April 2022

Dear Ms Jones

PLANNING APPLICATION: P/2022/0277

RESERVED MATTERS PURSUANT TO OUTLINE PLANNING PERMISSION P/2019/0829 (ACCESS, APPEARANCE, LANDSCAPING, LAYOUT AND SCALE) – ERECTION OF DWELLING; Hillcroft, Wrexham Road, Pentre Bychan, Wrexham, LL14 4DT

Thank you for your notification of 24 March 2022 seeking the views of the Coal Authority on the above reserved matters application.

The Coal Authority Response:

It is noted that the Coal Authority were consulted by the Local Planning Authority (LPA) as part of the applicant's outline application: P/2019/0829. We raised no objection to the LPA granting outline consent, subject to the undertaking of intrusive site investigations prior to the submission of the reserved matters application. This was to ensure that the risk of the two mine entries within influencing distance of the site (one on-site and one off-site) could be assessed and inform any remedial and or mitigation measures and to inform the layout of the development to ensure adequate separation of the dwelling and mine entries are maintained. The applicant is aware that the Coal Authority is of the opinion that building over the top of, or in close proximity to, mine entries should be avoided wherever possible, even after they have been capped, in line with our adopted policy:

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

We are pleased to note that the LPA imposed a condition (Condition 10) which 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 Application Form identifies that a Mining Investigation Report and a Supporting Statement for the Coal Authority by independent Structural Engineer has been submitted with this application. However, on checking the LPA website we have only been able to access the Supporting Statement for the Coal Authority by independent Structural Engineer (Letter from Andrew Hannett Limited dated 17 March 2022). We would therefore request that the Mining Investigation Report is submitted so that we can provide the LPA with our informed comments on this reserved matters application.

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

Yours sincerely

D Roberts

Deb Roberts M.Sc. MRTPI
Planning & Development 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. 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>

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. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at: <https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

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.