



**The Coal
Authority**



INVESTOR IN PEOPLE



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For the Attention of: Mr B Bolton – Case Officer
Wrexham County Borough Council

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

[Copy Email: Bryn.Bolton@wrexham.gov.uk]

24 November 2021

Dear Mr Bolton

PLANNING APPLICATION: P/2021/0588

Change of use from social club (class d1 use) to bar and restaurant (class A2 use) and provision of children's play area (partly in retrospect); Acrefair Sports and Social Club, Bethania Road, Acrefair, Wrexham: Re-consultation

Thank you for your notification of 15 November 2021 seeking the views of the Coal Authority on further information submitted in support of 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 you dated 07 July 2021. We informed the LPA that:

Whilst we acknowledge that the proposed development is predominantly for the change of use of an existing building, the proposal includes the provisions for a children's play area, seating area and the formation of a parking area. All areas could be over or within influencing distance (unstable area should the mine entry collapse) of these mining features.

Whilst it does not appear that any significant ground works will be required to facilitate the proposed development, the nature of the proposal will actively encourage members of the public / children to use this site. Therefore, we

consider that the applicant needs to demonstrate to the LPA that this proposed development will be safe for the users of this site.

We welcome the submission of Coal Mining Risk Assessment, 05 October 2021 prepared for the proposed development by GeoInvestigate Ltd. The Assessment has been informed by an appropriate range of sources of historical, geological and coal mining information.

Having carried out a review of the available information, the report author is satisfied that there is no risk to the proposal from historic shallow coal mining, however there remains a risk as a result of the proximity of the proposed play area and the adjacent outdoor seating area in relation to mine shaft ref: 327343-533. Recommendations have been made that the play area / seating area are re-positioned outside the departure zone (identified in Appendix F of the Assessment). Alternatively, if this is not possible, the area could be safeguarded with anchored geo-grid.

The Coal Authority Recommendation to the LPA

In light of the above, the Coal Authority recommends the LPA impose the following condition:

Prior to the development being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

This is our recommendation for condition wording. Whilst we appreciate that you may wish to make some amendment to the choice of words, we would respectfully request that the specific parameters to be satisfied are not altered by any changes that may be made.

The Coal Authority **withdraws its objection** to the proposed development **subject to the imposition of the 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. MRTPI
Planning & Development Manage

General Information for the Applicant

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.

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.