



**The Coal
Authority**



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For the Attention of: Matthew Phillips – Case Officer
Wrexham County Borough Council

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

15 March 2018

Dear Mr Phillips

PLANNING APPLICATION: P/2018/0139

Application for outline planning permission for residential development at Land South of Pinecroft, Afoneitha Road, Penycae, Wrexham

Thank you for your consultation letter of 23 February 2018 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 for 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: Material Consideration

The application site falls 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, specifically a thick coal seam outcrops at or close to the surface of the site which may have been worked in the past.

The application is supported by a Coal Mining Risk Assessment report (3 January 2018, prepared by NKC Geotech Ltd). The submitted report indicates that an intrusive site investigation, comprising the drilling of 5 boreholes to maximum depths of 30.0m bgl, has recently been carried out in order to investigate the presence or otherwise of unrecorded shallow coal mine workings. These works were carried out under Coal Authority Permit no. 15454.

The report indicates that a deeper coal seam (considered to be the Half Yard Coal) was encountered in all boreholes and the probable outcrop of the Stone Coal seam was encountered in the easternmost borehole (BH4). No evidence of shallow coal mining activity was encountered.

The report concludes that 'the site', which we presume relates to the development area shown on the illustrative layout, is located to the west of the outcropping Stone seam which dips east. The report author is satisfied that no evidence was encountered of shallow mining activity within the Half Yard Coal and, as such, there is no requirement for remedial or mitigatory measures to address coal mining related subsidence.

The Coal Authority notes the professional opinions expressed in the Coal Mining Risk Assessment report with respect the stability of the development area shown on the Illustrative Layout drawing. However, it must be noted that the planning application is seeking to establish the principle of development on the site as a whole, with details of the site layout reserved for later approval. As such, there exists the potential for development to be sited to the east of the outcropping Stone Coal seam, where this seam will lie at shallow depth.

The Coal Authority Recommendation to the LPA

The Coal Authority is satisfied with the broad conclusions of the Coal Mining Risk Assessment report, informed by the site investigation works; that coal mining legacy issues are not significant within the development area shown on the Illustrative Layout drawing and do not pose a risk to the development in this area. Accordingly, The Coal Authority **does not object** to the proposed development. However, further more detailed considerations of ground conditions, foundation design and gas protection measures may be required as part of any subsequent Building Regulations application.

The applicant is requested to note that should the subsequent reserved matters application relating to site layout position development to the east of the outcrop of the Stone Coal seam (as shown on the Borehole Plan appended to the Coal Mining Risk Assessment report), The Coal Authority would expect the undertaking of further intrusive site investigations to demonstrate to the LPA that this seam has not been worked beneath the eastern part of the application site.

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 Liaison 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:

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.