



**The Coal
Authority**



INVESTOR IN PEOPLE



RTPI
Learning Partner

200 Lichfield Lane
Berry Hill
Mansfield
Nottinghamshire
NG18 4RG

Tel: 01623 637 119 (Planning Enquiries)

Email: planningconsultation@coal.gov.uk

Web: www.gov.uk/coalauthority

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

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

08 January 2020

Dear Mr Phillips

PLANNING APPLICATION: P/2019/0939 CONDITIONS

APPLICATION FOR VARIATION OF CONDITIONS NOS 2 AND 3 IMPOSED UNDER PLANNING PERMISSION P/2015/0382 TO EXTEND TIME LIMIT FOR COMMENCEMENT OF DEVELOPMENT BY 5 YEARS; Land Off North Road, Ponciau, Wrexham

Thank you for your notification of 23 December 2019 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 of 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

I have reviewed the proposals and confirm that 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.

The Coal Authority records indicate that the site is in an area of both recorded and historic unrecorded underground shallow coal mining. In addition, 2no. recorded mine entries (1 x on-site; 1 x off-site) are within or within influencing distance of this site. The Coal Authority hold no treatment details for these mine entries and due to plotting inaccuracies, there could be some deviation, by several metres from the current plotted position.

However, this planning application is for the variation of conditions (extension of time limit only) therefore, the principle of the development should have been established as part of the planning permission: P/2015/0382.

It does not appear that the Coal Authority were previously consulted for the above outline consent. Therefore we are assuming that full consideration has been afforded to the ground conditions and any risks arising from land instability as part of the planning permission: P/2015/0382 and that the Local Planning Authority (LPA) are satisfied that the site is suitable for its proposed use subject to robust remedial measures being incorporated.

We note planning permission P/2015/0382 is granted for outline consent only, therefore as there are mining features that impact the layout of the development (2no. mine entries) the Coal Authority would request that we are consulted on the reserved matters application. Currently, Drawing No. H078/004 (Site & Location Plan) would appear to have been informed by the presence of these mine entries as no buildings are being proposed over the mine entries. The on-site mine entry is within an area of public open space and the zone of influence of the off-site mine entry is within a parking area and rear amenity area for Plot 11.

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>

The Coal Authority has **no objection** to this variation of condition application however we welcome the opportunity to review and comment on the reserved matters application.

Therefore, we would recommend that as part of the reserved matters application, the applicant provides details / findings of the site investigations; identify the location / condition / treatment details for the on-site mine entry and its resultant zone of influence; and the zone of influence of the off-site mine entry based on the worst case scenario that the mine entry is just outside the planning site boundary). The remedial / mitigatory strategy should also be provided. We consider that this evidence is required in order for the applicant to demonstrate to the LPA that the site is safe, stable and suitable for the development proposed (Planning Policy Wales paras.6.9.23, 25 & 26).

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 Liaison Manager

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.