



**The Coal
Authority**



INVESTOR IN PEOPLE



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

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

20 August 2019

Dear Philip Forster

PLANNING APPLICATION: INV P/2019/0598

**PROPOSED COMMERCIAL / INDUSTRIAL DEVELOPMENT FOR B1 AND B8 USE;
East Of The Fire Station Land At, Gutter Hill, Johnstown, Wrexham**

Thank you for your consultation letter of 09 August 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: Fundamental Concern

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 the presence of mine entry ref. 329346-495 within 20m of the application site boundary. When considering a departure of several metres from its recorded position, this mine entry has the potential to be within the application site boundary. 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>

The Coal Authority **objects** to this planning application, as the required Coal Mining Risk Assessment Report, or equivalent, has not been submitted as part of the application. In this case the Risk Assessment may need to be informed by intrusive site investigations in order to establish the location and condition of the mine entry. These findings should then be used to inform the site layout and identify the zone of influence from this feature in order to demonstrate that adequate separation is provided between this feature and any buildings proposed. A plan should be provided within the Risk Assessment which indicates the relationship between the mine entry and its zone of influence and the layout proposed.

The Coal Authority would be very pleased to receive for further consultation and comment any additional information submitted by the applicant.

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

Yours Sincerely,

George Weightman

George Weightman | MSc, BSc (Hons)
Trainee Planning Liaison Manager

General Information for the Applicant

The Coal Mining Risk Assessment needs to interpret the coal mining risks and should be based on up-to-date information of past coal mining activities in relation to the application site. A variety of Coal Mining Report products which provide baseline information on coal mining legacy risks are available from www.groundstability.com. A Coal Mining Risk Assessment should then take the information contained in the Coal Mining Report and interpret the risks identified specifically in relation to the proposed development. If you merely submit a Non Residential Coal Mining Report, an Enviro All-in-One Report or other factual report obtained from www.groundstability.com (or a similar product from private land search suppliers) this will not overcome our objection to your planning application.

The need for a Coal Mining Risk Assessment is set out in the National Planning Practice Guide at:

<http://planningguidance.planningportal.gov.uk/blog/guidance/land-stability/land-stability-guidance/>

This coal mining information you obtain from a Non-Residential Coal Mining Report, an Enviro-All-in-One Report or other factual report should then be used to assess whether or not past mining activity poses any risk to the development proposal and, where necessary, propose mitigation measures to address any issues of land instability. This could include further intrusive investigation on site to ensure that the Local Planning Authority has sufficient information to determine the planning application.

The Coal Mining Risk Assessment should be prepared by a “competent body”. Links to the relevant professional institutions of competent bodies can be found at:
<https://www.gov.uk/planning-applications-coal-mining-risk-assessments>

Guidance on how to produce a Coal Mining Risk Assessment and a template which the “competent body” can utilise is also contained at:
<https://www.gov.uk/planning-applications-coal-mining-risk-assessments>

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.