



**The Coal
Authority**



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

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

[Copy Email: Matthew.Phillips@wrexham.gov.uk]

08 March 2019

Dear Mr Phillips

PLANNING APPLICATION: P/2018/1047

Demolition of existing property and redevelopment to form 4 no. new dwellings and access; Nantcol, 57 Bryn Glas, Rhosllanerchrugog, Wrexham, LL14 2EA

Thank you for your notification of 25 February 2019 seeking the views of the Coal Authority on further information submitted in support of the above planning application.

The Coal Authority Response: Substantive Concern

As you are aware, the Coal Authority objected to this proposal in our previous letter to the Local Planning Authority dated 20 December 2018.

The applicant has now provided a Mining Study – Shaft Search (2165/BGR/ShaftSearch/mjs, dated 21st February 2019) prepared by GroundSolve Ltd which has been informed by ground investigations within the footprint of the existing building in order to establish the position of the on-site recorded mine entry: 328345-300. It is noted that the Coal Authority's written consent / agreement for these works, via our Permitting Section, has not been obtained.

I have sought technical advice from my colleague in the Permitting Section of the Coal Authority on the information submitted. On the basis of the information contained in the above Report, my colleague is not satisfied that adequate investigation works have been carried out to discount the presence of the mine entry from being present within the site.

Accordingly, as the applicant has failed to discount the presence of this mine entry and the current layout as per Drawing No. C063/022 (Site & Location Plan) does not accord with

our adopted policy; we consider that the applicant should revise the layout in order that, as stated within my previous letter; *built development avoids the mine shafts (including any known deviation from the plotted position together with their resultant zone of influence)*. Accordingly, if the applicant is able to amend the layout, we consider that the proposed mitigation strategy as identified within the Mining Study (Section 8) would be appropriate and acceptable.

It is a requirement of Planning Policy Wales, paragraph 6.9.23, 24, 26 and 27 that the applicant demonstrates to the satisfaction of the LPA that the application site is safe, stable and suitable for development.

The Coal Authority Recommendation to the LPA

In light of the above, the Coal Authority **maintains its objection** to this proposal as the proposed layout as per Drawing No. C063/022 (Site & Location Plan) does not accord with our adopted policy: <https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

As identified above, there is no record of a permit being granted by the Coal Authority's Licensing and Permitting Department for the intrusive site investigation works which have been undertaken on this site. The applicant should be reminded that under the Coal Industry Act 1994 any intrusive activities, including initial site investigation works to search for a recorded mine entry, prior written permission of the Coal Authority is required, 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. The applicant should therefore contact our Licensing and Permitting Department to discuss options for regularising the investigation works through the submission of a retrospective permit application. 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

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

Yours sincerely

D Roberts

Deb Roberts *M.Sc. MRPTI*
Planning 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>

The Coal Authority is of the opinion that building over, or in close proximity to, mine entries should be avoided wherever possible, even after they have been treated / capped, in line with our adopted policy: <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.