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For the attention of: Simon Greenland – Case Officer
Wrexham County Borough Council

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

7 June 2024

Dear Simon

Re: P/2024/0197

Erection of new stabling, hardstanding and Fencing (partly in retrospect); land to the north of Brymbo Road, Bwlchgwyn, Wrexham – FURTHER INFORMATION RECEIVED

Thank you for your notification of 28 May 2024 seeking the further views of the Coal Authority on the above.

The Coal Authority response: Fundamental Concern – RECOMMEND REFUSAL

The application site falls within the defined Development High Risk Area.

The Coal Authority information indicates that 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. Our records indicate the presence of one recorded mine entry (shaft) within the planning boundary. An untreated mine entry and its resultant zone of influence pose a significant risk not only to surface stability but also to public safety.

In addition to the above, our records indicate that the site is likely to have been subject to unrecorded underground coal mining at shallow depth. Voids and broken/disturbed ground associated with such workings can pose a risk of ground instability and may give rise the emission of mine gases.

Whilst we initially noted that the applicant was seeking retrospective consent, there appeared to be no evidence to demonstrate that coal mining issues were taken into consideration, prior to the development being undertaken.

The applicant then submitted a Coal Mining Risk Assessment (Undated, prepared by En-Plan), which appeared to have been plagiarised from a report prepared by Wardell Armstrong for a different site. Despite this, the assessment of the risks posed by coal mining legacy were not considered to be adequate to the Coal Authority, specifically in regard to the risks posed by potentially unrecorded shallow coal mine workings, which our data confirms potentially implicate on the site. We confirmed that the nearby opencast mine may reinforce this and the recorded mine entry within the site may reinforce this further still.

The Coal Authority now notes what appears to be an updated Coal Mining Risk Assessment (28 May 2024, prepared by En-Plan). However, and again the report appears to have been plagiarised from a report prepared by Wardell Armstrong for a different site. Specifically, you will note that large portions of commentary within the report do not relate to this site and are significantly misleading (i.e. commentary on pages 3 and 4 of the report). This is of significant concern to us and I have today forwarded this to representatives at Wardell Armstrong for their thoughts.

Notwithstanding the above, the report in no way addresses our previous concerns in regard to the risks posed by potentially unrecorded shallow coal mine workings underlying the site and the two reports included in your email could not be considered to constitute a Coal Mining Risk Assessment. Consequently, the applicant has failed to demonstrate to the satisfaction of the Local Planning Authority that the proposals are acceptable having due regard to coal mining legacy. The proposals therefore fail to satisfy Planning Policy Wales, paragraphs 6.9.23 to 6.9.27 and **the Coal Authority recommends the planning application be REFUSED PLANNING PERMISSION.**

Finally, and in response to commentary on the final page of the applicant's Coal Mining Risk Assessment, the content of which confirms that the stables will be ground mounted, the Coal Authority seeks clarification regarding this, specifically as retrospective consent is being sought.

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

Yours sincerely

Chris MacArthur

Chris MacArthur B.Sc. (Hons), DipTP, MRTPI
Planning Liaison Manager

General Information for the Applicant

Building over or within the influencing distance of a mine entry (shaft or adit) can be dangerous and has the potential for significant risks to both the development and the occupiers if not undertaken appropriately. The Coal Authority would draw your attention to our adopted policy regarding new development and mine entries:

<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 coal mining 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.



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