



**The Coal
Authority**



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For the Attention of: Mr S. Greenland – Case Officer
Wrexham County Borough Council

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

24 June 2021

Dear Mr Greenland

PLANNING APPLICATION: P/2021/0543

Demolition of existing chapel and construction of 2 no. detached dwellings (previous outline consent P/2017/0666) at Salem Chapel, Bank Street, Ponciau, Wrexham

Thank you for your consultation letter of 10 June 2021 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

The application site falls within the defined Development High Risk Area; therefore within the 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. More specifically, the site lies in an area where historic unrecorded coal mining activity is likely to have taken place at shallow depth.

The planning application is accompanied by a Shallow Mining Assessment report (31 January 2018, prepared by Groundsolve Ltd), which we note was also submitted in support of application P/2017/0666 for outline planning permission for residential development at the site.

Based on a review of appropriate sources of coal mining and geological information, the submitted report concludes that there is a potential risk posed to proposed development at the site by past coal mining activity. It goes on to recommend that drilling and grouting is carried out in order to stabilise shallow coal workings which are considered likely to be present beneath the site. The report author also recommends that a foundation solution should then be designed to take account of the ground conditions encountered.

The Coal Authority welcomes the recommendation for the undertaking of remedial stabilisation works. These works should be designed by a competent person and should be adequate to ensure the safety and stability of the development as a whole.

The applicant is requested to note that Permission is required from the Coal Authority Permit and Licensing Team before undertaking any remedial works that will disturb Coal Authority property, i.e. coal seams and associated workings.

Mine Gas

It should be noted that wherever coal resources or coal mine features exist at shallow depth or at the surface, there is the potential for mine gases to exist. These risks should always be considered by the LPA. The Planning & Development team at the Coal Authority, in its role of statutory consultee in the planning process, only comments on gas issues if our data indicates that gas emissions have been recorded on the site. However, the absence of such a comment should not be interpreted to imply that there are no gas risks present. Whether or not specific emissions have been noted by the Coal Authority, local planning authorities should seek their own technical advice on the gas hazards that may exist, and appropriate measures to be implemented, from technically competent personnel.

The Coal Authority Recommendation to the LPA

The Coal Authority's Planning Team concurs with the conclusions of the Shallow Mining Assessment report; that coal mining legacy poses a risk to the proposed development and that remedial measures are required in order to ensure the safety and stability of the development.

As such, should planning permission be granted for the proposed development, we would recommend that the following conditions are included on the Decision Notice:

- 1. No development shall commence (excluding the demolition of existing structures) until remedial stabilisation works to address land instability arising from unrecorded coal mining legacy has been carried out in full in***

order to ensure that the site is made safe and stable for the development proposed.

The remedial works shall be carried out in accordance with authoritative UK guidance.

- 2. Prior to the occupation of the development a signed statement or declaration prepared by a suitably competent person confirming that the site has been made safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the completion of the remedial works and any mitigatory measures necessary to address the risks posed by past coal mining activity.*

The Coal Authority therefore wishes to raise **no objection** to the proposed development **subject to the imposition of the above conditions**. This is our recommendation for condition wording. Whilst we appreciate that you may wish to make some amendment to the choice of words, we would respectfully request that the specific parameters to be satisfied are not altered by any changes that may be made.

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 and Development 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.