



200 Lichfield Lane
Mansfield
Nottinghamshire
NG18 4RG

T: 01623 637 119 (Planning Enquiries)

E: planningconsultation@coal.gov.uk

W: www.gov.uk/coalauthority

For the attention of: Ms S. Holman – Case Officer
Wrexham County Borough Council

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

26 January 2026

Dear Ms Holman

Re: Planning application P/2022/0754

Demolition of existing building and erection of 5 dwellings at Terfynfa, 12 Smelt Road, Coedpoeth, Wrexham, LL11 3SH - RECONSULTATION

Thank you for your notification of 22 January 2026 seeking the further views of the Coal Authority (trading as the Mining Remediation Authority) on the above planning application.

The Coal Authority response: MATERIAL CONSIDERATION

We last commented on this proposal in our initial consultation response letter of 23 September 2022. In this letter, we objected to the application due to the lack of a supporting Coal Mining Risk Assessment to identify and assess the risks posed by coal mining legacy to the proposed scheme of development.

At the time of our initial response, the western edge of the application site was located within the defined Development High Risk Area on the basis that our information indicated that a coal seam of potentially workable thickness outcropped beyond the western boundary, dipping in an easterly direction beneath the site.

It should be noted that since we issued our initial response, our Mining Information Team undertook a review of available information which resulted in the addition to our database of a recorded mine entry (shaft, ref. 327351-282) in a position c.9.6m beyond the western

site boundary. The potential zone of influence of this feature could extend into the western part of the application site. Due to potential plotting inaccuracies, the actual position of the shaft could depart/deviate from its plotted position by several metres. We hold no details of any past treatment of this feature. An untreated or inadequately treated mine entry and its resultant zone of influence pose a significant risk not only to surface stability but also public safety.

We note that the applicant has now submitted a '2nd CMRA Follow-On Rotary Drilling Investigation' (19 November 2025, prepared by Geoinvestigate Limited) in support their application. This document is marked 'Draft Report for Discussion'. We assume that the LPA will be seeking a final version of this report from the applicant for completeness of the planning file. The following comments are made on the assumption that the conclusions of the final version of the report will reflect those of the draft version reviewed. Please revert to us if this proves not to be the case.

The report refers to an initial Coal Mining Risk Assessment produced to support development proposals at the site (not submitted with the application) and details and discusses two phases of intrusive investigations undertaken to further assess the risks posed by coal mining legacy. These investigations included standard and angled boreholes drilled to a maximum depth of 30m bgl.

The report indicates that whilst coal was encountered in the boreholes, no evidence of historical underground mining was encountered during drilling. It also indicates that recorded shaft 327351-282 was confirmed as being absent from a zone extending 5m beyond the western site boundary fence. As such, the report author is satisfied that the zone of influence of the shaft (in the event of an off-site collapse) does not extend eastwards beyond the western site boundary into the development area.

In light of the results of the site investigations undertaken, the report concludes that *'Consequently, regarding mining stability there is in Geoinvestigate's opinion no requirement for further mitigation neither further drilling investigation, special foundation design nor mine working stabilisation by grouting.'*

The Coal Authority recommendation to the LPA (revised):

The Coal Authority's Planning & Development Team considers that the content and conclusions of the Coal Mining Risk Assessment report are sufficient for the purposes of the planning system in demonstrating that coal mining legacy issues are not significant within the application site and that the site may be considered safe and stable for the proposed development in terms of coal mining legacy. The Coal Authority therefore **WITHDRAWS ITS OBJECTION** to the proposed development. However, further more detailed considerations of ground conditions and foundation design may be required as part of any subsequent building regulations application.

Should planning permission be granted for this proposal, we request that the following Informative Notes are included on the decision notice:

1 - Ground Investigations and groundworks

Under the Coal Industry Act 1994 any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Mining Remediation Authority since these activities can have serious public health and safety implications. Such activities could include site investigation boreholes, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain permission to enter or disturb our property will result in the potential for court action. Application forms for Mining Remediation Authority permission and further guidance can be obtained from: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property.

2 - Requirement for Incidental Coal Agreements

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required from the Mining Remediation Authority. Further information regarding Incidental Coal Agreements can be found at: www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements.

3 - Shallow coal seams

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

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.

SuDS

Where SuDS are proposed as part of the development scheme consideration will need to be given to the implications of this in relation to the stability and public safety risks posed

by coal mining legacy. The developer should seek their own advice from a technically competent person to ensure that a proper assessment has been made of the potential interaction between hydrology, the proposed drainage system and ground stability, including the implications this may have for any mine workings which may be present beneath the site.

If you would like to discuss this matter further, please contact me on the above number.

Yours sincerely

James Smith

James Smith *BSc. (Hons), Dip.URP, MRTPI*
Planning and Development Manager

Disclaimer

The above consultation response is provided by the Coal Authority as a statutory consultee and is based upon the latest available data and the electronic consultation records held by the Coal Authority since 1 April 2013. The comments made are also based on the information provided to the Coal Authority by the Local Planning Authority and/or information that has been published on the Council's website for consultation purposed 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 advisors for this development in relation to ground conditions and the acceptability of development.