The Coal Authority

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

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

25 February 2026

Dear Ms Holman

Re: Planning application P/2025/0946

Outline application for erection of dwelling (all matters reserved) at Land to the rear of 11 and 11a Stanley Road, Ponciau, Wrexham - RECONSULTATION

Thank you for your notification of 24 February 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

As you are aware, the application site falls within the Development High Risk Area. Our records indicate that the site lies in area where coal mining has taken place at shallow depth and where further historic unrecorded shallow coal mining is likely to have occurred. In addition, our records indicate that that two mine shafts are present to the north and north east of the site, with their potential zones of influence extending into the site. This coal mining legacy can pose a potential risk to surface stability and public safety.

You will recall that we last commented on this proposal in our consultation response letter of 22 January 2026. In this letter, we objected to the application on the basis that the supporting Coal Mining Risk Assessment (dated 17 January 2026, prepared by NKC Geotech Ltd) was prepared to inform development on only part of the current application site.

In light of the above, we are pleased to note that the applicant has now submitted a revised report, dated 20 February 2026, in support of their application which seeks to assess coal mining legacy across the entirety of the current application site (outlined in blue on 'Geological plan of the locality' included with the report).

As with the initial report, the revised report identifies a potential risk to the stability of the site from mine workings in the Main Coal seam. It goes on to recommend the undertaking of a borehole investigation to confirm the depth of the Main Coal and the amount of overlying rock cover in order to establish whether remedial drilling and grouting works are required to stabilise these workings.

The report author appears to be satisfied that off-site mine shaft 329346-158 lies a sufficient distance away to pose no risk of instability to the application site. However, in consideration of potential plotting inaccuracies, they acknowledge that shaft 329346-581 could potentially lie close to or under the northern site boundary. If this were the case, they go on to comment that the instability zone around this shaft (zone of influence) may encroach c.4.5m into the north-western corner of the site.

The report goes on to advise that '*The depth to rockhead in the northern extremity of the site must be proved by drilling and the instability zone of Shaft 329346-581 calculated on the worst-case scenario of the shaft lying close to or under the site boundary. No construction will be allowed within the instability zone and the proposed building may have to be re-located further into the plot if rockhead exceeds the currently estimated 3.0m*.'

The Coal Authority's Planning & Development Team welcomes the undertaking of intrusive investigations to enable the further assessment of the risk posed by coal mining legacy to development at the site. We wish to comment that the scope of these investigations, which should be carried out by competent persons, should be broadened to establish the shallow coal mining situation and to locate the mine shaft / to confirm its absence from the site and to establish the risk this feature poses to proposed development.

The results of the investigations should be used to inform any remedial works and/or mitigation measures that may be necessary to ensure the safety and stability of the proposed development as a whole, including buildings and external parts of the site. Such works/measures may include drilling and grouting works to stabilise shallow workings, the grouting and capping of the mine shaft if located, foundation solutions and the installation of geogrid reinforcement to external areas to provide temporary ground support in the event of an off-site collapse of the shaft close to the site boundary.

As we highlighted in our initial response letter, we have adopted a policy where, as a general precautionary principle, the building over or within the influencing distance of a mine entry should wherever possible be avoided. In this particular case, the recorded mine shaft and its potential zone of influence are not shown on the proposed indicative layout.

However, we acknowledge that the applicant is seeking to establish the acceptability of the principle of the proposed development at this stage and that the siting of the development is not currently being considered by the LPA.

The Coal Authority's Planning & Development Team therefore considers that the intrusive investigations to locate the shaft / to confirm its absence from the site should be carried out prior to the formulation of a detailed site layout. These works should also be used to calculate the associated potential zone of influence of the shaft, whether located on-site or considered to lie off-site, and to inform any necessary remedial treatment works and mitigation measures to address the stability risks posed by the feature.

Any subsequent reserved matters application seeking the approval of a detailed site layout should include a plan identifying the shaft and an appropriate no-build zone around this feature. This plan should demonstrate to the LPA that the detailed layout of development has been suitably informed by the presence of the mine entry.

Prior to the undertaking of any investigations into the mine entry, the Coal Authority considers that it would be prudent for the applicant to carry out a positional review of the feature from source data, to ensure that investigations are based upon the most accurate best plot position for the shaft.

The applicant should note that Permission is required from our Permitting Team before undertaking any activity, such as ground investigation and remedial measures, which may disturb our property. Any comments that we may have made in a Planning context are without prejudice to the outcomes of a Permit application.

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/entries which may be present beneath/within the site.

The Coal Authority Recommendation to the LPA

The Coal Authority's Planning & Development Team concurs with the conclusions of the revised Coal Mining Risk Assessment; that coal mining legacy poses a risk to the proposed development and that investigations are required, along with possible remedial measures, in order to ensure the safety and stability of the proposed 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. ***Prior to the submission of any Reserved Matters application seeking approval of a detailed layout of development, a scheme of intrusive investigations shall be carried to locate recorded mine shaft 329346-581 or to confirm its absence from the site and to establish the risks posed to the development by past shallow coal mining activity. These works shall be carried out in accordance with authoritative UK guidance.***

2. ***Any application seeking approval of a detailed layout of development shall be accompanied by: the findings of the intrusive site investigations (required by condition 1 above); a proposed layout plan which identifies the position of recorded mine shaft 329346-581 if located, the extent of its potential zone of influence be it present on-site or considered to lie off-site, and a suitable no-build zone around the feature.***

3. ***Prior to the commencement of above ground development (excluding demolition of existing structures and site clearance), any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, shall be implemented in full in order to ensure that the site is made safe and stable for the proposed development. These works shall be carried out in accordance with authoritative UK guidance.***

4. ***Prior to the first 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 any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.***

The Coal Authority therefore **withdraws its 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.

Should planning permission be granted for this proposal, we also 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.

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.