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For the attention of: Sarah Duckworth – Case Officer
Wrexham County Borough Council

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

28 April 2026

Dear Sarah

Re: P/2026/0061

Erection of dwelling with detached garage; land south of Penrallt, Russell Street, Cefn Mawr, Wrexham, LL14 3BL

Thank you for your notification of 23 April 2026.

The Coal Authority is a non-departmental public body sponsored by the Department for Energy Security and Net Zero. 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

I have reviewed the proposals and confirm that the application site falls within the defined Development High Risk Area; therefore 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.

The Coal Authority records indicate that the site has been subject to historic recorded underground coal mining at shallow depth and is likely to have been subject to historic

unrecorded underground coal mining at shallow depth associated with thick coal seam outcrops. Voids and broken/disturbed ground associated with such workings can pose a risk of ground instability and may give rise to the emission of mine gases.

The Coal Authority notes the supporting Coal Ming Risk Assessment (26 March 2026, prepared by the commercial arm of the Coal Authority), which accompanies the application and has been informed by an appropriate range of sources of information.

Having reviewed the available evidence, the report author considers that there is currently a risk to the proposed development from possible shallow coalmine workings. Accordingly, recommendations have been made that in order to mitigate the risk, intrusive ground investigations are required. The findings of the intrusive site investigations should inform any remedial / mitigatory measures that may be required to ensure that the site is suitable for the development proposed.

The intrusive site investigations should be designed and undertaken by competent persons and should be appropriate to assess the ground conditions on the site in order to establish the coal-mining legacy present and the risks it may pose to the development and inform any remedial works and/or mitigation measures that may be necessary.

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.

SUDS

It should be noted that 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.

The Coal Authority Recommendation to the LPA

The Coal Authority concurs with the recommendations of the Coal Mining Risk Assessment that coalmining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site.

Accordingly, the Coal Authority recommends the imposition of the following conditions:

1. *No development shall commence until;*

   a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and;

   b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is safe and stable for the development proposed.

   The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

2. *Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or 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 methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.*

The Coal Authority therefore **has no objection** to the proposed development **subject to the imposition of the conditions to secure the above**. *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 INCLUDE AS INFORMATIVE NOTES FOR APPLICANTS ON ANY PLANNING PERMISSION GRANTED

1 – Ground Investigations

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 to enter or disturb our property will result in 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

2 – 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.

To check your site for coal mining features on or near to the surface the Coal Authority interactive map viewer allows you to view selected coal mining information in your browser graphically. To check a particular location either enter a post code or use your mouse to zoom in to view the surrounding area.

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

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.