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

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

20 May 2026

Dear Ms Duckworth

Re: P/2025/0782

Outline application for erection of dwelling (all matters reserved); Land East of Foxhollow Cottage, Heol Pen Y Felin, Coedpoeth, Wrexham, LL11 3TU - RECONSULTATION

Thank you for your notification of 18 May 2026 seeking the views of the Coal Authority (now trading as the Mining Remediation Authority) on further information submitted in support of the above.

The Coal Authority response: **Material Consideration**

As you are aware, the Coal Authority objected to this planning application in our previous letter dated 28 January 2026 as no Coal Mining Risk Assessment had been provided in order to assess and mitigate any risk to the proposed development from the coal mining legacy identified within or within influencing distance of the site.

We welcome the submission of the Desk Based Coal Mining Risk Assessment Report (4281T CMRA Wheeler – Wrexham LL11 3TU, 14/05/2026) produce by Castledine Environmental. The Report has been informed by historical, geological and coal mining information.

Having carried out their review of the available information, the report authors concur with our records and consider that currently, there is a moderate level of risk from surface instability as a result of the off-site mine entry and shallow workings attributed to the coal seam inferred to outcrop through the site.

In order to mitigate the risk, recommendations have been made that intrusive site investigations are required to confirm the presence or otherwise of shallow coal mining beneath the site; and to confirm the position and condition of the mine entry and to calculate the area of influence (no build exclusion zone), as detailed within Section 9 of their Report. As the mine entry is currently recorded to be located off-site, we would only expect site investigations to be undertaken within the application site. We would recommend that prior to any ground investigations, the source data for the mine entry is reviewed in order that the applicant's geotechnical consultants can geo-reference this mining feature and to minimise the physical works required on site.

We welcome the comments made by the report authors that unrecorded mining features may exist within the application site and vigilance should be maintained during site preparation works. Should any unrecorded mine entries be encountered, they should initially be fenced off to make the area safe and appropriately assessed by an experienced engineer. Treatment of the mine entry will most likely be required. The Coal Authority will also need to be notified of any such findings.

Although the applicant is seeking outline consent only, we welcome the submission of the revised layout plan (Drawing No. KS100 Rev A), which places the proposed building as far as possible from the recorded mine entry. Building on or within the influencing distance of mine entries - GOV.UK Accordingly, if, as part of the applicant's subsequent reserved matters application the layout is as per the above plan, we would have no objections to the layout as no buildings are likely to be over or within influencing distance of this feature and therefore the layout accords with our adopted policy. The site investigations could be secured via the imposition of a planning condition that they are carried out prior to commencement of development, rather than prior to the submission of the reserved matters application.

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

The applicant should be aware that Permission is required from the Coal Authority Permit and Licensing Team before undertaking any activity, such as ground investigation and ground works, which may disturb coal property. Please note that any comments that the Coal Authority may have made in a Planning context are without prejudice to the outcomes of a Permit application.

Mine Gas

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.

Sustainable Drainage

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

In light of the above, the Coal Authority recommends the imposition of the following conditions:

1. No development shall commence until;

a) a scheme of intrusive site 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 made safe and stable for the development proposed. This shall include a plan to illustrate the exact position (and grid co-ordinates) of the mine entry (if found within the site) and the calculated zone of influence of this feature.

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.

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.

The Coal Authority **withdraws its objection** to the proposed development **subject to the imposition of the conditions** to secure the above.

It is also requested that the following Informative Notes are included on any planning permission granted:

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Mining Remediation Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at:

Building on or within the influencing distance of mine entries - GOV.UK

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at:www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property
What is a permit and how to get one? - GOV.UK (www.gov.uk)

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

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. Further information regarding Incidental Coal Agreements can be found here - https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements

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

Yours sincerely

D Roberts

Deb Roberts *M.Sc. MRTPI*
Planning & 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.