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For the attention of: Paul Roberts – Case Officer
Wrexham County Borough Council

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

14th September 2026

Dear Mr Roberts

Re: Planning application P/2026/0578

Change of use of land to a 3 pitch family gypsy and traveller site at Land West of Old Smelt Road, Coedpoeth, Wrexham

Thank you for your notification of 11 September 2026 seeking the views of the Coal Authority (trading as the Mining Remediation Authority) on the above.

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: **Fundamental Concern**

The application site falls partly within the defined Development High Risk Area (DHRA); 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.

The Coal Authority records indicate that the plotted position of on-site mine shaft 327351-179 is located in the northern part of the application site, with its potential zone of influence covering part of the site. Due to potential plotting inaccuracies, the actual position of the shaft could deviate from its plotted position by several meters (5m). We hold no details of any past treatment of this former coal mining related 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.

In addition, our records also indicate that the northern part of the application site lies in an area of outcropping coal seams, which may have been worked in the past. Voids and broken ground associated with such workings may pose a risk to ground stability and public safety.

Whilst not mentioned in the application description, we note that the Application Form and Design and Access Planning Statement refer to the application as being *'retrospective'*. The statement advises that *'Moving forward and once the application is validated, it maybe that the site layout/access needs amending to take account of consultation comments.'* We therefore assume that the works undertaken on site were in relation to its change of use rather than in connection with the erection of buildings, installation of below ground tanks etc.

We note that the application includes details of a 6m long Tricel Novo UK30 Gravity sewage treatment plant, which would require the undertaking of excavations to c.2m depth. It would appear from *'Septic tank'* annotations on the Proposed Site Plan that two of these plants are proposed, although the dimensions of symbols shown on the plan are not reflective of the dimensions in the Tricel product details.

We note that majority of the proposed change of use and associated works lie outside of the DHRA i.e. falls within the Development Low Risk Area. The only parts of the proposed development that fall within the DHRA is the two Amenity Buildings, *'Septic tank'* and Static Caravan all located in the northern part of the application site. However, we note that the Static Caravan and the two Amenity buildings would not appear to require significant groundworks/foundations.

Nevertheless, due to the proposed *'Septic tank'* requiring significant excavations works, in accordance with the agreed risk-based approach to development management in the defined Development High Risk Areas, the applicant should be informed that they need to submit a Coal Mining Risk Assessment report to support this planning application. As no relevant information has been submitted at this time, the Coal Authority **objects** to the planning application.

We take this opportunity to highlight that development over or within the influencing distance of a mine entry raises significant safety and engineering risks and exposes all parties to potential financial liabilities. The Coal Authority has 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, even when these features are treated. Our adopted policy on this matter can be found at:
www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

In this case, there exists the potential for the *'Septic tank'* in the northern part of the site to be located over or very close to the recorded mine shaft. This would fail to comply with our adopted policy and raises public safety concerns, so we must therefore object to the proposed layout of development.

In order to demonstrate that any proposed detailed layout of development at the site has been suitably informed by the presence of the mine shaft, we consider that investigations designed and carried out by competent persons to locate the feature should be undertaken prior to determination of the planning application.

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

The results of these investigations should be incorporated into the required Coal Mining Risk Assessment, and should be used to demonstrate to the LPA that the risks posed by the mine shaft are fully understood and to demonstrate how these risks are to be suitably addressed. They should also be used to inform any necessary revisions to the proposed site layout to demonstrate that the development scheme avoids the zone of influence of the shaft.

The Coal Mining Risk Assessment may also recommend the undertaking of further works to investigate the outcropping coal seam, which may have been worked affecting the site and to inform any necessary remedial measures.

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

We would be pleased to receive for further consultation and comment any additional information submitted by the applicant.

Please do not hesitate to contact me if you would like to discuss this matter further.

Yours sincerely

Bradley Shelton

Bradley Shelton

Apprentice Town Planner

General Information for the Applicant

The Coal Mining Risk Assessment needs to interpret the coal mining risks and should be based on up-to-date information of past coal mining activities in relation to the application site. A variety of Coal Mining Report products which provide baseline information on coal mining legacy risks are available from www.miningremediation.co.uk. A Coal Mining Risk Assessment should then take the information contained in the Coal Mining Report and interpret the risks identified specifically in relation to the proposed development. If you merely submit a Non Residential Coal Mining Report, an Enviro All-in-One Report or other factual report obtained from www.miningremediation.co.uk (or a similar product from private land search suppliers) this will not overcome our objection to your planning application.

This coal mining information you obtain from a Non-Residential Coal Mining Report, an Enviro-All-in-One Report or other factual report should then be used to assess whether or not past mining activity poses any risk to the development proposal and, where necessary, propose mitigation measures to address any issues of land instability. This could include further intrusive investigation on site to ensure that the Local Planning Authority has sufficient information to determine the planning application.

The Coal Mining Risk Assessment should be prepared by a "competent body". Links to the relevant professional institutions of competent bodies and guidance on how to produce a Coal Mining Risk Assessment can be found at:
www.gov.uk/planning-applications-coal-mining-risk-assessments

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. 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 coal mining 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.