

SI/1/EC2 10



LOCAL PLAN

Ref:

(For official use only)

Publication Stage Representation Form

North West Leicestershire Local Plan Proposed Submission

Please return this form to North West Leicestershire District Council either by post:

Planning Policy, North West Leicestershire District Council, Council Offices, Whitwick Road, Coalville LE67 3FJ or email planning.policy@nwleicestershire.gov.uk no later than **5pm on 15 August 2016**.

This form has two parts-

Part A – Personal Details

Part B – Your Representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details

2. Agent Details

**If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details for the agent in 2.*

Title	Mrs	
First Name	Melanie	
Last Name	Lindsley	
Job Title <i>(Where relevant)</i>	Planning Liaison Manager	
Organisation <i>(Where relevant)</i>	The Coal Authority	
Address Line 1		
Line 2		
Line 3		
Line 4		
Post Code		
Telephone Number		
Email Address <i>(Where relevant)</i>		

Part B - Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph(s) Policy Policies Map

4. Do you Consider the Local Plan is:

(Please tick as appropriate)

- | | | |
|--|---|--|
| i) Legally Compliant | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| ii) Sound | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| iii) Complies with the
Duty to co-operate | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |

5. Please give details of why you consider the Local Plan not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

The Coal Authority previously noted that it was unable to view that the SA on the LPA website but we noted that we assumed that the site allocation process has taken due cognisance of the issues of mineral sterilisation and unstable land alongside other appropriate criteria.

The Coal Authority has now had an opportunity to review the SA and is disappointed to note that the issues of mineral sterilisation and unstable land do not appear to have been considered as part of the site allocations process.

The view of the Coal Authority is that the site allocations should be assessed against available information in respect of mineral sterilisation and unstable land as required by the NPPF.

(Continue on a separate sheet/expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the

duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The Coal Authority remains of the opinion that the site allocations should be assessed against available information in respect of mineral sterilisation and unstable land as required by the NPPF.

(Continue on a separate sheet/expand box if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions will only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination.

Yes, I wish to participate at the oral examination

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

9. Signature:

Melanie Lindsley

Date:

12 August 2016

51/2/H3/0



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Last Name	Lindsley	
Job Title <i>(Where relevant)</i>	Planning Liaison Manager	
Organisation <i>(Where relevant)</i>	The Coal Authority	
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Line 2		
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Post Code		
Telephone Number		
Email Address <i>(Where relevant)</i>		

Part B - Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph(s) Policy Policies Map

4. Do you Consider the Local Plan is:

(Please tick as appropriate)

- | | | |
|--|---|--|
| i) Legally Compliant | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| ii) Sound | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| iii) Complies with the
Duty to co-operate | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |

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If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

The Coal Authority previously noted that it was unable to view that the SA on the LPA website but we noted that we assumed that the site allocation process has taken due cognisance of the issues of mineral sterilisation and unstable land alongside other appropriate criteria.

The Coal Authority has now had an opportunity to review the SA and is disappointed to note that the issues of mineral sterilisation and unstable land do not appear to have been considered as part of the site allocations process. However, the Coal Authority is pleased to see that the issue of mineral sterilisation is covered within the criteria identified for the allocated sites.

The view of the Coal Authority is that the site allocations should be assessed against available information in respect of mineral sterilisation and unstable land as required by the NPPF.

(Continue on a separate sheet/expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The Coal Authority remains of the opinion that the site allocations should be assessed against available information in respect of mineral sterilisation and unstable land as required by the NPPF.

(Continue on a separate sheet/expand box if necessary)

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9. Signature:

Melanie Lindsley

Date:

12 August 2016

SI 1313.1/0.



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Last Name	Lindsley	
Job Title <i>(Where relevant)</i>	Planning Liaison Manager	
Organisation <i>(Where relevant)</i>	The Coal Authority	
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Line 2		
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Telephone Number		
Email Address <i>(Where relevant)</i>		

Part B - Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph(s) Policy Policies Map

4. Do you Consider the Local Plan is:
(Please tick as appropriate)

i) Legally Compliant	Yes <input type="text"/>	No <input type="text" value="x"/>
ii) Sound	Yes <input type="text"/>	No <input type="text" value="x"/>
iii) Complies with the Duty to co-operate	Yes <input type="text" value="x"/>	No <input type="text"/>

5. Please give details of why you consider the Local Plan not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

The Coal Authority supports both the text in paragraph 3.1 and Objective 15, both of which acknowledge that supplies of minerals will need to be protected from development which would sterilise them. However, and despite our previous comments it is noted that the LPA has chosen not to include an appropriate policy for the Mineral Safeguarding Areas to ensure that mineral resources are not needlessly sterilised. The inclusion of such a policy is therefore recommended.

It is also noted that the Policies Map does not include the adopted Leicestershire Mineral Safeguarding Areas or relevant Mineral Consultation Areas, for surface coal resources as defined in the Leicestershire Minerals Plan. The Coal Authority considers that these Areas should be included on the Policies Map to allow the Local Plan to conform with the requirements of the Leicestershire Minerals Plan, the requirements of paragraphs 143 and 144 of the NPPF and section 27 of the NPPG.

(Continue on a separate sheet/expand box if necessary)

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The inclusion of an appropriate policy for the Mineral Safeguarding Areas to ensure that mineral resources are not needlessly sterilised and the inclusion on the Policies Map of the adopted Leicestershire Mineral Safeguarding Areas or relevant Mineral Consultation Areas, for surface coal resources as defined in the Leicestershire Minerals Plan.

(Continue on a separate sheet/expand box if necessary)

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9. Signature:

Melanie Lindsley

Date:

12 August 2016

51/4/10.46/S



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Organisation <i>(Where relevant)</i>	The Coal Authority	
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Part B - Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph(s)

Policy

Policies Map

4. Do you Consider the Local Plan is:

(Please tick as appropriate)

i) Legally Compliant

Yes

No

ii) Sound

Yes

No

iii) Complies with the
Duty to co-operate

Yes

No

5. Please give details of why you consider the Local Plan not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

The Coal Authority supports the additional text added to this paragraph which clarifies the requirements for new development proposals to be supported by a Coal Mining Risk Assessment, if relevant.

(Continue on a separate sheet/expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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9. Signature:

Melanie Lindsley

Date:

12 August 2016

51/15/EN615



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Part B - Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph(s) Policy Policies Map

4. Do you Consider the Local Plan is:

(Please tick as appropriate)

i) Legally Compliant	Yes	<input type="text" value="X"/>	No	<input type="text"/>
ii) Sound	Yes	<input type="text" value="X"/>	No	<input type="text"/>
iii) Complies with the Duty to co-operate	Yes	<input type="text" value="X"/>	No	<input type="text"/>

5. Please give details of why you consider the Local Plan not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

The Coal Authority supports the changes made to this policy in light of our previous comments.

(Continue on a separate sheet/expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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9. Signature:

Melanie Lindsley

Date:

12 August 2016