

The Carlisle District Local Plan 2015-2030

Proposed Submission Draft Consultation Representation Form



CARLISLE
CITY COUNCIL



www.carlisle.gov.uk



Images courtesy of Andrew Paterson, D&H Photographers and Jason Friend

INSTRUCTIONS

Before you start, you are advised to read the Guidance Note published separately alongside this form.

Please note all representations must be received by no later than Monday **20th April 2015**. There are no guarantees that any representations received after this deadline can be accepted.

For all representations parts one and two of this form should be completed. Should you wish to make more than one representation, please fill in and submit a separate form for each.

A copy of the Proposed Submission Draft Local Plan and all supporting documentation is available to view at www.carlisle.gov.uk/localplan

How to respond –

Via email: lpc@carlisle.gov.uk

In writing: Investment and Policy
Carlisle City Council
Civic Centre
Carlisle
Cumbria
CA3 8QG

To find out more Call: 01228 817569

PART ONE- YOUR DETAILS

It is important that you fill in your contact details below; **we cannot register your representation without your details**. Please note that we will not be able to keep your representation or personal details confidential. We may also wish to contact you to clarify your representation.

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Your Details	Your Agent's Details (If applicable)
Title: Mrs	Title:
Surname:Lindsley	Surname:
Forename:Melanie	Forename:
Organisation/Company: The Coal Authority	Organisation/Company:
Address: 200 Lichfield Lane Mansfield Nottinghamshire Postcode:NG18 4RG	Address: Postcode:
Contact No:01623 637119	Contact No:
Email:planingconsultation@coal.gov.uk	Email:
Signature: Melanie Lindsley	
Date:20/4/15	
<input checked="" type="checkbox"/> Please indicate if you wish to be updated on the progress of the Local Plan	

PART TWO - YOUR REPRESENTATION

Please use a separate form for each part of the Proposed Submission Draft Local Plan that you wish to comment on.

Q1. To which part of the document does this representation relate?

<input type="checkbox"/> Policy	<input checked="" type="checkbox"/> Paragraph	<input type="checkbox"/> Chapter	<input type="checkbox"/> Figure
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Please specify which Policy, Paragraph, Chapter or Figure you are referring to:

Paragraph 1.6

Q2. Do you consider that the Local Plan is:

Legally Compliant?

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
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Sound?

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Yes, with minor changes	<input type="checkbox"/> No
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Q3. If you consider the Local Plan is unsound, is it because it is not:

- ☐ Positively Prepared?
- ☐ Justified?
- ☐ Effective?
- ☐ Consistent with National Policy?

Q4. Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan, please also use this box to set out your representation.

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The Coal Authority is pleased to note that appropriate reference is made at paragraph 1.6 to the emerging Cumbria Minerals and Waste Local Plan forming part of the Development Plan for Carlisle District. This is important, to make plan users aware of the full extent of the Development Plan.

The Coal Authority also welcomes reference to the impacts that adoption of the Minerals and Waste Local Plan will have on the Local Plan including updating of the Plan Policies Map to illustrate Mineral Safeguarding Areas and other relevant designation and/or allocations.

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Q5. Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at Q3 above where this relates to soundness. You will need to say why this change 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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Q6. Do you wish to make any comments on the supporting documents, such as the Sustainability Appraisal, Habitats Regulations Assessment, Infrastructure Delivery Plan or evidence base?

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Q7. If your representation is seeking a change; do you consider it necessary to participate in the hearing sessions of the examination?

- ☐ No, I do not wish to participate at the hearing sessions of the examination
- ☐ Yes, I wish to participate at the hearing sessions of the examination

Q8. If you wish to participate, please outline why you consider this to be necessary:

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Please specify which Policy, Paragraph, Chapter or Figure you are referring to:

CM5 - Environmental and Amenity Protection

Q2. Do you consider that the Local Plan is:

Legally Compliant?

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
---	-----------------------------

Sound?

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Yes, with minor changes	<input type="checkbox"/> No
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The Coal Authority welcomes the inclusion of Policy CM5 which identifies that unstable land is a potential risk to development proposals and acknowledges that mitigation and/or remediation measures may be required to ensure that sites are safe and stable for new development.

The Coal Authority is however disappointed that no reference is made within the supporting text to The Coal Authority and the requirements for planning applications in the defined Development High Risk Area to be supported by a Coal Mining Risk Assessment.

The Coal Authority considers that the policy would be more effective with the inclusion of an additional paragraph in the Justification, which summarises the requirements of the risk-based approach to Development Management in coalfield areas, as follows:

"The Coal Authority has defined high risk areas, where the legacy of past coal mining activity poses a potential risk to land stability and new development. Most planning applications for non-householder development within the high risk areas will need to be accompanied by a Coal Mining Risk Assessment, prepared by a competent person. Further information on these requirements can be found at : www.gov.uk/government/organisations/the-coal-authority"

Q6. Do you wish to make any comments on the supporting documents, such

as the Sustainability Appraisal, Habitats Regulations Assessment, Infrastructure Delivery Plan or evidence base?

Q7. If your representation is seeking a change; do you consider it necessary to participate in the hearing sessions of the examination?

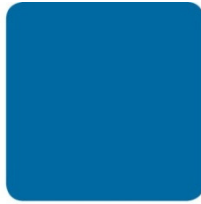
- ☒ **No, I do not wish to participate at the hearing sessions of the examination**
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- | |
|--|
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The Coal Authority notes that the Housing Site Selection document sets out the approach to site selection for allocated housing sites. The introduction to the document states that it draws attention in brief to issues or constraints associated with the site. The Coal Authority is therefore disappointed that issues of past coal mining legacy do not appear to have been considered as part of the site selection process for the housing allocations.

In accordance with the NPPF the LPA should ensure that ground conditions have been considered when assessing the suitability of sites for development. Although the Coal Authority would not wish to see sites excluded on the grounds of former mining legacy issues the potential impacts on the site from ground conditions should have been considered and be identified as a constraint when necessary. The LPA should ensure that any ground condition constraints are identified for the housing allocations prior to the Local Plan being formally submitted for Examination.

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