

# Cannock Chase Council: Cannock Chase Local Plan Representation Form



and your data will not be shared. You may unsubscribe at any time by email or writing to us using the details on this form. Data will only be held until adoption of the Cannock Chase Local Plan.

**Making a representation:** We cannot accept anonymous representations. You must provide your contact details but only your name and comments will be published on the website. Your personal data will be held securely and processed in line with our privacy notice [www.cannockchasedc.gov.uk/privacynotices](http://www.cannockchasedc.gov.uk/privacynotices). Once the plan is submitted your comments will be shared with the Planning Inspectorate and an independent inspector will review representations. You have the right to withdraw your representation and your data will be destroyed. Data will only be held until adoption of the Cannock Chase Local Plan.

## Part B: Representation Form

Please complete a separate **Part B Representation Form** (this part) for each representation that you would like to make. One **Part A Representation Form** must be enclosed with your **Part B Representation Form(s)**. We have also published a separate **Guidance Note** to explain the terms used and to assist in making effective representations.

### Part B: Representation

Name and Organisation:	Melanie Lindsley – The Coal Authority
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### Q1. To which document does this representation relate? (Please tick one box)

- Cannock Chase Local Plan 2018-2040
- Sustainability Appraisal of the Cannock Chase Local Plan 2018-2040
- Habitats Regulations Assessment of the Cannock Chase Local Plan 2018-2040

### Q2. To which part of the document does this representation relate?

Para- graph:	6.382	Policy:	SO8:6	Site:		Policies Map:	
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### Q3. Do you consider the Cannock Chase Local Plan is:

- A. Legally compliant      Yes:       No:
  - B. Sound      Yes:       No:
  - C. Compliant with the Duty to Co-operate      Yes:       No:
- (Please tick as appropriate).*

For office use	Part B reference	B0093A
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**Q4. Please give details of why you consider the Cannock Chase Local Plan is 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 Cannock Chase Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

The Coal Authority records indicate that within the Cannock Chase area coal mining features are present at surface and shallow depth including; mine entries, coal workings and reported surface hazards. These features pose a potential risk to surface stability and public safety.

The Coal Authority is pleased to see the notification in Policy SO8:6 that development proposals will support opportunities to remediate unstable land.

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*(Please continue on a separate sheet if necessary)*

**Q5. Please set out the modification(s) you consider necessary to make the Cannock Chase Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Q4 above.**

Please note that non-compliance with the duty to co-operate is incapable of modification at examination. You will need to say why each modification will make the Regulation 19: Pre-Submission Draft of the Cannock Chase 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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(Please continue on a separate sheet if necessary)

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues they identify for examination.**

**Q6. If your representation is seeking a modification to the Regulation 19: Pre-Submission Draft of the Cannock Chase Local Plan, do you consider it necessary to participate in examination hearing session(s)?**

*Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.*

- No, I do not wish to participate in hearing session(s)  
 Yes, I wish to participate in hearing session(s)

*(Please tick one box)*

**Q7. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

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(Please continue on a separate sheet if necessary)

**Please note:** The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

Signature:	
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Date:	
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**Q2. To which part of the document does this representation relate?**

Para-graph:	6.367	Policy:	SO8:5	Site:		Policies Map:	
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**Q3. Do you consider the Cannock Chase Local Plan is:**

- A. Legally compliant                              Yes:                       No:
  - B. Sound    Yes:                       No:
  - C. Compliant with the Duty to Co-operate                      Yes:                       No:
- (Please tick as appropriate).*

For office use	Part B reference	B0093B
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The Coal Authority are pleased to see that issues around land instability being taken into account when development proposals are being considered is set out in Paragraph 6.367. we are therefore disappointed to see that Policy SO8.5 focusses and contamination as a ground condition and not instability. In light of the coal mining legacy present in the Cannock Chase area we consider that the policy should be revised as set out below.

**POLICY SO8.5: AVOIDING AIR, WATER, NOISE OR LIGHT POLLUTION, SOIL CONTAMINATION AND LAND INSTABILITY**

Development proposals which will cause unacceptable on-site or off-site risk or harm to human health or the natural environment (either individually or cumulatively) will not be permitted.

All major development proposals will:

- Set out how any air, water, noise, light pollution, **land instability** or soil contamination that may arise from the development will be avoided (or, if it is not possible to avoid, set out how it will be mitigated);
- Set out in an Air Quality Assessment (where relevant) how they will avoid any adverse impacts on an Air Quality Management Area. If it is not possible to avoid adverse impacts, the proposals will set out how the impacts on the Air Quality Management Area will be mitigated through the implementation of measures contained within air quality action plans and transport plans, and through green infrastructure provision and enhancements, or building layout and design which will help to minimise harmful air quality impacts.
- Protect (and where appropriate enhance and restore) water quality. Development will not be permitted without confirmation that the existing or improved sewage and wastewater treatment facilities can accommodate the new development;

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- Protect and conserve soil resources, and safeguard the best and most versatile agricultural land;
- Ensure that public lighting and signage is designed and maintained in a way that will limit the impact of light pollution on local amenity, nature conservation, wildlife habitats, and intrinsically dark landscapes and skies; and
- Maintain and improve the noise environment through good design which takes account of the acoustic environment (in line with the Noise Policy Statement for England).

It is not clear how these issues will be dealt with on non-major development proposals as there appears to be no other relevant policy within the plan which covers non-major applications. Consideration should be given to removing the words major from the policy in order to ensure it covers all relevant development proposals as these are important issues no matter what the scale of the development.

*(Please continue on a separate sheet if necessary)*

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No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

*(Please tick one box)*

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