

## Coventry Local Plan Review

### Regulation 19

#### Proposed Submission (Publication) Stage Representation Form (guidance note below)

Ref:

(For official use only)

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Name of the Plan  
to which this  
representation  
relates:

**Coventry Local Plan Review – Regulation 19 Proposed  
Submission (Publication)**

**Please return to Coventry City Council in writing or electronically by 23:59 03  
March 2025 email to [planningpolicy@coventry.gov.uk](mailto:planningpolicy@coventry.gov.uk), via our consultation portal  
<https://coventrycitycouncil.inconsult.uk/system/home> or by post to Planning Policy  
Team, PO Box 7097, Coventry, CV6 9SL**

Please refer to the following data protection/privacy notice:  
[www.coventry.gov.uk/planningpolicyprivacynote](http://www.coventry.gov.uk/planningpolicyprivacynote)

Please also note that that a copy of your representation(s) will be made available to the Planning Inspectorate and to the person appointed by the Secretary of State to conduct the examination (i.e. the Inspector) and the Programme Officer. and that your representation(s) will be 'made available' in line with the Regulations (The Town and Country Planning (Local Planning) (England) Regulations 2012 – Regulations 20, 22 and 35). This includes publication on Coventry City Councils website (personal details will be redacted in line with the Privacy Notice).

This form has two parts:

**Part A – Personal Details:** need only be completed once.

**Part B – Your representation(s).**

**Please fill in a separate sheet for each representation you wish to make.**

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## Part A

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### 1. Personal Details\*

### 2. Agent's Details (if applicable)

\*If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) below but complete the full contact details of the agent in 2.

Title

First Name

Last Name

Job Title

(where relevant)

Organisation

(where relevant)

Address Line 1

Line 2

Line 3

Line 4

Post Code

Telephone Number

E-mail Address

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**Part B – Please use a separate sheet for each representation**

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Name or Organisation:

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

Paragraph  Policy  EM10

4. Do you consider the Local Plan Review is:

(1) Legally compliant	Yes <input type="checkbox"/> X <input type="checkbox"/>	No <input type="checkbox"/>
(2) Sound	Yes <input type="checkbox"/>	No <input type="checkbox"/> X
(3) Complies with the Duty to co-operate	Yes <input type="checkbox"/> X <input type="checkbox"/>	No <input type="checkbox"/>

Please tick as appropriate.

5. Please give details of why you consider the Local Plan Review 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 Local Plan Review or its compliance with the duty to co-operate, please also use this box to set out your comments.

We note that Policy EM10 relates to Mineral Safeguarding Areas, stating that the designation for MSA should assess and evaluate legacy of past mining in accordance with Policy EM2. The policy goes on to note that it should also ensure that development does not entirely sterilise any potential future mineral extraction should this become viable and desirable and that this should be considered in partnership with the Coal Authority.

In its capacity as a statutory consultee for Planning, the Coal Authority has no legislative justification for requiring the safeguarding of surface coal resource. Although in the past we have encouraged the protection of coal reserves, including consideration of prior extraction, our formal remit in this respect lies in providing data to MPAs to assist local decision making, but nothing more. With national policy for a low-carbon future in mind, in January 2021 it was agreed corporately that although we would continue to provide the GIS surface coal data to relevant authorities, all decision making regarding the safeguarding of surface coal would lie with the responsible

authority. We no longer be require those authorities with responsibilities for minerals to specifically include surface coal resource within Mineral Safeguarding Areas. We now leave this decision to the relevant authority in recognition of their superior knowledge and understanding of local circumstances and responsibility for local environments and communities.

It should also be noted that although the Coal Authority's records may indicate that surface coal resource is present on the site, this should not be taken to imply that mineral extraction would be economically viable, technically feasible or environmentally acceptable. The data we have access to is not so refined and the depth and quality of "surface coal" resources may vary significantly. We also appreciate that our records are only one of a number of information sources that you may review before identifying your mineral safeguarding areas.

In light of the above, and the fact that the Planning team no longer comment on MSAs and any assessment submitted in respect of sterilisation in these areas it would be helpful for clarity to be provided in respect of what is meant in the policy by 'partnership with the Coal Authority'.

It would be more appropriate to delete this reference from Policy EM10 and instead include in the pre or post amble signposting to our Permitting, and Licensing teams and the need for an Incidental Coal Agreements to remove coal from site during development works.

[Coal mining licence applications - GOV.UK](#)

[Get a permit to deal with coal or coal mines - GOV.UK](#)

[Incidental coal agreement - GOV.UK](#)

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

6. Please set out the modification(s) you consider necessary to make the Local Plan Review legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 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 Local Plan Review 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.

(Continue on a separate sheet /expand box 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.***

7. To which part of the Sustainability Appraisal (SA) report does this representation relate?

Paragraph

Please add any further comments relating to the SA report in the box below

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

8. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

X

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

**Yes**, I wish to participate in 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.

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

(Continue on a separate sheet /expand box 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.