

Representations Received to Lydney Neighbourhood Plan - July 2015

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ID	Full Name	Company / Organisation	Document relates - To which document does the comment relate	To which part of the document does the comment relate?	Relevant Section / Policy / Appendix Number	Please give reasons for your support / objection:	Do you wish to Support/object	Please give details of any suggested modifications:	Do you wish to be notified of the Forest of Dean District Council's decision to make or refuse to make the neighbourhood development plan?
LNP1	Ruth Richardson		Neighbourhood Plan Examiner's Version 2 (submission Draft)	Section	town centre improvements p24 and p25	We absolutely do not need another supermarket. there used to be a small farmers market which ceased to operate please bring it back. We do need a Lydney town square as was proposed some years ago on the site of the car sales/ carwash place opposite Lloyds pharmacy. the farmers market saturday market and community events such as are held during Lydney festival could be held there. We do not need additional retail floor space. there are currently 9 or 10 empty shops in Lydney. where will the jobs be for all these people who live in the extra houses?	Support		Yes
LNP2	Ms Hayley Clayton	Forestry Commission	Neighbourhood Plan Examiner's Version 2 (submission Draft)	Section	Cycleways	Lack of discussion or mention of the Lydney to Parkend Multi use path and the link to the Cycle Revolutions (the network of cycleways in Lydney, linking with the harbour)	Observations	Add small section regarding the plans and the working relationship to realise a vision to better link Lydney with the rest of the Forest of Dean, This could aid tourism and commuter routes to the outlying villages, linking them with access to library, hospital, shops, schools, etc. Could also include the health benefits for local residents and begin to combat childhood obesity.	Yes
LNP3	Mr Gordon McDonald		Neighbourhood Plan Examiner's Version 2 (submission Draft)	Whole Document		I concur with all the proposals. One point you might consider: the proposed link road from the A48 into the town follows the DFR railway line. I would suggest its important to preserve the old canal. This was an important communication route from the estuary and at some time in the future it may be promoted to reinstate it as a navigable waterway with possibly a narrowboat basin near the town centre			

LNP4	Mr Paul Garrod	Highways England	Neighbourhood Plan Examiner's Version 2 (submission Draft)	Page	30	Thank you for consulting Highways England on the Lydney Neighbourhood Development Plan. The Highways Agency became Highways England on 1 April 2015, a government-owned company, which is responsible for operating, maintaining and improving the Strategic Road Network (SRN). Within the Forest of Dean district the SRN comprises the M50 and part of the A40. Our comments are as follows: Page 30 of the report states "All developments likely to have a traffic impact on the network must complete a Transport Assessment/Statement and where necessary a Travel Plan. These would be reviewed against the Highway Agency's policy document "The Strategic Road Network and the Delivery of Sustainable Development". Forest of Dean District Council consults Gloucestershire County Council as local highway authority where a proposed development may impact upon the local road network. It would only consult Highways England if the development could also impact the SRN.		Please can the second sentence of the paragraph referred to above therefore be amended. Reference to "The Strategic Road Network and the Delivery of Sustainable Development" should be removed here and also from the bibliography on page 44 . We suggest you liaise with Gloucestershire County Council over the specific wording.	
LNP5	Zoe Hughes	Sport England	Neighbourhood Plan Examiner's Version 2 (submission Draft)	Whole Document		Thank you for consulting Sport England on the above Neighbourhood Plan. Planning Policy in the National Planning Policy Framework identifies how the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Encouraging communities to become more physically active through walking, cycling, informal recreation and formal sport plays an important part in this process and providing enough sports facilities of the right quality and type and in the right places is vital to achieving this aim. This means positive planning for sport, protection from unnecessary loss of sports facilities and an integrated approach to providing new housing and employment land and community facilities provision is important. It is important therefore that the Neighbourhood Plan reflects national policy for sport as set out in the above document with particular reference to Pars 73 and 74 to ensure proposals comply with National Planning Policy. It is also important to be aware of Sport England's role in protecting playing fields and the presumption against the loss of playing fields (see link below), as set out in our national guide, ' A Sporting Future for the Playing Fields of England – Planning Policy Statement '. http://www.sportengland.org/facilities-planning/planning-for-sport/development-management/planning-applications/playing-field-land/ Sport England provides guidance on developing policy for sport and further information can be found following the link below: http://www.sportengland.org/facilities-planning/planning-for-sport/forward-planning/ Sport			

LNP6	Mrs Rachel Reeves					<p>I am objecting to the Lydney Neighbourhood Development Plan as it stands because despite all the requests we have made for assistance to gain access to their school for pupils and parents walking and cycling to Severnbanks School from Oakdale, there appears to be no acknowledgement of the difficulties they are currently facing, no mention of the petition that was hand-signed by the majority of local residents and complied by Jessica Lane and no connecting paths suggested on the map. To ignore nearly 200 households who are cut off and isolated on this estate when views are well known and representations have been made both to Forest of Dean District Council and Lydney Town Council is not in keeping with the ethos of localism and is detrimental to the children, who have written to their MP quoting their human rights to make their case and to have a safe way to get to school. I am also objecting because, despite the appendix concerning wildlife corridors, the only wildlife corridor linking the Forest to the Harbour area is the route that the Swan Relief Road is suggested to take. I am concerned for amphibian, butterfly, insect, bird and bat populations using as well as small mammals such as hedgehogs and those that use the River Lyd as a corridor. I also believe that connecting Oakdale via existing roads would be better both for shops in the town centre and for residents of Lydney as long as there were restrictions in place to ensure residential areas were not used by heavy goods vehicles as a route through Lydney. The walk through the woods by the railway and by St Mary's Church is how many</p>		<p>Taking an honest and compassionate view of footpath and cycle connections to Oakdale. Rethinking the Swan Relief Road in terms of ecology, community value of the area and safety of children getting to school.</p>	Yes
LNP7	Mr Jeremiah Dalziel		Lydney Neighbourhood Area Map	Page	19	<p>The reason why I am objecting is the current settlement boundary runs in front of my property on the side of the A48 but then crosses the road onto the side of the railway line just after my property. There isn't any difference in structure and of my land with the rest of the land down the road where the settlement boundary crosses.</p>	Object	<p>I suggest that the settlement boundary moves and borders with the railway line to include the land which is marked on the attached map. The proposed area is hatched in red.</p>	Yes

LNPO8	Mr Ryan Grant	MMC2 Land & Regeneration	Neighbourhood Plan Examiner's Version 2 (submission Draft)	Policy	Internet Connectivity - LYD GEN 2	It is agreed telecommunications connectivity is of importance for new developments whether residential, retail, commercial, leisure or educational in purpose. However, provision of telecommunications services to a specified minimum symmetrical speed (25Mbps) is considered overstepping what is both permissible as a planning requirement and is a matter that is outside the normal controls of a developer, i.e. it requires a third party telecoms provider. Ordinarily BT Openreach will provide connectivity to any new development without charge to a developer. It is the usual responsibility of the developer to enter into a Contract and Wayleave agreement with BT Openreach and to provide on-site ducting, tubing, joint boxes for service provision to each unit (home, business unit, etc.). Network connection is then for BT Openreach to provide, as is any future fibre optic connection should users request connection. This is the critical problem with the draft condition. The developer is not in a position to: (a) Guarantee any minimum symmetrical speed, even if 25Mbps was feasible in the location; or (b) Guarantee that a telecoms provider will meet such speed, or maintain such speed if available at time of first connection In our view there would be no realistic ability to impose a planning condition that would pass all six tests of NPPF paragraph 206. Specifically if a third party telecoms operator did not provide the stated speed in any planning condition, based on an approved Connectivity Statement, then it would not be possible to enforce the speed as it would be wholly outside the control of the developer. In this	Object	In our view the policy cannot be modified into a planning policy that would allow effective control of development that would pass the six tests for a planning condition. A policy could be written to seek future proofing in development by insisting developers provide ducting for installation of fibre optic cable, and this requirement could be reasonably conditioned as the ducting is within the developers control. This would require full re-writing of the policy, not modification. However, for reasons already expressed there is no sound planning basis to duplicate controls.	Yes
LNPO9	Mr Ryan Grant	MMC2 Land & Regeneration	Neighbourhood Plan Examiner's Version 2 (submission Draft)	Section	Housing - Design Statement	We have no objections to the principle of a design statement being drafted as long as the below conditions are met.	Support with conditions	It must be openly consulted on It must not impose unnecessary/unreasonable requirements on developers It must conform with national and local level planning policy and not seek to duplicate existing controls	Yes

LNP10	Mr Ryan Grant	MMC2 Land & Regeneration	Neighbourhood Plan Examiner's Version 2 (submission Draft)	Section	Developer Contribution Priority List	The Development Contribution Priority List and justification is objected to as it is not grounded in NPPF / PPG guidance on seeking planning obligations and it is currently set out with no justification on how any provision sought relates to a new development that would be compliant with CIL Regulations. NPPF paragraphs 203 to 206 provide guidance on use of planning conditions and obligations. PPG paragraph 23b-001 states: "Planning obligations assist in mitigating the impact of unacceptable development to make it acceptable in planning terms. Planning obligations may only constitute a reason for granting planning permission if they meet the tests that they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind. These tests are set out as statutory tests in the Community Infrastructure Levy Regulations 2010 and as policy tests in the National Planning Policy Framework." The nine priorities listed within the Developer Contribution Priority List may fall within the scope of an acceptable planning obligation to a given development and meet the relevant tests set out in the CIL Regulations. However, the priority list is presented without adequate (any) evidence to demonstrate what is the current or forecast need which requires addressing to each priority; why this would need to be addressed via a developer contribution (i.e. is it ordinarily funded by another source); whether such contributions will apply to all developments or will it be limited to those directly related to the development as	Object	The NP should provide greater written justification and supporting evidence to the priority list, including reference to specific projects for where funding support rather than direct developer provision is to be sought. As example "Town Centre redevelopment (pro-growth)" has no understandable meaning as a specific item to demonstrate whether any provision sought would past muster on CIL Regulations. The NP should make explicit reference that developer contributions shall be sought in line with prevailing CIL Regulations and with reference to NPPF and PPG guidance; make reference to provision being sought flexibly so as not to render development unviable and	Yes
LNP11	Lisa Bullock		Neighbourhood Plan Examiner's Version 2 (submission Draft)	Whole Document		Any development has the potential to impact on Network Rails land, assets and operational railway infrastructure, the Lydney TC and potential developers should be aware of and consider Network Rails standard guidelines and requirements when developing sites located adjacent or in close proximity to Network rails land, assets and operational railway infrastructure for more information please visit http://www.networkrail.co.uk/asp/1538.aspx	Observations		

LNP12	Mr Rob Niblett	Gloucestershire County Council	Neighbourhood Plan Examiner's Version 2 (submission Draft)	Section	Ecology	<p>Ecology Comments It is good to see that many of our previous comments on an earlier draft of the NDP in 2013 have been taken account of. In particular the approach in the plan to sustainability including biodiversity conservation and enhancement is welcomed. We can agree that the NDP would not be likely to have a significant effect on any European Site. A number of proposed mitigation measures have been incorporated into the latest NDP to make this conclusion possible (Section 7 of HRA Preliminary Screening document dated April 2015). Page 11 (1 st sentence) - There is a small typo – 'Regional' is 'Regionally' in RIGS. It is pleasing to see the Aylburton SNA now mentioned. This Lydney environment page should also mention the 'Lydney Town Marsh and Sidings' Key Wildlife Sites which is depicted on Map 1.3 within the Heritage section on page 13. Page 26 (1 st paragraph, last sentence) - As River Basin Management Plans are not solely the responsibility of planning authorities the phrase in the middle of this sentence should be changed perhaps to '.... implemented by a range of organisations including by the Local Planning Authority' Page 42 – We are surprised that the provision and enhancement of green infrastructure and/or wildlife corridors is not explicitly mentioned in the Developer Contribution Priority List (especially given the content of the plan about green links between the town, railway station and the harbour, e.g. pages 18, 26, 33 and Appendix 2),</p>			
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LNP13	Mr Rob Niblett	Gloucestershire County Council	Neighbourhood Plan Examiner's Version 2 (submission Draft)		Highways / Transport	<p>Highway/Transport Comments General Comments There is concern about two highway schemes that appear on the Map – one is the link from Swan Road to the Station which is only practical as a pedestrian/cycle route and the other is the link from Highfield Hill to Tutnalls which would be costly with limited benefits. It is acknowledged that the junction of Newerne Street and Hams Road does need improving though. The wellbeing of people living, working and studying in Lydney is fundamentally shaped and underpinned by transport. This has been closely considered by the County and District Council in partnership with Lydney Town Council and there is a body of work which may be strongly reflected or referred to within the Lydney NDP. The County Local Transport Plan (LTP3) refers to Lydney in terms of: Car parking capacity at the Railway Station; The need to improve rail services; Congestion at peak times in the town centre; The development of the 'Lydney Highway Strategy' and a phased approach to its delivery; The Air Quality Management Area that was declared for part of Lydney Town Centre in 2010 due to traffic and excessive congestion; and The requirement for a quality bus corridor or link from Lydney to Gloucester. In response to some of the significant and distinctive transport issues that affect Lydney; its role as a 'Gateway Town' to the Forest of Dean, and its focus for housing development (which will provide both an additional need and opportunities for transport mode shift) the Transport in Lydney Issues and Options Report was commissioned by the County Council last November. This highlights</p>	Observations		
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LNP14	Mr Rob Niblett	Gloucestershire County Council	Neighbourhood Plan Examiner's Version 2 (submission Draft)	Section	Rail	<p>Rail There appears to be little mention in the plan of the railway station. This is surprising given the proactive stance that Lydney Town Council has taken in campaigning for enhancements to services calling at the station as well as improvements to the poor level of facilities. There is widespread support for such measures as reflected in the partnership working between LTC, Forest of Dean District Council (FoDDC), GCC and the rail industry. The Lydney Station Master Plan is referred to, but its aims and objectives should be more widely recognised in the NDP. It is the only main line station in the Forest of Dean and as such is an important asset for the town and surrounding area and should be given greater prominence in the NDP. Two of the main issues at the station in terms of infrastructure are a shortfall in car parking capacity and lack of pedestrian access to platform 2 when the crossing barriers are down following closure of the underpass. Around a million pounds has been secured through the Growth Fund for transport schemes in Lydney including finding a permanent solution for car parking and reopening the underpass. These are issues that have generated considerable concern locally for a number of years and should be considered in the NDP. It is suggested that a policy is drafted supporting a range of improvements to the railway station, including those referred to in the previous paragraph and seeking section 106 contributions from new developments in the town. Greater policy recognition would reflect and follow on from the enabling policies contained in Allocations Plan</p>			
LNP15	Mr Rob Niblett	Gloucestershire County Council	Neighbourhood Plan Examiner's Version 2 (submission Draft)	Section	Archaeology	<p>Archaeology Comments The plan overall gives due weight to historic environment issues and the minor points below are for information and advice. The allocations shown on Fig. 1.1 in the NDP are those allocated by the district council and they have therefore been investigated to differing levels of detail from an archaeological point of view either through comments made to FoDDC regarding their local plan documents or by more detailed advice where they have permission or are going through the planning process. The area proposed for sheltered housing shown in Fig. 1.5 is close to the Conservation Area and possible setting issues would need to be discussed in advance with the district's conservation advisor. There is clearly archaeological potential in the town centre area shown on Fig. 1.6 and the usual considerations regarding the Conservation Area and listed buildings will also need to be taken into account when planning any development in the area. Policies LYD CEN 1 and LYD HAR 1, which complement national and district policy are supported.</p>			

LNP16	Mr Rob Niblett	Gloucestershire County Council	Neighbourhood Plan Examiner's Version 2 (submission Draft)	Section	Flood Risk	Flood Risk Comments We can confirm that the LLFA will, if requested to do so, provide advice to Local Planning Authorities on the management of surface water and associated flood risk relating to major planning applications.			
LNP17	Ms Dawn Williams	Severn Trent Water	Neighbourhood Plan Examiner's Version 2 (submission Draft)	Whole Document		May I take this opportunity to say thank you for giving Severn Trent Water the opportunity to make any necessary comments and sharing the details of your neighbourhood plans with us. We currently liaise with the local planning department and we will address any water concerns that may arise from our discussions.	Observations		
LNP18	Mr David Stuart	Historic England	Neighbourhood Plan Examiner's Version 2 (submission Draft)			We note that this is a more condensed document than the previous iteration we saw in the autumn of 2013 with fewer policies. We attach our correspondence from that time for information. As a consequence the only focus of our attention remains Lydney Harbour. We are pleased to see a policy which recognises the historic significance and issues associated with this site and is suitably understanding yet restrained in recognising the scope for additional change and development. Our only observation would be to enquire whether the wording of Policy LYD HAR 1 should be subtly amended to include scope for small scale business as well as recreational development in order to maintain the harbour's heritage interest as well as facilitate a viable existence for it.			

LNP19	Ms Rachael Bust	The Coal Authority	Neighbourhood Plan Examiner's Version 2 (submission Draft)	Whole Document		<p>Thank you for the notification of the 17 June 2015 consulting The Coal Authority on the above NDP. The Coal Authority is a non-departmental public body which works to protect the public and the environment in coal mining areas. Our statutory role in the planning system is to provide advice about new development in the coalfield areas and also protect coal resources from unnecessary sterilisation by encouraging their extraction, where practical, prior to the permanent surface development commencing. As you will be aware the Lydney NDP area lies within the current defined coalfield. According to the Coal Authority Development High Risk Area Plans for the Forest of Dean, there are recorded risks from past coal mining activity in the form of significant numbers of mine entries, past surface mining, coal outcrops and unrecorded probable historic underground coal mining at shallow depth. This is mostly in the north of the plan area running from Old Park Wood across to Oldcroft. If the Neighbourhood Plan allocates sites for future development in these areas then consideration as to the development will need to respond to these risks to surface stability in accordance with the National Planning Policy Framework and the Forest of Dean Development Plan. I note however that none of the site allocations or the settlement boundary for Lydney are located within the defined Coal Authority Development High Risk Area. Therefore The Coal Authority has no comments to make on the NDP. In accordance with the Neighbourhood Planning (General) Regulations 2012 please continue to consult The Coal</p>			
LNP20	Mr John Fleming	Gladman Developments	Neighbourhood Plan Examiner's Version 2 (submission Draft)	Section	Vision	<p>Upon reviewing the submission version of the LNP, it is clear that the Neighbourhood Plan's vision, aims, objectives and suite of policies throughout are inconsistent with the requirements of national planning policy, guidance and the Neighbourhood Plan Basic Conditions. Gladman contend that the LNP's vision is fundamentally flawed. The vision sets out to deliver the development requirements of Lydney for a period of 10 years, such an approach is contrary to the explicit requirements set out in paragraph 157 of the Framework, which states 'crucially local plans should plan positively for the development and infrastructure required in the area to meet the objectives, principles and policies of the Framework and should be drawn up over an appropriate timescale, preferably a 15 year time horizon. To progress with a Neighbourhood Plan that does not seek to cover an appropriate timescale will result in an ineffective Plan. Gladman recommend that the plan period be amended so that it is in conformity with the requirements of the Framework.</p>			

LNP21	Mr John Fleming	Gladman Developments	Neighbourhood Plan Examiner's Version 2 (submission Draft)			In its current form the NP is inflexible, ineffective and unable to respond rapidly to changes in the market i.e., where the Council is unable to demonstrate a 5 year housing land supply. The approach taken through the submission version of the LNP comprises of a number of policies which will actively seek to constrain the ability of future sustainable growth opportunities being delivered, and has no regard to the district's housing needs. Gladman submit that a fundamental overhaul to the development strategy is required to ensure that the LNP can be found consistent with national planning policy, guidance and the Neighbourhood Plan basic Conditions.	Object		
LNP22	Mr John Fleming	Gladman Developments		Policy	LYD ENV 1 - Preservation of Open Space	This policy states that there will be a strong presumption against any development outside the settlement boundary, this approach is directly contrary to the explicit requirements set out by the Framework, specifically the presumption in favour of sustainable development and the need to significantly boost the supply of housing. Gladman object to the use of a tightly drawn settlement boundary if it is to be used as a mechanism to preclude the delivery of future sustainable growth opportunities on the edge of the settlement. This policy is ineffective, inflexible and will not allow the LNP to respond rapidly to changes in the market i.e., where the Council is unable to demonstrate a 5 year housing land supply. Such an approach will contain the physical growth of Lydney without any regard to the district's housing needs as these have yet to be tested at Examination. Policy ENV1 is a restrictive policy that wil only serve to act as a mechanism to preclude the devliery of fufure sustainable growth opportunities. Gladman recommend that it is appropriate to delete LYD ENV1 in its current form as it is inconsistent with basic conciditions (a), (d) and (e) and replace it with the following wording: 'Development adjacent to the existing settlement will be permitted provided that the adverse impacts do not significantly and demonstrably outweigh the benefits of development'.	Object		

LNP23	Mr John Fleming	Gladman Developments		Policy	LYD ENV 2 - Protecting the Natural Environment	This policy states that applications should respect the natural environment and terrain and demonstrate how it can be enhanced. The above policy is too vague, the LNP should set out opportunities for development and clear policies on what will or will not be permitted and where. Only policies that provide a clear indication of how a decision maker should react to a development proposal should be included in the plan, in accordance with paragraph 154 of the Framework. Gladman submit that new development proposals offer the opportunity, where necessary, to enhance the values of the natural environment through appropriate design measures. However, it is important that policy ENV2 incorporates a sufficient degree of flexibility as the loss of some natural assets may be necessary i.e. for access. Furthermore, new development may offer the opportunity to enhance previously inaccessible areas of the natural environment which will result in significant net benefits to both existing and future community members.	Observations		
LNP24	Mr John Fleming	Gladman Developments		Policy	LYD HOUS 1 - Housing for Elderly People	This policy states that planning applications will be sought for well-designed residential accommodation suitable for the needs of the elderly, this policy identifies one site to meet the elderly's needs. Whilst Gladman acknowledge the importance of delivering housing to meet the elderly's housing needs, the LNP should also seek to ensure that it delivers sufficient housing to meet the needs of the entire community and should not focus on one age group. Whilst the LNP does allocate housing land in line with those sites identified in the adopted Core Strategy, it does not seek to allocate additional housing to meet housing needs. It is important to remember that the housing requirement and spatial strategy contained in the Core Strategy is not based on the Framework/PPG compliant assessment of need, this is subject to the allocations Plan which will review the Core Strategy's housing requirement. Therefore, it is not yet known what the strategic priorities for the village are until the Allocations Plan (which incorporates the housing requirement review) has been submitted to the Secretary of State for Examination and successfully tested by an Inspector. Lydney is identified as a sustainable settlement for future growth, dependent on the outcome of the Allocations Plans examination, Lydney may be required to deliver additional housing to meet the district's housing needs.	Object		

LNP25	Mr John Fleming	Gladman Developments		Policy	LYD GEN 1 - Water Management	The above policy states that all developemnt proposals must make adequate provison to manage surface water sustainably through the use of SuDS on site. Developments that do not contain the specifications outlined under this policy will be expected to demonstrate why this would not be feasible and/or viable. Gladman consider that the application of national standards and requirements is more suited to meet the Town Council's obectives and implementatin of this policy. There is no need for these polcies to be included in theLNP as these issues will be sufficiently dealt with by the local planning authority at the strategic level. We therefore recommend the deletion of LYD GEN 1.	Object		
LNP26	Mr John Fleming	Gladman Developments		Policy	LYD GEN 2 - Fibre to Residential, Retail and Commercial Premises	This policy seeks to ensure that al new development has appropriate access to broadband and should ensure that broadband infrastructure can be provided to guarantee a minimum symmetrical speed of 25 Mbps with realistic fuure proof upgrades availblale. the Town Council intend to review this policy in 3 years. Whilst the provision of broadband infrastructure is acceptable in principle, we do not beleive that this policy will be delivered. There are too many variables that affect broadband speed such as: the time of use, the proecessing speed of a computer and router or modem, how many users are sharing the connection etc. This requirement is too prescriptive, to secure a minimum 25 Mbps internet speed may not be deliverable and should be removed from the LNP as this can only be delivered by service providers. Furthermore, Gladman take this opportunity to inform the Town Council that there is currently no legislative framework in place, to which a review of single policy of the Neighbourhood Plan can take place.. This can only be achieved through whole scale re-adoptino of the LNP and the Neighbourhood Plan will have to be submitted to all relevant regulatory stages contained in the Neighbourhood Planning (General) Regulations 2012 and submitted for independent examination before it can be remade.	Object		

LNP27	Mr John Fleming	Gladman Developments		Policy	General	<p>The Neighbourhood Plan identifies a number of priorities to secure the goals and objectives of the LNP. Several of the Neighbourhood Plan's policies and objectives refer to the provision of new infrastructure of set policy obligations, these are further detailed in the LNP's developer contribution priority list. In this regard, Gladman remind the Town Council of the requirements set out in paragraph 173 of the framework, which states, 'Plans should be deliverable. Therefore the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened'. Gladman submit that policies which seek developer contributions, should be properly tested for their effects on development viability and supported by adequate and robust evidence. In this regard it does not appear that the Town Council have undertaken any up-to-date viability assessment of the Neighbourhood Plan's cumulative obligations. Furthermore, financial contributions can only be made in accordance with paragraph 204 of the Framework which states, 'Planning obligations should only be sought where they meet all of the following tests: -necessary to make the development acceptable in planning terms; -directly related to the development; and -fairly and reasonably related in scale and kind to the development. the Town Council should therefore test all of the policies contained in the LNP for their effects on development viability. Contributions must be based on up-to-date, robust evidence of needs and cannot be used to make up the funding for desirable</p>	Observations		
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LNP28	Mr John Fleming	Gladman Developments	Sustainability Appraisal Screening Report			<p>The Town Council has produced a Sustainability Appraisal. The requirement to produce a Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA) goes to the core compliance of basic condition (f) which requires strict adherence to the requirements of the Strategic Environmental Assessment Directive and implementing UK Regulations. Legislation from the Environmental Assessment of Plans and Programmes Regulations 2004 makes clear at paragraph 12 (2) 'The report shall identify, describe and evaluate the likely significant effects on the environment of - (a) Implementing the plan or programme; and (b) reasonable alternatives taking into account the objectives and geographical scope of the plan or programme (our emphasis)'. Gladman submit that the SA is fundamentally flawed as it only assesses the sustainability of the social and economic objectives of implementing the LNP. It is clear from the Council's SEA screening opinion that given the environmental factors the LNP should undertake an SA incorporating an SEA, this requirement has not been achieved and significantly compromises the Plan's legal compliance. The SA/SEA should be revisited to test the effects on the environment. Furthermore, the SA does not test whether a higher level of growth can be accommodated merely providing a yes/no assessment against each of the policies and fails to consider properly the approach that should be taken by assessing a range of options and locations for development and evaluate whether the LNP is able to deliver a higher level of growth.</p>	Object		
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LNP29	Mr John Fleming	Gladman Developments		Whole Document	<p>Gladman recognises the role of Neighbourhood Plans as a tool for local people to share the development of their local community, however, it is clear from national guidance that Neighbourhood Plans must be consistent with national planning policy and the up-to-date strategic requirements of the wider local authority area. Through these representations, Gladman have highlighted a number of significant concerns with the Neighbourhood Plan as proposed. The LNP contains a series of flaws not only in its application of local and national policy, but lacks clear, robust and up-to-date evidence to support a number of its objectives and policies. A number of areas contained within the Neighbourhood Plan need to be addressed through a fundamental overhaul to the development strategy as proposed. Failure to do so will undoubtedly result in the plan being found unable to meet the basic conditions if progressed in its current form to Independent Examination. The LNP contains a number of matters which contravene the following basic conditions: (a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, -The strategy as proposed by the LNP's vision, objectives and suite of policies, including their supporting text, actively seek to constrain the delivery of future sustainable growth. The approach taken through several policies contained in the plan are inconsistent with the entire ethos of the Framework and have no regard to the need to significantly boost the supply of housing or the presumption in favour of sustainable development. - The</p>	Object		
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LNP30	Mr John Fleming	Gladman Developments		Whole Document	Relationship with Local Plans	To meet the requirements of the framework and the Neighbourhood Plan basic Conditions, Neighbourhood Plans should be prepared to conform to up-to-date strategic policy requirements set out in Local Plans. Where an up-to-date Local Plan has been adopted and is in place for the wider authority area, it is the strategic policy requirements set out in this document that a Neighbourhood Plan should seek to support and meet. When a Local Plan is emerging or is yet to be found sound at Examination, there will be lack of certainty over what scale of developemnt a community must accommodate or the direction the policies in the Neighbourhood Plan should take. The Forest of Dean Core Strategy (FODCS) was adopted on 23 February 2012 covering the period up to 2026. The FODCS is required to provide appriximately 6,200 dwellings over the plan period. Since the examination and adoption of the FODCS, the national policy context has radically changed. It is evident from the Inspector's report that despite the Framework being in its draft form at the time of examination, very little weight was attributed to this document. The evidence, strategy and policies of the FODCS are therefore untested against the requirements of the Framework. The Council are now preparing its allocations Plan which will replace the remaining parts of the 2005 Local Plan that have not been replaced by the Core Strategy or the Cinderford Northern Quarter Area Action Plan. Through the Allocations Plan, the Council intend to review the housing requirement cointained in the Core Strategy to ensure that the Plan delivers its full	Object		
LNP31	Anita Bolton	Environment Agency		Policy	Policy LYD ENV 2 – Protecting the Natural Environment	We support the wording within this section of the NDP and welcome reference has been made to the River Lyd, and tributaries, the Severn Estuary, the Canal and the Cut. We also welcome the policy has not just focused on protection, but also includes opportunities for enhancement of biodiversity and the natural environment. This is particularly important in the context of the Water Framework Directive (WFD).	Support		

LNP32	Anita Bolton	Environment Agency	Neighbourhood Plan Examiner's Version 2 (submission Draft)	Policy	Policy LYD HOUS 1 – Housing for Elderly People	<p>We note through the NDP public consultation process that additional housing for the elderly has been highlighted. Based on our Flood Map for Planning (Rivers and Sea), the proposed site shown on map 1.5, p22 is located outside the high risk floodplain, in Flood Zone 1. As correctly identified the site is a proposed brownfield site, adjacent to the watercourse known as the Cut, and is in close proximity to the River Lyd. We acknowledge reference has been made to the River Lyd, and that it has been recognised as an important green corridor which should be protected as a key element of any future proposal. However, our flood maps are for indicative use only and strategic allocations should be informed by a detailed evidence base to demonstrate accordance to the guiding principles of the NPPG. The NP should assess all forms of flooding to and from the development site. This is particularly pertinent given the vulnerability of future occupants. Paragraph 64 of the NPPG provides advice to this effect in section: What should be considered if bringing forward a Neighbourhood Development Order/Community Right to Build Order in an area at risk of flooding? It advises: The general approach and requirements for site-specific flood risk assessments should be applied to developments in areas at risk of flooding to be permitted by Neighbourhood Development/ Community Right to Build Orders. This means that for any development proposals: - in Flood Zone 2 or 3 ; - or of at least 1 hectare; - or in an area that has critical drainage problems (as notified to the local planning authority by the Environment Agency);</p>			
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LNP33	Anita Bolton	Environment Agency	Neighbourhood Plan Examiner's Version 2 (submission Draft)	Policy	Policy LYD CEN 1 – Lydney Town Centre Improvements	We note the plan acknowledges a requirement for extra supermarket provisions, and understand to date no suitable sites have become available. As highlighted previously our Flood map shows part of the proposed area identified on map 1.6. to be effected by the High Risk Floodplain associated with the River Lyd. Any new development proposed through the NDP should be sited outside of Flood Zone 3 (the 'High Probability' 1 in 100 year floodplain) and Flood Zone 2 (the 'Medium Probability' 1 in 1000 year floodplain), and wherever possible located within Flood Zone 1 (the 'Low Probability' area, effectively outside of the floodplain). Any additional sites which may be brought forward through the NDP process, should be in conformity with the both the requirements of the National Planning Policy Framework (NPPF), and of the FoD CS, specifically Policies CSP.1 and CSP.2, which set out how future development will be designed and brought forward within the district, taking into account, water quality, water resources and flood risk. In addition policies CSP.12 and 13, are of specific relevance to Lydney, and set out the development needs of the town over the plan period. We would therefore welcome a further signpost to these policies, similar to the reference made to the Heritage Policies, be incorporated into this section of the plan.	Observations		
LNP34	Anita Bolton	Environment Agency	Neighbourhood Plan Examiner's Version 2 (submission Draft)	Policy	Policy LYD GEN 1 – Water Management	We welcome that our previous recommendations have been taken on board and included within the supporting wording of this section. In particular that the section has been re-named and includes reference to the Water Framework Directive (WFD), land contamination, and Sustainable Drainage Systems (SuDS) techniques. We also acknowledge our previous suggested wording has been incorporated in full, with respect to those proposed locations at risk of flooding			
LNP35	Anita Bolton	Environment Agency	Neighbourhood Plan Examiner's Version 2 (submission Draft)	Policy	Policy LYD HAR 1 – Lydney Harbour Area	We note the plan supports increasing the harbour area's potential for recreation and tourism and that the policy is promoting small scale recreational development. Given the land along the estuary is affected by a high level of flood risk, associated with tidal flooding from the Severn Estuary and fluvial flood risk from the River Lyd, as referred to above any future development should be in conformity with the both the requirements of the National Planning Policy Framework (NPPF), and of the FOD CS. This should be made explicit in the NP. Opportunities for flood risk betterment should be explored and flood resilient measures employed as a result of any redevelopment proposals. We are also aware that the Emerging ADPD, contains draft policy AP-42, which identifies how future development should be designed and brought forward for the harbour area.			

LNP36	Anita Bolton	Environment Agency	Neighbourhood Plan Examiner's Version 2 (submission Draft)	Section	Burial Provision	Burial Provision We welcome reference has been made to our internal guidance, and it has been recognised that based on the importance of the local Aquifer, any future applications will need to be accompanied with an appropriate risk assessment, in line with our previous recommendations.	Observations		
LNP37	Anita Bolton	Environment Agency	Basic Conditions Statement			In summary we are satisfied that our previous recommendations have been incorporated into this version of the plan and that the revisions made seek to address local environmental issues in accordance with local and national planning policy. However, the site proposed for Elderly People should be supported by a Flood Risk Assessment to demonstrate the risks to and from the site are acceptable and accord with the NPPF, NPPG and the CS. As such we would currently question whether the basic conditions that a draft neighbourhood plan must meet if it is to proceed to referendum have been met. We refer particularly to condition D as set out in Paragraph: 065 (Reference ID: 41-065-20140306) of the NPPG.	Object		
LNP38	Mr Phil Hardwick	Robert Hitchins Limited	Neighbourhood Plan Examiner's Version 2 (submission Draft)	Page	5 Allocations Map figure 1.1	Whilst it is assumed Map 1.1 (Allocations Map) is included for information purposes we have a number of comments as follows relating to accuracy and clarity: The arrow denoting Lydney A points to the wrong part of the map (should be directed further south) The planning permission for the RHL part of the Lydney A is for up to 322 dwellings not 323 Not sure why the employment land at Hurst farm and land opposite (within the bypass) are described as 'allocations' where as the housing sites are described as 'planned'. As with the housing land these have planning permission and for consistency should also be refered to as 'planned' or all described as 'allocated' Plan should also include/identify the planned (consented) neighbourhood centre at 'Lydney A' Might be clearer if settlement boundary were denoted by a line as per Map 1.4	Object		Yes
LNP39	Mr Phil Hardwick	Robert Hitchins Limited	Neighbourhood Plan Examiner's Version 2 (submission Draft)	Policy	LYD GEN 1 (Water Management)	'Infrastructure improvements' are not always required and perhaps the second bullet point should clarify by the addition of the phrase 'where required' between ' any infrastructure improvements' and 'and how these will be delivered'	Observations		Yes
LNP40	Mr Phil Hardwick	Robert Hitchins Limited	Neighbourhood Plan Examiner's Version 2 (submission Draft)	Policy	LYD TRAN 3 (Public rights of way and wildlife corridors)	Not clear what a recognised local path is? The advice in DEFRA C1/09 is specified to 'public rights of way' requiring public rights of way not to be routed along estate roads goes beyond the DEFRA advice which suggest 'avoid', 'wherever possible' rather than 'not'	Object	First paragraph of Policy : delete 'and recognised local paths'. First Paragraph of Policy add 'wherever possible' between 'should' and 'not be routed'	Yes

LNP41	Miss Chloë Clark	Naas Farm Trust	Neighbourhood Plan Examiner's Version 2 (submission Draft)	Policy	LYD HAR 1	LYD HAR 1 is considered to be at odds with the Core Strategy and Allocations Plan /The policy text is overly restrictive stipulating small scale recreational developmetn. the plan does not reference what scale scale is and this is not something that is easily quantifiable #The policty and Map 1.9 identifies an area of land outlined in red which would be appropriate fro recreational uses. The NDLP nor its evidence base provides justification for including this specific area of land on a consistency point the first para on page 35 states Lydny harbour Area as is the Policy LYD HAR 1. In the context of th NDLP Lydney Harbour and Harbour area are not one and the same and therefore the referencing is misleading	Object	In order to ensure comprehensive developmetn of the harbour and respond tio the vision, the NDLP should support avoid restricting or specifying uses where this is not consistent with adopted policy. This will ensure a consistent and comprehensive approach. The land outlined in red should be removed from the map1.9 and LYD HAR 1 considers the Whole harbour area. Land at Naas Farm forms part of the Harbour. particularly its extensive frontage along Harbour Road and proximity to existing developmetn. It should be considered for inclusion within the Harbour Area The land is suitable for a mix of uses envisaged by adopted policy and is considered in detail in section 4 of the	Yes
LNP42	Miss Chloë Clark	Naas Farm Trust	Neighbourhood Plan Examiner's Version 2 (submission Draft)	Policy	LYD HAR 1	Land at Naas Farm Lydney has an extensive frontage onto Harbour Road and abuts the emerging mixed use allocated in the Allocations Plan. This land is suitable to accommodate recreation leisure and tourism and employment uses. Land at Naas Farm shold be included within the broad area defined to deliver a mix of uses at the harbour. the land is suitable and deliverable for the mix of uses envisaged by adopted policy and is considered in details in section 4 of this document.			









