

Independent Examiner's Clarification Note

Context,

Initial Comments. Thank you for these comments.

RED = Coleford Town Council/ Steering Group response

Points for Clarification Coleford TC responses underneath each Examiners note *in red*

In the inception meeting, we agree that where bullet points are used there should be an "and" before the last one for clarity.

Policy CTC1

I can see that the policy refers to map 5 and appendix D.

Should the numbers that precede the sites have a closer relationship to this earlier work? Otherwise the policy reads either as though the sites appear in the wrong order or that others have been omitted by mistake.

Map 6 has been corrected to give numbering consistent with the policies using the earlier consultation numbers. See attached.

A note could be added p20 by subtitle community consultation at 5.1.10, saying something to the effect of "seven possible sites in and at the edge of the town centre were identified in early consultations and to be consistent these sites are similarly numbered throughout the document. This means sites 1 and 2 appear in policy CTC2 page 25 whilst sites 3-7 appear first in CTC1".

Policy CTC 3

I can see the footnote (18) to the Heritage Lottery Fund. Should I conclude that it would only be such projects that would be supported by the policy?

Footnote 18 is in the wrong place and will be corrected.

Delete encouraged and replace with supported. Tweak wording to something like "This could include, for example, some or all of the following:

In this context are the examples just that – yes, but these examples are noted based on consultation, or do they represent a definitive list of projects -no

Policy CE3

As I read the policy it is more a statement of fact rather than a policy. Is it intending to say that new residential, employment and commercial development will be supported where it incorporates or improves connectivity?

Yes, so something like
new residential, employment and commercial development will be supported where it incorporates or improves connectivity

But also include at the end something like "This new development will also have to be compatible with other NDP policies (NB design policies, open areas, local green spaces, key views as in Map 13, green areas protected by the NDP)"

Policy CE4

This reads more as a schedule of other sites rather than as a policy. Is it necessary as Tufthorn Avenue is allocated for employment use in the emerging Allocations Plan and as the health facilities issue is already addressed in policy CTIPA 3 of the submitted Plan?

Essentially we were trying to say that we want local employment development, consistent with that in the emerging Local plan (including sites in AP)

Paragraphs 5.2.14 and 5.2.15 need to be updated in order to take out CE4 as a policy as such. In the text of 5.2.15 also refer to policy CITPA3

Policy CH2

This policy reads well in general terms. However, is there any significance in 'when it meets Coleford's needs'? Are these the needs identified in Section 5.3 of the Plan? (yes – see below)

As Coleford is a market town it services a wider area than this NDP, but we wished to draw attention to the needs as defined in section 5.3 to make sure Coleford's needs were in the forefront of development considerations.

With regard to the bullet points, an "and" should be inserted at the last point, so that all points apply.

Policy CH3

In the opening part of the policy there is reference to double allocations (the FoDDC Allocations Plan and the neighbourhood plan). Is this necessary? See a below

As I read the policy details it sets out the additional/local requirements for the development of sites already allocated in local policy. Is this interpretation correct? Yes – see b below

- a) CNDP have allocated some of the further modifications sites eg Kings Meade extension, North Rd Broadwell, in order to meet general conformity with emerging Local Plan – some of those sites were not included in the early consultations, and some were not accepted by people in later consultations. Also the AP Inspector increased required housing numbers part way through our process. The wording was to try to explain to local people that some sites HAD to be allocated or we would not be in general conformity re numbers.
- b) The detail on the sites is adding guidance at the NDP smaller scale and is the focus of the policy.

Policy CC1

The format and the structure are very robust. However, its clarity and applicability are less than clear. In particular:

- does Appendix F effectively list all the facilities affected by this policy?
- Is Table 10 a sub-set of Appendix F? Yes. See Appendix F (attached) revised for further clarity

Several of the community facilities used by Coleford people are not available within the CNDP area eg

- the only local secondary school is situated in Berry Hill
 - the only local leisure centre is situated in Berry Hill
 - the only local rugby club, and gymnastics centre are in Berry Hill
- What is the significance of the two examples listed in the body of the policy?

These were highlighted as the facilities are near developments sites, therefore section 106 funds might be available to improve them.

Policy CC3

The level of detail in the policy is good. Subject to any comments which you may have I am proposing to recommend modifications so that it has the desired effect as set out paragraphs 76 to 78 of the NPPF. See table in Appendix H Local Green Spaces.

I can see that proposed Local Green Space (LGS) 36 is outside the neighbourhood area. Given the nature of the legislation I have no option other than to recommend its deletion from the schedule. A neighbourhood plan cannot make any comments about land outside its boundaries. Understood.

Lawnstone (LGS5) overlaps with Lawnstone in Policy CTC1. I can see the approach proposed in CTC1. However, I have to assess LGSs against current conditions rather than future expectations. On this basis I am proposing to recommend the deletion of the LGS designation on the site. Do you have any observations?

At the time this was submitted an application had just gone in, but when site was surveyed by the Group, there was an existing green area to the south of the site (see photos L4 and L12 from site assessment 5 in appendix D) so it did conform to LGS then.

The revised application by FoDDC is expected at the June Planning Committee meeting. Coleford Town Council is supporting the application, consequently the LGS no longer applies and can be deleted.

Policy CC4

By 'surrounding settlements' does the policy refer to settlements other than Coleford itself which are located within the neighbourhood area?

This covers surrounding settlements within the NDP area, but not in Coleford town. Examples would be Broadwell, Milkwall, within the arcs.

Policy CHE2

Does the policy relate only to non-designated heritage assets? Relates to Appendix G

If so, is the schedule in the policy a full schedule of those non-designated assets? yes

Still need to refer to Appendix G for photographic and location detail

Policy CNE1

See CC4 response

Policy CNE2

I can see the relationship with the Locally Valued Landscape in the Allocations Plan (for Zones 1 and 2). What evidence supports the same treatment for Zone 3?

Evidence for Zone 3.

- A. Heritage. Concentration of heritage and natural assets in this zone, as illustrated by Map 11 & 12. Appendix A - Character Assessment Green Ring 3 South.
 - a. **Non-designated heritage assets** Appendix G: Tramroad (Page 4); Gorsty Knoll squatter cottage (Page 4).
 - b. **Designated listed buildings** Appendix M – Cast iron road Milkwall, Dark Hill iron works and brickworks complex (SAM); Titanic steelworks (SAM);
 - c. **Archaeological** finds: Roman coins; Bronze age artefacts and workings; iron ore slag and cinder deposits (Mushet era); tramroads and mine workings; charcoal workings workings and Aaron pond. Caradoc's Stone.
- B. Natural. Appendix A – Character Assessment Green Ring 3 South.
 - a. Gorsty Knoll conservation area; Views from Gorsty Knoll towards Milkwall and Coleford; Aaron's pond; cycle trails and walkways.
 - b. SAE commentary. Appendix U. See also Map 14 and sources

Specific evidence January 2015 consultation.

Question 3. "If there was a heritage trail, where should it go". The following were mentioned specifically: Fetter Hill (which encompasses Dark Hill and Titanic iron works); Caradoc's Stone.

Question 5. Valuing the rural surroundings of Coleford. Milkwall to Coleford track.

Specific evidence from Regulation 14 consultation.

Natural England. Reg 14 responses. Note the need for the maintenance and creation of dark corridors for bats.

What are your thoughts about the implications the recent decision on the Lower Lane, Berry Hill site on Map 10?

The recent decision on the Lower Lane site on Map 10 is being challenged by the Forest of Dean District Council. Until the outcome of this legal challenge is resolved our policy regarding the Lower Lane site remains the same. However, the wording on page 36 (5.3.18) needs to be amended in light of the current and the future situation regarding the Lower Lane site. If the Lower Lane site is finally designated for housing development then the Green Ring boundary will have to be adjusted to exclude the site.

Following the Inception meeting discussions, and following a decision to permit housing development at Lower Lane, we understand that the potential to reduce by 180 from the total housing number would not be possible.

Policy CNE3

As I read the structure of the policy its opening section is supporting text rather than policy. The policy begins in the lower section. Was this your intention?

The opening section was intended to be introductory and descriptive. The policy should begin 'Developers will be required...'

Developer Contribution List for Infrastructure (page 60)

What is the purpose of this section of the Plan? Is it intended to inform the details of other policies?

Yes.

Policy CITPA1

As I read the policy it is about the details required to support planning applications rather than a policy.

Do you have any comments on this observation? Could it be deleted as a policy and addressed as supporting text?

We want CITPA1 to be given weight, hence it is written as a policy. We also want it to give details of locations and modes of mitigation associated with new development.

Policy CITPA3

Am I correct in understanding this policy to offer general support both for a primary health care centre and a Forest of Dean hospital in the neighbourhood area?

A new primary health care centre has been agreed, but not a site. The location of a new District hospital is still being consulted upon and Coleford is a potential location. If the hospital is sited in Coleford this may also affect the new health centre location, consequently neither site have been identified.

Have any sites been identified for either or both of the schemes?

No. The criteria for a potential sites have been discussed with Gloucestershire Care and CCG.

Policy CITPA4

I can understand the issues raised in the supporting text and the importance of this matter to the local community. Nevertheless:

- What is meant by 'where appropriate opportunities will be used from new development to reduce the flood risk in Coleford'?
- How extensive would be definition of 'new development'? Can it be defined?
- In any event is it the role of new development to solve pre-existing problems?
- When new development alters infrastructure, in order to ensure that flooding does not happen, opportunities should be taken to carry out works to resolve existing nearby flooding problems.

We would consider any development requiring planning permission, excluding small scale developments.

- Is the ultimate purpose of the policy to ensure that new development in general, and the allocated sites in particular, address the drainage matters in the neighbourhood area in a satisfactory fashion with appropriate mitigation where necessary? **Yes**

General Comments.

- a) During the Inception meeting you raised the issue regarding the word 'encouraged', that appears in various policies, which you felt should be replaced by 'supported'. We agree this.
- b) It was also suggested that the word 'and' should be inserted at the end of the ultimate bullet point, where appropriate, in order to show that all the bullet points should be considered. We also agree with this.

We have identified all the appropriate places, both for a) and b), in case they are required.

Representations made to the Plan

Does the Town Council wish to make observations on any of the representations made to the Plan?

Selected comments are shown below.

Regulation 16 responses.

Environment Agency

1. New sewer installed about 20 years ago in Market Place that mitigates some risk. SFRA has been used. Further detailed data was requested from EA and FoDDC, but none was available.
2. From local knowledge, in the past 20 years experience of flooding in Newland Street has only occurred on the road, following intense rainfall.
3. Bowens Hill is very steep, so any new development would not be in the Zone 3 flood zone.
4. We agree that a specific flood risk assessment would be required.

Forest of Dean District Council

1. Lawnstone development. The planning application going into the June FoDDC Planning Committee for decision is now being supported by Coleford Town Council.

Gladman Developments

See previous comments on Lower Lane.

M.F.Freeman

35 objections to the Poolway extension site were received from local residents during the Regulation 14 consultation.

In the Berry Hill Christchurch and Edge End NDP, 80 houses were allocated, of which 40 have already been built. Hence 40 remain.

Protocol for responses

I would be grateful for comments by Friday 25 May 2018. Please let me know if this timetable may be challenging to achieve. It reflects the factual basis of the questions raised.

In the event that certain responses are available before others I am happy to receive the information on a piecemeal basis. Irrespective of how the information is assembled please can all responses be sent to me by the District Council and make direct reference to the policy/issue concerned.

Andrew Ashcroft

Independent Examiner

Coleford Neighbourhood Development Plan

14 May 2018