

Dymock Neighbourhood Development Plan

Independent Examiner's Clarification Note

This Note sets out my initial comments on the submitted Plan. It also sets out areas where it would be helpful to have some further clarification. For the avoidance of any doubt matters of clarification are entirely normal at this early stage of the examination process.

Initial Comments

The Plan provides a very distinctive vision for the neighbourhood area. Its presentation is very good. The difference between the policies and the supporting text is very clear. The Plan effectively captures the landscape setting of the neighbourhood area and the relationship between the village and the surrounding countryside.

The Plan is impressively underpinned by the extensive supporting text, appendices A-O and the Design Guide. The overall package of submission documents is proportionate to the neighbourhood area.

Points for Clarification

I have read the submitted documents and the representations made to the Plan. I have also visited the neighbourhood area. I am now able to raise issues for clarification with the Parish Council.

The comments made on the points in this Note will be used to assist in the preparation of my report and in recommending any modifications that may be necessary to the Plan to ensure that it meets the basic conditions.

I set out specific policy clarification points below in the order in which they appear in the submitted Plan:

Policy HM1

The policy takes a very positive approach to sustainable design.

It would be helpful if the Parish Council comments about the intention of the fourth part of the policy (on gardens). It reads out of context to the overall policy.

Parish Council (PC) response - The intention was to ensure that the local character and setting is not impacted by a proposed new building within an existing residential dwelling. However, bullet 4 in the first paragraph covers this and so the sentence covering gardens can be removed.

Policies 2/2a/2b/2c

These policies read well. However, to what extent do they bring added value to existing national and local planning policies?

PC response - The Parish Council recognise that these reflect existing national and local policies but wish to keep policies HM2a, 2b and 2c as a useful guide when assessing planning applications.

HM2b contains some parish specific information, such as the local definition of a small scale housing development, and the requirement for any new development to provide

housing of the size and tenure identified as being needed and reflected in the Housing Survey findings.

Policy BE1

I am minded to recommend that the order of the policy is reversed. Does the Parish Council have any comments on this proposition?

PC Response – No objections

Policy BE3

I am minded to recommend that the policy is broken down into its component parts (designated and non-designated heritage assets). Does the Parish Council have any comments on this proposition?

PC Response – No objections

Policy BE4

This is an excellent policy which is underpinned by the submitted Design Guide.

In the round the approach taken is a very good local response to Section 12 of the NPPF.

Policy SU1

In the round this is an excellent policy which provides a local response to Section 14 of the NPPF.

A Written Ministerial Statement was published on this matter in December 2023. A link is provided below:

[Written statements - Written questions, answers and statements - UK Parliament](#)

I am minded to recommend a modification to the supporting text to ensure that it refers to this matter. Does the Parish Council have any comments on this proposition?

PC Response – No objections

Policy C1

As submitted the second paragraph is supporting text rather than a land use policy.

Please can the Parish Council advise about its intentions?

PC Response – Agree that this should be supporting text rather than policy.

Policy C2

The supporting text is clear that the Plan does not identify any additional Local Green Spaces.

However, the policy is very similar to local green space policies. Please can the Parish Council advise about its intentions?

PC Response – There are areas of Green Space within the parish that are afforded different protection. The intention was to group these areas under one policy.

- **There are three designated Green Spaces – St Mary’s Churchyard, the Old Railway and Canal and The Crypt.**

- **Forest of Dean CSP.9 provides protection for the Golf Course, Cricket Club and School Playing Field.**
- **Gloucestershire County Council has placed a Conservation Road Verge notice on three verges**

Policy TT2

Electric vehicle parking and charging facilities are now addressed in the Building Regulations. As such, I am minded to recommend that this part of the policy is deleted. Does the Parish Council have any comments on this proposition?

PC Response – No objections

Policy E1

Could the employment related uses classes listed in the second paragraph be weaved into the first paragraph of the policy to reduce repetition?

I am minded to recommend the deletion of the fourth paragraph of the policy (on C2 uses) as older persons housing is not directly an employment use. Does the Parish Council have any comments on this proposition?

I am minded to recommend the deletion of the final paragraph of the policy (on rural tourism) as the matter is addressed in more detail in Policy TM1 of the Plan. Does the Parish Council have any comments on this proposition?

PC Response – No objections

Policy E5

The provision of broadband to new buildings is now addressed in the Building Regulations. As such, I am minded to recommend that the first part of the policy is deleted. Does the Parish Council have any comments on this proposition?

PC Response – No objections

Representations

Does the Parish Council wish to comment on any of the representations made to the Plan?

I would find it helpful if the Parish Council commented on the representations from:

- the Malvern Hills National Landscape Team;
- Tufnell Town and Country Planning; and
- Powells.

Parish Council Response

Malvern Hills National Landscape Team

The Parish Council recognises the significance of the Malvern Hills and has included three Important Local Views where the hills can be seen from Dymock. There are policies included within the NDP that state that any new development has to respect the local character and siting. This includes the views of the Malvern Hills and May Hill from Dymock parish.

The Parish Council did not want to allocate any housing development site as it is waiting for the new Local Plan. Following the release of the new Local Plan, the NDP will be reviewed and updated where required.

Tufnell Town and Country Planning

The Parish Council is aware of the current position regarding the Forest of Dean 5 year housing land supply and the review of the Local Plan. As stated on page 5 of the NDP, following the adoption of the new Local Plan, the NDP will be reviewed and updated where required. This may include candidate sites for potential development

The Forest of Dean self-build register does not currently include any requests for self-build plots within the Dymock parish.

Powells

The review of the Forest of Dean Local Plan is expected to be completed soon. Following the adoption of the new Local Plan, the NDP will be reviewed and updated where required. This may include candidate sites for potential development

Protocol for responses

I would be grateful for responses and the information requested by 31 May 2024. Please let me know if this timetable may be challenging to achieve. It is intended to maintain the momentum of the examination.

If 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 could it come to me directly from the District Council. In addition, please can all responses make direct reference to the policy or the matter concerned.

Andrew Ashcroft

Independent Examiner

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13 May 2024