

Lydney Neighbourhood Development Plan Review 2025-2043

**A report to Forest of Dean District Council on the
Review of the Lydney Neighbourhood Development
Plan**

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Executive Summary

- 1 I was appointed by Forest of Dean District Council in February 2026 to carry out the independent examination of the review of the Lydney Neighbourhood Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood area on 21 April 2026.
- 3 The Plan includes a variety of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. It has a focus on safeguarding its built and natural environment, achieving well-designed places, supporting the town centre, and safeguarding community facilities.
- 4 The Plan has been underpinned by community support and engagement. All sections of the community have been engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report, I have concluded that the Lydney Neighbourhood Plan Review meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should coincide with the neighbourhood area.

Andrew Ashcroft
Independent Examiner
11 August 2026

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Lydney Neighbourhood Development Plan Review 2025-2043 (the Plan).
- 1.2 The Plan has been submitted to Forest of Dean District Council (FDDC) by Lydney Council (LTC) in its capacity as the qualifying body responsible for preparing the neighbourhood plan.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework (NPPF) in 2012, 2018, 2019, 2021, 2023 and 2024. The NPPF continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises because of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope. It can include whatever range of policies it sees as appropriate to its designated neighbourhood area. In this case, the Plan is a review of the 'made' Plan. It has been designed to be distinctive in general terms, and to be complementary to the development plan. The Plan has a focus on safeguarding its built and natural environment, achieving well-designed places, supporting the town centre, and safeguarding community facilities.
- 1.6 Within the context set out above, this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then form a part of the wider development plan and be used to determine planning applications in the neighbourhood area.

2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by FDDC, with the consent of LTC, to conduct the examination of the Plan and to prepare this report. I am independent of both the FDDC and LTC. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles, I have 43 years' experience in various local authorities at either Head of Planning or Service Director level and more recently as an independent examiner. I have significant experience of undertaking neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral System.

Examination Outcomes

- 2.4 There are a variety of ways in which a review of a neighbourhood plan can be examined. They are described in Section 3 of this report. In this case, I have concluded that the Plan needs both examination and a referendum.
- 2.5 In this context, as the independent examiner I am required to recommend one of the following outcomes of the examination:
- (a) that the Plan as submitted should proceed to a referendum; or
 - (b) that the Plan should proceed to referendum as modified (based on my recommendations); or
 - (c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.

Other examination matters

- 2.6 In examining the Plan I am also required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood plan area; and
 - the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and
 - the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.
- 2.7 Having addressed the matters identified in paragraph 2.6 of this report I am satisfied that each of the points have been met subject to the contents of this report.

2.8 Section 98 of the Levelling-up and Regeneration Act 2023 was enacted in March 2026. It requires that a neighbourhood plan:

- so far as the qualifying body considers appropriate, and having regard to the subject matter of the plan, must be designed to ensure that the development and use of land in the neighbourhood area contribute to the mitigation of, and adaptation to, climate change; and
- so far as the qualifying body considers appropriate and having regard to the subject matter of the plan, must be designed to take account of any local nature recovery strategy under section 104 of the Environment Act 2021 that relates to all or part of the neighbourhood plan area.

2.9 I have addressed the matters identified in paragraph 2.8 of this report and have taken account of the information in the Addendum to the Basic Conditions Statement (April 2026). I am satisfied that the submitted Plan complies with these two requirements.

3 Procedural Matters

3.1 In undertaking this examination I have considered the following documents:

- the submitted Plan.
- the Lydney Masterplan
- the Lydney Design Code
- the Basic Conditions Statement.
- the Addendum to the Basic Conditions Statement (April 2026).
- the Consultation Statement.
- the Modifications Statement
- the FDDC Screening report (December 2024 and February 2025)
- the representations made to the Plan.
- the representations made to the revised Basic Conditions Statement
- LTC's responses to the clarification note.
- the Forest of Dean Core Strategy 2012
- the Forest of Dean Allocations Plan 2006 to 2026
- the emerging Forest of Dean Local Plan 2025 to 2045.
- the National Planning Policy Framework (December 2024).
- Planning Practice Guidance.
- relevant Ministerial Statements.

3.2 The various documents are helpfully available on FDDC's website. Wherever possible, I will refer to the document concerned for the purposes of keeping this report as concise as possible.

3.3 I visited the neighbourhood area on 21 April 2026. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. The visit is covered in more detail in Section 5 of this report.

The examination process for the review of a neighbourhood plan

3.4 The Neighbourhood Planning Act 2017 identifies the circumstances that might arise as and when qualifying bodies seek to review 'made' neighbourhood plans and introduces a proportionate process to do so based on the changes proposed.

3.5 There are three types of modification which can be made to a neighbourhood plan or order. The process will depend on the degree of change which the modification involves and as follows:

- minor (non-material) modifications to a neighbourhood plan or order which would not materially affect the policies in the plan or permission granted by the order. These may include correcting errors, such as a reference to a supporting document, and would not require examination or a referendum; or
- material modifications which do not change the nature of the plan or order and which would require examination but not a referendum. This might, for example, entail the addition of a design code that builds on a pre-existing

design policy, or the addition of a site or sites which, subject to the decision of the independent examiner, are not so significant or substantial as to change the nature of the plan; or

- material modifications which do change the nature of the plan or order would require examination and a referendum. This might, for example, involve allocating significant new sites for development.

3.6 The statement produced by LTC on this matter comments that the modifications to the policies constitute a material amendment to the Plan which require examination but not a referendum.

3.7 I have considered the Modifications Statement very carefully. I have concluded that the changes proposed to the Plan are so substantial and significant to change the nature of the Plan and require both an examination and a referendum. LTC agreed that the examination should proceed on this basis and this report has been prepared accordingly.

3.8 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted Plan, I was satisfied that the Plan could be examined without the need for a public hearing.

Revised Basic Conditions

3.9 The enactment of Section 99 of the Levelling Up and Regeneration Act 2023 on 25 March changed the basic conditions against which a neighbourhood plan is assessed. In order to address this matter LTC produced an update to the Basic Conditions Statement. Targeted consultation took place on the update. Section 4 of this report addresses this matter alongside the broader responses to the Plan.

4 Consultation

Consultation Process

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012, LTC prepared a Consultation Statement. It is proportionate to the neighbourhood area and the review of the Plan. It reflects the specific circumstances that have generated the community's desire to review the Plan.
- 4.3 Part A of the Statement gives an overview of the consultation events and activities that have led to the production of the Plan. Part B Gives an overview and description of the consultation on the pre-submission Plan (May to July 2025). In this context Section 3 of the Statement sets out the various activities that were held to engage the local community during the initial stages of the plan-preparation process.
- 4.4 It is clear that LTC has built on the success of the consultation process associated with the made Plan.
- 4.5 A key element of the Statement is the way in which its Section 4 (and Appendices 7-9) comment about how submitted Plan took account of consultation feedback at the pre-submission phase. This helps to explain the way in which the Plan has evolved.

Consultation Feedback

- 4.6 Consultation on the Plan was undertaken by FDDC and ended on 8 April 2026. This generated representations from the following organisations:
 - Natural England
 - Futurecell Limited
 - Canal and River Trust
 - Sport England
 - National Highways
 - Coal Authority
 - Gloucestershire Constabulary
 - Robert Hitchens Limited
 - Barratt Wilson Redrow
 - Historic England
 - Gloucestershire County Council
 - Hallam Land
 - Environment Agency
 - NHS Property Services
 - Forest of Dean District Council

- 4.7 Comments were also received from several local residents. I have taken all the comments into account in preparing this report. Where appropriate, I refer to specific representations in my commentary on the various policies in the Plan.
- 4.8 A separate consultation exercise was undertaken by FDDC on the Addendum to the Basic Conditions Statement which ended on 6 May 2026. This generated representations from the Coal Authority, Historic England, Welsh Water, Gloucestershire County Council and some local residents.

5 The Neighbourhood Area and the Development Plan Context

The Neighbourhood Area

- 5.1 The neighbourhood area consists of the parish of Lydney. Lydney is an historic market town and is bordered to the west by the Forest of Dean, and to the east by the River Severn. It is a compact town with the main concentrations of housing being elevated from the centre. Lydney acts as an important economic and transport hub for the surrounding villages and wider community. The River Lyd flows through the town joining the Severn at the Harbour. Lydney receives tidal flows from the Severn and is situated on a flood plain. Its population in 2021 was 10043 persons. The neighbourhood area was designated on 17 January 2013.
- 5.2 The neighbourhood area is an environmentally rich and diverse location. Lydney Town Marsh and Sidings is a Key Wildlife Site designated by Gloucestershire Wildlife Trust. The Severn Estuary European Marine Site is designated a Ramsar site, Special Area of Conservation (SAC) and Special Protection Area (SPA). To the south-east of Lydney and down to the edge of the Severn Estuary is the 'Lydney Cliff' Site of Special Scientific Interest (SSSI) and Regional Important Geological Site (RIGS). The area to the south and west of the Harbour and Harbour Road is a Strategic Nature Area (SNA). This SNA is also a priority area for biodiversity enhancement particularly for coastal habitats, wet meadows and grazing marsh.
- 5.3 Employment opportunities in Lydney mainly exist in the retail sector, education, care services and manufacturing. There are a range of industrial units spread over several sites within Lydney at the Harbour Industrial Estate, Hurst Farm, Church Road and Mead Lane. Lydney has a strong independent retail offering, and much of Lydney's current office accommodation is based in converted buildings in the Town Centre. In the round it is a very interesting location in which to prepare a neighbourhood plan.

Development Plan Context

- 5.4 The development plan covering the neighbourhood plan area is the Forest of Dean Core Strategy 2012 and the Allocations Plan 2006 to 2026. Collectively they set out a vision, objectives, a spatial strategy and overarching planning policies that guide new development in the District up to 2026.
- 5.5 Policy CSP4 of the Core Strategy sets out a focus for new development based around the existing settlements. It also includes a series of settlement-based policies. Lydney is addressed in Policies CSP12 and CSP13.
- 5.6 The Allocations Plan 2026 was adopted in June 2018. It is complementary to the Core Strategy and provides further details about the key allocated development sites in the District. Lydney is addressed in detail in the Plan and Policies AP39 to AP54 provide detailed advice about a series of issues, and allocate land for development.
- 5.7 FDDC was preparing a Local Plan for the period up to 2046. In due course, it would have replaced the existing development plan. However, in June 2026 it resolved

to revise its approach to plan making and begin preparing a new plan through new 'gateway' process.

- 5.8 The submitted Plan has been prepared within its wider adopted development plan context. In doing so it has relied on up-to-date information and research that has underpinned existing planning policy documents in the District. This is good practice and reflects key elements in Planning Practice Guidance on this matter.

Visit to the Neighbourhood Area

- 5.9 I visited the neighbourhood area on 21 April 2026. I approached it along the A48 from the east. This helped me to understand its connection to the strategic road network and its setting in the wider countryside.
- 5.10 Throughout the day I took the opportunity to look at the key elements of the submitted Plan. I noted the role of the town centre, and the location of the various industrial estates.
- 5.11 I saw the character and appearance of the Harbour area and its relationship with the River Severn.
- 5.12 I left the neighbourhood area and drove to Coleford to the north. This part of the visit highlighted the relationship of the parish with the Forest of Dean.

6 The Neighbourhood Plan as a whole

6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The revised Basic Conditions Statement has helped considerably in the preparation of this section of the report. It is a well-presented and informative document. It is also proportionate to the Plan itself. For clarity the following paragraph and the wider report assesses the Plan against the basic conditions that were enacted on 25 March 2026.

6.2 As part of this process I must consider whether the submitted Plan meets the basic conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:

- have regard to national policies and advice contained in guidance issued by the Secretary of State;
- contribute to the achievement of sustainable development;
- not have the effect of preventing development from taking place which is proposed in the development plan for the area of the authority (or any part of that area), and if it took place, would provide housing;
- not breach, and otherwise be compatible with, the assimilated obligations of EU legislation (as consolidated in the Retained EU Law (Revocation and Reform) Act 2023 (Consequential Amendment) Regulations 2023; and
- not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

6.3 I assess the Plan against the basic conditions under the following headings.

National Planning Policies and Guidance

6.4 For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued in December 2024.

6.5 The NPPF sets out a range of core land-use planning issues to underpin both plan-making and decision-taking. The following are particularly relevant to the Lydney Neighbourhood Plan Review:

- a plan-led system – in this case the relationship between the neighbourhood plan and the adopted development plan as described in Section 5 of this report;
- delivering a sufficient supply of homes;
- building a strong, competitive economy;
- recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
- taking account of the different roles and characters of different areas;
- highlighting the importance of high-quality design and good standards of amenity for all future occupants of land and buildings; and
- conserving heritage assets in a manner appropriate to their significance.

- 6.6 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development. Paragraph 13 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.
- 6.7 In addition to the NPPF, I have also taken account of other elements of national planning policy including Planning Practice Guidance and ministerial statements.
- 6.8 Having considered all the evidence and representations available as part of the examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms. It sets out a positive vision for the future of the neighbourhood area. It has a focus on safeguarding its built and natural environment, achieving well-designed places, supporting the town centre, and safeguarding community facilities. The Basic Conditions Statement maps the policies in the Plan against the appropriate sections of the NPPF.
- 6.9 At a more practical level, the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraph 16d). This is reinforced in Planning Practice Guidance. Paragraph ID:41-041-20140306 indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise, and supported by appropriate evidence.
- 6.10 As submitted, the Plan does not fully accord with this range of practical issues. Many of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

Contributing to sustainable development

- 6.11 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social, and environmental. I am satisfied that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension, the Plan includes policies for the local economy, the town centre, the Harbour and for tourism (Policies ET1-4). In the social dimension, it includes policies on community facilities (Policy HC2), and on rights of way (Policy TRAN2). In the environmental dimension, the Plan positively seeks to protect its natural, built, and historic environment. It has policies on a range of environmental matters (Policies ENV1-ENV6). This assessment overlaps with LTC's comments on this matter in the Basic Conditions Statement.

Not have the effect of preventing development from taking place which is proposed in the development plan for the area of the authority

- 6.12 I have already commented in detail on the development plan context in the District in paragraphs 5.4 to 5.8 of this report.
- 6.13 I consider that the submitted Plan delivers a local dimension to this strategic context. With the incorporation of the recommended modifications in this report I am satisfied that the Plan will not prevent development from taking place in the town as anticipated by Policies CSP13 and 14 of the Core Strategy or the various policies relating to Lydney in the Allocations Plan. I have noted the various representation that commented about the relationship between the Plan and the emerging Local Plan. Section 5 of this report has already commented about how FDDC is now addressing the strategic planning context for the District. In this context I have recommended modifications to Section 5 of the Plan which comments about monitoring and review.

Strategic Environmental Assessment

- 6.14 The Neighbourhood Plan (General) (Amendment) Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.
- 6.15 In order to comply with this requirement FDDC commissioned a screening report on the need or otherwise for a Strategic Environmental Assessment (SEA) to be prepared for the Plan. The report is thorough and well-constructed. It includes the responses from the consultation bodies. As a result of this process, it concluded that the Plan is unlikely to have significant environmental effects and thus does not require a Strategic Environmental Assessment (SEA).

Habitat Regulations

- 6.16 FDDC prepared a Habitats Regulations Assessment (HRA) of the Plan at the same time. The report is very thorough and comprehensive. It concludes that the Plan is not likely to have significant effects on European/internationally designated sites, either alone or in combination with other plans and projects, for those European sites outside the Lydney Neighbourhood Area boundary (River Wye SAC, Walmore Common SPA/Ramsar, Wye Valley Woodlands SAC).
- 6.17 Having reviewed the information provided to me as part of the examination I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of neighbourhood plan regulations.

Human Rights

- 6.18 In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no

evidence that has been submitted to me to suggest otherwise. In addition, there has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. Based on all the evidence available to me, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

Summary

- 6.19 On the basis of my assessment of the Plan in this section of my report I am satisfied that it meets the basic conditions subject to the incorporation of the recommended modifications contained in this report.

7 The Neighbourhood Plan Policies

- 7.1 This section of the report comments on the policies in the Plan. It makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.
- 7.2 My recommendations focus on the policies themselves given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the neighbourhood area. The wider community and LTC have spent time and energy in identifying the issues and objectives that they wish to be included in the review of the 'made' Plan. The community has successfully marshalled the capacity to prepare the Plan to reflect changing circumstances including updated national planning policies and an emerging Local Plan. This sits at the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (ID:41-004-20190509) which indicates that neighbourhood plans must address the development and use of land.
- 7.5 I have addressed the policies in the order that they appear in the submitted Plan.
- 7.6 For clarity this section of the report comments on all the policies in the Plan.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

The initial sections of the Plan (Sections 1-2)

- 7.8 The initial elements of the Plan set the scene for the policies. They are proportionate to the neighbourhood area and the subsequent policies.
- 7.9 Section 1 sets the scene for the overall document. It comments about the national context for neighbourhood plans, the local planning policy context; how the Plan was produced, and the neighbourhood area.
- 7.10 Section 1 also defines the neighbourhood area (in Map 1). Whilst the front cover of the plan and the summary/quick read identify the Plan period, I recommend that the Plan period is specified in this part of the Plan.

At the end of the Why Update Lydney's Neighbourhood Plan? section add: 'On this basis the Plan period is 2025 to 2043.'

- 7.11 Section 2 sets out a comprehensive vision for the Plan, alongside a series of objectives. The broader package is very distinctive to the neighbourhood area and provide an overall context for the resulting policies. The Vision is as follows:

'Lydney will continue to build its position as an important, attractive, growing and thriving coastal harbour market town at the gateway to the Forest of Dean.

All developments will enhance the health and well-being of residents whilst protecting and enhancing local wildlife and nature, building resilience against the effects of climate change and rising sea levels that may threaten the security of the town.

Our Neighbourhood Plan will balance meeting the needs of its population with promoting the town's attractiveness to new employers, visitors and residents whilst taking local action addressing the huge challenges of a more uncertain and warming world.

Lydney will provide local people with opportunities to have rewarding jobs, homes that meet changing needs, a thriving town centre and accessible health, education and community facilities for all. Travelling out will be a choice rather than a necessity.

As its growth continues, the town will conserve its heritage and retain its distinct character, it will strengthen its sense of being "one" integrated, diverse, safe and sustainable community. To help deliver its aims and bolster its role within the forest, Lydney will develop strong partnerships with other town and parish councils, District and County councils and other statutory and voluntary organisations.'

- 7.12 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report.

LYD ENV1 Location of New Development

- 7.13 This is a modified policy.
- 7.14 The policy seeks to support sustainable development within the defined settlement boundary of Lydney and to set criteria for proposals that are promoted outside of it to protect our valued rural setting and local identity. The Plan advises that it is an overarching policy that supports the delivery of all the Plan's objectives.
- 7.15 Robert Hitchins Limited comments:

'Draft Policy RLP.5 of the Revised Draft Local Plan allocates land at Lydney for approximately 1,800 dwellings, from both new and existing allocations. Most of this development is currently envisaged through existing allocations and commitments to the east of the town, with one new allocation of up to 450 dwellings to the west. This is due to the recognition of the continued growth of Lydney in order to enhance its role in the FODDC as the largest single settlement and to benefit other areas from its increased importance. Lydney will accommodate 14% of the new development envisaged within the Local Plan period (paragraph 4.20 of the revised draft local plan).

However, within the LNDP2 no housing allocations are proposed. It is noted that the LNDP2 does not reference the proposed allocation to the west of Lydney as proposed in the Local Plan Review. Map 2 of the LNDP2 should reflect the proposals in the emerging Local Plan Review. In respect of east of Lydney we have made representations on the emerging Local Plan regarding necessary changes to its Proposals Map and this is picked up in Section 3 below.

The LNDP2 should align with the emerging Local Plan to ensure that neighbourhood-level policies complement the broader Local Plan. A failure to align with the emerging draft local plan risks the Neighbourhood Plan quickly falling out of general conformity and being superseded and thereby rendered out of date once the new Local Plan is adopted. 2.10 The vision objective of the LNDP2 is to bring the existing Lydney Neighbourhood Plan (2014-2024) up to date and extend its life to 2043 by further building upon its vision, objectives and policies. Not being in conformity with the emerging local plan is inconsistent with this objective. It should therefore be reviewed considering the significant increase in housing need, particularly given Lydney's status as one of the District's most sustainable settlements where new housing allocations have now been identified as being required.'

7.16 Barratt David Wilson Redrow Homes comment that:

'The principle of Policy LYD ENV1 is generally supported, insofar as it supports development outside settlements boundaries when this is in accordance with the adopted development plan or national planning policy. This would appear to accord with the direction of national policy, highlighted through the draft NPPF (2025) which includes a focus on strengthening the presumption in favour of sustainable development to significantly boost the supply of housing.

Barratt Redrow, however, strongly oppose the policy's overly restrictive requirements when it comes to facilitating the provision of new housing allocations outside of the settlement boundaries.

The current policy wording of LYD ENV1 states that development outside of settlement boundaries will only be supported where it is also providing business uses to support new or existing businesses, or supporting sustainable rural tourism or leisure developments, or retaining or improving the provision of accessible local services and community facilities or provides for essential transport infrastructure. This indicates that residential-led developments outside of settlement boundaries would not be supported.'

7.17 Hallam Land comments:

'The drafting of Policy LYD ENV1 creates ambiguity regarding how its criteria are intended to operate in decision-making. The mixed use of conjunctions at criteria (c)-(g) could generate uncertainty for applicants and decision-makers at the development management stage, as it is unclear whether the policy requires satisfaction of all identified criteria, a combination of criteria, or merely one of the listed tests.'

7.18 I have considered these overlapping comments very carefully. In this context, the supporting text sets out the way in which the Plan seeks to complement the approach being taken in the emerging Local Plan. That Plan commented that land comprising the remainder of the planned new neighbourhood is allocated for delivery of approximately 1740 new dwellings 476 of which were delivered 2021-2023, 23ha of employment generating uses, a neighbourhood centre, a public park with associated recreation space and land for an additional primary school.

- 7.19 The three representations responded to this context and sought to ensure that the second part of the policy properly captured this growth agenda and provided sufficient details to ensure that the strategic targets were met.
- 7.20 The emerging Local Plan has now been withdrawn and FDDC is now pursuing the gateway approach towards its work on the Local Plan.
- 7.21 The withdrawal of the Local Plan from examination has altered the relationship between the submitted neighbourhood plan and the emerging Local Plan. Whilst the submitted neighbourhood plan was prepared in the context provided the emerging Local Plan, and sought to ensure a degree of consistency between the two documents, these circumstances no longer exist.
- 7.22 On the one hand the submitted Plan has not grappled in detail with the issue of housing delivery in the Plan period and has relied on the ongoing work undertaken by FDDC. However, on the other hand there is no need for a neighbourhood plan to address housing issues, and many qualifying bodies produce plans which provide local detail to local plans which address the future delivery of housing both generally, and in the neighbourhood area concerned.
- 7.23 In this broader context there is no reason why Plan should not proceed to form part of the development plan whilst FDDC works on its Local Plan. Nevertheless, any made review of the neighbourhood plan will need to be reassessed once a Local Plan has been adopted in order to ensure that it is both up to date and topical. In these circumstances I have recommend modifications to the monitoring and review elements of Section 5 of the Plan later in this report.
- 7.24 I am satisfied that the first part of the policy meets the basic conditions. It will help to ensure that new development is concentrated within the settlement boundary which will provide ready access to the town's community and commercial services.
- 7.25 I recommend the deletion of the second part of the policy which addresses development proposals outside the settlement boundary. I have reached this conclusion for two related reasons. The first is that the approach taken adds little to national and local planning policies. The second is that its wording is confusing and does not have the clarity required by the NPPF.
- 7.26 I also recommend consequential modifications to the supporting text and to reflect FDDC's recent changes to the way in which it will bring forward a local plan. Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of each of the three dimensions of sustainable development.

Delete the second part of the policy

Delete the draft policy box on Policy LP.63

Replace the Draft Local Plan section with:

'The Forest of Dean District Draft Local Plan 2021-2043 emerging preferred strategy for Lydney was being prepared as the Neighbourhood Plan was being reviewed and submitted. In July 2026 FDDC decided to withdraw the emerging Local Plan and to

produce an up-to-date local plan through the gateway process. On this basis Section 5 of this Plan comments about the way in which it will address the future adoption of an updated Local Plan in due course.'

LYD ENV2 Protecting & Enhancing Lydney's Natural Environment

- 7.27 This is a modified policy. It seeks to provide protection to Lydney's locally valued natural environment and biodiversity and to support proposals that enhance it to the benefit of local people and wildlife. The Plan advises that the policy supports delivery of the Plan's objectives by protecting the natural environment and by reducing the impacts of climate change.
- 7.28 Barratt David Wilson Redrow Homes comments that:
- '(it does) not object to the principle of aspiring to enhance existing green infrastructure, however, strongly recommend that this should not be included as a requirement within the policy. It is not justified for new developments to be required to enhance existing infrastructure and indeed, this will not always be possible. The overarching ecological mitigation hierarchy is clear that where a potential loss or negative impact on green/blue infrastructure functionality or ecological system/network is unavoidable, it is accepted that mitigation measures are appropriate and should be required and detailed. This must be reflected within the policy wording.'*
- 7.29 I have considered this matter carefully. I recommend modifications to the first part of the policy so that it requires that development proposals should respond positively to the green and blue infrastructure network of Lydney parish as shown on Map 6.
- 7.30 I sought LTC's comments about the extent to which the second part of the policy should be applied in a proportionate way to acknowledge that minor and domestic proposals would be unlikely to trigger the four criteria. It agreed to this approach in its response to the clarification note and I recommend accordingly.
- 7.31 Otherwise, the policy meets the basic conditions. It has regard to Section 15 of the NPPF and will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Replace the policy with:

'Development proposals should respond positively to the green and blue infrastructure network of Lydney parish as shown on Map 6.

As appropriate to their scale, nature and location development proposals should demonstrate how they:

- a. Protect and where appropriate and necessary enhance green infrastructure assets, including providing high quality links between existing assets;**
- b. As submitted**
- c. As submitted**
- d. As submitted'**

LYD ENV3 Protecting Lydney's Heritage

7.32 This is a new policy. The Plan advises that it aims to increase the protection and support the enhancement of Lydney's designated and locally valued non-designated heritage assets. The Plan comments that it supports delivery of Plan's objectives 2 and 3 in particular by protecting the heritage of Lydney and enhancing its attractiveness to visitors and shoppers.

7.33 I saw the importance of the built heritage of the town during the visit. In general terms the policy takes a positive approach to this matter. Nevertheless, I sought comments from LTC on the extent to which the policy brings any added value beyond national and local planning policies and makes an appropriate distinction between designated and non-designated assets. In its response to the clarification note, LTC commented that:

'Background text highlights that 'Lydney's history and its heritage underpins Lydney itself...' and 'Lydney's historic environment plays an important role in achieving a successful and vibrant Town Centre', which is a key element of LNP2 Vision. For this reason, the Steering Group is keen to provide a single comprehensive heritage policy that brings together all aspects of local designated and non-designated heritage that are ingredients within the historic context of the town and to inform local changes and improvements alongside FoDDC and National policy. The policy sets out approaches to designated assets, the conservation area (which includes important green spaces) and identified non-designated heritage assets. It is therefore felt to provide appropriate distinction.

7.34 The policy has attracted overlapping representations from FDDC, Robert Hitchins Limited, Barratt David Wilson Redrow Homes, and Hallam Land. In summary they comment about the wording used, the NPPF's distinction between designated and non-designated heritage assets, and the merits of identifying the proposed non-designated heritage assets (NDHAs).

7.35 I have considered these matters alongside LTC's response to the clarification note. On the balance of the evidence, I am satisfied that it is appropriate for the Plan to include a policy on heritage assets. The combination of the policy and the supporting text bring an important element of local distinctiveness to the national approach. However, in this context, I recommend that the various components of the policy are more clearly separated one from the other and to ensure that the elements on both designated and non-designated heritage assets have regard to national policy.

7.36 In its response to FDDC's comments on the selection of the proposed NDHAs. LTC advised that:

'the steering group considered which other buildings, apart from those identified by the FoDDC assessment of the Lydney built environment for their conservation area appraisal, would we identify as making a positive impact on the visual or historical social identity of Lydney. It was the cultural and historical significance of these buildings that was considered, rather than just their architectural value.

The steering group's work on this topic was informed by the Historic England Advice Note 7 (Second Edition): Local Heritage Listing: Identifying and Conserving Local Heritage,

The (NDHAs) were considered to be of cultural and historical significance to Lydney. These have identified in addition to the ones already on the local heritage (NDHA) list for the Forest of Dean.'

- 7.37 LTC also provided details about the reasoning behind its decisions to identify the proposed NDHAs.
- 7.38 On the balance of the evidence, I am satisfied that LTC's approach is appropriate. It represents a proportionate consideration of this matter. Nevertheless, based on LTC's response to the clarification note I recommend that the list of NDHAs identifies those which are already recognised by FDDC and those which are identified through the neighbourhood plan process. Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Replace the policy with:

Listed Buildings

Development proposals should sustain the significance of listed buildings including any contribution made by their setting. Decisions should be informed by a sound understanding of the significance of the building concerned and the impact of the proposal on that significance.

Lydney Conservation Area

Proposals for development within, or which may affect the setting of the Lydney Conservation area, should be accompanied with proportionate evidence to demonstrate that they have been informed by an understanding of the significance, character, appearance and setting of the area.

As appropriate to their scale, nature and location, development proposals affecting public and private open spaces within the Lydney Conservation Area or which form part of its setting, should demonstrate how they would:

- **contribute to the area's special historic interest;**
- **respect its spatial and visual importance to the landscape or townscape qualities of the conservation area; and**
- **where practicable, provide views or vistas into, out of or within the conservation area.**

Non-designated heritage assets

The Plan identifies a package of non-designated heritage assets as listed in the supporting text. When considering development proposals that affect the significance and setting of a non-designated heritage asset, a balanced

judgement should be applied. This should take into account the scale of any harm or loss and the significance of the heritage asset.

Reposition the list of NDHAs from the policy into the supporting text. In doing so update the first part of the list to reflect LTC's response to the clarification note and highlight the NDHAs already recognised by FDDC and those which have been identified by LTC as part of the preparation of the Plan.

LYD ENV4 High Quality Design & Local Distinctiveness

- 7.39 This is a new policy. The Plan advises that Lydney is experiencing significant development and this policy seeks to conserve and enhance the distinctive character and quality of Lydney's built environment. The Plan advises that the policy has been developed to be read in conjunction with the Lydney Design Code and Guidance (2024). The Plan comments that high quality design contributes to the delivery of environmental and community objectives and helps stimulate investment through promotion of Lydney's attractiveness.

- 7.40 Barratt David Wilson Redrow Homes comment that:

'The development requirements included within the policy for Lydney's various character areas are overly onerous and do not offer any flexibility to the development industry. Local vernacular is an important consideration when assessing the suitability of the design of new developments, however, the policy at present is extremely restrictive and, without clear justification, will prevent the timely delivery of much needed housing, further worsening the affordability issues experienced within the town.

Barratt Redrow strongly agrees that the current design requirements set out within this policy are rephrased to represent 'aspirations' that must be given consideration rather than requirements to be met. Consideration must also be given to the Government's draft Design and Placemaking Planning Practice Guidance, which defines the issues that can be addressed within a Design Code. To avoid duplication of requirements, regard must also be had to any Design Code that is produced at a local authority level through the emerging Local Plan. Multiple Design Codes would not be an effective means to deliver suitable homes and would cause ambiguity within the development industry.'

- 7.41 Hallam Land comments that:

'(it) is supportive of promoting high-quality and locally distinctive design. However, when Policy LYD ENV4 is read in combination with the Lydney Design Code, this results in a significant amount of criteria, character-area requirements, and design expectations for applicants to address. This may lead to ambiguity over which elements constitute policy and which are intended as guidance. As drafted, the policy blurs this distinction, increasing the likelihood of inconsistent interpretation between applicants, the Town Council and FODDC during the determination of applications.

A clearer, more proportionate approach should be applied through the Policy, focusing on strategic design outcomes and deferring detailed design expectations to the Design

Code. In this instance, the policy should simply list the development areas set out at criteria (2)-(7), referencing that 'further information on these areas is provided in the supporting Lydney Design Code', or similar wording

- 7.42 In general terms I am satisfied that the policy is well-considered and is underpinned by the Design Code and Guidance. Several developers comment that the policy may make the development management process difficult to administer. In this context I sought LTC's advice about the extent to which it has considered the practical issues associated with the application of the general elements of the Design Code and the specific requirements in the identified Development Areas. I also sought its comments on part 9 of the policy.

- 7.43 In its response to the clarification note, LTC commented that:

'FoDDC kindly provided detailed pre-Reg 14 comments on the emerging Reg 14 draft LNP2. It was consulted on the Reg 14 Plan, including Policy LYD ENV4 and the Draft Design Guide and Codes as part of LNP2 Regulation 14 and Regulation 16 formal consultation. Its feedback on the document is recorded in the consultation evidence base. It did not raise issues relating to the administration of the policy.

Policy LYD ENV4 provides a high degree of clarity relating to the key place-making characteristics of the distinct character areas within the Lydney NP area as described in the Design Guide and Codes. Far from being difficult to administer, it is asserted that the policy provides swift ease of reference for applicants and assessors of proposals by transposing the most important elements of character from the guidance that should inform responsive development design.

In its response to Reg 14 consultation FoDDC described the Guide and codes as '...a very insightful document with a large amount of quality design advice.' Its Development Management Service made five specific suggestions relating to house residential amenity, garages, EV charging infrastructure and green spaces. It did not raise any general matters of its use.

Part 9: Accept that this is process advice and agree with examiner's proposition for this to be relocated to supporting text.'

- 7.44 I have considered this matter carefully. Design guidance and codes are increasingly a common element of a neighbourhood plan and are precisely the place to introduce detailed guidance at a granular level that is much lower than that provided at a District level. The suggestion from Hallam Land to avoid repetition of the Design Codes and Guidance has considered merit and I recommend accordingly. I also recommend that Section 9 of the policy is recast and then incorporated within the supporting text. This acknowledges that it addresses a process matter rather than a land use planning policy.
- 7.45 Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Replace the policy with:

‘Development proposals should contribute positively to the local character and distinctiveness of Lydney, as described within the Lydney Design Code and Guidance (2024) and should be informed by the design guidance and codes defined within section 4 of the document.

The relevant development areas in Lydney are as follows:

- **The Victorian residential development areas;**
- **20th century residential development areas;**
- **Late 20th century residential development areas;**
- **21st century residential development areas;**
- **Edge residential development areas; and**
- **Allaston area**

All major development schemes with a residential component should perform positively against ‘Building for a Healthy Life 12’ or its successor. A ‘Building for a Healthy Life’ Assessment should be included within the Design and Access Statement. (As a guide, development should seek to achieve a score of no ‘reds’, design out all ‘ambers’ and achieve a majority of ‘greens’)

Add the following to the end of the supporting text

‘Where a design and access statement is required, it should incorporate a clear and proportionate demonstration of [add a-d from part 9 of the submitted policy]’

LYD ENV5 Low Carbon and Renewable Energy Generation

- 7.46 This is a new policy. The Plan advises that it responds to the increased importance of achieving zero carbon energy. It aims to promote and support a positive local response to climate change through low carbon and sustainable small scale renewable energy installations. The Plan advises that this policy helps deliver climate change objective 3 of the Plan.
- 7.47 In general terms I am satisfied that the policy is a very good local response to Section 14 of the NPPF. The final part of the policy (beginning with ‘In considering applications’) has an unusual format in commenting about appropriate weight being given to a series of factors. This approach fails to acknowledge that the weight to be given to material planning considerations is a matter for FDDC to apply rather than a policy issue. In these circumstances, I recommend that this part of the policy is modified so that it identifies that development proposals should respond positively to the identified matters.
- 7.48 In addition to bring the clarity required by the NPPF and to allow FDDC to apply the policy through the development management process I recommend that the first part is simplified and that the third part is recast so that its focus is on the way in which development proposals should respond positively to the identified matters, and in a proportionate way.

- 7.49 Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Replace the first part of the policy with:

‘Domestic and decentralised renewable and low carbon energy schemes will be supported where their proposed locations are appropriate, and where their impact is acceptable, or can be made acceptable through mitigation.’

Replace the third part of the policy with:

‘In particular, applications for development should be supported by evidence to inform an appropriate assessment pursuant to the Habitats Regulations in order to establish that development will have no adverse impact on the Severn Estuary European Marine Site as a Ramsar site, Special Area of Conservation (SAC) and Special Protection Area (SPA), and the Wye Valley Forest of Dean Bat Sites SAC.

As appropriate to their scale, nature and location, development proposals should respond positively to the following matters: [list I to xi from the submitted policy.]’

LYD ENV 6 Flooding & Water Management

- 7.50 This is a modified policy. The Plan advises that flood risk is a key issue for Lydney. This policy reinforces national and local policies to continue to seek to minimise the impacts of flooding through supporting locally sustainable approaches to water management within development schemes. The Plan advises that the policy supports the delivery of the Plan’s objectives 1, 2 and 3 in particular by steering sustainable development away from flood risk areas and reducing environmental impacts.
- 7.51 In general terms the policy takes a positive approach to this important issue in the town and has regard to Section 14 of the NPPF.
- 7.52 I sought LTC’s advice about the extent to which the second part of the policy is necessary as the matter is addressed by separate legislation. In its response LTC commented that:
- ‘the supporting text identifies a particular local risk to water quality due to Lydney’s industrial heritage. This is why contamination was specifically raised in the second part of Policy LYD ENV6. However, it is accepted the policy should not reiterate matters covered in legislation, resulting in the removal of Part 2. It is requested that the particular matter of local contamination is raised in Policy LYD ENV6, perhaps by integrating it within the retained first section.’*
- 7.53 In these circumstances I recommend that the second part of the policy is deleted and repositioned into the supporting text. As LTC acknowledges, it comments about a process matter rather than operating as a land use policy.
- 7.54 I also recommend that the first part of the policy is modified so that FDDC can apply it in a proportionate way through the development management process. This acknowledges that the main implications of the policy will be on major developments.

Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Replace the policy with:

‘As appropriate to their scale, nature and location development proposals should make adequate provision to manage surface water sustainably through the use of SuDS on site.’

At the end of the paragraph of supporting text beginning with ‘This Plan supports developments add:

‘Policy ENV6 addresses these matters. In order to safeguard the flooding profile and wider environment of the town, and where relevant, proposals should have regard to land contamination issues and the status of the receiving water body under the Water Framework Directive.’

LYD HC1 Housing choice for Everyone

- 7.55 The Plan advises that this updated policy widens the neighbourhood plan promotion of the right type of local housing growth. It also advises that it guides residential developments that contribute positively to meeting the identified local needs for housing and should be read in conjunction with the Lydney Housing Needs Assessment (HNA) (2023). The Plan advises that the policy helps to deliver the Plan’s Housing and Communities objective 4.

- 7.56 There is an inconsistency between the policy and the supporting text on the size of housing that would be supported. In its response to the clarification note LTC advised that:

‘the inconsistency between the background text and policy is acknowledged and requires clarification. The Lydney HNA examines the need for housing by type and tenure. It concludes; Paras 143-144; ‘The model also recommends a healthy supply of both 2 and 3-bed homes. This recommendation is broadly in line with the evidence for the Gloucestershire Local Housing Needs Assessment, which suggests that a majority of new homes should have more than 3 bedrooms. This balanced mix of homes between 2 and 4+ bedrooms would diversify the existing housing profile improve affordability in the existing housing stock and help to meet the needs of the shifting demographic profile (notably improving downsizing opportunities and providing larger homes for newly forming families) of the NA.’

The inaccuracy appears within the policy. It is suggested this may be resolved through deleting the direct reference to particular provision of 3-bedroom dwellings. It is believed the second part of the policy (of amended) would represent a consistent and reflective high-level policy response to the HNA recommendations, which should be read in detail in conjunction with the LNP2 policy.’

- 7.57 Barratt David Wilson Redrow Homes comment that:

The general principles of Policy LYD HC1 are supported by Barratt Redrow who are committed to delivering good quality and energy efficient homes with all their

developments. Whilst it is welcomed that the draft policy makes reference to subsequent updates to housing needs assessments for evidencing appropriate housing mix on new schemes, it must be acknowledged that market evidence provided by an applicant, which is current at the point of application submission, can also serve as suitable evidence to support a scheme's housing mix. Such market evidence will be up to date and is likely to reflect the current market need far better than evidence base documents that quickly become out of date. Barratt Redrow note again that the Housing Needs Assessment for this LNDP2 uses evidence based on an out-of date strategic policy and it therefore cannot be relied upon as a sound basis to evidence the appropriate housing mix for residential-led market development.

Part 2 of this draft policy specifies required dwelling tenures, making specific reference to a need for 'dwellings with more than 3 bedrooms'. It is understood that this evidence has come from the HNA, which has cross referenced with the Gloucestershire Local Housing Needs Assessment (2020). This is over five and a half years old and therefore Part 2 is not justified and not supported by appropriate evidence. This does also note accord with the strategic policies of the Local Plan (Basic Condition E), it applies a restriction on housing tenure without being supported by appropriate evidence on need. It is strongly recommended that this part of the policy is omitted.

- 7.58 I have considered these issues very carefully. On the balance of the evidence, including LTC's suggested revision to the second part of the policy, I recommend that the second part of the policy is deleted. It adds little value beyond the first part, and the issues arising from the HNA are addressed comprehensively in the supporting text.
- 7.59 Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Delete Part 2 of the policy

LYD HC2 Protecting and Providing Community Facilities

- 7.60 The Plan advises that this updated policy continues to protect and seek to improve the range of accessible local facilities within Lydney to meet its needs and helps deliver the Plan's Housing and Communities objective 4. The policy is underpinned by the Community Facilities Report.
- 7.61 I saw the importance of the various community facilities during the visit.
- 7.62 In general terms the policy takes a positive approach to this matter and has regard to Section 8 of the NPPF. I recommend that the order of the three parts is changed to ensure that it has a more positive focus. LTC agreed to this proposition in its response to the clarification note. the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.
- 7.63 Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Reorder the policy so that the order of the three parts is changed to 2-3-1.

LYD ET1 Employment

- 7.64 The Plan advises that this policy continues to seek to protect existing places of work and support growth and inward investment to increase local opportunities for rewarding employment and reduce out commuting. The Plan advises that it helps deliver the Plan's Economy and Tourism objective 5.
- 7.65 The Plan has three related elements as follows:
- within the employment areas identified in map 11, main employment uses will be supported;
 - development within the employment areas identified in map 11, where appropriate and relevant, should contribute positively to the local character and distinctiveness of Lydney; and
 - proposals for employment uses outside employment areas, including residential areas will be supported, subject to highways, access and amenity considerations and where it reflects the character of Lydney
- 7.66 In general terms I am satisfied that the policy takes a positive response to employment issues in the town and has regard to Section 6 of the NPPF.
- 7.67 Robert Hitchins Limited comments that:
- '(the policy) should be updated to provide flexibility for residential development where employment use is demonstrated to be unsuitable or unviable. At present, the policy requires employment uses to remain the predominant activity within employment areas without any exemption.'*
- 7.68 I have considered these comments very carefully. In doing so I note that the supporting text of the policy refers to Policy CSP.7 in the adopted Core Strategy. Furthermore, the policy's focus is on employment uses rather than on proposals for alternative uses. However, within this context I recommend that the third part of the policy is recast so that it has the clarity required by the NPPF and can be implemented by FDDC through the development management process.
- 7.69 Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of each of the three dimensions of sustainable development.

Replace the third part of the policy with:

'Proposals for employment uses outside the employment areas identified on Map 11, including within residential areas, will be supported, where they are appropriate on highways, access and amenity considerations and where they respond positively to the character of Lydney as described within the Design Code and Guidance (2024).'

LYD ET2 Supporting Lydney Town Centre

- 7.70 This is a modified policy. The Plan advises that it continues and intensifies support of the vitality and improvement of Lydney Town Centre where it is consistent with criteria set within the newly drafted Lydney Town Centre Master Plan report that accompanies this policy. The Plan comments that the policy helps deliver Neighbourhood Plan Town Centre Objective 6.
- 7.71 I looked carefully at the town centre during the visit. The policy has a healthy relationship with the submitted Town Centre Masterplan Framework (2024). In general terms the policy takes a very positive approach to the town centre and has regard to Sections 6 and 7 of the NPPF.
- 7.72 The intention of the third part of the policy is clear. However, I sought LTC's advice on the extent to which it had considered its potential unintended consequences and should any such proposals also be required to meet development plan policies. LTC agreed to this approach in its response to the clarification note.
- 7.73 Otherwise, the policy meets the basic conditions. It will support the local delivery of each of the three dimensions of sustainable development.

Replace the third part of the policy with:

'Proposals for new supermarkets or other large footprint developments will be supported where they demonstrate that they can be sensitively accommodated into the existing townscape. Where appropriate developer contributions will be sought from proposals within the town centre to assist in wider public realm proposals within this area.'

LYD ET3 Lydney Harbour Regeneration

- 7.74 This is a modified policy. The Plan advises that the policy continues support for the ongoing regeneration and revitalisation of Lydney Harbour and will help to deliver Economy and Tourism objective 5.
- 7.75 I looked carefully at the Harbour during the visit. I noted its significance and its relationship with the River Severn and the railway station. The four criteria in the policy are very distinctive to the Harbour area. I am satisfied that the policy takes a very positive approach to the Harbour and has regard to Sections 6 and 8 of the NPPF. The policy meets the basic conditions and will support the local delivery of each of the three dimensions of sustainable development.

LYD ET4 Promoting Local Tourism

- 7.76 This is a new policy. The Plan advises that the policy seeks to promote and support the sustainable and appropriate growth of Lydney's distinct visitor economy and its accommodation offer and that it helps to deliver the Plan's Economy and Tourism objective 5.
- 7.77 In general terms this is a well-considered new policy that has regard to Sections 6 of the NPPF. In this broader context I recommend that the policy is recast to ensure that

it has the clarity required by the NPPF and can be implemented by LTC through the development management process. In the second part of the policy this includes the deletion of the unnecessary commentary about the contribution that such proposals will make to the local economy.

- 7.78 Otherwise, the policy meets the basic conditions and will support the local delivery of each of the three dimensions of sustainable development.

Replace the first part of the policy with:

‘Development proposals that maintain, enhance or expand the tourism and the visitor economy within Lydney will be supported where they sustain and conserve the character of the local environment and respond positively to the amenity of residents in the immediate location of the site.’

Replace the opening element of the second part of the policy with: ‘Particular support will be given to proposals for the expansion of or alteration/expansion of:’

Replace the third part of the policy with:

‘Within the open countryside, proposals to expand or develop visitor facilities and accommodation businesses will only be supported where they

- protect or enhance the character of the local environment;**
- are well-connected to local services; and**
- do not harm existing or neighbouring rural businesses or farming.’**

LYD TRAN1 Sustainable and Active Travel & Improvements to the Transport Network

- 7.79 This is a modified policy. The Plan advises that it aims to guide and support safe improvements to Lydney’s transport network through developer contributions and scheme design. It helps deliver the Plan’s Environment and Transport Objectives 1 and 7.

- 7.80 Barratt David Wilson Redrow Homes advises that:

‘it supports the principles of LYD TRAN1 in seeking to promote sustainable and active travel and to ensure that the transport implications of development in Lydney are appropriately considered.

Whilst elements of the draft policy are supported, including the recognition that developments should proportionately contribute towards connectivity and Lydney’s sustainable travel network, ensuring the provision of safe access and egress, and creating an accessible development, the quantum of criteria included within this policy is extensive, extending from a) to o).

A number of the criteria do not consider site specific constraints. Criteria i) requires for public rights of way to be protected and enhanced. Whilst Barratt Redrow does not disagree with the principle of this criterion, it does not allow for the possibility whereby it is more suitable to divert PRoW, moreover, it may not always be possible to improve

the wildlife corridor network, and mitigation should be considered appropriate where the ecological mitigation hierarchy has been followed.

The draft policy should also make clear that development will not be constrained where sustainable transport opportunities are limited due to site constraints, but the impacts on the highway network can be appropriately mitigated.'

- 7.81 I have considered these comments carefully. On the one hand, the policy has a degree of overlap with national policy. However, on the other hand, the criteria address a package of locally distinctive matters to good effect.
- 7.82 The policy has an unusual style. I recommend that the opening element is separated from the alphabetic sequence, and that this is then translated throughout the policy. I also recommend that the wording in the opening part of the policy is modified so that it requires development proposals to respond positively rather than more neutrally to address the local highways network. I also recommend that the policy's application of the criteria is addressed in a proportionate way.
- 7.83 Finally I recommend that the supporting text is expanded to address the issue raised by Barratt David Wilson Redrow Homes about the flexibility for development proposals to go ahead where appropriate traffic-related mitigations can be achieved. Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Replace the opening element of the policy with:

'Development proposals should respond positively to their impacts on the local transportation network. As appropriate to their scale, nature and location, proposals should:'

Change b to a (and onwards throughout the policy)

In k (as submitted) replace 'Are' with 'Be located'

At the end of the supporting text add:

'Policy TRAN1 sets out the Plan's approach to these matters. The various criteria seek to ensure that new developments are properly integrated with, and accommodated within the local highways network. However, in accordance with national policy, development proposals will not necessarily be constrained where sustainable transport opportunities are limited due to site constraints, and the impacts on the highway network can be appropriately mitigated by the development proposal concerned.'

LYD TRAN2 Public Rights of Way & Wildlife Corridors

- 7.84 This is a modified policy. The Plan advises that it adopts the key principles outlined in the Government Guidance on Local Transport Plans and the Natural Environment (DEFRA Rights of Way Circular 1/09). It also advises that in assessing proposals of this nature developers will also be expected to have regard to the potential impact of the construction of rights of way on protected sites and species, and that in doing so planning applications should demonstrate how they comply both with national planning

policy and the policies in the Forest of Dean Core Strategy. The Plan comments that the policy will help to deliver the Plan's Environment and Transport Objectives 1 and 7.

- 7.85 The policy comments that proposals to develop a network of wildlife corridors alongside public rights of way, as shown on map 6, will be supported. The Plan also offers support for proposals that enhance the local biodiversity by providing and enhancing wildlife corridors alongside Public Rights of Way
- 7.86 This is a very good policy which has regard to Sections 8, 9 and 15 of the NPPF. It meets the basic conditions and will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Monitoring and Review

- 7.87 Section 5 of the Plan addresses the way in the Plan will be monitored and reviewed. This is best practice and reflects the government's expectations that development plans are both topical and up-to-date.
- 7.88 I note that the final paragraph of Section 5 comments about the relationship between the Plan and local policy produced by FDDC. It comments that the Plan will continue to review and refresh its policies to remain an effective part of the development plan alongside the reviewed Forest of Dean Local Plan. A review creates an opportunity to refresh and bolster Lydney Town Centre Improvement Policy supported by steering groups involving local community groups and Town Council representatives working on specific projects and pursuing available external funding and grants to achieve these projects.
- 7.89 I have commented earlier in this report about FDDC's revised approach to the delivery of its Local Plan. In this context I recommend that an additional paragraph is included in Section 5 on future monitoring and potential review arrangements

At the end of the final paragraph of Section 5 add: 'In this context the Town Council will consider the need or otherwise for a further review of the Plan within six months of the adoption of the Forest of Dean Local Plan.'

Other Matters – General

- 7.90 This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly because of my recommended modification to the policy concerned, I have highlighted them in this report. However other changes to the general text may be required elsewhere in the Plan because of the recommended modifications to the policies. It will be appropriate for FDDC and LTC to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

Modification of general text (where necessary) to achieve consistency with the modified policies.

- 7.91 The approach being taken by FDDC on its Local Plan review has altered during the examination of the neighbourhood plan. On this basis several references to this process in the submitted Plan have now been overtaken by events. In this context I recommend that the principal element of the submitted Plan which comments on this matter is replaced to reflect the most up to date position.

In Section 1.2 replace the Draft Local Plan 2025-2043 element with:

'Emerging Local Plan

The District Council is preparing a new Local Plan which will replace the existing plan. The new local plan will:

- set out how the Forest of Dean will develop within its defined Plan period;*
- allocate land to help deliver new homes and jobs; and*
- safeguard environmental assets*

The Local Plan will allocate land for new housing and employment, to provide for the future needs of local communities.

The Forest of Dean District Draft Local Plan 2021-2043 emerging preferred strategy for Lydney was being prepared as the Neighbourhood Plan was submitted for examination. However, in July 2026 the District Council decided to withdraw the emerging Local Plan and to produce an up-to-date local plan through the gateway process. On this basis, Section 5 of this Plan comments about the way in which it will address the future adoption of an updated Local Plan in due course.'

- 7.92 I also recommend that other references to the emerging Local Plan in the submitted Plan are updated so that they correspond to the context of the emerging Local Plan as set out in the modified Section 1.2.

Update other references to the emerging Local Plan elsewhere in the Plan

8 Summary and Conclusions

Summary

- 8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2043. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community safeguarding its built and natural environment, achieving well-designed places, supporting the town centre, and safeguarding community facilities. In the round, it is an excellent example of a review of a neighbourhood plan.
- 8.2 Following the independent examination of the Plan, I have concluded that the submitted Lydney Neighbourhood Development Plan Review meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.

Conclusion

- 8.3 Based on the findings in this report I recommend to Forest of Dean District Council that subject to the incorporation of the modifications set out in this report the Lydney Neighbourhood Development Plan Review should proceed to referendum.

Referendum Area

- 8.4 I am required to consider whether the referendum area should be extended beyond the Plan area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved by the District Council on 17 January 2013.
- 8.5 I am grateful to everyone who has contributed to the examination. The Town Council's responses to the clarification note were both helpful and timely and the District Council managed the process in a very efficient way.

Andrew Ashcroft
Independent Examiner
11 August 2026