

# **Dymock Neighbourhood Development Plan 2024-2026**

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

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## **Executive Summary**

- 1 I was appointed by the Forest of Dean District Council in April 2024 to carry out the independent examination of the Dymock Neighbourhood Development Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood area on 10 May 2024.
- 3 The Plan includes a range of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. There is a very clear focus on safeguarding the character of Dymock, the other settlements and the surrounding landscape.
- 4 The Plan has been underpinned by community support and engagement. All sections of the community have been actively engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report, I have concluded that the Dymock Neighbourhood Plan 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**  
**7 June 2024**

## **1 Introduction**

- 1.1 This report sets out the findings of the independent examination of the Dymock Development Plan 2024-2026 (the 'Plan').
- 1.2 The Plan has been submitted to the Forest of Dean District Council (FDDC) by Dymock Parish Council (DPC) 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) 2012 and its updates in 2018, 2019, 2021 and 2023. 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. Any plan can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted Plan has been designed to be distinctive in general terms, and to be complementary to the development plan. It has a clear focus on maintaining the character and appearance of the neighbourhood area and safeguarding its landscape setting.
- 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 be used to determine planning applications within the neighbourhood area and will sit as part of the wider development plan.

## **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 DPC, to conduct the examination of the Plan and to prepare this report. I am independent of both FDDC and DPC. 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 41 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 other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral Service.

### *Examination Outcomes*

- 2.4 In my role as the independent examiner of the Plan I am required to recommend one of the following outcomes of the examination:
- (a) that the Plan as submitted proceeds 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.
- 2.5 The outcome of the examination is set out in Sections 7 and 8 of this report.

### *Other examination matters*

- 2.6 In examining the Plan I am 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 I have addressed the matters identified in paragraph 2.6 of this report. I am satisfied that the submitted Plan complies with the three requirements.

### 3 Procedural Matters

3.1 I have considered the following documents during the examination:

- the submitted Plan;
- the Basic Conditions Statement (including the SEA/HRA screening exercises);
- the Consultation Statement;
- the Design Guidance;
- DPC's responses to the clarification note;
- the representations made to the Plan;
- the National Planning Policy Framework (December 2023);
- the adopted Forest of Dean Core Strategy;
- the adopted Forest of Dean Site Allocations Plan;
- Planning Practice Guidance; and
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 10 May 2024. 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 paragraphs 5.9 to 5.15 of this report.

3.3 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.

## 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 DPC has prepared a Consultation Statement. The Statement sets out the mechanisms used to engage all concerned in the plan-making process. It captures the key issues in a proportionate way. The Statement is commendably brief and is supplemented by appropriate details in Appendix A. Appendix A of the Plan itself sets out the distinctive phases of the consultation exercises which were organised as the Plan was being prepared. It was mainly focused on community events.
- 4.3 Appendix A of the Statement provides information about the comments which were received on the pre-submission Plan (January to February 2024) and the way in which DPC revised the contents of the Plan. This helps to explain how the Plan evolved because of this process
- 4.4 The Statement also provides details of the way in which DPC engaged with statutory bodies. I am satisfied that the process has been proportionate and robust.
- 4.5 In the round I am satisfied that consultation has been an important element of the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation.
- 4.6 From all the evidence provided to me as part of the examination, I am satisfied that DPC sought to engage with residents, statutory bodies and the development industry as the Plan has been prepared.

### *Representations Received*

- 4.7 Consultation on the submitted plan was undertaken by FDDC and ended on 30 April 2024. This exercise generated comments from the following organisations:

- Gloucestershire County Council
- Herefordshire and Gloucestershire Canal Trust
- Malvern Hills National Landscape
- National Gas
- Environment Agency
- Coal Authority
- Canal and River Trust
- Historic England
- National Highways

- Newent Civic Society
- Sport England
- Tufnell Town and Country Planning
- Powells

4.8 Two representations were also made by residents.

4.9 I have taken account of the various representations as part of the examination of the Plan. Where it is appropriate to do so, I make specific reference to the individual representations in Section 7 of this report.

## 5 The Neighbourhood Area and the Development Plan Context

### *The Neighbourhood Area*

- 5.1 The neighbourhood area is the parish of Dymock. Its population in 2011 was 1214 persons living in 524 houses. It was designated as a neighbourhood area on 14 June 2018. Dymock is in the north-west of Gloucestershire and is within the valley of the River Leadon. Dymock lies four miles north-west of Newent and five miles south of Ledbury. The parish also includes several small outlying settlements including Broom's Green, Tiller's Green, Tilputs End, Four Oaks, Leddington, Knight's Green, Preston, Preston Cross, Greenway, Hallwood Green, Ryton, Hillend Green and Normansland.
- 5.2 Dymock village sits astride the B4215 road which runs between Gloucester (to the south) and Preston Cross (to the south-west of Ledbury). It has a sharp focus around St Mary the Virgin Church and The Beauchamp Arms. The historic core of the village is a designated conservation area.
- 5.3 As the Plan describes, the remainder of the parish is typically rural and is dominated by a diverse mix of pastures, orchards, and arable fields. Hedgerows divide the landscape into a patchwork of arable and pasture fields. The landscape is particularly colourful; rich red soils exposed in ploughed fields contrasting sharply with the greens of pastures and the many small deciduous copses and shelterbelts.

### *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. Dymock is identified as one of a series of small villages within the context of Policy CSP16. Paragraph 7.65 of the Core Strategy comments that within small villages there is a very limited opportunity for new development.
- 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. Dymock is addressed in Section 19 of the Plan. No allocations are included in the Plan. Nonetheless it includes an Inset Map for Dymock.
- 5.7 FDDC is preparing a Local Plan for the period up to 2041. In due course, it will replace the existing development plan.
- 5.8 The submitted Plan has been prepared within its wider development plan context. In doing so it has relied on up-to-date information and research that has underpinned previous and existing planning policy documents in the District. This is good practice and reflects key elements in Planning Practice Guidance on this matter.



*The Visit to the neighbourhood area*

- 5.9 I visited the neighbourhood area on 10 May 2024. I approached it from Ledbury to the north on the B4216. This helped me to understand its setting within the wider landscape and its relationship with the strategic highway network.
- 5.10 I looked initially at the High Street in Dymock. I saw the significance of St Mary's Church and its relationship with the green space to the immediate south. I saw the War Memorial and the oak trees planted to commemorate the Silver Jubilee of King George V and the Diamond Jubilee of Queen Victoria. I also saw the Beauchamp Arms and the way in which it is providing a Pop-Up Shop and Post Office service to the local community. I also saw the former Ann Cam school building which has now been sensitively occupied for residential use.
- 5.11 I then looked at the remains of the former railway station in Western Way and the Winding Pool. In their different ways, they highlighted important elements of the history of the village.
- 5.12 I then walked over the bridge to look at the Ann Cam Church of England Primary School. Its significance in the wider community was very clear.
- 5.14 I then took the opportunity to look at some of the other smaller communities within the neighbourhood area. I saw their relationship with the wider countryside.
- 5.15 I left the neighbourhood area by driving to Newent to the south. This highlighted the relationship between the various settlements and the wider geography of this part of the Forest of Dean.

## 6 The Neighbourhood Plan and the Basic Conditions

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 submitted 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.

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;
- be in general conformity with the strategic policies of the development plan in the area;
- not breach and be otherwise compatible with the assimilated obligations of the European Union (EU) obligations and European Convention on Human Rights (ECHR); 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 2023.

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 Dymock Neighbourhood Plan:

- a plan led system – in this case the relationship between the neighbourhood plan and the adopted Core Strategy, and the Allocations Plan;
- 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 subject to the recommended modifications included in this report. It sets out a positive vision for the future of the neighbourhood area. It includes a series of distinctive policies to shape new development in the Plan period. 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 matter 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 way in which the submitted Plan contributes towards 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 residential development (Policies HM1 and HM2c) and for employment development (Policies E1-E4 and TM1). In the social dimension, it includes policies on community facilities (Policy C1), and on green spaces (Policy C2). In the environmental dimension, the Plan positively seeks to protect its natural, built, and historic environment. It has specific policies on the built environment (Policies BE1-BE4) and the natural environment (Policies NE1-NE4). DPC has undertaken its own assessment of this matter in the submitted Basic Conditions Statement.

#### *General conformity with the strategic policies in the development plan*

- 6.12 I have already commented in detail on the development plan context in the Forest of Dean 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. The Basic Conditions Statement helpfully relates the Plan's policies to policies in the development plan. Subject to the recommended modification in this report, I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

#### *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. The resulting report (October 2023) is thorough and well-constructed. It assesses the environment implications of the objectives and the policies included the Plan. Following consultation with the three consultation bodies, it concludes that the Plan is unlikely to have significant environmental effects and thus does not require a Strategic Environmental Assessment (SEA).

#### *Habitat Regulations Assessment*

- 6.16 The commission also included a parallel Habitats Regulations Assessment (HRA) screening report. It is both thorough and comprehensive. It takes appropriate account of the significance of the following protected sites:
- River Wye SAC;
  - Wye Valley & Forest of Dean Bat Sites SAC;
  - Walmore Common Special Protection Area (SPA)/Ramsar;
  - Severn Estuary SAC/SPA/Ramsar;
  - Wye Valley Woodlands SAC; and
  - Cotswold Beechwoods SAC.

- 6.17 The Assessment concludes that the Plan is unlikely to have significant effects on designated sites, either alone or in combination with other plans and projects.
- 6.18 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 the appropriate regulations.

#### *Human Rights*

- 6.19 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*

- 6.20 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 they have the necessary precision to meet the basic conditions.
- 7.2 The modifications 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 modifications 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 DPC have spent time and energy in identifying the issues and objectives that they wish to be included in their 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. Where necessary I have identified the inter-relationships between the policies.
- 7.6 For clarity this section of the report comments on all 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 section of the Plan*

- 7.8 The initial parts of the Plan set the scene for the range of policies. They do so in a proportionate way. The Plan is presented in an effective way. It makes good use of photographs and well-selected maps. A very clear distinction is made between the policies and the supporting text. It also highlights the links between the Plan's objectives and its resultant policies. It focuses on distinctive issues within the parish and consolidates the approach already taken in the Core Strategy and the Allocations Plan.
- 7.9 The Introduction addresses the background to neighbourhood planning. It comments about how the Plan was prepared and how it will be used. This part of the Plan also includes a map of the neighbourhood area and describes the Plan period. Furthermore it explains how the neighbourhood plan process overlaps with national planning policies and the planning policies produced by FDDC.
- 7.10 The Overview of the Neighbourhood Area provides a range of helpful information. Key elements of this analysis have underpinned the production of the Plan and its policies. It includes details on:
- the population of the parish;
  - its housing stock;
  - transport and connections; and

- community facilities.

7.11 The initial parts of the Plan also comment about its Vision, Aims and Objectives. The Vision is as follows:

*'Dymock parish will strive to be a friendly and vibrant community for all age groups. The parish will encourage change in order that the future needs of the community shall be met whilst preserving and enhancing the beauty of the area, its environment, and its history. Appropriate development will complement the existing character of the area so as to provide a safe, enjoyable and inclusive environment for residents of all ages.'*

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.

#### HM1 Provision of Housing to meet Local Needs

7.13 This policy offers support for new housing development in the Settlement Boundary. It identifies a series of criteria and principles with which proposals should comply.

7.14 In the round the policy takes a positive approach to this matter. It will ensure that new development is concentrated in locations with good access to commercial and community facilities.

7.15 In this broad context, I recommend the following modifications to bring the clarity required by the NPPF and to allow FDDC to apply the policy in a clear and proportionate way through the development management process:

- a reconfiguration and simplification of the opening element of the first part of the policy both generally and to ensure that it has a proportionate element. The modification also acknowledge that the development plan is designed to be read in the round and there is no need for a neighbourhood plan policy to comment as such;
- the deletion of principles in the first part of the policy on the provision of broadband and electric vehicle charging which are now addressed nationally in the Building Regulations
- the deletion of the repetitive fourth element of the policy (on development in gardens).

7.16 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

**Replace the opening element of the first part of the policy with: 'Development proposals for new buildings and extensions to existing buildings within the defined Dymock Settlement Boundary will be supported where, as appropriate to their scale, nature, and location, they meet the following criteria and principles:'**

**Delete the sixth principle (on the delivery of broadband) and the eighth principle (on electric vehicle charging).**

**Delete the fourth part of the policy (on residential gardens).**

**In the fifth part of the policy replace ‘shall’ with ‘will’**

HM2 Housing Development outside the Settlement Boundary

7.17 This policy comments about residential development in the countryside (outside the Settlement Boundary). It is supplemented by more detailed policies (Policies HM2a to HM2c) on specific types of development.

7.18 In each case, these policies overlap with national and local planning policies on such matters. I queried the need for the policies with DPC. In its response to the clarification note, it advised that it:

*‘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.’*

7.19 I have considered this issue very carefully. On the balance of the evidence, I am satisfied that there is sufficient local detail in the policies to justify their retention in the Plan. In addition, the policies are particularly important to a rural parish with a range of settlements. Within this context, I recommend specific modifications to the policies to address the following matters:

- that there is no need for a neighbourhood plan to restate other development plan policies; and
- the incorporation of wording more appropriate to a neighbourhood plan.

7.20 Otherwise the various policies meet the basic conditions and have regard to Section 6 of the NPPF. In their slightly different ways, they will contribute to the delivery of each of the three dimensions of sustainable development.

7.21 I do not repeat this general commentary on a policy-by-policy basis. In some of the policies other specific modifications are recommended.

**Replace the opening element of the policy with: ‘New housing development in the open countryside, and which sits outside of the Settlement Boundary, will be supported where development proposals comply with the following criteria and principles:’**

HM2a Dwellings for rural workers

7.22 This policy comments about proposals for permanent agricultural, horticultural, forestry and rural enterprise-related dwellings.

7.23 I recommend detailed modifications to the final parts of the policy to bring the clarity required by the NPPF. Otherwise, the policy meets the basic conditions and have regard to Section 6 of the NPPF. It will contribute to the delivery of each of the three dimensions of sustainable development.



**Replace the opening element of the policy with: ‘Proposals for permanent agricultural, horticultural, forestry and rural enterprise-related dwellings will be supported where they can show an essential need for such a dwelling and: ‘**

**Replace the penultimate part of the policy with: ‘Where related to a new agricultural, horticultural, forestry or other rural enterprise, proposals for a time-limited temporary dwelling, such as a mobile home or caravan, will be supported until the economic viability of the enterprise is established. Proposals for such temporary dwellings should meet the functional and economic requirements. ‘**

**In the final part of the policy replace ‘shall be considered’ with ‘will be determined’**

#### HM2b Rural Exception Housing

- 7.24 This policy comments about how proposals for a small-scale new housing development (up to 25 dwellings) outside the defined Settlement Boundary shall be determined
- 7.25 I recommend detailed modifications to the second part of the policy to bring the clarity required by the NPPF. Otherwise, the policy meets the basic conditions and have regard to Section 6 of the NPPF. It will contribute to the delivery of each of the three dimensions of sustainable development.

**Replace the opening element of the policy with: Proposals for a small-scale new housing development (up to 25 dwellings) outside the defined Settlement Boundary will be supported where it can be demonstrated that they meet the following criteria:**

**Replace the second part of the policy with: ‘The incorporation of market housing within rural exception sites will be supported where the proposal requires market homes to make the development financially viable. Only the minimum number of market homes required to achieve viability will be supported.’**

#### HM2c Re-use of Redundant or Disused Buildings for Housing

- 7.26 This policy comments about the re-use of redundant or disused buildings for residential purposes.
- 7.27 I recommend the general modification to the opening element of the policy as described earlier in this report. Otherwise, the policy meets the basic conditions and have regard to Section 6 of the NPPF. It will contribute to the delivery of each of the three dimensions of sustainable development.

**Replace the opening element of the policy with: ‘Proposals for the re-use of redundant or disused buildings for residential purposes will be supported where they meet each of the following criteria:’**

## BE1 Preservation and Enhancement of the Dymock Conservation Area

- 7.28 This policy sets out specific guidance for development in the Conservation Area. I saw its importance to the character of Dymock during the visit.
- 7.29 In general terms the policy takes a positive approach to development in the Conservation Area and has regard to Section 16 of the NPPF. I am satisfied that the criteria in the policy being added value beyond national and local policy on built heritage.
- 7.30 I recommend that the order of the policy is reversed so that it has a positive rather than a negative focus. I also specific modifications to the wording used in the policy so that they are more appropriate to a neighbourhood plan. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

**Delete the first sentence.**

**In the second sentence replace ‘must’ with ‘should’**

**At the end of the policy (as a new paragraph) add: ‘Development proposals which would detract from the visual, historic or architectural character and appearance of the Conservation Area or its setting will not be supported.’**

## BE2 Protecting Archaeological Sites

- 7.31 This policy sets out specific guidance for development and the archaeological heritage of the parish.
- 7.32 In general terms the policy takes a positive approach to this issue and has regard to Section 16 of the NPPF. I am satisfied that the criteria in the policy being added value beyond national and local policy on built heritage.
- 7.33 I recommend the repositioning of elements of explanation in the policy into the supporting text. I also recommend specific modifications to the wording used in the policy so that they are more appropriate to a neighbourhood plan. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

**In the first part of the policy replace ‘must’ with ‘should’ and delete the second sentence.**

**Delete the second part of the policy.**

**In the third part of the policy replace ‘Planning Permission will not be granted for development’ with ‘Development proposals will not be supported**

*At the end of the third paragraph of supporting text add: ‘Policy BE2 addresses these important issues. A written scheme of investigation should be submitted with development proposal in the vicinity of sites of archaeological importance. Developers*

*should engage with the Gloucestershire Historic Environment Record at an early stage in the formulation of proposals.'*

### BE3 Protecting Local Heritage Assets and Non-Designated Assets

- 7.34 The policy takes a hybrid approach. Whilst its title refers to Non-Designated Heritage Assets, it also comments about designated heritage assets. It advises that development proposals should conserve and/or enhance the significance of heritage assets, including their setting. It also sets out specific guidance for heritage assets and non-designated heritage assets.
- 7.35 The approach taken introduces an element of uncertainty as national policy for designated and non-designated heritage assets (as set out in Section 16 of the NPPF) is not identical. I recommend that the policy is restructured into its component elements to remedy this matter.
- 7.36 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

#### **Replace the policy with:**

##### ***'General***

**Development proposals should conserve and/or enhance the significance of heritage assets, including their setting and respond positively to the following matters:**

- **the historic landscape, including locally distinctive settlement patterns, field systems, woodlands and commons and historic farmsteads and smallholdings;**
- **designed landscapes, including churchyards, local green spaces, and Local Wildlife Sites;**
- **archaeological remains; and**
- **historic transportation networks and infrastructure including roads and trackways, canals, and railways.**

**Development proposals which would incorporate a low carbon retrofit of heritage buildings will be supported.**

##### ***Designated heritage assets***

**Proposals involving a change of use of a listed building should demonstrate that the building concerned is capable of being converted into the new use without substantial extensions or modifications, especially if the change of use would require new openings, staircases, change of floor plan or loss of historic fabric.**

##### ***Non-designated heritage assets***

**The Plan identifies the following non-designated heritage assets: (include bullet point list as in the submitted Plan)**

**Proposals affecting a non-designated heritage assets should be assessed against the scale of harm or loss and the significance of the asset.’**

BE4 Building design for new buildings and extensions

- 7.37 This is an important policy. It seeks to ensure high quality and distinctive new development. The approach taken is underpinned by the Dymock Design Guide.
- 7.38 The policy comments that development proposals must be of a high-quality design and comply with Policies CSP.1 to CSP.3 of the Core Strategy, the latest FDDC Residential Design Guide, FDDC Supplementary Planning Document - Dymock Character Appraisal, and supplementary design guides.
- 7.39 The policy includes a series of design principles. I am satisfied that the principles are both appropriate and locally-distinctive to the parish.
- 7.40 In the round I am satisfied that the policy takes a positive approach to this important matter. It is an excellent local response to Section 12 of the NPPF.
- 7.41 Within this context, I recommend that the opening elements of the policy are modified so that they bring the clarity to the development industry required by the NPPF. In addition, they will allow FDDC to apply the policy in a consistent way. The modifications do not include any references to the existing FDDC policies and the Supplementary Planning Document. There is no need for a neighbourhood plan to repeat existing policy guidance. Nevertheless, for clarity I recommend that this matter is addressed in the supporting text. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

**Replace the opening elements of the policy with:**

**‘Development proposals should be of a high-quality design and accord with the relevant details in the Dymock Design Guide.**

**As appropriate to their scale, nature and location development proposals should respond positively to the following design principles:’**

*At the end of the supporting text add: ‘Policy BE4 addresses these important matters. It is based on the details in the Design Guide. The policy and the Design Guide complement the policy already contained in the Forest of Dean Core Strategy and Forest of Dean Supplementary Planning Document - Dymock Character Appraisal, supplementary design guides.’*

SU1 Delivering Sustainability

- 7.42 The policy sets out a positive approach to building sustainability. It advises that development proposals should be designed to mitigate climate change and contribute to achieving net zero carbon emissions by 2030. Furthermore it comments that new developments should follow the principles set out in Section 4 of the Dymock Design Guide.

7.43 The policy also includes a package of locally-distinctive design principles which address the following matters:

- Sustainable Design;
- Renewable Energy;
- Energy Efficiency;
- Water Efficiency;
- Sustainable Living; and
- Retrofitting.

7.44 The policy takes a very positive approach to these matters and has regard to Section 14 of the NPPF. Its non-prescriptive approach takes account of the Written Ministerial Statement was published on this matter in December 2023. I recommend that the supporting text is expanded to refer to this Ministerial Statement. I also recommend the deletion of the references to electric vehicle charging facilities as such issues are now managed nationally through the Building Regulations.

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

**In the Renewable Energy Section delete the final two bullet points (on electric vehicle charging facilities).**

*At the end of the supporting text add: 'In December 2023 a Written Ministerial Statement (Local Energy Efficiency Standards) was published on these matters. Policy SU1 is consistent with the non-prescriptive approach in that Statement.'*

#### C1 Local Community Facilities

7.46 This policy recognises the local importance of community facilities. It has two main parts. The first offers support for the development of new community facilities. The second seeks to safeguard the loss of existing community facilities because of development proposals.

7.47 In general terms the policy takes a positive approach to community facilities and has regard to Section 8 of the NPPF.

7.48 In this general context I recommend the following modifications to bring the clarity required by the NPPF:

- the deletion of the unnecessary first sentence of the first part of the policy;
- the relocation of the second part of the policy (on engagement with DPC) into the supporting text as it is a process matter rather than a land use policy;
- the revision to the wording of the wording in the third part of the policy so that it is more appropriate to a neighbourhood plan.

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

**In the first part of the policy delete the first sentence. In the second sentence replace ‘permitted’ with ‘supported’**

**Delete the second part of the policy.**

**In the third part of the policy replace ‘shall be permitted where:’ with ‘will be supported where:’**

*At the end of the Protecting community assets section (as a new paragraph) add: Developers proposing to re-develop or convert a community facility should consult the Parish Council prior to the submission of a planning application so that they can understand the use and importance of the facility concerned.’*

#### C2 Green Space

- 7.50 This policy identifies a package of Green Spaces. They are intended to consolidate the three parcels of amenity land in the village identified in the Allocations Local Plan (and affected by Policy CSP9 of the Core Strategy).
- 7.51 The policy introduces a degree of confusion. On the one hand the supporting text advises that no local green spaces are proposed in the Plan. On the other hand, the wording in the policy is very similar to policies associated with local green spaces (which do not apply in this instance). In its response to the clarification note DPC advised that there are areas of Green Space within the parish that are afforded different protection. The intention was to group these areas under one policy.
- 7.52 Whilst such an approach has merit, the various green spaces have different characteristics and the three identified in the Allocations Plan have a more strategic (or District-level) value. I recommend modifications to the wording of the policy and the supporting text to remedy this matter. I also recommend the deletion of the final part of the policy. Given that the policy does not designate local green spaces it is inappropriate to include a policy statement about exceptions to local green space policy.
- 7.53 Otherwise the policy meets the basic conditions. It reflects the importance of green spaces in the parish and will contribute to the delivery of the social and the environmental dimensions of sustainable development.

**In the first part of the policy delete the first three green spaces (which are already safeguarded in the Allocations Plan).**

**Replace the opening element of the third part of the policy with: ‘Proposals on the identified green spaces will not be supported unless the benefits which would arise from the development concerned would outweigh their protection as green spaces and:’**

**Delete the final part of the policy**

*At the end of the first part of the supporting text add: ‘Policy C2 does not address these three sites, as they are already protected in the Forest of Dean Allocations Plan.’*

## NE1 Managing Flood Risk

- 7.54 This policy seeks to complement Policies CSP1 and CSP2 in the Core Strategy. It identifies a series of locations in the parish which are at risk from flooding in the parish.
- 7.55 In the round I am satisfied that the policy's approach is generally appropriate and has regard to Section 14 of the NPPF.
- 7.56 Nevertheless within this context I recommend that the policy is modified so that it focuses on land use matters. The recommended modification acknowledges that there is need for a neighbourhood plan to repeat policies in Core Strategy.
- 7.57 Whilst the areas listed in the policy will be prone to flooding the approach taken is rather matter-of-fact and may conflict with the more general approach in the policy. As such I recommend that the list of locations is relocated into the supporting text along with a broader explanation of the policy.
- 7.58 Otherwise, the policy meets the basic conditions. It will contribute to the 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 for housing, agriculture and commercial enterprises must demonstrate that they will not result in adverse impacts on the quality of waterbodies, groundwater, and surface water, and will not prevent waterbodies and groundwater from achieving a good status in the future.'**

**Development proposals should be set back 8m from watercourses to allow access for maintenance and restoring the natural floodplain unless it is demonstrated a narrower buffer zone is sufficient.'**

*At the end of the Surface Water/Flooding supporting text add:*

*'Policy NE1 addresses these important matters. It takes a precautionary approach. It has been prepared to be complementary to relevant policies in the Core Strategy. As such development proposals should also comply with Policies CSP.1 and CSP.2 regarding flood risk. In the context of these policies and Policy NE1 of this Plan, it is unlikely that planning applications for proposed developments at the following known flood areas will be supported:*

- *Ketford Road at the junction with Crowfield Lane and at Elmbridge Villas;*
- *Longbridge just outside Dymock village on the Ledbury Road;*
- *Windcross;*
- *Tiller's Green;*
- *Greenway Bridge;*
- *Where the B4215 crosses Kempley Brook to the north of Dymock; and*
- *Dymock village near to Still House.'*



## NE2 Protecting and Enhancing the Local Landscape Character

- 7.59 This policy focuses on the local landscape character. It comments that development proposals should be designed to protect, conserve and where possible enhance the special characteristics that make up the distinctive, ecologically sensitive and valued local landscape character within the parish.
- 7.60 In the round I am satisfied that the policy is appropriate and has regard to Section 15 of the NPPF.
- 7.61 Nevertheless whilst the intention of the submitted policy is clear I recommend that a context is provided to the bullet points.
- 7.62 I recommend that the second and third bullet points are modified so that they have a positive focus and read as principles. I also recommend a specific modification to the wording used in the final bullet point so that it can be implemented by FDDC in a consistent way. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

**Before the list of bullet points insert: ‘As appropriate to their scale, nature and location, development proposals should respond positively to the following principles:**

**Replace the second and the third bullet points with:**

**‘Development proposals should safeguard established traditional orchards.**

**Development proposals should safeguard woodland including woodland that would otherwise contribute towards the achievement of the Severn Treescape project.’**

**In the final bullet point replace ‘not result in any’ with ‘avoid’**

## NE3 Biodiversity

- 7.63 This is a wide-ranging policy on biodiversity. It includes elements (and extensive supporting text) which are specific to the parish. It also includes more general elements on biodiversity net gain.
- 7.64 Key elements of the Environment Act 2021 on biodiversity net gain are now in place. On this basis I recommend the deletion of the elements of the policy which comment about biodiversity net gain. This reflects that there is no need for a neighbourhood plan to repeat or restate national policy and/or legislation. I recommend consequential modifications to the supporting text.
- 7.65 Otherwise, the policy meets the basic conditions. As modified, it will operate in a supplementary way to national legislation and will have regard to Section 15. A key success of the approach taken is the level of detail provided in the supporting text about biodiversity and the natural environment in the parish. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.



Replace the policy with:

**‘Development proposals should safeguard Sites of Special Scientific Interest, Local Wildlife Sites, ancient woodland, or habitats of principal importance listed under Section 41 of the Natural Environment and Rural Communities Act 2006, particularly Lapwing, Willow Tit and Noble Chafer. Development proposals which have a detrimental impact on such sites will only be supported if the need for and the benefits of the proposed development outweigh the loss.**

**Development proposals should safeguard the natural habitat and the bat habitats and ensure the integrity of the sites concerned.’**

*Replace the first four paragraphs of supporting text with:*

*‘Under Section 40 of the Natural Environment and Rural Communities Act 2006, public authorities must conserve biodiversity as part of policy or decision-making. This is reflected in the Forest of Dean District Core Strategy Policy CSP.2 Biodiversity.*

*The Environment Act 2021 introduced the mandatory biodiversity net gain requirement of 10% for new housing and commercial development in England. From November 2023 this requirement has been mandatory. Detailed guidance on biodiversity net gain is now available in Planning practice guidance The Neighbourhood Plan does not repeat this requirement. Instead, its focuses on the biodiversity in the parish.*

*Biodiversity net gain is a way to contribute to the recovery of nature while developing land. It is making sure the habitat for wildlife is in a better state than it was before development started. A biodiversity net gain can be achieved through a variety of measures, including retaining and improving existing biodiversity features on-site but also through the creation of new biodiversity opportunities, such as creating green corridors, planting trees, or forming natural spaces, either within the development site or off-site elsewhere.’*

NE4 Dark Skies

- 7.66 The context to the policy is that whilst the parish is not a designated dark skies area, the 1993 and 2000 light pollution maps for South West England published by Campaign to Protect Rural England show that it falls within the blue skies designation and therefore is still excellent for non-light polluted skies. Lighting only occurs in certain areas of Dymock village and has been installed for pedestrian safety. Outside the village, the rural areas have no street lighting and retain relatively dark skies. The Plan advises that the residents within the rural areas of Dymock wish to remain a non-light polluted sky area. Such areas are acknowledged as important to the well-being of people and nature and enable people to enjoy the wonder of a night sky.
- 7.67 The policy comments that lighting schemes which form part of any proposed development should be designed to minimise their impacts on wildlife and to protect the non-light polluted skies which are characteristic of the Neighbourhood Area.
- 7.68 The policy also incorporates four principles with which development proposals should comply.

- 7.69 The policy takes a very positive approach to dark skies. I am satisfied that it meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

TT1 Improving Road Safety

- 7.70 This is the first of a series of traffic related policies. It advises that development proposals must demonstrate that there will be no adverse impact on road safety. It also identifies the way in which developer contributions (relating to traffic works) will be applied.

- 7.71 In the round I am satisfied that the policy takes an appropriate approach to this matter and has regard to Section 9 of the NPPF. I recommend two modifications to bring the clarity required by the NPPF and to allow FDDC to apply the policy in an appropriate way. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

**In the first part of the policy replace ‘must’ with ‘should’**

**At the beginning of the second part of the policy add: ‘Where appropriate,’**

TT2 Parking

- 7.72 This policy aims to ensure that new developments provide adequate levels of on-site parking is provided, including disabled parking and cycle parking.
- 7.73 In the round I am satisfied that the policy takes an appropriate approach to this matter and has regard to Section 9 of the NPPF. Nevertheless, I recommend that the first part of the policy is modified so that it can be applied by FDDC on a proportionate basis and in accordance with the most up-to-date parking standards applicable in the District.
- 7.74 In the second part of the policy I recommend modifications to two of the bullet points to bring the clarity required by the NPPF. The deletion of the penultimate bullet point recognises that charging facilities for electric vehicles are now controlled nationally by the Building Regulations. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

**Replace the first part of the policy with: ‘As appropriate to their scale, nature and location, development proposals should provide on-site parking, including disabled parking and cycle parking, to the most up-to-date car parking standards in place in the District.’**

**In the second part of the policy:**

- **replace ‘a population with high car ownership’ with ‘the local population’ in the first bullet point;**
- **delete the penultimate bullet point (on EV charging)**

### TT3 Sustainable Travel

- 7.75 The policy seeks to ensure that adequate transport infrastructure and safe access (including access to sustainable and active travel modes) is provided in new developments. Four key principles are identified in the second part of the policy
- 7.76 In the round I am satisfied that the policy takes an appropriate approach to this matter and has regard to Section 9 of the NPPF
- 7.77 I recommend that the second part of the policy is recast so that it can be applied by FDDC in a proportionate way. I also recommend that the wording of the four principles is modified so that they flow more naturally from the opening element of this part of the policy. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

#### **Replace the second part of the policy with:**

**‘As appropriate to their scale, nature and location, development proposals should respond positively to the following principles:**

- **be in sustainable locations close to community facilities thereby reducing the need to travel;**
- **incorporate safe pedestrian and cycle links to connect the development to facilities and transport links in the immediate locality;**
- **protect and maintain public rights of way to ensure safe access to facilities, and to facilitate leisure and recreation; and**
- **be located within active travel distance of public transport networks.’**

### E1 Local Employment Development

- 7.78 The context to the policy is that the sustainability of the parish and specifically Dymock village centre is dependent on opportunities for local people to find local employment. The Plan advises that most of the residents of the parish work and spend their money supporting retail and other service industries elsewhere.
- 7.79 The policy comments that proposals for new businesses will be supported providing that they are in accordance with other relevant development plan policies and are of a scale, type, and nature appropriate to their location and setting. It is a wide-ranging policy, with specific sections on support for new businesses, proposals for rural tourism and extensions to existing businesses
- 7.80 In the round I am satisfied that the policy takes an appropriate approach to this matter and has regard to Section 6 of the NPPF
- 7.81 I recommend that employment related uses classes listed in the second paragraph are relocated into the supporting text both for clarity and to reduce repetition. I also recommend the deletion of the fourth paragraph of the policy (on C2 uses) as older persons housing is not directly an employment use. Finally, I recommend the deletion of the last paragraph of the policy (on rural tourism) as the matter is addressed in more detail in Policy TM1 of the Plan.

- 7.82 Otherwise the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

**Delete the second (list of uses), third (the circular economy and the footnote) and fourth (C2 housing) parts of the policy.**

**In the sixth part of the policy replace ‘shall’ with ‘will’**

**Delete the seventh part of the policy**

*At the end of the supporting text add:*

*‘Policy E1 provides an overarching context for the Plan’s support for new or expanded employment uses. Policies E2 to E5 add further details on specific uses. Policy E1 addresses the expansion of existing or the development of new business (Use Class E), small-scale retail uses (Use Class F2a), community halls (Use Class F2b), general industrial (Use Class B2) and warehousing development (Use Class B8). Proposals that seek to create environmental and circular economy benefits within Class B2 will be considered within this broader context. For example, proposals for waste minimisation, reducing pollution, retaining/reusing materials, and products buildings and infrastructure would fall into this category.’*

E2 Agricultural and Industrial Development

- 7.83 This policy advises that proposals for agricultural or industrial development should meet a series of requirements:
- 7.84 The policy correctly acknowledges that not all agricultural-related development needs planning permission. However, I recommend that the wording used is clearer. I also recommend that the opening element of the policy is modified so that it will allow FDDC to apply it in a proportionate way.
- 7.85 The final section of the policy comments about the details which planning applications need to provide. As it is a process matter, I recommend that it is repositioned into the supporting text.
- 7.86 Otherwise the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

**Replace the opening element of the policy with:**

**‘Insofar as planning permission is required, and as appropriate to their scale, nature and location, proposals for agricultural or industrial development should meet the following requirements:’**

**Replace the ninth and tenth principles with:**

- **Development proposals incorporate a waste management where waste is to be disposed of via a Waste Transfer licence;**
- **Development proposals incorporate sustainable drainage proposals to manage surface water and avoid risk of pollution and soil erosion;**

**Delete the final section of the policy.**

*At the end of the supporting text add: 'Full and comprehensive details should be submitted with relevant planning applications including Environmental Impact Assessments and any other relevant information such as Odour Assessments and Odour Management Plans.'*

**E3 Protecting Existing Local Employment**

- 7.87 This policy seeks to protect existing employment uses. It comments that, insofar as planning permission is required, existing employment sites shall be safeguarded for employment-generating uses. It also advises that proposals to change the use of such sites to any non-employment generating purpose will only be supported in certain identified circumstances
- 7.88 This is an excellent policy which has regard to Section 6 of the NPPF. I am satisfied that the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

**E4 Live-Work Units**

- 7.89 This policy recognises the increasing importance of working from home. It comments that proposals for new dwellings, extensions to existing dwellings or new purpose-built garden offices that provide space to support working from the home residence will be supported.
- 7.90 In the round I am satisfied that the policy takes an appropriate approach to this matter and has regard to Section 6 of the NPPF. Nevertheless, I recommend that the first and second parts of the policy are recast so that they better express the intention of the policy and acknowledge that not all proposals will need planning permission.
- 7.91 The third part of the policy sets out a series of detailed criteria which such proposals should address. In the round they grapple with an appropriate range of issues. In this context I recommend that some are recast so that they can be applied by FDDC through the development management process. In the case of the seventh criterion, I recommend its replacement with details about an issue which the developer can control (on-site parking) rather than a less specific matter (keeping on-street parking to a minimum).
- 7.92 Otherwise the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

**Replace the first part of the policy with:**

**'Insofar as planning permission is required, proposals for new dwellings, extensions to existing dwellings or new purpose-built garden offices that provide space to support working from the home residence will be supported.'**

**Replace the second part of the policy with:**

**‘Insofar as planning permission is required, and to facilitate the incorporation of commercial space in residential properties, support will be given for proposals for residential extensions or modest conversions of existing buildings in the gardens of residential properties where the express purpose of the extension or conversion is to provide commercial space from which to operate a business or workshop, or to store business equipment.’**

**In the third part of the policy:**

- **in the third criterion replace ‘a marked’ with ‘an unacceptable’;**
- **delete the fourth criterion; and**
- **replace the seventh criterion with: Provides an appropriate level of off-street car parking’.**

E5 Telecommunications and Broadband

- 7.93 This policy has two elements. The first advises that new development should provide superfast broadband or alternative solutions. The second sets out a series of principles for telecommunications development proposals
- 7.94 I recommend the deletion of the element of the policy on broadband as this issue is now addressed nationally in the Building Regulations.
- 7.95 The second part of the policy is generally appropriate and locally distinctive. Nevertheless, I recommend the deletion of the first and third principles. The first is overtaken by the reconfiguration of the opening element of the policy (and would be included in the details of planning applications). The third comments about compliance with other matters (such as health and well-being) which, whilst important, are regulated by separate legislation.
- 7.96 Otherwise the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

**Delete the first part of the policy.**

**Replace the opening element of the second part of the policy with: ‘Proposals for telecommunications equipment should respond positively to the following principles:’**

**Delete the first and third principles.**

TM1 Rural and Farm Tourism Development

- 7.97 This policy offers support for rural and farm tourism development subject to a series of criteria and principles.
- 7.98 In the round I am satisfied that the policy takes an appropriate approach to this matter and has regard to Section 6 of the NPPF

7.99 In this broader context I recommend the following modifications to bring the clarity required by the NPPF and to allow FDDC to be able to complement the policy in a consistent way through the development management process:

- simplifying the opening element of the first part of the policy;
- deleting the sixth criterion on electric vehicle charging as the issue is now addressed nationally through the Building Regulations;
- revising the penultimate criterion to acknowledge that some elements of the naturally landscape may be affected by the provision of access to development which would otherwise be acceptable; and
- revision to other wording in the policy so that it is more appropriate to a neighbourhood plan.

7.100 Otherwise the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

**Replace the opening element of the first part of the policy with: ‘Proposals for tourism-related development will be supported where:’**

**Delete the sixth criterion.**

**Replace the penultimate criterion with: ‘Agricultural/livestock farmland, orchards and historic hedgerows are safeguarded other than where required to provide access.’**

**In the second part of the policy replace ‘shall’ with ‘will’**

**Replace the penultimate part of the policy with: ‘Proposals for farm shops (with/without cafes) will be supported.’**

**In the final part of the policy replace ‘Applications’ with ‘Proposals’**

Monitoring and Review

7.101 The Plan addresses the way in which DPC will monitor the effectiveness of the Plan. It does so to good effect. It also comments about the potential need for a review of the Plan generally and once the emerging Local Plan has been adopted. This is best practice

Other matters - General

7.102 This report has recommended a series of modifications both to the policies and the 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 DPC 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.*

## 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 2026. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community.
- 8.2 Following the independent examination of the Plan, I have concluded that the Dymock Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to the recommended modifications included in this report.

### *Conclusion*

- 8.3 On the basis of the findings in this report, I recommend to the Forest of Dean District Council that subject to the incorporation of the modifications set out in this report the Dymock Neighbourhood Development Plan should proceed to referendum.

### *Referendum Area*

- 8.4 I am required to consider whether the referendum area should be extended beyond the designated neighbourhood area. In my view, that 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 14 June 2018
- 8.5 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth and efficient manner.

**Andrew Ashcroft**  
**Independent Examiner**  
**7 June 2024**