

Lydney Neighbourhood Development Plan 2 2025-43

Basic Conditions Statement

Submission November 2025

A Introduction

A1 Outline

- A1.1 This Basic Conditions Statement demonstrates how the Modified Lydney Neighbourhood Development Plan 2 ('the Plan' or 'LNP') meets the basic conditions set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to Neighbourhood Plans by Section 38A of the Planning and Compulsory Purchase Act 2004¹.
- A1.2 The qualifying body (Lydney Town Council) is required to produce this statement in line with Regulation 15(1)(d) and Regulation 22 (1)(e) of the Neighbourhood Planning (General) Regulations 2012 (as amended).
- A1.3 This Basic Conditions Statement has been prepared with regard to the following guidance / legislation:
- The Planning Advisory Service 'Guide for Councils: Meeting Your Legal Requirements for Neighbourhood Plans'²
 - The relevant extracts from the National Planning Practice Guidance³, and
 - The relevant Acts and Regulations which pertain to Neighbourhood Development Plans.

¹ <https://www.gov.uk/guidance/neighbourhood-planning--2#basic-conditions-for-neighbourhood-plan-to-referendum>

² <https://www.local.gov.uk/sites/default/files/documents/legal-compliance-guide-pr-dc9.pdf>

³ <http://planningguidance.planningportal.gov.uk/>

B Legal Requirements

This part of the Basic Conditions Statement confirms that in the view of Lydney Town Council, the Modified Lydney Neighbourhood Development Plan meets the legal requirements for a Neighbourhood Development Plan.

B1 The plan is being submitted by a qualifying body

B1.1 The Lydney Neighbourhood Development Plan is submitted by the qualifying body – Lydney Town Council.

B2 What is being proposed is a Neighbourhood Development Plan

B2.1 The Lydney Neighbourhood Development Plan relates to planning matters (the use and development of land) and has been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012.

B3 The proposed Neighbourhood Development Plan states the period for which it is to have effect

B3.1 The Submission Lydney Neighbourhood Development Plan 2 (LNP) specifies the time period for which it is to have effect as 2026-2043. The end date of 2043 is aligned with the time period for the emerging Regulation 18 Forest of Dean District Council (FODDC) Local Plan (as amended in July 2025) and as the Forest of Dean Core Strategy is now more than 5 years old and significant policy areas of the new Local Plan Review are well progressed (Reg 18).

B4 The policies do not relate to excluded development

B4.1 The Lydney Neighbourhood Development Plan proposals do not deal with county matters (mineral extraction and waste development), nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990.

B5 The proposed neighbourhood plan does not relate to more than one neighbourhood area and there are no other neighbourhood development plans in place within the neighbourhood area

- B5.1 The Lydney Neighbourhood Development Plan proposals relate to the Lydney Neighbourhood Area and to no other area. There are no other neighbourhood plans relating to this neighbourhood area.
- B5.2 The Lydney Neighbourhood Area was designated on 17 January 2013. The Neighbourhood Area boundary is shown in **Appendix 1** to this Statement and within the Lydney Neighbourhood Development Plan. The Neighbourhood Area follows the Lydney Town Parish boundary.

C Basic Conditions

This part of the Basic Conditions Statement confirms that in the view of Lydney Town Council, the Lydney Neighbourhood Development Plan meets all of the basic conditions required for a Neighbourhood Plan.

C1 Have regard to national policy and advice contained in guidance issues by the Secretary of State

- C1.1 The National Planning Policy Framework (2024)⁴ sets out the planning policies for England, together with the National Planning Practice Guidance (NPPG)⁵.

The National Planning Policy Framework was revised on 12 December 2024 and sets out the government's planning policies for England and how these are expected to be applied. It replaces all previous versions of the NPPF.

Paragraphs 29-31 and 36-38 of the NPPF refer to the need for Neighbourhood Development Plans to be in “*general conformity with the strategic policies contained in any development plan that covers their area*” and the expectations upon these documents to meet basic conditions at examination.

C2 Contributes to the achievement of sustainable development

- C2.1 *This section demonstrates that Lydney Neighbourhood Development Plan has regard to the overall achievement of sustainable development and is in conformity with relevant policies within the NPPF*

The updated LNP has a four chapters connecting to seven local sustainable development objectives and 14 policies which are all derived from the vision for the town and neighbourhood area.

⁴ https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf

⁵ <https://www.gov.uk/government/collections/planning-practice-guidance>

LNP Chapter; Built and Natural Environment

Objectives

1 Development;

Promote Lydney's role as "the gateway to the forest," enable mixed use development to meet local needs including housing, employment, shopping, and community facilities; including health and educational provision.

2 The Natural and Built Environment;

Protect, conserve and enhance our locally valued natural and built environments, Lydney's built and cultural heritage and character by promoting locally distinctive, high quality and sustainable design and placemaking.

3 Climate Change and Renewable Energy;

Reduce the climate impact of the town and promote the wellbeing of both human and nature.

Policies; LYD ENV 1- 6

Addressing NPPF Sustainable Development Objectives;

- *Making effective use of land*
- *Conserving and enhancing the natural environment*
- *Conserving and enhancing the historic and built environment*
- *Achieving well-designed places*
- *Meeting the challenge of climate change, flooding and coastal change*

LNP Chapter; Housing & Communities

Objectives;

4 Housing and Community Infrastructure;

Ensure housing development meets the evidenced need of our local community, providing sustainable, high quality and accessible housing for people of all ages, abilities and backgrounds and is delivered in the right places.

Ensure the necessary community facilities and employment opportunities are delivered alongside development.

Policies; LYD HC 1 & 2

Addressing NPPF Sustainable Development Objectives;

- *Enabling the Delivery of sufficient supply of homes*
- *Promoting healthy and safe communities*

LNP Chapter; Economy and Tourism

Objectives;

5 Economy and Tourism;

Protect and support the vitality of Lydney's existing employment spaces

Support the expansion of Lydney's economy and local employment opportunities.

Support the development of Lydney Harbour as a key driver of the tourist and visitor economy.

6 Lydney Town Centre

Support and encourage a distinctly local shopping offer that can enhance the identity of the town. Encourage town centre development to meet the needs of a rapidly expanding town. Identify and support a Town Centre/focal point (or town square) for Lydney. Support the regeneration of the former Co-op site.

Policies; LYD ET 1 - 4

Addressing NPPF Sustainable Development Objective;

- *Supporting a strong, competitive economy*

LNP Chapter; Accessibility & Transport

Objective;

7 Accessibility and Transport;

Support improvements to the transport network enable all members of the local community to access and engage with the amenities and facilities of Lydney using healthy and sustainable transport. Enhance Lydney's connections to the forest
Contribute to addressing safety, pollution, and congestion issues in the centre of Lydney

Policies; LYD TRAN 1 & 2

Addressing NPPF Sustainable Development Objective;

- *Promoting sustainable transport*

C2.2 Table 1 below summarises how the national policies and guidance have been taken into account for each planning policy in the Lydney Neighbourhood Development Plan. This approach follows the format referenced in Planning Aid Guidance as good practice⁶.

⁶ http://community21.org/downloads/Arundel%20Neighbourhood%20Plan_Basic%20Conditions%20Statement_Nov%202013.pdf

Table 1: NDP Policies regard to National Planning Policy and Guidance

Planning Policy Ref & Title	Key NPPF Para' Ref'.	Conformity Commentary
Built and Natural Environment		
LYD ENV1 Location of New Development	8, 10 & 11, 72, 124 & 125(d)	<p>Updated policy LYD ENV1 aims to support sustainable development within the defined settlement boundary of Lydney and to set local sustainable development criteria for developments that are promoted outside of it to protect valued rural setting, local identity and to make sustainable connections to existing communities and infrastructure.</p> <p>The overarching development policy promotes the effective use of land by conforming with National Planning Policy and sets justified and proportionate local criteria that enable the ongoing delivery of adopted strategically planned housing development through the adopted Forest of Dean Core Strategy and enables the potential for future additional growth up to 2043 through the emerging Local Plan, upon its adoption in c2027.</p>
LYD ENV2 Protecting & Enhancing Lydney's Natural Environment	8, 29, 120, 137, 187, 194	<p>LYD ENV2 is an updated policy that seeks to strengthen protection to Lydney's designated and locally valued landscapes and natural environments, biodiversity and green and blue infrastructure.</p> <p>It sets expectations of development proposals to protect, enhance and connect to the natural environment to the benefit of local people, new residents and wildlife.</p> <p>Engagement that supports LNP2 identifies the priority and value local people place on Lydney's natural environment and setting. The policy is a direct response to this.</p>
LYD ENV3 Protecting Lydney's Heritage	8, 202-204	<p>LYD ENV3 is a new policy that aims to increase the protection and enhancement of Lydney's designated heritage and identify prospective additions to the FoDDC list of locally valued non-designated heritage assets.</p> <p>This policy recognises both designated and non-designated heritage assets as an irreplaceable resource</p>

		that make a particular contribution to the local identity, economy and quality of environment.
LYD ENV4 High Quality Design & Local Distinctive-ness	8c, 131-135	<p>LYD ENV4 is a new policy that seeks to maintain and enhance the distinctive character and quality of Lydney's built environment.</p> <p>High quality design contributes to the delivery of environmental and community objectives and helps stimulate investment through promotion of Lydney's attractiveness.</p> <p>The NPPF underscores the importance of high quality design by promoting high quality, beautiful and sustainable buildings and places as fundamental to the planning system.</p> <p>NPPF sets out that neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development.</p> <p>Policy is supported by the new Lydney Design Code and Guidance (2024). It identifies important aspects of the landscape character and setting of the Neighbourhood Area, including valued views and character area typologies. It was produced by consultants informed and guided by the steering group and community engagement.</p>
LYD ENV5 Low Carbon and Renewable Energy Generation	8, 154, 165	<p>LYD ENV 5 is a new policy that responds to the increased importance of achieving renewable zero carbon energy. It aims to promotes a positive local response to climate change through supporting low carbon and sustainable small scale and community led renewable energy installations. This policy helps deliver Neighbourhood Plan climate change Objective 3.</p> <p>Working alongside strategic policies, the LNP policy is a local response to a global challenge, drawing on case study evidence of Lydney's particular potential to support viable renewable energy production. The policy responds to SEA screening opinion to protect designated environments by setting strict criteria that ensure any development must meet the requirements of the Habitats Regulations.</p>
LYD ENV 6	8, 162	This updated policy reinforces national and Forest of Dean policies to continue to seek to

Flooding & Water Management		<p>minimise the impacts of flooding through supporting locally sustainable approaches to water management within development schemes.</p> <p>It adds a local emphasis and importance on steering sustainable development away from the high flood risk areas that constrain a significant proportion of Lydney NP area and prioritising the significance of sustainable drainage in minimising the adverse impacts of significant levels of development planned.</p>
Housing & Communities		
LYD HC1 Housing choice for Everyone	8, 61-64	<p>LYD HC1 is an updated and widened policy that aims to enable the delivery of housing and Affordable Housing that will address the needs of all local people with specific housing requirements and contribute towards boosting the supply of needed homes.</p> <p>It is supported by the Lydney Housing Needs Assessment (2024) which provides evidence of needs specifically within the LNP area.</p> <p>The policy compliments the delivery of housing planned at the strategic level to ensure it balances strategic requirements with meeting evidenced local needs.</p> <p>It provides reasonable flexibility and future proofing to enable updated housing needs evidence to support schemes responding to changed needs later in the LNP period.</p> <p>Reflecting Lydney's ongoing need for accessible supported housing for older people LNP continues to support opportunity for such housing within the town centre area in conformity with current national town centre guidance.</p>
LYD HC2 Protecting and Providing Community Facilities	8. 96, 98, 100-101, 103-104	<p>LYD HC2 is an updated policy that continues to protect and seek to improve the range of accessible local facilities within Lydney to meet its needs.</p> <p>This policy provides a distinct positive context within which community facilities can be improved or established in the Plan area through non-strategic criteria linked to locally specific evidence of current facilities.</p>
Economy and Tourism		

LYD ET1 Employment	8, 85, 86, 88, 89	<p>This updated 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.</p> <p>It helps create conditions in which businesses can invest, expand and adapt by protecting valued employment sites in the Neighbourhood Area. The policy puts significant weight on the need to support economic growth and productivity in the context of Lydney's role as a centre of growth.</p> <p>The policy is in conformity with the strategic plan's approach to balanced sustainable growth at Lydney and supports the town's role as a principal settlement in the Forest.</p>
LYD ET2 Supporting Lydney Town Centre	8, 90, 91. 96-98, 109-111, 131-135	<p>This updated policy continues and intensifies support 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.</p> <p>It helps deliver Neighbourhood Plan Town Centre Objective 6.</p> <p>Lydney Town Centre Masterplan Report (2024) that provides a prioritised framework of actions that has drawn upon significant levels of focused town centre community and stakeholder engagement through the Lydney Forward initiative.</p> <p>It supports the locally specific positive vision for Lydney Town Centre at the heart of the local community and takes a proactive approach to its growth and adaptation by supporting the long term vitality and viability within the context of a post-pandemic town centre economy.</p>
LYD ET3 Lydney Harbour Regeneration	8, 85, 86, 202-204	<p>This retained policy continues support for the ongoing regeneration and revitalisation of Lydney Harbour.</p> <p>It provides a locally distinct statement of conditional support for appropriate ongoing regeneration of one of the town's greatest heritage asset whilst reinforcing the protection of its natural environment setting and built heritage.</p>

LYD ET4 Promoting Local Tourism	8, 85, 88	<p>This policy seeks to promote and support the sustainable and appropriate growth of Lydney's distinct visitor economy and its accommodation offer as 'the gateway to the Forest'.</p> <p>Whilst focused on supporting the protection and vitality of existing assets and enabling the development of the visitor economy of the town, including the harbour, Dean Forest Railway and town centre. The policy adopts a joined up approach with references to surrounding attractions and connections in recognition of Lydney's particular gateway role.</p>
Accessibility & Transport		
LYD TRAN1 Sustainable and Active Travel & Improvements to the Transport Network	8, 106, 109-111 NPPF: 130, 174	<p>This updated policy aims to guide and support safe improvements to Lydney's transport network through developer contributions and scheme design.</p> <p>Working alongside Gloucestershire County Council and FoDDC strategic transport policies, it promotes local opportunities for walking, cycling and public transport by identifying key routes for protection and enhancement, and connection to, the existing sustainable transport network including Lydney Station.</p> <p>The policy supports development only when proposals have addressed the assessed safety impacts and any significant impacts from the development on the transport network or on highway safety can be cost effectively mitigated to an acceptable degree.</p>
LYD TRAN2 Public Rights of Way & Wildlife Corridors	8, 105, 109-111	<p>This policy adopts the key principles outlined in the Government Guidance on Local Transport Plans and the Natural Environment (DEFRA Rights of Way Circular 1/09).</p> <p>Developers and applicants will be expected to have regard to the potential impact of the construction of rights of way on protected sites and species.</p>

C3 Is in general conformity with the strategic policies contained in the Development Plan for the area

C3.1 The local policy which applies to the Lydney Neighbourhood Development Plan Area can be found in the following key Local Plan policy documents:

- Forest of Dean Core Strategy (adopted 2012)
- Forest of Dean Site Allocation Plan (adopted 2018_Saved policies from the

C3.2 As the Local Plan is strategic in nature, general conformity will be considered against this.

C3.3 The qualifying body considers that Lydney Neighbourhood Development Plan is in general conformity with the adopted Local Development Plan Documents. This is outlined in more detail in **Table 2** on the following page.

Adopted Local Development Plan Documents

Forest of Dean "Core Strategy" was adopted in 2012. It covers the period until at least 2026. It is the current Local Plan.

The adopted Forest of Dean Sites Allocation Plan updates and shows how the Core Strategy will be implemented and to provide detailed policies including settlement boundaries. It includes specific policies for Lydney that address the town centre, harbour, housing, employment and recreation land use allocations and policy to promote sustainable and active travel. The Neighbourhood Plan review maintains conformity with these policies.

Forest of Dean Local Plan Review

FoDDC is currently preparing a new Local Plan for the Forest of Dean District which will replace the existing strategic plan. The local plan will set out how the Forest of Dean will develop over 20 years to 2043.

The updated Local Plan will allocate land for new housing and employment, setting limits to the extent which towns can grow into the surrounding countryside. It will provide strategies on how to protect historic buildings, parks and town centres. It will guide design of new places.

Consultation on a (Regulation 18) Draft Local Plan was undertaken in Summer 2024. However, in light of the Government's revisions to the National Planning Policy Framework (NPPF) December 2024 and standard method housing figure, consultation on Options to Deliver Additional Housing Requirements was undertaken in Summer 2025.

The new policy framework is not the adopted Development Plan and at a relatively early stage in preparation. It is of limited weight. However, the adopted Core Strategy plan period ends in 2026 and it is out of date with significant changes in circumstances, legislation and the NPPF since it was adopted. Lydney Town Council aims to plan positively for the future of the town, in coordination with and the greatest likelihood of conformity with FoDDC Local Plan once adopted. LNP has therefore had regard to the emerging strategy to seek to ensure LNP policies are not creating potential conflicts and are in broad alignment. This has been addressed as a second column In the Basic Conditions Statement table below. Whilst FoDDC Local Plan policies and numbers are liable to change, it demonstrates broad alignment with, and enabling of emerging strategic policies.

Table 2 – NDP Policies general conformity with the Local Development Plan

Planning Policy Ref & Title	Adopted Plans	Emerging - FoDDC Draft Local Plan (Reg 18)
Built and Natural Environment		
LYD ENV1 Location of New Development	<p>Core Strategy CSP1 (Design and Environmental Protection) CSP.4 (Development at Settlements) CSP5 (Housing) CSP12 (Lydney Settlement Strategy)</p> <p>Allocation Plan AP1 (Sustainable Development) AP 39-54 (Lydney)</p> <p>LNP policy LYD ENV1 (together with other topic policies) is in conformity with Core Strategy Policy CSP.4 (Development at Settlements) and CSP5 (Housing) in supporting Lydney’s role and growth as a principal settlement within the forest area, but in supporting the most sustainable patterns of development within the settlement boundary, optimising the use of previously developed land and plan-led growth beyond.</p> <p>LYD ENV 1 is also in conformity with CSP.12 (Lydney Settlement Strategy) supporting development of the remainder of the 1900 dwellings enabled through the CS and Site</p>	<p>LP1 (Sustainable Development) LP4 (Settlement Hierarchy) LP5 (Development in the Countryside (Outside of Settlement Boundaries)) LP6 (Mixed Uses) LP7 (Infrastructure) LP8 (Nature Conservation) LP9 (Habitat and Species Protection) LP10 (Green and Blue Infrastructure) LP13 (Biodiversity) LP15 (Design Principles) LP21 (Flooding and Water Quality) LP24 (Active Travel) LP27 (Strategic Sites) Mixed Use Development at Lydney)) LP28 (Other Housing Sites) LP29 (Housing Delivery)</p>

	<p>Allocation Plan balanced with economic (and tourism) development, investment within the town centre and the conservation of Lydney's heritage and environmental assets. This is further in conformity with the criteria contained within Core Policy CSP.1.</p> <p>Policy LYD ENV1 supports development that is allocated within the adopted Development Plan and is therefore in conformity with the adopted detailed development strategy and associated site allocations and town centre and harbour policies within the Allocations Plan. The LNP provides additional detailed guidance in relation to the approach to the town centre and the design quality of the development of all land uses within the LNP area.</p>	
<p>LYD ENV2</p> <p>Protecting & Enhancing Lydney's Natural Environment</p>	<p>Core Strategy CSP1 (Design and Environmental Protection)</p> <p>Allocations Plan AP7 (Green Infrastructure) AP8 (Biodiversity) AP42 (Lydney Harbour) AP46 (Harbour Walking and Cycling) AP42-45, 47-54 (Site allocations)</p> <p>Core Policy CSP.1 is intended to promote local distinctiveness as well as good design and conservation. It does so partly by conferring protection on historic and natural features (whether designated or not) and by ensuring that development takes account of some key considerations. It also brings tests in respect of the impact and quality of design.</p>	<p>LP1 (Sustainable Development) LP7 (Infrastructure) LP8 (Nature Conservation) LP9 (Habitat and Species Protection) LP10 (Green and Blue Infrastructure) LP13 (Biodiversity)</p>

	<p>LYD ENV2 provides particular local policy and landscape and GBI evidence that reinforce how strategic criteria should be addressed at the local level within the LNP area.</p> <p>Allocations Plan LYD ENV1 supports plan-led allocated development outside of the existing settlement boundary where local environmental protections are required and delivered. Allocation policies AP42-49, 52-54 place a range of environmental and habitat requirements upon allocations that LYD ENV1 is in conformity with.</p>	
<p>LYD ENV3</p> <p>Protecting Lydney's Heritage</p>	<p>Core Strategy CSP1 (Design and Environmental Protection)</p> <p>Allocations Plan AP5 (Historic Character and Local Distinctiveness) AP42 (Lydney Harbour),</p> <p>Policy LYD ENV.3 provides the basis for ongoing and protection of heritage assets within Lydney including those identified as non-designated heritage assets. This is in conformity with Core Policy CSP1 that is intended to protect historic and natural features (whether designated or not).</p> <p>Lydney's list of non-designated heritage assets is a living evidence/data-base that is capable of ongoing review and addition through the lifetime of the LNP and beyond working in collaboration with FoDDC.</p> <p>LYD ENV2 is in conformity with Allocations Plan Policy AP5 which specifically references protection of non-designated assets (which are listed within the LNP) policies AP42 (Lydney Harbour) in supporting the protection of the ancient monument and heritage fabric.</p>	<p>LP1 (Sustainable Development) LP15 (Design Principles) LP16 (Historic Character and Distinctiveness)</p>

<p>LYD ENV4</p> <p>High Quality Design & Local Distinctive-ness</p>	<p>Core Strategy CSP1 (Design and Environmental Protection)</p> <p>Allocations Plan AP4 (Design of Development) AP5 (Historic Character Local Distinctiveness)</p> <p>LYD ENV.4 sets specific local criteria that are intended to guide development within Lydney's distinct character areas to conserve and enhance their character. It is underpinned by the Lydney Design Guide and Code that was produced as a supporting evidence base during the LNP review.</p> <p>The policy is in conformity with and adds local detail and up to date national design guidance references to Core Policy CSP.1 which is intended to promote local distinctiveness as well as good design and conservation.</p> <p>LYD ENV4 reinforces AP4 &5 with locally specific character detail and criteria and guidance.</p>	<p>LP1 (Sustainable Development) LP15 (Design Principles) LP16 (Historic Character and Distinctiveness) LP24 (Active Travel) LP29 (Housing Delivery)</p>
<p>LYD ENV5</p> <p>Low Carbon and Renewable Energy Generation</p>	<p>Core Strategy CSP2 (Climate Change Adaptation) CSP3 (Sustainable Energy within Development Proposals)</p> <p>Allocations Plan AP2 (Renewable Energy)</p> <p>LYDENV.5 is specifically focused on support for and enabling of local renewable energy projects within the LNP area because of local evidence of its particular potential, especially from wind generated power along the Severn Estuary. It complements and adds a local renewable energy production dimension to Core Policy CSP2 (Climate Change Adaptation) and Policy</p>	<p>LP1 (Sustainable Development) LP14 (Renewable energy)</p>

	<p>CSP3 (Sustainable Energy within Development Proposals).</p> <p>Allocations Plan Policy AP2 provides district-wide overarching criteria to enable support of renewable energy installations (including linking with LNP built and natural environment and heritage policy) that LYDENV5 is in conformity with through its specific by qualified support of schemes within the LNP area.</p>	
<p>LYD ENV 6</p> <p>Flooding & Water Management</p>	<p>Core Strategy CSP2 (Climate Change Adaptation)</p> <p>Allocations Plan - Allocation policies</p> <p>Evidence, community feedback and recent flood events has demonstrated the particular local significance of flooding and water management for Lydney. Policy LYD ENV.6 is in conformity with related criteria within Core Policy CSP2 and reinforces the issue as a community priority and provides specific local detail of recorded flood risk areas and the required use of sustainable drainage systems.</p> <p>Allocation Policies AP42-45, 47-54 align with LYD ENV1 and 6 which seek to ensure development adopt a sustainable approach to addressing flood risk and water management.</p>	<p>LP1 (Sustainable Development)</p> <p>LP21 (Flooding and Water Quality)</p>
Housing & Communities		
<p>LYD HC1</p> <p>Housing choice for Everyone</p>	<p>CSP5 (Housing)</p> <p>LYD HC1 is in conformity with and provides a locally specific and updated Housing Needs Assessment evidence that adds local detail to Core Policy CSP5 (Housing) to help meet local housing needs through the ongoing allocation and delivery of plan-led housing development. It continues to support the remainder of the 1900</p>	<p>LP1 (Sustainable Development)</p> <p>LP24 (Active Travel Use Development at Lydney))</p> <p>LP28 (Other Housing Sites)</p> <p>LP29 (Housing Delivery)</p> <p>LP31 (Affordable Housing Delivery)</p>

	swellings identified for Lydney in the Core Strategy.	LP36 (Proposals for Purpose Built or Specialist Housing) LP63-68 - Lydney Housing Allocations
LYD HC2 Protecting and Providing Community Facilities	<p>Core Strategy CSP8 (Retention of Community Facilities)</p> <p>Allocations Plan AP3 (Mixed Use Development)</p> <p>LYD HC2 is aligned with Core Policy CSP8 (Retention of community facilities) which is intended to maintain access to community facilities.</p> <p>LYD HC2 provides specific local evidence of local facilities that are to be retained and support for locally specific community facilities to address evidenced shortfalls in opportunities for education, healthcare and community inclusion. enhanced.</p> <p>It is also aligned with Policy AP3 that seeks to ensure mixed use development are sustainably connected with local facilities (be they new or retained).</p>	<p>LP1 (Sustainable Development)</p> <p>LP7 (Infrastructure)</p> <p>LP18 (Land of Recreational or Amenity Value) LP23 (Community Facilities)</p> <p>LP64 (Land South of the By-Pass, Adjoining Station Link Rd) – Recreation Allocation.</p>
Economy and Tourism		
LYD ET1 Employment	<p>Core Strategy CSP7 (Employment)</p> <p>Allocations Plan AP3 (Mixed Use Development) AP employment allocations.</p> <p>LYD ET1 provides an up to date and locally specific employment policy that is in broadly in conformity with Core Policy CSP7 (Employment), but is updated to address changes to the national Use Classes Order that provides greater flexibility for change of employment uses without the need for consent.</p>	<p>LP1 (Sustainable Development)</p> <p>LP24 (Active Travel)</p> <p>LP39 (Economy)</p> <p>LP69-70 – Lydney Employment Allocation</p>

	<p>The policy provides locally specific evidence of employment areas to be retained and supports additional employment development outside of these areas to encourage additional inward investment. The policy cross-cuts with Lydney Design policy and Guide (and CSP2) and sustainable transport policy addressing the particular issues of connectivity and traffic congestion within the town.</p> <p>LYD ET1 supports the ongoing plan led delivery Allocations Plan regeneration and employment and mixed use site allocations, linking these to specific local design criteria and transportation policies.</p>	
<p>LYD ET2</p> <p>Supporting Lydney Town Centre</p>	<p>Core Strategy CSP4 (Development at Settlements) CSP12 (Lydney Spatial Strategy)</p> <p>Allocations Plan AP 39-42 (Town Centre Policies)</p> <p>LYD ET2 provides a locally specific policy that supports the economic, social and environmental quality of Lydney town centre that is based upon analysis and guidance within the Lydney Town Centre Master Plan Report (2024) and with regard to changes in national town centre use class and policy. Nonetheless, the policy remains in general conformity with Core Policy CSP4 (Development at Settlements) that pays special regard to improvement of town centre environments and CSP12 (Lydney Spatial Strategy) that identifies development and improvement aims for the town centre.</p> <p>LYD ET2 and its supporting master plan report provides locally specific detail that compliments the adopted Allocations Plan town centre policies, whilst setting these in the updated context of recent retail development and amended national planning policy context.</p>	<p>LP1 (Sustainable Development) LP24 (Active Travel) LP26 (Town Centres) LP42 (Dean Forest Railway) LP72 (Lydney Town Centre)</p>

<p>LYD ET3</p> <p>Lydney Harbour Regeneration</p>	<p>Core Strategy</p> <p>CSP1 (Design and Environmental Protection)</p> <p>Allocations Plan</p> <p>AP42 (Lydney Harbour)</p> <p>AP46 (Lydney Harbour Area Cycling and Walking)</p> <p>LYD ET3 maintains continued support for the ongoing conservation and economic and environmental improvement and connection of the harbour as a distinct key local asset. In doing so it is in conformity with CSP1 (Design and environmental protection)</p> <p>It is in conformity with and builds on the tourism and recreation aims of CSP12 (Lydney Spatial Strategy) to base the improvement of Lydney's offer on its heritage and environment including the harbour.</p> <p>LYD ET3 (and LYD TRAN1 and 2) reinforce and align with AP Lydney Harbour policies, supporting its ongoing regeneration.</p>	<p>LP1 (Sustainable Development)</p> <p>LP62 (Harbour Area Regeneration, Harbour, Lakes and Industrial Area, Lydney)</p>
<p>LYD ET4</p> <p>Promoting Local Tourism</p>	<p>Core Strategy</p> <p>CSP12 (Lydney Settlement Strategy) sustainable development vision identifies that Lydney will continue to improve its tourist offer and links with the wider forest through its heritage and environment, including the harbour and greater use of the town centre by visitors. This is repeated in the Allocations Plan and in related AP Lydney Harbour and Town Centre policies.</p> <p>LYD ET4 (Linked to LYD ET2 and 3) reinforces this with specific references to attractions and accommodation within the town and relationships with strategic attractions and assets it is connected to it.</p>	<p>LP1 (Sustainable Development)</p> <p>LP42 (Dean Forest Railway)</p>
<p>Accessibility & Transport</p>		

<p>LYD TRAN1</p> <p>Sustain-able and Active Travel & Improvements to the Transport Network</p>	<p>Core Strategy CSP12 (Lydney Settlement Strategy)</p> <p>Allocations Plan AP1 Sustainable Development AP 42 (Lydney Harbour & AP46 (Lydney Harbour Area Cycling and Walking) AP Site Allocations</p> <p>Traffic congestion, safety, air quality and connectivity are key issues for Lydney, particularly in the town centre and linking the harbour. Lydney will continue to experience significant housing growth.</p> <p>Core Policy CSP12 (Lydney Spatial Strategy) intends new development to take advantage of the town's access to the rail network and to contribute to the overall highway strategy and other necessary improvements.</p> <p>Core Strategy now relates to the six overarching Gloucestershire CC Transport Plan policies; LTP PD0.1 - Reducing Transport Carbon Emissions and Adapting to Climate Change LTP PD0.2 - Local Environmental Protection LTP PD0.3 - Maximising Investment in a Sustainable Transport Network LTP PD0.4 - Integration with Land Use Planning and New Development LTP PD0.5 - Community Health & Wellbeing LTP PD0.6 - Thinktravel - Influencing Travel Behaviour Change</p> <p>LNP policy is in conformity with promoting these aims at the local level and provides localised evidence and specific measures for the town.</p> <p>LYD TRAN1 reinforces the particular importance of safe and sustainable connectivity between new development and existing facilities in conformity with</p>	<p>LP1 (Sustainable Development) LP6 (Mixed Uses) LP7 (Infrastructure) LP24 (Active Travel) LP42 (Dean Forest Railway) LP71 (Lydney Railway Station)- Transport Hub</p>
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	Allocation Plan area specific policies and allocations.	
LYD TRAN2 Public Rights of Way & Wildlife Corridors	<p>Core Strategy CSP2(3)(Development at Settlements)</p> <p>Allocations Plan AP1 (Sustainable Development) AP7 (Biodiversity) AP8 (Green Infrastructure) 46 (Lydney Harbour Area Cycling and Walking)</p> <p>LYD TRAN2 is in conformity with Core Policy CSP2(3) (Development at Settlements) through its intention to secure the protection and enhancement of the network of public rights of way and associated wildlife corridors that are a distinct component of Lydney's green and blue infrastructure and contribute to connectivity and health and wellbeing.</p> <p>LYD TRAN2 is in particular conformity with Allocation Plan biodiversity and green infrastructure policies AP7 & 8, that make reference to networks and improvements which are given local specificity.</p>	<p>LP1 (Sustainable Development) LP7 (Infrastructure) LP8 (Nature Conservation) LP9 (Habitat and Species Protection) LP10 (Green and Blue Infrastructure) LP13 (Biodiversity) LP24 (Active Travel)</p>

C4 Does not breach and is otherwise compatible with EU obligations

C4.1 The Neighbourhood Plan is compatible with EU obligations around human rights, habitat protection and environmental impacts. Specifically:

- i) People and organisations affected by the proposals have been adequately consulted and have had the opportunity to comment on the proposals. The details of the consultation on the Plan are outlined in the Lydney Neighbourhood Plan Consultation Statement which is found on the relevant page of the Lydney Neighbourhood Plan 2 website.
- ii) The Lydney Neighbourhood Plan group has prepared an evidence base which includes documented evidence to underpin the policy approach.
- iii) Forest of Dean District Council, in line with the requirements of the European Directive 2001/42/EC, has an obligation to determine whether the Plan is likely to have significant environmental effects. To this end, Forest of Dean

District Council carried out a Strategic Environmental Assessment (SEA) screening on the draft Neighbourhood Plan, and prepared an SEA screening determination report for the Neighbourhood Plan in February 2025. The SEA concluded that the draft Neighbourhood Plan was not likely to have significant environmental effects and accordingly, a Strategic Environmental Assessment was not required. A copy of the SEA Screening Report is included in **Appendix 2**.

C5 Does not breach the requirements of Chapter 8 Part 6 of the Conservation of Habitats and Species Regulations 2017(d)

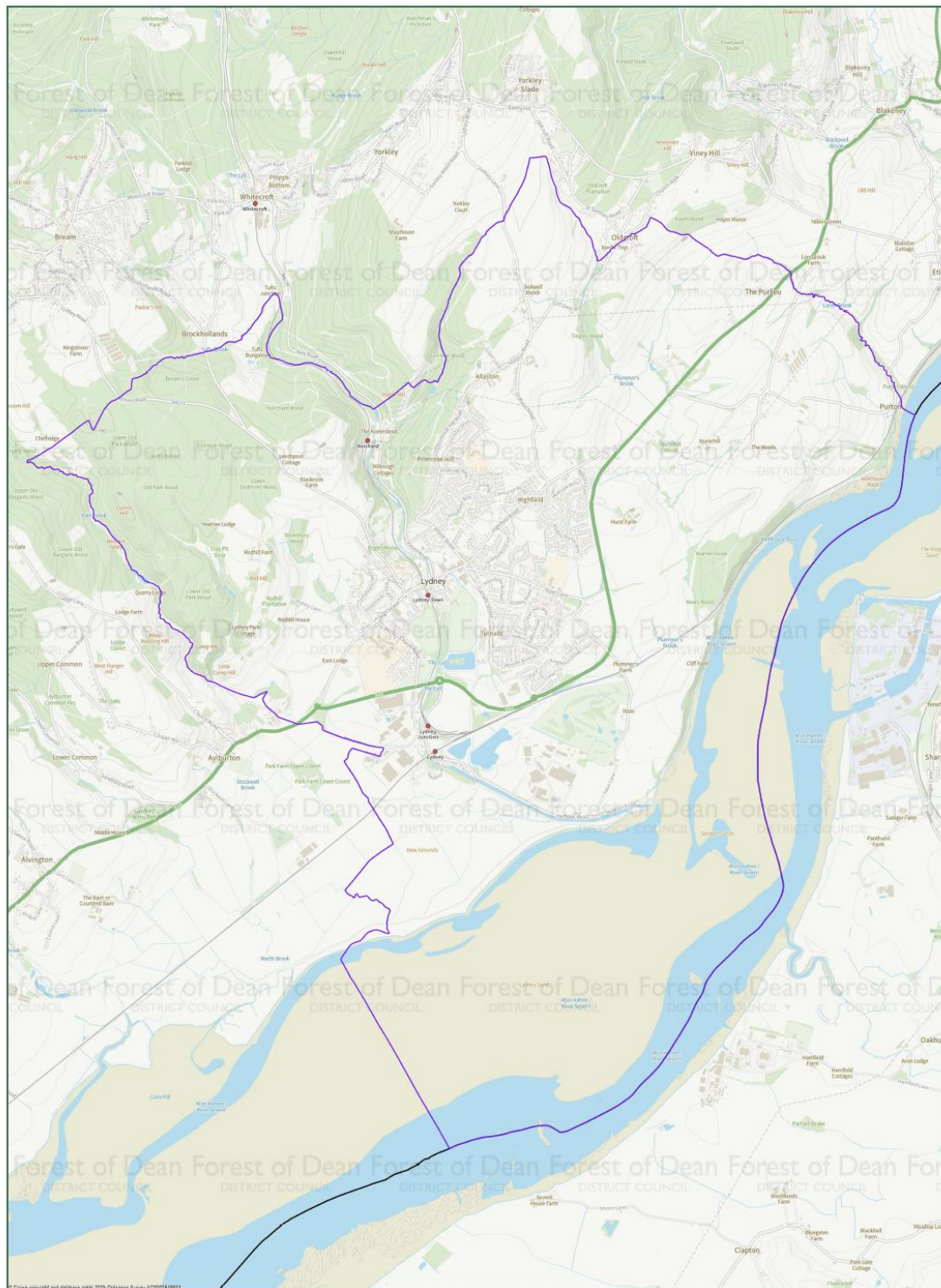
- C5.1 The Habitats Regulations Assessment prepared for Forest of Dean District Council in February 2025 (see Appendix 2) screens the Lydney Neighbourhood Plan under the Conservation of Habitats and Species Regulations. Screening concluded that the Lydney NP is not likely to have significant effects 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). With regard to the Wye Valley & Forest of Dean Bats SAC and the Severn Estuary SAC/SPA/Ramsar, there may be a need to go to the appropriate assessment stage of the HRA process. This is to ensure that local policy provides sufficient mitigation measures to remove any uncertainties for Likely Significant Effects. In response to the screening opinion Policy LYD ENV5, Low Carbon and Renewable Energy Generation, that provides in-principle support for renewable energy development, has been amended, increasing conditional support criteria to ensure Habitat Regulations have been applied to any development proposal and removing the potential risk.

Appendices (overleaf)

Appendix 1: Map of designated Neighbourhood Plan Area

Appendix 2: Lydney Neighbourhood Plan SEA / HRA Screening Report

Appendix 1: Map of designated Neighbourhood Plan Area



Lydney Parish & Neighbourhood Plan Boundary

Scale: 1:13500

06 March 2025





**Lydney Neighbourhood Development Plan (LNDP)
2025-2041:
Consultation Draft November 2024**

**Strategic Environmental Assessment (SEA) &
Habitats Regulations Assessment (HRA)
Screening Report**

December 2024 & February 2025

enfusion



Lydney Neighbourhood Development Plan (LNDP) 2025-2041: Consultation Draft (November 2024) Strategic Environmental Assessment (SEA) & Habitats Regulations Assessment (HRA) Screening Report

<i>date:</i>	<i>December 2024 Draft February 2025 Final Draft</i>	
<i>prepared for:</i>	<i>Forest of Dean District Council</i>	
<i>prepared by:</i>	<i>Barbara Carroll</i>	<i>Enfusion</i>
<i>quality assurance:</i>	<i>Barbara Carroll</i>	<i>Enfusion</i>

enfusion
environmental planning and management for sustainability



The Train Shed
1 Ancliff Square, Avoncliff
Bradford on Avon BA15 2HD
www.enfusion.co.uk

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1. INTRODUCTION

Strategic Environmental Assessment (SEA); Sustainability Appraisal (SA) & Habitats Regulations Assessment (HRA)

- 1.1 Strategic Environmental Assessment (SEA)⁷ is a systematic process used during the preparation of plans and policies and it aims to provide a high level of protection for the environment; it contributes to the integration of environmental considerations in plan preparation with a view to promoting sustainable development.
- 1.2 Sustainability Appraisal (SA) is a process that similarly investigates plans and policies, including consideration of socio-economic factors in the same way as environmental factors and to the same level of detail. SA incorporating SEA is a mandatory requirement for Local Plans in accordance with planning legislation⁸ and paragraph 33 of the National Planning Policy Framework (updated 2023 & December 2024)⁹. Government advises¹⁰ that an integrated approach is taken so that the SA process incorporates the requirements for SEA – and to the same level of detail.
- 1.3 There is no statutory requirement¹¹ for Neighbourhood Plans to be subject to SA. However, a qualifying body (in this case, Lydney Town Council) must demonstrate how its plan will contribute to achieving sustainable development. In some limited circumstances, where a Neighbourhood Plan is likely to have significant environmental effects, it may require a SEA. This is determined through a SEA screening process. It is the responsibility of the local planning authority (in this case, Forest of Dean District Council) to ensure that all the regulations appropriate to the nature and scope of a neighbourhood plan submitted to it have been met.
- 1.4 Plan-makers are also required to consider whether a Habitats Regulations¹² Assessment (HRA)/Appropriate Assessment (AA) is required. The aim of the HRA process is to assess the potential effects arising from a plan against the nature conservation objectives of any site designated for its nature conservation importance. The Neighbourhood Planning Regulations (2012, as amended) indicate that the making of an NDP is not likely to have a significant effect on a designated nature conservation site. However, a CJEU Judgment (People over Wind, 2018)¹³ clarified that when making screening

⁷ Environmental Assessment of Plans and Programmes Regulations, 2004
<http://www.legislation.gov.uk/uksi/2004/1633/contents/made>

⁸ Section 19(5) of the 2004 Act and Regulation 22(a) of the Town and Country Planning (Local Planning) (England) Regulations 2012

⁹ <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

¹⁰ <https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal>

¹¹ <https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal>

¹² The Conservation of Habitats & Species Regulations 2010
<http://www.legislation.gov.uk/uksi/2010/490/contents/made>

¹³ <https://curia.europa.eu/juris/document/document.jsf?docid=200970&doclang=EN>

decisions on whether an appropriate assessment is required, competent authorities cannot take into account any mitigation measures - such as policies in a higher-level strategic plan. Mitigation measures intended to avoid or reduce the harmful effects of a plan can only be taken into account as part of an appropriate assessment itself¹⁴.

- 1.5 The two processes SA/SEA and HRA can inform each other; and summary HRA findings are incorporated into SA/SEA. The Forest of Dean District Council (FDDC) has commissioned independent SA, SEA, HRA specialists Enfusion Ltd to undertake the SEA and HRA screening.

The Forest of Dean Local Plan (FDLP) 2026

- 1.6 The Forest of Dean District Council (FDDC) has prepared a Local Plan¹⁵ (comprising the Core Strategy adopted 2016 and the Allocations Plan adopted 2018) to guide future development in the Local Authority area during the period up to 2026. In accordance with legislative and policy requirements¹⁶, the Council must carry out a Sustainability Appraisal (SA) incorporating Strategic Environmental Assessment (SEA) of its Local Plan. The SA/SEA and HRA of the Local Plan were undertaken alongside the preparation of the plan documents with SA/SEA and HRA Reports published as evidence to support at each stage of plan-making. FDDC is now working on the review¹⁷ of its Local Plan 2021-2041 (including SA/SEA and HRA/AA) and the publication version is currently anticipated in 2025.
- 1.7 A neighbourhood plan attains the same legal status as the Local Plan once it has been agreed at a referendum and is adopted or “made” (brought into legal force) by the local planning authority. At this point it becomes part of the statutory development plan. Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise¹⁸.

This SEA & HRA Screening Report

- 1.8 This document provides a screening determination of the need to carry out an SEA and an HRA of the Lydney Neighbourhood Development Plan 2025-2041 (LNDP Consultation draft November 2024). The Forest of Dean District Council, as the “Responsible Authority”¹⁹ under the SEA Regulations, and the “Competent Authority”²⁰ under the HRA Regulations, is responsible for ensuring that this screening process meets with regulatory requirements. The SEA and HRA screening have been undertaken on behalf of the District

¹⁴ <https://www.gov.uk/guidance/appropriate-assessment>

¹⁵ [Our current Local Plan - Forest of Dean District Council](#)

¹⁶ Town & Country Planning Regulations (2011, 2012); National Planning Policy Framework (updated 2023 & December 2024)

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

¹⁷ <https://fdean-consult.objective.co.uk/kpse/event/35EC183D-DA0C-4DD2-8226-1A44A8DC1FE8>

¹⁸ PCPA 2004 section 38(6)

¹⁹ The organisation that adopts (“makes”) the neighbourhood plan

²⁰ The organisation that ensures that the plan will not have any likely significant effects on the integrity of the designated nature conservation sites

Council. This Screening Report will be sent to the environmental consultation bodies (Environment Agency, Historic England and Natural England) for the statutory 5 weeks consultation period.

2. LEGISLATIVE REQUIREMENTS & GUIDANCE; METHOD 0

Legislative Requirements

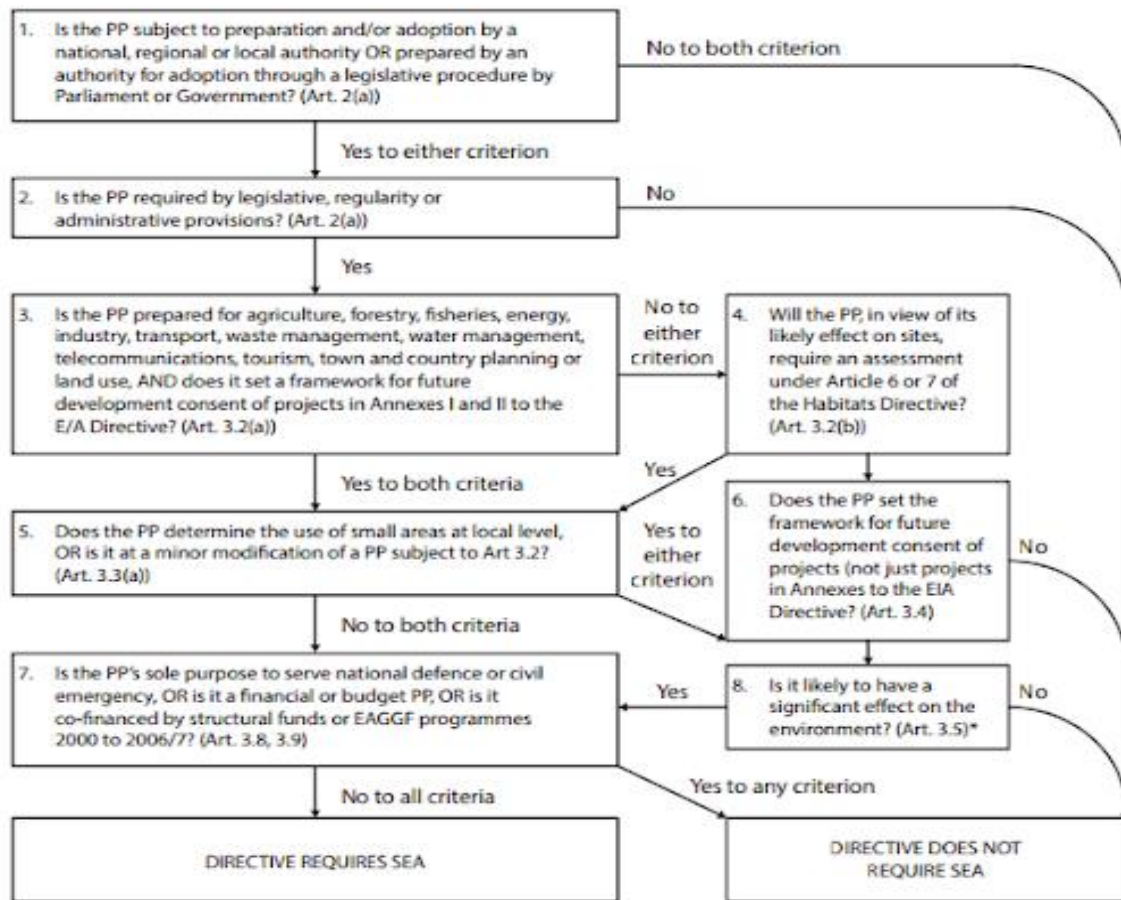
- 2.1 The Localism Act 2011 requires neighbourhood plans to comply with EU legislation. Regulation 5 of the SEA Regulations requires an environmental assessment of plans which:
1. *are prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use (Regulation 5, para. (2)(a), and which set the framework for future development consent of projects listed in Annex I or II to Council Directive 85/337/EEC (EIA Directive) on the assessment of the effects of certain public and private projects on the environment (Regulation 5, para. (2)(b)*
 2. *in view of the likely effect on sites, have been determined to require an assessment pursuant to Article 6 or 7 of the Habitats Directive (92/43/EEC) (Regulation 5, para. (3)*
 3. *set the framework for future development consent of projects²¹ (Regulation 5, para. (4)(b)*
 4. *are determined to be likely to have significant environmental effects as determined under regulation 9(1) (Regulation 5, para. (4)(c)*
- 2.2 An environmental assessment need not be carried out for:
- a) *plans which determine the use of a small area²² at local level (Regulation 5, para. (6)(a); or*
 - b) *plans which are a minor modification²³ to a plan or programme (Regulation 5, para. (6)(b) unless it has been determined under regulation 9(1) that the plan is likely to have significant environmental effects.*
- 2.3 UK Government guidance provides a flow diagram with questions/criteria for the SEA Directive and its application to the plan-making process as follows:

²¹ European Commission guidance states that plans and programmes which set the framework for future development consent of projects would normally contain 'criteria or conditions which guide the way a consenting authority decides an application for development consent'. Development consent is defined in the EIA Directive as "the decision of the competent authority or authorities which entitled the developer to proceed with the project" (Article 1 (2) of the EIA Directive).

²² European Commission guidance suggests that plans which determine the use of small areas at local level might include "a building plan which, for a particular, limited area, outlines details of how buildings must be constructed, determining, for example, their height, width or design"

²³ 'Minor modifications' should be considered in the context of the plan or programme which is being modified and of the likelihood of their having significant environmental effects. A modification may be of such small order that it is unlikely to have significant environmental effects.

Figure 2.1: Flow Diagram²⁴ for Determining if a Plan is likely to have Significant Environmental Effects



Note: The figure is intended as a guide to the criteria for application of the Directive to plans & programmes (PPs); it does not have legal status. Where a Neighbourhood Plan is likely to have a significant effect on the environment, a strategic environmental assessment (SEA) must be carried out and an Environmental Report (ER) prepared.

- 2.4 There is no legal requirement for a Neighbourhood Plan (NP)²⁵ to have a Sustainability Appraisal as set out in section 19 of the Planning & Compulsory Purchase Act 2004. Government advises that in some limited circumstances, where a Neighbourhood Plan is likely to have significant environmental effects, it may require a Strategic Environmental Assessment. In order to decide whether a draft NP might have significant environmental effects, it must be screened at an early stage according to the requirements set out in regulation 9 of the SEA Regulations. This includes a requirement to consult with the SEA consultation bodies (in England - Environment Agency, Historic England, Natural England); each body can advise on particular topics relevant to its specific area of expertise and responsibility.

²⁴ Based on ODPM 2005 - 'A Practical Guide to the SEA Directive' 2005

²⁵ <https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal>

Guidance on SA/SEA & HRA

- 2.5 The National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) have advised that a Neighbourhood Plan:
- would need SEA “...in limited circumstances...”
 - should be screened early
 - screening should consult with the consultation bodies
 - if ‘screened out’, should have a ‘statement of reasons’ prepared
- 2.6 Whether a Neighbourhood Plan proposal requires a SEA, and (if so) the level of detail needed, will depend on what is proposed. An SEA may be required, for example, where:
- a neighbourhood plan allocates sites for development
 - the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan
 - the neighbourhood plan is likely to have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.
- 2.7 Government planning guidance further advises that before deciding whether significant environmental effects are likely, the local planning authority should take into account the criteria specified in Schedule 1²⁶ to the SEA Regulations (2004) and consult the statutory environmental consultation bodies. Schedule 1 sets out the criteria for determining likely significant effects on the environment taking into account the characteristics of plans and the characteristics of the effects and the area likely to be affected. The qualifying body (in this case, FDDC for the Lydney Town Council) is required to provide the following – to demonstrate that the basic condition²⁷ in the planning legislation has been met:
- “a statement of reasons for a determination... that the proposal is unlikely to have significant environmental effects; or
 - An environmental report”
- 2.8 Planning practice guidance²⁸ also provides advice on HRA screening and the subsequent appropriate assessment stage of the process for neighbourhood planning. An appropriate assessment for a more strategic plan, such as the Local Plan, can consider the impacts on sites and confirm the suitability or likely success of mitigation measures for associated non-strategic policies and projects. An individual assessment of non-strategic policies and projects may not be necessary in some limited cases where the strategic appropriate

²⁶ <http://www.legislation.gov.uk/uksi/2004/1633/schedule/1/made>

²⁷ A Neighbourhood Plan should not breach, and must be compatible with, European Union obligations in order for it to be legally compliant.

²⁸ <https://www.gov.uk/guidance/appropriate-assessment>

assessment is sufficiently robust. This needs to contain conclusions capable of removing all reasonable scientific doubt on the impacts of non-strategic policies, such as in neighbourhood plans.

Method

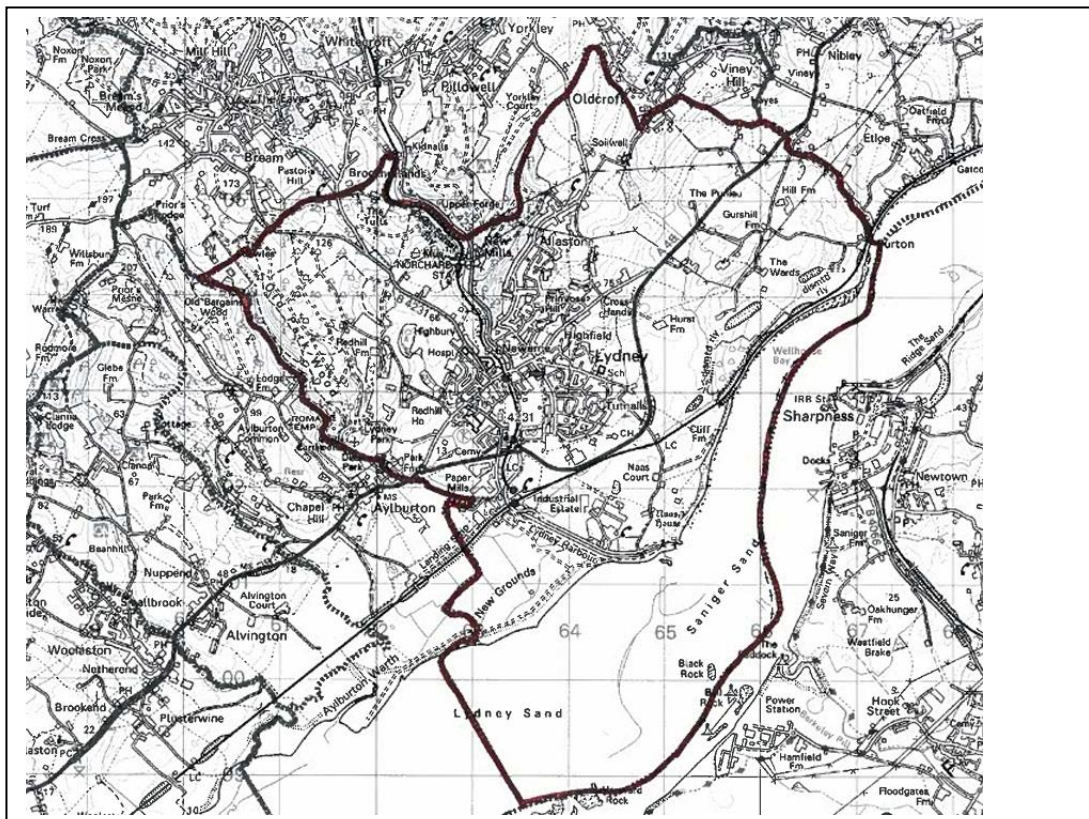
- 2.9 In order to be able to decide whether a SEA will be required, it is necessary to know about the policies and proposals in the Neighbourhood Plan, and in particular, as follows:
- how they might affect the environment, community, or economy
 - whether they propose a higher level of development than is already identified in FDLP planning policies
 - whether any of the proposals are likely to affect a “sensitive area”, such as a Site of special Scientific Interest (SSSI) or designated European Site for nature conservation (Special Area of Conservation SAC, Special Protection Area SPA)
 - whether implementation of policies in the plan might lead to new development in the future
 - whether the cumulative impact of the policies and proposals when assessed together may give rise to a likely significant effect, for example, several relatively small housing proposals may have cumulative significant effects on a nearby important wildlife habitat
- 2.10 Available information from Defra Magic mapping, Environment Agency flood risk maps, the Council's evidence base for the FDDC Local Plan, and the evidence base for the LNDP, together with professional judgment, was used to identify the sensitivity of the Lydney area environment and whether significant effects are likely that have not been previously assessed through SA, such that an SEA would be required, and whether an HRA/Appropriate Assessment is necessary.

3. THE LYDNEY NEIGHBOURHOOD DEVELOPMENT PLAN (LNDP) 0 2025-2041 (Consultation Draft November 2024)

Context

- 3.1 The Lydney Town Council (LTC)²⁹ is the qualifying body designated for the purpose of preparing the LNDP. The Neighbourhood Plan Steering Group prepared the first LNDP 2014-2024 (made March 2016) on behalf of the LTC, and it is comprised of representatives from the community and Town Councillors. The Steering Group has sought the views of the wider community through the process of preparing the draft LNDP with public community consultation events, and through the 'Have your say' section of the NDP website³⁰. The NDP2 website also provides information on the Steering Group, agendas and minutes of meetings, together with the evidence base.
- 3.2 Lydney Town was formally designated³¹ as a Neighbourhood Area (covering the entire parish area) by the Forest of Dean District Council on 17 January 2013 and the boundary is shown in the figure following:

Figure 3.1: Boundary³² for the Area Designation of the Lydney NDP Area



²⁹ <https://lydneytowncouncil.gov.uk/>

³⁰ <https://lydneyndp2.com/index.php>

³¹ Localism Act 2011

³² As shown in the LNDP Designation by FDDC <https://www.fdean.gov.uk/planning-and-building/planning-policy/neighbourhood-planning/made-neighbourhood-plans/>

- 3.3 The LNDP must be in general conformity with the strategic policies set out in the Forest of Dean Local Plan 2026³³. The FDLP Core Strategy (2012) identifies Lydney as a key settlement alongside the other towns of Cinderford, Coleford and Newent. Policy CSP.12 supports proposed development of the land to the east of Lydney for a new neighbourhood and promotes a new mixed development along the axis between the harbour and the town centre. The Site Allocations Plan (SAP, adopted June 2018) allocates sites for development as detailed in Policies AP40-52.
- 3.4 The preparation of the new Local Plan³⁴ is well progressed with a draft Local Plan 2041 subject to public consultation/engagement during ending 19 August 2024. The publication version of the plan will be made available for formal representations in spring 2025.
- 3.5 The draft LNDP notes that the adopted Local Plan is increasingly outdated. It comments that *the outgoing LP allocated approximately 36% of new housing and more than 50% of its employment provision to Lydney. Much of the housing land is in the process of being developed and some of the employment land has been taken up. There is a current application for another important employment site and regeneration of the harbour and dock is in train. Within the town centre the most important site that was previously allocated has been developed to provide a new supermarket.*
- 3.6 This Screening Report sets out the screening assessments and decisions to demonstrate that due processes have been followed in line with regulatory requirements.

The Lydney NDP 2025-2041 (consultation draft, November 2024)

- 3.7 Lydney is an historic market town bordered to the west by the Forest of Dean and to the east by the River Severn, with the tidal waters of the Severn to the south - and located in the county of Gloucestershire. Lydney is a key settlement and acts as an important economic and transport hub to the surrounding villages and wider community. The form of the town is heavily influenced by topography and the centre is bisected by the Dean Forest Railway.
- 3.8 The population in the Lydney Neighbourhood Area was 10,043 (2021 Census) with 97.5% ethnic white. The age characteristics were 1,967 0-17 years; 5,786 18-64 years; and 2,300 65+ years. 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. There is a strong independent retail offering and much of the current office accommodation is based in converted buildings in the town centre. There is a high level of out commuting from Lydney with people travelling to Gloucester, Chepstow and Bristol for work. Lydney includes the only national network railway station in the district which offers possibilities for supporting sustainable transport but traffic within the town remains an issue.

³³ <https://www.fdean.gov.uk/planning-and-building/planning-policy/our-current-local-plan/>

³⁴ <https://www.fdean.gov.uk/planning-and-building/planning-policy/developing-our-new-local-plan/>

3.9 Lydney's history and its heritage underpin Lydney itself, with Roman remains and ship building; the historic environment plays an important role in sustaining a vibrant town centre. There are two distinctive Conservation Areas. Tourism plays an important role in supporting the local economy, and there is a range of leisure and recreational/tourist facilities and services.

3.10 The River Lyd flows through the town joining the Severn at the Harbour. Flooding is an issue for Lydney both from the river and the tides from the Severn. The Severn Estuary includes internationally and nationally protected saltmarshes and the LNDP area includes internationally protected bat sites.

3.11 The overall Vision for the LNDP is that:

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 wellbeing 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.

3.12 The LNDP comprises NP Objectives to help deliver the Vision and these are organised within topic areas, as follows:

- Development
- Natural & Built Environment
- Climate Change & Renewable Energy
- Housing & Community Infrastructure
- Economy & Tourism
- Town Centre
- Accessibility & Transport

3.13 The Development Policies are presented in section 3 of the LNDP:

Built & Natural Environment

LYD ENV1: Location of new development (alternative)

LYD ENV2: Protecting and enhancing Lydney's Natural Environment

LYD ENV3: Protecting Lydney's Heritage

LYD ENV4: High quality design and local distinctiveness

LYD ENV5: Low carbon and renewable energy generation

LYD ENV6: Flooding and water management

Housing & Community Infrastructure

LYD HC1: Housing choices for everyone

LYD HC2: Protecting and providing community facilities

Economy & Tourism

LYD ET1: Employment

LYD ET2: Supporting Lydney Town Centre

LYD ET3: Lydney Harbour Regeneration

LYD ET4 : Promoting local tourism

Accessibility & Transport

LYD TRAN1: Sustainable and Active Travel and improvements to transport infrastructure

LYD TRAN2: Public rights of way and wildlife corridors

- 3.14 Section 1 of the LNDP provides the introduction and background with the Vision and Objectives in Section 2, and the Development Policies in Section 3. Each LYD Policy includes background, linkages with relevant FDDC documents, and various information to help explain the policy and its justification. Policy Community Projects are presented in Section 4 and the final Section 5 explains how the LNDP will be implemented and delivered.

4. SEA SCREENING ASSESSMENT

0

4.1 It is considered that the Lydney Neighbourhood Development Plan (LNDP) 2025-2041 is within the scope of the SEA Regulations since it is a plan that:

- is subject to preparation or adoption by an authority at national, regional or local level (Regulation 2)
- is prepared for town and country planning or land use and it is a plan that sets the framework for future development consent of projects generally (Regulation 5, para. 4)
- will apply to a wider area other than a small area at local level and is not a minor modification to an existing plan or programme (Regulation 5, para. 6).

A determination under Regulation 9 is therefore required as to whether LNDP 2041 is likely to have significant effects on the environment.

4.2 The screening requirements set out in Regulation 9 and Schedule 1 of the SEA Regulations include two sets of characteristics for determining the likely significance of effects on the environment:

- the characteristics of the plan itself and
- the characteristics of the effects and of the area likely to be affected by the plan

Therefore, this screening assessment is structured in the following table according to the criteria specified in Schedule 1 of the Regulations:

**Table 4.1: Screening Assessment of the draft LNDP 2025-2041
(Regulation 14 Consultation Draft November 2024)**

Criteria (Schedule 1 SEA Regulations)	Are significant environmental effects likely? Yes/ No	
Justification and evidence		
1.The characteristics of plans, having regard, in particular, to:		
(a) the degree to which the plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources	No	<p>The NDP does not set a programme or framework for large scale projects. The plan is consistent with the district Local Plan (which was subject to SA/SEA during its preparation) and therefore, does not set an additional framework.</p> <p>The NDP does not propose allocation of sites for development projects.</p>

Criteria (Schedule 1 SEA Regulations)	Are significant environmental effects likely? Yes/ No Justification and evidence	
(b) the degree to which the plan influences other plans and programmes including those in a hierarchy	No	The NDP is prepared by the local community to influence development at the parish level. It does not strongly influence strategic plans higher up in the spatial planning hierarchy, although the District Council does need to consider the proposals in the NDP during preparation of the new Local Plan. The NDP is considered to be supportive and interpretive rather than instructive in its influence.
(c) the relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development	No	<p>The NDP is a spatial/land-use plan that seeks to promote the objectives of sustainable development and it is developed within the framework for sustainable development as set out in the NPPF. The NDP provides supporting local policies in regard to built & natural environment; housing & community infrastructure; economy & tourism; and accessibility & transport.</p> <p>It is not specifically relevant as a plan for integrating environmental considerations. Any development proposed must be in accordance with the environmental protection policies in the adopted FDLP and the NPPF.</p>
(d) environmental problems relevant to the plan	No	<p>There are no specific significant environmental problems relevant to this plan that have not been identified and assessed through the higher-level Local Plan and its accompanying SA/SEA – and including the emerging new Local Plan to 2041 with its accompanying SA/SEA.</p> <p>The plan seeks to protect and enhance the local environment with regard to rural landscape and historic distinctiveness, and flora/fauna & biodiversity; it seeks to address localised issues for flooding through the Parish.</p>
(e) the relevance of the plan for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).	No	The NDP is not relevant as a plan for implementing community legislation.
2.Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:		
(a) the probability, duration, frequency and reversibility of the effects	No	<p>This has been tested through SA/SEA at the Local Plan level & with strong mitigation measures through LP policies, the SA/SEA concluded that there will be no significant residual negative environmental effects.</p> <p>The LNPD does not propose allocation of sites for development projects.</p> <p>The potential for effects from the NDP is restricted by the small-scale nature of proposals and overall policy requirements through both the LNPD & the adopted Forest</p>

Criteria (Schedule 1 SEA Regulations)	Are significant environmental effects likely? Yes/ No	
	Justification and evidence	
		of Dean Local Plan – and also the updated emerging policies in the new Local Plan.
(b) the cumulative nature of the effects	No	As above in 2(a) – the LNDP does not contribute additionally to the factors already identified as part of the development plan.
(c) the transboundary nature of the effects	No	No significant transboundary effects are likely from the proposals.
(d) the risks to human health or the environment (for example, due to accidents)	No	No significant negative environmental effects are considered likely to risk human health or the environment.
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	No	The LNDP does not propose allocation of sites for development projects. The geographical size of the plan area is small, and the size of the population is relatively small. Therefore, no likely significant environmental effects.
(f) the value and vulnerability of the area likely to be affected due to—	No	As above. No likely significant negative effects on locally important characteristics – the LNDP does not propose allocation of sites for development projects; it seeks to protect and enhance the natural and built environments. There are no special natural characteristics or cultural heritage aspects that are particularly vulnerable or sensitive and that have not been taken into account during preparation of the adopted Local Plan. FDLP Policy CSP1 Design & Environmental Protection provides overarching guidance for new development.
(i) special natural characteristics or cultural heritage;		
(ii) exceeded environmental quality standards or limit values; or		The LNDP is within an area that has exceeded environmental quality standards, for example, it is within an Air Quality Management Area (AQMA) ³⁵ – the Lydney AQMA was declared in 2010 for Nitrogen Dioxide NO ₂ annual mean for an area in Lydney along parts of the B4231 (High St, Hill St, & Newerne St) and parts of Bream Road and Forest Road. FDLP CSP.1 provides overarching guidance for new development with environmental protection, including pollution. The emerging updated FDLP continues to recognise the AQMA & includes policy LP.73 to protect land for the long planned highway improvements that are still awaited. The GCC Local Transport Plan identifies the overall scheme and others in Lydney to be at the scoping stage, so the situation may change but the emerging FDLP continues to safeguard the land for highway improvements and this should help resolve the AQMA in the longer term.

³⁵ https://uk-air.defra.gov.uk/aqma/details?aqma_ref=654

Criteria (Schedule 1 SEA Regulations)	Are significant environmental effects likely? Yes/ No Justification and evidence	
(iii) intensive land-use;	No	<p>Lydney is subject to flood risk³⁶ from the River Severn and the River Lyd; the Lydney NDP area includes areas that are in Flood Zone 3 with a 1 in 100 (1%) or greater risk of flooding from rivers. Such flood risk is likely to be exacerbated with climate change effects.</p> <p>FDLP Policy CSP.1 provides guidance implementing national requirements for managing flood risk; also, FDLP CSP.2 Climate Change Adaptation. The emerging updated FDLP continues to recognise the vulnerability of areas such as Lydney and draft LP Policy LP.21 Flooding & Water Conservation updates the protection from proposed development.</p> <p>LNDP Policy ENV6 provides detailed local guidance with regard to managing flood risk.</p> <p>The limited spatial extent and small-scale of the plan indicates limited intensification of land use.</p> <p>Therefore, a potentially significantly vulnerable area in the town centre with regard to air quality; and various areas at high risk of flooding.</p>
(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.	No	<p>The LNDP area does not include (nor nearby) any sites/areas designated for their international or national significance with regard to Landscape (such as a National Landscape)³⁷.</p> <p>The LNDP area does include sites/areas designated for their national significance with regard to the Cultural/Historic Environment. There are 4 Scheduled Monuments³⁸; and there are 89 designated heritage assets on the Historic England list, mostly Grade II Listed Buildings³⁹. FDLP Policy CSP1 provides overarching guidance on the historic environment. The emerging new FDLP includes updated Policy LP.16 on the historic environment.</p> <p>LNDP Policy ENV3 provides further detailed guidance on locally important heritage assets (including non-designated).</p> <p>FDDC has designated 2 areas in Lydney as Conservation Areas (CAs)⁴⁰ (town centre/Bathurst Park and St Mary's Church & precincts) on account of their special architectural character or historic interest, thus indicating local importance.</p>

³⁶ <https://check-long-term-flood-risk.service.gov.uk/map>

³⁷ <https://magic.defra.gov.uk/magicmap.aspx>

³⁸ ibid

³⁹ <https://historicengland.org.uk/listing/the-list/>

⁴⁰ <https://www.fdean.gov.uk/planning-and-building/historic-buildings-and-conservation-areas/conservation-area-maps-and-appraisals/>

Criteria (Schedule 1 SEA Regulations)	Are significant environmental effects likely? Yes/ No Justification and evidence
	<p>FDLP Policy CSP.4 includes guidance for new development with special regard to Conservation Areas. . The emerging new FDLP includes updated Policy LP.16 with guidance regarding Conservation Areas. LNDP Policy ENV3 provides local guidance on preserving & enhancing the CAs. LNDP Policy ENV4 provides further guidance for design principles, including reinforcing local distinctiveness.</p> <p>The LNDP area does not include sites/areas designated for their international significance with regard to the Biodiversity. However there are internationally protected sites within 20 km distance⁴¹ of the Neighbourhood Area. The internationally protected habitats of the Wye Valley & Forest of Dean Bat Sites (Special Area of Conservation SAC) are located to the west, the nearest site approximately 2.5 km to the north-west of the town. The River Wye SAC is located some 9 km to the west. The Walmore Common Special Protection Area SPA/Ramsar site is located approximately 17.5 km to the north-east of the town. The Wye Valley Woodlands SAC is some 9 km to the west. The Severn Estuary SAC/SPA/Ramsar is located some 2 km to the south-east and is a very important characteristic environmental asset for the town. Most are also nationally protected SSSIs. (Distances measured to nearest boundary edge using Magic graphics).</p> <p>[HRA screening cannot take into account mitigation provided through policies in higher level plans, such as the FDLP. However, it may be noted that HRA Screening & Appropriate Assessment have been undertaken of the emerging new FDLP and updating the process to take account of case law and new government guidance.</p> <p>This HRA screening process determined that the LDNP does not itself promote areas, locations, or quanta of development; it sets out policies for evaluating the acceptability of proposals. Therefore, the NDP's policies were screened out & there was no requirement identified for appropriate assessment. Overall, it is considered that the plan, the FDLP and the NPPF provide sufficient protection for these internationally designated sites.]</p> <p>The LNDP area does include nationally designated biodiversity – with areas designated as Priority Habitats for Ancient Woodland, and Coastal Saltmarsh. Nationally protected species known to be around the Lydney NDP area include Lesser Horseshoe & Long-Eared Bats – with roosts & feeding areas in the vicinity.</p>

⁴¹ Measured from centre of Lydney Town to nearest edge of site boundary using Magic Application
<https://magic.defra.gov.uk/magicmap.aspx>

Criteria (Schedule 1 SEA Regulations)	Are significant environmental effects likely? Yes/ No Justification and evidence	
		<p>FDLP Policy CSP.1 provides some guidance for protected sites & CSP.2 includes specific guidance for enhancing biodiversity & supporting green infrastructure corridors & networks. The emerging new FDLP includes updated Policy LP.8 Nature Conservation Protected Sites and this has been informed by the recent HRA/AA of the new plan.</p> <p>LNDP Policy ENV2 Protecting and enhancing Lydney's natural environment. This provides strong local policy guidance to avoid damage & deliver enhancement through improving the green infrastructure of the area.</p> <p>Taking into account the limited spatial extent and small-scale of the plan, with no sites allocated for new development, and taking into account the policies that provide mitigation & guidance, likely effects will be Not Significant.</p>

5. SEA SCREENING DECISION

- 5.1 Regulation 9 of the SEA Regulations requires that the responsible authority shall determine whether or not a plan is likely to have significant environmental effects. The responsible authority shall:
- (a) take into account the criteria specified in Schedule 1 to these Regulations, and
 - (b) consult the consultation bodies
- 5.2 Where the responsible authority determines that the plan is unlikely to have significant environmental effects (and, accordingly, does not require an environmental assessment), it shall prepare a statement of its reasons for the determination.
- 5.3 It is considered that the draft Lydney Neighbourhood Development Plan (LNDP 2025 to 2041, November 2024) is unlikely to have significant environmental effects and thus does not require a Strategic Environmental Assessment (SEA). This decision is made for the following key reasons:
- The geographical extent of the LNDP is limited and the policies are small-scale such that effects will not be significant
 - Most LNDP policies aim to restrict the extent of development as well as protecting environmental factors
 - The LNDP does not propose any areas, sites, or quanta for development; its policies aim to evaluate and enhance the acceptability of proposals
 - The LNDP is generally supportive and interpretive; the LNDP in combination with the FDLP (including the emerging updated new FDLP to 2041) contains environmental protection, mitigation, and enhancement requirements
 - Likely significant effects have been previously assessed through SA incorporating SEA of the FDLP (including the emerging updated new FDLP to 2041) and therefore, further SEA of the LNDP is not required.
 - There will not be any adverse effects on the integrity of European/international sites designated for nature conservation due to the limited size and extent of any likely development in Lydney and the distance from and/or absence of identified environmental pathways to any designated sites. There is no requirement identified for appropriate assessment.

6. HABITATS REGULATIONS ASSESSMENT (HRA) SCREENING

European/Internationally Designated Sites for Nature Conservation

6.1 The LNDP does influence decision-makers on the outcome of applications for project consents, and it does contain policies that could affect one or more European/international sites designated for nature conservation. Therefore, it does need to be subject to HRA. It is considered that there are five⁴² European/internationally designated sites⁴³ for nature conservation that the draft LNDP needs to be screened for Likely Significant Effects (LSEs) and any requirement for subsequent appropriate assessment (AA), as follows:

- The River Wye Special Area of Conservation (SAC) is located some 10 km to the west of the Neighbourhood Area
- The Wye Valley & Forest of Dean Bat Sites SAC – the nearest site is located approximately 2.5 km to the north-west of the centre of the Neighbourhood Area – and partly within the NDP designated area.
- The Walmore Common Special Protection Area (SPA)/Ramsar site is located approximately 15.5 km to the north-east of the Neighbourhood Area
- The Severn Estuary SAC/SPA/Ramsar is located some 2 km to the south-east of the centre of the Neighbourhood Area- the shoreline of the estuary forms the south-eastern boundary of the NDP designated area.
- The Wye Valley Woodlands SAC is located approximately 14 km to the north-west of the Neighbourhood Area

The characteristics, key vulnerabilities, and conservation objectives of the designated sites are summarised⁴⁴, as follows:

6.2 **River Wye SAC:** This large river is a geologically mixed catchment with a largely unmodified river channel. It includes some excellent gorges and significant areas of associated woodland. The Wye has a range of nutrient conditions and generally good water quality for fish, supporting healthy populations of bullheads and lampreys; it also contains high quality spawning grounds and juvenile habitat for Atlantic salmon *Salmo salar*. It holds a dense

⁴² The Bredon Hill SAC is over 25 km to the north-east & the Dixon Wood SAC is over 25 km to the east - qualifying feature for both is only the Violet Click Beetle & therefore, both SACs considered beyond the scope of this HRA screening

⁴³ Distances measured using Magic Map (Defra) application <https://magic.defra.gov.uk/magicmap.aspx> from centre Lydney town to nearest edge of SAC/SPA boundary

⁴⁴ Data from JNCC <https://jncc.gov.uk/our-work/special-areas-of-conservation-overview/> and Natural England <http://publications.naturalengland.org.uk/publication/>

and well established otter *Lutra lutra* population. The tributaries are the main haven for white-clawed crayfish *Austropotamobius pallipes*. The qualifying habitats are transition mires & quaking bogs; and the watercourses with floating vegetation and extensive *Ranunculus* beds. The qualifying species include Shads, Salmon, Lampreys, Otter, Bullhead, and White-Clawed Crayfish. Conservation Objectives aim to ensure that the integrity of the site is maintained or restored, and that the site contributes to achieving favourable conservation status of its qualifying features.

- 6.3 **Wye Valley & Forest of Dean Bat Sites SAC:** Deciduous woodland, villages, roads and industrial areas – the site is composed of buildings in everyday use used by bats for breeding and a series of mines used by bats for hibernation. Within the roost the bats are vulnerable to disturbance at critical times, structural alteration, and changes in ventilation. The bats also depend on features outside the designated sites including intermediate roost, foraging grounds, and hedgerows/tree belts that the bats use as commuting routes. Impacts on these features can also affect the integrity of the designated site.
- 6.4 The primary reason for selection of the site is the presence of Annex II species Lesser Horseshoe Bat (LHB) *Rhinolophus hipposideros* and Greater Horseshoe Bat (GHB) *Rhinolophus ferrumequinum*. This complex of sites on the border of England and Wales contains the greatest concentration 26% of the UK population of LHB and was selected due to the exceptional breeding population. The GHB population represents about 6% of the UK population. Conservation Objectives aim to avoid the deterioration of the qualifying natural habitats and the habitats of qualifying species, ensuring the integrity of the site is maintained. This relates to both roosting and foraging habitat – condition, security, access, and disturbance.
- 6.5 **Walmore Common Special Protection Area (SPA)/Ramsar:** A low-lying basin in the Severn Vale adjacent to the River Severn, that is subject to extensive winter flooding and high, artificially maintained water levels in summer. The site supports a range of unimproved and improved wet grasslands overlying a large area of peat and is of botanical and ornithological importance. There is also a large network of ditches that has an important hydrological function as well as supporting a diverse community of flora and fauna. The Common is part of a wider important refuge and feeding area for wildfowl. The site qualifies by supporting internationally important numbers of Bewick's Swan *Cygnus columbianus bewickii*. Conservation Objectives aim to prevent deterioration of the habitats and significant disturbance of the qualifying features.
- 6.6 **Severn Estuary SAC/SPA/Ramsar:** A large estuary with extensive intertidal mudflats and sandflats, rocky platforms and islands. Salt marsh fringes the coast backed by ditches and occasional brackish ditches. The seabed is rock and gravel with subtidal sandbanks. The estuary's classic funnel shape, unique in the UK, is a factor causing the Severn to have the second- highest tidal range in the world. Qualifying features: The Severn Estuary SAC hosts the following habitats: estuaries, mudflats and sandflats not covered by seawater at low tide, Atlantic salt meadows (*Glaucopuccinellietalia maritimae*), sandbanks which are slightly covered by sea water all the time, and reefs. The

site also supports sea lamprey (*Petromyzon marinus*), river lamprey (*Lampetra fluviatilis*) and twaite shad (*Alosa fallax*). The Severn Estuary SPA supports overwintering Bewick's swan (*Cygnus columbianus bewickii*); on passage ringed plover (*Charadrius hiaticula*) and overwintering curlew (*Numenius arquata*), dunlin (*Calidris alpina alpina*), pintail (*Anas acuta*), redshank (*Tringa tetanus*), and shelduck (*Tadorna tadorna*). It also regularly supports at least 20,000 waterfowl.

- 6.7 The three key activities that may cause the greatest impact on the designated features within this site include paddle sports, powered flying and 'other' (dog walking). There is recent growing awareness of the potential for recreational pressures to impact on the Severn Estuary SAC/SPA/Ramsar site, particularly on the bird populations for which the SPA and Ramsar site are designated and including with regard to functionally linked habitat. The River Severn is functionally linked to the designated site of the estuary and it is some 10.5 km to the north-east of Lydney, with the estuary itself some 2.5 km to the southeast of the town centre and forming the parish administrative boundary to the east.
- 6.8 **Wye Valley Woodlands SAC:** Predominantly broad-leaved deciduous woodland (87%) and a significant proportion of the SAC is already positively managed by a group of woodland/environmental organisations, including Natural England. Annex I habitats that are the primary reason for selection of this site are Beech forests *Asperulo-Fagetum*, considered to be one of the best areas in the UK. Such a variety of woodland types is rare within the UK. In places lime *Tilia* sp., elm *Ulmus* sp. and oak *Quercus* sp. share dominance with the beech. Structurally the woods include old coppice, pollards and high forest types. *Tilio-Acerion* forests of slopes, screes and ravines.
- 6.9 The woods of the lower Wye Valley on the border of south Wales and England form one of the most important areas for woodland conservation in the UK. A wide range of ecological variation is associated with slope, aspect and landform. The woodland occurs here as a mosaic with other types, including beech *Fagus sylvatica* and pedunculate oak *Quercus robur* stands. Uncommon trees, including large-leaved lime *Tilia platyphyllos* and rare whitebeams such as *Sorbus porrigentifomis* and *S. rupicola* are found here, as well as locally uncommon herbs, including wood barley *Hordelymus europaeus*, stinking hellebore *Helleborus foetidus*. Also, *Taxus baccata* woods and the Wye Valley is representative of yew *Taxus baccata* woods in the south-west of the habitat's range. Annex II species present as a qualifying feature, but not a primary reason for site selection: Lesser horseshoe bat *Rhinolophus hipposideros*: for which the area is considered to support a significant presence.
- 6.10 The Conservation Objectives for this site are, subject to natural change, to maintain Broadleaved, mixed and yew woodland habitats and geological features in favourable condition (or restored to favourable condition if features are judged to be unfavourable). In particular, to maintain the Broadleaved, mixed, and yew woodland habitat in favourable condition; and to maintain the hibernating population of Horseshoe Bats in favourable condition.

Screening of NDP Policies

- 6.11 The LNDP policies were investigated as to whether they could potentially result in likely significant effects (LSEs) on the integrity of an European designated nature conservation site either alone or in combination with other plans and policies. Assessment was made considering the likely implications/outcomes that might arise from implementation of the LNDP policies and having regard to the conservation objectives for the European sites and the precautionary principle. It is appreciated that the plan is at the draft Regulation 14 stage and may be subject to further revision after consultation. However, it is understood that the overall policy objectives and content are not expected to substantially change.
- 6.12 The screening of the LNDP Policies for LSEs is set out in the table 6.1, as follows:

Table 6.1: Screening of LNDP Policies for LSEs

LNDP Policies	Screening Assessment Commentary	Screened In/out
Built & Natural Environment		
ENV1: Location of new development (alternative)	Development will be supported within the Lydney settlement boundary. Development will only be supported outside the boundary where it meets certain criteria. The Policy does not promote areas, locations, or quanta of development.	Out
ENV2: Protecting and enhancing Lydney's Natural environment	Development will be expected to maintain, protect and where appropriate improve the green infrastructure network of Lydney.	Out
ENV3: Protecting Lydney's Heritage	Protects designated and local non-designated historic assets & their setting.	Out
ENV4: High quality design and local distinctiveness	New development should contribute positively to the local character and distinctiveness of Lydney. The Policy does not promote areas, locations, or quanta of development.	Out
ENV5: Low-carbon and renewable energy generation	Decentralised schemes in appropriate locations will be supported subject to meeting various criteria, including biodiversity. The Policy does not promote areas, locations, or quanta of development. Particular support will be given to local renewable and low carbon energy generation developments – including those that harness the tidal energy from the Severn Estuary. Therefore, some potential uncertainty of LSEs with regard to Wye Valley & Forest of Dean Bats SAC and the Severn Estuary SAC/SPA/Ramsar designated areas.	?
ENV6: Flooding and water management	The Policy does not promote areas, locations, or quanta of development.	Out
Housing & Community Infrastructure		
HC1: Housing choice for everyone	Development will be supported which ensures delivery of a range of good quality, energy-efficient homes, including affordable	Out

	homes. The Policy does not promote areas, locations, or quanta of development.	
HC2: Protecting and providing community facilities	The Policy seeks to protect and provide community facilities; it does not promote areas, locations, or quanta of development.	Out
Economy & Tourism		
ET1: Employment	Within identified employment areas, main employment uses will be supported. The Policy does not promote areas, locations, or quanta of development.	Out
ET2: Supporting Lydney Town Centre	Development proposals will be supported where they demonstrate positive contributions to economic sustainability. The Policy does not promote areas, locations, or quanta of development.	Out
ET3: Lydney Harbour Regeneration	Proposals for recreational development in the Harbour area will be supported where certain criteria are met, including minimising any impact on ecological importance. The Policy does not promote areas, locations, or quanta of development.	Out
ET4: Promoting local tourism	Proposals will be supported where they sustain and conserve environmental character. The Policy does not promote areas, locations, or quanta of development	Out
Accessibility & Transport		
TRAN1: Sustainable & Active Travel & Improvements to Transport Infrastructure	The Policy seeks connectivity to & provision of sustainable transport; it does not promote areas, locations, or quanta of development.	Out
TRAN2: Public Rights of Way and wildlife corridors	The Policy seeks to enhance wildlife networks; it does not promote areas, locations, or quanta of development.	Out

- 6.13 In consideration of the small geographical area of the LNDP, its distance from those European sites outside the Lydney Neighbourhood Area boundary (River Wye SAC, Walmore Common SPA/Ramsar, Wye Valley Woodlands SAC), and that the LNDP does not allocate sites for new development, this HRA screening considers that the LNDP is not likely to have significant effects on European/internationally designated sites, either alone or in combination with other plans and projects. The Wye Valley & Forest of Dean Bats SAC is partly located within the north western corner of the NDP designated area. The Severn Estuary SAC/SPA/Ramsar boundary of the designated habitats area aligns with the south eastern boundary of the NDP area.
- 6.14 The LNDP does not allocate any sites or quanta for development such that increases in human population are limited with concomitant limits to potential effects on protected sites. Thus, potential effects on bat roosts and foraging habitats that may be associated with the Wye Valley & Forest of Dean Bat Sites SAC are limited due to the small-scale and limited new development supported by the plan. Potential increases in recreational activities associated with the River Wye SAC, the Severn SPA/SAC/Ramsar and the Wye

Valley Woodlands SAC are unlikely due to distance and small scale, and are not significant.

- 6.15 The LNDP contains policies for assessing the acceptability of proposed development. The NDP discusses the protected bats and birds habitats and refers to them within supporting proposed NDP Policies but does not explicitly mention the SACs in policy text – it appears to rely on Local Plan Policies with regard to protection of designated habitats sites. It is unlikely that there will be any adverse effects on the integrity of designated sites due to the limited size and extent of any likely development in Lydney NDP area and the distance from and/or absence of identified environmental pathways to any sites.
- 6.16 However, LNDP Policy ENV5 Low Carbon & Renewable Energy Generation provides particular support for certain energy developments, including harnessing the tidal energy from the Severn Estuary. Wind and solar developments may have impacts on birds and bats. Therefore, whilst such projects will be small-scale, there may be a need to go to the appropriate assessment stage of the HRA process and to ensure that policy wording is explicit for providing mitigation measures to ensure that the LNDP is not likely to have significant effects on European/internationally designated sites. The HRA of the Local Plan (and the updated HRA/AA July 2024 of the emerging new FDLP) remains valid and there is no new material and relevant information associated with Lydney that should be considered.

7. STATUTORY SCREENING CONSULTATION & OVERALL CONCLUSION

Conclusion

- 7.1 It is considered that the draft Lydney Neighbourhood Development Plan (LNDP to 2041, November 2024) is unlikely to have significant environmental effects and thus does not require a Strategic Environmental Assessment (SEA).
- 7.2 HRA screening considers that the LNDP 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). With regard to the Wye Valley & Forest of Dean Bats SAC and the Severn Estuary SAC/SPA/Ramsar, there may be a need to go to the appropriate assessment stage of the HRA process. This is to ensure that local policy provides sufficient mitigation measures to remove any uncertainties for Likely Significant Effects.

Statutory Screening Consultation

- 7.3 This Screening Report was sent to the environmental bodies (Environment Agency EA, Historic England HE, and Natural England NE) for the formal five weeks consultation between 18 December 2024 and 23 January 2025. This is in order to demonstrate that due processes have been undertaken to screen the draft Lydney Neighbourhood Development Plan 2041 (November 2024) with regard to HRA and SEA.
- 7.4 The Environment Agency had no comments regarding the SEA screening. They advised that they *"would only make substantive further comments on the plan if the NDP were seeking to allocate sites in flood zone 3 and 2 (the latter being used as the 1% climate change extent), or if there were another significant environmental concern relating to matters within our remit (such as an allocation in Source Protection Zone 1)"*.
- 7.5 Historic England confirmed that they *"have no objection to the conclusion that a full SEA is not required"*.
- 7.6 No comments have been received to date from Natural England. It is assumed that NE will be able to comment on the Regulation 14 consultation for the draft LNDP. Therefore, this document remains a final draft until some response is received.