



Appendix 2 - Minutes of the 3 September 2025 Planning Committee meeting for application 242783.

242783 - LAND SOUTH OF LEADON WAY (A417) AND EAST OF DYMOCK ROAD (B4216), LEDBURY, HEREFORDSHIRE

- [Meeting of Planning and Regulatory Committee, Wednesday 3 September 2025 10.00 am \(Item 28.\)](#)

A hybrid planning application comprising: An application for full planning permission for the erection of a Day Nursery (Use Class E (f)) and Foodstore (Use Class E (a)) including access, car parking landscaping and associated work; & an application for outline planning permission for the erection of a medical centre (Use Class E(e)), with access to be determined and all other matters reserved.

Decision:

Application approved with a change to conditions.

Minutes:

Councillor Stef Simmons left the committee to act as the local ward member for the following application

The principal planning officer provided a presentation on the application and the updates/representations received following the publication of the agenda.

In accordance with the criteria for public speaking, Mr Ingram, from the Cooperative group, and Ms Stephenson, local resident, spoke in objection to the application and Mr. Mitchell spoke in support.

In accordance with the council's constitution the local ward member spoke on the application. In summary, she explained that in principle the local community supported the provision of a medical centre and nursery. It was recognised that there was a need for better healthcare facilities in Ledbury. It was further recognised that a food store could bring benefits as the location of the new shop would provide for new developments within that part of the town and bring more jobs. It was acknowledged that a new shop on the outskirts of Ledbury would result in the loss of some trade from shops within the centre of town.

There was an adjournment at 11:07 a.m.; The meeting reconvened at 11:32 a.m.

Councillor John Stone left the meeting at 11:32 a.m.

Following the adjournment the local ward member continued her address to the committee. It was recognised that there were access issues concerning the site that required finalisation. Noise impact concerns remained with the site and the committee was asked to clarify with officers how this would be conditioned. The recommendation of the case officer was accepted.

In accordance with the council's constitution the adjoining ward member spoke on the application. In summary, she explained that the new store would have an adverse impact on the vitality of local retail and the viability of Ledbury town centre. The impact of the application was a deep concern to business owners in Ledbury and there was no adequate mitigation proposed to address this impact. Submissions by the local trade association and the ALDI supermarket were of significance and should be given due weight by the committee. The credibility of the retail impact assessment was questioned given the data used in calculation but assessments of the impact of the new shop on businesses in Ledbury demonstrated an adverse effect. The potential

use of private financial initiative (PFI) for the health centre and its relocation out of the centre of Ledbury was questioned. The committee was urged to reject the application due to the adverse impact on Ledbury town centre which was contrary to: core strategy policies SS1, LB1; Ledbury neighbourhood development plan policy EE 3.1; and paragraphs 85 to 90 of the national planning policy framework.

The committee debated the application; during the debate the following principal points were raised:

- support for the new store had been expressed by local residents;
- the absence of a noise condition was questioned;
- the construction of a new healthcare facility in the town was a benefit in the locality;
- it was felt that the new store would serve new housing developments in Ledbury;
- there was concern regarding the potential loss of hedgerow along Leadon way during the construction of the store which would undermine biodiversity in the area and the adequate screening of the site; and
- there was concern that the time period requiring landscape management and maintenance under condition 28 was insufficient and should be re-assessed and increased if appropriate.

Councillor Terry James declared an interest as a member of the co-operative supermarket.

The development manager provided the following clarification:

- a noise condition could be included with the permission as below:

Prior to the commencement of development, a comprehensive Noise Management Scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on the findings and recommendations of the submitted Noise Assessment Report (Inacoustic, Ref: 23-601-2, dated April 2024) and shall include:

Nursery Acoustic Design Compliance

o Evidence demonstrating that all teaching spaces within the nursery element will be designed and constructed to meet the performance standards set out in the current version of Building Bulletin 93: Acoustic Design of Schools – Performance Standards, including internal ambient noise levels, sound insulation, and reverberation time.

Delivery Noise Management Plan - Foodstore

A delivery noise management plan for the foodstore, detailing:

- o Proposed delivery times and hours*
- o Measures to minimise noise from delivery operations, including use of reversing alarms, unloading procedures, and vehicle idling*
- o Any mitigation measures proposed to ensure delivery-related noise remains within acceptable limits at nearby receptors*

The development shall thereafter be carried out and operated in accordance with the approved Noise Management Scheme.

Reason: To ensure an appropriate acoustic environment for future users of the nursery, to safeguard the amenity of nearby residential occupiers, and to ensure that noise impacts from

deliveries and plant remain within acceptable levels, in accordance with Policy SD1 of the Herefordshire Local Plan – Core Strategy, the Ledbury Neighbourhood Development Plan, and the National Planning Policy Framework

- In order to address concerns regarding the landscaping/landscape maintenance, screening and hedgerow around the application site it was suggested that's a delegation could be agreed as part of the committee's proposal. The delegation would give authority to the local ward member to work in conjunction with officers to finalise conditions 23 and 28 in accordance with the committee's wishes.

The local ward member and the adjoining ward member were given the opportunity to close the debate.

Councillor Bruce Baker proposed and councillor Dave Davis seconded a motion that the application be approved in accordance with the case officer's recommendation and the addition of the noise condition, as outlined above, and a delegation to the local ward member to finalise the landscape management condition in accordance with the committee's wishes with a particular focus on the length of management/maintenance arrangements and the adequate provision of hedgerow to support biodiversity and screen the site.

The motion was put to the vote and was carried unanimously.

RESOLVED – that

That planning permission be granted, subject to the conditions set out below, the inclusion of a noise condition as outlined above, the completion of a Section 106 agreement to secure the transfer of land for the proposed medical centre, the community transport contribution, the delegation of authority to the local ward members to finalise conditions 23 and 28 with officers to address the concerns of the committee in relation to landscape/landscape maintenance and any further conditions considered necessary by officers named in the Scheme of Delegation to Officers.

STANDARD CONDITIONS

1. Time Limit – Full Permission (Foodstore and Nursery)

The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. Submission of reserved matters (Medical Centre)

Application(s) for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990

3. Time Limit (Medical Centre)

The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

4. Approval of the reserved matters (Medical Centre)

Approval of the details of the appearance, landscaping, layout, and scale (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: To comply with the provisions of Article 5 of the Town and Country Planning (Development Management Procedure) Order 2015.

5. Approved Plans (full)

The development shall be carried out in accordance with the approved plans listed in this below;

P402 rev Q Proposed Masterplan (only as far as it relates to the foodstore and nursery)

P403 rev N Proposed Lidl Site Plan GA

P404 rev K Proposed Lidl Surface Treatment Plan

P101 rev C Proposed Lidl Roof Plan

P120 Proposed Nursery Ground Floor Plan

P121 Proposed Nursery First Floor Plan

P202 rev B Proposed Lidl Elevations – Brick Alt

P220 Proposed Nursery Elevations – South

P221 Proposed Nursery Elevations - North

P401 rev C Existing Site Plan

P420 rev B Proposed Nursery Site Plan GA

P409 rev E Proposed Site Plan GA Medical Centre (only as far as it relates the 'access' and defining the extent of the nursely element)

CA2024 LDBY 02 rev C Tree Survey & Existing Features & Overlay

CA2024 LDBY 03 rev H Landscape Proposals Overall

CA2024 LDBY 04 rev F Landscape Proposals Detail 1-200 A0

CA2024 LDBY 04 rev F Landscape Proposals Detail

CA2024 LDBY 07 rev B Ledbury Hedgerow Management Plans

CA2024 LDBY Ledbury Planting Schedule rev 18 June 2025

CA2024 LDBY 01 rev B Tree Survey & Existing Features

CA2024 LDBY 05 rev A Landscape Living Green Wall

CA2024 LDBY 06 Landscape Sections

PL02 rev F Access Junctions Visibility Splays

PL03 rev H Potential Active Travel Links to Development

SP01 rev G Swept Path Analysis

SP02 rev D Swept Path Analysis

PL01 rev G Potential Toucan Crossing

P400 rev C Site Location Plan

Reason: To ensure adherence to the approved plans in the interests of proper planning.

6. Approved Plans (Medical Centre)

The development shall be carried out in accordance with the approved plans listed in this below;

P400 rev C Site Location Plan

P409 rev E Proposed Site Plan GA Medical Centre (only as far as it relates the 'access' and defining the extent of the nurseery element)

Reason: To ensure adherence to the approved plans in the interests of proper planning.

PRIOR TO COMMENCEMENT OF DEVELOPMENT (site-wide or specified element of development)

7. Materials

With the exception of site clearance and groundwork, no development shall commence on: a) the foodstore, or b) the nursery, until details and/or samples of the external materials to be used for the walls and roofs of the respective buildings have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved materials.

Reason: To ensure a high standard of design that respects and enhances the character and appearance of the area, in accordance with Policies SD1 and LD1 of the Herefordshire Local Plan – Core Strategy, Policy BE1.1, SD1.3 and NE2.2 of the Ledbury Neighbourhood Development Plan and the National Planning Policy Framework.

8. Biodiversity Net Gain

No development shall commence, including any site clearance or preparatory works on that respective element, until a Biodiversity Gain Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include:

- Confirmation that the development is subject to the statutory Biodiversity Gain Condition under the Environment Act 2021 and Biodiversity Gain Regulations 2024.**
- Details of the on-site habitat creation and enhancement measures, including habitat types, condition targets, and management prescriptions.**
- Evidence of the purchase of off-site biodiversity units from a Registered Biodiversity Gain Site Provider, or alternatively, confirmation of statutory biodiversity credits purchased, sufficient to achieve a minimum 10% net gain in biodiversity value.**
- A Habitat Management and Monitoring Plan (HMMP) covering a minimum 30-year period, in accordance with DEFRA guidance, setting out how the biodiversity measures will be maintained and monitored.**

The development shall thereafter be carried out in accordance with the approved Biodiversity Gain Plan and HMMP.

Reason: To ensure the development delivers measurable biodiversity net gain in accordance with the Environment Act 2021 and the Biodiversity Gain Regulations 2024, and to give effect to the deemed biodiversity gain condition imposed by paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The condition also supports compliance with Policies LD2 and LD3 of the Herefordshire Local Plan - Core Strategy and Ledbury Neighbourhood Development Plan Policies NE1.1.

9. Contamination

No development shall commence, including any site clearance or preparatory works, until the following has been submitted to and approved in writing by the local planning authority:

- a) a 'desk study' report including previous site and adjacent site uses, potential contaminants arising from those uses, possible sources, pathways, and receptors, a conceptual model and a risk assessment in accordance with current best practice
- b) if the risk assessment in (a) confirms the possibility of a significant pollutant linkage(s), a site investigation should be undertaken to characterise fully the nature and extent and severity of contamination, incorporating a conceptual model of all the potential pollutant linkages and an assessment of risk to identified receptors
- c) if the risk assessment in (b) identifies unacceptable risk(s) a detailed scheme specifying remedial works and measures necessary to avoid risk from contaminants/or gases when the site is developed shall be submitted in writing. The Remediation Scheme shall include consideration of and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination encountered shall be fully assessed and an appropriate remediation scheme submitted to the local planning authority for written approval.

Reason: In the interests of human health in accordance with Herefordshire Local Plan - Core Strategy Policy SD1.

10. Construction Management Plan

No development shall commence on any element of the approved scheme, namely (a) the foodstore, (b) the nursery, or (c) the medical centre, including any site clearance or preparatory works on the respective parcel of land, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority.

The Construction Management Plan shall include the following details:

- Measures to prevent mud and debris being deposited onto the public highway;
- Construction traffic access arrangements;
- Parking provision for site operatives and visitors;
- A Construction Traffic Management Plan;
- Details of any site compound, including its location (which may be on land identified for the nursery or medical centre), and a scheme for the reinstatement of that land following completion of construction works.
- The approved Construction Management Plan shall be implemented in full and maintained throughout the construction period.

Reason: To safeguard highway safety, protect residential amenity, and ensure the coordinated and phased delivery of the development, in accordance with Policy MT1 of the Herefordshire Local Plan – Core Strategy, Policy TR1.2 of the the Ledbury Neighbourhood Development Plan, and the National Planning Policy Framework.

11. Drainage

No development shall commence, including any site clearance or preparatory works, until the following drainage details have been submitted to and approved in writing by the Local Planning Authority:

- Detailed design drawings and construction plans for both the proposed surface water and foul water drainage systems, including calculations and specifications. The foul drainage design shall be developed in consultation with Severn Trent Water.
- Written confirmation from Severn Trent Water that the proposed surface water discharge to the public surface water sewer is acceptable.

- Details of the proposed adoption and maintenance arrangements for all drainage infrastructure, including confirmation of the responsible party and any agreements with statutory undertakers or management companies.

The development shall thereafter be carried out in accordance with the approved details prior to first occupation or use of any part of the development.

Reason: To ensure that the development is provided with a satisfactory means of drainage, to reduce the risk of flooding and pollution, and to comply with Policies SD3 and SD4 of the Herefordshire Local Plan – Core Strategy, Policy SD1.3 of the Ledbury Neighbourhood Development Plan and the National Planning Policy Framework.

12. Construction Environmental Management Plan

No development shall commence on any element of the approved scheme, namely (a) the foodstore, (b) the nursery, or (c) the medical centre, including any site clearance or preparatory works on the respective parcel of land, until a Construction Environmental Management Plan (CEMP) for that element has been submitted to and approved in writing by the Local Planning Authority.

The CEMP shall include, but may not be limited to:

- An ecological working method statement detailing measures to protect retained habitats and species during construction;
- Details of the person(s) responsible for implementing and monitoring the CEMP throughout the construction period.

The approved CEMP shall be implemented in full prior to the commencement of development on the relevant parcel and all construction works shall thereafter be carried out in accordance with the approved details.

Reason: To ensure the protection of ecological interests and the enhancement of biodiversity, in accordance with the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, the Wildlife and Countryside Act 1981, the Natural Environment and Rural Communities Act 2006, Policies SS1, SS6, LD1, LD2 and LD3 of the Herefordshire Local Plan – Core Strategy, Policy NE1.1 of the Ledbury Neighbourhood Development Plan, the National Planning Policy Framework, and Herefordshire Council's declared Climate Change and Ecological Emergency.

13. EV charging (submission of details required prior to commencement of each element)

With the exception of any site clearance and groundworks, no development shall commence with respect to each element to which it relates - a) the foodstore b) nursery and; b) the medical centre, until written and illustrative details of the number, type/specification and location of electric vehicle charging points have been submitted to and approved in writing by the local planning authority.

The electric vehicle charging points shall be installed prior to first occupation and be maintained and kept in good working order thereafter as specified by the manufacturer.

Reason: In accordance with Policy SD1 of the Herefordshire Local Plan Core Strategy, Policy TR1.2 of the Ledbury Neighbourhood Development Plan and to assist in redressing

the Climate Emergency declared by Herefordshire Council and to accord with the National Planning Policy Framework

14. Ventilation strategy (Nursery)

Prior to the commencement of development on the nursery building, a detailed ventilation strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall demonstrate how adequate ventilation will be achieved while ensuring compliance with the internal ambient noise criteria set out in the current version of Building Bulletin 93: Acoustic Design of Schools – Performance Standards.

The development shall be carried out in accordance with the approved strategy and the ventilation system shall be retained and maintained thereafter in accordance with the manufacturer's specifications.

Reason: To ensure a suitable internal acoustic environment for future occupants of the nursery, in accordance with Policy SD1 of the Herefordshire Local Plan – Core Strategy, Policy BE1.1, TR1.2, SD1.3 and EE1.2 of the Ledbury Neighbourhood Development Plan and the National Planning Policy Framework.

PRIOR TO COMMENCEMENT OF CERTAIN OPERATIONS / INSTALLATIONS

15. External lighting (before installation of any external lighting)

Prior to the installation of any external lighting, a detailed Lighting Strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include:

- The location, type, and intensity of all proposed external lighting;
- Measures to ensure compliance with current best practice guidance issued by the Institute of Lighting Professionals and the Bat Conservation Trust;
- Consideration of the site's proximity to the Malvern Hills National Landscape and its contribution to maintaining local dark skies.

The development shall thereafter be carried out in accordance with the approved Lighting Strategy, and the lighting shall be retained and operated in accordance with the approved details.

Reason: To protect nocturnal species including bats, safeguard residential amenity, preserve landscape character, and maintain dark skies, in accordance with the Wildlife and Countryside Act 1981, the Conservation of Habitats and Species Regulations 2017, the Natural Environment and Rural Communities Act 2006, Policies SS6, LD1, LD2 and LD3 of the Herefordshire Local Plan – Core Strategy, Policy BE1.1, NE1.1 and NE2.1 of the Ledbury Neighbourhood Development Plan, and the National Planning Policy Framework.

16. Visibility splays

Before any other works hereby approved are commenced, visibility splays, and any associated set back splays at 45 degree angles shall be provided from a point 0.6 metres above ground level at the centre of the access to the application site and 4.5 metres back from the nearside edge of the adjoining carriageway (measured perpendicularly) for a distance of 43m northbound and 120m southbound metres along the nearside edge of the adjoining carriageway – as indicated on approved plan PL02 Rev F. Nothing shall be planted, erected and/or allowed to grow on the triangular area of land so formed which would obstruct the visibility described above.

Reason: In the interests of highway safety and to conform to the requirements of Policy MT1 of Herefordshire Local Plan - Core Strategy, Policy TR1.2, SD1.3 and EE1.2 of the Ledbury Neighbourhood Development Plan and the National Planning Policy Framework.

PRIOR TO FIRST USE / OCCUPATION (of respective elements or site-wide)

17. Parking Management Plan (Nursery)

Prior to the first use of the nursery building hereby approved, a detailed Parking Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include, but not be limited to:

- Staggered drop-off and pick-up arrangements to minimise peak-time congestion.
- Operational details including anticipated child capacity, staff numbers, and standardised drop-off/pick-up times.
- Overflow parking strategy, including use of the foodstore car park and pedestrian connectivity.
- Monitoring and review mechanisms to assess parking demand and congestion during the first 12 months of operation.
- Measures to ensure safe and efficient access, including any physical or operational interventions to prevent vehicle stacking or obstruction of site access.

The approved Parking Management Plan shall be implemented in full prior to the first use of the nursery and shall be adhered to thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure safe and efficient access to the site, minimise congestion, and safeguard highway safety in accordance with Policies MT1 and SD1 of the Herefordshire Local Plan – Core Strategy and Policies BE1.1, TR1.2 and SD1.3 and EE1.2 of the Ledbury Neighbourhood Development Plan.

18. Temporary Management of Undeveloped Parcels

Prior to the first use of the foodstore, a scheme for the management and maintenance of the land identified for the nursery and medical centre shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- Measures to ensure the land is kept free from debris, fly-tipping, and unauthorised use
- Maintenance of boundary treatments and landscaping
- Any temporary surfacing or fencing proposed
- A timetable for ongoing inspection and upkeep
- Provisions for reinstatement following any temporary use (e.g. construction compound)

The approved scheme shall be implemented in full and maintained for the duration of the period prior to the commencement of development on the nursery or medical centre parcels.

Reason: To ensure that land identified for future phases of development is appropriately safeguarded, maintained, and does not detract from the visual amenity, landscape character, or residential environment, in accordance with Policies SS6, SD1, LD1 and LD3 of the Herefordshire Local Plan – Core Strategy, Policy BE1.1, EE1.2, NE1.1 and NE3.1 of the Ledbury Neighbourhood Development Plan, and the National Planning Policy Framework.

19. Off-site highway works (before occupation or beneficial use of any part)

No part of the development shall be occupied or brought into use until the off-site highway works, comprising the provision of a pair of bus stops on Leadon Way and a Toucan crossing, as shown on approved drawing PL01 Rev G - have been fully delivered and made operational.

Details of the works shall first be submitted to and approved in writing by the Local Planning Authority, following completion of the technical approval process by the Local Highway Authority. The works shall be implemented in full accordance with the approved details.

Reason: To ensure safe and inclusive access to the site by sustainable modes of transport, in accordance with Policy MT1 of the Herefordshire Local Plan – Core Strategy, Policy TR1.1, TR1.2, SD1.3 and EE1.2 of the Ledbury Neighbourhood Development Plan, and the National Planning Policy Framework.

20. Biodiversity (site-wide bird/bat/hedgehog/insect provision)

Prior to the first use of any element of the development hereby approved, a site-wide strategy for biodiversity enhancement shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include details of the location, specification, and installation of:

- A minimum of four bird nesting boxes suitable for a range of site-appropriate species;
- One hedgehog home; and
- Four insect hotels.

The approved measures shall be implemented prior to first use and shall be retained and maintained thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To secure biodiversity enhancement and support protected species and habitats, in accordance with the Wildlife and Countryside Act 1981, the Conservation of Habitats and Species Regulations 2017, the Natural Environment and Rural Communities Act 2006, Policies LD1, LD2 and LD3 of the Herefordshire Local Plan – Core Strategy, Policy NE1.1 of the Ledbury Neighbourhood Development Plan, and the National Planning Policy Framework.

21. Travel Plan (foodstore, nursery, medical centre)

Prior to the first use of any element of the development, namely (a) the foodstore, (b) the nursery, or (c) the medical centre - a Travel Plan relating to that element shall be submitted to and approved in writing by the Local Planning Authority.

The Travel Plan shall include measures to promote sustainable modes of transport for staff and visitors, and shall be implemented in full upon first occupation of the relevant element. A written record of the measures undertaken to promote sustainable travel shall be maintained, and the Travel Plan shall be reviewed annually.

All relevant documentation shall be made available for inspection by the Local Planning Authority upon reasonable request.

Reason: To promote the use of sustainable transport modes, reduce reliance on private vehicles, and support inclusive access, in accordance with Policies SD1 and MT1 of the Herefordshire Local Plan – Core Strategy, Policy EE1.2 of the Ledbury Neighbourhood Development Plan, and the National Planning Policy Framework.

22. Cycle storage (foodstore, nursery, medical centre)

Prior to the first use of any element of the development, namely (a) the foodstore, (b) the nursery, or (c) the medical centre, full details of a scheme for the provision of covered and secure cycle parking facilities for that element shall be submitted to and approved in writing by the Local Planning Authority.

The approved cycle parking facilities shall be installed and made available for use prior to the first occupation of the relevant element and shall thereafter be retained and maintained in working order.

Reason: To ensure adequate provision for secure cycle parking and to encourage the use of sustainable modes of transport, in accordance with Policies SD1 and MT1 of the Herefordshire Local Plan – Core Strategy, Policy TR1.1 and EE1.2 of the Ledbury Neighbourhood Development Plan, and the National Planning Policy Framework.

23. Landscaping implementation (foodstore and nursery)

All planting and landscaping works relating to the foodstore and nursery shall be carried out in full accordance with the approved landscape drawings 2024-LDBY-03 Rev H (Landscape Proposals Overall) and 2024-LDBY-04 Rev F (Landscape Proposals Detail), and the accompanying Landscape Planting Methodology and Aftercare document.

The approved scheme shall be implemented in full during the first planting season following substantial completion of the development or prior to the first occupation or beneficial use of any part of the development, whichever is sooner, unless otherwise agreed in writing by the Local Planning Authority

Reason: To ensure the timely delivery of the landscaping scheme in the interests of visual amenity, biodiversity enhancement, and compliance with Policies LD1, LD2, LD3 and SD1 of the Herefordshire Local Plan – Core Strategy, Policy BE1.1, NE2.1 and EE1.2 of the Ledbury Neighbourhood Development Plan and the National Planning Policy Framework

24. Remediation (validation report before first occupation)

The Remediation Scheme, as approved pursuant to Condition 7 above, shall be fully implemented before any part of the development is first occupied. On completion of the remediation scheme the developer shall provide a validation report to confirm that all works were completed in accordance with the agreed details, which must be submitted and agreed in writing before the development is first occupied.

Any variation to the scheme including the validation reporting shall be agreed in writing with the Local Planning Authority in advance of works being undertaken.

Reason: In the interests of human health in accordance with Herefordshire Local Plan - Core Strategy Policy SD1.

25. Waste storage/collection (foodstore and nursery)

Prior to the first use of any element of the development, namely (a) the foodstore or (b) the nursery, details of suitable provision for the storage and collection of waste shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include arrangements that allow for the convenient and accessible storage of waste and ensure unrestricted access for collection at all times.

The approved waste storage and collection facilities shall be provided prior to first use of the relevant element and shall be retained and maintained thereafter for the duration of the use.

Reason: To ensure adequate provision for waste management in the interest of visual and residential amenity, in accordance with Policy SD1 of the Herefordshire Local Plan – Core Strategy, Policy BE1.1 of the Ledbury Neighbourhood Development Plan, and the National Planning Policy Framework.

26. Parking provision (foodstore and nursery)

Prior to the first use of the foodstore or nursery, the parking and manoeuvring areas serving each respective element shall be completed in full accordance with approved drawings P402 Rev Q Proposed Masterplan, P403 rev N Proposed Lidl Site Plan GA and P420 rev B Proposed Nursery Site Plan GA.

These areas shall be made available for use prior to occupation and shall thereafter be retained and maintained for the duration of the use. The parking and manoeuvring areas shall not be used for any other purpose.

Reason: To ensure safe and efficient access and circulation within the site, and to prevent obstruction of the public highway, in accordance with Policy MT1 of the Herefordshire Local Plan – Core Strategy, Policies TR1.1 and TR2.2 of the Ledbury Neighbourhood Development Plan, and the National Planning Policy Framework.

27. Vehicular access construction (prior to first use of any part of development)

Prior to the first use of any part of the development, details of the vehicular access construction, including gradient, surfacing, and alignment, shall be submitted to and approved in writing by the Local Planning Authority.

The access shall be constructed in full accordance with the approved specification and shall not exceed a gradient steeper than 1 in 12. It shall be implemented in full prior to first use of the development.

Reason: To ensure safe and suitable access to the site in the interests of highway safety and to comply with Policy MT1 of the Herefordshire Local Plan – Core Strategy, Policy TR1.1 and TR2.2 of the Ledbury Neighbourhood Development Plan and the National Planning Policy Framework.

COMPLIANCE

28. Landscape Management Compliance

The landscaping and ecological features shall be maintained in full accordance with the approved Landscape Planting Methodology and Aftercare document for a minimum period of ten years from the date of implementation. This shall include all tree, hedge, planting bed, wildflower grassland, and living wall maintenance, as well as ecological monitoring and replacement of failed planting. Any variations to the approved management regime shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the long-term establishment and stewardship of the landscaping scheme and associated biodiversity enhancements, in accordance with Policies LD1, LD2, LD3 and SD1 of the Herefordshire Local Plan – Core Strategy, Policy EE1.2, BE1.1 and NE2.1 Ledbury Neighbourhood Development Plan and the National Planning Policy Framework.

29. Unexpected contamination

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.

Reason: In the interests of human health in accordance with Herefordshire Local Plan - Core Strategy Policy SD1.

Hours of operation (foodstore)

The foodstore hereby permitted shall not be open to customers outside the hours of 0800 to 2200 hours Mondays to Saturdays and 08:00 to 17:00 on Sundays.

Reason: In the interests of the amenities of existing residential property in the locality and to comply with SD1 of the Herefordshire Local Plan - Core Strategy, Policy BE1.1 and SD1.3 of the Ledbury Neighbourhood Development Plan and the National Planning Policy Framework.

30. Retail floorspace restriction (foodstore)

The net sales area of the foodstore hereby permitted shall not exceed 1,100 square metres.

Reason: To ensure that the scale and nature of retail provision remains consistent with the assessed impact and justification for the proposal, and to ensure the development does not result in significant adverse impact on the vitality and viability of Ledbury town-centre, in accordance with the National Planning Policy Framework, Policy EE3.2 and EE3.1 of the Ledbury Neighbourhood Development Plan and Policy E5 of the Herefordshire Local Plan Core Strategy.

Councillor Stef Simmons resumed her seat on the committee.