

Minutes of the meeting of Planning and Regulatory Committee held at Conference Room 1 - Herefordshire Council, Plough Lane Offices, Hereford, HR4 0LE on Wednesday 8 April 2026 at 10.00 am

Present: Councillor Terry James (chairperson)
Councillor Clare Davies (vice-chairperson)

Councillors: Polly Andrews, Bruce Baker, Jacqui Carwardine, Simeon Cole, Dave Davies, Matthew Engel, Toni Fagan, Peter Hamblin, Stef Simmons, John Stone, Charlotte Taylor and Richard Thomas

In attendance: Councillors Liz Harvey and Ben Proctor

Officers: Senior Solicitor Planning and Highways, Development Manager Majors Team and Team Leader Area Engineer

76. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Mark Woodall.

77. NAMED SUBSTITUTES (IF ANY)

Councillor Toni Fagan acted as substitute for Councillor Woodall.

78. DECLARATIONS OF INTEREST

There were no declarations of interest.

79. MINUTES

RESOLVED: That the minutes of the meetings held on 25 February 2026 and 8 March 2026 be approved.

80. 242783 - LAND SOUTH OF LEADON WAY (A417) AND EAST OF DYMOCK ROAD (B4216), LEDBURY, HEREFORDSHIRE

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 a statement was read on behalf of Ms Stephenson, in objection to the application, and Mr Griffiths, on behalf of the applicant, spoke in support.

In accordance with the Council's constitution the local ward member spoke on the application. In summary, she explained that:

- The land had been allocated in the neighbourhood development plan (NDP) for medical centre, a nursery and employment provision;

- The construction of a medical centre was supported locally. The GP surgery had run out of space and required a larger facility;
- Local residents living close the application site welcomed the provision of a nursery and food store;
- The food store would provide additional employment to the town;
- The construction of a new food store would have an impact on the shops within the town centre but the retail assessment had not considered the impact significant;
- There were concerns that the predominant means of travel to the food store would be by car however it was recognised that walking/cycling access had been included in the application and there was a contribution towards community transport in the section106 agreement;
- The retention of the hedgerow along Leadon Way was important at a height which screened the development; the requirement for maintenance of 10 years in the conditions should be extended to ensure longer term maintenance;
- The impact of the operations on local residents posed by the new development was a concern and the impact of lighting on dark skies locally;
- There was concern that the medical centre may not be built therefore it was important to take forward the construction to safeguard the land that had been allocated for this purpose;
- It was explained that in the balance it was considered that the benefits to Ledbury posed by the development outweighed the risks therefore the recommendation of the case officer was supported.

In accordance with the Council's constitution the adjoining ward member spoke on the application. In summary she explained:

- The committee was urged to refuse the application due to an inadequate retail impact assessment; a lack of compliance with policy; and harm to the town centre;
- The data used in the retail impact assessment was not considered credible and did not provide an accurate assessment on the impact posed to local shops of the new food store;
- The application was contrary to core strategy policy E2 as the 12 month review process of viability had been inadequate;
- Core strategy policy E5 had also been breached as the retail impact assessment was inadequate;
- The application did not accord with NDP policy EE1.2 which was intended for additional health care provision and not the provision of a new supermarket or relocation of existing services out of the town centre;
- The current location of the GP surgery provided significant footfall to the town centre;
- Small, independent retailers operated within tight margins and required the footfall brought into town by services such as the GP surgery;
- The sequential testing for the site had not taken account of a site available in the town;
- If the application was approved it would set a precedent for service dispersal from the town;
- An assessment of the impact of the construction of the food store had concluded that there would be significant harm to Ledbury town centre.

The committee debated the application and the following principal points were raised:

- Support for the nursery and the food store had been expressed by local residents in close proximity to the application site;

- The impact on residential amenity of operations at the food store was raised as a concern and it was felt that restrictions on nighttime deliveries was appropriate;
- Concern was expressed regarding the potential impact on trade in the town centre caused by the opening of the store on the outskirts;
- The hedgerow along Leadon Way needed to be maintained at an appropriate height and the maintenance of the hedgerow secured into the future.

The Development Manager provided the following clarification:

- Condition 13 required the submission of a noise management scheme prior to commencement of development;
- Conditions 25 and 30 proposed landscaping implementation and maintenance.

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

Councillor Bruce Baker proposed and councillor Dave Davies seconded a motion that the application be approved in accordance with the case officer's recommendation.

The motion was put to the vote and was carried by a simple majority.

RESOLVED: That

That planning permission be granted, subject to the conditions set out at Annex 1, the completion of a Section 106 agreement to secure the transfer of land for the proposed medical centre, the community transport contribution, 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 nursesey 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 nurse 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 (including solar panels) 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.Noise Management

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. This is a pre-commencement condition because the details of the acoustic design and delivery-noise controls must be incorporated into the building construction, plant layout and operational management arrangements from the outset. These matters cannot be guaranteed to be satisfactorily addressed once development has begun.

14. 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

15. 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

16. 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.

17. External signage

No external signage, fascia panels, projecting features, or associated fixings shown on the approved foodstore elevations shall be installed until an External

Signage Details Plan has first been submitted to and approved in writing by the Local Planning Authority.

The submitted details shall include:

- a) the type, location, dimensions and materials of any proposed signage panels or zones forming part of the building's external appearance;**
- b) details of the colour finishes and method of attachment to the building; and**
- c) a statement confirming which elements (if any) are intended to constitute advertisements for the purposes of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).**

The development shall be carried out in accordance with the approved details.

For the avoidance of doubt, this condition does not grant advertisement consent, and any signage constituting an advertisement must comply with, or obtain consent under, the Advertisement Regulations.

Reason: To ensure that the detailed design and external appearance of the foodstore is satisfactory, in accordance with Policies SD1 and LD1 of the Herefordshire Local Plan – Core Strategy, Policies BE1.1 and SD1.3 of the Ledbury Neighbourhood Development Plan, and the National Planning Policy Framework.

18. 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)

19. 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.

20. 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.

21. 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.

22. 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.

23. 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.

24. 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.

25. Landscaping implementation (foodstore and nursery)

(a) Except as set out in part (b) of this condition, all planting and landscaping works relating to the foodstore and nursery shall be carried out in full accordance with the approved landscape drawings CA2024-LDBY-03 Rev H (Landscape Proposals Overall), CA2024-LDBY-04 Rev F (Landscape Proposals Detail), and the accompanying Landscape Planting Methodology and Aftercare document. These approved details shall be implemented in full during the first planting season following substantial completion of the development, or prior to the first use of any part of the development, whichever is sooner.

(b) Notwithstanding the approved drawings, the landscaping details along the Leadon Way (A417) boundary, including proposed hedgerow retention, reinforcement planting, species mix, and any additional screening measures, shall be subject to the prior written approval of the Local Planning Authority. No works to the Leadon Way boundary shall commence until these further details have been submitted to and approved in writing by the Local Planning Authority.

(c) The Leadon Way boundary landscaping shall thereafter be implemented in full accordance with the details approved under part (b) of this condition during the first available planting season following approval.

Reason: To ensure the retention and enhancement of the boundary landscaping along Leadon Way in the interests of visual amenity, biodiversity and screening, in accordance with Policies LD1, LD2, LD3 and SD1 of the Herefordshire Local Plan – Core Strategy, Policies BE1.1, NE2.1 and EE1.2 of the Ledbury Neighbourhood Development Plan, and the National Planning Policy Framework.

26. 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.

27. 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.

28. 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.

29. 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

30. Landscape Management Compliance

The landscaping and ecological features (landscape drawings CA2024-LDBY-03 Rev H (Landscape Proposals Overall), CA2024-LDBY-04 Rev F (Landscape Proposals Detail), and the accompanying Landscape Planting Methodology and Aftercare document), together with those subsequently required for approved under Condition 25(b) for the Leadon Way boundary, shall be managed and 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, unless otherwise agreed in writing by the Local Planning Authority.

Any trees, hedgerows, or other planting which, within this period, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

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

31. 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.

32. 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.

33. 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 of the Ledbury Neighbourhood Development Plan and Policy E5 of the Herefordshire Local Plan Core Strategy.

34. Restriction on product lines

The retail unit hereby approved shall be used as a Class E(a) retail food store only and shall be restricted to 'limited product line deep discount retailing' and shall be used for no other purpose falling within Class E of the Town and County Planning (Use Classes) Order 1987 (as amended) (or any order revoking or re-enacting or amending that Order with or without modification). 'Limited product line deep discount retailing' shall be taken to mean the sale of no more than 3,500 individual product lines. No increase in the number of product lines shall be permitted without the prior written approval of the Local Planning Authority.

Reason: To define the terms of this permission and in order to protect the vitality and viability of existing centres and to ensure the store retains its status as a limited product line discount retail food-store, in accordance with the provisions of Policy EE3.2 of the Ledbury Neighbourhood Development Plan and Policy E5 of the Herefordshire Local Plan Core Strategy

81. 251666/251667 - CHURCHILL HOUSE, 3 VENNS LANE, HEREFORD, HEREFORDSHIRE, HR1 1DE

The 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 Fowler, spoke in objection to the application.

In accordance with the Council's constitution the local ward member spoke on the application. The following principal points were raised:

- The security cameras on Churchill House were accepted as a necessity to deter crime and anti-social behaviour;
- There was concern that the proposed fencing would adversely affect the open nature of the park and would deter people from walking through the park to the sensory garden; mitigation was required to ensure people would continue to access the sensory garden;
- The occupation of the building should help to deter anti-social behaviour therefore the need for the fencing was questioned;
- Concern had been expressed by local residents that the proposed fencing was utilitarian and ugly in appearance;
- The fencing was proposed in a conservation area, adjacent to a listed building and needed to be more sympathetic to the sensitive location.

The committee debated the application; there was agreement that there was a need for the installation of CCTV cameras on the building but there was division among the members of the committee concerning the acceptability of the fencing proposed to enclose Churchill House. It was the contention of some members that the height and colour of the fence would not represent an adverse impact on the heritage asset whilst other members felt that the fencing was unnecessary and not in-keeping with the listed building and local area.

The local ward member was given the opportunity to close the debate.

The development manager explained that a change to the conditions in the report was required; condition 3 (*Fencing – Appearance*) proposed as part of the listed building consent (251667) required transfer to proposed conditions listed for the full application (251666).

Councillor Stef Simmons and Councillor Dave Davies seconded a motion that applications 251666 and 251667 be approved, in accordance with the case officer's recommendation and subject to the change to conditions as outlined above.

Application 251666 was put to the vote and was carried by a simple majority.

Application 251667 was put to the vote and was carried by a simple majority.

RESOLVED – that

That planning permission be granted subject to the following conditions and any other further conditions considered necessary by officers named in the scheme of delegation to officers:

PLANNING APPLICATION (REFERENCE NO. 251666)

1. Time limit for commencement

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

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2. Development in accordance with approved plans

The development shall be carried out strictly in accordance with the approved plans (383 – 05; 383 – 06; 383 – 07; 383 – 03; and 383 – 09; 383 – 04 REV B (received via email 26th January 2026) except where otherwise stipulated by conditions attached to this permission.

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy, and the National Planning Policy Framework.

3. Development in accordance with approved Tree Report

Except where otherwise stipulated by condition, the development shall be carried out strictly in accordance with the following documents and plan: Tree Report – Arbortech – 10th July 2025.

All excavations for post holes within root protection areas of retained trees should be supervised by an appointed Arboriculturist for the works specified.

Reason: To ensure that the development is carried out only as approved by the Local Planning Authority and to conform with Policies LD1 and LD3 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

LISTED BUILDING CONSENT (REFERENCE NO. 251667)

That Listed Building Consent be granted subject to the following conditions and any other further conditions considered necessary by officers named in the scheme of delegation to officers

1. Time limit for commencement

The works hereby permitted shall be begun before the expiration of three years from the date of this consent.

Reason: Required to be imposed by Section 18 (1) of the Planning (Listed Building & Conservation Areas) Act 1990.

2. Development in accordance with approved plans

The development shall be carried out strictly in accordance with the approved plans (383 – 05; 383 – 06; 383 – 07; 383 – 03; and 383 – 09; 383 – 04 REV B (received via email 26th January 2026) except where otherwise stipulated by conditions attached to this permission.

Reason: To ensure adherence to the approved plans and to ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with policy LD4 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.

3. Fencing – Appearance

The fencing hereby permitted shall have a matt soft black finish which shall be maintained thereafter.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building in accordance with policy LD4 of the Herefordshire Local Plan – Core Strategy, the National Planning Policy Framework and under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

INFORMATIVES:

PLANNING APPLICATION (REFERENCE NO. 251666)

1. Application approved following revisions

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations. Negotiations in respect of matters of concern with the application (as originally submitted) have resulted in amendments to the proposal. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

2. Wildlife Protection Informative

The Authority would advise the applicant (and their contractors) that they have a legal Duty of Care as regards wildlife protection. The majority of UK wildlife is subject to some level of legal protection through the Wildlife & Countryside Act (1981 as amended), with enhanced protection for special “protected species” such as Great Crested Newts, all Bat species, Otters, Dormice, Crayfish and reptile species that are present and widespread across the County. All nesting birds are legally protected from disturbance at any time of the year. Care should be taken to plan work and at all times of the year undertake the necessary precautionary checks and develop relevant working methods prior to work commencing. If in any doubt it is advised that advice from a local professional ecology consultant is obtained.

3. Biodiversity Net Gain (Not Required) Informative

The meeting ended at 11.39 am

Chairperson

PLANNING COMMITTEE

Date: 8 April 2026

Schedule of Committee Updates/Additional Representations

Note: The following schedule represents a summary of the additional representations received following the publication of the agenda and received up to midday on the day before the Committee meeting where they raise new and relevant material planning considerations.

SCHEDULE OF COMMITTEE UPDATES

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

For: Lidl GB Ltd per Mr Rob Mitchell, Brunel House, 2 Fitzalan Road, Cardiff, CF24 0EB

ADDITIONAL REPRESENTATIONS

Two further representations have been received (1 x objection and 1 x support) have been received and officers consider that these matters are addressed within the Committee Report.

A further representation has been received from the Ledbury Health Partnership. It raises matters relating to the provision of the medical centre land and officers consider that these matters are addressed within the Committee Report.

Four letters of additional representation / correspondence have been received from Mr Martin Robeson (on behalf of Tesco Stores Ltd) dated 24, 26 & 27 March 2026, and 6 April 2026. These have been published to the planning register (website):

[Planning Application Details - Herefordshire Council](#)

Comments are principally made in relation to the grounds previously identified in the legal challenge.

Officers consider that the matters identified are comprehensively addressed within the Committee Report. However, the following commentary is provided for completeness.

In terms of Ground 1, Members are advised that the interpretation and application of Core Strategy Policy E2, and the assessment of compliance with the development plan taken as a whole under section 38(6) of the Planning and Compulsory Purchase Act 2004 is ultimately a matter for the Local Planning Authority when determining the application, not for the applicant. This issue is addressed fully within the Committee Report, which supersedes all previous reports, and sets out the Local Planning Authority officers' assessment of Policy E2 and its relevance to the determination of this application.

No further applicant commentary is therefore necessary in this regard.

The correspondence raises further comment in respect of Ground 2 of the Consent Order, relating to the previous misdirection in the application of paragraph 127 of the National Planning Policy Framework (NPPF). It suggests that clarification from the applicant might reasonably have been expected in relation to this matter. As stated above, the determination of the application for planning permission is for the Local Planning Authority. However, and for completeness, following the quashing by consent of the previous grant of planning

permission, officers have considered afresh whether para.127 of the NPPF is engaged and is a material consideration. Officers consider that it is not. The proposal includes two of the land uses which are encouraged for the site through the Ledbury NDP (policy EE1.2). The proposal does not include employment floorspace within use class E(g) nor a hotel, which are also encouraged by that policy. As set out in the main report, the NDP policy does not require all uses encouraged within the policy to come forward on the site. Therefore, officers consider that the proposal is for uses for which the site is allocated. Para.127 of the NPPF, which addresses the approach where there is no reasonable prospect of an application for planning permission coming forward for uses for which the site is allocated in a development plan, is not engaged. For completeness, there is no evidence about the prospect of employment or hotel uses coming forward on the site. Given that officers consider that para.127 is not engaged, there is no requirement for such evidence. As such, NPPF para.127 is not considered to be engaged and is not a material consideration in the determination of the application. It did not form part of the assessment in the main report for this reason.

There has been no undisclosed material prepared in relation to this issue or at all. All material considerations that have been relied upon by officers are set out within the Committee Report before Members, and the documents are published and accessible on the Herefordshire Council website.

Noting the points made in terms of Ground 3, Members are advised that a revised draft Section 106 agreement was published on the planning register on 12 March 2026, and that the scope and effect of the proposed obligations are explained within the Committee Report.

In respect of Ground 4, comments are made with respect to the timing and publication of the request for and outcome of, the Environmental Impact Assessment screening. It is noted that the Screening Opinion has since been published, and reference is made to the fact that the original request for screening was not previously visible on the planning application webpage.

Members are advised that a formal request for an EIA Screening Opinion was made by the applicant, and the Local Planning Authority issued its EIA Screening Opinion on 18 March 2026 under a separate reference, namely [260181](#). The Screening Opinion and associated Screening Matrix were made publicly available on the Council's planning register on that date and as is normal practice, these documents can be accessed on the Council's website under reference 260181.

The Local Planning Authority has issued a note including a correction to and clarification of the EIA Screening Opinion, dated 1 April 2026, which addresses the responses to Question 13.2 of the Screening Matrix. That Note, together with the original Screening Opinion and Matrix, has also been published on the planning register and has also been added to the decision tab of the associated planning application (ref: 242783). The documents are therefore available under both reference 260181 and [242783](#) on the Council's website.

As a final point, officers would draw members attention to supplementary information as part of correspondence and titled '[Email from agent re updated sales density 18.2.26](#)'. This is addressed within the Committee Report.

NO CHANGE TO RECOMMENDATION

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| <p>251666 & 251667</p> | <p>PROVISION OF SECURITY CAMERAS FIXED TO THE EXTERIOR OF THE BUILDING AND PROVISION OF BOUNDARY FENCING FOR SAFEGUARDING PURPOSES AT CHURCHILL HOUSE, 3 VENNS LANE, HEREFORD, HEREFORDSHIRE, HR1 1DE.</p> <p>For: Mr Rogers per Mr Andrew Baker, Walnut House, Wellington, Hereford, Herefordshire HR4 8AZ</p> | |
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ADDITIONAL REPRESENTATIONS

One additional representation has been receive that states:

Last week, I took three photographs of the front elevation of Churchill Gardens. It would be helpful to me and I'm sure to members of the committee also if these (or similar) were included in the visuals which the Planning Officer traditionally includes in their introduction.

1. Side elevation of Churchill Gardens house showing the vehicle entrance gate.



2. Front elevation (close up) illustrating the view of the house from the public footpath linking the public car park off Venns Lane and Aylestone Hill.



3. Side elevation from the public park which leads to an area locally known as the Sensory Gardens which lies to the west of the house.



