

Minutes of the meeting of Planning and Regulatory Committee held at Conference Room 1 - Herefordshire Council, Plough Lane Offices, Hereford, HR4 0LE on Wednesday 3 September 2025 at 10.00 am

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

**Councillors: Polly Andrews, Bruce Baker, Jacqui Carwardine, Dave Davies,
Matthew Engel, Catherine Gennard, Peter Hamblin, Stef Simmons,
John Stone, Charlotte Taylor, Richard Thomas and Mark Woodall**

In attendance: **Councillors Frank Cornthwaite, Liz Harvey and Jonathan Lester.**

Officers: **Legal Adviser, Development Manager Majors Team and Highways Adviser**

23. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Simeon Cole and Clare Davies.

24. NAMED SUBSTITUTES (IF ANY)

There were no substitutes.

25. DECLARATIONS OF INTEREST

Councillor Bruce Baker explained that he had received significant correspondence from a number of interested parties to application 242783 – Land South of Leadon Way (A417) and East of Dymock Road (B4216), Ledbury, Herefordshire.

There was one further declaration of interest; please see minute 28 below.

26. MINUTES

RESOLVED: That the minutes of the meeting held on 30 July 2025 be approved.

27. 243045 - LAND OFF CLUBTAIL DRIVE, HOLMER, HEREFORD

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 Rawlings, the applicant's agent, spoke in support of the application.

In accordance with the council's constitution the local ward member spoke on the application. In summary, he explained that the application proposed that all traffic would be directed via Clubtail Drive. This would result in excessive traffic movements which would undermine local highway safety. Clubtail Drive was a residential street and was not suitable for the proposed levels of traffic. There was a risk to families using local pavements and highways and it was felt that the application had been rushed. The

committee was urged to reject the application until safer proposals could be considered. It was felt that the application had been brought to the current meeting with undue haste and the parish council had been sidelined. Clarification had been provided to a local objector that the access to the park and ride had been approved under a previous application and there was no process to challenge this earlier decision. It was explained that there was a process that could be followed, allowing the Secretary of State to revoke permission in exceptional circumstances.

The committee debated the application. It was noted that a decision on the application had been deferred from an earlier meeting to allow for improvements to be made to the landscape scheme associated with the application. It was felt that the applicant had responded positively to the comments of the committee and had introduced additional planting and landscaping to soften the overall appearance of the development within its setting.

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

Councillor Stef Simmons proposed and councillor Bruce Baker 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 subject to the completion of a legal agreement under Section 106 of the Town and Country Planning Country Act to secure the delivery of affordable housing for sole occupancy by military personnel (Appendix 2) and the imposition of the conditions detailed below (and any other further conditions considered necessary by officers named in the scheme of delegation), that Planning Permission be granted.

Standard Planning Permission Conditions

1 Time limit for commencement (full permission)

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 hereby approved shall be carried out in accordance with the following approved plans and the schedule of materials set out there on:

General:

- **Development Boundary WE086-SL-9240**
Development Boundary
- **Site Layout WE086-SL-920G - DIO F**
- **Parking Strategy WE086-SL-9250A C**
- **External Works WE086-SL-9230B D**
- **Materials Layout WE086-SL-9220A B**
- **Visualisations Land Off Clubtail Drive, Holmer_Visuals Rev C**

House Types:

- **ADELINE 973.PL-02**

- ADELINE 973.PL-03
- ADELINE 973.PL-04
- ADELINE 973.PL-05
- ALBANY 953.PL-02
- ALBANY 953.PL-03
- ALBANY 953.PL-04
- SATTERFIELD 2BF03-1V1.PL-07
- SATTERFIELD 2BF03-1V2.PL-07
- SATTERFIELD 2BF03V1.PL-07
- SATTERFIELD 2BF03V3.PL-07
- SATTERFIELD 2BF03V3-1.PL-07
- VT0134.2BF03_SATTERFIELD V1
- VT0134.2BF03-1_SATTERFIELD V1
- VT0135.2BF03-1_SATTERFIELD V2
- VT0136.2BF03_SATTERFIELD V3
- VT0136.2BF03-1_SATTERFIELD V3
- VT0137.953_ALBANY_GREY

Landscaping: • Plot Landscaping Specification & Schedule WE086-LS-036H

Engineering: • Vehicle Tracking Plan WE086- DIO-003B
 • Planning Engineering WE086-EN-DIO-001B
 • Site Cross Sections WE086-EN-DIO-002A
 •

Reports: • Outline Construction Environmental Management Plan 302007-CTR059
 • Planning Statement 5026845
 • Design & Access Statement –B
 • The Statutory Biodiversity Metric Calculation Tool
 • Ecological Technical Note - CSA CSA/7361/01 A
 • Transport Statement - PJA 08569 C
 • Biodiversity Net Gain Assessment – CSA - CSA/7361/02 A
 • Drainage Statement - BWB 244783-SDS P02
 • Energy Statement – Briary Energy
 • Noise Impact Assessment e3p 51-421-R1-1
 • Response to LHA Comments 18/3/2025
 • Drainage Technical Note: Response to LLFA Comments May 25

Reason: To ensure the development is carried out in accordance with the approved details in the interests of securing a satisfactory form of development with accords with policies SD1, LD1 and HD4 of the Herefordshire Local Plan Core Strategy, policies HS3 and HS4 of the Holmer and Shelwick Neighbourhood Development Plan and the National Planning Policy Framework.

Pre-Commencement Conditions

3. Construction Environmental Management Plan

Prior to the commencement of the development hereby permitted, a Construction Traffic Management Plan shall be submitted to and approved

in writing by the Local Planning Authority (in consultation with the Highway Authority for the A49 trunk road). The plan shall include, as a minimum:

1. Construction phasing
2. An HGV routing plan to include likely origin/destination information, potential construction vehicle numbers, construction traffic arrival and departure times, signage, accesses, and construction delivery times (to avoid peak hours)
3. Details of any special or abnormal deliveries or vehicular movements
4. Clear and detailed measures to prevent debris, mud, and detritus being distributed onto the local highway and SRN
5. Mitigation measures in respect of noise and disturbance during the construction phase including:
6. Vibration and noise limits
7. Monitoring methodology
8. Screening
9. A detailed specification of plant and equipment to be used
10. Construction traffic routes
11. A scheme to minimise dust emissions arising from demolition/construction activities on the site. This scheme shall include:
12. Details of all dust suppression measures
13. Methods to monitor emissions of dust arising from the development
14. Waste management
15. Wheel washing measures
16. Protection measures for hedgerows and grasslands

Thereafter, all construction activity in respect of the development shall be undertaken in full accordance with such approved details unless otherwise approved in writing by the Local Planning Authority in consultation with the Highways Authority.

Reason: To mitigate any adverse impact from the development on the A49 trunk road and to satisfy the reasonable requirements of road safety.

4. Resource Audit

Prior to any development commencing on site, a Resource Audit shall be submitted to and approved in writing by the Local Planning Authority. The Resource Audit shall include the following;

- The amount and type of construction aggregates required and their likely source;
- The steps to be taken to minimise the use of raw materials (including hazardous materials) in the construction phase, through sustainable design and the use of recycled or reprocessed materials;
- The steps to be taken to reduce, reuse and recycle waste (including hazardous wastes) that is produced through the construction phase;
- The type and volume of waste that the development will generate (both through the construction and operational phases);
- On-site waste recycling facilities to be provided (both through the construction and operational phases);
- The steps to be taken to ensure the maximum diversion of waste from landfill (through recycling, composting and recovery) once the

- development is operational;
- End of life considerations for the materials used in the development; and
- Embodied carbon and lifecycle carbon costs for the materials used in the development.

Construction works shall thereafter be carried out in full accordance with the details of the approved Resource Audit unless agreed in writing by the Local Planning Authority.

Reason: The treatment/handling of any site waste is a necessary initial requirement before any groundworks are undertaken in the interests of pollution prevention and efficient waste minimisation and management so as to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

Conditions to Discharge

5. Overheating Assessment / Noise Impact Mitigation

Prior to the first occupation of any dwelling with a façade frontage facing the A49 to the east (as identified on Figure 5 of Noise Impact Assessment 51-421-R1-1), an Overheating Assessment using CIBSE TM52 shall be undertaken and submitted to the Local Planning Authority for written approval. The supplied scheme shall be undertaken with reference to the Acoustics Ventilation and Overheating Residential Design Guide January 2020 (Association of Noise Consultants) and shall include mitigation measures to ensure that predicted temperatures inside the specified dwellings do not exceed overheating criteria. The scheme of approved measures shall subsequently be implemented prior to first occupation of the dwellings and thereafter maintained in perpetuity.

Reason: To ensure that the amenity of future residents is not adversely affected by traffic noise and the potential effects of overheating, in the interests of securing good standards of living in accordance with policy SD1 of the Herefordshire Local Plan Core Strategy; policy HS3 of the Holmer and Shelwick Neighbourhood Development Plan and Chapter 12 of the National Planning Policy Framework.

6. Vehicular access construction

With the exception of site clearance and groundworks, no further development shall take place until a construction specification for the new vehicular accesses to the public highway network have been submitted to and approved in writing by the Local Planning Authority. The access shall subsequently be delivered in accordance with the approved details prior to the first occupation of any dwellings.

Reason: In the interests of highway safety and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

7. Driveway and Maneuvering Area Specification

Prior to the first occupation of the development hereby approved the driveway and/or vehicular turning area shall be consolidated and surfaced at

a gradient not steeper than 1 in 8. Private drainage arrangements must be made to prevent run-off from the driveway discharging onto the highway. Details of the driveway, vehicular turning area and drainage arrangements shall be submitted to and approved in writing by the local planning authority prior to commencement of any works in relation to the driveway/vehicle turning area.

Reason: In the interests of highway safety and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

8. Parking Specification – Shared Private Drives

Prior to the first occupation of any dwelling hereby approved, a detailed scheme for the surfacing and drainage of the parking areas shown on approved plan WE086-EN-DIO-001B shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented prior to the occupation of the dwellings and thereafter those arrangements shall be maintained in perpetuity.

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

9. Cycle Storage

Prior to the first occupation of any dwelling hereby approved, full details of a scheme for the provision of covered and secure cycle parking facilities shall be submitted to the Local Planning Authority for their written approval. The covered and secure cycle parking facilities shall be carried out in strict accordance with the approved details and available for use prior to the first use of the development hereby permitted. Thereafter these facilities shall be maintained in perpetuity.

Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy and to conform to the requirements of Policies SD1 and MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

10. Scheme of Ecological Enhancement

Prior to the first occupation of the development hereby approved, an detailed plan and specification for the scheme of ecological enhancement measures set out at Section 5.4 of the Ecological Technical Note by CSA Environmental dated November 2024 shall be submitted to and approved in writing by the Local Planning Authority. The measures shall subsequently be implemented in accordance with the approved details prior to the first occupation of the development.

Reason: To ensure that all species are protected and habitats enhanced having regard to the Wildlife and Countryside Act 1981, Conservation of Habitats and Species Regulations (2017), National Planning Policy Framework, NERC Act (2006), Herefordshire Local Plan - Core Strategy policy LD2.

11. Scheme of Landscape Maintenance and Management

Before the development is first occupied, a scheme of landscape management and maintenance for a period of 15 years following the first occupation of the development shall be submitted to and approved in writing by the local planning authority. The works shall subsequently be carried out in accordance with the approved management and maintenance schedule.

Reason: In order to ensure the successful establishment of the approved landscaping scheme in accordance with policies SS6, LD1, LD3 and HD4 of the Herefordshire Local Plan Core Strategy, policy HS4 of the Holmer and Shelwick Neighbourhood Development Plan and the National Planning Policy Framework.

12. Water Efficiency

Prior to the first occupation of the development hereby approved, a scheme demonstrating that water efficiency measures will be provided to each dwelling to achieve the optional technical standards of 110 litres per person per day shall be provided to the Local Planning Authority for written approval. The measures shall be implemented in accordance with the approved details prior to the first occupation of that dwelling.

Reason: To ensure compliance with Policies SD3 and SD4 of the Hereford Local Plan – Core Strategy and the National Planning Policy Framework.

13. With the exception of site clearance and groundworks, no further development shall commence until a bespoke plan and planting specification for the trees, hedgerows and shrubs along the eastern and northern boundary of the site (adjoining the Adeline and Albany units) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:

- a) A site-specific planting trench design in both plan and section, showing integration of tree pits, hedgerow and grass verge to maximise root volume.
- b) Details of kerbs/edging stones and their foundations, and the alignment of boundary treatments including the timber post and rail fence and metal estate railing.
- c) Provision of root barriers where necessary (particularly on the car park side).
- d) Arrangements for watering points for establishment and long-term maintenance.
- e) Specification for imported planting soil, including details of preparation of existing soil to address potential compaction caused by use of land as construction compound.

Development shall subsequently be carried out in accordance with the approved details prior to the occupation of the development. Evidence of completion of the works in accordance with the approved details (such as photographs and/or Clerk of Works completion statement) shall be submitted to the Local Planning Authority for acknowledgement within 2 months of the works being completed.

Reason: To ensure appropriate provision for the successful establishment and long-term health of trees and associated planting within the restricted

planting area, in the interests of visual amenity, biodiversity and the character of the development in accordance with policies LD1 and LD3 of the Herefordshire Local Plan Core Strategy; policy HS4 of the Holmer and Shelwick Neighbourhood Development Plan and Chapters 12 and 15 of the National Planning Policy Framework.

Compliance and Monitoring Conditions

14. Delivery of Visibility Splays

Prior to the first occupation of the development hereby approved, visibility splays (and any associated set back splays at 45 degree angles) shall be provided for the new access points onto the cul-de-sac road leading to Clubtail Drive from a point 0.6 metres above ground level at the centre of the access to the application site and 2.4 metres back from the nearside edge of the adjoining carriageway (measured perpendicularly) for a distance of 45 metres in each direction along the nearside edge of the adjoining carriageway (in accordance with plan 08569-CI-A-001 Internal Visibility Assessment & Geometry Plan – Appendix C Transport Statement). 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 and the National Planning Policy Framework.

15. Surface Water Drainage Implementation

No dwelling shall be occupied until the scheme of surface water management arrangement have been fully implemented and are operational in accordance with the details set out within approved plans and documents: WE086-EN-DIO-001B Planning Engineering; Drainage Technical Note WE086-EN-DIO-TN01 and Drainage Statement (Ref: 244783-BWB-XX-XX-T-C-0001_SDS).

Reason: In order to ensure that satisfactory drainage arrangements are provided and to comply with Policies SD3, SD4 and HD4 of the Herefordshire Local Plan – Core Strategy and the principles set out at Chapters 14 and 15 of the National Planning Policy Framework.

16. Landscaping Implementation

All planting, seeding or turf laying in the approved landscaping scheme (Plot Landscaping Specification & Schedule WE086-LS-036H)) shall be carried out in the first planting season following the occupation of the building or the completion of the development, whichever is the sooner. All hard landscaping shall be carried out concurrently with the development and completed prior to first occupation of the development.

Reason: To ensure implementation of the landscape scheme approved by local planning authority in order to conform with policies SS6, LD1, LD3 and HD4 of the Herefordshire Local Plan Core Strategy, policy HS4 of the Holmer and Shelwick Neighbourhood Development Plan and the National Planning Policy Framework.

17. Habitat Regulations - Nature Conservation (River Wye SAC) – Surface Water

Unless otherwise agreed in writing by the Local Planning Authority as detailed in the application information and plans all surface water flows created by the approved development shall be managed through an approved Sustainable Drainage System (SuDS). No surface water shall be discharged to any local mains sewer. Hereafter, the approved surface water scheme (SuDS) shall be managed and maintained as approved for the lifetime of the development it supports.

Reason: In order to ensure Nutrient Neutrality and comply with The Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD2, SD3 and SD4.

18. Habitat Regulations - Nature Conservation (River Wye SAC) – Foul Water

Unless otherwise agreed in writing by the Local Planning Authority as detailed in the application form, all foul water flows created by the approved development shall be managed through a connection to the local mains sewer network. The approved foul water scheme shall be managed and maintained as approved for the lifetime of the development it supports.

Reason: In order to ensure Nutrient Neutrality and comply with The Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD2, SD3 and SD4.

19. Protected Species and Dark Skies (external illumination)

No external lighting of any kind shall be provided other than the maximum of one external LED down-lighter above or beside each external door (and below eaves height) with a Corrected Colour Temperature not exceeding 2700K and brightness under 500 lumens. Every such light shall be directed downwards with a 0 degree tilt angle and 0% upward light ratio and shall be controlled by means of a PIR sensor with a maximum over-run time of 1 minute. The Lighting shall be maintained thereafter in accordance with these details.

Reason: To ensure that all species and local intrinsically dark landscape are protected having regard to The Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), Wildlife & Countryside Act (1981 amended); National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD1-3; and the council's declared Climate Change and Ecological Emergency.

20. Habitat Regulations – Construction Environmental Management Plan

Unless otherwise approved in writing by the planning authority the measures detailed in the Construction Environmental Management Plan (RSK - November 2024) shall be implemented in full and maintained until all construction has been completed and all machinery and spare materials removed from site.

Reason: To ensure that all species are protected and habitats enhanced having regard to the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), Wildlife and Countryside Act 1981, National Planning Policy Framework (2021), NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD1, LD2 and LD3 and the council's declared Climate Change & Ecological Emergency.

21. Implementation of Renewable Energy Measures

Prior to the first occupation of the development hereby approved, the scheme of energy efficiency and renewable energy measures set out within the Energy Strategy Statement by Briary Energy shall be implemented in full and thereafter maintained in perpetuity.

Reason: To ensure implementation of the measures to contribute towards energy efficiency and low carbon energy generation, as required by policies SD1 and SD2 of the Herefordshire Local Plan Core Strategy and the National Planning Policy Framework.

22. Implementation of EWM's

The development hereby approved shall be carried out in accordance with the scheme of risk avoidance and precautionary working methods set out at Chapter 5 of the Ecological Technical Note by CSA Environmental dated November 2024, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that all species are protected and habitats enhanced having regard to the Wildlife and Countryside Act 1981, Conservation of Habitats and Species Regulations (2017), National Planning Policy Framework, NERC Act (2006), Herefordshire Local Plan - Core Strategy policy LD2.

23. Working Hours During Construction Phase

During the construction phase no machinery shall be operated, no process shall be carried out and no deliveries taken at or dispatched from the site outside the following times: Monday - Friday 7.30am - 6.00 pm, Saturday 8.00 am - 1.00 pm; nor at any time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of local residents and to comply with Policy SD1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

BIODIVERSITY NET GAIN

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the statutory condition “(the biodiversity gain condition”) that development may not begin unless:

- a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Herefordshire Council.

Based on the information supplied with the application, none of the statutory exemptions or transitional arrangements apply and hence this permission is considered to one which will require the approval of a biodiversity gain plan before development commences.

INFORMATIVES

1. 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. This planning permission is pursuant to a planning obligation under Section 106 of the Town and Country Planning Act 1990.
3. This permission does not authorise the laying of private apparatus within the confines of the public highway. The applicant should apply to Balfour Beatty (Managing Agent for Herefordshire Council) Highways Services, Unit 3 Thorn Business Park, Rotherwas, Hereford HR2 6JT, (Tel: 01432 261800), for consent under the New Roads and Streetworks Act 1991 to install private apparatus within the confines of the public highway. Precise details of all works within the public highway must be agreed on site with the Highway Authority. A minimum of 4 weeks notification will be required (or 3 months if a road closure is involved).

Under the Traffic Management Act 2004, Herefordshire Council operate a notice scheme to coordinate Streetworks. Early discussions with the Highways Services Team are advised as a minimum of 4 weeks to 3 months notification is required (dictated by type of works and the impact that it may have on the travelling public). Please note that the timescale between notification and you being able to commence your works may be longer depending on other planned works in the area and the traffic sensitivity of the site. The Highway Service can be contacted on Tel: 01432 261800.

4. The attention of the applicant is drawn to the provisions of the Wildlife and Countryside Act 1981 (as amended). This gives statutory protection to a number of species and their habitats. Other animals are also protected under their own legislation. Should any protected species or their habitat be identified during the course of the development then work should cease immediately and Natural England should be informed. They can be contacted at: Block B, Government Buildings, Whittington Road, Worcester, WR5 2LQ. Tel: 0300 060 6000.

The attention of the applicant is also drawn to the provisions of the Conservation of Habitats and Species Regulations 2010. In particular, European protected animal species and their breeding sites or resting places are protected under Regulation 40. It is an offence for anyone to deliberately capture, injure or kill any such animal. It is also an offence to damage or destroy a breeding or resting place of such an animal.

5. **The applicant's attention is drawn to the requirement for design to conform to Herefordshire Council's 'Highways Design Guide for New Developments' and 'Highways Specification for New Developments'.**
6. **With regards to Condition 5, a good acoustic design process should be followed in accordance with the 'Professional Practice Guidance on Planning and Noise: New Residential Development' (May 2017 or later versions) to ensure that the noise criteria are achieved with as many windows open as possible. Any design measures that are used to control the ingress of noise must be consistent and compatible with the requirements of Approved Documents O and F.**

28. 242783 - LAND SOUTH OF LEADON WAY (A417) AND EAST OF DYMOCK ROAD (B4216), LEDBURY, HEREFORDSHIRE

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 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 nursesey 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.

29. 191013 - LAND TO THE NORTH OF ASHPERTON VILLAGE HALL, ASHPERTON, HEREFORDSHIRE

The principal planning officer provided a presentation on the application.

In accordance with the criteria for public speaking, Mr. Hammond, spoke on behalf of Ashperton parish council, Mr Gardiner, local resident, spoke in objection to the application and Mr Davies, applicant, spoken support.

In accordance with the council's constitution the local ward member spoke on the application. In summary, he explained that it was recognised the application would provide housing in Ashperton at a proportionate level. It was explained that for such an application there had been a significant level of public objection and it was recognised that the application had been in process for a significant period of time which had led to uncertainty. Two elements of the proposal required clarity: the compatibility of the

proposals in the current application with the outline permission already granted; and the potential presence of matters that should have been in the outline permission now appearing at the reserved matters stage. Concerns regarding the current application related to the housing proposed which was felt to be out of keeping and the scale and levels of the housing which could be obtrusive within the landscape.

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

- Concern was expressed that due to the topography of the site and local area the proposed ridge heights of the houses in the application would be excessive and dominate the landscape, particularly when viewed from the road. There was concern that the earthworks proposed in the application would result in the properties being prominent and imposing in the landscape.
- The style of the properties in the application was felt to be bland and uniform which was out of keeping with the individual and varied styles of housing within the local area.
- The committee sought clarification over concerns raised with consistency between the outline and reserved matters applications.

The development manager provided the following clarification:

- Officers were content that the current application was consistent with the outline application approved previously.
- Conditions proposed in the report required detail of the impact of earthworks on the grading of the landform before such works were commenced.

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

Councillor Bruce Baker proposed the approval of the application in accordance with the case officer's recommendation. The proposal was not seconded and therefore was not moved.

Councillor Stephen Simmons proposed and councillor Richard Thomas seconded a motion that the application be refused due to those reasons set out below:

1. The application fails to provide sufficient information to properly assess and conclude that the scale of the proposed dwellings are acceptable, particularly in relation to their height, bulk and massing within the context of the site's elevated topography and surrounding built form. As such, the proposal conflicts with Policies SD1 and LD1 of the Herefordshire Local Plan – Core Strategy and Policy D1 of the emerging Ashperton Neighbourhood Development Plan.
2. The proposed design and appearance of the dwellings fails to respond positively to the distinctive rural character of Ashperton and is considered alien to the settlement's traditional vernacular. The overall form and architectural language is considered suburban and out of keeping with the established character of the settlement. The proposal therefore conflicts with Policies SD1 and LD1 of the Herefordshire Local Plan – Core Strategy and Policy D1 of the emerging Ashperton Neighbourhood Development Plan.

The motion that the application be refused due to those reasons outlined above was put to the vote and was carried by a simple majority.

RESOLVED - that planning permission is refused due to those reasons set out below

1. The application fails to provide sufficient information to properly assess and conclude that the scale of the proposed dwellings are acceptable, particularly in relation to their height, bulk and massing within the context of the site's elevated topography and surrounding built form. As such, the proposal conflicts with Policies SD1 and LD1 of the Herefordshire Local Plan – Core Strategy and Policy D1 of the emerging Ashperton Neighbourhood Development Plan.
2. The proposed design and appearance of the dwellings fails to respond positively to the distinctive rural character of Ashperton and is considered alien to the settlement's traditional vernacular. The overall form and architectural language is considered suburban and out of keeping with the established character of the settlement. The proposal therefore conflicts with Policies SD1 and LD1 of the Herefordshire Local Plan – Core Strategy and Policy D1 of the emerging Ashperton Neighbourhood Development Plan.

30. APPENDIX - UPDATES TO ITEMS ON THE AGENDA - PUBLISHED ON 2 SEPTEMBER 2025 (PAGES 27 - 64)

The meeting ended at 1.19 pm

Chairperson



Supplement to the agenda for

Planning and Regulatory Committee

Wednesday 3 September 2025

10.00 am

**Conference Room 1 - Herefordshire Council, Plough Lane
Offices, Hereford, HR4 0LE**

Schedule of updates

Public speakers

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PLANNING COMMITTEE

Date: 3 September 2025

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

243045 - PROPOSED ERECTION OF 31 NO. KEY WORKER DWELLINGS, INCLUDING ACCESS FROM CLUBTAIL DRIVE WITH ASSOCIATED INFRASTRUCTURE AND LANDSCAPING – LAND OFF CLUBTAIL DRIVE, HOLMER, HEREFORD.

For: Bloor Homes Western per Mr George Elston-Bates, 3 Rd Floor, Regent House, 65 Rodney Road, Cheltenham GL50 1HX

ADDITIONAL REPRESENTATIONS

One additional representation has been received from a local resident (Mr B Hubbard). The representation notes the amended plans since the previous deferral and offers the following additional comments:

- The planting details have improved privacy of the Albany and Adeline buildings
- It does not however address the noise and disruption impacts to residents caused by additional traffic accessing the development and the Park and Choose
- The relocation of the apartment building increasing overlooking potential
- Concerns regarding access arrangements to approved Park and Choose site.
- Previous objections in relation to potential for overdevelopment, traffic and noise issues, overlooking, flooding and failure to respect local character still stand.

Officers are aware that Members of Committee have also been contacted directly by the Applicant (Bloor Homes Western) with an Explanatory Note detailing how the plans have been amended in response to the earlier deferral. A copy of this note is found at Appendix 1.

OFFICER COMMENTS

The additional public representation received is not considered to raise any additional points that have not already been addressed in the Officer Report and Appendix 1 thereto.

The Explanatory Note from the Applicant has also been provided to Officers and does not contain any new information which was not already addressed in the Officer Report.

CHANGE TO RECOMMENDATION

No change to recommendation.

**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
DYMCK ROAD (B4216), LEDBURY, HEREFORDSHIRE,**

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

The following updates can be reported, since the publication of the agenda.
Any Planning Officer responses are provided in red.

15no. additional representations in support of the application have been received. These comments are summarised as follows;

- Current supermarkets are poorly stocked and expensive.
- Ledbury is growing rapidly, but existing food stores and infrastructure cannot cope.
- A new doctors' surgery is urgently needed.
- Residents want affordable groceries and everyday items.
- Financial penalties should apply if Lidl fails to deliver promised facilities on time.
- Developers too often fail to meet obligations.
- Improved bus services are needed to reduce car use from Hawk Rise, Bovis and Vistry estates.
- Access from Dymock Road should include road improvements (at least first half mile).
- EV charging provision is welcomed (no current rapid charging in Ledbury).
- Deliveries should be restricted to minimise disturbance.
- Store would reduce traffic through town currently travelling to Aldi and Tesco.
- Support for new homes to the south of town.
- Nursery provision would help young families.
- Job creation for Ledbury is welcomed.
- Competition may force Co-op to improve stock and pricing.
- GP facility should complement, not replace, the existing town centre practice.
- Ledbury has seen housing growth without matching infrastructure; this development could help.
- Site is within safe walking/cycling distance of Hawk Rise, Deer Park, and Hopfields.
- Aldi did not harm the town centre.
- With 600 new dwellings planned nearby, Ledbury's existing facilities are inadequate.

1no. representation has been received in objection to the application.

- Out-of-town Lidl would damage the long-term health and vitality of Ledbury's High Street and Conservation Area.
- Independent shops and small businesses would suffer trade loss.
- Declining high streets quickly attract antisocial behaviour and deter new businesses.
- Ledbury's strong mix of independents and heritage character should be protected, not undermined.
- The scheme conflicts with the Ledbury Neighbourhood Development Plan 2021–2031, which seeks to protect the town centre and strengthen Ledbury as a vibrant market town.

These additional representations have been reviewed and do not raise any new material planning issues. The matters raised are already addressed within the published officer report and supporting evidence.

Email from Ledbury Health Partnership dated 2 September 2025 support of the application, together with the attached graphs (**Appendix 2 – 4**). The comments are provided in verbatim as follows; -

Ledbury Health Partnership – background information

- We are the sole GP practice in Ledbury serving a patient population of over 13, 600 patients from Ledbury and the surrounding rural area. Our catchment area is approximately 200km² including the following villages:
 - Pixley to the West (we note Pixley Parish Council have written in strong support of the planning),
 - Bosbury to the North,
 - Much Marcle and Dymock to the South and
 - Eastnor to the East

Current challenges

- We are currently operating a fragmented service from three separate buildings on Market Street in the town centre. This arrangement creates confusion for patients and reduces efficiency in delivering care.
- Ledbury's population is growing significantly due to the new housing developments on the outskirts of town, but healthcare facilities have not expanded at the same pace. This imbalance is placing an increasing strain on our practice, leaving us unable to meet the escalating demands of our community.
- Our premises are running at full capacity.
 - This is preventing us from recruiting and accommodating additional healthcare professionals including mental health practitioners and trainee GPs.
 - We have already maximised our use of space including converting a corridor alcove, our children's waiting area and a store room into clinical rooms.
- There is limited parking for patients and staff, especially for patients with poor mobility and travelling from surrounding rural areas.
- An urgent premises solution is needed. Our current lease for our main clinical site is due to expire on 31.3.2027, with the other 2 sites leases expiring around the same time.
- Renewal of the current lease has been explored but has not been deemed as value for money.

Reasons Ledbury Health Partnership are in strong support of the development

- Modern purpose built premises would address our challenges and provide the facilities to meet the needs of our growing community.
- The site for the development offers sufficient space, with room for expansion and adequate parking, including bays for disabled parking and an ambulance parking area.
- Consolidating services into a single location would enhance efficiency, reduce patient confusion and improve accessibility.

- Every effort has been made to consider maintaining a town centre presence. The One Public Estates Group have, for many years, been trying to identify potential sites that could see the co-location of multi stakeholders such as health/social care/blue light services, however, no suitable sites were identified in the town centre.
- Even when just considering the needs of the GP Practice alone, an options appraisal has not identified any other viable premises solution for the surgery.
- With regards to the location on the edge of town, a survey carried out (and submitted) by the practice in early 2025 identified the following results:
 - The vast majority of patients attend the surgery for this purpose alone and do not combine this as part of a linked trip to the town centre.
 - Most patients travel to the surgery by car.
- The proposal for the development of a GP surgery as part of a wider project provides an ideal opportunity for a new healthcare facility by offsetting costs that would not be affordable as a stand-alone project.
- Approximately £260, 000 of Section 106 funding for capital investment has also already been secured by Herefordshire and Worcestershire ICB for the practice from previously approved local housing developments.

The email is not considered to raise any new material planning issues that have not already been considered in the published officer report. Members would be directed to Paragraphs 7.36 – 7.47 of the Officer Report which discusses the planning merits of the proposed medical centre element of the development.

An objection has been received on behalf of Aldi. This can be found at **Appendix 5**. The main points raised are as follows;

- At appeal, impact on edge-of-centre stores and resultant impact on linked trips was a key area of concern. This issue should now be given increased weight due to the adoption of Ledbury Neighbourhood Plan (June 2023), which expands the Town Centre to include the Co-op store.
While the Co-op is now within the defined town centre following the adoption of the Ledbury NDP, impact is assessed on the town centre as a whole not on individual facilities. Nexus identify linked trips between Tesco and Coop stores to the wider town centre to be limited (Appraisal, March 25 para 4.46). The town centre has a wider offer including cafés, services, and independent shops, all attracting resident and tourist visits and will continue attracting footfall. The appeal was determined at the time of the pandemic; the Council's latest evidence base since that time finds the centre to be in good health, vital and viable and there to be a need for additional food retail provision.
- Given the Appeal Inspector's comments on the importance of smaller stores and markets to Ledbury Town Centre's vitality and viability, there is insufficient consideration of, and weight given to, the impact of the proposal on these stores.
The Retail Impact Assessment includes diversion estimates for smaller stores based on those identified in the survey forming part of the HTCRA 2022. These have been independently reviewed and found to be sound. The town centre's vacancy rate is below the UK average, and its diverse offer supports continued vitality. In respect of smaller stores the application Planning and Retail Statement details, at para 3.1.8, Lidl do not offer many products or services which minimises any potential overlap with smaller operators, including: Fresh meat counter, fresh fish counter, delicatessen/cheese counter, hot food counter, Café/restaurant, Pharmacy, Home delivery, Dry-cleaning service, Post office services, mobile phone shop, photographic shop. Lidl does not stock convenience goods such as tobacco, or individual confectionary and stocks limited pre-packed fish and meat and individual fruit and vegetable products. The result is that there is limited overlap with smaller stores or markets.

- The estimated Town Centre Convenience impact levels should be presented clearly to enable comparison between the evidence relied on in the determination of the appeal, and the current assessment. The correct approach is to assess the cumulative impact of the proposal; that is, the combined effect on both convenience and comparison retailing, as required by Paragraph 94 of the NPPF and Core Strategy Policy E5. While convenience goods are sensitive in market towns, the policy test is whether the overall impact on town centre vitality and viability is significantly adverse. The approach has been independently audited and found to be robust.

Importantly, as set out within the report, this application must be considered on its own merits, taking into account:

- The updated Ledbury NDP (2023)
- The HTCRA 2022 retail evidence base which finds quantitative and qualitative need for additional food retail provision in Ledbury
- The reduced scale of the foodstore
- There is a lack of clarity around the rationale for provision of a smaller sales area and the purpose of the resulting large residual external area adjacent to the delivery bay. The smaller sales area reduces impact. Layout changes have resulted from and been informed by discussions with officers. The net sales area is capped by condition 30, and any future expansion would require a new planning application. The layout to be determined has been assessed and found to be acceptable.

An additional written statement in objection has been provided to be spoken in objection to the application. This is found at **Appendix 6**.

It is also noted that the applicant (Lidl) distributed a brochure summarising the proposed development to members of the Planning Committee. This has been shared with and reviewed by the Development Management Team / Planning Officers. This can be found at **Appendix 7**.

A letter has also been received from the Chair of the Ledbury Traders and Business Association. This was also sent to members of the Planning Committee via email. This can be found at **Appendix 8**.

The letter is not considered to raise any new material planning issues that have not already been considered in the published officer report.

NO CHANGE TO RECOMMENDATION

APPENDICES

Appendix 1 - 243045 Clubtail Drive - Applicant Note to Members

Appendix 2 – 242783 Land south of Leadon Way (A417) – Method of Transport

Appendix 3 – 242783 Land south of Leadon Way (A417) – Purpose of Visits

Appendix 4 – 242783 Land south of Leadon Way (A417) – Distance from LHP

Appendix 5 – 242783 Land south of Leadon Way (A417) – Aldi objection

Appendix 6 – 242783 Land south of Leadon Way (A417) – Objection / written statement

Appendix 7 – 242783 Land south of Leadon Way (A417) – Lidl briefing note

Appendix 8 – 242783 Land south of Leadon Way (A417) – Ledbury Traders and Business Association Letter



Application Ref. No. 243045 - Land off Clubtail Drive, Holmer, Hereford

Proposed erection of 31 no. key worker dwellings, including access from Clubtail Drive with associated infrastructure and landscaping

AMENDED LANDSCAPE DETAILS

At the meeting on 4th July 2025, members of Herefordshire Council's Planning and Regulatory Committee resolved to defer Bloor Homes application for the erection of 31 key worker dwellings on land off Clubtail Drive, Holmer. The resolution read as follows:

RESOLVED: that the application be deferred to enable a reconsideration of the plans, particularly to secure the introduction of additional landscaping measures along the northern and eastern edges of the site (alongside any layout and design changes considered necessary to facilitate this) to ensure the scheme assimilates appropriately into the local context whilst delivering enhancement of green infrastructure as required by policies LD1, LD2, LD3 and SD1 of the Core Strategy.

Following the Committee meeting we have reflected further on the sensitivities of the northern and eastern site boundaries and reviewed the scheme layout arrangements. As a result, through adjustments to the siting of the proposed Adeline apartment block, the re-positioning of supporting car and cycle parking spaces and a relocated bin store, a landscape strip of sufficient width has been created along the eastern and part-northern boundary in order to accommodate a new hedgerow and an appropriate mix of boundary trees that can be wholly accommodated within the 'red line' application site.

Notably, the revised landscape arrangements have been planned and designed with no 'cumulative' reliance placed on any landscaping coming forward within the approved, neighbouring Park and Choose site. Concern over any such 'reliance' was specifically mentioned by Councillors at the Committee meeting and is reflected in the deferral resolution.

The revised landscaping now provides for a continuous ornamental hedge around the north and east boundary of the site with the 3-storey Adeline and Albany apartment blocks. This hedge is interspersed with 14 no. trees with an additional tree within the proposed ornamental hedge extension along part of the southern boundary of the Albany apartment block with Clubtail Drive.

In respect of the appropriate species and planting arrangements for this boundary location, the advice of the Council's Landscape Officer was provided to Bloor which suggested a row of columnar fastigiated trees with smaller ornamental trees set within the gaps and a larger / display tree on the corner. Appropriate species were suggested including an Acer as the potential 'display tree'.

In response, we have alternated taller columnar fastigiate Hornbeam (*Carpinus betulus* 'Frans Fontaine') with smaller ornamental Amelanchier x grandiflora 'Robin Hill' for its lower rounded canopy to create a somewhat formal avenue.



We have also added, as suggested, two display trees at either end of the eastern boundary; *Acer rubrum* 'Armstrong' for an autumn display, though one of the *Acers* has been 'set in' from the southern corner of the Albany Apartment block to avoid affecting foundations.

The advice of the Council's Planning and Landscape Officers has been welcomed and has significantly influenced the proposed landscaping arrangements, as can be seen by the replacement Plot Landscaping, Specification and Schedule drawing WE086-LS-036h (extract provided at end of this Note).

To illustrate the visual impact that can be expected, a revised series of hi-resolution visuals have also been prepared and submitted to be 'read' alongside the replacement Plot Landscaping drawing, to include the below key view from Hedgerow Way.

View from Hedgerow Way with Proposed Landscaping



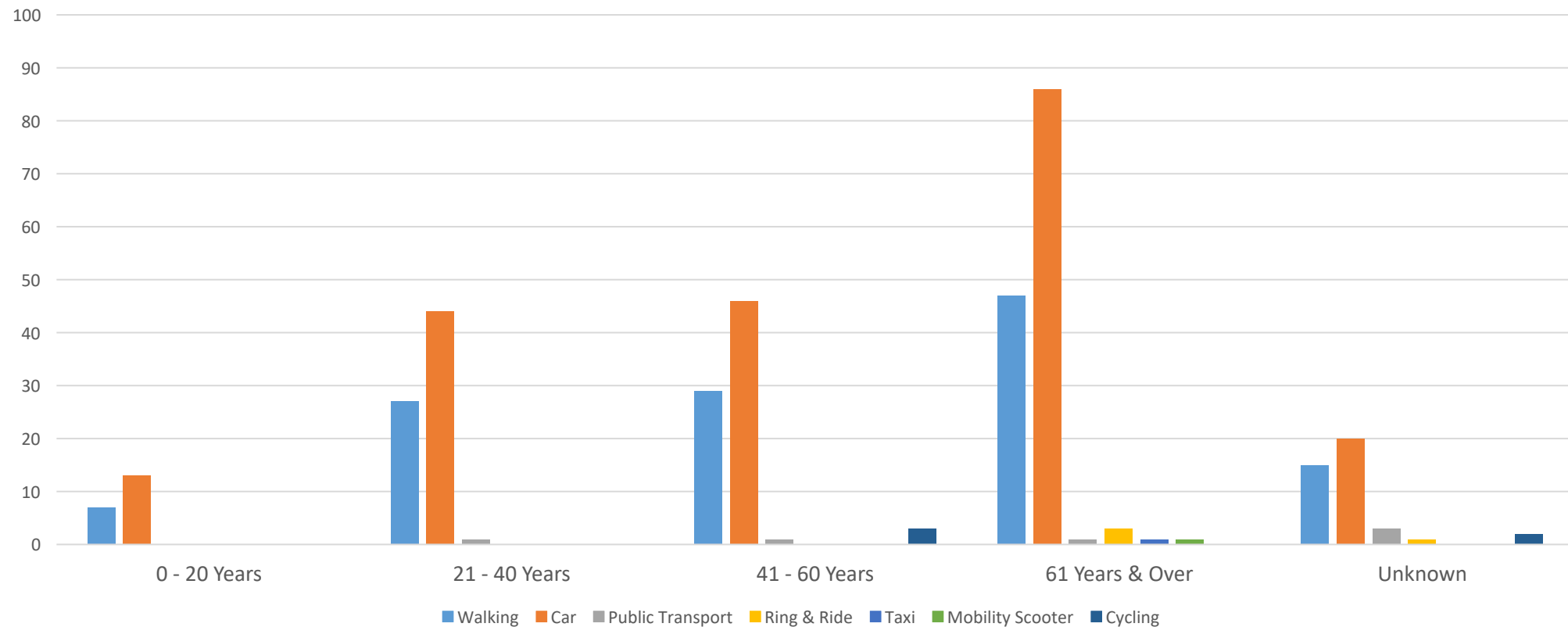
Bloor Homes appreciate the comments of Councillors as conveyed at the Planning Committee Meeting held on the 4th July. We trust that the revised landscaping details, as informed and influenced by the advice of Officers, demonstrates the constructive approach taken by Bloor to positively address Councillors concerns and will ensure that the proposed development successfully assimilates into the wider Hereford Point development.

Site plan of the 5800 block of East 1st Avenue, showing lot numbers, tree counts for various species, and proposed pedestrian and bicycle links. The plan includes a north arrow, a scale bar, and a legend for tree species abbreviations. Key features include a red line for a pedestrian link, a blue line for a bicycle link, and a green shaded area for a proposed park or playground. Lot numbers range from 582 to 600. Tree counts are provided for species like AMEGRH, CARBETFF, AMEGRH, ACERUA, VIBDA, MAHMEWIS, OLEHA, SARCO, ROSOF, CISMO, HEBGO, HYPHI, and ELAEBGE. A "100x Park & Choose Space" area is also indicated.

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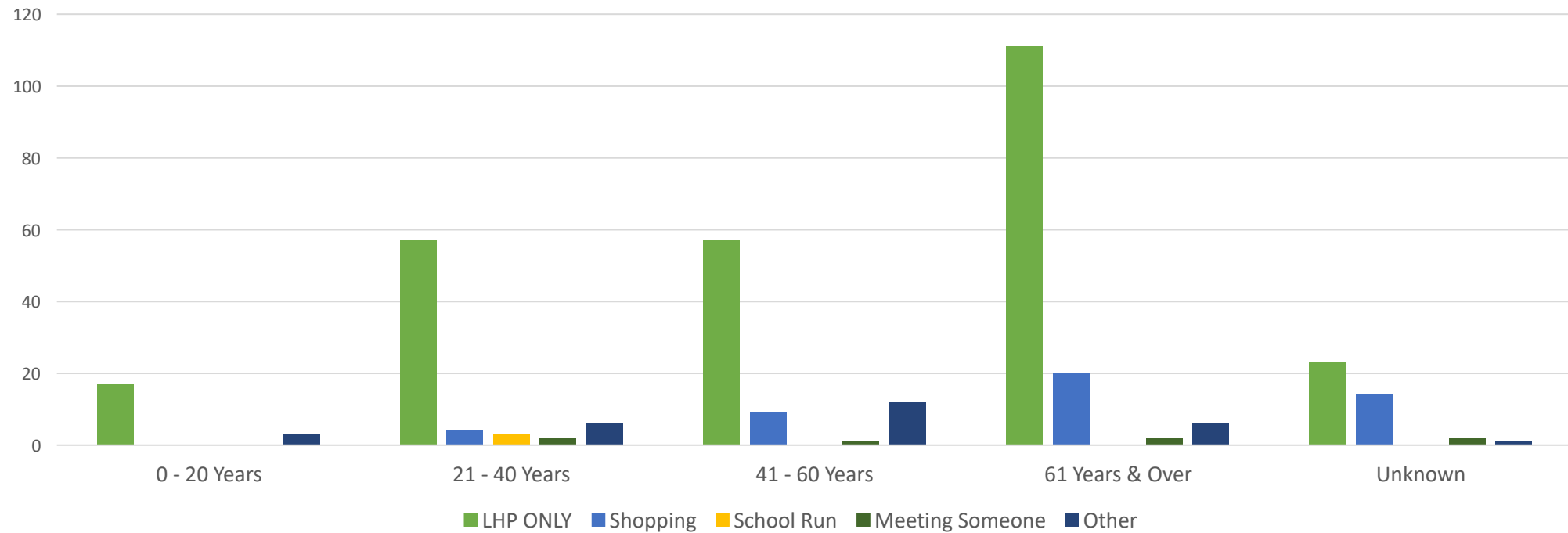
- New location out of town centre = change in accessibility for some patients
 - Ring and Ride, Community transport, Public transport (solutions being investigated by ward member)

Method of Transport to LHP

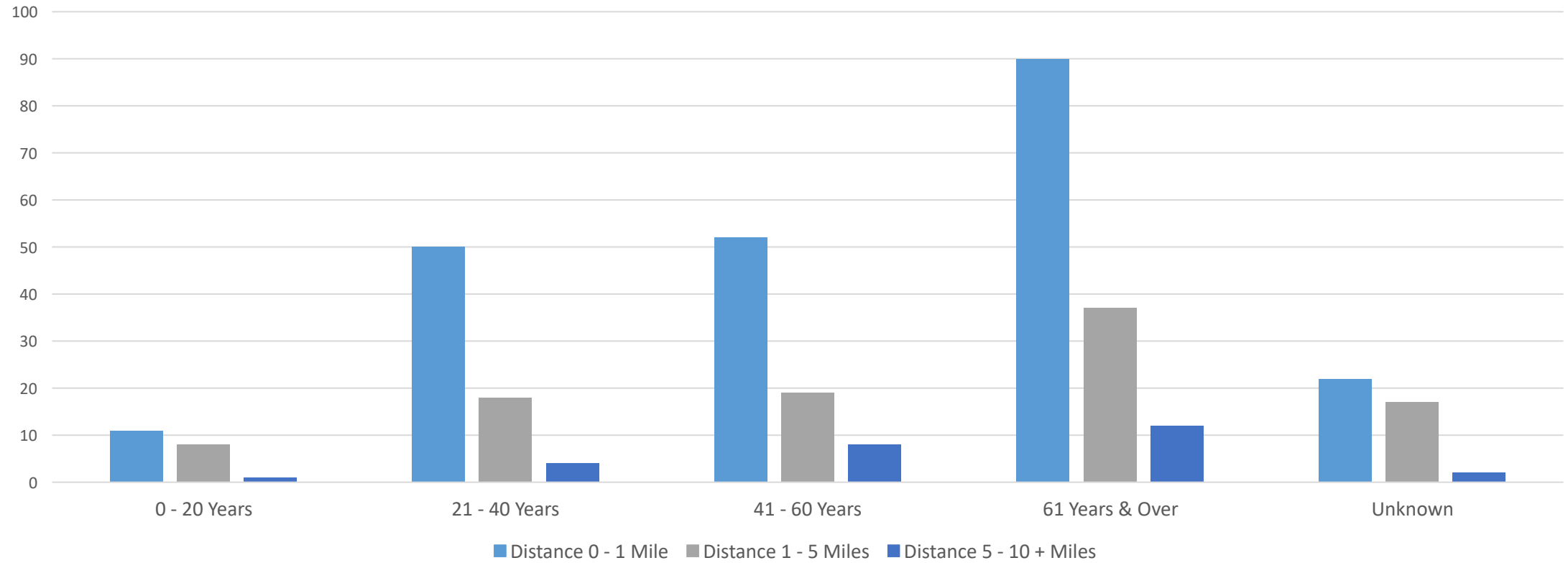


- Concern about reduction in joint visit (LHP + elsewhere in Ledbury)

Purpose of Coming into Town?



Distance from Home to LHP



Our Ref: 07C201018

Your Ref: P242783/O

September 01, 2025

Ollie Jones
Herefordshire Council
(submitted via email)

Dear Ollie

Objection on behalf of ALDI Stores Ltd

To application P242783/O for full planning permission for a Lidl foodstore and associated development in outline.

At Land south of Leadon Way (A417) and east of Dymock Road (B4216), Ledbury

We write on behalf of our client ALDI Stores Ltd to object to the above planning application.

ALDI objected to the previous iteration of the scheme, which was ultimately refused at application stage and dismissed at appeal in September 2022 (APP/W1850/W/21/3279731) for reasons including significant adverse impact on the vitality and viability of the Town Centre.

ALDI's previous representations raised concerns over the robustness of the applicant's trade diversion assessment, and highlighted concerns over the impact on wider trade beyond the town centre boundary and potential knock-on impacts on linked trips to the Town Centre.

In the context of that appeal decision, ALDI retains similar concerns over the current proposal, which in our view have not been satisfactorily resolved to a point that should give the LPA, including its planning committee members, sufficient confidence that the proposal has avoided significant adverse impact on the Town Centre.

Our concerns are summarised below:

- **At appeal, impact on edge-of-centre stores and resultant impact on linked trips was a key area of concern. This issue should now be given increased weight due to the adoption of Ledbury Neighbourhood Plan (June 2023), which expands the Town Centre to include the Co-op store.** This point has been raised by other objectors, and is acknowledged by Nexus in its advice to the LPA. Even when previously classified as edge-of-centre, the Appeal Inspector highlighted the importance of the Co-op store in supporting the town centre, through linked trips and resultant spin-off trade, noting the convenient customer parking which reinforces access to other shops. The appeal decision found *"the existing edge of centre stores to play a greater role in vitality and viability levels than that suggested by the appellant."*

Other objectors have indicated that according to the Council's updated retail evidence from September 2022, the Co-op store is trading significantly (close to 50%) under its benchmark,

and that its trading position is now worse than that shown by the earlier evidence used to assess the refused proposal in 2021/22). Adverse impacts on the store are understood to have increased from -7.8% at appeal in 2022, to -11.8% shown in the assessments under the current application. On this basis, the concerns raised at appeal have not been overcome by the revised proposal, and these concerns are even more relevant in the context of the expanded town centre area.

- **Given the Appeal Inspector's comments on the importance of smaller stores and markets to Ledbury Town Centre's vitality and viability, there is insufficient consideration of, and weight given to, the impact of the proposal on these stores.** At Appeal, the Inspector considered that smaller convenience shops and the market in particular play a key role in maintaining an appropriate shopping offer balance, critical to vitality, and form a key part of Ledbury's attractive qualities. The impact of a second 'out of town' store on the smaller stores and markets, was a key part of the conclusion that significantly adverse impact would occur. The revised Lidl application submission largely avoids consideration of this issue, playing down the importance of these stores.

While the revised Lidl proposal includes a c.18% reduction in the proposed convenience sales area of the store, the Applicant's Retail Assessment estimates disproportionately lower levels of trade diversion from the smaller stores in Ledbury Town Centre, when compared to those presented at appeal (taking them even further away from the LPA's consultant's higher estimates at Appeal). There is no justification apparent within the submission for further reducing the trade diversion estimates from smaller stores, which were identified at appeal as being both critical to vitality and sensitive to loss of trade. The result is that Lidl's assessment likely underestimates impact on these stores and therefore on the town centre.

- **The estimated Town Centre Convenience impact levels should be presented clearly to enable comparison between the evidence relied on in the determination of the appeal, and the current assessment.** Impact figures within the Applicant's submissions incorporate comparison retail impacts, which dilute the convenience impact figures. Given the nature of the proposal, and the particular historic context in which the Inspector directed focus to convenience impacts, this comparison is considered essential to the consideration of the key retail policy tests.

Nexus' April 2025 advice to the LPA highlighted the applicant's estimated -11.6% impact on the convenience turnover of the town centre. This should be viewed in the context of the assessments at Appeal, which estimated figures of -10% (Lidl's assessment) and -14.3% (the Council's assessment), with the Inspector concluding the impacts likely to be somewhere in between these two estimates.

However, the latest advice from Nexus (July 2025) instead reports the combined convenience and comparison impact figures as -4.3%. Similarly, the Committee Report does not clarify the quantum of adverse impact on the convenience trade of the Town Centre as -11.6%.

Undertaking this comparison indicates that the revised proposal would have a very similar level of adverse impact on the town's convenience trade as in 2022, which was at that time deemed to be above the significant adverse policy threshold. On this basis the concerns raised at appeal have not been overcome by the revised proposal.

- **There is a lack of clarity around the rationale for provision of a smaller sales area and the purpose of the resulting large residual external area adjacent to the delivery bay.** The revised proposal is for a 1,769sqm GIA store, 247sqm or 18% smaller in terms of convenience sales area than the scheme dismissed at appeal. In the operator context, this results in an unusually small 1,100sqm Net Sales Area / 880sqm Convenience Sales Area. Due to this reduction in store size, there is a large and conspicuous void area extending to 190sqm that remains adjacent to the servicing bay shown in the proposed drawings. Given the scale of the proposal and the prominent location of this area, its proposed use should be clarified and any associated planning considerations or impacts fully assessed.

On the above basis, when considered in the context of the 2022 appeal decision, the revised Lidl proposal does not overcome the specific concerns raised by the Appeal Inspector in relation to impact on town centre vitality and viability.

The submitted retail assessment shows a greater level of impact on a store that was considered an important functional support to the town centre by facilitating linked trips; it has failed to justify the rationale for estimating lower trade diversions from smaller town centre stores that were highlighted as having a key role in the attractiveness of the town centre and being under threat from the proposal; and it estimates an adverse impact on Town Centre convenience trade of c.-12%, which almost identical to the level that was considered to constitute significant adverse impact when considered at appeal in 2022 (midway between -10% and -14%).

Despite the reduction in sales area, it is considered that the proposal is still likely to result in a significant adverse impact on Ledbury Town Centre, consistent with the conclusions of the Appeal Inspector, and should therefore be refused.

Yours sincerely



David Williams

Associate

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david.williams@avisonyoung.com

For and on behalf of Avison Young (UK) Limited

I would like to oppose the application 242783 "[Land South of Leaddon Way \(A417\) and East of Dymock Road \(B4216\) Ledbury Herefordshire](#)"

Arguments against as follows:

1. We have an ALDI 200 metres up the road- arguably the very same shopping experience for customers. This supermarket does not offer anything new or varied to the residents of Ledbury. When questioning residents of Hawk Rise, concern was raised over this supermarket not offering residents anything we do not already have. Ledbury is a proud market town, proud to support independent retailers and provide residents and visitors variety and quality products.
2. We have a Co-Op supermarket even closer, (within 20 mins walking distance) offering residents and visitors a variety of produce. That's 2 supermarkets within or just over 1 mile of residents.
3. Light pollution- Ledbury has some of the darkest skies in this area, and currently the light pollution currently imposed on the residents is too high (and looking to be increased). The streetlamps are too bright, and adding a development of this sort where high powered lighting would be on consistently over night would negatively impact the residents in locality to the development. The increase in Light pollution simply has not been considered, even though previously raised (more than once). My own personal experience is that every bedroom in my home needs black out blinds, simply due to the bright lights on our estate, which then negatively impacts sleep through the summer, preventing air flow.
4. The noise assessment conducted by "inacoustic" states on page 14 that *"The retail facility is proposed to open between the hours of 08:00 and 22:00 Monday to Saturday and 10:00 and 16:00 on Sundays. **Delivery hours have not yet been confirmed; however, this assessment considers the potential of the site to receive deliveries during any hour of the day or night**"*

On page 19 the document states that the air-conditioning, heating and cooling plant operates between 07:00 to 23:00, with a mechanical plant associated with refrigeration operating all periods of the day and night. The document also describes up to 3 heavy goods deliveries in a 24 hr period- this number not confirmed, this number could increase. The mitigation put in place for the delivery noise is simply a level loading dock only- negligible!

But on page 23 of this very same document, it states under "car parking":
"The night-time period has been excluded from the assessment as no part of

the development will be open”- which is incorrect as it quite clearly states the opening hours of the supermarket in question- 07:00-23:00 at night!

The Conclusion on page 26 states the following:

“The assessment identifies that noise from vehicle deliveries during the day is unlikely to increase noise levels at the closest sensitive dwellings and as such, will result in no change and no impact” – Which I believe is false. Any added noise will impact residents. Let’s be clear, this is added noise, on top of the traffic noise surrounding residents on Hawk Rise.

“In light of the above, it is considered that the potential noise impacts associated with the Proposed Development can be adequately controlled by appropriate engineering, design and appropriately worded planning conditions, and that noise should not be considered a material constraint to the granting of planning permission for the proposals once mitigated as described in this report” – Appropriate engineering, design and appropriately worded planning conditions? Noise shouldn’t be considered a material constraint to the granting of planning permission?

Nowhere in this report have I seen evidence of appropriate mitigations suggested to eliminate or at best reduce the noise pollution that will be put upon the surrounding residents of this proposed development.

5. The council declined the application made by Barratt Homes to build (where indicated in blue) on the now existing Parkland to the rear of properties on Kipling Road, stating that the proximity to the Cheese Factory was too close.

FIGURE 1: PROPOSED DEVELOPMENT SITE AND SURROUNDING AREA



They also argued that the developer hadn't added enough sound mitigation and trees to prevent noise disturbance to residents.

I put it to those gathered here today that the building of a supermarket, doctors surgery and nursery right behind the properties on Kipling road would be in comparable close proximity, when the road noise from the B4216 is added to the sounds of on-going deliveries, visitors in cars and noise from the nursery, in actual fact you would be approving an application in contrast to your previous decision to decline.

6. The Medical Centre and Nursery are both seemingly offered as a tag on or sweetener to try and get the planning pushed through for the Supermarket. There are actually NO specifics on the workings of either of these 2 buildings, and no guarantee that they would be successfully opened. No details of opening hours, staffing etc, so therefore again, the impact of noise, light and other pollutions negatively impacting residents cannot be effectively predicted.
7. The layouts suggested in drawings do not show a separate entrance for heavy goods deliveries and should do. Heavy goods vehicles should have one way in and out so as not to cause disruption elsewhere on such a small site. I mention this solely for concern over the one entrance and exit to this site, accessed off a small B road and a 5 exit roundabout. 3 businesses on this site increases the traffic coming in and out of this area and off the roundabout tremendously.
8. The roundabout has 5 exits, is very busy and with the Hopfields estate being built above Hawk Rise and the 2041 plan steaming ahead (against fierce opposition from residents) this increases traffic overall.

I feel this is simply the wrong location for a large supermarket, simply due to the number of cars and traffic using this roundabout to navigate around Ledbury. The noise of traffic is already consistently loud and disruptive for residents on Hawk Rise and those closer still to the roundabout in question on New Street and the Deer Park residents.

Conclusion.

The sound survey is not thorough, contradicts itself and does not offer suitably acceptable mitigations for the elimination of noise pollution to residents. It's almost dismissive of any impact but cannot be certain that there won't be impact to residents.

The design layouts fall short of assuring safe access and reducing traffic congestion, noise and pollution.

The proximity of a supermarket to the residents near this site will increase pollution, light pollution and noise pollution to such an extent as to cause annoyance and

reduced quality of life for residents- those who moved to Ledbury to be away from overly developed towns and cities! No one has conducted a light pollution survey even though light pollution has been highlighted as a point of concern for residents.

The LIDL does not offer residents of Ledbury anything they do not already have access to (ALDI- pretty much EXACTLY the same shop, Home Bargains also a discount store, and we already have 3 supermarkets in Ledbury as it is)

There are not enough details or plans confirming the Medical Centre would be effectively staffed and up and running and not left empty.

Having a nursery shoved in the corner next to a Lorry loading bay, surrounded by the pollution and traffic of both the site and the roads around it, is neither safe nor healthy.

If this site were instead to offer residents access to the Medical Centre and a nurse only (No Lidl), providing residents of Ledbury with what they need and want, you would have space on this site to accurately and safely design a development with a lessened negative impact to residents. There would be shorter opening hours to those businesses, reduced litter, access to services we, the residents need, less traffic in and out of the site, and next to no Heavy goods vehicles accessing the site at any time (medical centre and nursery might only need small deliveries from sprinter type vans or 3.5 tonne vehicles instead)

A new Lidl, medical facility and children's nursery for

Ledbury



Land south of Leadon Way and east of Dymock Road, Ledbury.

Planning Application reference: **P242783/O**

This briefing note has been sent to all Members of Herefordshire Council's Planning & Regulatory Committee. This document is for background information only and is intended to accompany your officers' report.

Background

- This proposal is for a **mixed-use development** including a **new foodstore**, **medical facility**, and **children's nursery** to serve Ledbury's growing population
- **Material changes since the previous application include the site's allocation for mixed-use development**, a smaller foodstore and Lidl's purchase of the site assisting the delivery of a medical facility
- **With 1,100 sqm of retail floorspace, the proposed foodstore is smaller than that previously proposed.** This reflects the Council's own independent retail assessment which found substantial capacity within Ledbury for at least one discount foodstore of up to 1,600 sqm of convenience (e.g. food) retail. The proposed Lidl will mainly compete with existing out of centre supermarkets which, given local demands, are trading strongly
- **The town is experiencing significant housing growth.** Around 1,200 new homes in Ledbury are committed to be built or have been completed in recent years, providing further need for the services offered by this development
- Lidl will deliver **local highways improvements**, including a new Toucan crossing on Leadon Way and new bus stops with shelters. Importantly a **£100,000 contribution** towards accessible transport will be secured via s106 agreement
- **If planning is approved, Lidl's s106 agreement with the Council will also secure the land for medical use (at nil value) to assist delivery of the proposed medical facility.** Lidl will fund site infrastructure and utilities so that the site is 'shovel-ready'.



The proposal



A Lidl foodstore with a 1,100 sqm sales area including customer toilets with baby changing facilities. The store is smaller than previously proposed but reflecting Council evidence on local need



A new medical facility to serve Ledbury. Lidl will transfer land for this facility as secured by legal agreement, in order to enable speedy delivery



A new children's day nursery with outdoor gardens and play space to meet a growing local population including young families



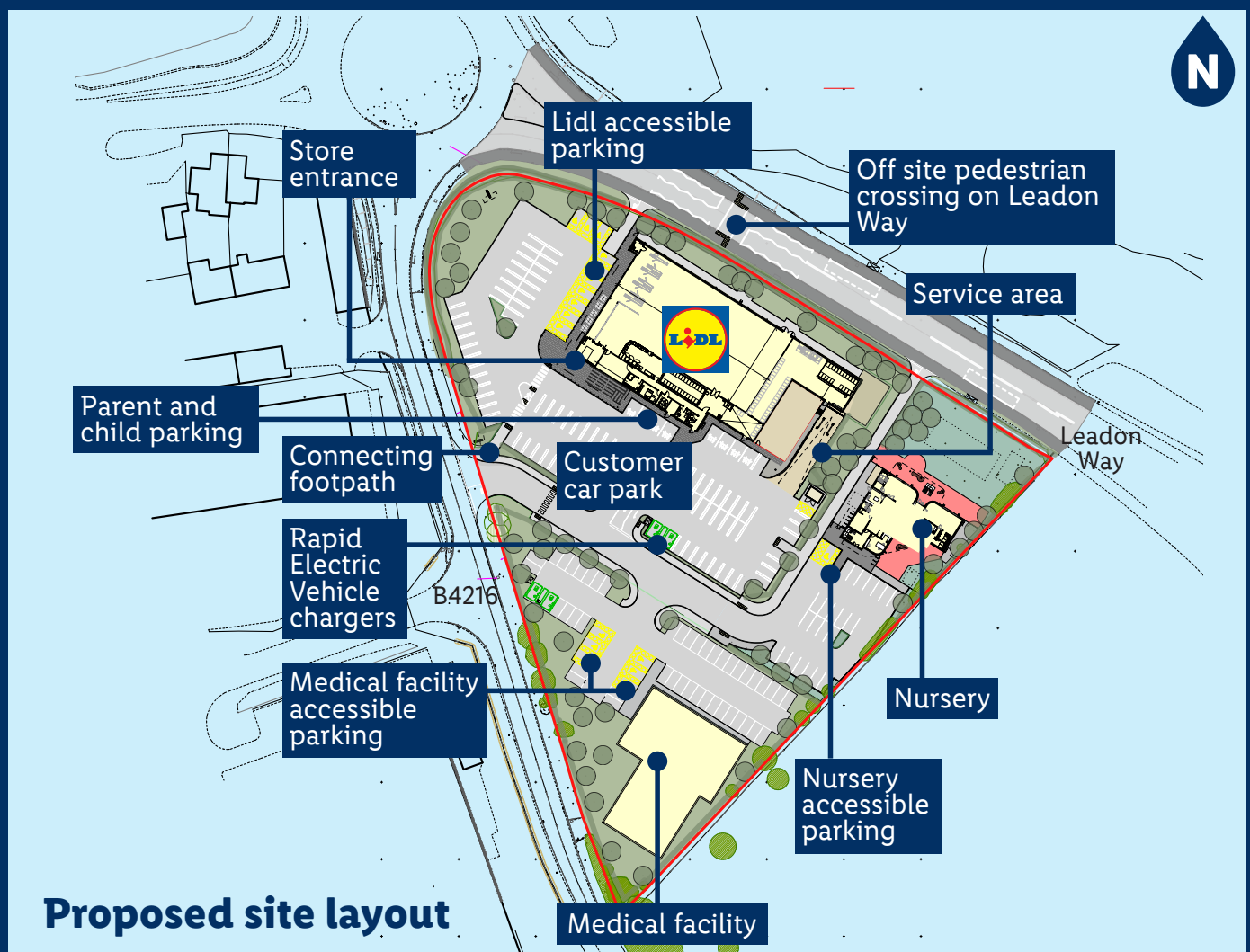
Extensive landscaping across the site, including soft planting buffers around the site boundary



The nursery and medical facility will each have their own dedicated **car parks**. In addition, Lidl would have a total of 101 spaces, including accessible spaces, Parent & child and Electric Vehicle charging spaces. Covered cycle parking is also provided



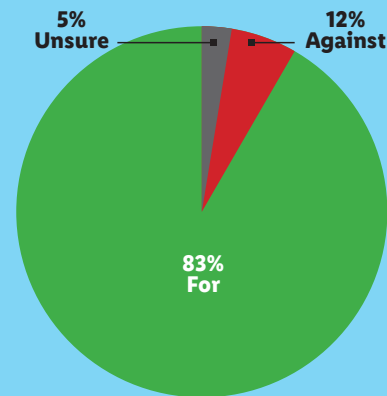
Enhanced environmental features, including Rapid Electric Vehicle Charging points, with in-built capacity for more spaces as demand increases, and solar (photovoltaic) panels on the roof which will provide around 30% of the store's energy usage



Our consultation feedback

- ✓ **Pre-application community consultation was held in Summer 2024**
- ✓ **Consultation via in-person event and bespoke project website. Information flyer delivered to around 4,400 properties. Around 170 feedback responses received**
- ✓ **Support focused on the need for increased and affordable shopping choice, convenient location to reduce travelling out-of-town, and provision of much-needed new medical facility.**

Are you generally in favour of the plans for a new Lidl foodstore, medical facility, and children's nursery on this site in Ledbury?



Feedback quotes

...another supermarket is needed to accommodate all the extra houses that have been built / still being built. Definitely need a medical centre...And also a nursery for all the extra children living here now.. we are lucky to have got our [child] into the primary school nursery but weren't so lucky with days/times wanted. To have these things close to the new builds also helps people who don't always have access to a car... I prefer Lidl...I currently travel to Hereford or Malvern to shop there.

It would be a great convenience for me, also supplying all the new houses around the ring road and the considerable traffic passing through to Hereford.

A new medical centre is desperately needed for Ledbury...With all the new houses being built...new facilities (shop, nursery [and] medical centre, as well as electric vehicle chargers) are to be welcomed.

Needed urgently for Ledbury

...There's nothing on this side of the town for a shop. Plus now there's a lot more new houses here. I can't wait to get you here!!!

The children's nursery of which there are I think two already must surely be at full capacity? What with the hundreds more people, once all the new housing estates have been completed and occupied, where are they going to go if the existing facilities are full?

Medical facility & Children's Day Nursery

The site is **allocated** in the Ledbury Neighbourhood Development Plan for uses including a medical facility and day nursery, while the Council's Policy SC1 of the Core Strategy is supportive of new community facilities, such as medical and educational services where they are appropriately located to the communities they serve.

The medical facility element of the proposals is in **outline form to enable flexibility** for an end user offering a new healthcare facility in Ledbury. Your officer's report provides evidence of **potential demand for health facilities** in section 7.40.

To **support deliverability of the medical facility** Lidl (as landowner) proposes to transfer the freehold of the site earmarked for the medical facility. The wider site will be developed with utilities and associated infrastructure to make it **'shovel ready' for future healthcare development**, subject to a successful reserved matters planning application.

Lidl's operation



Lidl's specific offer

Lidl has a **limited product range** (around 3,000 items compared to larger supermarkets which stock 25,000-30,000). **Lidl does not sell postage stamps, cigarettes, National Lottery tickets or scratch cards, single confectionery items** and similar products. Furthermore, **Lidl do not have an in-house pharmacy, fishmongers or meat counter**, services which are often found in larger supermarkets. **Lidl do not accommodate customer cafes or Post Offices.**



Employment

The store will deliver up to 40 new local jobs. Lidl GB pay rates for hourly-paid colleagues is a minimum of £13 per hour, increasing to £13.95 with length of service. This is above the Government's updated National Living Wage and the Living Wage Foundation's Real Living Wage. The majority of colleagues are recruited from within the local community. Other uses on the site will also create local employment, plus jobs during construction.



Deliveries

Lidl stores typically have **1-2 deliveries each day**. Delivery vehicles **remove store waste** during the same trip to minimise vehicle movements and reduce CO2 emissions.



Opening hours

Lidl intends to trade Monday to Saturday: between 8am-10pm • Sunday: between 10am-4pm

Key matters and how they have been addressed

✓ Retail policy

The Council's evidence base identifies a need for a new foodstore in Ledbury. Lidl has undertaken a Retail Impact Assessment to consider the impact of the now smaller proposed store would have on the town centre.

The key conclusion is that the proposed foodstore is not expected to compete directly with existing town centre retailers. Instead the store will primarily compete with existing out of town supermarkets such as Aldi and Tesco, which, given local demand, are assessed to be 'overtrading'.

As your officer's report states in section 7.69, the Retail Impact Assessment 'has been independently reviewed and found to be robust'. This independent assessment concludes that the development would not have a significant adverse impact on the town centre or on existing, committed or future investment.

It has also been confirmed that there are no alternative sites within or closer to the town centre to accommodate this development. The retail impact and sequential 'tests' have been satisfied.

✓ Highways

The development is proposed to be served by vehicle access from Dymock Road and two pedestrian and cycle links from Leadon Way. Two new bus stops and a Toucan crossing will be provided on Leadon Way, east of the Full Pitcher roundabout. A further new bus stop on nearby Kipling Road also enhances public transport accessibility. Lidl will be making a £100,000 contribution to support Community Action Ledbury's accessible transport service, secured via a s106 agreement. As per the s106 agreement, £70,000 is allocated for the purchase of a new electric wheelchair-accessible vehicle and £30,000 for EV charging infrastructure and dedicated parking bays.

✓ Noise and light impact

An independent Noise Assessment has found that noise impacts from the store will be low. Car park lighting is switched off overnight and is controlled by a lux light sensor during trading hours. Light is directed away from neighbouring properties and special light shields prevent light spillage.

✓ Landscaping and ecology

A comprehensive landscaping scheme with a bespoke design, provides mitigation and enhancement of the site.

A hedgerow management plan is also proposed. The Council's Landscape Officer raises no objection. Lidl is committed to meeting the Biodiversity Net Gain requirements for the whole site, including the medical facility and day nursery elements.

The retention of boundary hedgerows and incorporation of native planting bolsters green infrastructure and promotes habitat creation. A Construction Environmental Management Plan (CEMP) and Biodiversity Net Gain Plan will be secured by planning condition.

✓ Design

The design is informed by a Colour Assessment which demonstrates a contextual approach to materials and finishes. The approach responds to officer recommendations utilising matte finishes, informing fencing colour, and material samples.

Lidl and sustainability

The proposed store will meet Lidl's high sustainability standards which are intended to minimise environmental impact over the lifetime of the store.



Store heating and lighting systems are controlled by a computerised Building Management System (BMS) to minimise energy consumption and chilled food cabinets save energy overnight through the presence of night blinds which trap and maintain the cool air



All stock movement within stores is manual, avoiding unnecessary energy usage or noise pollution



The car park lighting is switched off overnight and is controlled by a Lux sensor during trading hours



The Lidl store will feature solar panels on its roof to help with the store's energy needs generating around 30% of the store's needs



Lidl are sector leaders in terms of recycling management with all cardboard and plastic produced from stores being recycled back into boxes and carrier bags, ready to be used again



Lidl refrigeration plant has low carbon emissions ratings and operates without the need for chlorofluorocarbons



Motion sensors throughout our warehouses minimise electricity consumption and flow control devices are used to limit excess water usage



The Ledbury store will have 2 rapid charging spaces (infrastructure will be installed to provide up to 20% of EVC spaces in the future) which can charge a vehicle in 30 minutes, thereby having potential to fully charge an electric vehicle while a customer shops at the store.



Our delivery vehicles are used to remove waste from the store on their return journey to the nearest Regional Distribution Centre, where the waste/recyclable material is sorted and managed centrally. This also helps to reduce vehicle trips to each store and CO2 emissions

Fairtrade

Lidl GB sells over 100 different Fairtrade certified products throughout the year, from bananas originating from Colombia, tea picked in Kenya and cocoa for our chocolate, grown in Cote d'Ivoire. In addition to the products we sell all year round, we proudly support specific Fairtrade campaigns such as Fairtrade Fortnight.

Sourcing

Currently two thirds of our products come from British suppliers, providing our customers with fresh, locally sourced, high quality produce at excellent value. 100% of our own-brand core eggs, milk, cream, butter, fresh beef, pork and fresh primary chicken is British. We have signed the NFU Fruit and Veg Pledge and the Back British Farming Charter. All of our British fresh meat, dairy and fruit and veg is Red Tractor Assured.



Summary – reasons to support Lidl



Recommended for approval by officers with no outstanding statutory objections on technical or design matters. **Positive community support**



Enables the development of new community facilities to serve local housing growth and demand



Offers a 'shovel ready' development plot, to best achieve a new medical facility for the town



Increased affordable shopping choice for residents



A convenient location – reducing demand to travel out of town for shopping



Job creation – up to 40 new local jobs. Lidl recruits locally and most store employees live within close distance of the site



Lidl's most sustainable design – including solar panels, heat recovery systems in the store, and EV charging points in the car park

3D visual of the proposed nursery



Aerial view of the proposed development



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The Design Quarter
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Planning and Regulatory Committee

Planning Department
Herefordshire Council
Plough Lane
Hereford
HR4 0LE

By email to **Planning and Regulatory Committee**

31 August 2025

Re: Planning Application for a Discount Foodstore, Land South of Leadon Way, Ledbury (Ref. P242783/O)

Dear committee members,

I have submitted an objection in my personal capacity as a business owner, along with a number of my fellow traders, to the planning proposal by Lidl for an out of town development on Land South of Leadon Way, Ledbury. Aware that the application is being taken to the Planning Committee imminently, I wish to make the following points in my capacity of Chair of the Ledbury Traders & Business Association.

1. Under-representation of the current turnover of town centre retailers

The overall estimated turnover of town centre convenience retailers is being under-represented in the figures that have been used to determine retail impact of the Lidl store. £1m turnover for convenience retailers in the town centre is a massive underplay. At our most recent meeting, we calculated at least 12 retailers in this category (not even including the likes of Greggs, Boots, Day Lewis, Blooms (sandwich shop) and other similar outlets.) £1m across the 12 retailers equates to an average monthly turnover of less than £7k which is completely unviable for these businesses. It is so far off, one wonders whether the rest of their figures are similar nonsense? Yet this is the figure used in their determination of impact on the town centre.

2. The masking of retail impact on the town centre by the change in the way the numbers are being handled in the assessments

The impact of this proposed development on town centre traders is being further underplayed by the way in which the retail impact assessment data is being handled. In this application, the Coop supermarket's trading figures are being included within overall town centre figures, because the defined boundary of the town centre has been changed to include the Coop since the Aldi planning application was approved. This completely skews the overall impact percentage, making it appear to be only 4.3%. When the Coop figures are represented separately – as they were in the Aldi application, the true picture as regards impact on the town centre businesses is closer to 8-10%, as was the assessed impact on the town centre of the Aldi store – and this was assessed as representing 'substantial harm' to the town centre which was reflected in the Heads of Terms and S106 developer contributions required of Aldi.

3. The 26% reduction in the forecast Lidl turnover per metre square that has been allowed during the application process

The actual impact of this Lidl development is being further under-represented, because planners have allowed the figures showing the amount of turnover Lidl generate per metre squared of trading store space to be

dropped from £9,293/m² for convenience shopping in the October 2024 retail impact report down to just £6,902/m² in the June update to the Retail Impact report. This is simply not credible when the same trading density figures used for the Aldi store retail impact almost 10 years ago were £9,808/m². The lower trading density figures now being used might relate to average supermarket performance, but they significantly under-represent the much higher trading densities achieved by discount retailers like Lidl and Aldi. By under-representing these trading figures the impact assessment even further under-represents the likely actual turnover of the planned Lidl store and therefore also under-represents the pull of spending away from the town centre. This means that the actual impact on town centre trading is likely to be considerably higher than the 8-10% currently indicated, if the Coop figures are handled separately.

4. The additional impact on town centre footfall which would occur if the GP practice moves to an out-of-town location

Most people supporting the development because of the prospect of the health centre being provided alongside the supermarket, don't realise that this is not going to deliver additional healthcare provision – it is only going to move the existing provision out of town. The removal of healthcare services from the town centre would further hit town centre footfall, over and above the trading impact being assessed in the retail assessments. This would increase yet further the impact on linked trips to town centre shops by people visiting the GP practice at its current location. Again, the effect of this on town centre traders has not been reflected at all in the way the application has been assessed to date.

I respectfully urge you to reject this application and instead support strategies that protect and strengthen Ledbury's town centre and community as outlined in the Ledbury Neighbourhood Development Plan 2021-2031 which states as part of its vision that it will;

“Nurture the Town Centre - Ledbury's role as a prosperous market town with a diverse economy, including a burgeoning tourist industry, will be protected and enhanced, while the heritage of the town will be preserved and celebrated. The town will cherish and nurture its vibrant retail core and grow its reputation for markets and festivals. Traders will be encouraged to provide a wide range of products, in order to enhance the standing of Ledbury as a prime visitor destination.

Ledbury Neighbourhood Development Plan 2021 – 2031: March 2023

Should you wish to support the application, we ask that you use S106 to help provide a more level playing field for the town centre; make it as easy for shoppers to use the High Street as it will be for them to use an out of town supermarket and facilitate 90 minutes free parking in all the town centre car parks. The financial impact of this on the Council's revenue stream could be offset by a contribution made by Lidl as part of their section 106 responsibilities.

Thank you for your time and consideration of our objections.

Yours faithfully,

Lizzie Gissane

cc: Ollie Jones ollie.jones@herefordshire.gov.uk
Cllr Justine Peberdy justine.peberdy@herefordshire.gov.uk
Cllr Stef Simmons stefanie.simmons@herefordshire.gov.uk
Cllr Liz Harvey epjharvey@herefordshire.gov.uk

PLANNING and REGULATORY COMMITTEE

3 September 2025

PUBLIC SPEAKERS

Ref No.	Applicant	Proposal and Site	Application No.	Page No.
6	Bloor Homes Western per Mr George Elston-Bates	Proposed erection of 31 no. key worker dwellings, including access from Clubtail Drive with associated infrastructure and landscaping at LAND OFF CLUBTAIL DRIVE, HOLMER, HEREFORD	243045	145
OBJECTOR		MR HUBBARD (local resident)		
SUPPORTER		MR RAWLINGS (Applicant's agent)		
7	Lidl GB Ltd per Mr Rob Mitchell	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 at LAND SOUTH OF LEADON WAY (A417) AND EAST OF DYMOCK ROAD (B4216), LEDBURY, HEREFORDSHIRE	242783	119
OBJECTOR		MR INGRAM/MS STEPHENSON (The Co-operative Group/local resident)		
SUPPORTER		MR MITCHELL (Applicant's agent)		
8	Mr Davies per Mrs Sharon Edgar	Application for approval of reserved matters following Outline 152041 (Proposed residential development of 10 dwellings (amendment to original application)) for the approval of Appearance, Landscaping and Scale at LAND TO THE NORTH OF ASHPERTON VILLAGE HALL, ASHPERTON, HEREFORDSHIRE	191013	201

PARISH COUNCIL	MR HAMMOND (Ashperton Parish Council)
OBJECTOR	MR GARDINER (local resident)
SUPPORTER	MR DAVIES/MR NEEP (Applicant/Applicant's agent)