

Our ref: SR/AW/06.18

22 June 2018

Mr R Close  
Principal Planning Officer  
Herefordshire Council  
Plough Lane  
Hereford  
HR4 0LE

Dear Roland,

**171532 Land North of the Viaduct, Ledbury**

Further to our meeting on the 21<sup>st</sup> March with Geoff Hughes, Kevin Bishop and Ed Thomas, you asked me to explain why Bloor's were not proposing to bring a road under the Viaduct. I explained my reasons in detail which I think gave you and the other officers present a clearer understanding of our position. As promised the note below sets this out in writing as part of our larger submission of new and updated supporting application materials.

**The Policy**

The Herefordshire Local Plan Core Strategy 2011 – 2031 (adopted 16 October 2015) allocates land north of the Viaduct Ledbury for a sustainable mixed use urban extension to the Town (hereafter referred to as 'the site').

Policy LB2 of the Core Strategy specifically addresses 'the allocation' and identifies a number of requirements which are expected to be delivered, to include inter alia:

*Provision of satisfactory vehicular access arrangements, the details of which will be determined at planning application stage.*

As the applicant it is, therefore, for Bloor Homes to propose vehicular access arrangements for the site as part of the planning application submission and for Herefordshire Council as the decision taker to determine whether the access arrangements are 'satisfactory'.

The Policy does not identify a specific highway access location. Nor is this addressed / proposed elsewhere in the Core Strategy. This reflects the Core Strategy Examiner's decision to omit any requirement in the policy for one selected highway access point to be identified. That said, it is generally accepted that there are two vehicular access options; under the Viaduct via the A438 / Leaden Way roundabout and / or via the B4214 Bromyard Road.

**The Proposed Access off the Bromyard Road**

Bloor Homes propose the creation of a new vehicular access off the B4214 Bromyard Road into the site; allied to a network of new foot and cycle paths which will connect the site to the town and its wider community services and facilities including the Town Trail, Riverside Walk, Town Centre and

Rail Station. This selected highway access and connectivity strategy has been chosen by Bloor Homes following considerable pre-application and post-submission discussion with the highway authority; the highway authority's retained transport consultants, and the applicant's own highway consultants.

Details of this new roundabout access (and the wider foot and cycle path connectivity arrangements) are provided with the outline application and are not reserved for future detailed planning approval (notwithstanding the future S278 technical approval requirement). It is regarded by Bloor Homes as being consistent with the Core Strategy and the NPPF (in particular paragraph 32).

The supporting Transport Assessment, technical drawings and Environmental Impact Assessment of the proposed access arrangements are provided with the outline planning application and are not repeated here. However, as mentioned above it is considered that it may be helpful to set out below why a highway access into the site under the Viaduct has not been taken forward by Bloor Homes.

#### **A Potential Access under the Viaduct**

Bloor Homes have considered the potential to take a new highway access into the site utilising the existing northern 'stub' on the A438 / Leadon Way roundabout and passing under the Viaduct.

Notwithstanding the acceptability of the proposed solution, the reasons for not choosing this option (albeit not material to the determination of the submitted application) are explained below. Before discussing these reasons it is worth pointing out that in financial cost terms alone it would be considerably more affordable for Bloor Homes to provide an access road into the site via the existing roundabout on the Hereford Road. However, the decision is not predicated by the cost saving.

Any access under the Viaduct would require third party land in the ownership and control of Network Rail. It is not suggested that this in itself is a reason for discounting this option, nor that control of this land may not be forthcoming in future to create new highway infrastructure, but it would introduce a specific design and construction methodology for building between the brick pillars supporting an operational rail line; the associated health and safety requirements of Network Rail for construction on or near railway infrastructure; and a considerable timescale to secure the necessary technical approval for the works and their supervision. In my experience of dealing with Network Rail on other projects the risk factor in the time lost of providing a new road under the viaduct would be a minimum of 3 years and most likely longer to facilitate a technical approval. The scrutiny such a scheme would go through would have a major impact on the delivery of one of the Local Authorities Strategic Core Strategy allocations.

The land acquisition cost would also be substantial and in my opinion coupled with what would be a difficult and expensive road solution, would undoubtedly have an affect on the viability of the project.

In this respect it must be remembered that the Grade II listed Viaduct in question supports a single track operational rail line which is elevated approximately 20m from the ground via a number of brick pillars which form 31 arched spans and are approx. 9m wide at base. These pillars are very much 'of their time', being constructed of bricks hand made on site during construction of the Viaduct in 1859 - 60 using clay dug from the foundations.



This presents a major concern for Bloor; namely, the wider, local and strategic implications of any 'strike' or under mining of the Viaduct pillars during construction activity. Notwithstanding Bloor Homes have rigorous Health and Safety procedures in place, as is also expected of our contractors, any accidental pillar strike would be significant and could effectively close the only direct East - West rail line into Hereford from the east.

Needless to say such a risk would not end with the completion and opening of any vehicular carriageway under the Viaduct, it would remain throughout the operational period of the road. The financial and reputational impact of such an event would prevent the local board recommending this for group sign off. Nor would we require our contractors to take this risk and we do not believe it is in the best interests of delivering the objectives of the Core Strategy for the site as a whole. Further, and from my experience in the industry, I would also respectfully suggest that the other major house builders would take a similar view to Bloor. In particular if there were a reasonable, deliverable, alternative access available.

In the foreseeable future it is likely that the Viaduct is almost certainly going to require maintenance and any work to the arches is more than likely going to close any road under the arches for Health & Safety reasons. We cannot be in a position where Network Rail have the ability to close the main access into a site for 600 units which they would legally have the ability to do.

Due consideration has also been given to the impact of any new highway on the setting of the Grade II listed Viaduct. Paragraph 4.5.14 of the Core Strategy states that *"A landmark feature of Ledbury is its railway viaduct which is Grade II listed. Any development of the viaduct site will need to respect the setting and significance of the viaduct, yet regard it as a positive feature to be integrated within, and inform the detailed master planning and design of, any scheme."* It is the opinion of Bloor Homes, as reinforced by the Environmental Impact Assessment, that the introduction of an access road with associated traffic movements; safety barriers, lighting and signage paraphernalia; would have an adverse impact on the setting of the Viaduct; changing the appearance, character, and natural environmental quality of the area.

In all likelihood at least 3 and potentially 4 of the arches would need to be utilised for the highway carriageways, the associated foot and cycle paths and the canal corridor (see below).

It is the intention of Bloor Homes, as identified through the outline planning application submission, to grasp the opportunity presented to integrate the Viaduct into the new development in a sensitive and respectful manner. A key feature of the proposals are to provide greater access to, and permeability and linkages through, the arches of the Viaduct to connect pedestrians and cyclists to the Riverside Walk and the Town Trail, as well as the substantial new area of linear parkland to be created within the site. Bloor would suggest that the attractiveness and relative tranquillity of the environment which will be created by extending the Linear Park and Riverside Walk into the site under the Viaduct would be significantly compromised by any new highway access which would need to route alongside.

Indeed, the adopted Core Strategy has clear objectives to secure a Green Infrastructure Enhancement Zone with accessible public open space to include a new Linear Park, on-site recreational open space and part of a strategic canal route. This is seen as addressing the current

deficiencies in open space in Ledbury (as identified in the Open Space Study and Playing Pitch Strategy), as well as promoting biodiversity.

Bloor has also considered the Herefordshire Green Infrastructure Strategy (February 2010); prepared as part of the Herefordshire Local Development Framework.

Paragraph 5.4.2 'Ledbury Enhancement Zones' cross-references to Figure 5-7 which identifies a number of Enhancement Zones and Strategic Green Infrastructure Corridors in the town. Local Enhancement Zone 1 encompasses Land North of the Viaduct as subject of the Bloor Homes planning application and includes land south of the Viaduct up to and including the access stub on the Hereford Road / Leadon Way roundabout.

Notably, in respect of Land North of the Viaduct, the Strategy identifies a number of Opportunities for enhancing the green infrastructure in this Zone, to include (inter alia):

- *Support the restoration of the canal to develop a continuous linear aquatic habitat, accompanied by pedestrian and non-motorised vehicular access.*
- *Create new paths and access, and improve the existing network of public rights of way between the town and open countryside, particularly from the town trail and riverside park.*
- *Soften the transition from built form to open countryside through the introduction of new linear woodland and hedgerows around any new development.*

**NB** Underlining Bloor emphasis.

The Green Infrastructure Strategy, therefore, clearly did not envisage any motorised vehicular access under the Viaduct forming part of the green infrastructure enhancement zone.

Bloor has made provision in the planning application submission to deliver extensive new and enhanced green infrastructure within the enhancement zone. We do not feel the objectives of the Core Strategy in this respect would be well served by routing a major new vehicular access into the site within the proposed 'green corridor'.

There is also the need to consider the impact of any such highway arrangements on the proposed route of the restored Hereford and Gloucester Canal. This will also need to route under the Viaduct in the area of any highway. As can be seen from the Illustrative Masterplan which accompanies the planning application, Bloor Homes has made provision within the site for an 18m wide corridor of land for the Canal and its associated towpaths. We would respectfully suggest a similar amenity conflict would occur should a site access road with its associated vehicle movements (to include HGVs) be routed alongside a restored Canal.

Finally, as outlined above there is an available, alternative option to provide a new highway access into the site off the Bromyard Road utilising a combination of adopted highway and land in the control of Bloor Homes. Having been subject to detailed technical consideration, it is the opinion of Bloor that the proposed access arrangements off the Bromyard Road (allied to new foot and cycle path connectivity arrangements) are technically robust and deliverable in a timely manner without any known physical or environmental constraints.



For these principal reasons, a highway access into the site under the Viaduct has been discounted by Bloor Homes.

If you have any questions on the above, please do not hesitate to come back to me.

Kind regards.

Yours sincerely

BLOOR HOMES (WESTERN) LTD



STEVE ROBERTS

REGIONAL MANAGING DIRECTOR

