

MEMORANDUM

To : Forward Planning - H26
: ks1@herefordshire.gov.uk

From : Mr Roland Close, Planning Services, Blueschool House - H31

Tel : 01432 261803 My Ref : 160606

Date : 18 March 2016

APPLICATION NO & SITE ADDRESS:	160606 - Land at Galebreaker House, Leadon Way, Ledbury, Herefordshire, HR8 2SS
APPLICATION TYPE:	Planning Permission
DESCRIPTION:	Proposed extension to existing factory building and erection of a limited assortment discount foodstore (Class A1), car parking, landscaping and associated works.
GRID REFERENCE:	OS 370230, 237883
APPLICANT:	Galebreaker Group Limited and ALDI Stores Limited
WEBSITE:	www.herefordshire.gov.uk/searchplanningapplications

The planning application described above has been received by Herefordshire Council. The application plans and supporting documents can be viewed, normally within 24 hours, by entering the application number using the link above.

If you have any comments to make please let me have them by 08/04/2016. If you do not respond by this date it will be assumed that you have no comments to make.

Any comments or queries should be directed to the Case Officer, Mr Roland Close who can be contacted via rclose@herefordshire.gov.uk.

NAME: ...S. Riddle

JOB TITLE: Senior Planning Officer.....

COMPANY:HerefordshireCouncil.....

DATE RETURNED: ...18 April 2016.....

Yours faithfully,

SUPPORT SERVICES OFFICER

Overview and current employment policy

The site at Lower Road, Ledbury was assessed as part of the Employment Land Study (ELS) 2012. This was the supporting evidence for the development of employment policies in the Core Strategy.

The site assessed in the ELS at Lower Road Trading Estate, Ledbury encompassed an entire area of 13.87ha this included developed and undeveloped land. The application site has a total area of 2.04 hectares. A small portion of land to the east within the application site was not assessed as part of the ELS. The plans submitted with the application show that this portion of land will include a pedestrian footpath which connects with existing links and no other apparent use is proposed for the area.

In the ELS, the entire land at Lower Road was assessed using a ranking system based on the employment land market and the types of employment land within Herefordshire. Sites were generally scored in order of qualitative value from 'best, good, moderate and poor'. The site at Lower Road, Ledbury was assessed as 'good' in the ELS. Policy E2 of the Core Strategy seeks to protect the best quality employment land in Herefordshire from being lost to other uses. The protection of such land is reliant on the classifications used in the ELS.

Policy history of the site

The identified land was protected in the Malvern Hills District Local Plan adopted January 1998. This Plan was in place up until 2001. In this Plan it was protected as an 'existing industrial commitment'. This commitment did not materialise.

The Unitary Development Plan (UDP) adopted March 2007 was the development plan that superseded the Malvern Hills Plan. The UDP identified the land as safeguarded employment land and was therefore protected as such. However, no employment land development has come forward in that plan period either.

Therefore the site has been afforded a long time period of protection but no employment land development has come forward on the site. There is currently no extant planning permission on the site and the site where the Aldi supermarket is proposed has remained vacant for a number of years.

Employment proposal

Part of this application is for the extension to an existing factory building which is classed as B1 and falls within the planning B use classes. The extension will deliver additional storage and office space associated with the Galebreaker operation. There would be employment opportunities as set out in the applicant's proposal for 7 full time jobs and 3 part time jobs. As there are employment proposals in line with policy E1 which aids in strengthening an existing business, this part of the proposal would therefore in principle be acceptable on this basis.

Retail on employment land

The other major part of the application proposes an Aldi foodstore with parking which is classified as an A1 retail use. This part of the site is largely undeveloped with only access roads in existence. A retail proposal is considered to be a non-employment planning use. In the Core Strategy, retail uses are generally not considered to be appropriate within an employment site, unless they serve the day to day needs of the site's employees. The proposed Aldi store would clearly serve the wider community of the town and surrounding areas.

In Ledbury a total of seven employment sites within and around the town have been assessed in the ELS. The sites at Lower Road, the Core Strategy sites at Bromyard Road (3 hectares) and Little Marcle Road (12 hectares) form the three main large employment sites for the town. All three sites have capacity for additional employment development. Therefore there is not considered to be a quantitative lack of available employment land in Ledbury as a whole. The Aldi store proposal estimates 40 new full and part time jobs could be created from its development albeit not in B type planning uses. This would be a beneficial effect for the town.

However, consideration needs to be given regarding the loss of this area of the town's employment land supply, particularly as the land is classed as good quality employment land. In this regard, the

views of the Council's Economic Development section would be helpful to ascertain the acceptability of such a loss and the implications for neighbouring employment uses.

Given the site's location amongst other neighbouring employment uses; a Highways assessment regarding user conflicts with HGV vehicles and pedestrians is also necessary.

The Sequential test

It is noted that the applicants have applied the sequential test in the search for a more suitable site close to the town centre. They have looked at the possibility of three sites.

- Land west of Lawnside Road; the applicants have concluded that the site is an unsuitable site to meet the needs of Aldi's store size and design requirements.
- Land at Bye Street car park; the site is not large enough to accommodate the typical Aldi store design and size. the swimming pool has a planned refurbishment due to commence in April 2016 and therefore the opportunity to relocate the pool currently does not exist.
- St. Katherine's car park; again this site was not large enough to accommodate the typical Aldi store design and size. There were concerns for the existing listed building and the impact of a retail store on it.

Overall the applicants have concluded that a search for a site to accommodate the typical Aldi store design and size (0.75ha) have proved fruitless. It is acknowledged that finding a sizeable and suitable site close to the town centre of Ledbury is challenging. Previous Strategic Housing Land Availability Assessments (SHLAAs) carried out in-house have not identified a vacant site of such a size close to the town centre. It is therefore concluded that a satisfactory sequential test has been carried out.

Impact Assessment

The size of the proposed store is greater than the Core Strategy Policy LB1 threshold of 400 metres squared. Therefore a retail impact assessment is required and the applicants have addressed this in their Planning and Retail Statement. The applicants have concluded that the impacts associated with the proposal are low and represent no threat to the vitality and viability of Ledbury town centre. They also state that assessed impacts are not significantly adverse and the proposal is accordingly in compliance with retail guidance in the NPPF.

The Town Centres Studies Update 2012 indicates a need for further convenience shopping floor space in the town up to 2031 and the proposal would provide an element of retail floorspace which would help in meeting such a need. An independent assessment of Turley's Impact Assessment should be sought to determine if the methodology is appropriate and conclusions are satisfactory.

Conclusion

Before a final conclusion can be drawn, an independent assessment of the applicant's Impact Study is necessary. The town is in need of further retail convenience floor space during the plan period. The submitted sequential test sets out why other sites closer to the town centre were not suitable and that position is considered to be acceptable.

The site where the proposed Aldi is to be located has been in two former development plans as protected employment land but to date has not seen any new employment development in over fifteen years. The issue remains as to whether the loss of the employment land is considered to be a sufficient ground for refusal. From a strategic planning perspective, the overall supply is not considered at risk of depletion.