

**From:** Rachel Whiting <[REDACTED]>

**Sent:** 22 February 2024 16:36

**To:** Smart, Chloe <[Chloe.Smart@herefordshire.gov.uk](mailto:Chloe.Smart@herefordshire.gov.uk)>

**Cc:** Rob Stroud <[REDACTED]>; Nicholas Broadbent <[REDACTED]>

**Subject:** RE: 233023 - Land south of Leadon Way, Ledbury

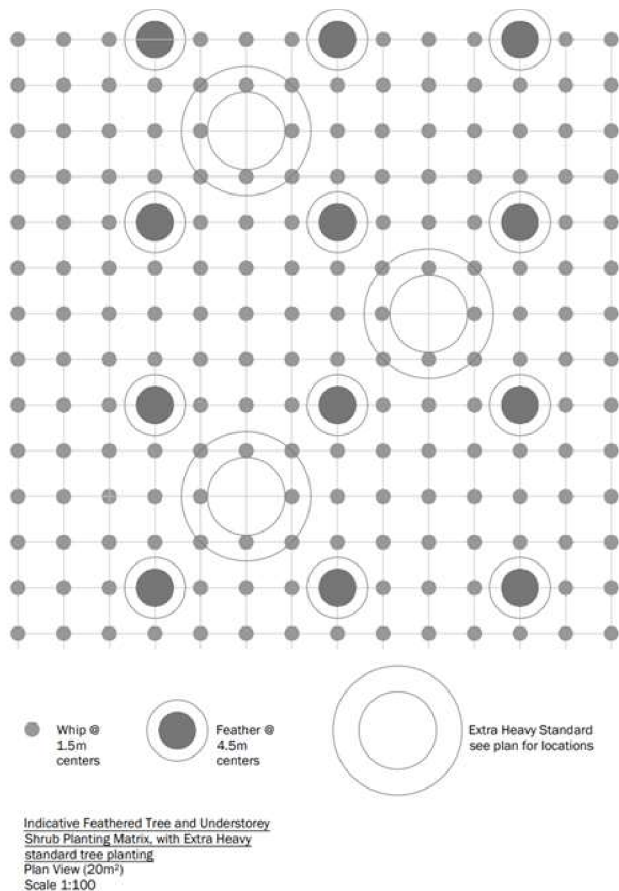
Hi Chloe

Many thanks for your email, please find below our comments in blue on the Landscape Officer and Town Council consultee responses, along with a link below to the updated drawings.

**Landscape Officer Comments dated 02.01.2024**

- In terms of the acceptance of the relocation of the offsite footway/cycle link, this would need to be considered in terms of the public right of way (LR7), pedestrian desire lines from Jubilee Close, and the wider transport strategy.  
[We believe that the PROW officer has now confirmed no objection to the application.](#)
- In terms of landscape harm, the proposed footway/cycle link removes a section of bund (buffer) and impacts existing trees.  
[The proposals also include the addition of a section of infill bund to the north of the roundabout which includes additional tree planting.](#)
- In landscape setting and character terms, the path dissects (in half) an open space with perimeter trees (an enclosed field) in an abrupt manner. In design terms, the straight, direct path appears to be contrary to the curvilinear nature of the roads and footpaths in the local area.  
[Following consultation with various parties on the proposed relocation of the footway/cycleway the proposed design has been undertaken in conjunction with and agreed by Herefordshire Council Highways as part of the Section 278 discussions.](#)
- It is recommended to consider softening or making the path curved, and to plant trees in the field to anchor the path and create a journey through a park setting. Consider planting oak trees and other native species within the field to create a wood meadow.  
[Following consultation with various parties on the proposed relocation of the footway/cycleway the proposed design has been undertaken in conjunction with and agreed by Herefordshire Council Highways as part of the Section 278 discussions.](#)
- In general, the landscape (trees) proposed along the new aligned bund associated with the roundabout appears sparse compared with the existing corridor character. As stated above, there are no trees along the new proposed footway/cycle link, making the space feel exposed.  
[This application includes the addition of a section of infill bund to close the gap created by the current planning consent as a gesture of goodwill to local residents, in addition to this tree planting has also been introduced along the bund. However we have now increased the amount of proposed tree planting to the bund in response to the comments received – please find attached updated landscaping plans. Also to advise that whilst graphically the tree planting may have appeared sparse the proposed specification includes native shrub and feathered tree mix to this area. Feathered trees and shrubs will be planted as whips in a matrix across the entirety of the area and will be interplanted with the larger specimen trees as shown - as the planting](#)

maturing this will help to create a dense native boundary. The screenshot below shows an example of a planting matrix:



## Ledbury Town Council Comments Dated 05.02.2024

### Bund Works

- Why were works commenced to reinstate the bund prior to this application being approved?  
The bund works were undertaken as concurrent activity during the construction of the roundabout to achieve the tight deadline for opening by the end of November within the approved Traffic Permits on Leadon Way before the Christmas embargo. If the bund had not been constructed as a concurrent activity it would have required continuous plant and material delivery access through Shepherds Close and ultimately along Biddulph Way, the least impact on residents was considered in that respect.
- Concerns about the shape and height of the bund being the wrong way around.  
The bund has been installed to be aligned to the new roundabout with a height of 2.5m from the new road level and needs further adjustments to ensure this is continued align the alignment with batters on the bund embankments to be 1 in 2 facing the roundabout and 1 in 3 facing the existing residents to the north. Currently the batters do not reflect that design and will be rectified.

- What reassurance is given that CEMP controls will be in place to safeguard the ecology of the area?

The approved CEMP and Ecological Working Method Statement (Condition 7) have been updated and submitted for approval as part of this application. If approved the planning consent would require adherence to these documents.

### **Cycle/Footpath**

- Concerns were raised in respect of the position of the walkway/cycleway and that no plans had been submitted in respect of this. It was agreed that a recommendation should be made that no further works be undertaken on this until LTC have had the opportunity to see full plans on work as to where this is going, and all conditions relating to it.

As above following consultation with various parties on the proposed relocation of the footway/cycleway the proposed design has been undertaken in conjunction with and agreed by Herefordshire Council Highways as part of the Section 278 discussions. Detailed drawings of the footway/cycleway are included in this application (specifically in reference to condition 15 – Drawing references starting 3309).

### **Current Site Condition (22.01.2024)**

- That clarification be provided in respect of the error made in respect of the Bund being built the wrong way around.  
Please refer to comment above.
- Concerns were raised in respect of the temporary ramps that have been used to mitigate the problem with the three-arm access roundabout for the site, having been formed on Leadon Way being higher than originally anticipated. It was noted that the ramps are severe and have the potential to damage vehicles.

The temporary ramps have been modified to reduce any severe transition unless undertaken at considerable speed at the request of the overseeing HCC Highways Inspector and Highway Delivery Manager.

### **Review of Planning Application Documents**

#### **1. Condition 4 – Travel Plan**

- No provision has been made for buses
- This is not new, LTC have had discussions with other developers (Bloor) about including bus access to developments, who have agreed to revisit this and include provision for buses, where is this coming from Vistry?

There is a large number of social housing on this site and many of these residents do not have access to a car and therefore rely on bus services.

- There is a large number of families with young children who do not have access to a vehicle and are expected to cross busy roads to get into town and to school.
- Ledbury Town Council again reminds planners of its significant concern over yet another housing development potentially being allowed to ignore the requirements to consider the provision of adequate public transport infrastructure in development applications.

- Both the NDP and Local Plan make it clear that developers must show in their applications how they intend to meet the transport provision requirements of Objective TR1 and Policy TR1.2 of the NDP (which supports and complements Herefordshire Council's Local Plan and Local Transport Plan policies) which specifies the need to consider how they will incorporate public transport (ie. bus network) facilities in the development.
- LTC wish to secure assurance that Vistry will be required to ensure this obligation is met before the new planning application changes are approved.

The detailed design of the land south of Leodon Way was approved under Reserved Matters Consent Reference 220855 on 16th February 2023 and is outside the scope of this application. The Section 106 agreement for this development includes Transport Contributions for use towards bus infrastructure improvements. All documents listed under condition 4 (the approved plans) of approved S73 planning consent reference 212243 dated 1st October 2021 have been updated as part of this application to include the proposed footway/cycleway location and infill bund, this is to bring condition 4 in line with the proposals should this application be approved.

## 2. Condition 4.8 – Biodiversity Survey

- Very concerned that there is no clear evidence of how biodiversity is going to be retained or enhanced, particularly in relation to the Brook and the Pond and the installation of bat boxes and reinstatements of hedgerows. This should be included in the CEMP

As above all documents listed under condition 4 (the approved plans) of approved S73 planning consent reference 212243 dated 1st October 2021 have been updated to include the proposed footway/cycleway location and infill bund, this is to bring condition 4 in line with the proposals should this application be approved. Protection and enhancement of ecological features are set out in the submitted EMWS and Biodiversity Enhancement Plan.

## 3. Condition 10 – Landscape Management Plan

- Appalled that the LMP documents are not out of date. CEMP is relevant here again in relation to the footpath.
- Seek confirmation that Vistry have acquired the land as stated in bullet point 4.
- Seek clarification on how this meadow is going to be managed, and what their future plans are for it.
- On conditions 4.8 and 10 and biodiversity/landscape policies in general, LTC make the following comments:
- Ledbury Town Council has serious concerns over the new proposals to change the location of the footpath link between the development and the town to now be lower down the bypass and into Shepherds Close across the currently pristine, and relatively undisturbed to date, important green space buffer to the north of the bypass, and especially given the news that Vistry has now not only acquired this land, but has already commenced development work in the area before any planning permission whatsoever has been granted and without any assurances on how the NDP and Local Plan policies on biodiversity and green infrastructure are being observed and complied with.
- LTC requests that all work on and in the green space buffer to the north of the bypass and any other work that could affect it, is ceased immediately until the planning requirements to meet, in particular, NDP policies 1.1, 2.1 and 2.2, and Local Plan policies LD1, 2 and 3 have been adequately addressed in the application including opportunity for LTC to then comment on the proposals.

- LTC is concerned about how the ownership of the protected and important green space land by Vistry will now be managed, preserved and enhanced both during development and for the future; to know more about the extent of the land ownership of the buffer area (all or only a part?), and especially how their planning application will demonstrate the preservation and appropriate biodiversity enhancement, including the opportunity LTC considers exist for biodiversity enhancement to be substantial, in line with policy recommendations, will be ensured for the foreseeable future.
- In order to offer informed comment and for the application to eventually be approved, LTC would expect to see a comprehensive CEMP (Construction Environmental Management Plan), a LEMP (Landscape and Ecological Management Plan), an LVIA (Landscape and Visual Impact Assessment) and how the application is in accordance with the principles of the Environment Act 2021 (in that the development should secure an overall net gain for biodiversity) with an Ecology Report on which to base its proposals. A Biodiversity Net Gain (BNG) assessment should be produced in support of the application in line with the government's 'Statutory biodiversity metric tools and guides' publication. These are not exclusive and may be added to as requirements by the council's environmental specialist officers.

Apologies this was an error, please find attached the updated LMP with Appendices updated to reflect the proposals. Vistry Homes have acquired the land to the North of Leadon Way which is allocated as Local Green Space in the Local Plan, as such there are no plans for this area other than the works proposed as part of this application. The intention is for this land to be transferred to a Management Company in the future.

#### 4. Arboricultural Addendum Statement (Dec 23)

- Confirmation that re-profiling of the bund will be undertaken.
- That it be included as a condition that semi mature specimen trees (minimum girth of no less than 10 cm) be planted on north side and top of bund to provide additional height for screening of the roundabout and vehicles.

The bund will be reprofiled in line with the submitted details. As above this application includes the addition of a section of infill bund to close the gap created by the current planning consent as a gesture of goodwill to local residents, in addition to this tree planting has also been introduced along the bund. However we have now increased the amount of proposed tree planting to the bund in response to the comments received – please find attached updated landscaping plans

#### 5. Tree Protection Plan

- Absolute reinstatement of trees that were removed to wholly or partially as part of the pre-commencement works in the meadow and to be inspected by the Tree Officer on completion.

The submitted Arboricultural Addendum Statement reference: edp2828\_r029 confirms the extent of vegetation required in order to implement the proposed footpath/cycleway and infill bund. The submitted landscaping plans (specifically drawing reference: edp2828\_d072i Sheets 5 and 6) indicate the proposed tree planting to the infill bund.

#### 6. Condition 15 – Proposed Roundabout General Arrangement plans

- Plans in respect of the 4<sup>th</sup> arm off the roundabout into the reinstated bund, need to be updated.

The drawings submitted as part of this application in respect of Condition 15 reflect the latest proposed design.

7. Condition 15 – Proposed Surfacing Plans

- Would expect any planning application to comprehensively explain how drainage and surface water management would be affected.

Surface water runoff from the proposed footpath/cycleway link will be discharged directly via a land drainage system in support of nurturing the proposed planting.

**Issues not referenced in the supporting documents and planning drawings**

- How will grazing be managed on the walkway/cycle path.
- If no cattle are to be in this area in the future what is going to be done, as per the comments above, to ensure biodiversity development and significant enhancement?

There's no intention to introduce cattle in the land to the north. As above as this land is allocated as Local Green Space in the Local Plan there are no plans for this area other than the works proposed as part of this application. The intention is for this land to be transferred to a Management Company in the future.

**Lighting**

- What are their plans for lighting the footways through the meadow, in particular to ensure this does not affect biodiversity and ecology?
- How will light nuisance to residents be managed? (plans to ensure minimum light pollution).

No lighting on the section of proposed footpath/cycleway linking to Shepherds Close will be introduced.

Many thanks

Rachel