



Agenda Item  
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cc. By email to admin@ledburytowncouncil.gov.uk

Date: 9 July 2019

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Dear Sirs,

**Outline Planning Application at Land South of Leadon Way, Ledbury – Ref: PP-07907625**

We write to you regarding the land to the south of Leadon Way, Ledbury, controlled by Bovis Homes, previously subject to a planning application for residential development of up to 185 homes, which was submitted in December 2017 (Reference: P174745/O) and subsequently withdrawn in July 2018.

The Town Council may recall meeting with Bovis Homes to discuss the proposals on 8<sup>th</sup> February 2018, which was followed by a further public meeting held at the Market House on 20<sup>th</sup> February 2018. Since then, we have continued to engage with the Neighbourhood Plan, which we note was made in October 2018, and have continued discussions with Herefordshire Council during this time.

We believe that the site represents a sustainable and deliverable opportunity for new homes to meet Ledbury's, and the wider county's housing needs and affordable housing requirements, particularly as Herefordshire Council is unable to demonstrate an up to date five-year housing land supply.

Following the withdrawal of the application we have therefore reflected on how the proposals could be amended to respond to the comments made to the previous application by Herefordshire Council and Ledbury Town Council. We have now submitted a revised planning application that aligns with pre-application advice and the previous Officers Report, dated 14<sup>th</sup> June 2018, which was endorsed by Members.

The new planning application seeks outline planning permission for residential development with all matters reserved except for access. The proposed description of development is as follows:

*"Outline planning permission with all matters reserved (save access) for the erection of up to 140 residential dwellings (use class C3) with associated parking, access roads, public open space, landscaping, sustainable urban drainage, and associated works".*

The application includes the following changes:

- **Reduced overall scale of the proposals** – The proposal is for up to 140 residential dwellings, 45 dwellings less than that proposed under App Ref. P174745/O. However, the proposed scheme is still fully compliant with Herefordshire's affordable housing policy providing 40% affordable homes in a range of types and sizes.
- **A smaller proposed area of built development** - with removal of residential development from the east beyond the existing established hedgerow, and from the south of the site between the two woodland plantations, in line with officer's pre-application advice to restrict development to the acceptable 'blue' area of land;
- **Enhanced public open space and landscaping provision** - including additional informal green space and woodland planting to the south of the site, retention and enhancement of existing trees and hedgerows, additional green infrastructure provision, the creation of improved wildlife habitats, and new play and recreation areas, which will be accessible to all residents of Ledbury. This will provide both ecological and landscape benefits.
- **Proposal for a cycle and pedestrian link across land to the north of Leadon Way** – a new dedicated pedestrian and cycle link between the new homes and Jubilee Close, via a controlled toucan crossing across Leadon Way, is proposed, to provide a more direct and safe connection to the school and town centre facilities. The application red line area provides the flexibility for Bovis to connect this link either directly to Jubilee Close, subject to the Town Council's agreement to cross land in their ownership, or to connect to the existing Public Right of Way, over land in the control of Bovis Homes.
- **Enhanced pedestrian and cycle connectivity to the key facilities of Ledbury** - including a segregated new route along the north of Leadon Way connecting to the existing improvements planned at St. Martins Way, in addition to the link to the north of Leadon Way outlined above.
- **Highway improvements** - including a reduced extent of development to alleviate highway impacts, the addition of traffic calming features on Leadon Way to reduce speeds, and the removal of the previously proposed highway intervention and associated physical works along The Southend (cycle route, narrowing and one-way system), which the Town Council objected to.

We enclose a copy of the new site location plan and illustrative masterplan.

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We consider that these changes address previous feedback from stakeholders and will deliver significant benefits for the residents of Ledbury. Indeed, these proposals meet the pre-application advice we have received from Herefordshire Council.

We have submitted an outline planning application to Herefordshire Council for these proposals and the Council will now undertake public consultation on the application, which will be available for comment on the Council's website ([www.herefordshire.gov.uk](http://www.herefordshire.gov.uk)), once it has been registered. The Planning Portal reference is **PP-07907625**.

We welcome your comments on the application, and would also welcome the opportunity to meet with Ledbury Town Council to discuss in further details these proposals and the opportunity to deliver a pedestrian and cycling link across land at Jubilee Close in the Town Council's ownership, for the wider benefit of Ledbury residents. To this end, we would appreciate it if you could advise when would be a convenient time for us to meet.

We look forward to hearing from you.

Yours sincerely,



**Lucy Atkins**  
Strategic Planning Manager  
Strategic Land Team, Bovis Homes Ltd

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<b>ECONOMIC DEVELOPMENT &amp; PLANNING COMMITTEE</b>	<b>12 SEPTEMBER 2019</b>	<b>AGENDA ITEM: 8(a)</b>
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**Report Prepared by Angie Price – Town Clerk**

**LAND SOUTH OF LEADON WAY – BOVIS HOMES APPLICATION**

**Purpose of Report**

The purpose of this report is to provide Members of the Economic Development & Planning Committee with details of comments received from a resident of Ledbury in respect of the Bovis Homes application to build 140 houses off Leadon Way, Ledbury.

**Detailed Information**

The Clerk has been provided with copies of letters that a local resident has sent to Herefordshire Council Planning Department in objection to the Bovis Homes application to build 140 houses off Leadon Way, Ledbury.

The resident states that the Core Strategy 2011-2031 stipulates 800 new homes for Ledbury and that he considers that amount has been spectacularly surpassed by other planned new housing estates for around the town. He believes that there is a ruling that any houses over that 800 must be built on “Brownfield” sites and thus is objecting to the proposed housing at Leadon Way due to them “being built on excellent, fertile, old red sandstone agricultural land, fearing that its prime use will be lost forever.”

He also provided information on a planning survey of Herefordshire (although from the documents provided it is not clear when this was undertaken), which shows the land on which the houses are proposed to be built as Category 1 Agricultural Land (i.e. high grade farm land).

His further objections are that infrastructure such as schools, medical facilities, car parks and road ways, both in the town and the surround areas are not sufficient for further housing of this scale.

**Recommendation**

Members are requested to give consideration to the objections raised by a local resident when considering the application from Bovis Homes for the development of 140 houses off Leadon Way, Ledbury.

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## Ledbury Town Council – Developments response task and finish group

The first meeting of the Task and Finish group took place on 21<sup>st</sup> August 2019 at the council offices.

Attending were....

Cllr Phillip Howells, Mr Paul Kinnaird and Cllr John Bannister

The meeting was held in response to an agreed resolution by the Economic, development and planning committee to set up a task group to urgently come up with a more structured approach to how Ledbury Town Council responds to the increasing number of major residential developments being submitted for planning approval around the town.

The current applications requiring a formal response are:

- Bovis on Leadon Way requiring a response by 22/8 initially but now with an extension
- Bloor (Viaduct site) subject to the recent parish poll and our own current independent traffic consultant assessment response for planning decision by 8<sup>th</sup> October
- Gladmans Little Marcle Road – no response timescale at present
- Gladman's Dymock Road – the immediate focus of attention with an appeal to heard by an inspector 8<sup>th</sup> – 11<sup>th</sup> October

The following actions were agreed

1. A meeting should be sought with HCC Planning to discuss the major development proposals in the pipeline and the upcoming Gladman Appeal which will begin on 8<sup>th</sup> October in Hereford. Cllr Howells agreed to liaise with fellow Ledbury Ward Councillors to take this forward with HCC once we had confirmation from the Town Clerk that the terms of reference for the Task and Finish Group would allow this without bringing it back to the ED&P committee.
2. It was agreed that the planning appeal for the Dymock Road site will need a good level of support from the public in terms of attendance at the appeal hearing itself. Paul Kinnaird will coordinate with people and groups to consult and attend the Appeal hearing.
3. As there was some doubt if Ledbury could expect effective defence of the LNDP in the hearing it was decided that Cllr Bannister would investigate the possibility of gaining "Rule 6" status for LTC in the appeal.
4. It was agreed that the group should develop an appeal document working with Cllr Vesma and other members of the group, to include a constructive approach to how developers could work with the Council. Cllr Howells agreed to draft an outline.

## Post Meeting Note

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Project:	Land South of Leadon Way, Ledbury		
Venue:	Ledbury Town Council, Church Street, Ledbury, Herefordshire	Date:	12 September 2019
Present:	Cllr D Vesma – Deputy Mayor  Cllr J Bannister  Cllr E Harvey  Cllr D Knight  Cllr N Morris  Fiona Milden, Bovis Homes Ltd  Fiona Lee-McQueen, Turley		

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**As agreed at the Town Council meeting on 12 September 2019, this note has been prepared on behalf of Bovis Homes to provide some additional points of clarification in respect to the current application following questions by Councillors about the scheme.**

### Cycle Forum

A member of the Cycle Forum spoke ahead of the Bovis presentation and confirmed their objection to the proposals due to the fact they consider that the site is not well connected to Ledbury; the proposals would 'double journey times' and expect cyclists to go through 'tricky bends'.

It is re-emphasised that the proposed footpath and cycle link provide betterment to the current situation and whilst connecting to the routes provided by the Barratt Homes scheme, the footpath and cycleway to the north of Leadon Way provides an opportunity to connect the south of Ledbury to the North of Ledbury.

Separately, Bovis Homes is aware that disappointment has been expressed that a bridge is not being provided across Leadon Way. A staggered toucan crossing has been proposed which is commensurate with the scale of development proposed through the application and consistent with the nature of crossings elsewhere across Leadon Way (i.e. all are at grade). The provision of a bridge is not considered to be required for reasons of safety, nor is it considered viable to serve a development of this size.

### Healthcare

Questions were raised about the capacity of local healthcare infrastructure. It was recognised that St Katherine's Surgery has commented on the planning application and has advised Herefordshire Council that it will be unable to support the Bovis scheme or any other local planning applications until it receives assurances about the provision of a suitable facility to support healthcare provision in Ledbury.

NHS Herefordshire Clinical Commissioning Group (CCG), in its capacity as the primary healthcare

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commissioner, has provided its response to the Bovis Homes application to Herefordshire Council. They identified that the development will give rise to a need for additional primary healthcare provision to mitigate impacts arising from the development. Their proposed method of mitigation is in the form of a financial contribution of £52,992.00 for the provision of capacity to adsorb the patient growth generated by this proposal. On the basis that the contribution request is considered through the application process, and can be secured via a Section 106 agreement, NHS Herefordshire CCG do not raise an objection to the proposals.

The Wye Valley NHS Trust has also provided their consultation response to the application proposals in respect of acute and planned healthcare. The Trust has requested a financial contribution of £93,330.28 to contribute towards A&E and planned care needs generated by the development proposals. Again, this figure can be secured via Section 106 agreement.

Bovis Homes supports the delivery of infrastructure to mitigate the impact of new development and has no objection to these infrastructure payments being secured by S106 agreement.

### **Playing Fields**

At the Town Council meeting, a question was raised about the provision of on-site green infrastructure and open space. The illustrative proposals include c.38% of the site area providing open space, including a Local Equipped Area of Play (LEAP), the details and location of which would be determined at the Reserved Matters stage in conjunction with the detailed design of the site layout.

Herefordshire Council's Open Spaces Planning Officer provided a response to the application, dated 13 August 2019, which sets out that an off-site contribution for other open space typologies will be sought in accordance with the Council's adopted policies. During the determination period of the application, Bovis Homes will continue discussions with the Open Spaces Planning Officer regarding the exact contribution and off-site location for such provision. Again, any off-site contribution can be secured via Section 106 Agreement.

### **Bus Routes**

At the Town Council meeting a question was raised about bus provision to the site. Bovis Homes have proposed an indicative site layout that would not prejudice the ability of bus operators to serve the site should this be a commercially viable proposition for the operators. The layout of the internal roads is a detailed layout matter which would be considered at the reserved matters stage, should outline consent be secured.

However, Bovis Homes understand that local operators were not minded to divert routes into the adjacent Barratt Homes site. Bovis Homes are willing to instruct their transport consultants to open discussions with Bus providers to determine whether they would consider serving the site directly, or incorporate a new stop along Leadon Way, to serve the development and wider area.

It is noted that the closest bus stop is the Orchard Place bus stop on Biddulph Way, which is located approximately 130m north of the site. With the improvements proposed to footpath and cycle access to the north of Leadon Way, is it considered that the current proposals provide suitable access to existing bus services. The Highway Authority's response to the application is awaited but we do not anticipate any objection based on public transport connectivity.



**Environmental Health**

At the Town Council meeting a question was raised about potential noise from Leadon Way. Following a review of the Noise Assessment submitted with the application, Herefordshire Council’s Environmental Health Officer has no objection in principle to the proposal on noise grounds and has requested that an Acoustic Design Statement be submitted at the reserved matters stage to demonstrate how any noise constraints from the bypass can be mitigated by the detailed design and layout of the site. Bovis Homes is content for the submission of an Acoustic Design Statement to be a condition of any outline planning permission, and is committed to achieving desirable noise standards for the benefit of future occupiers.

**Affordable Housing and Housing Standards**

At the Town Council meeting a question was raised about the quantum and location of affordable housing that would be accommodated on site. Bovis Homes confirmed that a policy compliant level of affordable housing (40%) would be provided, and that this would be distributed across the site in accordance with any local policy requirements.

Herefordshire Council’s Housing Development Officer has supported the application in principle. Bovis Homes will work with the Council to ensure that an appropriate range and mix of housing is provided in order to support the delivery of an inclusive and balanced development. The Council has identified a requirement for both open market and affordable bungalows and requested that these units be wheelchair accessible (i.e. complying with part M4(2) of the Building Regulations). Affordable housing provision will be secured through a Section 106 Agreement, with emphasis on a local connection to Herefordshire.

During 2018 Bovis Homes launched a new collection of homes, replacing our previous house type. A key design consideration was the ability for properties to be a customer’s ‘forever home’: with the majority of properties designed to meet or exceed National Space Standards and M4(2), creating adaptable spaces that can accommodate a changing lifestyle and evolve to the circumstances of an individual or family. These properties have enhanced accessibility and manoeuvrability inside and outside of the home. The changes are often subtle – for instance doorways being slightly larger or the space around toilets slightly wider – little changes that make the home very adaptable and allow for manoeuvrability of wheelchairs or pushchairs. Herefordshire Council does not currently require the delivery of all homes to be to this standard, but Bovis Homes is committed to delivering a higher standard as part of our commitment to fostering inclusive and balanced communities.

**Other matters**

Bovis Homes is willing to accept a condition which limits storey heights to a maximum of two storeys, to ensure that the scale of development is appropriate to this site.

Bovis Homes is aware that the Town Council has raised concerns about the impact of traffic in the local area. The Transport Assessment submitted with the planning application considered the flows associated with committed schemes in the area (Barratt Site and Full Pitcher), as well as projected flows from the proposed Urban Extension (Viaduct Site). Furthermore, a separate sensitivity scenario was been tested whereby the flows associated with the Gladman ‘land off Dymock Road’ application were added to the growthed baseline flows to give a ‘worst case’ scenario traffic impact assessment. Whilst the Highway Authority’s consultation response is outstanding, Bovis Homes is confident that our assessment methodology is robust, that the proposals comply with policy and that all junctions tested will continue to operate within capacity.

Bovis Homes recognises that as a leading national home builder they must seek to minimise their impact

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on the environment. They aim to operate efficiently, reducing waste and minimising the energy and natural resources that they use. A new home is on average four times more energy efficient on average than an older one and Bovis Homes use a 'fabric first' approach to design and construction of new homes: ensuring that the heating of space, which has the greatest impact on a home's energy efficiency, is mitigated as far as possible through the physical construction of homes. Bovis Homes is currently collating a short 'Sustainability Statement' that will be submitted to Herefordshire Council for consideration as part of the application's determination, in order to demonstrate their company-wide approach to sustainability as well as more local level considerations in light of Herefordshire's policy requirements.

Bovis Homes is aware of the context against which this application is being considered, i.e. the imminent planning inquiry into the Gladman proposals for up to 420 dwellings at Dymock Road. Bovis Homes maintain that their application site to the south of Leadon Way is a sustainable site that offers a more logical location to accommodate residential development. Bovis Homes would be pleased to continue dialogue with the Town Council during the determination of this application and welcomes any further questions that Councillors may have in respect of the proposals.

**Contact**

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