

Ledbury Neighbourhood Development Plan 2021 – 2031: Plan Revision – Issues and Options Consultation

Representations on behalf of Vistry Homes
Limited in respect of Land south of Leadon
Way, Ledbury

July 2021

Contents

1.	Introduction	1
2.	Issues and Options Report: Responses to Questions	3
3.	Conclusion	9
Appendix 1: Site Location Plan		10
Appendix 2: LNDP Issues and Options Report Figure 6		11
Appendix 3: LNDP Issues and Options Report Figure 7		12
Appendix 4: LNDP Issues and Options Report Figure 8		13

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Client
Vistry Homes Limited – Cotswold Region

Our reference
VISQ3003

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1. Introduction

- 1.1 We write on behalf of Vistry Homes Limited – Cotswolds Region (referred to as ‘Vistry’) who are working with landowners in response to the Ledbury Neighbourhood Development Plan (LNDP) Issues and Options consultation (May 2021) in relation to land south of Leadon Way, Ledbury (the ‘Site’). A site location plan is attached at **Appendix 1**.
- 1.2 These representation considers the LNDP Issues and Options consultation documentation and our responses to the questions can be found at Section 2 of these representations.

The Site

- 1.3 Vistry were granted outline planning permission at Land South of Leadon Way in Ledbury under delegated powers on the 21 August 2020 (reference P192482/O), for:
- ‘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’.*
- 1.4 A Section 73 (S73) application to vary conditions 4, 15, 19, and 24 of the outline planning permission was submitted by Vistry to Herefordshire Council in June 2021 and is pending consideration. Vistry have briefed the Town Council in respect of the changes proposed: with conditions proposed to be varied to accommodate a revised roundabout location, following discussions with the Highways Authority in relation to the Section 278 (S278) technical approval works. A reserved matters (RM) application is being prepared by Vistry, and will be submitted to Herefordshire Council in summer 2021.
- 1.5 Vistry is committed to continue working closely with Herefordshire Council, Ledbury Town Council and other key stakeholders to deliver a high quality development in this sustainable location. In addition to providing much needed market and affordable housing, the development will deliver benefits including new open space and formal play space to the south of Ledbury, the provision of footpath and cycle access to connect the Site with the wider town and its key facilities: supporting the aims of the made Neighbourhood Plan.

Vistry

- 1.6 Vistry welcome this opportunity to review the emerging LNDP revisions, and look forward to maintaining a positive dialogue with Ledbury Town Council in relation to the LNDP and the delivery of land south of Leadon Way.
- 1.7 Vistry Homes (formerly Bovis Homes) is one of the leading housebuilders across the United Kingdom, and have a nationally recognised reputation for delivering high quality residential developments. Vistry Homes create communities that are successful places to live and properties that residents can be proud of.

- 1.8 The strategic division at Vistry Homes has a successful track record of promoting sites through the Local Plan preparation process and working in close partnership with Parish Councils, local planning authorities, landowners and the local community to deliver well designed and successful new residential developments.

2. Issues and Options Report: Responses to Questions

- 2.1 The Issues and Options Report recognises that some LNDP policies will need to be reviewed again once the Herefordshire Local Plan review has advanced further. In particular, the Issues and Options Report does not propose any new housing sites, as this will be informed by the Local Plan Review. Vistry support the approach of undertaking another review of the LNDP following the Local Plan Review to ensure that LNDP policies accord with the updated Herefordshire Local Plan and housing/employment sites are included within the LNDP.

Section 1: Defining a Settlement Boundary:

Question 1a: Which of the settlement boundary options do you prefer? And, Question 1b: Do you have any suggestions of other areas to be added within the boundary and why

- 2.2 Section 1 and supporting Topic Paper 5 set out how the Regulation 16 Submission Draft LNDP of the now made LNDP included *Policy BE1.2: Settlement Boundary* and an accompanying map, which showed the location of the development boundary for Ledbury. However, this policy and map were removed by the NDP Examiner due to there being limited local support (50% of respondents) for the location of the settlement boundary.
- 2.3 As set out above, it is recognised that some LNDP policies will need to be reviewed again once the Herefordshire Local Plan review has advanced further. Vistry consider that it is too early to propose a settlement boundary ahead of the Local Plan Review and the strategic issues that will be considered through that process, and therefore support Option A at this stage, which proposes not to define a settlement boundary and instead rely on site allocations in the Local Plan Review.
- 2.4 Ledbury is one of the most sustainable and unconstrained settlements in Herefordshire, and benefits from a vibrant town centre and train station as well as other services and facilities.
- 2.5 The adopted Core Strategy sets out that within the overall vision for Herefordshire, Ledbury is supported in its role as a thriving service centre to its surrounding rural area in the east of the county. This vision is manifested in strategic objectives for Ledbury with the focus on meeting housing needs including affordable housing, reducing the need to travel by private car, facilitating the provision of new jobs to stem out-commuting, improving delivery of and access to services, and realising the value of the local environment as an economic asset through promoting sustainable tourism and high quality housing. To support this vision, development in sustainable locations has been able to come forward – such as land south of Leadon Way.
- 2.6 The LNDP should therefore not define a settlement boundary until the Local Plan Review is undertaken and there is a clearer understanding on how Ledbury will grow over the next plan period. This is particularly relevant given Herefordshire Council's current moratorium on all development in the River Lugg Catchment Area unless it can

be demonstrated that such development is nutrient neutral or would lead to betterment.

Section 2: Employment and Recreation

- 2.7 Vistry have no comments in relation to the specific questions at Section 2 of the Issues and Options report.

Section 3: Land north of the Viaduct and Railway Line

- 2.8 Whilst Vistry have no comments in relation to the specific questions at Section 3 of the Issues and Options report, they support the emerging LNDP ambitions for improved access to the Ledbury Railway Station.

Section 4: Supporting the Town Centre

- 2.9 Whilst Vistry have no comments in relation to the specific questions at Section 4, Vistry agree that measures to support the vitality and viability of Ledbury Town Centre by increasing its attractiveness are to be encouraged and clear objectives upon what these should comprise should be subject to public and business consultation.
- 2.10 It should be reiterated that to maintain the vitality and viability of Ledbury, it is important to provide homes for those working in the town to reduce commuting and ensure a constant customer base – rather than relying upon tourism.

Section 5: Green Infrastructure

Question 5a: Do you agree with the following proposals: That the new and extended corridors and enhancement zones identified in Figure 7 should be added to the existing green infrastructure identified in the Herefordshire Green infrastructure report (Figure 6)? And, that within those areas green infrastructure should be protected, enhanced and extended where possible?

- 2.11 Herefordshire Council's Green Infrastructure Strategy (published February 2010), has informed the proposed approach of the LNDP to the inclusion of green infrastructure policies. However it should be noted that the Green Infrastructure Strategy is not an adopted supplementary planning document (SPD) or guidance (SPG), and was prepared to 'provide evidence for Herefordshire Local Development Framework (LDF) – Core Strategy'. It would be expected that Herefordshire Council's own evidence base will be updated in due course as part of the Local Plan Review process.
- 2.12 The LNDP proposes to replicate the plan of Ledbury Strategic Corridors (LSC) and Enhancement Zones (LEZ) included in at Figure 6 of the Issues and Options report (enclosed at **Appendix 2** of these representations), with the addition of a further LSC and LEZ to the south-east of Ledbury (LSC5 and LEZ3) as shown in Figure 7 of the Issues and Options Report (enclosed at **Appendix 3** of the these representations).
- 2.13 The Green Infrastructure Strategy provides the following definitions for LSC and LEZ:
- Local Strategic Corridors – to provide refined linear infrastructure linking local sites and ensuring connectivity of assets between and within community areas.

- Local Enhancement Zones – identification of areas where the provision of green infrastructure is required to create the most sustainable living and working places.
- 2.14 The purpose of LSC and LEZ in the Green Infrastructure Strategy is therefore to identify locations where existing green infrastructure could be retained or improved. The purpose is not to restrict development within these areas and the corridors and zones identified in the original Infrastructure Study do not confer policy restrictions per se. New development, including residential development, can offer opportunities to enhance green infrastructure, for example by planting new trees and enhancing ecology to generate a Biodiversity Net Gain (BNG), or by making areas which were previously in private ownership accessible by way of access to public open space associated with the development.
- 2.1 The first consideration when reviewing Figure 7, is whether the findings of the Herefordshire Green infrastructure report and the Green Infrastructure Strategy for Ledbury, which is shown at Figure 6 of the Issues and Options Report and enclosed at **Appendix 2** of these representations, are still relevant. The Green Infrastructure Report was prepared in February 2010 to support the preparation of the now adopted Core Strategy. Since 2010 there have been significant changes in national planning policy along with changes to the local context of Ledbury – such as recent planning permissions at the viaduct scheme and the sites south of Leadon Way. The planning permissions in LEZ1, LEZ2, and LEZ3 significantly alter the context of these areas, and the findings of the Green Infrastructure Strategy may no longer be relevant in relation to Ledbury.
- 2.2 Furthermore, the description of proposed LSC ‘LSC5’ describes how this new area would look to protect ‘important landscapes’. However, Topic Paper 6 sets out that a Landscape and Visual Baseline Assessment (LVBA) has been commissioned but has not yet been published, and is due to be finalised in July 2021. The LVBA should be finalised and published for consultation in advance of the LNDP determining that specific landscapes in and around Ledbury are of significance, as the evidence in the LVBA may conclude otherwise.
- 2.3 On this basis, Vistry consider that that the overall strategy for green infrastructure should be revisited and finalised once the Landscape and Visual Baseline Assessment and county wide Green Infrastructure Strategy has been updated.
- 2.4 Moving to the updated proposals for ‘Additional Green Infrastructure Corridors and Enhancement Zones’ being presented at Figure 7 of the LNDP Issues and Options Report (enclosed at **Appendix 3** of these representations). It is considered that Figure 7 does not fully demonstrate the purposes of the LSC and LEZ – in that they are not restricting future development within these areas. When Figure 7 is viewed in isolation of the supporting text, it could be perceived that the LSC and LEZ areas are acting as a ‘green wedge’ type policy where no development can take place – this may simply be due to the block of colours being used. To avoid potential confusion and issues arising in the future, it would be beneficial to review Figure 7 to ensure it is fully illustrating its intended purpose.

- 2.5 Topic Paper 4 provides further detail of the Town Council's approach to LSC and LEZ, and recognises that development proposals can contribute to maintaining and/or increasing green infrastructure. A further edition to Figure 7 could be to include the extent of recent planning permissions, such as the viaduct scheme and the sites south of Leadon Way. These sites fall within LEZ1, LEZ2 and LEZ3. Including the approved extensions to Ledbury will assist in providing context and understanding that these policies are not development restricting policies.
- 2.6 In summary and taking all of these factors into account, Vistry consider that the strategy for green infrastructure should be revisited once the LVBA has been updated in relation to the LNDP. It may be that the county wide Green Infrastructure Strategy will be updated to support the Local Plan Review – which can then be used to inform the LNDP.
- 2.7 It is positive to see that the purpose of LSC and LEZ in the Green Infrastructure Strategy is to identify locations where existing green infrastructure could be retained or improved rather than to restrict development within these areas. However, in order for the baseline position to be representative of the evolving context of Ledbury, the strategy should be based on the most up to date assessments and policy positions.
- 2.8 It is considered that the current policy position within the made LNDP policy *BE2.1: Edge of Town Transition*, in combination with the adopted Herefordshire Core Strategy provides sufficient policy in relation to green infrastructure. These policies require new development to protect and/or enhance hedgerows, trees and green spaces. It may be that this position should be carried forward into the emerging LNDP.

Question 5b: Do you agree that all the green and open spaces shown in Figure 8 should generally be afforded protection as contributing to green infrastructure within and surrounding the town? Can you suggest any additional green spaces?

- 2.9 The Issues and Options Report also seeks to protect green and open spaces in Ledbury, as shown in Figure 8 (**Appendix 4**) and further detailed within Topic Papers 3 and 4.
- 2.10 Paragraph 4.4 of Topic Paper 3 sets out that areas of amenity open space are protected through the Core Strategy at policy OS3 'Loss of open space, sports or recreational facilities'. The paragraph then specifies that areas of amenity open space are identified in Topic Paper 4, and that these areas will be identified in the LNDP and protected through policy OS3.
- 2.11 It would be useful to understand how the open spaces within Figure 8 of the Issues and Options Report have been identified.
- 2.12 Policy OS3 is understood to relate to public open space rather than greenfield sites, however land north of Leadon Way is identified within Figure 8. This area of land is within private ownership as agricultural land and is required to deliver key connectivity and infrastructure improvements to facilitate the delivery of land south of Leadon Way, an approach established through the outline planning permission. Placing the 'test' of OS3 on this parcel of land could cause conflict between the emerging LNDP and the approved principles of development at land south of Leadon Way.

- 2.13 It is considered that Figure 8 should be updated to ensure that the areas identified are publicly accessible open spaces to be protected by Core Strategy Policy OS3, rather than privately owned greenfield sites.

Section 6: Design and the Environment

Question 6a: Do you agree that the NDP should include policies covering as wide a range of design matters as possible? And, Question 6b: Do you agree that the NDP should include policies to support sustainable development to mitigate the climate and ecological emergency?

- 2.14 The Issues and Options Report details that Ledbury Town Council is looking to integrate guidance within the Ledbury Town Council Design Guide (published in 2018) into the LNDP. Topic Paper 1 sets out 8 draft design policies to be included in the LNDP relating to:
- General design and appearance for housing
 - Highway requirements
 - Conserving the landscape and scenic beauty of the Parish
 - Sensitive landscapes
 - Protecting and enhancing biodiversity and geodiversity
 - Sustainable design
 - Farming landscape around Ledbury
 - Protecting and enhancing heritage assets
- 2.15 As set out above, it is recognised that some LNDP policies will need to be reviewed again once the Herefordshire Local Plan review has advanced further. Vistry consider that it is too early to set out the detailed design requirements for the matters set out above. These matters are currently dealt with through the Core Strategy and National Planning Policy Framework (NPPF). To avoid placing potentially onerous policy requirements on new developments, it could be more beneficial to wait and align the design requirements with the Local Plan Review.
- 2.16 Moreover, the Government has recently published a National Model Design Code, which is expected to inform Local Design Codes in due course. It is considered that the Town Council may wish to revisit these principles at a point in time and this could see the 2018 guidance superseded.
- 2.17 Should the Town Council look to proceed in including design policies within the LNDP, Vistry request that these policies encourage flexibility and innovative design to reflect the different constraints and opportunities for each development, and the need to provide viable housing developments.
- 2.18 Vistry supports the Neighbourhood Forums' overall goal of tackling climate change. The 2019 Spring Statement included a commitment that by 2025 the Government will

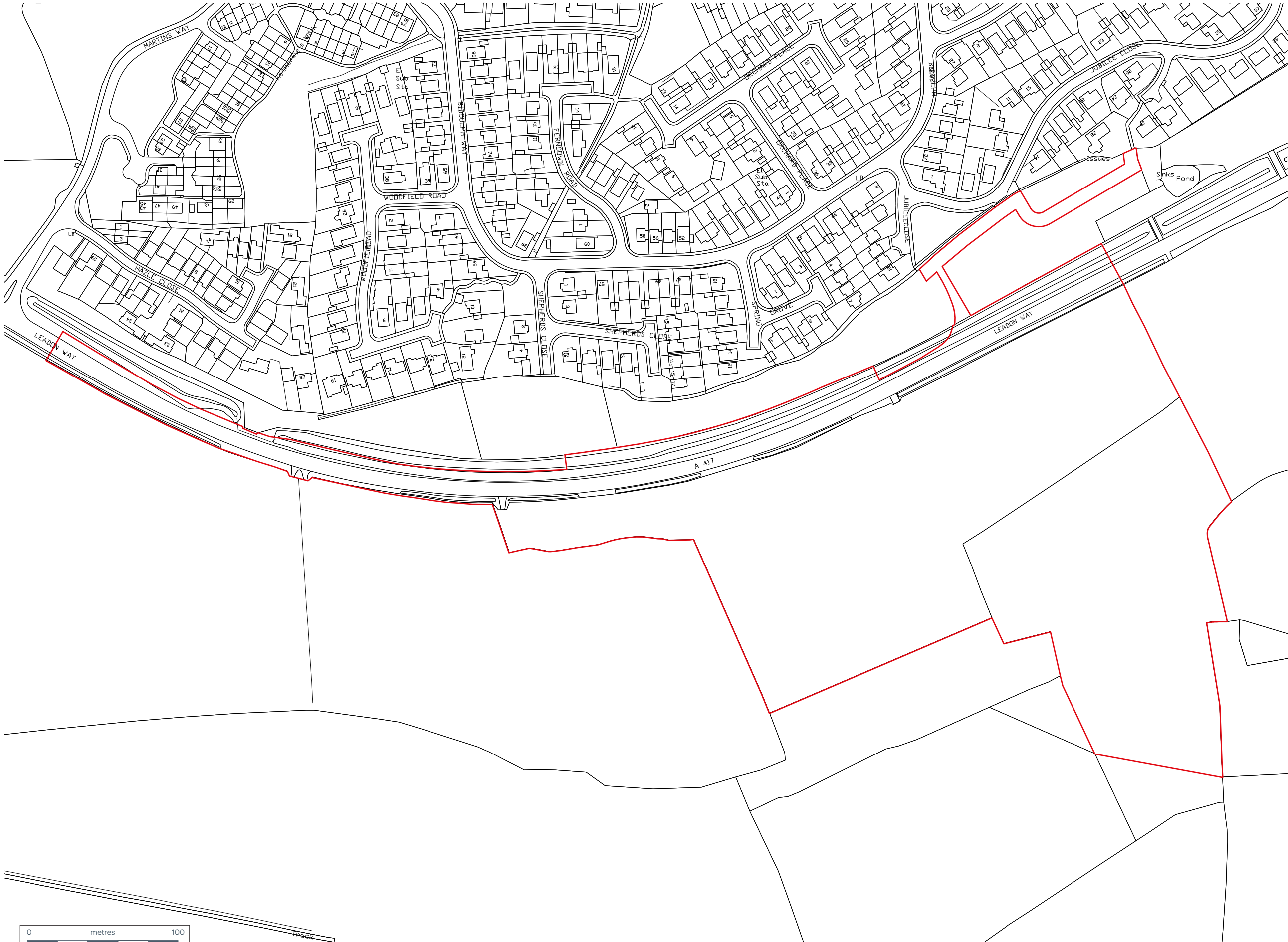
introduce a Future Homes Standard for new build homes to be future-proofed with low carbon heating and 'world-leading levels of energy efficiency'. The Consultation document (October 2019) highlighted that changes to Part L, Part 6 and Part F of the Building Regulations are anticipated to come into force by mid/late 2020. The Future Buildings Standard consultation (January 2021), which relates to non-domestic buildings and existing dwellings, provided an update on the implementation of the changes to Part L, Part 6 and Part F of the Buildings Regulations will now come into force in 2021.

- 2.19 Therefore, Building Regulations will require housebuilders to build more resilient homes to assist the neighbourhood forum in achieving their targets. Any policies that are contained in LNDP should be sufficiently flexible to allow for a continued evolution of these standards and for a variety of low carbon technologies to be used to meet these targets.

3. Conclusion

- 3.1 Vistry welcomes the opportunity to engage with the initial stages of the Ledbury Neighbourhood Plan (2021 – 2031) and would be willing to work closely with the Neighbourhood Plan Forum throughout the next stages of the Plan.
- 3.2 Overall, the approach of reviewing the LNDP is supported by Vistry to ensure that policies remain relevant and their representations have the following overriding themes:
- Ledbury is one of the most sustainable and unconstrained settlements in Herefordshire, and benefits from a town centre and train station. Ledbury is therefore a suitable location for growth.
 - Vistry consider that it is too early to propose a settlement boundary and set out design requirements for developments ahead of the Local Plan Review.
 - It is positive to see that the purpose of LSC and LEZ in the Green Infrastructure Strategy is to identify locations where existing green infrastructure could be retained or improved rather than to restrict development within these areas. However, in order for the baseline position to be representative of the evolving context of Ledbury, the strategy should be based on the most up to date assessments and policy positions.
 - It is considered that the current policy position within the made t LNDP policy *BE2.1: Edge of Town Transition*, in combination with the adopted Herefordshire Core Strategy provides sufficient policy in relation to green infrastructure. These policies require new development to protect and/or enhance hedgerows, trees and green spaces. It may be that this position should be carried forward into the emerging LNDP.
 - It is considered that Figure 8 should be updated to ensure that the areas identified are publicly accessible open spaces to be protected by Core Strategy Policy OS3, rather than privately owned greenfield sites.
 - Any policies that are contained in LNDP relating to design should be sufficiently flexible to allow for a continued evolution of building regulations and national policy changes.
- 3.3 We trust that the information provided within the representations will be considered.

Appendix 1: Site Location Plan



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KEY

Site boundary (9.22 hectares)

CLIENT:
Vistry Homes Ltd

PROJECT:
Land South of Leaddon Way, Ledbury

DRAWING:
Site Location Plan

PROJECT NUMBER:
VISQ3003

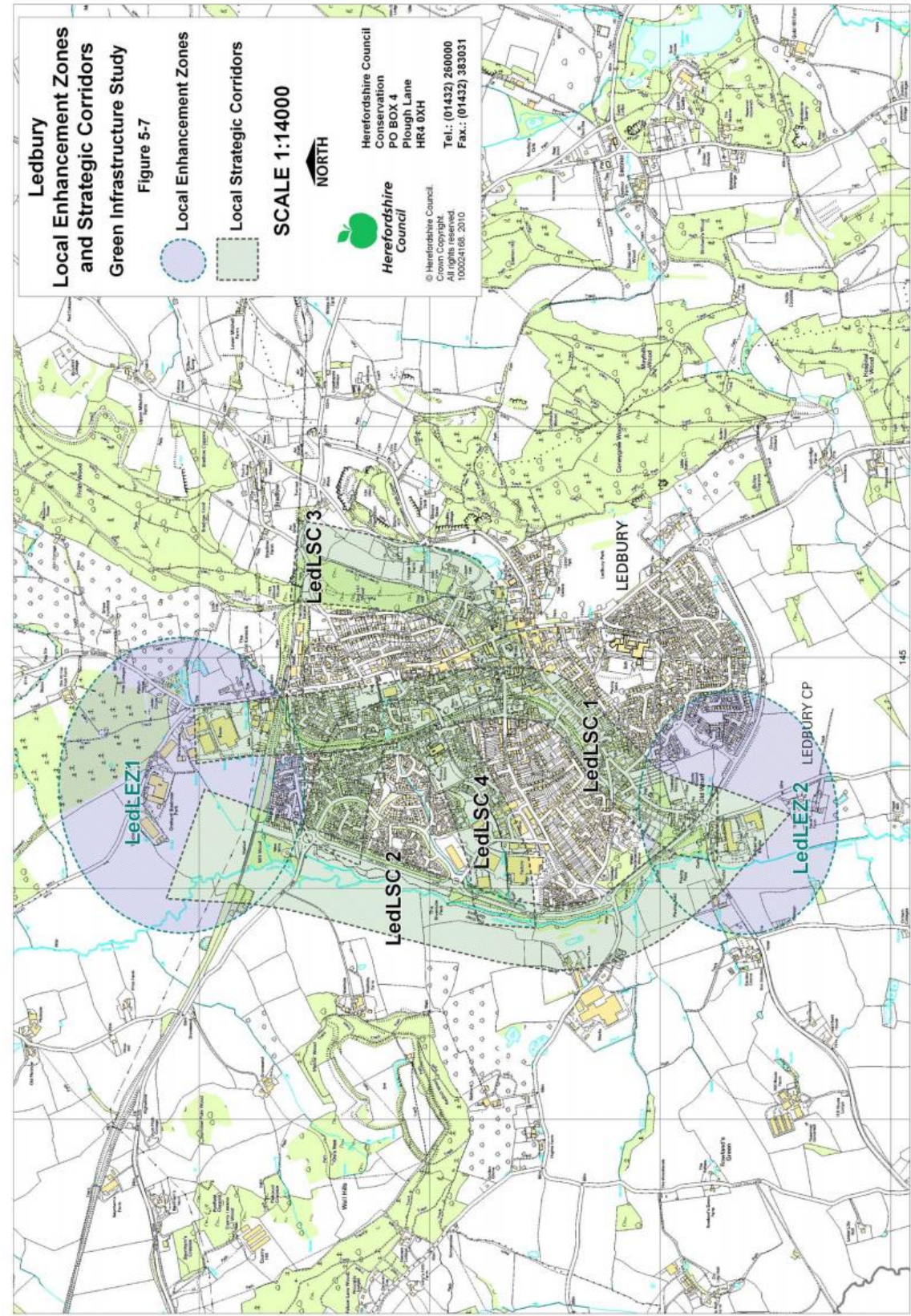
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REVISION: 02 STATUS: Final

DATE: June 2021 SCALE: 1:2500 @ A3

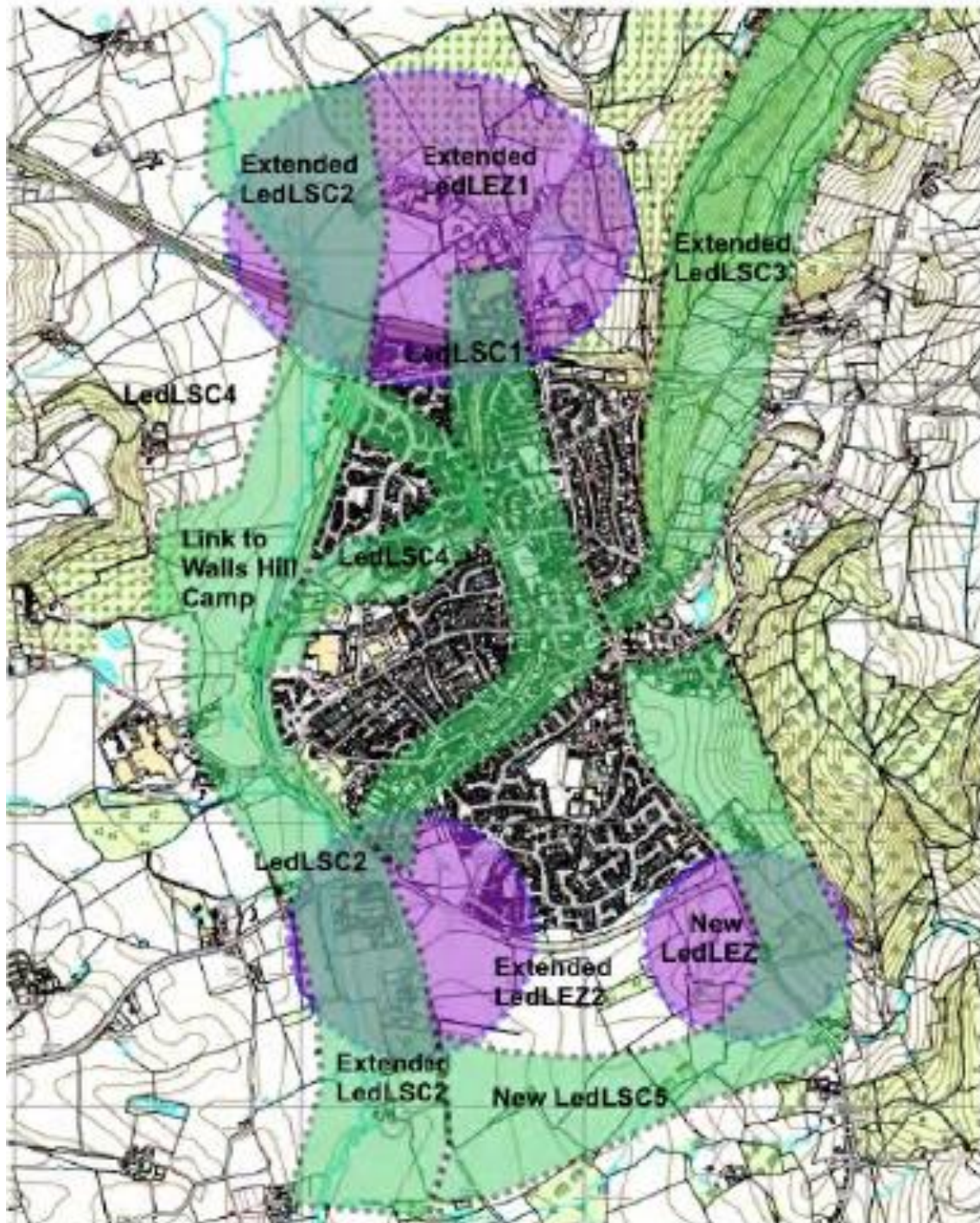
Appendix 2: LNDP Issues and Options Report

Figure 6



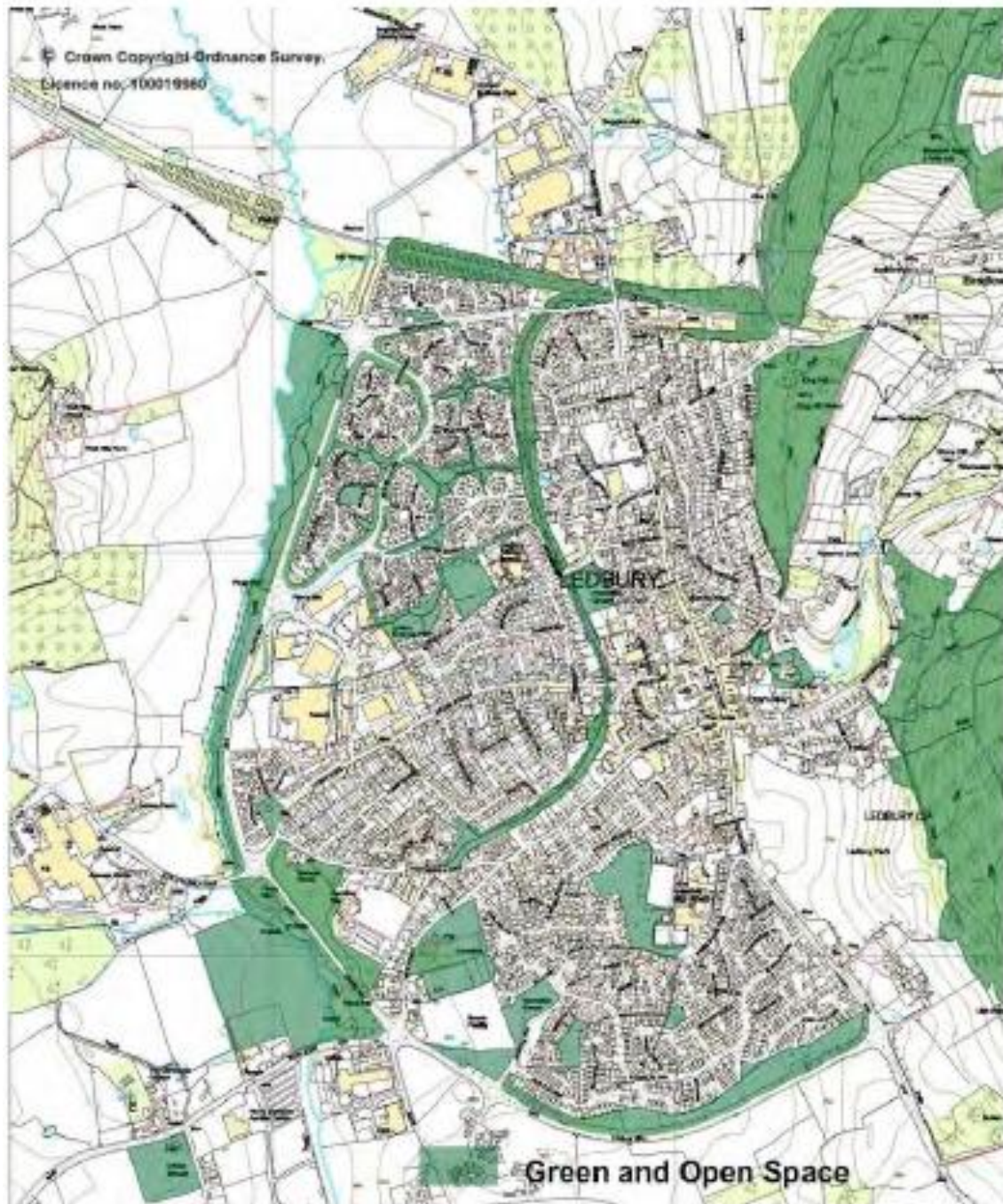
Appendix 3: LNDP Issues and Options Report

Figure 7



Appendix 4: LNDP Issues and Options Report

Figure 8



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