

2211-069/RTBL/02  
07 December 2022

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Angela Price  
Ledbury Town Council  
Church Street  
Ledbury  
Herefordshire  
HR8 1DH

By email only to: [clerk@ledburytowncouncil.gov.uk](mailto:clerk@ledburytowncouncil.gov.uk)

Dear Ms Price

**Heineken UK Ltd.**  
**Ledbury Neighbourhood Development Plan 2021-2031, Submission Draft - July 2022**  
**Regulation 16 Consultation Response**

Thank you for your email on 30 November 2022 attaching your letter of that same date and a document entitled: *Current and Future Sports Provision for inclusion in Ledbury Neighbourhood Plan (April 2016)* in response to my letter of 28 November to your Council. Please also forgive the lateness of my letter and for me not following the correct protocol for its submission. I am grateful to you for forwarding a copy to Herefordshire Council, and I would be similarly grateful if you would do the same with this letter.

I am aware that you met with representatives (Claire Hodder, Martin Keene and Graeme Pollock) of Heineken UK (**Heineken**) on 17 December 2020 and I have been provided with a copy of your Council's record of that meeting. I note that the summary of the discussion notes, *inter alia*, that: "Access across Heineken land is possible to open up the Employment land and the sports ground subject to further details to be agreed". I am not aware that any further consultation events have taken place nor of any further details being provided for discussion or agreement.

I acknowledge the inherent conflict highlighted in the fourth paragraph (at the top of the second page) of your letter. On the one hand, it is assumed that Herefordshire Council would not have identified the land for development "had there been concerns about access arrangements"; on the other, it notes that the "NDP, like the current Local Plan, is not a vehicle for setting out, in detail, highway design arrangements", and that that, typically, "is a matter for a planning application".

It is that very 'conflict' that gives rise to the concerns that Heineken has, as expressed in my previous letter. Noting your observation that it "will have a large measure of control over how its operation is to be protected", I would just like to take this opportunity to reassure you that Heineken recognises its corporate social responsibility and it genuinely wishes to be a constructive participant in this process. It has engaged me to

Page 1 of 3

work with your Council to ensure that it achieves a sound Neighbourhood Development Plan rather than to rely on the acknowledged strength of its position.

Turning now to the substantive elements of your reply:-

1. Chapter 7. Employment & Economy

Heineken supports the suggested masterplan-led approach and welcomes your suggested amendment to the sixth sentence of paragraph 7.9 (on pages 40 and 41) but it requests the following minor amendment to that redrafting:

*"A co-ordinated approach is required to enable the full area to be released and the preparation of a masterplan is suggested which should include a ~~traffic impact~~ transport assessment or alternative to identify appropriate access arrangements, car and other parking requirements, and appropriate highway ~~design~~ mitigation measures."*

2. Policy EE1.1 – New Employment Site – Land South of Little Marcle Road

Heineken welcomes your suggest amendments to Policy EE1.1 criterion a) as drafted. The only query that I have is that it appears to us (Heineken and me) that without a corresponding provision in Policy CL2.2 (Alternative Use of Land South of Little Marcle Road as Playing Fields) it implies that this policy is required to be implemented prior to Policy CL2.2 in order to achieve adequate vehicular access. Is that correct? If not, how is it intended that the new playing will be accessed in the intervening period?

That said and asked, the diagram on the second page of your *Current and Future Sports Provision for inclusion in Ledbury Neighbourhood Plan* document shows two accesses to CL2.2, one from the A449, Ross Road and the other from Little Marcle Road via the Ledbury Cider Mill Access Road. I also note from the record of the meeting on 17 December 2020 that provision for "light vehicle access to the Sports ground" was being sought by your Council together with provision for the inclusion for "Emergency Vehicles". I would appreciate your clarification of what is intended. Clearly, if the vehicular access from Little Marcle Road via the Ledbury Cider Mill Access Road to the playing fields was to be a secondary/ emergency access only then Heineken's concerns would be less than if it were to be the primary access.

3. Policy TR1.2 – Highway Design Requirements

Heineken similarly welcomes your suggest amendments to Policy TR1.2 criterion a) as drafted and to the final sentence subject to the following minor modification:

*"Where appropriate, developers should indicate within their proposals how these have been met, including through the preparation of a ~~traffic impact~~ transport statement or assessment, or other capacity and design study."*

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I look forward to hearing from you.

Yours sincerely

**Rupert Lyons**  
Director

rupert.lyons@tpa.uk.com  
020 7119 1156 | 07778 503552

cc Claire Hodder – Heineken UK Limited (by email only)

late response



# LEDBURY TOWN COUNCIL

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e-mail: [admin@ledburytowncouncil.gov.uk](mailto:admin@ledburytowncouncil.gov.uk) website: [www.ledburytowncouncil.gov.uk](http://www.ledburytowncouncil.gov.uk)

Your Ref:

Our Ref:

AP/NDP/2022

30 November 2022

**Via email**

## **WITHOUT PREJUDICE**

Dear Sir

Thank you for your letter to the Town Council making representations upon the submission draft Neighbourhood Development Plan (NDP). We are grateful that you have indicated general support for the policies subject to a number of more detailed representations. We thought that there had been opportunities to raise your concerns and overcome objections at both the informal and formal consultation stages and could have discussed a way forward at any time, at the formal Regulation 14 stage in particular. I am now writing to address the issues raised in your letter.

In relation to the formal process at this stage, we would advise as follows:

1. Representations at the Regulation 16 stage should have been sent directly to Herefordshire Council. We have therefore forwarded it to that Council's Neighbourhood Planning team.
2. The period for receipt of representations finished on 11<sup>th</sup> November 2023. Herefordshire Council has since issued the Notice of Progression to Examination. It will be for Herefordshire Council to determine whether the late representation can be accepted.
3. Should Herefordshire Council accept the representation, it will be forwarded to the Examiner appointed to report upon the plan.
4. Ledbury Town Council will be given the opportunity to comment upon the representation.

Notwithstanding the above, we are happy to continue to work with Heineken and its consultants in order to deliver benefits for both the community and the company. This is evident through our promotion of and support for the inclusion of investment in this area through the Market Town's Investment Plan, of which the company will be a beneficiary. You will be aware that we met with representatives from UBL/Heineken and Herefordshire Council as early as December 2020 as part of a first round of consultations with the public and relevant stakeholders.

We can provide you with confirmed notes from that meeting should you need them.



Herefordshire Council's Core Strategy (adopted October 2015) has identified the area south of Little Marcle Road to be developed, in particular for employment. It is clear that the area envisaged for this is the land to the south of UBL/Heineken's current operation and including some of its undeveloped land. We are sure that it would not have done so had there been concerns about access arrangements. Furthermore, as early as April 2016 Herefordshire Council drew up a future sports provision document showing even then the proposed new football land. This was shared with UBL/Heineken and other parties during the consultations with an indication, we suggested, of where an access might be located. It has therefore been known, including by the representatives of Herefordshire Council, that access to the proposed new football facility and employment land from the Little March Road between the bypass roundabout and your main access should be separated as represented (although not necessarily exactly as indicated) in the 2016 document (attached). Herefordshire Council has not expressed concerns about the location of development or ability to provide appropriate access to this area during informal discussions upon the NDP or at the formal regulation 14 and 16 stages. Nevertheless, the need to consider access arrangements that are both safe and also meet the concerns of Heineken are acknowledged and for this reason NDP policy EE1.1 indicates that a comprehensive proposal is required, and this will need to consider where an appropriate access point should be. The NDP, like the current Local Plan, is not a vehicle for setting out, in detail, highway design arrangements, but this is a matter for a planning application.

In relation to the actions you suggest in order to ensure the company's interests are not adversely affected, we would advise as follows:

1. The NDP, together with the Core Strategy, form the Development Plan and should be read as one plan. Hence, there is no need to duplicate provisions of general development management policies in each site-specific policy.
2. A number of your recommended actions refer to the need to comply with Herefordshire Council's Design Guide for New Development. This requirement is indicated in NDP policy TR1.2. Hence, we believe the concerns expressed in your actions 4 and 8 are covered by this provision and need not be duplicated elsewhere. That design guide also includes parking standards that need to be met and hence your action 7 is covered by that reference. From discussions with Heineken and Herefordshire Council, we know that there should be no on-street parking and because of this we have specifically referred to the need to make appropriate car parking available for the playing fields in Policy CL2.2. The amount of land required for the playing fields is indicated in NDP policy CL2.2 and has been subject to discussion over many years with Herefordshire Council, so they are aware of the extent of pitches and facilities required.
3. Your recommended actions Nos 1, 2 and 3, and also the reference to yellow lines, refer to the need for a transport or traffic impact assessment and design measures to ensure that there is sufficient capacity to accommodate the various uses. Policy TR1.2 sets out the range of traffic related requirements. It is understood that a traffic impact assessment is one method by which these are identified and planned for. This is why we have indicated in that policy that, where appropriate, developers will need to show how these requirements have

been met. The assessment should take into account all the traffic generated from the uses proposed, including the playing fields, and this should be through a masterplan approach. We would, however, suggest to the Examiner that, in order to address your concern, this be emphasised by addition to policy TR1.2 with the final sentence revised to read:

*'Where appropriate, developers should indicate within their proposals how these requirements have been met, including through the preparation of a traffic impact assessment or other capacity and design study.*

In addition, within paragraph 7.9, the following amendment to the 5<sup>th</sup> sentence might be made to indicate:

*'A co-ordinated approach is required to enable the full area to be released and the preparation of a masterplan is suggested which should include a traffic impact assessment or alternative to identify appropriate access arrangements, car and other parking requirements, and other appropriate highway design measures.*

4. Your recommended actions 5, 9, and 10 refer to the need to protect Heineken's existing operation from the effects of additional traffic. We acknowledge Heineken's concerns about this which have been expressed in the informal discussions with the company during the preparation of the plan. It is recognised that NPPF paragraph 187 highlights the need for new development to be integrated effectively with existing businesses and community facilities and that there should be no unreasonable restrictions placed on existing businesses. Consequently, we would not be averse to the Examiner being asked to amend policy TR1.2 criterion a) to read:

*'Proposals would not cause such an increase in traffic that would have a significant adverse effect on residential amenity and local tranquillity, or place unreasonable restrictions on an existing business.*


In order to emphasise the importance to the protection of Heineken's current operation, the Examiner might also be asked to amend criterion a) of policy EE1.1 to read:

*'An appropriate access point and road to serve the area as a whole, and also adjoining land uses, ~~especially~~ including the land advocated for playing fields, and that will also protect the operation of the current commercial operation from the adverse effects of traffic.*

We are aware also that as landowner, Heineken will have a large measure of control over how its operation is to be protected.

Can we ask whether the above would meet Heineken's requirements? It would be helpful if you could respond by Wednesday, 7 December so that we can advise Herefordshire Council who may then be in a better position to determine how your representations might be dealt with.

Yours faithfully

  
Angela Price PSLCC, MIWFM, AICCM  
CiLCA (England & Wales)  
Town Clerk

cc Cllr Phillip Howells (Town Mayor)

late response



# LEDBURY TOWN COUNCIL

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Your Ref:

Our Ref:

AP/NDP/2022

20 December 2022

Transport Planning Associates  
1 Giltspur Street  
London  
EC1A 9DD

Dear Sir

Thank you for your swift response of 7<sup>th</sup> December 2022. We fully appreciate and recognise the need for Heineken to retain control over the access arrangements to its factory and what is agreed in terms of any new permanent access to serve the strategic employment land requirement and the community's need for playing fields. In this regard, we hope the following helps to address the issues you raise in your most recent letter:

### Transport Impact Assessment

In relation to your suggested changes 1 and 3 in that letter, we can't see that a change to 'transport' as opposed to 'traffic' impact assessment would present a problem. The reason we used 'traffic' was that it appears to have been the term recommended by Highways England in relation to Bridstow NDP which is a parish bordering the market town of Ross-on-Wye.

### Permanent Access to the Proposed Employment Land and Playing Fields

With regard to any new access, we are aware that Herefordshire Local Plan Core Strategy, adopted in October 2015, clearly suggests that land to the south of Little Marcle Road and also the Heineken factory should be used for employment land, and in this regard, access will have been a consideration. This employment land would be separate and in addition to the brownfield site advanced through the Ledbury Market Town Investment Plan and which we understand utilises some of your client's current premises that are no longer required. A previous planning decision indicates access to any development to the west of the Heineken factory onto the Little Marcle Road would not be acceptable to Herefordshire Council Highways. The road is considered too narrow, being used by many heavy goods vehicles, including those accessing Heineken's factory. Hence any permanent access would need to be between the Heineken factory and Ledbury Bypass. This would be the case should it only serve the strategic employment land indicated in this area.

We used Herefordshire Council's advice note on Current and Future Sports Provision for Inclusion in Ledbury NDP (April 2016) in our previous letter to you to indicate that the location suggested in the NDP was highlighted as an option at that date. That



Council, as local planning authority, would have been aware that the general area is also indicated as future employment land in accordance with the Core Strategy. The site option to the south of Ross Road is now a cricket pitch so not available for football.

Following discussion with Heineken, the need for a separate access to that currently serving Heineken was raised with Herefordshire Council at a meeting on 17th September 2021 (note attached) and confirmed with them in an email of the same date. Herefordshire Council officers have not responded negatively to this, which we taken as an indication that, in principle, a further access would be possible.

#### Temporary Access to Playing Fields

We are aware that a representative from Ledbury Swifts Football Club, who also sits on the NDP Working Group, has discussed a temporary access across Heineken's land with the company. We are aware that the potential to explore other options is available although that across your client's land represents the best approach should the playing field proposal advance before the laying out of any permanent access that would include the proposed employment land.

We will forward a copy of this letter together with yours of 7<sup>th</sup> December 2022 to Herefordshire Council so that its officers are aware of our communication.

Yours faithfully

Angela Price PSLCC, MIWFM, AICCM  
CiLCA (England & Wales)  
Town Clerk

late response



# Current and Future Sports Provision for inclusion in Ledbury Neighbourhood Plan

April 2016

Ledbury Area, Ledbury Ward

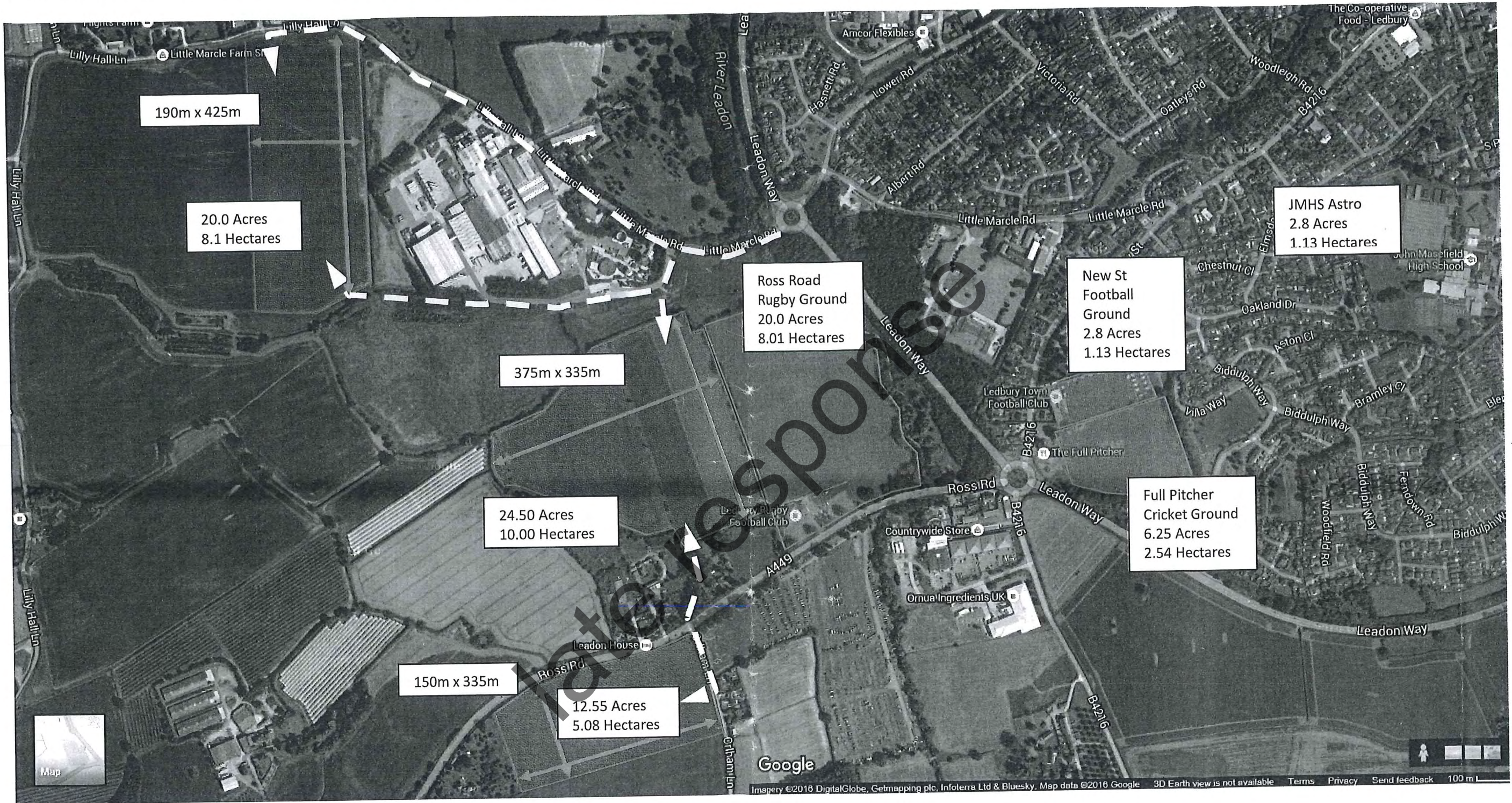
Part 1 of 2 documents (see attached plan)

## Notes

- 1) 'Investment Plan' refers to Ledbury Area Investment Plan- final draft Feb 2016 (Ruth Jackson), further to the Playing Pitch Strategy document
- 2) Sports represented reflect those currently receiving the commitment of relevant National Governing Bodies (NGB) to secure and/or expand facilities. Other sports may receive commitment in the future (no land provision at this point)
- 3) These proposals reflect the understanding that new housing is proposed at the two New Street sports sites (Ledbury Town Football Club and Ledbury Town Cricket Club), requiring relocation of current facilities
- 4) The Total New Area allocations are based on proposed relocation demand and meeting current deficiencies identified in Investment Plan. They do not forecast requirements for future housing expansion in Town..
- 5) Ledbury Cricket Club has secured a portion of the land shown (in red) off Ross Road, but not the full requirement of cricket facilities- see Planning Permission 142517
- 6) The areas of land identified for future sports on **the attached plan** are provisional only, no specific agreements with land owners are implied or referenced.
- 7) These proposals reflect **area** requirements, associated facilities such as floodlights are reflected in Investment Plan
- 8) There is an All Weather Pitch (AWP) 3G facility required between rugby and football- resurfacing of existing JMHS astro a proposal

Sport		CURRENT FACILITIES			CURRENT DEFICIENCIES		RELOCATION DEMAND		FULL FACILITIES REQUIRED		Notes
		Current	Other Sports accommodated	Area	Deficiency identified through Investment Plan (Feb 2016)	Area	Deficiency identified through loss of tenancy and/or current sites used for sports facilities	Area	Full Facility requirements supported by relevant National Governing Bodies	<sup>4</sup> Total New Area required for allocation in the Neighbourhood Plan	
Cricket	Ledbury Cricket Club (LCC)	1x Senior cricket pitch with 8x Senior wickets	11v11 Football Pitch currently used as 9v9 pitch	*6.25 acres (2.54 hectares)	1x Senior cricket pitch with 6x Senior wickets	4.20 acres (1.7 hectares)	<sup>5</sup> As current facility with additional Junior wickets, new 4-change clubhouse, 3-lane net facility and 24-parking spaces to ECB and DDA standards (see Planning Permission 142517)	5.00 acres (2.02 hectares)	2x Senior pitches, one with 8 wicket square and second with 6 wicket square plus 2x junior wickets	9.20 acres (3.72 hectares)	*Current land is not fully suitable and used for sports Use of winter pitches limited to period outside cricket season and preparation, seasons overlap by several weeks LCC prioritising a single site for all facilities
		Small timber club hut- 2 changing			2 x Junior wickets incorporated to Senior pitch				Clubhouse, 3-lane net facility and 48-parking spaces, equipment and maintenance storage		
		Shared car park facility with Full Pitcher pub			Additional 24- parking spaces				Winter sports pitch(es) to outfield-junior		
Football	Ledbury Town Football Club (LTFC)	1x 11v11 pitch	LTFC are tenants on New St facility owned and run by others	*2.8 acres (1.13 hectares)	1x 11v11 pitch	2 acres (0.81 hectares)	As current facilities at New Street site	2.0 acres (0.81 hectares)	2x 11v11 pitches for LTFC	11.0 acres (4.45 hectares)	*Current land is not fully suitable and used for sports <sup>8</sup> AWP 3G pitch proposed as shared use with Rugby Club- land area taken in their figures.
		Clubhouse- 2 changing, Spectator stand, Car park facilities			Additional 2-changing facility and 24=parking				2x 11v11 pitches for LSFC and JMHS		
	Ledbury Swifts Football Club (LSFC)	2x 11v11, 2x 7v7, 1x 5v5 pitches at Rugby Club site. 1x 9v9 pitch on Cricket Club site	Tenants only on two sites. John Masfield High School (JMHS) also use 2x 11v11 pitches at Rugby Club site (hire from LRFC)	6 acres (2.43 hectares)	<sup>8</sup> 1x AWP 3G 11v11 full size pitch (For both LTFC and LSFC)	<sup>8</sup> 1.75 acres (0.71 hectares)	As pitch allocation at LRFC and LCC sites, plus new clubhouse and parking provision (preferably shared with LTFC on new site)	7.0 acres (2.83 hectares)	1x 9v9, 1x 7v7, 1x5v5 for LSFC		LSFC and LTFC prioritising a single football dedicated site to share club facilities
		Small timber club hut- 1 changing							(Combined LTFC and LSFC) Clubhouse- 4-change plus function room, spectator stand for LTFC 1st team pitch, 96-car parking spaces, equipment and maintenance storage		
Rugby	Ledbury Rugby Football Club (LRFC)	5x senior rugby pitches, 3x large training grids, 4x small training grids	LSFC pitches as above, Rifle Club and Fitness Gymnasium, plus other clubs and societies using clubhouse facilities	15.5 acres (6.27 hectares) not including land allocated to football noted above	2x senior pitches including <sup>8</sup> 1x possible all-weather pitch, 2x large training grids, 2x small training grids plus additional car parking demand identified- 64 spaces (0.5 acres)	8.0 acres (3.24 hectares)	None- 4.5 acres (1.83 hectares) gained from ending tenancies and relocating football provision off site	0	7x Senior pitches including <sup>8</sup> 1x possible all-weather pitch, 5x large training grids, 6x small training grids, additional car parking, use existing clubhouse facilities	3.5 acres (1.42 hectares)	Existing site 20 acres (8.01 hectares), 3.5 acres shortfall. <sup>8</sup> AWP 3/4G pitch proposed as shared use with football clubs. Land allocation still required for rugby as turf pitch if funding not immediately achievable, with resurfacing of JMHS astro an option to support evening and winter training for rugby and football







Area	Ward	Project	Details	Site ID	Own.	Prioritisation Criteria								Cost	Deliverability		Comment	Priority		
						Dep Ind	PFS	AGP	FA	RFU	ECB	HA	Multi		Planning	Funding				
<b>Football and Hockey</b>																				
Ledbury Area (Ledbury)	Ledbury	<b>Football and Hockey: Artificial Turf Pitch Provision for both football and hockey.</b> existing facility at John Masefield High School, Community Use sand based Artificial Turf Pitch: Issues of how to cater for both football and hockey and John Masefield School with no obvious solutions to provide a 3G pitch in Ledbury. Potential to improve facility at John Masefield High School Community Use Artificial Turf Pitch (Sand based) and upgrade to 3G Artificial Turf Pitch to allow football to be played. Football turf facility could potentially host much of the football for Ledbury in terms of training and playing provision. <b>Hockey:</b> Ledbury is not seen as a county priority to protect and maintain	senior football 50mm 3G refurbishment using FA costs											£	300,000.00			With limited opportunities to provide a bespoke grass facility to meet all of junior football deficiencies, a better quality facility with a more appropriate surface (upgrade) will provide additional facilities for both senior and junior football plus training given the existing pressures allowing growth in the sport and in doing so help to address deficiencies and service both training and match play needs. This surface can be played more regularly to a higher weekly usage particularly in winter months.	<b>1 (FA) not a priority for Hockey: se Rugby priority below, this could be a better option but more costly</b>	
<b>Football</b>																				
Ledbury Area (Ledbury)	Ledbury	<b>Football</b> Ledbury Swifts: New senior pitch required to mee tU13s junior football needs: identified deficiency and reduce overuse and congestion at existing sites . Provision of dedicated facility for Ledbury Swifts FC; improved capacity at Ledbury Rugby Union football club Land to be identified:	New Natural Turf Pitches to meet junior requirements (SE figures) 1 x senior to be configured as 2 x 7 v 7 or 4 x 5 v 5 + 20 % contingency (Balfor Beatty costs)											\$	90,000.00			Football: Rugby club space has been reduced putting a strain on two winter sports using the facility. This does not make it a long term option.	<b>2 (FA)</b>	
		Maintenance of new pitches	New facilities Natural Turf Pitches @ 15 years (£5000 per annum indexed linked at 3% per pitch)											\$	93,000.00					
			<b>Football: Ledbury Town Football Club</b>	Relocation of Football club															Should owners decided to develop the ground then like for like replacement would be required.	<b>3 (FA)</b>
		Colwall	<b>Football: Colwall Football Playing Fields:</b> used by local clubs: no existng changing and pitch below good standard, however query if there is enough land to accommodate changing facilities	2 team changing accomodation											\$	-				<b>4 (FA)</b>
<b>Cricket</b>																				
	Ledbury	<b>Cricket: Ledbury Town Cricket Club Relocation:</b> 3 year rolling lease on present ground: identified deficiency. Only one ptich with no room to expand, poor quality pavillion and no scope to improve due to short term lease and unceratin future. planning	Cricket Pitch with a 8 pitch square and 2 winter sports pitches: (SE figures)											\$	200,000.00	planning application received and approved: costs to be met by		High priority for the HCB: identified in their Facilities Development Plan	<b>1 (ECB)</b>	



Area	Ward	Project	Details	Site ID	Own.	Prioritisation Criteria								Cost	Deliverability		Comment	Priority
						Dep Ind	RPS	AGP	FA	RFU	ECB	HA	Multi		Planning	Funding		
Ledbury Area (Ledbury)		permission for a new playing facility located across the road from the Rugby facility, Ross Road to accommodate two pitches (squares) and sufficient outfields, accompanied by a new pavilion incorporating 4 x changing rooms and a 3 lane net facility. Facility to be provided as part of planning requirements for developing the existing site for housing. Facility includes a junior football pitch which will bring the benefit of joined up use of facilities, sustainable business, summer/winter sports etc)	3 Bay Cricket Practice Cage: (ECB figures) 4 Team Changing Room and Club Room, Traditional Construction (SE figures)										\$ 50,000.00 £ 575,000.00	to be met by the developer				
Ledbury Area (Ledbury)		<b>Cricket: Ledbury Town Cricket:</b> Ledbury Cricket Club are working towards a 3rd Saturday side and expanding mid-week fixtures. This will require a 2nd full ground with an adequate quality square and outfield	Cricket Pitch with a 8 pitch square and 2 winter sports pitches: (SE figures)										£ 200,000.00			There are a no. of options including  Rent a pitch from the Ross Road facility (Rugby Club) if such a facility is available  Rent a pitch from any new sports development in the environs of the town if such a facility is available: Consolidate relocation package with football relocation (if it happens). Other land options should be explored for a cricket/football facility. This would give the cricket club scope to develop a second cricket ground in the future  Negotiate with landowner of adjacent land and expand on-site – this would require substantial cash investment to purchase land, level it, drain it, lay squares and outfield, expand changing facilities and relies on the owner being willing to sell.		
<b>Rugby</b>																		
Ledbury Area (Ledbury)	Ledbury	<b>Rugby: Ledbury Rugby Union Football Club.</b> Community Asset Transfer complete, but site no longer adequate to provide for both rugby and football. Identified deficiencies. Additional land for pitches required: Farmer has recently withdrawn land previously used for pitches and club are now having to hire other facilities outside of local area (Hartpury College) at a significant cost. The club also require further land for pitches to meet their projected targets in the future. Flooding is also an issue and leads to problems making the pitches last a whole season	Natural Turf Pitch (155 x 80) (SE figures) + 20% contingency		Rugby club								\$ 156,000.00	Not achieved	RFU would consider part funding.		4 (RFU)	

Area	Ward	Project	Details	Site ID	Own.	Prioritisation Criteria								Cost	Deliverability		Comment	Priority
						Dep Ind	PPS	AGP	FA	RFU	ECB	HA	Multi		Planning	Funding		
		Existing floodlights need an up grade:Floodlights are of a poor quality and restricting development. To enable the club to train safely and to increase participation the floodlights will require updating.	Fixed Floodlights		Rugby club									£ 50,000.00	In place.	RFU would consider part funding.		4 (RFU)
		Additional Car Parking: Due to the growth of the club and the loss of an overspill car park, the rugby club require additional car parking spaces. At peak times the car park is unable to cope with the demand for spaces.	Car Parking		Rugby club									£ 15,000.00	TBC	TBC		1 (RFU)
Ledbury Area (Ledbury)		AGP - Due to the loss of pitches throughout the season and the demand for mid-week floodlit training venues there is sufficient demand for any AGP within Ledbury to be considered to be built to World Rugby 22 Specifications. This would save the wear and tear on pitches and provide a year round training venue for the club.	AGP - Ledbury		TBC									£ 650,000.00	TBC	RFU. S106. Sport England. FA plus other partners.	This could be a joint use with football if an appropriate surface can be found. This would be an alternative to the refurb and John Masefield High School which isn't a full size	1 (RFU)

late response



## Ledbury Neighbourhood Development Plan Meeting Note

Meeting held via Zoom on 17<sup>th</sup> September 2021 at 10.30am

Purpose: To discuss matters about the area and delivery of land for employment and playing fields south of Little Marcle Road, Ledbury.

Present: Phillip Howells – PH (Ledbury Town Council and NDP Steering Group Chair)

Nicola Ford – NF (Ledbury Town Council and NDP Steering Group – Meeting facilitator)

Ruth Jackson – RJ (Herefordshire Council)

Rob Ewing – RE (Herefordshire Council)

Carl Brace – CB (Herefordshire Council)

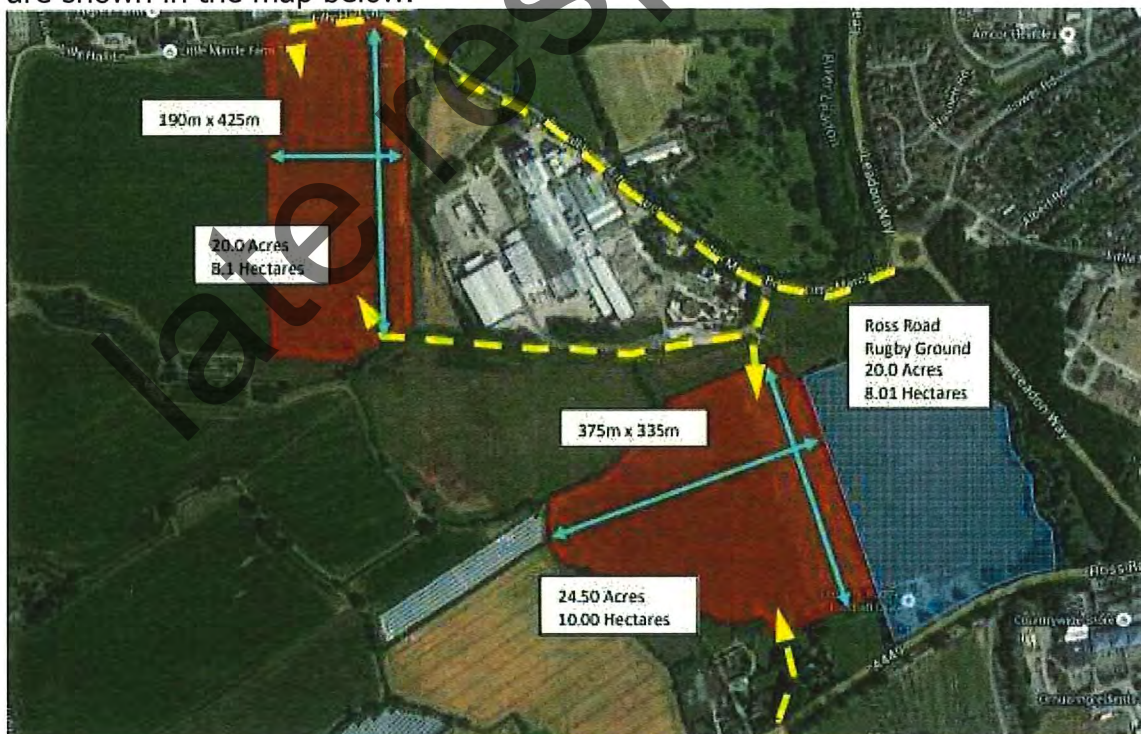
Sam Banks – SB (Herefordshire Council)

Bill Bloxsome – BB (Planning Consultant assisting with the NDP)

Apologies: Kevin Bishop and Kevin Singleton (Both Herefordshire Council)

### 1. Background

Herefordshire Local Plan Core Strategy requires 12 hectares of employment land to be provided to the south of Little Marcle Road. This is also the area being looked at for new playing fields to provide for the needs of football within the town. Work upon the NDP has identified three parcels of land that might be used for the combination of these uses. The areas being considered are shown in the map below.





## 2. Employment Land

2.1 Three landownerships have been identified that might be used for employment:

Land owned by Heineken – amounting to some 7.5 hectares (Not indicated on the map above)

Land to the west of Heineken Factory – amounting to some 8 hectares (Indicated in red above – top left)

Land adjacent to the proposed playing field area – around 5 hectares (the western half of the area indicated in red adjacent to the blue area.

In combination these would provide around 20 hectares of new employment land which, given the additional housing growth beyond what was proposed in the Core Strategy, will help to deliver sustainable and balanced growth.

2.2 Discussions with Heineken's representative as part of the Market Town's Investment Plan indicate that the company is looking to release the area to its south which would fall within the area proposed for development as employment land. It is understood that Heineken is investigating the market. It is understood the company is in discussion how it might do this. It is also rationalising the use of its existing site which will release some of its buildings and these might be available as incubator units although it is expected this would need some form of public financial support. A report on the Market Towns Economic Investment Plan (covering all the market towns) is expected to be presented to Cabinet in October. It is expected that the approach will be based upon one of self-funding, although this may be difficult within the County.

2.3 Issues associated with development of the employment land include:

- Location and provision of access: Heineken had indicated it would like to see a separate access to the developable area rather than utilise that serving its main factory (eastern end). HC's Highway section would need to confirm that a new access between the current one and roundabout junction to the east would be possible.
- The land immediately adjacent to Little Marcle Road currently contains the factory's digester which may affect its use, although discussions about utilising this for access gave no indication it could not be used for this purpose.
- Land to the west of the Heineken factory is higher than that to the east and shown on HC's Urban Fringe Sensitivity Analysis as high/medium sensitivity while that to the south is medium/low sensitivity. Landscape advice is being sought about how to mitigate the effects of development in this location. A green infrastructure corridor along the western edge of the town's extension in this direction is expected to be proposed.

## 3. Playing Fields

3.1 A meeting has been held between the NDP Steering Group, two local football clubs, Herefordshire FA (HFA), Football Foundation (FF) and Herefordshire Council (HC) where actions in relation to funding and defining the area required were agreed. An area of around 5 hectares has tentatively



been suggested on the basis that a 3G senior pitch would be provided. In relation to the latter, the football clubs were to liaise with the HFA and FF to achieve greater clarity on the exact area required. This information is still awaited. It is thought that Sports England may be able to offer expertise to the clubs in drawing up plans and facilities to meet technical specifications.

3.2 It was advised that car parking would be important, and an appropriate level of provision was needed, and this should be taken into account in determining the amount of land required. This could not be relaxed because of the need to avoid parking on Little Marcle Road.

3.3 HC is to clarify what money will be available at what times through S106 towards playing fields. It is also expected that funds will be available once planning permission has been secured to relocate Ledbury Town FC from the landowner who is understood to want to develop the land for housing. However, planning permission can only be secured on the basis of a site being secured for relocation. FF might consider giving the project a high priority within its next funding programme which will cover the 3-years from September 2022, subject to an appropriate application. A phased approach to delivery of all facilities on site was also suggested. It was advised that the Leader of HC had given a commitment to assisting Ledbury Swifts as a consequence of some misunderstandings resulting in the asset transfer of playing fields to Ledbury Rugby Club.

3.4 There was a discussion about land value for the playing field area should it be allocated as playing fields in the NDP. Further advice upon this is needed.

3.5 Access to the playing fields will be needed from Little Marcle Road. Heineken was concerned that this should be separate to its current access for safety reasons although it was suggested that any access would be at times that did not conflict with industrial traffic. Further advice was needed from HC highways on this (linked with paragraph 2.3 above – first bullet point).

#### 4. **Actions:**

1. **CB is to seek advice from his colleagues in the Highways section about access to the proposed employment land and playing fields, to determine whether a separate access was needed and could be achieved if it were. In addition, car parking requirements were to be identified.**
2. **PH to press the two Football Clubs to produce a scaled drawing for pitch layout and to consult the HFA and FF. Should they have difficulty with this they should contact RJ to see if any assistance can be given by HC/Sports England. The layout should include all other facilities and especially car parking.**
3. **RJ to find out whether HC can assist with a valuation of the land for playing fields and if so to liaise with the football clubs when a layout is available.**
4. **PH to contact Paul Kinnaird to see if Paul can ascertain anything further in relation to Heineken's intentions in releasing the land for employment and provision of access.**

5. RJ to ascertain the funding schedule for the Barratt's site and also whether there will be any potential s.106 monies towards the new playing fields and facilities from the Bovis and Viaduct sites.
6. Matters for further consideration include:
  - Whether an interim access to the playing fields might be provided.
  - Whether a 'masterplan' approach might be adopted to show, in particular, how access might be provided.

late response

2211-069/RTBL/02  
28 November 2022

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For the attention of: The Town Clerk

Also sent by email to: [clerk@ledburytowncouncil.gov.uk](mailto:clerk@ledburytowncouncil.gov.uk)

Dear Sirs

**Heineken UK Limited**  
**Ledbury Neighbourhood Development Plan 2021-2031, Submission Draft - July 2022**  
**Regulation 16 Consultation Response**

I am instructed by Claire Hodder, Corporate Estate Manager at Heineken UK (**Heineken**) to submit this 'Holding Objection' arising from its concern about the likely impact of the following policies contained in the *Submission Draft – July 2022* your Town Council's *Ledbury Neighbourhood Development Plan* (the **Submission Draft Plan**):-

1. Policy EE1.1: New Employment Sites – Land South of Little Marcle Road;
2. Policy CL2.2: Alternative Use of Land South of Little Marcle Road as Playing Fields; and
3. Policy TR1.2: Highways Requirements,

on the operation of its cider mill, off Little Marcle Road in Ledbury (its **Ledbury Cider Mill**).

Heineken does not object to the principle of these policies, but it does consider that, if implemented as currently drafted, that there is a high probability of them having a severe adverse impact on its current commercial operations. Consequently, it has engaged my firm to set out below the scope and extent of its objections to the policies as currently drafted together with my suggestions for how those could be overcome.

Both Heineken and I would welcome the opportunity of working with the Town Council to overcome these objections in order that it can support the Submission Draft Plan in its entirety.

Policy EE1.1: New Employment Sites – Land South of Little Marcle Road

While Heineken supports the principle of the allocation of "approximately 20 hectares south of Little Marcle Road shown on the Ledbury Town Policies Map (Map 11)" for employment uses within Use Classes B2, B8 and E(g), without an understanding of the site access arrangements proposed, it is concerned that implementation of this

Submission Draft Policy would result in a severe adverse impact on its existing commercial operation at its Ledbury Cider Mill. Consequently, it **objects to this Submission Draft Policy as drafted**.

Absent that understanding of the site access arrangements envisaged by your Council, and mindful of the likely need to accommodate an access in respect of Submission Draft Policy CL2.2 (see below), I believe that it will be necessary to locate a new junction – most likely a new four-arm roundabout junction – at a point approximately equidistant between the junction of its access road with Little Marcle Road and its existing weighbridge and associated gatehouse facilities. Notwithstanding the likelihood of an adverse impact of the capacity of the access road to accommodate queuing heavy goods vehicles at peak times, I understand that such a location is challenging topographically, lies in the vicinity of an existing public bridleway and public footpath, lies within a flood risk zone 3 area, and in an area of existing waste water apparatus associated with the existing treatment facilities within the Ledbury Cider Mill.

For all those reasons, Heineken considers that it is essential that a preliminary highway design exercise on a topographical base is undertaken by your Council before it can be reliably demonstrated that both this Submission Draft Policy and Submission Draft Policy CL2.2 (see below) are genuinely capable of implementation without giving rise to a severe residual cumulative impact in the context of paragraph 111 (on page 32) of the *National Planning Policy Framework*. It is also concerned with the use of the term “appropriate” in Submission Draft Policy EE1.1 a) because it introduces a degree of ambiguity that Heineken is concerned could be exploited if this site is allocated, to the detriment of its existing commercial operation.

I believe that Heineken’s objection could easily be overcome by the following action:-

1. your Council should commission a preliminary highway design based on a topographical survey of a suitable proposed site access arrangement from either the local Highway Authority (**Herefordshire Council**) or from a reputable consultant;
2. it should commission a capacity analysis of the proposed site access arrangement based upon a reasonable assessment of the likely scope and extent of the developments envisaged by Submission Draft Policies EE1.1 and CL2.2 (again, from either Herefordshire Council or from a reputable consultant);
3. it should seek the agreement of both Herefordshire Council and Heineken to the preliminary design and its associated operational performance, and propose whatever drafting amendments may be required to Submission Draft Policies EE1.1 and CL2.2 in order to ensure that development proposals are adequately restricted to those parameters that have been accepted by both Herefordshire Council and Heineken;
4. that such redrafting includes a requirement for the provision of a site access arrangement in accordance with Herefordshire Council’s *Highway Design Guide for New Developments*; and
5. a requirement that the operation of the proposed site access arrangement would not cause such an increase in traffic that would have a significant adverse impact on the commercial operations of its neighbours (in effect an adaptation of the wording of Policy TR1.1 subject to my further comments below).



Policy CL2.2: Alternative Use of Land South of Little Marcle Road as Playing Fields

Again, while Heineken supports the allocation of “land adjacent to Ledbury Rugby Club and South of Little Marcle Road amounting to around 4.6 hectares shown on the Ledbury Town Policies Map (Map 11)” for playing fields, and notes the requirement for the “provision of associated facilities such as ... vehicle parking”, it is concerned by the absence of any reference to the proposed site access arrangements.

Further, it notes the reference to: “Appropriate car parking provision shall be made” but without an understanding of the maximum extent of provision intended, it is unable to make an assessment of what that appropriate level of parking provision is likely to be, and what its likely impact on the operation of the existing access to and egress from its Ledbury Cider Mill will be.

Without being able to undertake that appraisal, it is concerned that implementation of this Submission Draft Policy would result in a severe adverse impact on its existing commercial operation. For that reason, it **objects to this Submission Draft Policy as drafted**.

I believe that Heineken’s objection could easily be overcome by the following action:-

6. the Submission Draft Policy should define the maximum extent of the playing fields and associated ancillary facilities to be provided; and
7. it should specify the maximum number and type of vehicle parking spaces to be provided.

Further, and subject to your Council’s consideration of Heineken’s objection to Policy TR1.1 (below) and as I refer to above, its objection could be further overcome by reference to:-

8. a requirement for the provision of a site access arrangement in accordance with Herefordshire Council’s *Highway Design Guide for New Developments*; and
9. a requirement that the operation of the proposed site access arrangement would not cause such an increase in traffic that would have a significant adverse impact on the commercial operations of its neighbours (in effect an adaptation of the wording of Policy TR1.1

Policy TR1.2: Highways Requirements

Clearly, Submission Draft Policies EE1.1 and CL2.2 seek to allocate land for development, and this Submission Draft Policy seeks to ensure that the “*Highway Design*” of proposed site access arrangements and the provision for active, sustainable and community travel, and for vehicle parking are *fit-for-purpose*.

Submission Draft Policy TR1.1 a) only makes reference to highway design proposals not giving rise to “*a significant adverse effect on residential amenity and local tranquillity*”. Heineken **objects to this Submission Draft Policy as drafted** because it offers it no protection from the likely severe adverse impacts that I have highlighted above.

I believe that Heineken's objection could easily be overcome by the following action:-

10. the Submission Draft Policy should be redrafted to include a requirement that the operation of proposed site access arrangements would not cause such an increase in traffic that would have a significant adverse impact on the commercial operations of its neighbours (i.e. that they are designed to provide sufficient operational capacity to accommodate the forecast traffic generation and/ or attraction of proposed development, as reasonably determined by a Transport Assessment).

At h), this Submission Draft Policy also requires that: "*Proposals will not result in indiscriminate or on-street parking*". This is a particularly sensitive topic for Heineken because currently inappropriate car parking takes place within the visibility splays provided at its Ledbury Cider Mill access road junction with Little Marcle Road giving rise to an unnecessary (in its view) highway safety risk.

Consequently, Heineken **requests** that, in addition to the requirement to provide "*adequate off-street parking for residents, employees and visitors*" that this Submission Draft Policy be redrafted to include for a requirement for proposals to include for the provision for double yellow lines (in accordance with the necessary Traffic Regulation Order (to be obtained)) to protect visibility splays at road junctions in the interests of highway safety.

As I said in my introduction to this letter, both Heineken and I would welcome the opportunity of working with the Town Council to overcome these objections in order that it can support the Submission Draft Plan in its entirety.

Once you have had the opportunity to consider Heineken's objections, I look forward to hearing from you. In the meantime, I would be grateful for your acknowledgement of the safe receipt of this letter when you have a moment. Should you have any queries or require any clarification of the points that I have made, please do let me know.

Yours faithfully

**Rupert Lyons**  
Director

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cc Claire Hodder – Heineken UK Limited (by email only)