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Habitats Regulations Assessment of the Herefordshire Travellers' Sites Development Plan Document

Pre-Submission Publication

Prepared by LUC
November 2017

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1 Introduction

Background and introduction

- 1.1 Herefordshire Council adopted the [Herefordshire Local Plan Core Strategy 2011-2031](#) in October 2015. Policy H4: Traveller Sites of the Core Strategy sets out the Council's commitment to produce a Travellers' Sites Document that will form part of the local plan and allocate sites for a five year supply of the required number and type of pitches.
- 1.2 Work on the Herefordshire Travellers' Sites Development Planning Document (DPD) commenced in 2014 with the production of an Issues and Options Paper. The [Herefordshire Travellers' Sites DPD Issues and Options Paper](#) considered a number of options for how sites and broad locations of search could be identified to meet existing and any future need. In July 2016 the Council published the [Herefordshire Travellers' Sites DPD Preferred Options](#) for consultation which presented an assessment of need for Travellers' sites within Herefordshire and identified eight preferred sites for allocation which included six sites capable of accommodating 21 residential pitches and two temporary stopping places (transit pitches). Following consideration of the comments received during the consultation period and the findings from the Sustainability Appraisal (SA) and Habitats Regulations Assessment (HRA) of the Preferred Options, the Council prepared the Herefordshire Travellers' Sites DPD Pre-Submission Publication (September 2017). It identifies nine residential pitches at four different sites¹ and one temporary stopping place for five pitches².
- 1.3 This HRA Report has been prepared by LUC on behalf of Herefordshire Council and considers the likely effects of the Pre-Submission Publication DPD on European sites³ within and near Herefordshire. In the process of preparing the Herefordshire Local Plan Core Strategy, a Habitats Regulations Assessment of the whole plan including policies and site allocations was prepared by LUC. This HRA Report therefore draws on the findings of the [Herefordshire Local Plan Core Strategy HRA Report](#) in order to assess the Herefordshire Travellers' Sites DPD.

The Herefordshire Travellers' Sites DPD

- 1.4 In Herefordshire there are a number of small, privately owned Traveller sites and larger sites that are managed by Herefordshire Council. The private sites vary in size with small sites of 1-5 pitches typically being occupied by a single, extended family. In total, there are 129 authorised pitches across the county. In addition to this, there are 10 Travelling Showpeople plots in Ross on Wye.
- 1.5 The [Herefordshire Gypsy and Traveller and Travelling Showperson Accommodation Assessment Update 2017](#) (July 2017) (GTAA) identified a need over the next five years (2017/18 to 2021/22) equating to 48 residential pitches under a cultural definition, and as a subset of this number, 17 residential pitches under the [Planning Policy for Traveller Sites](#) (PPTS) definition of Gypsy/Traveller. For the full Local Plan Period (2011/12 to 2031/32), the GTAA has identified a cultural need for 91 residential pitches and, as a subset of this number a PPTS need for 33 residential pitches. For the remaining local plan period (2017/18 to 2031/32), the GTAA has identified a cultural need for 74 residential pitches and, as a subset of this number a PPTS need for 27 residential pitches.

¹ One pitch at Romany Close, Grafton; Two pitches at Extension to Orchard Caravan Park, Lower Bullingham; Two pitches at Openfields Caravan Site, Bromyard; Four pitches at Pembridge Caravan Site.

² Temporary stopping place at Land to the west of A49 Leominster for five pitches.

³ The term 'Natura 2000 sites' can also be used interchangeably with 'European sites' in the context of HRA, although the latter term is used throughout this report.

- 1.6 As stated above the GTAA identifies a requirement of 33 residential pitches between 2011 and 2031. There have been 18 completions of Traveller pitches between 2011 and 2017 leaving a residual requirement of 15 for the plan period. Therefore, the five year requirement is for between five and six residential pitches. The allocations proposed in the Herefordshire Travellers' Sites DPD will more than meet this requirement as it proposes to allocate nine residential pitches. A further supply of pitches may be provided by the granting of planning permissions for sites that are not included in the Herefordshire Travellers' Sites DPD. These are likely to be small sites generally with one or two pitches.
- 1.7 The GTAA identified a need for nine additional Travelling Showpeople plots up to 2031. No potential sites for Travelling Showpeople were proposed for inclusion in the Herefordshire Travellers' Sites DPD however provision for these plots may be met through individual planning permissions.
- 1.8 As there are currently no authorised transit or temporary stopping places in Herefordshire, the GTAA recommends a five pitch transit site/temporary stopping place. The Herefordshire Travellers' Sites DPD proposes to allocate a temporary stopping place adjacent to the roundabout on the A49 at Leominster for five pitches.
- 1.9 The proposed sites and provisions within the Herefordshire Travellers' Sites DPD to meet the five year shortfall are identified in **Table 1.1** and illustrated in **Figure 1.1**.

Table 1.1 Proposed allocation for residential pitches and temporary stopping places

Site Name	Site Type	Number of Pitches
Site adjacent to the roundabout on A49 Leominster, Herefordshire	Temporary Stopping Place	5
Romany Close, Grafton	Permanent Residential – Intensification within existing site	1
Extension to Orchard Caravan Park, Watery Lane, Lower Bullingham	Permanent Residential – Extension to existing site	2
Additional pitches at Openfields Caravan Site, Bromyard	Permanent Residential – Intensification within existing site	2
Extension to Pembridge Caravan Site, Herefordshire	Permanent Residential – Extension to existing site	4
Total number of pitches		14 of which 9 are residential pitches

HRA methodology

- 1.10 The assumptions used in the Herefordshire Local Plan Core Strategy HRA Report and its conclusions form the basis of this assessment. Each proposed site has been considered against the general findings of the Herefordshire Local Plan Core Strategy HRA Report to identify the effects that are relevant to each site and the European site(s) which may be affected.
- 1.11 The effects considered to be relevant to the Herefordshire Travellers' Sites DPD (as for Policy H4: Traveller Sites of the Herefordshire Local Plan Core Strategy) are:
- Physical disturbance/damage (due to development occurring within or adjacent to European sites or off-site foraging habitats).
 - Erosion/trampling (due to recreation pressure from people walking or carrying out other activities such as fishing/canoeing etc. within European sites).
 - Non-physical disturbance such as noise, vibration and light pollution (during construction of development sites for noise and vibration, and occupation of sites for light pollution, which is particularly important for nocturnal species such as bats).
 - Air pollution (associated with significant increases in traffic above annual average daily flows along routes within 200m of European sites).

- 1.12 Water quality or quantity effects were not assessed within the Herefordshire Local Plan Core Strategy HRA Report under Policy H4: Traveller Sites but were included in the assessment of Policy SS2: Delivering New Homes. They are not considered to be relevant to the Herefordshire Travellers' Sites DPD due to the sites' distance from the River Wye SAC and, in relation to effects on the River Wye SAC due to pressure on sewage treatment facilities or public water supplies, because the travelling population has already been taken into account within population forecasts used in the Herefordshire Local Plan Core Strategy.
- 1.13 European sites considered for the HRA in Herefordshire or within 15km of the county boundary are identified in **Table 1.2** and illustrated in **Figure 1.2**.

Table 1.2 European Sites within the Herefordshire boundary (+15km)

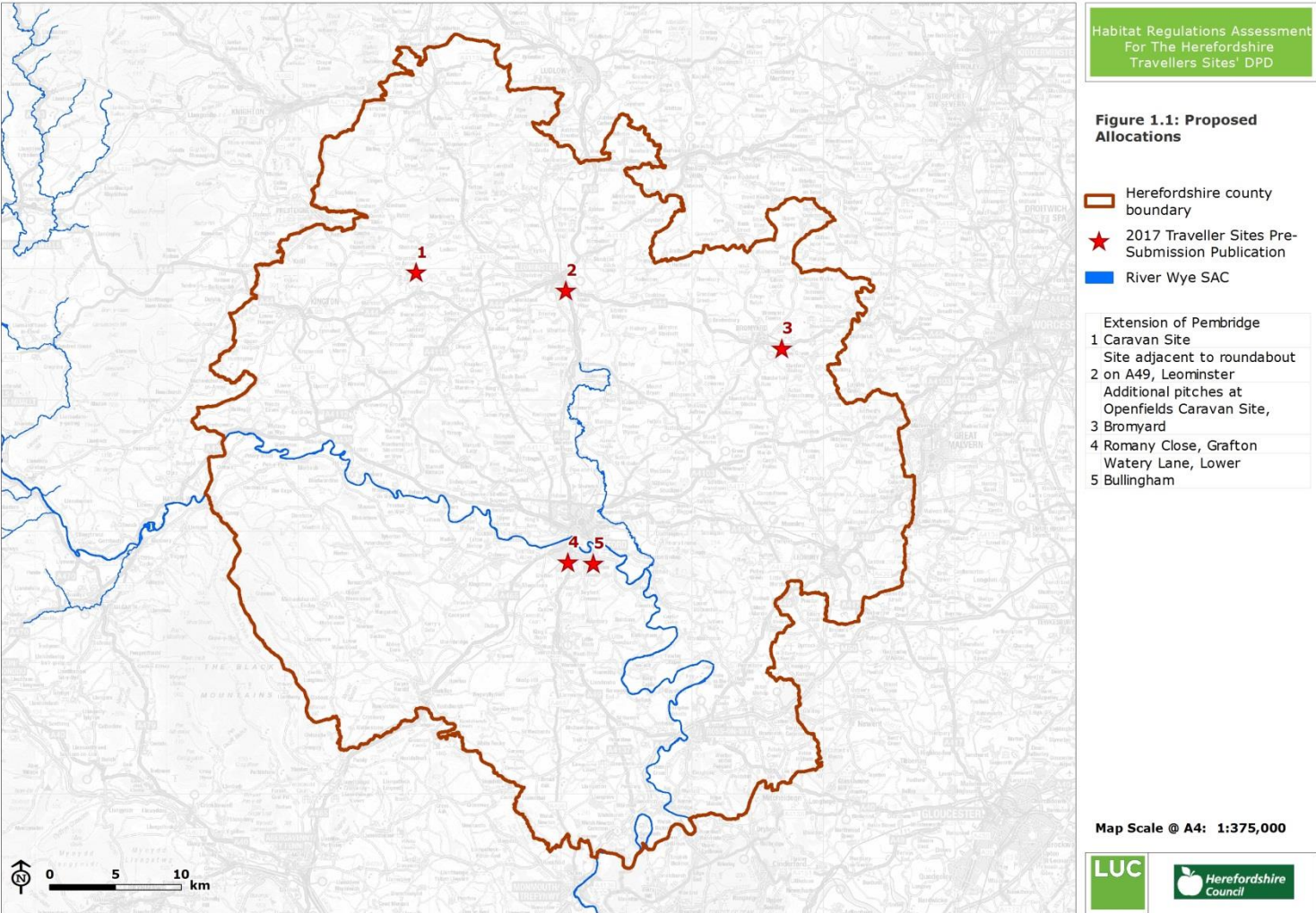
Special Areas of Conservation (SACs)	Special Protection Areas (SPAs)	Ramsar Sites
Sites inside boundary		
Downton Gorge		
River Clun		
River Wye		
Wye Valley Woodlands/ Coetiroedd Dyffryn Gwy*		
Sites within 15km of the boundary		
Sugar Loaf Woodlands	Walmore Common	Walmore Common
Wye Valley and Forest of Dean Bat Sites / Safleoedd Ystlumod Dyffryn Gwy a Fforest y Ddena*	Severn Estuary	Severn Estuary
Severn Estuary/ Mǎ' r Hafren*		
River Usk/ Afon Wysg*		
Cwm Clydach Woodlands / Coedydd Cwm Clydach*		
Rhos Goch		
Coed y Cerrig		
Lyppard Grange Ponds		
Usk Bat Sites/ Safleoedd Ystlumod Wysg*		
Llangorse Lake/ Llyn Syfaddan*		

- 1.14 However, as explained in the Herefordshire Local Plan Core Strategy HRA Report, the following European sites are unlikely to be significantly affected from implementation of the Herefordshire Local Plan Core Strategy (and therefore also the Herefordshire Travellers' Sites DPD, as it just proposes locations to meet the quantum of Travellers' sites already identified within the Local Plan Core Strategy). This conclusion is due to one or all of the following reasons: the distance of the European site from the strategic development locations within Herefordshire; a lack of pathway between sources of impact and the qualifying features of the site; and/or the fact that there is a management plan in place to help reduce existing pressures. It was therefore concluded that any impact associated with development in Herefordshire is likely to have no appreciable effect on these European sites, and therefore they are not likely to be significantly affected. These sites are as follows:

- Lyppard Grange Ponds SAC;
- Coed y Cerrig SAC;
- Cwm Clydach Woodlands SAC;
- Seven Estuary Ramsar/SPA;
- Sugar Loaf Woodlands SAC; and,
- Walmore Common Ramsar/SPA.

- 1.15 Therefore, these sites have not been considered further in this HRA Report.

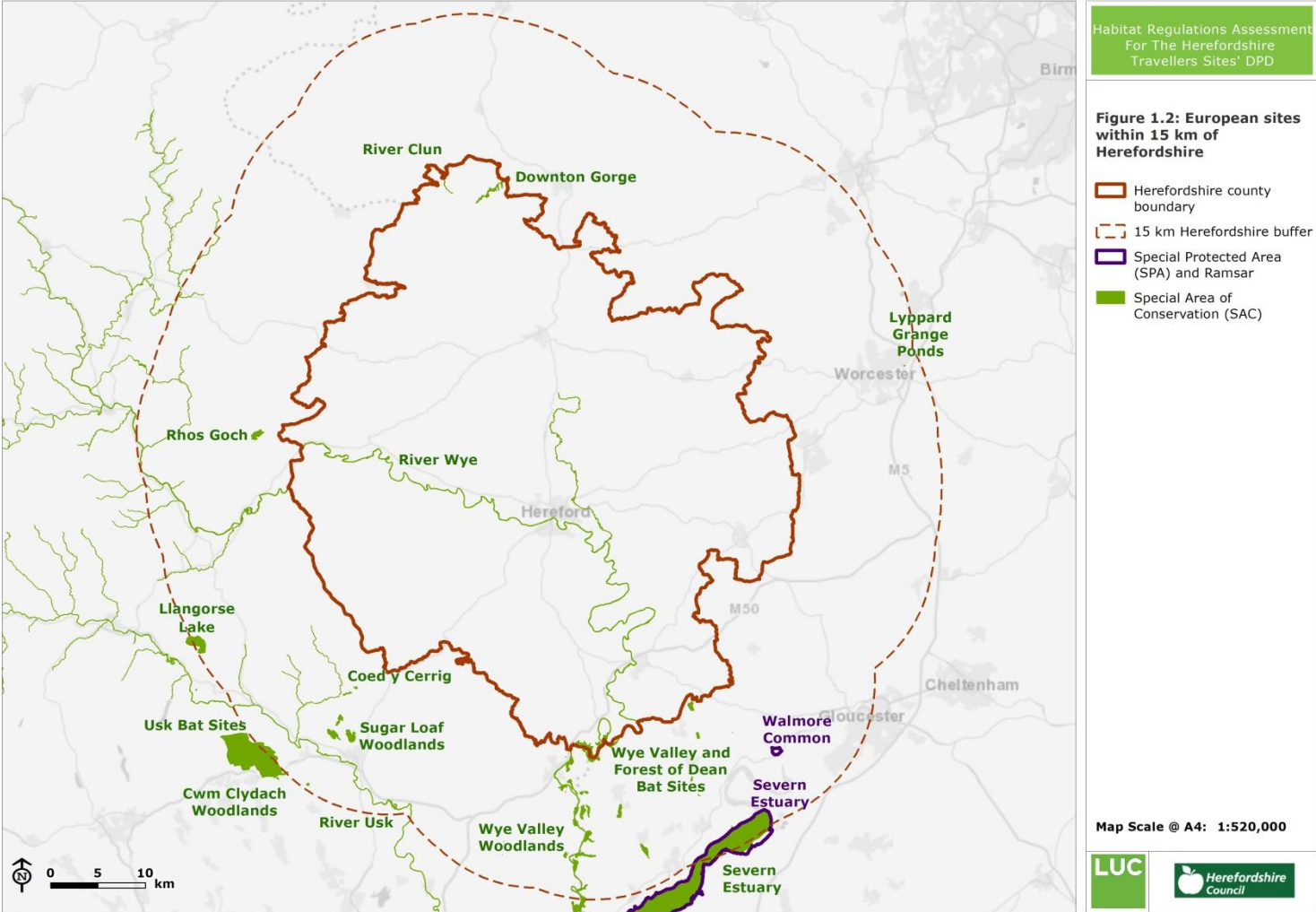
Figure 1.1 Proposed Allocations in the Herefordshire Travellers' Sites DPD



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CB:KS EB:mcginley_m LUCBRI 4939_r1_Proposed Allocations_A4L 29/09/2017
Source: OS, JNCC, NE

Figure 1.2 European sites within 15km of Herefordshire



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2 HRA Findings

Herefordshire Local Plan Core Strategy HRA findings

- 2.1 The Herefordshire Local Plan Core Strategy HRA Report concluded that there would be no likely significant effects as a result of implementation of Policy H4: Traveller Sites. **Table 2.1** summaries the HRA findings for Policy H4: Traveller Sites.

Table 2.1 Summary of HRA findings for Herefordshire Local Plan Core Strategy Policy H4: Traveller Sites

Assessment	Conclusion
Likely activities (operations) to result as a consequence of the policy	Infrastructure development Increased recreation activities
Likely effects if policy implemented	Physical disturbance/damage Erosion/trampling Non-physical disturbance such as noise, vibration and light pollution Air pollution
European site(s) potentially affected	Potentially any sites within the county may be affected, but more likely to be River Wye SAC, Wye Valley & Forest of Dean Bat Sites and Wye Valley Woodlands, and Rhos Goch SACs due to their closer proximity to Hereford, the Market Towns, Rural Service Centres and Hubs, and local centres, (Gypsy and Traveller sites are considered more likely to be allowed within close proximity of these towns and villages as the policy requires them to afford reasonable access to services and facilities).
Potential mitigation measures – if implemented would avoid likely significant effect	One of the criteria stipulated within the proposal itself should help to mitigate any increase in pressure for recreation space, as it specifies that sufficient on-site play areas should be provided. The measures included in the policies relating to open space, sport and recreation (OS1-OS3) may help to relieve any increase in pressure on European sites for recreation space, if appropriately implemented. Good practice construction techniques including noise suppression measures, hours of operation etc. may help to mitigate potential adverse effects during construction. The measures included in Policy SD1: Sustainable Design and Energy Efficiency should help to mitigate potential impacts relating to non-physical disturbance.
Could the policy have likely significant effects on European sites (taking mitigation into account)?	No: The scale and extent of such development is not likely to be significant, and sufficient policy safeguards are included within the Core Strategy to avoid or mitigate a likely significant effect on any European site (policies LD2, SD1 and OS1-OS3, and policy H4 itself).

- 2.2 The overall conclusions reached in the assessment of Policy H4: Traveller Sites are also applicable to the Herefordshire Travellers' Sites DPD. The assessment below provides further detail in relation to each site proposed.

Assessment of proposed allocations within the Herefordshire Travellers' Sites DPD Pre-Submission Publication

- 2.3 **Table 2.2** describes the effects and European sites which are relevant to the proposed sites identified in the Herefordshire Travellers' Sites DPD Pre-Submission Publication.

Table 2.2 Likely effects of proposed Travellers' sites on European sites

Site Name	No. of Pitches	Likely activities and effects if plan is implemented	European site(s) potentially affected	Could the policy have likely significant effects on European sites?
Site adjacent to roundabout on A49 Leominster, Herefordshire	5	n/a – site is c.5.5km away from nearest European site.	None	No.
Romany Close, Grafton	1	Increased recreation activities: physical disturbance/damage, erosion/trampling	River Wye SAC, which is c.1.3km from the potential site.	No, the occupation of one additional pitch even on a permanent basis is not likely to significantly affect the qualifying features of the River Wye SAC.
Extension to Orchard Caravan Park, Watery Lane, Lower Bullingham	2	Increased recreation activities: physical disturbance/damage, erosion/trampling	River Wye SAC, which is c.900m from the potential site.	No, the occupation of two pitches even on a permanent basis is not likely to significantly affect the qualifying features of the River Wye SAC.
Additional pitches at Openfields Caravan Site, Bromyard	2	n/a –site is c.13km away from nearest European site.	None	No.
Extension to Pembridge Caravan Site, Herefordshire	4	n/a – site is c.14km away from nearest European site	None	No.

2.4 As with the Herefordshire Local Plan Core Strategy HRA Report, the mitigation measures for the identified effects are as follows:

- Policy H4 specifies that sufficient on-site play areas should be provided, which will reduce effects due to recreational activities;
- Policies OS1-OS3, which relate to open space, sport and recreation may help to relieve any increase in pressure on European sites for recreation space, if appropriately implemented;
- Good practice construction techniques including noise suppression measures, hours of operation etc. may help to mitigate potential adverse effects during construction. The measures included in Policy SD1: Sustainable Design and Energy Efficiency should help to mitigate potential impacts relating to non-physical disturbance; and

2.5 In addition, Policy TS1: Residential Traveller Pitches and Sites and Policy TS2: Travelling Showpeople Plots in the Herefordshire Travellers' Sites DPD require proposals to incorporate into the design of the site a safe area for children to play, which like Policy H4: Traveller Sites will provide mitigation and reduce the effects from recreational activities.

Conclusion

2.6 Most of the European sites are some distance away from the proposed Travellers' sites and are unlikely to be affected by the proposals, due to their scale. The only European site in close proximity to any of the proposed sites is the River Wye SAC.

2.7 Two sites, Romany Close and Extension to Orchard Caravan Park, are close enough that recreational activities could increase physical disturbance/damage, or erosion/trampling. However, in both cases, the scale of development is very small and unlikely to result in significant effects on any European site.