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Herefordshire Travellers' Sites DPD

Habitats Regulations Assessment Report

Prepared by LUC
July 2016

Project Title: Herefordshire Travellers' Sites DPD – HRA Report

Client: Herefordshire Council

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1 Introduction

- 1.1 Herefordshire Council's Local Plan - Core Strategy was adopted in October 2015. The Local Plan - Core Strategy Policy H4 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 Travellers' Sites Development Planning Document (DPD) commenced in 2014 with the production of an Issues and Options document. The Travellers' Sites Document Issues and Options document (August 2014) considered a number of options for how sites and broad locations of search could be identified to meet existing and any future need, but did not identify actual sites. The Council has now prepared a Preferred Options version of the Travellers' Sites Document for consultation (July 2016), which presents an updated assessment of need for travellers' sites within Herefordshire, along with eight sites which are considered to have some potential for residential pitches for travellers and for temporary stopping places. This Habitats Regulations Assessment (HRA) report considers the likely effects of the Preferred Options DPD on European protected sites within and near Herefordshire.
- 1.3 In the process of preparing the Local Plan - Core Strategy, a Habitats Regulations Assessment of the whole plan, including policies and site allocations was prepared by LUC. This report therefore draws on the findings of that HRA Report (September 2015) in order to assess the Travellers' Sites DPD.

Proposed travellers' sites: quantity, type and location

- 1.4 The research that has informed the Travellers' Sites DPD concluded that the additional pitches required are:
 - Residential pitches: 19 by 2019 (with a further 29 by 2031); three have already been granted planning permission, leaving a residual requirement for 16;
 - Travelling showperson winter pitches: five by 2019 (with a further four by 2031); and
 - Transit pitches (up to 14 days): three, although Herefordshire Council considers that a greater number than this should be provided across two sites to cater for larger groups travelling together.
- 1.5 The DPD identifies sites that could provide for 21 residential pitches, which exceeds the five year requirement identified by the study. However some additional residential pitches may be required to provide for households currently living in bricks and mortar accommodation. A further supply of pitches may be provided by the granting of planning permissions for sites that are not included in this plan. These are likely to be small sites generally with one or two pitches.
- 1.6 Two potential sites for transit pitches are proposed, in different parts of the county.
- 1.7 No potential sites for travelling showperson pitches are proposed within the DPD. If no sites are suggested through consultation responses, provision for these plots may be met through individual planning permissions.
- 1.8 The proposed sites and provisions to meet the five year shortfall within the DPD are:
 - 1 Land adjacent to Broadmeadow Yard, Ross-on-Wye: five transit pitches;
 - 2 Land at the A49 roundabout, Leominster: ten transit pitches;
 - 3 Land adjacent to Whitfield Coppice, Trumpet: seven residential pitches;
 - 4 Extension to Orchard Caravan Park, Watery Lane, Lower Bullingham: two additional residential pitches;

- 5 Land to the south east of Sutton St Nicholas: five residential pitches;
- 6 Extension to Pembridge Site: four additional residential pitches;
- 7 Extension to Openfields Caravan Site, Bromyard: two additional residential pitches; and
- 8 Romany Way, Grafton: one additional residential pitch.

1.9 The site locations are shown on **Figure 1.1**.

HRA methodology

- 1.10 The assumptions used in the Local Plan - Core Strategy HRA Report and its conclusions form the basis of this assessment. Each of the proposed sites has been considered against the general findings of the Local Plan - Core Strategy HRA 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 Travellers' Sites DPD (as for Policy H4 of the 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 Local Plan – Core Strategy HRA under Policy H4, but were included in the assessment of Policy SS2 Delivering New Homes. They are not considered to be relevant to the 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 Local Plan - Core Strategy.
- 1.13 European sites considered for the HRA in Herefordshire or within 15km of the county boundary are shown in **Table 1.1** and **Figure 1.2**.

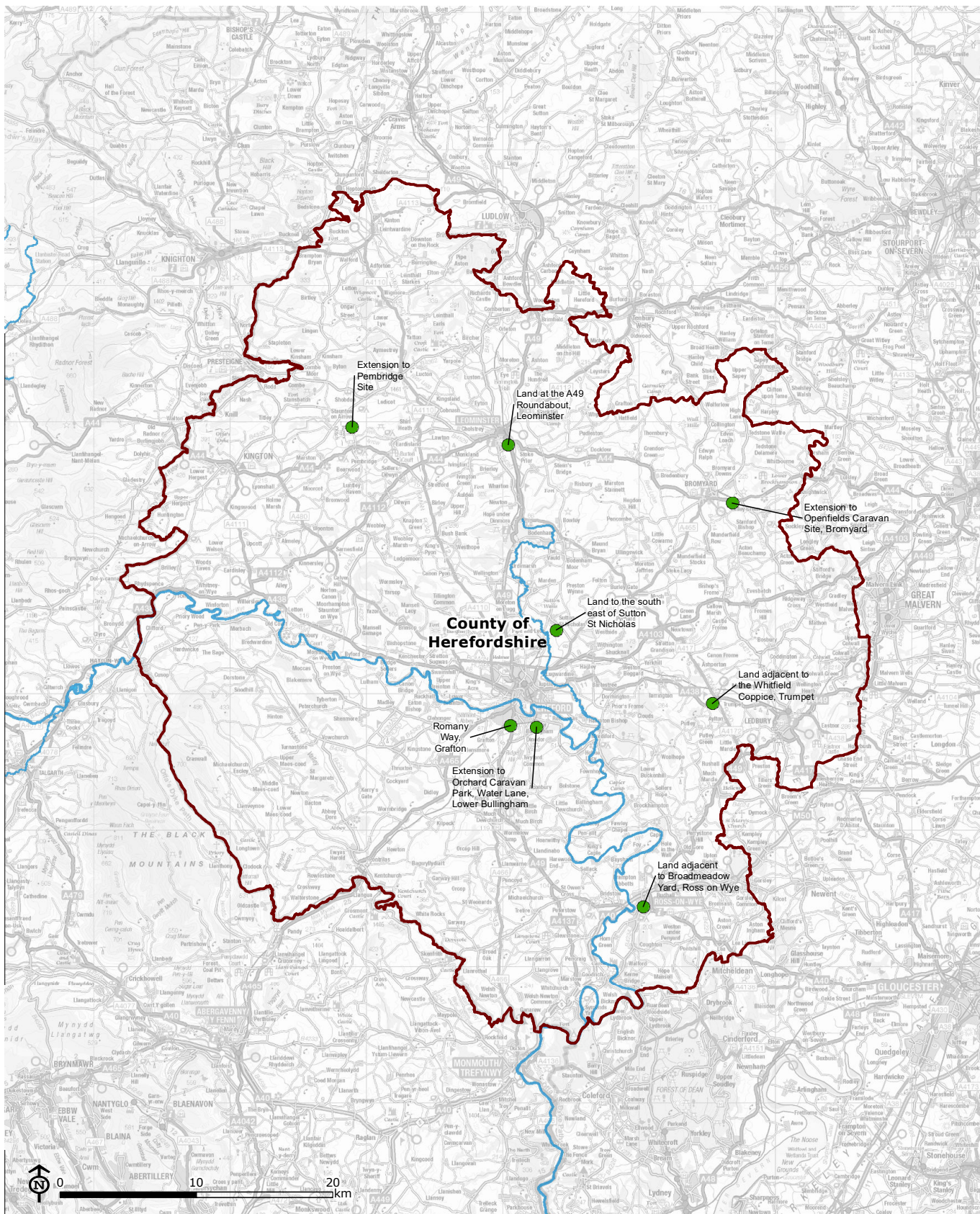
Table 1.1 European Sites within the Herefordshire County Boundary (+15km)

Special Areas of Conservation (SACs)	Special Protection Areas (SPAs)	Ramsar Sites
Sites inside the boundary		
Downton Gorge		
River Clun		
River Wye		
Wye Valley Woodlands		
Sites within 15km of the boundary		
Coed y Cerrig	Severn Estuary	Severn Estuary
Cwm Clydach Woodlands	Walmore Common	Walmore Common
Llangorse Lake		
Lyppard Grange Ponds		
Rhos Goch		
River Usk		
Severn Estuary		
Sugar Loaf Woodlands		
Usk Bat Sites		
Wye Valley and Forest of Dean Bat Sites		

1.14 However, as explained in the 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 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
- Walmore Common Ramsar/SPA

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



- Herefordshire County Boundary
- River Wye Special Area of Conservation (SAC)
- Site proposed in the Travellers' Sites DPD Preferred Options

Herefordshire Travellers' Sites DPD

**Figure 1.1:
Proposed Sites**

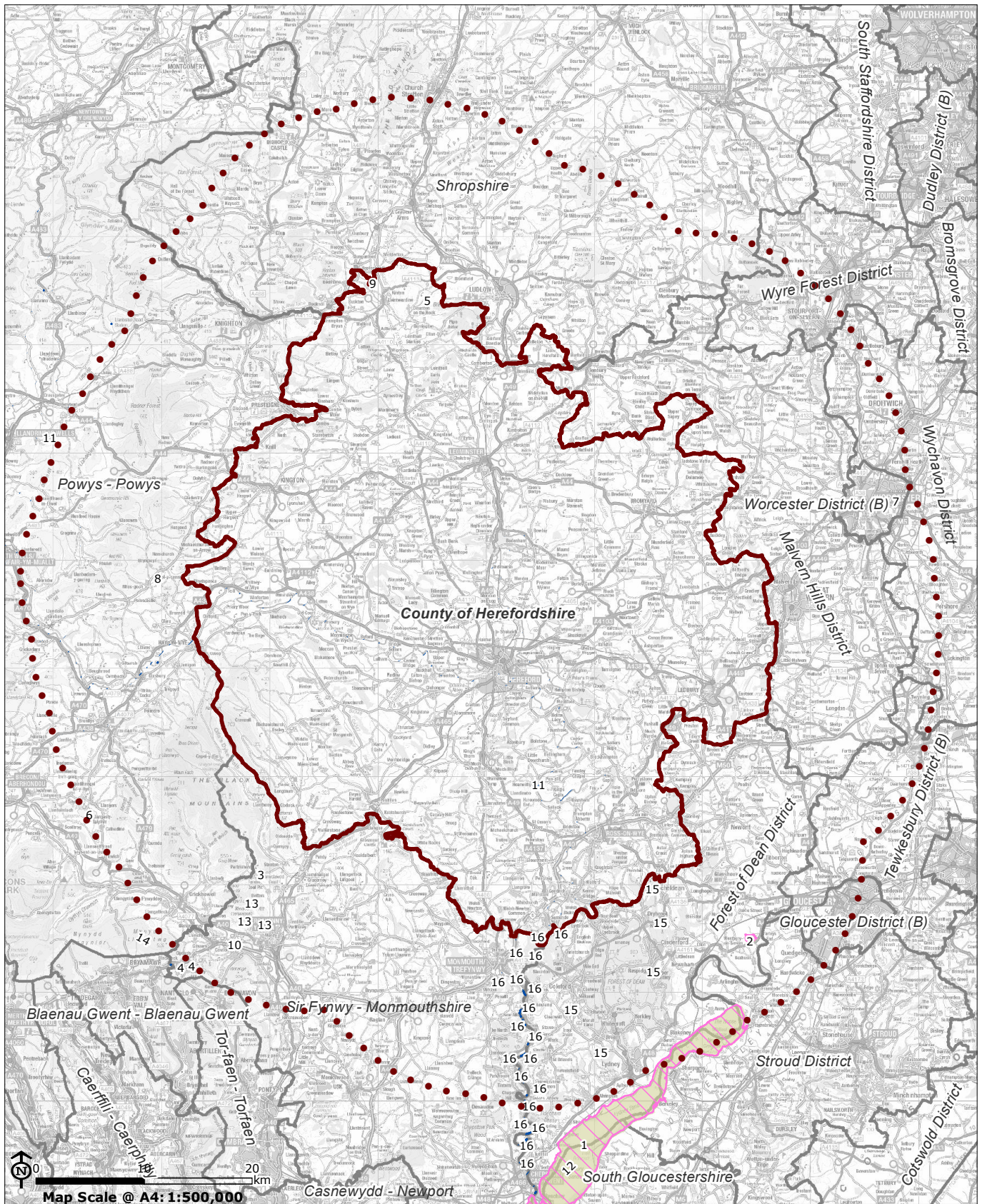


Source: Natural England

Map Scale @ A4: 1:400,000

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CB:KS EB:Stenson_K LUCGLA FIG1_1_4939_r1_Proposed_Sites_A4P 13/07/2016



- Herefordshire boundary
- Local Authority
- 15km buffer of Herefordshire
- Ramsar
- Special Protection Area (SPA)
- Special Area of Conservation (SAC)

- Ramsar and SPA**
- 1 - Severn Estuary
 - 2 - Walmore Common
 - 3 - Coed y Cerrig
 - 4 - Cwm Clydach Woodlands
 - 5 - Downton Gorge
 - 6 - Llangorse Lake
 - 7 - Lyppard Grange Ponds
- SAC**
- 8 - Rhos Goch
 - 9 - River Clun
 - 10 - River Usk
 - 11 - River Wye
 - 12 - Severn Estuary
 - 13 - Sugar Loaf Woodlands
 - 14 - Usk Bat Sites
 - 15 - Wye Valley and Forest of Dean Bat Sites
 - 16 - Wye Valley Woodlands

Herefordshire Travellers' Sites DPD

Figure 1.2: SAC, SPA and Ramsar sites within 15km of Herefordshire



2 HRA Findings

Local Plan - Core Strategy HRA findings

- 2.1 The Local Plan - Core Strategy HRA concluded that there would be no likely significant effects as a result of the Policy H4. The findings are summarised in **Table 2.1**, below.

Table 2.1 Summary of HRA findings for Local Plan - Core Strategy Policy H4

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 Local Plan - Core Strategy Policy H4 are also applicable to the Travellers' Sites DPD, therefore, it is not considered likely that the Travellers'. The assessment below provides further detail in relation to each site proposed.

Assessment of Preferred sites within Travellers' Sites DPD

- 2.3 **Table 2.2** describes the effects and European sites which are relevant to each of the proposed travellers' sites listed in the Preferred Options version of the Travellers' Sites DPD.

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

Site	Likely activities and effects if plan is implemented	European site(s) potentially affected	Could the policy have likely significant effects on European sites?
1. Land adjacent to Broadmeadow Yard, Ross-on-Wye	Increased recreation activities: physical disturbance/damage, erosion/trampling	River Wye SAC, which is c.670m from the potential site.	No, occupation of 5 pitches on a temporary basis is not likely to significantly affect the qualifying features of the River Wye SAC.
2. Land at the A49 Roundabout, Leominster	n/a – site is c.5.6km away from nearest European site.	None	No.
3. Land adjacent to the Whitfield Coppice, Trumpet	n/a – site is c.8.5km away from nearest European site.	None	No.
4. Extension to Orchard Caravan Park, Watery Lane, Lower Bullingham	Increased recreation activities: physical disturbance/damage, erosion/trampling	River Wye SAC, which is c.900m from the potential site.	No, the occupation of 2 pitches even on a permanent basis is not likely to significantly affect the qualifying features of the River Wye SAC.
5. Land to the south east of Sutton St Nicholas	Increased recreation activities: physical disturbance/damage, erosion/trampling	River Wye SAC, which is c.700m from the potential site.	No, the occupation of 5 pitches even on a permanent basis is not likely to significantly affect the qualifying features of the River Wye SAC.
6. Extension to Pembridge site	n/a – site is c.14km away from nearest European site	None	No.
7. Extension to Openfields Caravan Site, Bromyard	n/a –site is c.13km away from nearest European site.	None	No.
8. Romany Way, Grafton	Increased recreation activities: physical disturbance/damage, erosion/trampling	River Wye SAC, which is c.1,300m from the potential site.	No, the occupation of 1 additional pitch even on a permanent basis is not likely to significantly affect the qualifying features of the River Wye SAC.

2.4 As with the Local Plan - Core Strategy HRA, 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, the Travellers' Sites DPD itself lists potential criteria for including a Site Design Policy, which include 'areas where children are able to play safely on site where appropriate', which may be considered a mitigation measure,

Conclusions

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 Five of the sites are close enough that recreational activities could increase physical disturbance/damage, or erosion/trampling. However, in all cases, the scale of development is very small and unlikely to result in significant effects.