

May 2019

## **Main Modifications**

This schedule contains main modifications that aim to address issues that were raised at the Examination Hearings Sessions that took place on Tuesday 22 May 2018 and 18 March 2019. These main modifications are proposed in order to make the Traveller Sites Development Plan Document (DPD) 'sound' and are published for a six week public consultation period between Wednesday 1 May and Wednesday 12 June 2019.

- 1. All Policy Numbers, paragraph numbers, figure numbers are taken from the Traveller Sites DPD Pre-Submission Publication November 2017. The proposed main modifications are listed in the order they appear in the pre-submission version of the plan.
- 2. For each main modification, information on the proposed change and the reason for that change is given.
- 3. Where new wording is proposed to policies and the explanatory text it has been underlined. Where it is proposed to delete wording from policies or text this is shown as crossed out.
- 4. Each Main Modification has been given a reference number beginning 'MM..'. This reference should be used on the representation form.
- 5. A schedule of additional modifications has also been prepared. These additional modifications relate to factual updates and corrections to wording etc. The Inspector will not consider these additional modifications and therefore they do not form part of this consultation.
- 6. The main and additional minor modifications have been incorporated into a track change version of the Traveller Sites DPD for reference purposes.

All representations can be completed on a representation form and letter or email. They can only relate to the Main Modifications proposed in this schedule and not to other parts of the Traveller Sites DPD. All representation forms must be received by Wednesday 12 June 2019.

All the documentation is available at:

https://www.herefordshire.gov.uk/info/200185/local plan/796/travellers sites document examination/1

## Herefordshire Travellers Sites DPD Examination – Main Modifications

Modification number	Paragraph / Policy reference	Proposed modification	Reason
MM1	Paragraph 2.5	These definitions apply to land use planning purposes only and do not relate to ethnicity. However ethnicity is not determined by accommodation choice and it is understood that the definition in the planning policy guidance is currently the subject of legal challenge <u>.</u> The PPTS makes clear that it is referring to Travellers who meet the definition in Annex 1. Therefore, this DPD addresses the accommodation needs of those Travellers who meet the definition set out in the PPTS. The accommodation needs of the Travellers that do not meet the definition will be provided for in the Core Strategy Review.	To update text as the legal challenge was withdrawn. The additional text provides clarity about what the DPD covers as recommended by the Inspector at the May 2018 hearing sessions.
MM2	Paragraph 4.7	The latest GTAA update took into account the revised definition in the PPTS. Through interviews with 74.8% of the Traveller households living on pitches in the county, the consultants identified what proportion of these would meet the PPTS definition in terms of how often they travel, when they last travelled, and when they intend to travel in the future. The latest GTAA therefore identifies a pitch requirement based on the PPTS definition but they also looked at a requirement for pitches based on 'cultural need' was also included. That is, the need for new pitches for those Travellers that do not need the PPTS definition but are ethnically gypsies and Travellers. Therefore the GTAA identifies two different sets of requirements for pitches based on this approach as set out below <u>but this DPD focuses on</u> making provision for those Travellers meeting the definition set out in the PPTS in line with <u>Government guidance.</u>	To include new text to make clear that this DPD is referring to Travellers that meet the government's definition of gypsies and Travellers for planning purposes as included in the PPTS.

Delete the table and
replace with update
following the first hearing session.
f which:
PTS need
6
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Modification number	Paragraph / Policy reference	Proposed modification			Reason
		Delete above table and replace with Table 1 Overall plan period Gypsy and Traveller pitch Revised Table 5.3 Overall plan period Gypsy and T			
			Cultural need	Of which: PPTS need	
		<u>5yr pitch need (2018/19 to 2022/23)</u>	<u>52</u>	<u>19</u>	
		Longer-term need to 2023/24 to 2030/31 TOTAL pitch need 2018/19 to 2030/31 (Local Plan Period)	<u>31</u> <u>83</u>	<u>11</u> <u>30</u>	
MM4	Paragraph 4.8	The GTAA <u>partial</u> update 2017- <u>8</u> has found evidence of Gy next five years (2018/18 <u>9</u> to 2021/2222/23 equating to 48 definition, and as a subset of this number, 17- <u>19</u> pitches un Gypsy <u>and</u> Traveller (those who still travel and /or intend t <u>Plan period the GTAA has identified a cultural need for a</u> <u>of this number, a PPTS need for a further 11 pitches. Tote</u> <u>those complying with the PPTS definition and 83 based o</u>	52 pitches under ander the PPTS 2016 to travel). To the end further 31 pitches al pitch need is the	i cultural 6 definition of <b>nd of the Local</b> and, as a subset	These figures were amended to take into account new planning permissions granted between July 2017, (when the GTAA update was published prior to submission), and August 2018 (when changes to the tables were finalised following the hearing sessions).

Modification	Paragraph /	Proposed modification	Reason
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MM5	Paragraph 4.9	For the full Local Plan Period (2011/12 to 2031/32) the GTAA has identified a cultural need for	This is deleted
		91-pitches and, as a subset of this number a PPTS need for 33 pitches.	because the starting
			point for the
			assessment of pitches is 2018/19 based on
			survey work largely
			undertaken in
			April/May 2017.
MM6	Paragraph 4.10	For the remaining local plan period (2017/18 to 2031/32-the GTAA has identified a cultural	Delete paragraph and
		need for 74-pitches and, as a subset of this number a PPTS need for 27 -pitches.	move explanation of
			requirement for new
			pitches to paragraph
			4.8 as above.
MM7	Paragraph 4.11	The GTAA includes consideration of how turnover on sites may impact on the supply of pitches.	Paragraph deleted to
		Turnover takes into account the effect of a pitch being vacated by one resident and then	reflect amended
		becoming available for another occupant and may impact on the supply of pitches. Taking	approach to
		into account a <u>A</u> n anticipated average annual turnover of <u>6-1</u> pitches on local authority sites	turnover.
		during the remainder of the plan period (20178/189 to 20310/321), this equates to 84 pitches	
		becoming available has been allowed for. Therefore, both the cultural and PPTS shortfalls are	
		likely to be addressed through turnover. However there is still a requirement to identify a five	
		year supply of pitches in accordance with PPTS requirements.	
MM8	Paragraph 4.12	As stated above the GTAA identifies a requirement of 33 pitches between 2011 and 2031.	Paragraph deleted to
		There have been 18 completions of traveller pitches between 2011 and 2017 leaving a residual	as no longer relevant
		requirement of 15 for the plan period. Therefore the five year requirement is between 5 and 6	given revised
		pitches. The development of sites identified in this document will more than meet this	approach to turnover
		requirement. Therefore at this stage there is no need to identify any further sites for the	and five year
		remaining plan period but this will be kept under review through regular GTAA updates and	requirement.
		with regard to the outcome of the legal challenge to the PPTS definition. The GTAA	
		recommends that this evidence base is refreshed on a five yearly basis to ensure that the level	

Modification	Paragraph /	Proposed modification	Reason
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		of pitch and plot provision remains appropriate for the Gypsy and Traveller and Travelling	
		Showpeople population across Herefordshire. These updates will ensure that the impact of	
		turnover on the supply of sites is monitored and its implications for the five year supply of sites	
		is monitored and its implications for the five year supply is kept under review.	
MM9	Paragraph 4.13	The focus for the allocation and delivery of the additional pitches is to make the most efficient use of land and service provision by increasing the number of pitches within council owned sites, where there is capacity to do so, and by extending the council owned sites. This approach provides both certainty of delivery and will also contribute to meeting the demands of the waiting lists for these sites. In addition pitches are also allocated as an extension to an existing privately owned site. A broad location for growth is identified that may help meet the accommodation needs of years 6-10 (i.e. 2023/4 to 2027/8). Although only these sites are allocated in the document it is recognised that there will still be a demand for new small private sites as some families would rather live as a family unit on their own site. Together, This also_these provides the opportunity for a greater mix of tenure and own-ownership and also provide certainty of delivery. Therefore any applications received for such sites In addition to these allocations planning applications for additional pitches. will be considered against the relevant policies of the Core Strategy and this DPD regardless of whether the five year requirement has been met.	To update and reorder text to include reference to additional allocation.

<b>Modification</b>	Paragraph /	Proposed modification		Reason
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MM10	Table 2	Proposed allocations for residential pitches for T	ravellers	Update to include
		Table 2: Total number of residential pitches alloc	ated	additional allocation.
		Site Name	Number of Pitches	
		Romany Way Grafton	1	
		Extension to Orchard Caravan Park, Lower Bullingham	2	
		Openfields Bromyard	2	
		Extension to Pembridge	4	
		Extension to Oakfield Nash End	<u>4</u>	
		TOTAL	9- <u>13</u>	
MM11	Paragraph 4.14	All these sites have ongoing waiting lists and the increased number of pitches. With an allowance from turnover of pitches this will equate to a su should be noted that the figure for the five year longer term requirement (as set out Table 1) sti the review of the Core Strategy and /or plannin five year supply figure should not be regarded a the longer term requirements.	e of 1 pitch per year contributing to supply pply of 18 for the period up to 2022/23. It requirement is a minimum and there is a Il to be met. This will be achieved through g applications granted in the interim. The	<ul> <li>The reference to waiting lists is deleted as it duplicates reference in paragraph 4.13.</li> <li>The additional text explains the overall supply position with the allocations and allowance for</li> </ul>

<b>Modification</b>	<u>Paragraph /</u>	Proposed modification	Reason
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	<u>reference</u>		
MM12	New	Land at Stoney Street, Madley was included in the additional sites consultation that was	New explanatory
	paragraphs to	carried out as part of the examination of the Travellers Sites DPD. This brownfield site was	text to indicate
	follow current	previously used as an emergency stopping place for Travellers that was owned and managed	potential broad
	paragraph 4.14	by Herefordshire Council. Planning permission was granted in 2014 for B2 General Industrial	location for
		Uses under the Use Class Order. This permission was never implemented and the site has	traveller site
		now become available for redevelopment as a private residential traveller pitches. However,	provision in the
		it is affected by significant issues arising from its proximity to an industrial estate in relation	medium term.
		to the impact of noise on the future residents of the site and the potential conflict with	
		commercial vehicles entering and leaving the adjoining estate. Consequently this site has	
		not been taken forward as part of this DPD.	
		Nevertheless there may be potential for land to be found in the vicinity of Stoney Street as	
		part of the review of the Core Strategy. It is therefore identified as a possible broad location	
		for growth in the medium term (2023-2028) in accordance with the PPTS although subject to	
		ensuring that any site can comply with the provisions of Policy TS1. The Council will seek to	
		take this forward as part of the review process.	
MM13	Paragraph 5.1	Add the following text in paragraph 5.1 after the first sentence. "Gypsy and Traveller sites	<ul> <li>To provide clarity</li> </ul>
	Policy TS1	may vary in their layout and type of development. Sites managed by Herefordshire Council	on different types
		are made up of a number of pitches which consist of hardstanding for a caravan and /or	of sites.
		mobile home as well as a separate amenity block with cooking and washing facilities. Private	<ul> <li>Additional text</li> </ul>
		sites which are either individual or small family sites often have either a small area of	added to point 10
		hardstanding or none at all and often do not include a separate permanent amenity block."	in order to improve
			policy wording.
		Policy TS 1 – Residential Traveller Pitches and Sites	<ul> <li>Points a) and b) at</li> </ul>
		Proposals for new residential Traveller pitches and sites will be supported where they conform	the end of the
		to Policy H4 of the Core Strategy and achieve the following:	policy are deleted
		1 an overall good quality of design which respects the setting of the site and the local	as considered to
		landscape character.	provide onerous
			requirements.

Modification	Paragraph /	Proposed modification	Reason
<u>number</u>	Policy		
	<u>reference</u>		
		2 a good quality of build of amenity blocks, where included, to provide a decent standard	
		for washing and cooking facilities.	
		3 amenity blocks, where included, should be are sensitively designed and sited using	
		appropriate materials for the area.	
		4 Biodiversity assets and / or designated and undesignated heritage assets are	
		conserved and where appropriate enhanced. Aany unacceptable adverse impact on	
		landscape or local nature conservation designations, ecology, biodiversity or heritage assets	
		should can be satisfactorily mitigated.	
		5 a suitable landscaping scheme where the site boundary treatment reflects local	
		character, local materials and local colour and should be a small scale structure/fence. The use	
		of native trees, hedgerows and shrubs to form boundaries will be encouraged as an alternative	
		to high close board fencing.	
		6 existing trees and hedgerows which are import to amenity should be retained. Any	
		trees and hedgerows lost should be replaced by native trees and hedgerows in appropriate	
		areas of the site.	
		7 a safe area for children to play should be is included in the site layout where required.	
		8 safe and convenient access to the highway network for cars, pedestrians and vehicles	
		and turning space within the site.	
		9 suitable arrangements for <u>clean water supply</u> , foul sewerage disposal and surface	
		water drainage, and where opportunities for Sustainable Drainage Systems particularly for	
		permeable surfaces are maximised.	
		10 that any commercial activity that is proposed on the site is of a type that is	
		appropriate to the location and does not <b>result in an adverse</b> impact on the amenity of any	
		local residents or other land users.	
		11 external lighting is kept to a minimum and should be directed down to the ground, to	
		avoid light pollution.	
		12 Site layout should have proper regard to health and safety requirements including	
		adequate spacing between perimeter boundaries and any structures on site and between	
		structures which meet fire safety standards.	

Modification	Paragraph /	Proposed modification	Reason
<u>number</u>	<u>Policy</u> reference		
		In addition to the above:	
		a) opportunities to deliver an on-site shared community building should be explored.	
		b) Details of any animals to be kept on the site and associated requirements for grazing areas should be provided.	
MM14	Paragraph 5.2	Amend to read: The GTAA identifies a need for nine travelling showpeople plots to 2031. The	Include additional
	Policy TS2	Council will continue to work with the Travelling Show Persons Guild and the local community	text to clarify the
		to encourage these sites to come forward for this purpose. The requirement will be met	difference in site
		through the planning application process. and Policy TS2 seeks to encourage the	requirements as
		supply of suitable sites and recognises the differences in the site requirements for travelling	between Traveller
		show people plots in comparison with other traveller sites. In particular they usually require	and Travelling Show
		sufficient space for both living accommodation as well as for the storage and maintenance of	Persons.
		fairground equipment. Because of the specific requirements and differences to the other	<ul> <li>First sentence of</li> </ul>
		traveller sites and given that there are no allocations for show people plots land, this enabling	policy amended to
		policy aims to encourage the provision of additional showpeople sites is included. Regard has	be consistent with
		been had to the Showman's Guild's document "A Planning Focus Model Standard Package -	policy TS1
		Revised September 2007".	Criterion 1
			amended to as
		Policy TS2 – Travelling Showpeople plots	potentially too
		Proposals Planning applications for new plots for Travelling Show People will be supported	restrictive.
		encouraged to meet the identified need where they meet the following criteria conform to	Criterion 3
		Policy H4 of the Core Strategy and achieve the following:	amended to clarify
			that reasonable
		1. The site should be relatively level and large enough <u>able</u> to accommodate residential	proximity to the
		accommodation as well as space and or buildings for storage and maintenance of equipment if	strategic road
		required.	network is required
		2. The site should have satisfactory vehicular access, suitable for the safe and convenient	rather than direct
		movement into and out of the site of large vehicles including those carrying fairground equipment.	access to it.

<b>Modification</b>	Paragraph /	Proposed modification	Reason
<u>number</u>	Policy		
	<u>reference</u>		
		3. The site should have suitable access be in-reasonable proximity to the strategic road	<ul> <li>Other changes to</li> </ul>
		network.	enable consistent
		4. Measures to reduce the risk of flooding should be incorporated into the design and	approach to TS1.
		layout. Permeable surfaces should be incorporated to minimise surface water run off.	
		Suitable arrangements for clean water supply, foul sewerage disposal and surface water	
		drainage should be included in the design and opportunities for sustainable drainage systems	
		area maximised.	
		5. The commercial activity of the site should not impact on the amenity of local residents	
		or and other land users. Planning conditions may be considered to reduce any the impact from	
		noise <u>on</u> <del>to</del> nearby residential properties or businesses.	
		6 Site layout should have proper regard to health and safety requirements including	
		adequate spacing between perimeter boundaries and any structures to meet fire safety	
		standards.	
		7 An overall good quality of design which respects the setting of the site, and the local	
		landscape character, the character and significance of designated and undesignated heritage	
		assets and minimises any impacts on biodiversity assets.	
		8 The site boundary treatment reflects local character, local materials and local colour.	
		The use of native trees, hedgerows and shrubs to form boundaries will be encouraged.	
		9 Existing trees and hedgerows which are important to amenity should be retained. Any	
		trees and hedgerows lost should be replaced by native trees and hedgerows in appropriate	
		areas of the site.	
		10 Where required, a safe area for children to play should be incorporated into the	
		design.	
		11 External lighting <b>should be</b> is kept to a minimum and should be directed down to the	
		ground, to avoid light pollution.	
MM15	TS3	Site Type: Temporary Stopping Place of 5 pitches	Amend policy to
	Paragraph 6.2	Policy TS3	include reference to
	Paragraph 6.4	Proposals for development at this site should:	waste management
	Paragraph 6.5	1. Provide an area of hardstanding for	facilities and

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<u>number</u>	<u>Policy</u>		
	<u>reference</u>		
		<ul> <li>towing vehicles and caravans for short stays only</li> </ul>	Amend for reasons
		<ul> <li>temporary sanitation <u>and waste management</u> facilities to be brought on site</li> </ul>	of clarity.
		when it is occupied and removed at the end of the stay.	Additional sentence
		<ol> <li>Not include any permanent structures apart from a small building for administrative purposes if deemed necessary.</li> </ol>	inserted to reflect conclusions Risk
		3. Demonstrate appropriate vehicular access and turning space into and within the site	Assessment
		4. Demonstrate that there would be no potential <b>adverse</b> impact on the River Lugg SSSI.	document (PS08).
		5. Retain where possible and enhance existing semi mature native trees on the boundary	Relocate reference
		of the site to mitigate any landscape impact and to provide privacy to the site.	to consultation with
		6. Apply principles of sustainable urban drainage systems in the design.	Network Rail to this
		7. Provide a 1.8m high steel palisade fencing to prevent access onto the railway line and	paragraph as this is
		other fencing to prevent access onto the highway.	more logical.
			<ul> <li>Include additional</li> </ul>
			text to ensure
		Explanatory text:	greater safety for
		6.2 This site is located on a strategic highway network and is therefore provides a suitable	residents and road
		location for travellers passing through the county this type of use. A traffic management plan	users.
		will be required to support a planning application to ensure that the number of turning	
		movements into the site across other traffic streams is minimised and to address any	
		additional signage requirements. There are pedestrian and cycle links into Leominster from	
		the site where there is good access to a range of services and facilities.	
		6.4 The site is partially visually contained by existing semi mature native woodland on site.	
		Further planting will be required to enhance this where this does not impact on the visibility of	
		the access to the site. Consultation with Network Rail will be required to ensure that any such	
		fencing meets the requirements of Network Rail and that the site is safe and secure.	
		<b>6.5</b> A railway line is adjacent to the western boundary of the site. Therefore it is imperative	
		that suitable safety fencing is installed and maintained to prevent access on to the railway line.	

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	<u>reference</u>		
		Consultation with Network Rail will be required to ensure that any such fencing meets the	
		requirements of Network Rail and that the site is safe and secure. Similarly the road side	
		part of the site will need to be securely fenced to reduce the risk of children or stray animals	
		entering the highway.	
MM16	New Policy TS8	Oakfields, Nashend Lane, Bosbury	New policy and
		Insert location map	explanatory text for
		<u>Site Type – Private</u>	additional allocation.
		Proposed allocation of four additional pitches	
		Policy TS8	
		Proposals for the development of this site should:	
		1. Provide 4 additional residential pitches.	
		2. Demonstrate appropriate vehicular access and turning space within the site	
		3. <u>Make provision for landscaping in accordance with policy TS1.</u>	
		Explanation:	
		This is an existing private site that is situated between Bosbury and Cradley. The site area is	
		relatively well screened. This should be retained and opportunities for any enhancement	
		explored. Should the access at the north of the site be brought into use then consideration	
		should be given to moving the access back to improve northbound visibility. Details of the	
		drainage strategy and the waste collection arrangements should be provided.	