

Herefordshire Local Plan Travellers' Sites Development Plan Document

Submission document with
modifications

May 2019



Herefordshire Council

Traveller Sites DPD Pre Submission Consultation

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1.0 Introduction

- 1.1 The council is preparing a number of planning documents known as the Local Plan to guide development and change in the county over the next 20 years. ~~When the Travellers Sites Development Plan is adopted it will be part of the Herefordshire Local Plan 2011–2031.~~ **This adopted Travellers Sites Development Plan Document (DPD) forms part of the Herefordshire Local Plan. The policies of the DPD should be considered in conjunction with the policies of the Core Strategy.**
- ~~1.2 The current stage in the process of preparing the Travellers Sites Development Plan Document is the publication of a Pre-Submission Publication version. Following this, the Development Plan document will then be submitted to Secretary of State for Department of Communities and Local Government for examination. When adopted the development plan document will be used for development control purposes to determine applications for new Gypsy and Traveller pitches.~~
- 1.3 There has been a travelling community in Herefordshire for the last 500 years. Travellers live in different ways, including permanently ‘on the road’, in caravans or mobile homes, or in settled accommodation (for part or all of the year).
- 1.4 Nationally, Travellers can face inequalities in terms of access to a range of services and this can affect their life outcomes. Statistics about the Herefordshire Traveller population demonstrate that in general terms this is no exception in Herefordshire. The council seeks to address these inequalities and achieve better outcomes for the Traveller population through its housing, planning, education, social care and licensing functions and in partnership with the West Mercia Constabulary and the Voluntary Sector. Improvements have already been achieved through the refurbishment of some local authority owned sites and there are better than nationally average high school take up rates and GCSE results for traveller children. However the traveller community continue to face inequalities both nationally and in Herefordshire.
- 1.5 The multi-agency Herefordshire Gypsy and Traveller Strategy Group recognises the need to co-ordinate the response of public services for Gypsy and Traveller families to effectively address inequalities and to meet the requirements of the Equality Act 2010.
- 1.6 Ensuring the provision of good quality and a sufficient supply of accommodation for Gypsy and Travellers is key to helping to address these inequalities. The development plan document addresses the provision of three different types of traveller accommodation as follows:
- Residential pitches which provide a permanent base for travellers.
 - Winter quarters for Travelling Showpeople
 - Temporary stopping places where travellers passing through the County can

reside for a specified temporary period.

- 1.7 By ensuring that there is an adequate supply of pitches on authorised sites, the following can be achieved:
- Conformity with national planning policy and the Equality Act 2010
 - Providing decent accommodation for the Travelling Community
 - Provide greater opportunities to access a range of facilities particularly health and education, therefore providing better opportunities for improved life outcomes.
 - Help to reduce the number of unauthorised sites where Traveller families are more likely to experience poor outcomes in terms of access to health and education services.
 - Opportunities for greater social interconnection between the travelling and settled community.
- 1.8 By providing greater certainty about meeting the future accommodation needs for the Travelling Community the plan will contribute to working towards the Vision set out in the Core Strategy:

Herefordshire will be a place of distinctive environmental, historical and cultural assets and local communities, with sustainable development fostering a high quality of life for those who live, work and visit here. A sustainable future for the county will be based on the interdependence of the themes of social progress, economic prosperity and environmental quality with the aim of increasing the county's self-reliance and resilience.

2.0 National and Local Policy Background

Government Guidance

- 2.1 The National Planning Policy Framework (NPPF)¹ sets out the Government's planning policy on a range of matters. It states that local planning authorities preparing plans for and taking decisions on travellers' sites should have regard to the relevant of the NPPF and the Planning Policy for Travellers August 2015² (PPTS).
- 2.2 The PPTS sets out detailed government guidance for the provision of traveller accommodation. It states that "The Government's overarching aim is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of Travellers while respecting the interests of the settled

¹ <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

² <https://www.gov.uk/government/publications/planning-policy-for-traveller-sites>

community” (paragraph 3). It sets out the considerations that local planning authorities need to take into account in preparing policies for Traveller sites and number of criteria to be considered when allocating new sites for development and requires local planning authorities to ensure that traveller sites are sustainable economically, socially and environmentally.

- 2.3 For the purposes of planning the ‘Planning Policy for Traveller sites’, defines Gypsies and Travellers as “Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family’s or dependants’ educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of Travelling Showpeople or circus people travelling together as such”.
- 2.4 The Planning Policy for Traveller Sites defines Travelling Showpeople as Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their own or their family’s or dependants’ more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily, but excludes Gypsies and Travellers as defined above.
- 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.~~ **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.**

Herefordshire Local Plan Core Strategy

- 2.6 Core Strategy Policy H4, sets out the commitment to produce a Travellers Sites

Policy H4 – Traveller sites

The accommodation needs of travellers will be provided for through the preparation of a Travellers’ Sites Document (DPD) which will include site specific allocations.

In the absence of an adopted DPD, or where proposals for sites are brought forward on non-allocated land, proposals will be supported where:

1. sites afford reasonable access to services and facilities, including health and schools
2. appropriate screening and landscaping is included within the proposal to protect local amenity and the environment

Document. This will form part of the local plan and will allocate sites for a five year supply of the required number of pitches for Gypsies and Travellers, transit sites (for temporary stays and redirection from unauthorised encampments) and consider the need and approach to sites for Travelling Showpeople.

3. they promote peaceful and integrated co-existence between the site and the local community
4. they enable mixed business and residential accommodation (providing for the live-work lifestyle of Travellers)
5. they avoid undue pressure on local infrastructure and services
6. in rural areas, the size of the site does not dominate nearby settled communities and
7. they are capable of accommodating on-site facilities that meet best practice for modern Traveller site requirements, including play areas, storage, provision for recycling and waste management.

In rural areas, where there is a case of local need for an affordable Traveller site, but criterion 1 above cannot be fulfilled, then an exception may be made and proposals permitted, provided such sites can be retained for that purpose in perpetuity.

- 2.7** The Government's Planning Policy for Traveller Sites states that local planning authorities should very strictly limit new Traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan. However it does recognise that there may be circumstances when there are exceptions to this in order to deliver affordable Traveller sites in rural areas that remain affordable in perpetuity. The accommodation assessment does not identify a specific need for affordable provision but Policy RA3 of the Core Strategy sets out the circumstances when residential development will, in principle, be acceptable outside the County's settlements. This includes Gypsy and Traveller sites where proposals for sites meet the criteria of Policy H4.

Policy RA3 – Herefordshire's countryside

In rural locations outside of settlements, as to be defined in either neighbourhood development plans or the Rural Areas Sites Allocations DPD, residential development will be limited to proposals which satisfy one or more of the following criteria:

1. meets an agricultural or forestry need or other farm diversification enterprise for a worker to live permanently at or near their place of work and complies with Policy RA4; or
2. accompanies and is necessary to the establishment or growth of a rural enterprise, and complies with Policy RA4; or
3. involves the replacement of an existing dwelling (with a lawful residential use) that is comparable in size and scale with, and is located in the lawful domestic curtilage, of the existing dwelling; or

4. would result in the sustainable re-use of a redundant or disused building(s) where it complies with Policy RA5 and leads to an enhancement of its immediate setting; or
5. is rural exception housing in accordance with Policy H2; or
6. is of exceptional quality and innovative design satisfying the design criteria set out in Paragraph 55 of the National Planning Policy Framework and achieves sustainable standards of design and construction; or
7. is a site providing for needs of gypsies or other travellers in accordance with Policy H4.

2.8 The Equality Act 2010 recognises Romany Gypsies and Irish Travellers as being distinct ethnic groups and protects them from discrimination. There is a statutory duty on public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations in the course of developing policies and delivering services.

2.9 Herefordshire Council's Equality Policy 2017 – 2019 evidences the council's compliance with the Equality Act 2010 and demonstrates its commitment to equality and dignity, and respect for human rights. It includes one objective relating to Gypsy, Roma and Traveller Families as follows:

“To Agree on a location, and develop a transit site/temporary stopping place in Herefordshire. We will do this by:

- *working with the Gypsy, Roma & Traveller community and local partners (such as Police) to identify a suitable site*
- *addressing community cohesion issues in the chosen locality*

To Produce a Gypsy, Roma & Traveller strategy with associated actions to improve facilities and services for GRT communities. We will do this by:

- *focusing on key areas such as education, employment, accommodation and health”*

The DPD is a key factor in contributing to the achievement of this objective.

Duty to Cooperate

2.10 Local planning authorities and other public bodies are required to work together from the outset at the plan scoping and evidence gathering stages before options for the planning strategy are identified.

2.11 The Council has focused on meeting its own needs and is not relying on neighbouring authorities to assist. Equally it has not been asked to assist in meeting the gypsy and traveller accommodation needs of any neighbouring authorities. Discussions have taken place with all the adjoining local planning authorities during the preparation of the plan in order to identify any opportunities

for shared traveller provision particularly in respect of temporary stopping places. However it has not been possible to identify such an opportunity. The Council will nevertheless continue to engage with neighbouring local authorities as part of the ongoing cooperation process.

Relationship with Neighbourhood Plans

- 2.12** A separate plan is being prepared for Traveller Sites because it addresses the strategic planning issue of how the county wide need for accommodation for travellers is met. Therefore it is more appropriate to address the issue in a single county- wide document rather than in individual Neighbourhood Plans.

3.0 — Previous Consultation Stages

Issues and Options

- 3.1** — ~~An issues and options Paper was published for consultation in August 2014. This document focused on how any need for Traveller accommodation in Herefordshire should be met, by identifying the possible ways in which sites for permanent and transit pitches and plots for Travelling Showpeople could come forward. It looked at the best approach or “options” for how sites and broad locations of search can be identified to meet existing and any future need. However it did not look at individual sites. The responses received to this consultation are set out in the Issues and Options Results Report September 2015³.~~

Gypsy and Traveller Accommodation Needs Assessment (GTAA) 2015

- 3.2** — ~~The council appointed independent consultants to assess how many pitches will be needed in the county up to 2031. The findings of this assessment were consulted on in February/March 2015 and changes were made with an updated version issued in November 2015. (An update to the GTAA was carried out in July 2017. Comments on this will be sought as part of the pre-submission publication.)~~

Preferred Options Document 2016

- 3.3** — ~~A preferred options document was published for consultation between July and September 2016. It identified 8 sites for consideration for traveller accommodation. The responses to this can be found on the Councils website⁴~~

³https://www.herefordshire.gov.uk/media/8060233/results_report_for_issues_and_options_paper1_sept_2015.pdf

⁴

https://www.herefordshire.gov.uk/downloads/file/5534/summary_of_the_responses_to_travellers_sites_consultation

Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA)

- ~~3.4~~ The Habitats Regulations Assessment and the Sustainability Appraisal (SA) of the preferred options DPD can be viewed at: <https://www.herefordshire.gov.uk/planning-and-building-control/planning-policy/travellers-sites-document>.
- ~~3.5~~ These appraised the sites included in the Preferred Options DPD and the findings and recommendations have been incorporated into this pre-submission publication. A further HRA and SA will be carried out on the pre-submission draft
- ~~3.6~~ The preferred options HRA concluded that 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 and the HRA did identify that four of the sites are close enough to the SAC that recreational activities could increase physical disturbance/damage, or erosion/trampling. However, it concluded that in all cases, the scale of development is very small and unlikely to result in significant effects. It also stated that mitigation for this possible risk could be found in Core Strategy policies. For example Policy H4 specifies that sufficient on-site play areas should be provided on Traveller Sites. Additionally Core Strategy policies OS1-OS3, relate to open space, sport and recreation provision. Policies TS1 and TS2 of this DPD include a requirement for play areas and this will help to address the concerns raised in the HRA.
- ~~3.7~~ The SA identified a range of possible effects resulting from the development of the sites included in the Preferred Options document. It concluded that in general, the three preferred sites that are located close to the main towns of Herefordshire are likely to have the most positive effects on the SA objectives because they should offer good access to job opportunities, services and facilities and public transport links. As with all of the preferred sites, the three sites closest to the main towns of Herefordshire could still have negative effects on other SA objectives, particularly those relating to the environmental topics. It advised that careful consideration therefore needs to be given to the ways that these effects could be mitigated and that close attention should be paid to mitigating the significant negative effects identified for each site. Not all of the sites that were included in the preferred options are included in the pre-submission draft.

Sustainability Appraisal (SA) is a systematic process that must be carried out during the preparation of a Local Plan. Its role is to promote sustainable development by assessing the extent to which the emerging plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives. The process assesses the impact of the DPD on

the environment, people and the economy. It incorporates the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 (commonly referred to as the 'Strategic Environmental Assessment Regulations', which implement the requirements of the European Directive 2001 /42/ EC (the 'Strategic Environmental Assessment Directive') on the assessment of the effects of certain plans and programmes on the environment. Sustainability appraisal ensures that potential environmental effects are given full consideration alongside social and economic issues. This DPD has been assessed against various sustainability criteria at the different stages of plan preparation and the results can be found in the Sustainability Appraisal. The DPD has also been subject to Habitats Regulations Assessment (HRA) screening to assess whether there would be likely significant effects on sites of international importance for wildlife (European designated sites). Where a land use plan is likely to have a significant effect on such sites, an appropriate assessment must be carried out of the implications in respect of their conservation objectives. The screening exercise has considered potential effects on European sites within and around Herefordshire. Overall, it was concluded that no likely significant effects will occur as a result of the inclusion of the allocated additional sites in the Travellers' Sites DPD.

4.0 Requirements for Traveller Pitches and Plots

Current supply in Herefordshire

- 4.1** 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 429 **133** authorised pitches across the county. In addition to this there are 10 Travelling Showpeople plots in Ross on Wye.

Evidence Base – Gypsy and Traveller Accommodation Assessment

- 4.2** Local authorities are required to assess the accommodation needs of Gypsies and Travellers either living in, or resorting to their area. **The Gypsy and Traveller Accommodation Assessment (GTAA) is the key evidence base for the requirement for new pitches. Various updates of the GTAA were produced as part of the plan making process and final amendments were made in light of the outcome of the hearing sessions.** Herefordshire Council appointed independent consultants Arc4 to carry out a Gypsy and Traveller Accommodation Needs Assessment. An initial report setting out Arc4's findings was published in February 2015. This was made available for public consultation until mid-March 2015 and in May 2015 the responses to queries raised during that consultation were published.⁵ The queries related to the methodology used for working out the figures particularly in relation to how 'turnover' of pitches had been applied. Turnover relates to the effect of a pitch being vacated by one resident and then becoming available for another occupant. As a result of these concerns an update was carried out with the final version published in November 2015.⁶ A further update was carried out in the summer of 2017.⁷
- 4.3** The GTAA considers the requirement for three different types of pitches:
- Residential pitches that can be a longer term base for a household.
 - Travelling show people plots (sometimes referred to as Winter Quarters)
 - Temporary stopping places / transit pitches
- 4.4** The typical requirements and characteristics for these are set out in the following paragraphs.
- Residential Pitches:**
- 4.5** Generally individual pitches on a Traveller site will include an area of hardstanding for a touring caravan and towing vehicle, and a larger static caravan. There will usually be a separate amenity block which will include toilet, washing and cooking facilities. Some larger structures have these facilities inside and in these cases there may not be a requirement for separate amenity blocks. Pitches may also include an area suitable for work space if required often related to tree surgery or gardening work. Traveller sites usually incorporate communal facilities such as play areas. In other parts of the country some traveller sites have a communal building.

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https://www.herefordshire.gov.uk/media/3900721/arc4_response_to_consultations_responses_herefordshire_gtaa-may2015.pdf

⁶ https://www.herefordshire.gov.uk/media/8060233/results_report_for_issues_and_options_paper1_sept

⁷ Insert link when available

- 4.6 There is no published average area for pitch sizes. The number of pitches suggested for each site is based on a reference to the average pitch size on the Herefordshire local authority sites, which take into account spacing standards relating to fire safety and other issues.
- 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 this 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 meet 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 **but this DPD focuses on making provision for those Travellers meeting the definition set out in the PPTS in line with Government guidance.**

Table 1 extract from GTAA 2017

Table 6.1 — Overall plan period Gypsy and Traveller pitch need		
	Cultural need	Of which:- PPTS need
Historic Pitch need 2011/12 to 2016/17	17	6
5yr Pitch need (2017/18 to 2021/22)	48	17
Longer term Pitch need (2022/23 to 2030/31)	26	10
TOTAL Pitch need for the whole Local Plan Period (2011/12 to 2030/31)	91	33
TOTAL Pitch need for the remainder of the Local Plan Period (2017/18 to 2030/31)	74	27
Expected turnover on LA sites over the Plan Period	84	84
RESIDUAL PITCH REQUIREMENT DURING THE REMAINDER OF THE PLAN PERIOD (2017/18 to 2030/31) including turnover	Addressed	Addressed

Table 1 Overall plan period Gypsy and Traveller pitch need

Revised Table 5.3 Overall plan period Gypsy and Traveller pitch need		
	Cultural need	Of which: PPTS need
<u>5yr pitch need (2018/19 to 2022/23)</u>	<u>52</u>	<u>19</u>
<u>Longer-term need to 2023/24 to 2030/31</u>	<u>31</u>	<u>11</u>
<u>TOTAL pitch need 2018/19 to 2030/31 (Local Plan Period)</u>	<u>83</u>	<u>30</u>

4.8 The GTAA partial update 20178 has found evidence of Gypsy and Traveller pitch need over the next five years (2018/189 to 2024/2222/23) equating to 48 52 pitches under a cultural definition, and as a subset of this number, 47 19 pitches under the PPTS 2015 definition of Gypsy/Traveller (those who still travel and/or intend to travel). **To the end of the Local Plan period the GTAA has identified a cultural need for a further 31 pitches and, as a subset of this number, a PPTS need for a further 11 pitches. Total pitch need is therefore 30 for those complying with the PPTS definition and 83 based on cultural need.**

4.9 For the full Local Plan Period (2011/12 to 2031/32) the GTAA has identified a cultural need for 91 pitches and, as a subset of this number a PPTS need for 33 pitches.

- ~~4.10~~ For the remaining local plan period (2017/18 to 2031/32), the GTAA has identified a cultural need for 74 pitches and, as a subset of this number a PPTS need for 27 pitches.
- 4.11 The GTAA includes consideration of how turnover on local authority sites may impact on the supply of pitches. Turnover takes into account the effect of a pitch being vacated by one resident and then becoming available for another occupant **and may impact on the supply of pitches**. Taking into account ~~a~~**An** anticipated average annual turnover of ~~6-1~~ pitches on local authority sites during the remainder of the plan period (2017/18 ~~18/19~~ to 2031/32 ~~30/31~~), **has been allowed for**. this equates to 84 pitches becoming available. 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.
- ~~4.12~~ As stated above the GTAA identifies a requirement of 33 pitches between 2011 and 2031. There have been 18 completions of traveller pitches between 2011 and 2017 leaving a residual requirements of 15 for the plan period. Therefore the five requirement is between 5 and 6 pitches. The development of sites identified in this document will more than meet this requirement. Therefore at this stage there is no need to identify any further sites for the remaining plan period but this will be kept under review through regular GTAA updates and 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 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 is kept under review.
- 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 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.

Proposed allocations for residential pitches for Travellers

Table 2: Total number of residential pitches allocated.

Site Name	Number of Pitches
Romany Way Grafton	1
Extension to Orchard Caravan Park, Lower Bullingham	2
Openfields Bromyard	2
Extension to Pembridge	4
<u>Extension to Oakfield Nash End Lane</u>	<u>4</u>
TOTAL	<u>9 13</u>

~~4.14~~ All these sites have ongoing waiting lists and there is therefore an identified demand for an increased number of pitches. With an allowance of 1 pitch per year contributing to supply from turnover of pitches this will equate to a supply of 18 for the period up to 2022/23. It should be noted that the figure for the five year requirement is a minimum and there is a longer term requirement (as set out Table 1) still to be met. This will be achieved through the review of the Core Strategy and /or planning applications granted in the interim. The five year supply figure should not be regarded as a target which is not to be exceeded given the longer term requirements.

Land at Stoney Street, Madley was included in the additional sites consultation that was carried out as part of the examination of the Travellers Sites DPD. This brownfield site was previously used as an emergency stopping place for Travellers that was owned and managed by Herefordshire Council. Planning permission was granted in 2014 for B2 General Industrial Uses under the Use Class Order. This permission was never implemented and the site has now become available for redevelopment as a private residential traveller pitches. However, it is affected by significant issues arising from its proximity to an industrial estate in relation 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.

Travelling Show People

- 4.15** The Planning Policy for Traveller Sites (August 2015) defines “Travelling Showpeople as Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their own or their family’s or dependants’ more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily, but excludes Gypsies and Travellers as defined above. Individual pitches within a site are known as plots”.
- 4.16** With fairs and shows generally taking place between Easter and October, such sites are known as ‘Winter Quarters’ as they were traditionally occupied in the winter months and were vacant in the summer months when the whole family would travel together to shows. However, it is now more usual for these sites to be occupied all year by some family members. This allows children to maintain regular attendance at schools and for elderly relatives to stay at home. The opportunity to have access to education without disruption is a key factor in helping to improve outcomes for children. The availability of sufficient and suitable accommodation from which to access educational services is vital in this respect.
- 4.17** Plots for Travelling Show People differ from other traveller groups as they require enough space for both living accommodation and storage of fairground equipment. Having equipment close to living quarters has advantages in terms of security and also allows on-site maintenance to take place. The PPTS states that local planning authorities should have regard to the need that travelling showpeople have for mixed-use yards for both residential accommodation and space for storage and maintenance of equipment. It advises that planning conditions or obligations may be used to overcome any potential objections for

this mixed land use for example by limiting which parts of the site would be used for business operations.

- 4.18** The storage and maintenance of equipment is an employment use and therefore this type of land use can be considered as 'live work'. Therefore Core Strategy Policies H4 (Traveller Sites) and Policy E1 (Employment) which encourages the provision of viable live work units as part of mixed developments are both relevant.
- 4.19** The 2015 GTAA established a need for 9 additional travelling showperson plots up to 2031. The GTAA update 2017 process included discussions with a local travelling show person community member and these suggested that this remains an appropriate number over the plan period to 2031. The Council will continue to work with the Travelling Show Persons Guild and the local community to encourage sites to come forward for this purpose.

Temporary Stopping Places

- 4.20** There are no authorised transit or temporary stopping places in Herefordshire. However there are groups of travellers that travel through the county as part of longer journeys or those that are travelling within the County and require locations to stay for a few days.
- 4.21** Without an authorised site for this use, Travellers have no option but to stop at an opportunist location of their choosing. Unauthorised encampments on private land without the landowner's permission leads to financial costs for the landowner and tension between travellers and the settled community. Therefore the provision of sites to address this is considered to be the key towards resolving unauthorised encampments in the county.
- 4.22** A temporary stopping place provides an authorised base where traveller families can access local services and facilities e.g. health care and education. The provision of such a site will assist the police in exercising their functions to move travellers off private land and to enable them to legally direct an unauthorised encampment to the authorised location. It also can reduce other financial costs that might be incurred by including local authority officer time, police monitoring and clean-up costs.
- 4.23** The latest GTAA recommends that a 5 pitch transit site / temporary stopping place would help to address this need and that the provision of a transit site should be considered by the Council.
- 4.24** It is believed that in Herefordshire that the best approach to meeting this requirement would be to provide a 'negotiated' temporary stopping place. This will consist of an area of hardstanding with sanitation and waste disposal facilities brought in when the site is occupied. This approach is considered to be preferable because it is considered that it will better serve the type of

encampments that generally occur in the county. A site for this purpose is proposed under policy TS3.

- 4.25** The site will be managed by the Licensing, Traveller and Technical Support team. A management policy for the site will be produced in consultation with West Mercia Police to ensure that a fair, transparent and accountable method of allocating pitches on the temporary stopping place is set out. The length of stay for each encampment will be negotiated on a case by case basis but will not exceed fourteen days. This will help to ensure that there is an availability of temporary stopping places in the county. The sites will not be occupied all year.

5.0 Policies

5.1 Policy TS1 will apply to all applications for traveller sites and is to be applied in conjunction with Core Strategies policies, with policy H4 being of particular relevance. **Gypsy and Traveller sites may vary in their layout and type of development. Sites managed by Herefordshire Council are made up of a number of pitches which consist of hardstanding for a caravan and /or mobile home as well as a separate amenity block with cooking and washing facilities. Private sites which are either individual or small family sites often have either a small area of hardstanding or none at all and often do not include a separate permanent amenity block.** The inclusion of this type of policy is supported by the sustainability appraisal of the preferred options document. This policy seeks to ensure the delivery of high quality sites that will contribute to a good quality of life for the residents and will also help to mitigate any potential impacts of the development of new pitches.

Policy TS1 – Residential Traveller Pitches and Sites

Proposals for new residential Traveller pitches and sites will be supported where they conform to Policy H4 of the Core Strategy and achieve the following:

- 1. an overall good quality of design which respects the setting of the site and the local landscape character.**
- 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. Any 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 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 clean water supply, 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 result in an adverse 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.~~

~~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.~~

Travelling Showpeople Plots

- 5.2 The GTAA identifies a need for nine travelling show plots to 2031. The Council will continue to work with the Travelling Show Persons Guild and the local community to encourage these sites to come forward ~~for this purpose~~. ~~The requirement will be met through the planning application process and Policy TS2 seeks to encourage the supply of suitable sites~~ and recognises the differences in the site requirements for travelling show people plots in comparison with other traveller sites. In particular they usually require sufficient space for both living accommodation as well as for the storage and maintenance of fairground equipment. ~~Because of the specific requirements and differences to the other traveller sites and given that there are no allocations for show people plots land, this enabling policy aims to encourage the provision of additional show people sites is included.~~ Regard has been had to the Showman's Guild's document "A Planning Focus Model Standard Package - Revised September 2007".

Policy TS2 – Travelling Showpeople plots

Proposals ~~Planning applications~~ for new plots for Travelling Show People will be supported ~~encouraged to meet the identified need where they meet the following criteria~~ conform to Policy H4 of the Core

Strategy and achieve the following:

1. The site should be ~~relatively level and large enough~~ able to accommodate residential accommodation as well as space and or buildings for storage and maintenance of equipment if required.
2. The site should have satisfactory vehicular access, suitable for the safe and convenient movement into and out of the site of large vehicles including those carrying fairground equipment.
3. The site should ~~have suitable access~~ be in reasonable proximity to the strategic road network.
4. ~~Measures to reduce the risk of flooding should be incorporated into the design and 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 on to 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 should be is kept to a minimum and should be directed down to the ground, to avoid light pollution.

6.0 Proposed Allocations

Land to the west of A49 Leominster



Site Type: Temporary Stopping Place of 5 pitches

Policy TS3

Proposals for development at this site should:

- 1. Provide an area of hardstanding for**
 - towing vehicles and caravans for short stays only
 - temporary sanitation and waste management facilities to be brought on site when it is occupied and removed at the end of the stay.
- 2. Not include any permanent structures apart from a small building for administrative purposes if deemed necessary.**
- 3. Demonstrate appropriate vehicular access and turning space into and within the site**
- 4. Demonstrate that there would be no potential adverse impact on the River Lugg SSSI.**
- 5. Retain where possible and enhance existing semi mature native trees on the boundary of the site to mitigate any landscape impact and to provide privacy to the site.**
- 6. apply principles of sustainable urban drainage systems in the design.**

7. Provide a 1.8m high steel palisade fencing to prevent access onto the railway line and other fencing to prevent access onto the highway.

Explanation:

- 6.1** The purpose of this allocation is to provide a site which will help to address unauthorised encampments of travellers and associated issues. It is intended to be used on a short stay basis only.
- 6.2** This site is located on a strategic highway network and is therefore **provides a suitable location for this type of use travellers passing through the county. A traffic management plan 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.
-
- 6.3** The Strategic Flood Risk Assessment of this site indicated that the site was not subject to flooding as indicated on the Environment Agency flood maps which show areas of flood zones 1, 2 and 3 on the site. Further consultation directly with the Environment Agency confirmed that detailed modelling carried out on the Rivers Arrow & Lugg, show this site to be outside flood zone 2 and 3 and in Flood Zone 1. However it should be noted that there may be small adjustments to this information as the flood outlines are refined and reviewed against EA's flood map criteria. Therefore a sequential approach to the layout of the site may be required based on any further information regarding flood risk. The site would require Sustainable Urban Drainage proposals, so not to exacerbate the nearby flooding.
- 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.~~
- 6.5** 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. **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.**
- 6.6** The Sustainability appraisal of the preferred options noted that this site is located between 250m and 1km of a number of designated biodiversity sites, including the River Lugg SSSI and Land at Eaton Hill, which is a Local Wildlife Site. It concluded that therefore a minor negative effect is likely but recognised that appropriate mitigation may avoid adverse effects and could result in beneficial

effects.

- 6.7** The length of stay on this site should not exceed 14 nights for one occupancy but this will be negotiated on a case by case basis.

- 6.9** There is capacity for one additional pitch making use of the former warden's office. This currently houses the electric meters for the site but these can be rehoused in a small purpose built cabin as on the other local authority sites.
- 6.10** By siting the additional pitch in this part of the site it allows the retention of the existing play area. Although this is currently underused it is considered important to retain this asset for children on the site now and in the future and is a positive mitigation in relation to the findings of the HRA.
- 6.11** Although there is no evidence of bats being present in the former warden's office it is recommended that any site clearance or demolition should take place between November and February. A condition should be imposed on any planning permission to the effect and should set out construction methods.
- 6.12** The site is located in the low risk Flood Zone 1 and is not considered to be at significant risk from other sources of flooding. In accordance with NPPF, the site meets the requirements of the Sequential Test and does not need to be supported by a site-specific FRA.
- 6.13** The strategic flood risk assessment recommends that a surface water drainage strategy will be required to demonstrate how surface water runoff will be appropriately managed. Regard should be had to high groundwater levels which may limit the suitability of infiltration techniques although it is anticipated that the existing drainage system will be used.

Extension to Orchard Caravan Park Watery Lane Lower Bullingham



Site Type – Local Authority Site of eleven pitches

Proposed allocation–Additional two residential pitches as extension to existing site

Policy TS5

Proposals for development of this site should:

- 1. Demonstrate appropriate vehicular access and turning space either through a new access off Watery Lane or through the existing site.**
- 2. Provide a site specific Flood risk Assessment. A sequential approach to site layout may be required to take into account surface water flooding.**
- 3. Provide a full assessment of contaminated land report and demonstrate that any required remedial works addresses any contaminated land issues.**
- 4. Provide an ecological appraisal to assess the impact on the species & to determine most appropriate time of development to mitigate impacts on any nearby habitats.**

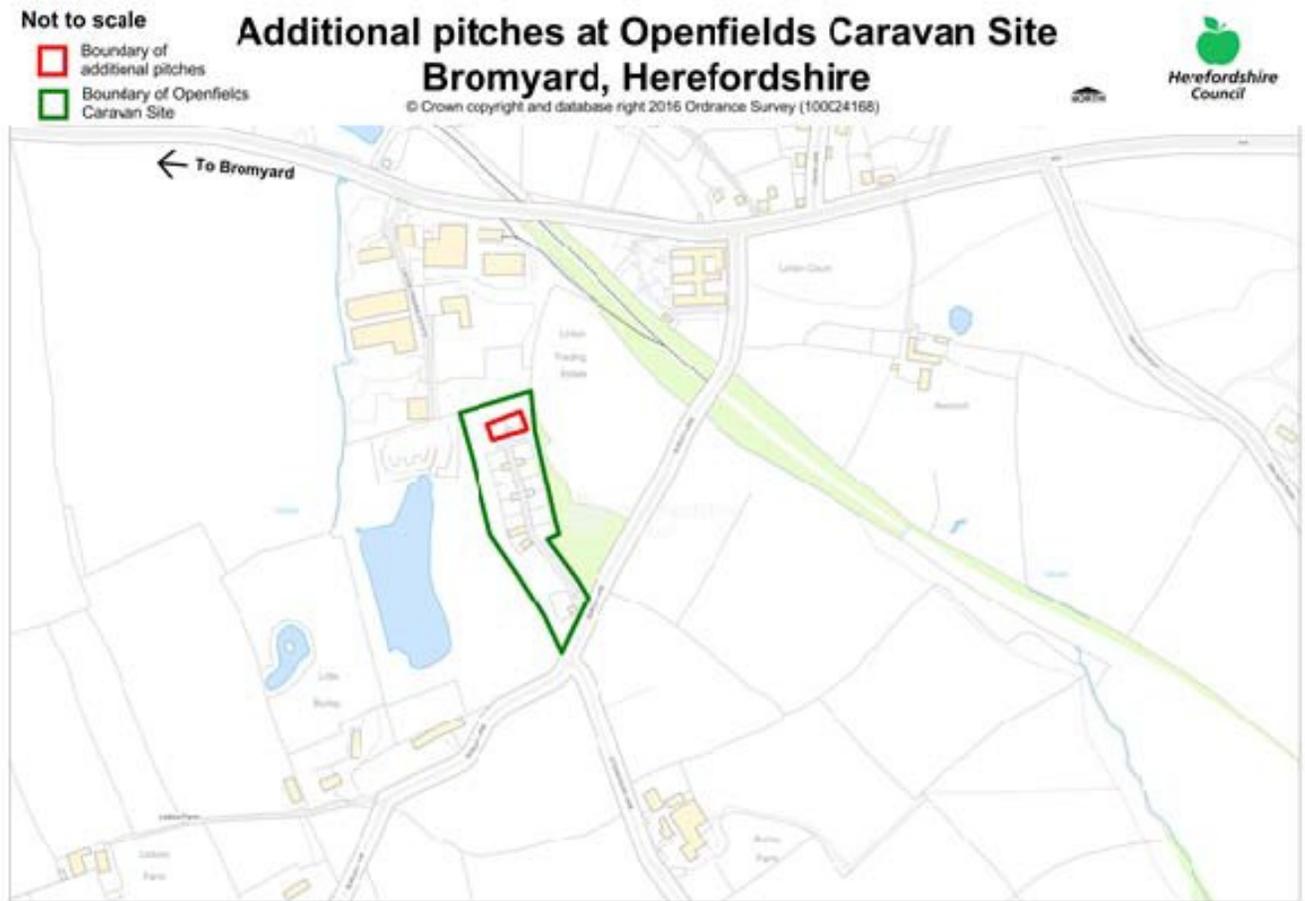
Explanation

6.14 This a local authority owned and managed site. It is situated to the south of Hereford and in close proximity to the Southern Strategic Urban extension identified in the Core Strategy. This site will benefit from improved connectivity

through the enhanced walk and cycle route between Watery Lane and Twyford Road which will be brought forward as part of the Southern Urban Extension. The site is situated within the Rotherwas Enterprise Zone. However it is has a long established use and is a very popular site amongst Travellers.

- 6.15** The site is well contained as it is set down into the landscape but there is an opportunity for enhancement to the existing site as part of the extension by improving the boundary treatment which would greatly enhance the entire site.
- 6.16** A desk based contaminated land assessment has been carried out. This recommends that given that the site was within the boundary of the former Royal Ordnance factory, further intrusive investigations into any contaminants resulting from previous uses and neighbouring uses will be required. Furthermore a specialist survey to assess the risks of unexploded ordnance will also be required.
- 6.17** The Sustainability Appraisal has identified that Traveller site is between 250m and 1km from several designated biodiversity or geodiversity sites, including Withy Brook, a Site of Importance for Nature Conservation, and the River Wye SSSI. The SA concludes that therefore a minor negative effect is likely but that this is uncertain as appropriate mitigation may avoid adverse effects and could result in beneficial effects. An ecological appraisal will be required to assess the impact on wildlife on the site and to determine most appropriate time for construction to mitigate impacts on it.
- 6.18** There is a small unnamed watercourse flowing through the site. The site is located within flood zone 1 and there is no identified fluvial flood associated with the watercourse. The Environment Agency's flood risk from surface water map indicated that the site is at medium risk from surface water flooding. Therefore a surface water drainage strategy will be required as part of any subsequent planning application to demonstrate how surface water runoff will be appropriately managed. Infiltration should be promoted as far as practicable for smaller rainfall events, although discharge to a watercourse may be required for larger rainfall event.

Open fields Bromyard



Site Type - Local Authority Site of ten pitches

Proposed allocation – Two additional pitches within the existing site boundary.

Policy TS6

Proposals for development of this site should:

- 1. Provide two additional pitches on the site of the former vacant pitches.**
- 2. Consider the option of adopting the road within the site as public highway if it meets the required standards.**
- 3. Explore opportunities for enhancing of landscape treatment of the boundaries of the site.**
- 4. Provide a flood risk statement to support the development of the site.**

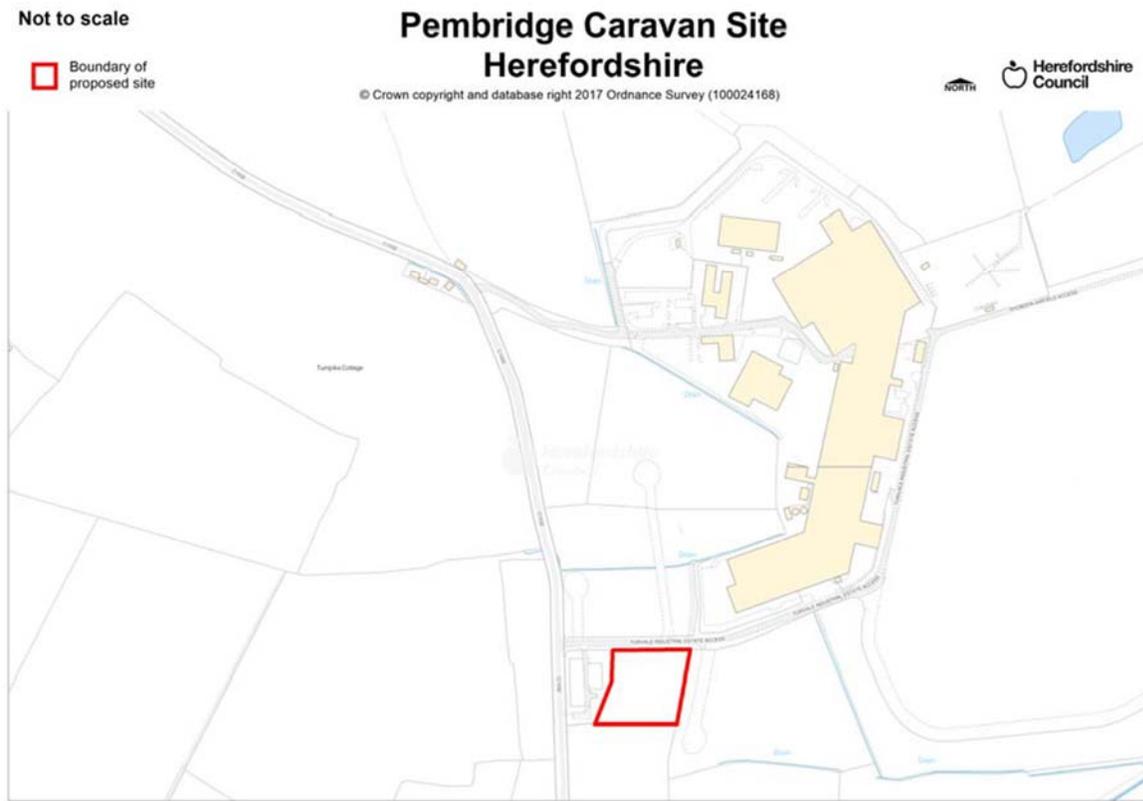
Explanation

6.19 This site is situated to the south west of Bromyard where there are a range of facilities and to the south of the Linton Industrial Estate. Bus services are available on the A44 which is a short walk from the site. It provides the

opportunity to make good use of brownfield land within the boundary of the existing site.

- 6.20** The Openfields site in Bromyard is located in the low risk Flood Zone 1 and is not considered to be at significant risk from other sources of flooding. As the area of proposed development is minimal, it is considered likely that a Flood Risk Assessment prepared in accordance with NPPF may not be appropriate and that, instead, a flood risk statement should be submitted to support the planning application.
- 6.21** A surface water drainage strategy will be required to demonstrate how surface water runoff will be appropriately managed. It may be appropriate to combine this with the site-wide drainage strategy as infiltration of runoff may not be possible for larger rainfall events due to underlying soil permeability.
- 6.22** The SA has identified a potential negative effect in relation to the Down Lodge, a Grade II Listed Building situated on the A44. However it is considered that there is very limited indivisibility between the site and the heritage feature and there is an industrial development between the traveller site and the heritage feature. Although there is existing mature planting on the boundaries of the site, opportunities to enhance this landscaping should be taken.
- 6.23** The SA identifies that this site is located within 250m of Bromyard Downs and adjoining woodland, a designated Local Wildlife Site. However there is an existing play area and open space within the site that will help to mitigate any potential adverse effects.

Extension to Pembridge Site



Site Type – Local Authority Site of six pitches

Proposed allocation of four additional residential pitches

Policy TS7

Proposals for the development of this site should:

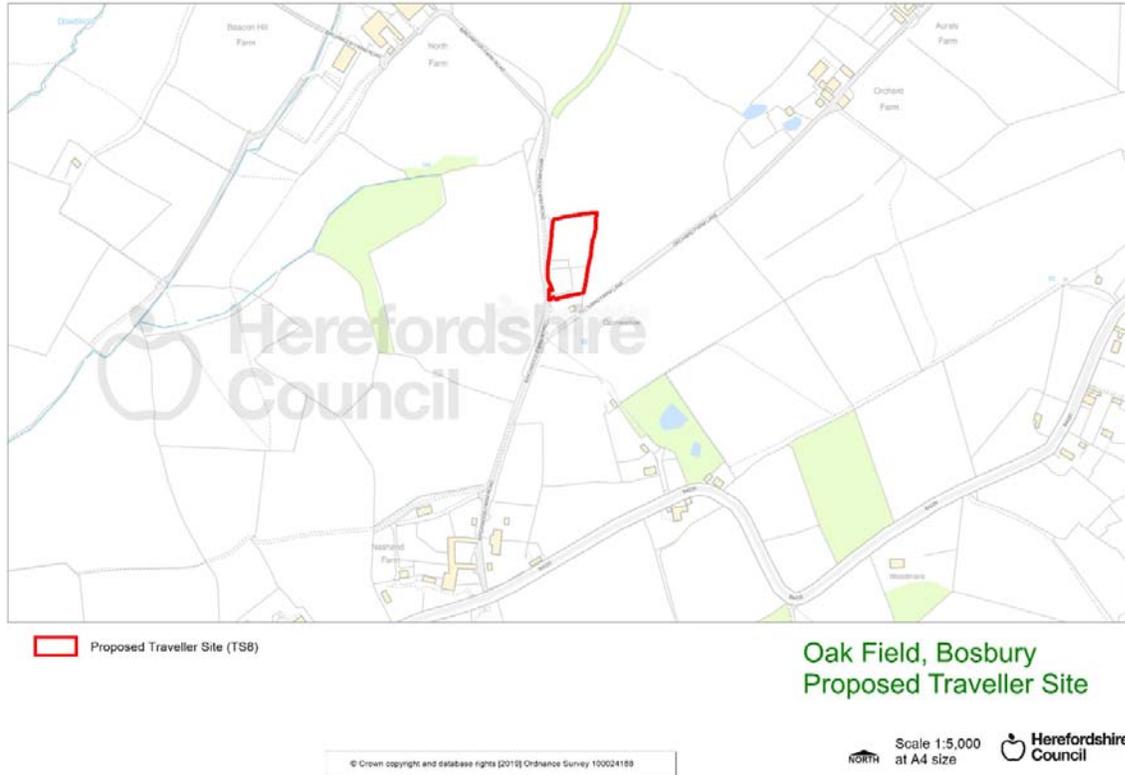
- 1. provide 4 additional pitches of a similar scale to the existing site**
- 2. include proposals for the management and use of the remaining part of the site for grazing or orchard / native tree species planting.**
- 3. Deliver appropriate landscape enhancements to reflect the Principal Settled Farmlands Landscape character setting including:**
 - a. appropriate native tree planting for screening in open landscape settlement.**
 - b. and further landscape enhancements to the existing site frontage.**
- 4. Include a suitable and safe play area.**
- 5. Provide a contaminated land assessment of the site and of the landscape bund.**

6. Provide access to the extension area via the existing access onto the highway.

Explanation

- 6.24** The existing site is located approximately 1.6km away from Pembridge where there are a range of services including primary school. The site is served nearby by bus stops and it is an approximate 5 minute cycle into Pembridge on level terrain.
- 6.25** The area identified has capacity for more than 4 pitches. However it is considered that four extra pitches resulting in a site of 10 pitches overall should be the maximum number on this site. The remaining part of the extension site should not be developed but could be used for either grazing or orchard planting. Given the open character of the landscape additional screening of the site will benefit the setting of the extension and will also mitigate any adverse effects of the heritage assets in the vicinity.
- 6.26** The site is situated within the former area of the Shobdon airfield. As such a contaminated land assessment should be carried out. A landscape bund is located to the south and east of the existing site. The landscape bund would require partial excavation to provide access into the extended area. Tests should be carried out on the bund to identify the materials before excavation begins.
- 6.27** The SA has identified that this site option is between 250m and 1km from a number of designated heritage assets, including North Herefordshire Rowe Ditch, A Scheduled Monument and Clear Brook, a Grade II* Listed Building. A minor negative effect is therefore likely on this SA objective, although as effects will depend on factors relating to the design of the site, which are unknown at this stage, this is uncertain. The inter-visibility between the extension site and these features is regarded as minimal.

Extension to Oakfield, Pow Green, Bosbury



Policy TS8

Oakfields, Nashend Lane, Bosbury

Site Type – Private

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. Make provision for landscaping in accordance with policy TS1.

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.

7. Implementation and monitoring

- 7.1 The continuous monitoring of policies and proposals is essential to ensure that the DPD achieves its objectives. The policies will be monitored principally through the Authority Monitoring Report (AMR) using the following indicator:
- The number of new traveller pitch commitments and completions.
- 7.2 If it appears that the policies are not being effective, a review of the policies may be required. The policies and proposal will also be assessed against any objectives set out in the Sustainability Appraisal. The potential impacts of any changing national and local policy and guidance will also be considered as part of the AMR. Records of unauthorised encampments and turnover of pitches on the council managed sites will be reviewed to help monitor the effectiveness of the policies.
- 7.3 The Gypsy and Traveller Accommodation Assessment will be reviewed every five years **requirement for pitches will be assessed on a regular basis**. All of the data collected as described above will feed into this five yearly review. **The accommodation requirements for Travellers not meeting the PPTS definition will be assessed as part of the Core Strategy Review.**