

Herefordshire Local Plan
Travellers' Sites Development Plan
Document

Sustainability Appraisal/Strategic
Environmental Assessment Report

October 2019

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1.0 Introduction

- 1.1 Herefordshire Council adopted the Herefordshire Local Plan – Travellers Sites Development (DPD) Plan 2014- 2031) on 11th October 2019.
- 1.2 During the preparation of the DPD, the Council was required by law to carry out a Sustainability Appraisal (SA) and a Strategic Environmental Assessment (SEA) of the plan as it developed. Both the SA and SEA requirements were met through a single integrated process (referred to as SA), the method and findings of which were described in a number of SA reports published alongside the different versions of the DPD during its development.
- 1.3 Regulation 26 of the Town and Country Planning (Local Planning) (England) Regulations (2012) requires Herefordshire Council to make the final SA Report available alongside the Adopted Local Plan.
- 1.4 In addition to the requirement in Regulation 26 of the Town and Country Planning (Local Planning) (England) Regulations (2012) for publishing the final SA Report alongside the Adopted Local Plan, the SEA Regulations also require a number of steps to be taken upon adoption of a local plan (in this case the Herefordshire Travellers DPD). Specifically, SEA Regulation 16 sets out the post-adoption procedures for the SEA, and requires that, as soon as reasonably practicable after the adoption of a plan for which an SA/SEA has been carried out, the planning authority must make a copy of the plan publicly available alongside a copy of the SA report and an ‘SEA adoption statement’, and inform the public and consultation bodies about the availability of these documents. The consultation bodies are Historic England, Natural England and the Environment Agency.
- 1.5 As the SEA process was incorporated into the SA process, this document constitutes the SA/SEA Adoption Statement for the Herefordshire Local Plan. The document is structured according to the SEA Regulation requirements listed above:
- 1.6 The final SA Report for the Adopted DPD should be read alongside the component SA reports carried out at the various stages of the plan making process. All these reports are available on the Council’s website as follows:
 - SA scoping report June 2014 - https://www.herefordshire.gov.uk/download/downloads/id/1589/travellers_sites_sustainability_appraisal_scoping_report_june_2014.pdf
 - Issues and Options Paper SA August 2014 - https://www.herefordshire.gov.uk/download/downloads/id/1583/issues_and_options_paper_-_august_2014.pdf
 - Preferred Options Consultation July 2016 - https://www.herefordshire.gov.uk/download/downloads/id/13209/travellers_sites_preferred_options_sa_report_july_2016.pdf
 - Pre-submission Publication November 2017 - https://www.herefordshire.gov.uk/download/downloads/id/11861/sustainability_appraisal_-_travellers_sites_dpd_-_november_2017.pdf
https://www.herefordshire.gov.uk/download/downloads/id/11862/non-technical_summary_-_sustainability_appraisal_travellers_sites_dpd_-_november_2017.pdf
 - Additional Sites Consultation August 2018

https://www.herefordshire.gov.uk/download/downloads/id/16229/sustainability_assessment_for_additional_travellers_sites.pdf

- Main Modifications May 2019

https://www.herefordshire.gov.uk/download/downloads/id/18030/sustainability_appraisal_and_habitats_regulations_assessment_second_addendum_may_2019.pdf

2.0 How environmental and sustainability considerations have been integrated into the Herefordshire Local Plan – Travellers Development Plan Document

- 2.1 The Sustainability Appraisal (SA) of the Travellers' Sites Development Plan Document (DPD) has been carried out in an integrated manner encompassing Strategic Environmental Assessment (SEA). This integrated process is reflected in the Sustainability Appraisal reports produced at the various stages of the production of the DPD. This integrated approach accords with guidance contained in the Planning Practice Guidance (PPG) which states that "Sustainability appraisals incorporate 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." The requirements of the SEA Directive and Regulations are set out in Table 1.1 of the SA Report November 2017 and the legislative requirements have informed the development of the DPD. Each SA stage included a table to show how the requirements of the SEA Directive have been met within this SA report
- 2.2 The SA process started in June 2014 when a Scoping Report for the DPD, was produced by Herefordshire Council (the Council). The Scoping Report established the range and level of detail for the SA and provided base data used for the SA Report. It identified draft SA objectives, and outlines the draft SA Framework and site checklist tools. The Scoping Report was issued for consultation with various stakeholders including the statutory consultees for SEA - Natural England, the Environment Agency and English Heritage. Consultation responses received to the Scoping Report are shown in section 4 of this report.
- 2.3 In 2014 the Council commissioned independent consultants Land Use Consultants (LUC) who specialise in SAs, SEAs and HRAs and LUC continued the SA work at subsequent stages of the process. The purpose of the SA was to assist the Council identify the key sustainability/environmental issues facing the plan area, to predict what would be the likely effects of the DPD on these issues, and to put forward recommendations to improve the DPD.
- 2.4 The SA process has been carried out in an iterative manner throughout the plan making process. Chapter 2 of the SA Report 2017 explains how the SA process has been undertaken at each stage in the plan making process and how it has provided sustainability guidance and informed its development. Following the SA Report 2017, two further stages of SA were carried out on the Additional Sites Consultation and Main Modifications stages, during the examination process. At every stage a review of the baseline data and policy context has taken place as well as a review of significant changes made to the policies and proposals, or new options as relevant, to determine the sustainability implications of the changes and whether any additional SA work was needed. Furthermore at each stage of the plan preparation process, policies and proposals of the Travellers' Sites DPD have been the subject of consultation and some have been subsequently appropriately amended. Consequently the SA process has been repeated where necessary to take into account any changes made as a result of consultation and/or where additional evidence has become available. This approach has ensured a thorough process resulting in a reliable and robust SA.

		<p>environment where the potential for a number of adverse impacts remains. It was recommended that these should be addressed in relation to specific sites and through modification of Policy TS1 and Policy TS2. A number of other recommendations were made to avoid other potential impacts or to enhance positive effects. Recommended changes will help ensure no significant cumulative impacts occur. The recommendations made in the sustainability appraisal at this time were considered by officers of the council and a response to each was given in the Submission Document: Summary of main points raised during pre-submission consultation - February 2018 The Inspector then considered these matters as part of the examination process.</p>
<p>Additional Sites October 2018</p>		<p>The two additional sites identified during the Travellers' Sites DPD examination to address the shortfall in deliverable pitches over the plan period were subject to appraisal against the SA objectives which were developed at the scoping stage.</p> <p>Both sites are expected to have significant positive effects for SA objective 11: Housing. However, the Land at Stoney Street, Madley site is likely to have more positive and less negative effects overall than the Land at Oakfield, Nashend Lane, Bosbury site. For the Land at Stoney Street, Madley site, minor positive effects are expected for SA objectives 1: Employment, 4: Reduce road traffic, 19: Land use, and 14: Natural resources while minor negative effects are identified for these SA objectives in relation to the Land at Oakfield, Nashend Lane, Bosbury site. An uncertain significant negative effect is expected for SA objective 20: Cultural heritage for the Land at Oakfield, Nashend Lane, and Bosbury site. However, the potential impact on the historic environment, specifically a nearby Grade II Listed Building, from the development of this site can be mitigated through policies <i>TS1 – Residential Traveller Pitches and Sites</i> and <i>H4: Traveller sites</i> (Core Strategy policy).</p> <p>The SA also recommended that, should the two additional sites be allocated in the Travellers' Sites DPD, associated site-specific policies are prepared and included in the DPD, in line with the approach taken for the other five site allocations. The SA provides recommendations for the criteria that should be included in the site-specific policies which should avoid adverse impacts or enhance positive effects.</p> <p>Only one of these sites was included as a site allocation policy in the adopted plan. The Inspector considered the findings of the SA and made his recommendations regarding the additional policy accordingly.</p>

<p>Main Modification Consultation</p>		<p>The SA of the Herefordshire Travellers' Sites DPD Main Modifications has concluded that all of the changes to the SA findings for previously assessed policies resulted in positive effects for the various SA objectives. None of the Main Modifications would result in any new significant negative or positive effects for the SA objectives.</p> <p>Therefore, no changes to the assessment of cumulative, synergistic or secondary effects presented in the 2017 November SA Report were identified. There was also no change to the Monitoring Framework presented in the 2017 November SA Report.</p>
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4.0 How opinions of consultation bodies and the public have been taken into account.

4.1 Public and stakeholder participation is an important element of the SA and wider plan-making processes. It helps to ensure that the SA Reports are robust and have due regard for all appropriate information that will support the plan in making a contribution to sustainable development. At each stage of the Local Plan’s development, an SA Report was published alongside the Local Plan for consultation with the public and the consultation bodies specifically relating to the SEA Directive i.e. Historic England (formerly English Heritage), the Environment Agency and Natural England. At pre-submission stage a non-technical summary for the SA report was also published for ease of reference. Table 3 sets out the responses received at the scoping, issues and options and preferred options consultations. There were no specific comments made on the SA at submission stages, Additional Sites Consultation and Main Modifications. However the Inspector considered all of these reports as part of the examination process.

Table 3: Comments received to SA reports

Consultee	Comment	Response
Scoping consultation comments		
Shropshire Council	<p>Are there other Documents specifically relevant to the Travellers’ Sites Document that we should take into account?</p> <p>As you are aware Shropshire Council is currently completing its GTAA which will provide an update for Shropshire on the Gypsy and Traveller Accommodation Assessment (2008 GTAA) for Shropshire, Herefordshire, Telford and Wrekin and Powys. This should be referenced when it is published.</p>	Noted. The updated information from the GTAA will be taken into account during later stages of the SA once it is available.
Shropshire Council	<p>Can you suggest (or provide) any other information/have we identified the main sustainability issues?</p> <p>The high degree of mobility of this population is a significant characteristic which may merit highlighting in relation to provision. Similarly migration patterns and household formation are heavily influenced by family links and traditions e.g. a tendency for women to move away on marriage and men to stay in close proximity to their families.</p> <p>Feedback on our draft GTAA also highlighted greater social barriers to the provision of accommodation including local opposition, land ownership and lack of political support. Survey responses indicated significant use of health services (in the last year 98% of those surveyed had accessed a GP, 50% a dentist, 33% A & E). Therefore access to these</p>	Noted. This information has been added to the revised baseline information in Chapter 3 of this report.

Consultee	Comment	Response
	services may also be a significant issue within Herefordshire.	
English Heritage	<p>Cultural Heritage</p> <p>We note in the key sustainability issues table on pages 12 and 13 there is no mention of the historic environment as a key sustainability issue. We would request that a sustainability issue addressing the historic environment is included to ensure that it is appropriately assessed.</p>	Noted. An additional key sustainability issue relating to the historic environment has been added to the revised set in Chapter 3 of this report.
English Heritage	We support the inclusion of SA objective 20 that relates to the historic environment and would encourage the inclusion of a broad range of heritage assets rather than only the ones currently listed, a recognition of the value of the natural landscape within the historic environment as well as the built environment and the importance of conserving and enhancing the significance of heritage assets	Noted. The assessment of the Plan against SA objective 20 considers all aspects of the historic environment. While Conservation Areas, Listed Buildings and archaeological remains are referred to specifically, the SA objective also refers to ‘other features and areas of historical heritage and cultural value’.
English Heritage	We would welcome including monitoring indicators within the assessment that fully reflect the historic environment.	Noted. Proposals for monitoring the likely significant effects of the Travellers’ Sites Document will be considered at a later stage of the SA process, as described in the Scoping Report.
English Heritage	<p>Plans and Programmes</p> <p>We would support the inclusion of Plans and Programmes that reflect the historic environment for example any evidence base documents used to inform the plan making process such as Historic Landscape Characterisation, Historic Environment SPDs, information from the Historic Environment Record (HER) etc. We would encourage that you liaise with local conservation and archaeology staff in your area who would be best placed to advise on the specific plans and programmes that would merit inclusion.</p>	Noted. The policy review set out in the Scoping Report (and Chapter 3 of this report) describes plans, policies and programmes of specific reference to the Traveller community only – the full review, which considers a range of plans, policies and programmes associated with the historic environment, can be found in the SA report for the Local Plan-Core Strategy, as described in the Scoping Report.
English Heritage	<p>English Heritage Guidance</p> <p>English Heritage has produced guidance on Strategic Environmental Assessment and the Historic Environment of which I enclose the link below for your information: http://www.english-heritage.org.uk/publications/strategic-</p>	Noted. This guidance will be referred to as relevant throughout the SA process (e.g. once potential sites for the Travellers’ Sites Document have been identified).

Consultee	Comment	Response
	environ-assessment-sustainability-appraisal-historic-environment/SA_SEA_final.pdf	
Natural England	Natural England is generally satisfied that the proposed scope of the Sustainability Appraisal (incorporating Strategic Environmental Assessment) of the Travellers' Sites document is appropriate.	Noted, no action required.
Natural England	Are there other Documents specifically relevant to the Travellers' Sites Document that we should take into account? Natural England has no recommendations specifically relevant to the Travellers' Sites Document. However, we would suggest that due to the water quality issues for the River Wye Special Area of Conservation (SAC), reference could be made to the Conservation of Habitats and Species Regulations 2010. We note the proposal to undertake a separate Habitat Regulations Assessment of the Travellers' Sites Document.	Noted. Reference to the Habitats and Species Regulations has been added to the updated version of the policy review in Chapter 3 of this report.
Natural England	Have we identified the main sustainability issues? We welcome the inclusion of water quality and biodiversity and stewardship in table 4.1: Key sustainability issues. We welcome the inclusion of biodiversity and the landscape in table 5.1 SA Framework.	Noted, no action required.
Natural England	Do you think the appraisal methodology (e.g. screening out 'unreasonable' sites) and assessment method is clear and workable? Yes.	Noted, no action required.
Issues and Options comments		
English Heritage	We support the reference to cultural heritage within the key sustainability issues on page 21, arising from our previous comments. It is important that any effects to the historic environment are assessed and an impact of the harm is undertaken, as referred to in our comments above.	Noted.
English Heritage	The assessments undertaken in tables 4.1, 4.2, 4.3 are insufficient and often cite '?' effects for the historic environment. It is unclear how table 4.1, option 1 and 3 could be positive for the historic environment with the limited information available. A simplistic assessment of the size of a site on the bearing of a heritage asset is not a sufficient approach as it will depend on the heritage assets, their significance including setting and the relationship with the proposed	The uncertainty previously cited was due to the broad policy options which were being assessed. Specific site options have now been appraised so it has been possible to assess the effects on the historical environment in more detail, see Chapters 5 and 6 and Appendix 4 of this SA Report.

	outcome and its influence on the determination.
Minimise pollution	<p>Pollution monitoring, event identification, mitigation and, where necessary, legal recourse lie outside of planning control.</p> <p>Environment Agency monitoring of groundwater and rivers may assist in the identification of point-source and diffuse pollution. Where this can be proved to be related to development, this should be recorded at the district level and – if necessary – planning enforcement action sought to remedy issues (if within planning control).</p>
Cultural heritage	<p>Condition monitoring is not routinely undertaken for either designated or non-designated heritage assets.</p> <p>Avoidance of impacts, in line with recommended policy changes, should be prioritised – thereby removing the potential for significant effects.</p>