

Herefordshire Local Plan, Travellers' Sites Development Plan Document

Preferred options consultation July 2016

Response by Sutton St. Nicholas Parish Council

September 2016

Introduction

1. This is the response of Sutton St. Nicholas Parish Council to a public consultation on preferred options for addressing the needs of travellers in Herefordshire. The consultation includes preferred site options, one of which is within the Parish Council's area – site 5. The Parish Council objects to this site being identified.
2. Account has been taken of the following documents published by Herefordshire Council as part of the planning process:
 - Preferred Options Consultation Document July 2016
 - Initial Site Assessment Methodology for Travellers and Travelling Showpersons, July 2016
 - Herefordshire Travellers' Sites Development Plan Document, Preferred Options Consultation, Sustainability Appraisal Report (SA), July 2016
 - Herefordshire Gypsy and Traveller and Travelling Showperson Accommodation Assessment (GTAA) final report update November 2015.
3. Account has also been taken of national policy, principally the National Planning Policy Framework (NPPF), March 2012; Planning policy for traveller sites (PPTS), August 2015, and Planning Practice Guidance. Policies in the Herefordshire Local Plan Core Strategy (CS) and the submitted Sutton St. Nicholas Neighbourhood Development Plan (NDP), May 2016 are referred to as required.
4. This response addresses site-specific issues in respect of site 5 under the headings of sustainability and character and appearance, before considering the wider question of need.

Site no. 5, land to the south east of Sutton St. Nicholas

The site and proposal

5. The proposed site comprises approx. 1.2 ha of arable land, part of 1.75 ha owned by Herefordshire Council. The Council landholding is within a 5.1 ha field adjacent to the C1126 Ridgeway, the main approach route to Sutton St. Nicholas from the east. The field has trimmed hedgerow boundaries and is set amongst an open agricultural landscape with extensive views. Levels fall away from the elevated Ridgeway towards the floodplain of the River Lugg.

6. The proposed site is located in the southern corner of the field, away from the Ridgeway. The boundaries of the site with the field are not demarcated on the ground. The other site boundaries are formed by the existing hedgerows.
7. It is assumed that vehicular access to the site will be from the Ridgeway. There is an existing field access at this point. From here, the consultation document indicates that an access route will run 210 m alongside the field boundary to reach the site. Sutton St. Nicholas village and the 30 mph speed limit are 480m to the west from the point of access onto the public highway.
8. A public footpath (ST10) heads south-westwards from the Ridgeway, adjacent to but outside the field boundary. The footpath turns north-west at the corner of the field, running in a green lane to join The Rhea at Moyle's Cottage, providing pedestrian access into the village.
9. The site is proposed for up to 5 residential pitches. Taking account of details in the consultation document and of CS policy H4 *Traveller sites*, it is assumed that the site will be developed as follows. Each pitch will comprise hardstanding for a touring caravan and towing vehicle and a larger static caravan. There will be a separate amenity block with toilet, washing and cooking facilities. Other on-site facilities will be included such as play areas, storage, and provision for recycling and waste management. Boundaries will be established to the agricultural land, and provision made for waste water treatment. It is anticipated that there will be a requirement for external lighting.
10. The access track and junction with the Ridgeway including visibility splays will need to be of a width and construction suitable for the intended use, and be able to accommodate turning movements associated with long towing vehicles and the delivery of static caravans.
11. It is assumed that all the facilities described above will be provided within the proposed site as defined. The adjacent Council land would presumably be available to allow the site to be extended, if required in the future. The Parish Council notes that 4 of the 8 sites within the consultation are extensions to existing sites.
12. It is acknowledged that site capacity, suitability, design and other issues are subject to a more detailed analysis in the Local Plan process. However, the Parish Council considers that the site parameters are sufficiently well-established for significant potential harm to be readily identifiable at this stage, in terms of:
 - The implications for the achievement of sustainable development.
 - The implications of the proposal for the character and appearance of its surroundings.
13. The Parish Council objects to the use of Site No. 5 as a traveller site on this basis.

Sustainability

14. The location of the site is such that it cannot offer reasonable access to local amenities by different modes of transport including sustainable modes. Its isolated position, away from settlements with the amenities to meet day-to-day needs, will encourage unsustainable patterns of travel.
15. **The site is remote from services and facilities including health and schools.** Sutton Primary Academy is 1.67 km (via the Ridgeway) or 1.5 km (via the footpath/The Rhea) to the west, well beyond the 800m which is considered to be a reasonable walking distance. Neither could be regarded as a safe route to school. Both are unlit. The Ridgeway carries HGV traffic and has no footpaths or speed limit beyond the built-up area of the village. The Rhea is affected by flooding from the River Lugg (Flood Zone 3), rendering this route from the site to the village impassable on these occasions.
16. The nearest GP surgery and hospital are in Hereford and cannot be reasonably accessed by sustainable modes of transport. The nearest local convenience shops are remote from the site, at Marden (4.6 km) and Withington (4.4 km).
17. CS policy H4 *Traveller sites* requires that sites coming forward as planning applications on non-allocated land or in the absence of an adopted DPD should afford reasonable access to services and facilities, including health and schools. The policy provides that exceptions to this requirement may be made when there is a local case for an affordable traveller site. In this event, proposals which do not offer such reasonable access may be granted planning permission provided the site can be retained for this purpose in perpetuity. The PPTS confirms that these 'exception' sites are to be aimed at addressing local needs by accommodating households who are either current residents or have an existing family or employment connection.¹
18. This exception provision relates to planning applications, not Plan proposals which by definition cannot be exceptions. There is no suggestion in the consultation document that site 5 is being put forward on this basis, that is to address a local need as described above. The SA does remark that as the site is in the open countryside it would therefore be considered in the context of a rural exception site.² However since no local need has been indicated, the site has been considered here as a potential Plan allocation where reasonable access to services and facilities is a requirement.
19. **The Parish Council is concerned that the isolated location of the proposed site will favour use of the car over public transport or active travel.** The site lies within open countryside. For trips to the village along the Ridgeway, the distance involved, the prevailing speed limits and the lack of pavements or street lighting will not foster "active travel" by foot or cycle, but will instead favour car-borne journeys.

¹ PPTS, policy D, para. 15.

² SA, Table 2.3, p. 15.

20. The Parish Council acknowledges that public footpath ST10 provides a sustainable route by foot into the village, although this would not be available at times of flood. Regular use would adversely impact on its present rural character, and the absence of lighting will restrict the utility of this route after dark.
21. There are no bus services along the Ridgeway passing the site entrance. The nearest bus service is the 426 Hereford- Leominster, available in Sutton St. Nicholas at the crossroads. This is 1.37 km from the site along the Ridgeway or 1.2 km via the footpath. These distances do not constitute reasonable access to public transport, discouraging the use of public transport and favouring the car.
22. **The proposal will require the use of greenfield land which is not an effective use of land.** The site is of grade 2 quality and the proposal will lead to the permanent loss of best and most versatile agricultural land. There may also be adverse impacts on the continuing farming of the adjoining land. The Parish Council supports the significant negative impact which is identified against the efficient use of natural resources in the SA.³
23. **The site also lies in part within a Minerals Safeguarding Area.** The proposal will lead to the sterilisation of the mineral deposits concerned and should be considered against the safeguarding provisions of saved UDP policy M5. The SA confirms that this potential harm contributes to the significant negative effect in respect of natural resources referred to above.

Character and appearance

24. **The proposal will cause significant harm to the character and appearance of the locality.** The site forms part of an extensive sweep of arable land east of Sutton St. Nicholas, between the elevated Ridgeway and the riverside meadows of the Lugg to the south. The landscape setting of the village and the associated views of open countryside are particularly valued by the local community, as evidenced in responses to consultations undertaken for the NDP.⁴ The site and its environs are typical of the Principal Settled Farmlands landscape type, as identified in the County Landscape Character Assessment.⁵ These are the rolling Herefordshire lowlands, a rich patchwork of hop fields, orchards, grazed pastures and arable fields with restricted tree cover and field boundaries formed by hedgerow.
25. The proposed use will be a notably discordant feature in this otherwise remote and tranquil rural landscape. The isolated location of the site and the present absence of activity, remote from the highway and other settlement, will exacerbate the impact on landscape character and appearance.

³ SA Report, Appendix 4, p. 150.

⁴ 82% of respondents to the 2014 NDP household survey considered that important views and landscape setting should be protected, with comments favouring protection of public footpaths and of the open countryside around the village.

⁵ HC, Landscape Character Assessment, 2009, pp. 69-70.

26. The consultation document highlights that the design, layout and density of any scheme should reflect the landscape type and setting. The Parish Council fails to see how in reality this can be meaningfully achieved. The layout, nature and scale of the proposal will lead to a significant change in the physical appearance of the site. However designed, the scheme will have an urbanising impact by both day and night. There will be regular vehicle movements to and from the Ridgeway, where at present there are none. The development will have a significant and permanent adverse visual effect on the character and appearance of the area. These adverse effects will be felt across a wide area because of the open character of the landscape.
27. The consultation document accepts there will be impact on the landscape. The SA identifies that the proposal is in an area of medium-high landscape sensitivity and that a significant negative effect is likely.⁶ To mitigate this, careful screening with vegetation is proposed. This is problematic in itself. First, the Landscape Character Assessment cautions against new planting which could compromise landscape character. In the context of open fields bounded by managed hedgerow, the scope for meaningful screening is limited without that planting also becoming a discordant feature. Second, the site can be seen from elevated points of view, such as from the Ridgeway, and this will limit the potential utility of screening planting.
28. There is also the potential impact of the access from the site onto the Ridgeway to be considered. The character of the Ridgeway is derived in large measure from its rural nature, with no development between Sutton Marsh and the village of Sutton St. Nicholas. The carriageway is of limited width and effectively single-track, with access points limited to field entrances. This character will be harmed by the construction of a suitable junction with the Ridgeway to service the site. As noted above, the junction will need to be of sufficient size and specification to cater for long towing vehicles and the delivery of static caravans. The loss/relocation of hedgerow may be required to achieve sightlines. With the site occupied, the access will be in regular daily use in order to access local amenities, introducing traffic movements which will further harm rural character.
29. The Parish Council concludes that the proposal will have a significant and permanent adverse visual effect on the character and appearance of the landscape. This is contrary to the community views expressed through the NDP process, and has implications for the extent to which the proposed allocation can be said to align with national policy and the policies of the CS and NDP (see below).
30. **There will be a significant impact on users of public footpath ST10.** This right of way presently passes through open countryside on its descent from the Ridgeway southwards, before turning west along the green lane en route to the village.
31. With the site established, there will be views of the development from the footpath. From the higher vantage points towards the Ridgeway the site will appear in the forefront of attractive

⁶ SA Report, Appendix 4, p. 151.

longer distance views across the Lugg Valley. Nearer to the site, views will be screened to some extent by the existing hedgerows, although these will not be able to entirely hide the site from view. Such screening effects will be reduced when the hedgerows are not in leaf. Noise impacts will also arise. The presence of the proposed site, however mitigated, will lead to a permanent change in character of the public right of way, through visual effects and noise impacts, to the detriment of the walkers who are presently able to enjoy the undisturbed, tranquil rural surroundings to the full.

Assessment against national, Local Plan and submitted NDP planning policy

32. Given these concerns, the Parish Council has assessed the proposed site against the following policy documents and comments as follows. It is reasonable to expect the proposed allocation to align with these policies.

Planning policy for traveller sites/National Planning Policy Framework

33. PPTS policy B advises that planning for traveller sites must proceed with the objective of contributing to the achievement of sustainable development and be consistent with the National Planning Policy Framework. To this end, Local Plan policies should inter alia protect local amenity and the environment. Traveller sites should be sustainable economically, socially and environmentally.
34. The Parish Council considers that the allocation of the proposed site will not contribute to the achievement of sustainable development. The proposed site is socially and environmentally unsustainable, for the reasons identified above. The site is isolated and does not afford reasonable access to services and facilities, including health and schools. Its allocation will not serve to protect local amenity and the environment. Harm has been identified to landscape character and appearance; to the amenity of users of the footpath; to the protection of best and most versatile agricultural land, and mineral reserves.
35. The PPTS also indicates that in decision-taking 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.⁷
36. The Parish Council concurs with this view and regards this as a sensible principle to also apply to plan-making. The submitted NDP includes a settlement boundary for Sutton St. Nicholas village; the proposed site is 430m measured across open farmland “as the crow flies” from the settlement boundary at its nearest point. The proposed site is within open countryside, away from the village, and well outside any allocated area.

Local Plan Core Strategy

37. CS policy SS6 *Environmental quality and local distinctiveness* requires proposals to conserve and enhance environmental assets including landscape, local distinctiveness, local amenity,

⁷ PPTS, para. 25.

and tranquillity. The Parish Council considers that the introduction of the proposed use on the site will not conserve and enhance the existing character and appearance of the landscape; its distinctive local qualities, typified by its Principal Settled Farmlands landscape type; local amenity; nor tranquillity.

38. CS policy H4 *Traveller sites* requires proposals to afford reasonable access to services and facilities, including health and schools; and to include appropriate screening and landscaping to protect local amenity and the environment. For the reasons given above, the proposed site does not meet these requirements.
39. CS policy LD1 *Landscape and townscape* requires proposals to be able to demonstrate that the character of the landscape has positively influenced the design, scale, nature and site selection processes, to include the protection and enhancement of the setting of settlements. For the reasons explained above, the Parish Council considers that the proposals for the site, by virtue of its isolated rural location and the nature of the use, and however designed, will not be able to demonstrate that they have been positively influenced by the character of the landscape. Equally, the positioning of an urban use within open countryside will harm rather than enhance the setting of the village.
40. Overall, the Parish Council concludes that the proposal is in conflict with a number of national and development plan policies relating to environmental protection and traveller site provision. As a result, the proposed use in this location will not contribute to the achievement of sustainable development.

Submitted NDP

41. NDP policy 6 *Landscape* requires development proposals to be compatible with and serve to consolidate established landscape character. The policy pays particular attention to the open countryside setting of the village. Development which would have an adverse effect upon the landscape setting of the village will not be permitted. For the reasons explained above, the Parish Council considers that the proposals for the site will conflict with this emerging policy, which is based on community views expressed at consultation.

Sustainability Appraisal

42. The Parish Council comments on the following SA scores against the given SA objectives.

SA objectives 1 (employment opportunities) and 4 (reduce road traffic).

43. These objectives are scored as a minor positive effect. In both cases this is justified on the basis of the site being served by public transport. However, this is not the case. The nearest available bus service is in Sutton St. Nicholas village, from which the site is remote. The Parish Council does not consider this to be reasonable access. These objectives should be scored instead as minor negative. This would be in line with objective 8 (education), where lack of reasonable access has been recognised.

SA objective 16 (climate change).

44. This objective is scored as having a negligible effect. However the justification refers only to built development. Greenhouse gas emissions from transport should also be assessed to take into account the isolated location of the site which will favour car-borne travel over more sustainable modes. A minor negative effect should be scored to reflect this factor.

Need for the proposed site

45. Given these site-specific objections and the evident harm that would result from the development of the proposed site, the Parish Council has considered whether the overall balance of need and supply of pitches could justify the allocation.
46. The GTAA identifies a shortfall of 19 pitches over the five-year planning period concerned. Against this, a supply of 24 pitches is identified. On these figures, there is a surplus of pitches. There is no requirement to identify Site 5 in order to demonstrate that the five-year requirement can be met.
47. Table 3 of the consultation document points to a shortfall in supply of 13 pitches if need arising from households currently living in bricks and mortar accommodation and wishing to move to a pitch is included. However, the GTAA advises this is addressed in the assessment of planning applications rather than plan-making.⁸ In any event, this level of potential need is not based on any Herefordshire-specific data, because no interviews were achieved with local households in bricks and mortar accommodation. Instead, it is based on surveys from other local authority areas, and it is unclear to what extent they, or the resultant average rates, can be said to be comparable with the Herefordshire situation.
48. The GTAA uses an assessment of turnover to allow for the fact that pitches will become vacant as households move away. Such vacancies rightly form an element of supply. Some of these households will, on past trends, move to another pitch in the area. A suitable contribution is made on the “need” side to reflect this, i.e. to allow for existing households who are planning to move in the next five years to another site in the study area.⁹ The Parish Council supports this approach.
49. The turnover calculation is based on past trends in household mobility. Whilst this represents best available information, there is the potential for actual turnover to be greater than assumed, thereby increasing supply. The GTAA estimates that 44 pitches are likely to become available through this route over the five year period, equivalent to turnover of 38.6% of the 114 authorised sites in the County. This is a conservative estimate when compared to neighbouring Malvern Hills, where the Inspector at the recent 2015 Examination recommended a 60% five-year turnover rate be used.¹⁰

⁸ GTAA, para. 6.22

⁹ GTAA, Table 6.1 line 3b.

¹⁰ South Worcestershire Development Plan Examination, Inspector’s interim findings note EX/903k.

Summary of objection

50. The Parish Council does not agree that site 5 is suitable for use as a residential traveller site, for the following reasons:

- The site is remote from services and facilities including health and schools;
- The isolated location of the proposed site will favour use of the car over public transport or active travel;
- The proposal will entail the use of greenfield land, which is not an effective use of land;
- The site lies in part within a Minerals Safeguarding Area;
- The proposal will cause significant harm to the character and appearance of the surrounding landscape, which is particularly valued by the local community;
- There will be a significant impact on the users of public footpath ST10;
- There are conflicts with national planning policy, the Council's Local Plan Core Strategy and the submitted NDP;
- SA scores for objectives 1 (employment opportunities), 4 (reduce road traffic) and 16 (climate change) require revision to fully reflect these impacts; and
- The site is not required to meet the assessed need.