

**Worcester City Council, Malvern Hills District Council and Wychavon District
Council**

**Traveller and Travelling Showpeople Site Allocations Development Plan
Document**

Habitats Regulations Assessment Screening Report

May 2021

CONTENTS

1. Summary	p.1
2. Introduction	p.2
3. Background	p.2
4. Methodology	p.3
5. Traveller and Travelling Showpeople Site Allocations DPD – Key Proposals	p.5
6. Overview of the Plan Area	p.5
7. Scope of the HRA	p.6
8. Effects of the Plan	p.11
9. Conclusion	p.12
Appendix 1: Map Showing Proposed Allocations and Natura 2000 Sites	p.13
Appendix 2: Assessment of Sites and Policies	p.14

1. Summary

- 1.1 This screening report is intended to identify Natura 2000 sites which could possibly be affected by the South Worcestershire Councils' Traveller and Travelling Showpeople Site Allocations Development Plan Document (DPD). A 'Call for Sites' exercise took place in February/March 2015 and a Preferred Option Paper has now been prepared and will be available for public consultation between Monday 14th March and Monday 25th April 2016.
- 1.2 This DPD follows on from the South Worcestershire Development Plan (SWDP) which was adopted in February 2016. Habitats Regulations Assessment (HRA) was first undertaken for the SWDP in August 2008 and updates were undertaken throughout the preparation of the SWDP. The HRA Screening Report for the SWDP concluded that a full Appropriate Assessment was required and reports were published in September 2011, July 2012 and November 2012. Natural England was involved throughout the process.
- 1.3 This HRA Screening Report concludes that the Traveller and Travelling Showpeople DPD will not have any significant effects on Natura 2000 sites.

2. Introduction

- 2.1 South Worcestershire is the area covered by the districts of Malvern Hills, Wychavon and the City of Worcester. The area is not a formal sub region or an administrative area but the three Councils - Malvern Hills District Council, Worcester City Council and Wychavon District Council - have chosen to work jointly in the preparation of the SWDP, and subsequent planning policy documents, given the strong functional, economic, infrastructure, policy and cross boundary relationships between the local authorities.
- 2.2 This report presents the findings of the Habitats Regulations Assessment (HRA) screening of the South Worcestershire Councils' Traveller and Travelling Showpeople Site Allocations Development Plan Document (DPD). The findings of the HRA screening will inform the parallel Sustainability Appraisal (SA). ClearLead Consulting Limited have been appointed to review the SA, acting as a 'critical friend' to the Councils.

3. Background

- 3.1 The Conservation of Habitats and Species Regulations (as amended) 2010 [the Habitats Regulations] require that HRA is applied to all statutory land use plans in England and Wales. The aim of the HRA process is to assess the potential effects arising from a plan against the conservation objectives of any site designated for its nature conservation importance.
- 3.2 The Habitats Regulations transpose the requirements of the European Directive (92/43/EEC) on the Conservation of Natural Habitats and Wild Flora and Fauna [the Habitats Directive] which aims to protect habitats and species of European nature conservation importance. The Directive establishes a network of internationally important sites designated for their ecological status. These are referred to as Natura 2000 sites or European Sites, and comprise Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) which are designated under European Directive (2009/147/EC) on the conservation of wild birds [the Birds Directive]. In addition, Government guidance also requires that Ramsar sites (which support internationally important wetland habitats and are listed under the Convention on Wetlands of International Importance [Ramsar Convention]) are included within the HRA process as required by the Regulations.
- 3.3 The process of HRA is based on the precautionary principle and evidence should be presented to allow a determination of whether the effects of a land-use plan, when considered in combination with the effects of other plans and projects against the conservation objectives of a Natura 2000 Site; would adversely affect the integrity of that site. Where effects are considered uncertain, the potential for adverse effects should be assumed.
- 3.4 This Screening Report considers whether the Traveller and Travelling Showpeople DPD will have any significant effects on Natura 2000 sites which would therefore require a full Appropriate Assessment (AA) to be undertaken. It is being published alongside the Preferred Options consultation document however, it will continue to be updated as the DPD develops to take into account any views arising from the consultation, particularly those of Natural England, and any changes to the policies and sites set out within the DPD.

4. Methodology

- 4.1 The application of HRA to Local Development Documents is an evolving field and has been informed by a number of key guidance and practice documents. Draft guidance for HRA 'Planning for the Protection of Natura 2000 Sites: Appropriate Assessment', was published by the Government (DCLG, 2006) and is based on the European Commission's (2001) guidance for the Appropriate Assessment of Plans. The DCLG draft guidance recommends three main stages to the HRA process:
- **Stage 1:** Screening for Likely Significant Effects (LSEs)
 - **Stage 2:** Appropriate Assessment, Ascertaining Effects on Integrity
 - **Stage 3:** Mitigations Measures and Alternatives Assessment.
- 4.2 If alternative solutions or avoidance/ mitigation measures to avoid adverse effects on site integrity cannot be delivered then current guidance recommends an additional stage to consider Imperative Reasons of Overriding Public Interest (IROPI) for why the plan should proceed. For the HRA of land use plans IROPI is only likely to be justified in a very limited set of circumstances and must be accompanied by agreed, deliverable compensation measures for the habitats and species affected. For this reason the IROPI stage is not detailed further in this report.
- 4.3 More recently Natural England has produced additional, detailed guidance on the HRA of Local Development Documents (Tyldesley, 2009) that complements the DCLG guidance, and builds on assessment experience and relevant court rulings. The guidance sets out criteria to assist with the screening process; addresses the management of uncertainty in the assessment process; and importantly outlines that for the HRA of plans; " ... what is expected is as rigorous an assessment as can reasonably be undertaken in accordance with the requirements of the Regulations ...".
- 4.4 The key stages of the HRA process overall, and the specific tasks undertaken for each stage are set out in **Table 1**. This table is consistent with the methodologies set out within the guidance documents above.

Table 1: Habitats Regulations Assessment: Key Stages	
Stages	Habitats Regulations Assessment
Stage 1: Screening for Likely significant Effects	1. Identify Natura 2000 sites in and around the plan area.
	2. Examine the conservation objectives of each interest feature of the Natura 2000 site(s) potentially affected.
	3. Analyse the policy/ plan and the changes to environmental conditions that may occur as a result of the plan. Consider the extent of the effects on Natura 2000 sites (magnitude, duration, location) based on best available information.
	4. Examine other plans and programmes that could contribute (cumulatively) to identified effects.

	5. Produce screening assessment based on evidence gathered and consult statutory nature conservation body on findings.
	6. If effects are judged likely or uncertainty exists – the precautionary principle applies proceed to Stage 2.
Stage 2: Appropriate Assessment	1. Agree scope and method of Appropriate Assessment with statutory nature conservation body.
	2. Collate all relevant information and evaluate potential effects on site(s) in light of conservation objectives.
Stage 3: Mitigation Measures and Alternatives Assessment	1. Consider how effect on integrity of site(s) could be avoided by changes to plan and the consideration of alternatives (e.g. an alternative policy/ spatial location). Develop mitigation measures (including timescale and mechanisms for delivery).
	2. Prepare HRA/ AA report and consult statutory body.
	3. Finalise HRA/AA report in line with statutory advice to accompany plan for wider consultation.

4.5 This report covers Stage 1 (evidence gathering and screening) of the above process. It has been informed by data produced by Natural England and the Joint Nature Conservation Committee. The screening process determines whether the subsequent stages 2 and 3 are required.

4.6 Department of Communities and Local Government guidance 'Planning for the Protection of European Sites: Appropriate Assessment' produced in 2006 states that Appropriate Assessment (AA) should be made available to the community and may be consulted on as appropriate on the preferred options at regulation 26 stage (pre-submission public participation). The Screening Report is now being published alongside the DPD Preferred Options for consultation and will be updated and re-published at the pre-submission publication stage in order to meet this requirement. Any comments on this report should be made in writing by no later than midnight on Monday 5th July 2021 and sent to:

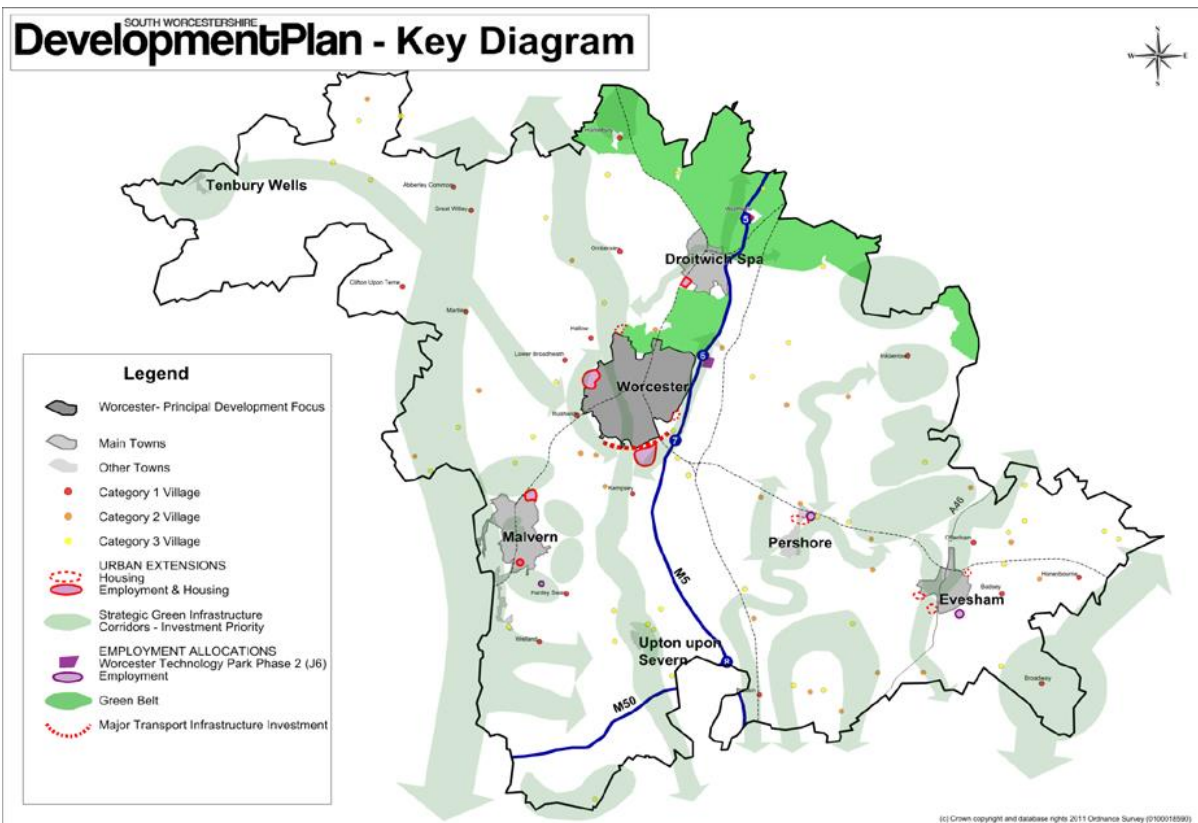
- E-Mail: contact@swdevelopmentplan.org
- Post: South Worcestershire Development Plan, Civic Centre, Queen Elizabeth Drive, Pershore, Worcestershire, WR10 1PT

5. Traveller and Travelling Showpeople Site Allocations DPD – Key Proposals

- 5.1 The final DPD will allocate sites, or extensions to existing Traveller and Travelling Showpeople sites, and will become part of the Development Plan for the South Worcestershire Councils (SWCs).
- 5.2 To meet the identified need for 30 deliverable permanent residential Traveller pitches in the period to 2020/21 the South Worcestershire Councils propose that new or additional pitches be allocated at seven sites. The proposed site allocations and the Natura 2000 sites within the plan area are mapped at Appendix 1 to this report. The DPD also sets out development management policies which are specific to Traveller and Travelling Showpeople sites.

6. Overview of the Plan Area

- 6.1 South Worcestershire covers approximately 1,300 square kilometers of the County and forms the southern limit of the West Midlands. The area is comprised of the largely rural districts of Malvern and Wychavon, with the City of Worcester forming the largest urban area. Three main towns, Droitwich Spa, Evesham and Malvern and the smaller towns of Pershore, Tenbury Wells and Upton-upon-Severn form the other main centres of population. In addition there are 200 villages. The total population of the area is estimated at 290,343 (Census 2011).
- 6.2 South Worcestershire is characterised by a high-quality natural environment that includes the upland areas of the Cotswolds (including Bredon Hill) and the Malvern Hills Areas of Outstanding Natural Beauty (AONB) and the river valleys of the Avon, Severn and Teme. The area's biodiversity interest is reflected by a significant number of national designations (Sites of Special Scientific Interest, SSSIs) and two Special Areas of Conservation (SAC) sites. Local wildlife (including Biodiversity Action Plan habitats and species) are also an important element of the overall environmental richness of the area, which attracts a significant number of tourists and visitors accounting for approximately 11% of local expenditure.
- 6.3 South Worcestershire is easily accessible by road and rail, however, there are identified capacity issues in the current transport network and reliance on private car travel, particularly in rural areas, is a key sustainability issue for the area. Of the 127,000 employee jobs in the area, 65% are at Worcester and the main towns, therefore commuting both within and outwith the area is a requirement.
- 6.4 The map overleaf illustrates the main features of the Plan area including transport and infrastructure links.



6.5 As detailed in Table 1, HRA typically involves a number of stages. This section of the report sets out our approach and findings for Stage 1, HRA Screening for the Traveller and Travelling Showpeople Site Allocations DPD. The aim of the screening stage is to assess in broad terms whether the policies and proposals set out in the plan are likely to have a significant effect on a Natura 2000 site(s), and whether in the light of available avoidance and mitigation measures, an Appropriate Assessment (AA) is necessary.

7. Scope of the HRA

7.1 Plans can have spatial implications that extend beyond the intended plan boundaries. In particular, it is recognised that when considering the potential for effects on Natura 2000 sites, distance in itself is not a definitive guide to the likelihood or severity of an impact. Other factors such as inaccessibility/remoteness, the prevailing wind direction, river flow direction, and ground water flow direction will all have a bearing on the relative distance at which an impact can occur. This means that a plan directing development some distance away from a Natura 2000 Site could still have effects on the site when scoping the HRA, it is necessary to consider which Natura 2000 sites could potentially be affected by the Traveller and Travelling Showpeople Site Allocations DPD.

7.2 The Traveller and Travelling Showpeople Site Allocations DPD does not include significant development proposals. The principle of meeting the need for Travellers and Travelling Showpeople is set out within the SWDP. The SWDP itself underwent Appropriate Assessment which did not identify any significant effects on Natura 2000 sites, however, the

Traveller and Travelling Showpeople DPD allocates sites and sets out more detailed policies to meet the needs established within the SWDP. Therefore, this HRA Screening Report will consider the potential impact of the Traveller and Travelling Showpeople DPD on all of those sites identified within the HRA relating to the SWDP.

7.3 Two sites fall within the boundary of the Plan area, these sites are Lyppard Grange Ponds and Bredon Hill SAC. An overview of their characteristics is set out below. This is followed by a summary of the Joint Nature Conservation Committee (JNCC) information for each of the sites.

Bredon Hill SAC is an area of pasture woodland and ancient parkland situated approximately 4.5km to the South West of Evesham. The site provides habitat for the Violet Click Beetle *Limoniscus violaceus* beetle, which develops in the decaying wood either of very large, old hollow beech trees (Windsor Forest) or ash trees (Worcestershire/Gloucestershire border sites). Currently the key site attributes which Natural England understands the species to require is related to the abundance and condition of the ancient trees on the designated site within which it develops.

Lyppard Grange SAC is located on the East outskirts of Worcester and is situated amongst a recent housing development on former pastoral farmland. The site is composed of two ponds in an area of grassland and scrub (public open space). The site provides habitat for Great Crested Newts *Triturus cristatus*, which are dependent on both the existing terrestrial habitat (to provide foraging areas and refuge) and on the pond, aquatic habitat (for breeding).

Table 2: Information Relating to Natura 2000 Sites Covered by the Screening Report

Site	Grid Reference	Reason for Designation and Conservation Objectives	Factors Affecting the Site's Integrity	Vulnerability
Bredon Hill SAC		<i>Limoniscus violaceus</i> • for which this is one of only three known outstanding localities in the United Kingdom. • which is known from 15 or fewer 10 x 10 km squares in the United Kingdom.	Habitat for <i>Limoniscus violaceus</i> Lack of replacement trees for the current ancient trees.	Bredon Hill is an area of pasture woodland and ancient parkland providing habitat for <i>Limoniscus violaceus</i>. The main threats are the lack of a replacement generation of trees for the current ancient trees over much of the hill, as many of the younger trees have been removed to increase stock grazing areas; the overall number of ancient trees suitable for <i>Limoniscus violaceus</i> is relatively

				small. Management agreements are being used to preserve existing tree stocks and to provide replacement planting.
Lyppard Grange SAC	SO879556	Great Crested Newts have been identified at the site. The ponds are associated with good quality terrestrial habitats.	Great Crested Newt has been identified at the site. The ponds are associated with good quality terrestrial habitats. The ponds are associated with good quality terrestrial habitats	The site is composed of two ponds in an area of public open space surrounded by residential development. The site is vulnerable to the effects of recreational pressure and the introduction of fish which affect the suitability of the ponds as a breeding area for the Great Crested Newt.

- 7.4 Taking into account the potential for transboundary effects the screening has identified three European sites within a 15km buffer of the South Worcestershire Councils administrative boundary and two water dependent European sites downstream from the South Worcestershire Councils area. Summary site characterisations are provided below. A pre-screening exercise was carried out and on the basis of this analysis the five sites were scoped out of this screening. The reasoning for this is presented below each of the summary site characterisations below.

Dixton Wood SAC is situated approximately 6.7km to the South East of Tewkesbury and is an area of broadleaved woodland (formerly partially grazed) with a dominance of ash including exceptionally large ancient pollards. The site is designated for its population of Violet Click Beetle *Limoniscus violaceus*, which is largely dependent on these pollards (for breeding). Principal risks to the site's integrity are lack of future replacement pollards (age-class skewed to older generation) and game management practices.

Downton Gorge SAC is an example of Tilio-Acerion forests in a narrow ravine with a distinctive microclimate and a variety of slopes and aspects. Both small leaved lime *Tilia cordata* and large-leaved lime *T. platyphyllos* occur, together with ash *Fraxinus excelsior* and elm *Ulmus* spp. The ground flora includes wood fescue *Festuca altissima* and violet helleborine *Epipactis purpurata*. The gorge cliffs are rich in ferns, reflecting the humidity of the site, with a wide range of species recorded. The site is potentially vulnerable to the effects of air- and water-borne pollution, particularly in respect of its significant lichenological interest. However these effects are not related to the management of the site.

The River Wye SAC, on the border of England and Wales, is a large river of plain to montane levels. It has a geologically mixed catchment, including shales and sandstones, and there is a clear transition between the upland reaches, with characteristic bryophyte-dominated vegetation, and the lower reaches, with extensive *Ranunculus* beds. There is an exceptional range of aquatic flora in the catchment including river jelly-lichen *Collema*

dichotum. The river channel is largely unmodified and includes some excellent gorges, as well as significant areas of associated woodland. The site is also designated for its populations of Lamprey, White-clawed crayfish, Twaite Shad, Atlantic Salmon, Bullhead and Otter.

Severn Estuary SPA/Ramsar/cSAC is the largest coastal plain estuary in the UK with extensive mudflats and sandflats, rocky shore platforms, shingle and islands. Saltmarsh fringes the coast, backed by grazing marsh with freshwater and occasional brackish ditches.

The estuary's classic funnel shape, unique in the UK, is a factor causing the Severn to have the second highest tidal range in the world (after the Bay of Fundy in Canada) at more than 12 meters. This tidal regime results in plant and animal communities typical of the extreme physical conditions of strong flows, mobile sediments, changing salinity, high turbidity and heavy scouring. The resultant low diversity invertebrate communities, that frequently include populations of ragworms, lugworms and other invertebrates in high densities, form an important food source for passage and wintering birds. The site is important in the spring and autumn migration periods for waders moving along the west coast of Europe, as well as in winter for large numbers of waterbirds including swans, geese, ducks and waders. These bird populations are regarded as internationally important.

Walmore Common SPA/Ramsar is located in Gloucestershire, in the west of England, about 10 km south-west of Gloucester. The site is a wetland overlying peat providing a variety of habitats including improved neutral grassland, unimproved marshy grassland and open water ditches. The area is subject to regular winter flooding and this creates suitable conditions for regular wintering by an important number of Bewick's Swan *Cygnus columbianus bewickii*. The highest bird numbers are seen during the harshest winters, when Walmore Common provides an essential feeding and roosting area.

- 7.5 A Pre-Screening exercise was carried out for the HRA of the SWDP which scoped out these sites. The sites have also been scoped out this HRA for the reasons set out below.

Dixton Wood SAC

- 7.6 Dixton Wood SAC is 2.4km from the South Worcestershire Councils boundary and according to the JNCC the principal risks to the site's integrity are lack of future replacement pollards and game management practices. According to the JNCC, these issues will be addressed through localised management agreements with the owner of the site. The HRA of the Phase II Revision of the RSS for the West Midlands (2007) and the Air Pollution Information System (www.apis.ac.uk) identify that the critical loads for acid and nitrogen deposition are exceeded at this site. However, based on Natural England advice to Runnymede Borough Council on traffic-related air pollution⁷ and the HRA of the SE Plan⁸, it is generally felt that air pollution only needs to be considered at a site if a road carrying a significant proportion of new traffic related to the plan runs within 200 meters of a European site. Beyond this distance air pollution impacts that may arise from traffic fall to background levels. The Traveller and travelling Showpeople Site Allocations DPD does not include any road building plans, furthermore, it does not propose any development within 200m of the SAC and therefore the DPD will not have any significant alone or in combination effects on the Dixton Woods SAC.

Downton Gorge SAC

- 7.7 Downton Gorge SAC is 12km north east from the South Worcestershire Councils boundary and is vulnerable to the effects of air and water borne pollution. As the South Worcestershire Councils area is downstream to the site it is unlikely that the associated

development will have any direct effects on water levels or quality. According to the UK Air Pollution Information System (APIS) the critical loads for acid and nitrogen deposition are exceeded at this site. The Traveller and Travelling Showpeople sites proposed are all small scale and are in excess of 15km away from the SAC. Using the information provided in the analysis of Dixton Wood SAC in regard to diffuse air pollution, the Traveller and Travelling Showpeople Site Allocations DPD will not have significant effects alone or in-combination on Downton Gorge SAC.

The River Wye SAC

- 7.8 The River Wye SAC is 9.2km from the South Worcestershire Councils boundary and is vulnerable to the effects of air and water borne pollution. Within the Wye Catchment, surface water is the dominant source of supply. The largest abstractor for public water is Welsh Water with 40% of the total daily licensed volume. Severn Trent Water (which supplies water to the South Worcestershire Councils area) also abstracts holding 3 licenses in the lower River Wye, which represents 10% of the total daily licensed volume. The Wye Catchment is mainly a source of water for Birmingham, South East Wales and Gloucester. Only a very small fraction of the South Worcestershire Councils area falls within the Wye Catchment making it highly unlikely that it will have a direct effect on water quality. Therefore the development proposed in the traveller and Travelling Showpeople Site Allocations DPD will not have significant effects alone or in-combination on the River Wye SAC.

The Severn Estuary SPA/ Ramsar/ cSAC and Walmore Common SPA/Ramsar

- 7.9 The Severn Estuary SPA/ Ramsar/ cSAC and Walmore Common SPA/ Ramsar are both dependent on water and are situated downstream from South Worcestershire Councils area. Under the Habitats Regulations the Environment Agency have to assess the effects of existing abstraction licences and any new applications to make sure they are not impacting on internationally important nature conservation sites. If the assessment of a new application shows that it could have an impact on a SAC/SPA the EA will have to follow strict rules in setting a time limit for that license. Effectively this means that every tributary of the Severn Estuary and River Severn must be managed using flow restrictions to ensure an appropriate flow contribution to the River Severn. This ensures that water levels in the River Severn and Estuary do not fall below critical levels.
- 7.10 The Traveller and Traveling Showpeople Site Allocations DPD only allocates sites to meet the need established within the SWDP. The SWDP HRA Screening Report considered the additional water required to service the new development proposed within the Plan and the impact of this on these two sites. It was concluded that taking into account the levels of development proposed, together with the measures in place nationally to improve water efficiency and reduce leakages, and the strict licensing of water abstraction, the SWDP would not have a significant effect, alone or in combination, on the sites.

8. Effects of the Plan

8.1 The table below summarises the effects of the Plan on the identified sites.

Summary of the Effects of the Plan					
Site	Factors affecting the site's integrity	Possible effects arising from the Traveller and Travelling Showpeople DPD	Is there a risk of a significant effect?	Possible effects from other trends, plans etc.	Is there a risk of 'in combination' effects
Bredon Hill SAC	Habitat for <i>Limoniscus violaceus</i>	None	No	None	No
	Lack of replacement trees for the current ancient trees.	None	No	No	No
Lyppard Grange SAC	Great Crested Newt has been identified at the site. The ponds are associated with good quality terrestrial habitats.	None	No	No	No
	The ponds are associated with good quality terrestrial habitats	None	No	No	No

8.2 A matrix setting out the full assessment forms Appendix 2 to this report. This HRA Screening Report does not consider the two allocations which lie within the Worcester urban extensions as these sites are allocated within SWDP and were therefore part of the assessment of that Plan.

8.3 The assessment concludes that no significant effects are likely. The locations of the sites and the proposed draft policies are known and they will not have a detrimental impact on the factors that affect the integrity of the Natura 2000 sites identified as being relevant to this Plan.

9. Conclusion

- 9.1 The HRA Screening Report does not identify any potential significant effects arising from the Traveller and Travelling Showpeople Site Allocations SPD. This will be reviewed as the DPD evolves and an updated version of this report will be prepared at Publication stage if necessary.

Appendix 2: Assessment of Sites and Policies

SITE/POLICY	LIKELY IMPACT ON SAC
SITES	
Hillbee Farm, Upton upon Severn	This proposal is an extension of 3 pitches to an existing Traveller site and is over 5km from the boundary of the nearest Natura 2000 site, Bredon Hill SAC. The main threat to the integrity of the SAC is the lack of replacement trees. The allocation of this site will not have a detrimental impact on the implementation of the management plan for the SAC. No significant effect is likely.
The Orchard, Knowle Hill, Badsey	This proposal is an extension of 5 pitches to an existing Traveller site and is over 5km from the boundary of Bredon Hill SAC. The main threat to the integrity of the SAC is the lack of replacement trees. The allocation of this site will not have a detrimental impact on the implementation of the management plan for the SAC. No significant effect is likely.
Blossom Hill, Village St, Aldington	This proposal is an extension of 2 pitches to an existing Traveller site and is over 5km from the boundary of the nearest Natura 2000 site, Bredon Hill SAC. The main threat to the integrity of the SAC is the lack of replacement trees. The allocation of this site will not have a detrimental impact on the implementation of the management plan for the SAC. No significant effect is likely.
Hughes Barn, Badsey	This proposal is an extension of 6 pitches adjacent to an existing Traveller site and is over 5km from the boundary of the nearest Natura 2000 site, Bredon Hill SAC. The site is not affected by national or local nature conservation designations. It is greenfield and there is no information available regarding the presence of protected habitats and species or the biodiversity / geodiversity of the site. The effect on biodiversity / geodiversity is therefore unknown. An ecological survey prior to the development site should be undertaken. The allocation of this site will not have a detrimental impact on the implementation of the management plan for the SAC. No significant effect is likely.
POLICIES	
Tenure of New Pitches and Plots	The tenure of pitches will not have a significant effect on the SACs identified.
Nomadic Habit of Life	The way that nomadic habit of life is defined will not have a significant effect on the SACs identified.