Plantlife's Witness Statement – appeal for proposed Land East of Hereford development

Appeal Reference: 6010345

10th November 2026

1. **Plantlife continue to strongly object to this proposed planning application.**
2. Plantlife is the global charity working to enhance, protect, and restore the wild plants and fungi that are essential to all life on earth. Plantlife owns 24 nature reserves covering nearly 4,500 acres across England, Scotland, Wales and the Isle of Man. Alongside other land owners, Plantlife owns eight separate parcels of land on Lugg Meadow.
3. The Lugg and Hampton Meadows Site of Special Scientific Interest (SSSI) was notified for a number of nationally important features, these include a rare habitat and species on the vascular plant Red List for Great Britain:
    - **Narrow-leaved Water-dropwort;**
    - **Mousetail**, and;
    - **Species-rich neutral grassland** - Unimproved MG4 grassland is among the rarest semi-natural habitats in Britain; the Joint Nature Conservation Committee (JNCC) records its total British extent as less than 1,500 ha[1].

Irreplaceable Habitat

4. **Lugg Meadow is unique and irreplaceable**; it is the UK's largest and most important example of an exceptionally rare Lammas meadow, one of only 14 remaining in the UK.
5. **Lugg Meadow meets the definition[2] of an Irreplaceable Habitat within the National Planning Policy Framework**[3] (NPPF). The Ecological Rebuttal[4] attempted to assert that the UK Government did not mean for the Irreplaceable Habitat definition to be applicable to other habitats beyond the examples provided. **This is not supported by the natural reading of the definition**. It gives example habitats using the words; "They include." Indeed, the Environment Agency identified MG4 floodplain meadow as an irreplaceable habitat in their own approach to planning policy, within the Oxford Flood Alleviation Scheme[5].

[1] Joint Nature Conservation Committee (2018). Available at: https://jncc.gov.uk/jncc-assets/Art17/H6510-UK-Habitats-Directive-Art17-2019.pdf

[2] "Irreplaceable habitats are habitats with characteristic ecological features and processes which cannot successfully be created, or would take a very long time to establish and function normally. Irreplaceable habitats are difficult to recreate due to their rarity (being endangered or vulnerable to ecosystem collapse), environmental context, or because they have been established for a very long time (time thresholds may vary). They generally support important and/or rare species populations or assemblages. They include ancient woodland, ancient and veteran trees, blanket bog, limestone pavement, sand dunes, salt marsh and lowland fen."

[3] National Planning Policy Framework. Available at: https://assets.publishing.service.gov.uk/media/6aabe97844ec1aa417346c0b/National_Planning_Policy_Framework.pdf

[4] Bennu Environmental (2026, 'Ecology Rebuttal'.

[5] Planning Inspectorate (2024). 'The Environment Agency (Oxford Flood Alleviation Scheme) Compulsory Purchase Order (CPO) 2023'.

6. Further, **the UK Government itself has explicitly stated that the list of habitats is non-exhaustive** in the Minister for Nature's response to a Parliamentary Question[6]:
7. As noted in the Ecological Rebuttal, the irreplaceable habitat definition **requires ecological features and processes which cannot be successfully created, or would take a very long time to establish and function normally,** as well as elements of rarity, environmental context, and rare/threatened species. Lugg Meadow meets these criteria. It has features and processes as a result of it being a floodplain meadow, in particular one that has existed at least since the Domesday Book, developing a unique ecology with the annual flooding, deposition of sediments, and distinctive commoning management system over centuries.
8. MG4 grassland has been identified as having moderate dependence on groundwater regimes[7]; they are **highly susceptible to development via alteration of hydrological regimes**.
9. This SSSI is part of a floodplain, holding and slowing the flow of water and supporting natural flood management. **Changes to the delicate hydrology of the catchment, for example from increased run off from hard surfaces in the development site[8], could alter the ecosystem and undermine this function**. Healthy floodplain meadows can also be important carbon stores[9].
10. **Studies found it could take over 150 years for a new floodplain meadow to be colonised with the majority of characteristic species,** and that even functioning trait structures would take over 70 years[10]. Thus, **indirect impacts from the proposed development,** which are described later, **risk deteriorating the floodplain meadow's ecological features and processes.**
11. Therefore, policy NPPF N6 (2) should apply[11].
12. If there is damage to the nationally important SSSI, then **compensatory habitat restoration or creation elsewhere could not replace its complex interactions, functions, rare wildlife, and lifecycles[12]**.

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[6] Minister for Nature (2025). Available at: https://questions-statements.parliament.uk/written-questions/detail/2025-07-03/64714. *"Irreplaceable habitat includes some of England's most ecologically valuable habitats. The list of irreplaceable habitats in the biodiversity net gain regulations reflects the non-exhaustive list of examples of irreplaceable habitat in the National Planning Policy Framework."*

[7] UK Technical Advisory Group on the Water Framework Directive. (ND), 'Characterisation of the water environment risk assessment of the terrestrial ecosystems groundwater'.

[8] Oo and Humphries (2026), 'Hydrological modeling of flood impacts under land use and land cover change: A systematic review of tools, trends, and challenges'. Available at: https://www.sciencedirect.com/science/article/pii/S2215016125005680

[9] The Open University (2018). Available at: https://floodplainmeadows.org.uk/sites/default/files/Soil%20Carbon%20stocks%20summary%20130619.pdf

[10] Woodcock, McDonald and Pywell (2011), 'Can long-term floodplain meadow recreation replicate species composition and functional characteristics of target grasslands?'. Available at: https://doi.org/10.1111/j.1365-2664.2011.02029.x

[11] NPPF N6 (2): "*development proposals which would entail the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists*."

[12] Ibid.

13. **The additional riverside meadows proposed by the appellant[13], through conversion from arable fields, will <u>not</u> compensate for the potential degradation, loss of species and ecosystem functioning of Lugg Meadow**.

<u>Nitrogen deposition and recreational pressures</u>

14. **Nitrogen deposition levels have exceeded the lower critical load at the SSSI**, and the proposal puts the site at risk of additional nitrogen deposition caused by emissions from new households and the construction process. Nitrogen deposition can be incredibly damaging for wild plants and other species[14].
15. The risk of degradation to the SSSI arises, in particular, from **increased and cumulative recreational pressures that are likely from a housing development of this size.** Studies[15] have found that excessive urine and faeces from pets in nature reserves can negatively impact ecosystems and plant communities.
16. It is likely that recreational visits, dog walking, and presence of cats will increase with this development, whilst exacerbating the existing challenge of managing access restrictions. **Commoners who have livestock on the site have previously experienced livestock worrying by dogs**. If the appropriate livestock grazing/hay cutting regime cannot be in place due to increased recreation, then features of the SSSI may become degraded.
17. **Increased visitor footfall can lead to soil compaction, which is already impacting the plant community composition** on Upper Lugg Meadows.
18. Despite the appellant including alternative natural greenspace in the proposal, **we disagree with their conclusion that it will remove the likelihood of visitor impact on the SSSI**, as there is no evidence that it would change behaviour.

<u>River pollution</u>

19. The River Lugg has been designated as an SSSI and is also part of the River Wye Special Area of Conservation. **The River Lugg has been assessed as unfavourable-declining**, and the River Wye has received the same interim assessment. There is risk of nutrient pollution from this development entering the rivers via the Lugg Rhea tributary.

In conclusion, Plantlife strongly objects to the proposed development. It presents unacceptable risks of cumulative impacts to the Lugg and Hampton Meadow SSSI, with insufficient habitat compensation for harm to irreplaceable habitat that has regional and national importance. The Herefordshire Council Core Strategy policy LD1 and LD2 state that development proposals should conserve and enhance the natural, historic and scenic beauty of important landscapes and features. **It remains our belief that this development would not meet these objectives.**

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[13] Schedule of applicant's response to Natural England's comments. Available at: https://myaccount.herefordshire.gov.uk/documents?id=1f73d341-7fa6-11f1-909c-005056ab3a27

[14] Stevens, David and Storkey (2018), 'Atmospheric nitrogen deposition in terrestrial ecosystems: Its impact on plant communities and consequences across trophic levels'. Available at: https://doi.org/10.1111/1365-2435.13063

[15] Frenne *et al*. (2022). 'Nutrient fertilization by dogs in peri-urban ecosystems'**.** Available at: https://doi.org/10.1002/2688-8319.12128