

Town and Country Planning Act 1990 – Section 78 Town and County Planning (Development Management Procedure) (England) Order 2015 Town and County Planning (Inquiries Procedure) (England) Rules 2002

Appeal by Boningale Developments Ltd

Land to the East of Tilstock Road, Tilstock, Shropshire

Against the refusal of planning permission by Shropshire District Council for application 24/04176/FUL – Residential development of 70 dwellings including access, open space, landscaping and associated works.

LANDSCAPE AND VISUAL STATEMENT OF COMMON GROUND

between:

Boningale Developments Ltd & Shropshire District Council

Planning Inspectorate Reference: APP/L3245/W/25/3362414

September 2025

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1. Introduction

1.1 This is a Landscape and Visual Statement of Common Ground (LVSoCG) made between the following parties:

- Boningale Developments Ltd (“the Appellant”); and
- Shropshire District Council (“the Council”).

1.2 This LVSoCG has been jointly prepared by the Appellant and Council and sets out the factual background to the Appeal and those landscape and visual matters on which the parties agree. It also sets out the residual landscape and visual matters upon which the parties are not agreed.

2. Landscape Proposals

2.1 Approximately 35% of the site would be dedicated to public open space and green infrastructure elements, with the remaining 65% of the site comprising new dwellings including private gardens and access road.

2.2 Minor changes to site levels are proposed to accommodate the housing, roads and paths, with localised excavation needed for the shallow SUDs basin.

2.3 The following changes to the landscape scheme were made to reflect feedback from the Tree Officer date 22nd November 2024:

- Relocation of units 67, 68 and 69 further south to increase separation from Oak trees (technically an arboricultural and design change not a landscape and visual matter);
- Removal of Ligustrum japonicum in front garden to reduce sense of enclosure; and
- Clarification of root barrier requirements for trees adjacent to hard surfaces.

3. Landscape baseline matters on which the parties agree

3.1 In addition to the Site description in the Statement of Common Ground, the following factual matters are agreed.

3.2 The Appeal Site lies on the northern edge of the village of Tilstock and has no public access. The site’s landcover comprises pastoral farmland currently grazed by horses, with some native hedgerows and a small number of hedgerow trees along the northern, western, and

southern Site boundary

- 3.3 The Appeal Site is located within the 'Shropshire, Cheshire and Staffordshire Plain' National Landscape Character Area, and the 'Settled Pastoral Farmlands' Landscape Character Type (LCT), as described in the Shropshire Landscape Typology (2006). The 'Settled Pastoral Farmlands' LCT records how the historical pattern of small to medium sub regular hedged fields have been retained in most places.
- 3.4 The character of the site and local countryside is not of such value that it has warranted a statutory or non-statutory landscape designation, and the landscape has no features that would indicate a 'valued' landscape in the context of paragraph 187(a) of the current National Planning Policy Framework (NPPF) December 2024.
- 3.5 The levels of tranquillity and the perceptual aspects associated with the Site are influenced by the established residential development to the immediate south / southwest of the Site, and the movement of vehicles along the B5476 Tilstock Road.
- 3.6 In terms of landform, the Site is gently sloping, with an approximate 5.5m topographical variation.

4. Baseline visual matters on which parties agree

- 4.1 The views presented in the submitted LVIA are representative of the views available from publicly accessible locations around the Site and in order to make judgements of the landscape and visual impact of the Proposed Development.
- 4.2 Public Footpath 28/1 to the east of the Site is not promoted as part of any regional or national recreational route, however it has value to the local community.

5. Methodology and Scope of Assessment

- 5.1 It is agreed that the assessment methodology and approach by the Appellant in the submitted LVIA generally reflects the recommendations of GLVIA3.
- 5.2 It is agreed that GLVIA 3 best practice guidance is not intended to be prescriptive and does not provide a detailed 'recipe' that can be followed in every situation.
- 5.3 Both parties agree with the Landscape Institute advice in LITGN-23024-01 (**CD16.05**) which states that:

"It should always be remembered that the purpose of undertaking LVIA (or LVA) is to

express clearly to decision-makers the landscape professional's judgement about changes to the landscape and views. In particular, the purpose is to explain which aspects of landscape and visual change are more important to the decision to be made (and why), and which are not (and why). Achieving this outcome is more fundamental to good LVIA than the detailed mechanics of specific assessment methodologies.

Landscape and visual resources (and changes to them) are not easily measurable. Therefore, those undertaking LVIA have to proceed by a process of description, analysis and reasoning, leading to assessment conclusions"

6. Landscape matters on which the parties agree

- 6.1 All trees and hedgerows would be retained apart from an 89m long section of low quality hedgerow associated with the new access, however as mitigation new sections of species rich native hedgerow would be planted behind the visibility splay of the access.
- 6.2 In terms of indirect effects upon landscape character of the wider countryside, the Proposed Development would be well contained by existing hedgerows and trees to the north and west, and a new woodland belt to the east. The key characteristics of the wider countryside context would not be altered, and there would be no change to any of the listed key characteristics of the 'Settled Pastoral Farmlands' Landscape Character Type.
- 6.3 The opportunity to perceive indirect effects upon landscape character from lighting or increased traffic movements would be Negligible in the context of the existing settlement and Tilstock Road. The growth of perimeter mitigation planting would, over time, further reduce the perception of the Proposed Development, from relatively few locations in the surrounding countryside.

7. Visual matters on which the parties agree

- 7.1 There is a network of public rights of way to the south and west of Tilstock (Routes 26/1, 26/2, 27/3, 27/2, 51/1, 39/1, 33/1, 29/2, 29/1 and 30/1). Apart from Public Footpath 28/1 to the east of the Site, no views of the Proposed Development are predicted from any other public right of way.
- 7.2 Views towards the Site from much of the village are restricted by the built form immediately adjacent to the Site, ribbon development along Tilstock Lane and trees along the southern boundary of the Site (LVIA Viewpoint 3). There would be occasional, partially restricted views of the upper storeys of new residential development from the pavement along Tilstock Road to the immediate southwest (LVIA Viewpoints 4 and 5), and some

glimpsed views through gaps in built form from Crabmill Meadow, the village hall car park and the school playing field off Tilstock Lane (close to LVIA Viewpoint 3).

- 7.3 Approaching Tilstock from the north views of the Site are restricted by the sinuous nature of the route and mature field boundary hedgerows including the northern boundary of the Site and the well hedged nature of Tilstock Road itself that has very narrow grass verges and no pedestrian access (LVIA Viewpoints 6 and 7).
- 7.4 The Proposed Development from publicly accessible locations, primarily from the public footpath to the east of the Site would not materially restrict views of the wider countryside beyond the Site. It is agreed that the existing planting along the western boundary adjacent to Tilstock Road, already provides a notable degree of containment (see Viewpoint 3), preventing views of the wider countryside.
- 7.5 As recorded on Site photograph A (CD 10.1), clear views from new dwellings on Crabmill Meadow would be typically very limited from any main living space at ground floor level due to property orientation, closeboard fencing to garden boundaries and mature hedges and tree belts along the site boundary. Any potential views at Year 1 would be reduced over time by the growth of proposed mitigation planting along the southern site boundary.
- 7.6 Views from other properties within Tilstock are more distant and comprise occasional oblique views from upper floor windows, assumed not to be main living space (see Photographs A-D in LVIA CD 10.1).
- 7.7 Appropriate privacy distances would be maintained between existing dwellings at the northern edge of Tilstock and proposed dwellings within the Appeal Site. At no private property would the visual effects of the Proposed Development be so great that living conditions of existing or future residents would be materially affected.

8. Landscape and Visual Matters on which the parties have further considered

- 8.1 In the LVIA review by ESP Ltd. (March 2025), it was recommended that the following amendments be made to the LVIA:
- *Assessment of construction and completion [Year 1 and Year 15 to be consistent with visual effects] for the landscape receptors.*
 - *Review the assessment of the sensitivity of 'Settlement and Places of Interest' in Tilstock to take account of potential residential receptors.*
 - *Provide a 'bare earth' ZTV in line with Section 6.8 of GLVIA3.*
 - *Revise the assessment to include visual effects at construction stage.*

8.2 ESP have reviewed the responses provided by Pegasus Ltd in their Landscape Hearing Statement (dated 18/05/25) and accept that, as referenced in paragraph 5.3 above, the overall understanding of the Site, proposals and effects has been demonstrated, even if the “specific mechanics of methodology” may be subject to differences of professional opinion. Although ESP feel that the points raised could provide further clarity to the LVIA, it is agreed that they would not materially change the findings of the assessment. Each point is discussed in turn below:

- Landscape effects at Construction Stage: The rationale for Pegasus’s assessment of effects has been described in Table 1 of the Landscape Hearing Statement in sufficient detail, and ESP agree that the assessment is acceptable. It is welcome that the additional discussion of landscape effects is provided in Table 1, and ESP agree that the Year 1 assessment covers likely effects in relation to landscape features and character of the Site.
- Assessment of residential receptors: ESP agree with the statement that private views are not within the scope of the LVIA, and that a Residential Visual Amenity Assessment is not required for a development of this scale. It is often the case that residential views are considered as separate receptor groups within an LVIA (i.e. ‘Residences on XXX Road’), but it is accepted that these are included generally within the Settlement receptor group.
- Bare Earth ZTV: ESP agree that the bare earth ZTV is not used as part of the judgement process, but suggest that use of a bare earth ZTV helps build a picture of how screening affects the visibility, and may demonstrate where visibility is dependent on features that could change over time, such as a block of forestry plantation. However as noted in the Landscape Hearing Statement, ESP agree with Pegasus’s viewpoint selection and accept that a bare earth ZTV would not change the findings of the LVIA.
- Visual effects at Construction Stage: The discussion of Construction Stage effects within Table 1 is sufficient to meet the query raised by ESP.

8.3 Additional Mitigation: As no further effects are identified, no specific mitigation measures are anticipated beyond the embedded mitigation within the design of the Landscape Masterplan.

Signed on behalf of the Local Planning Authority		Signed on behalf of Appellant	
Organisation	Shropshire District Council	Organisation	Pegasus Group
		Signature	
Name	Ollie Thomas	Name	Neil Furber
Qualification	BA(Hons) MSc MRTPI	Qualification	BSc (Dual Hons) Dip LA CMLI
Date	19.09.25	Date	16.09.25