

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

Appeal by Boningale Developments Ltd

Land at Patshull Road, Albrighton

Against the refusal of planning permission by Shropshire Council for application 24/02108/OUT – Outline application to include access for a mixed-use development comprising up to 800 no dwellings, a care home of up to 80 units, a secondary school and local centre with associated access, infrastructure, landscaping and drainage

LANDSCAPE STATEMENT OF COMMON GROUND
between
Boningale Developments Ltd & Shropshire Council

Planning Inspectorate Reference: 6007402

13th July 2026

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1. Introduction

- 1.1 This is a Landscape Statement of Common Ground (LSoCG) made between the following parties:

Boningale Developments Ltd. (“the Appellant”); and

Shropshire Council (“the Council”).

- 1.2 This LSoCG 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.

- 1.3 It is agreed that Article 35(1)(b) of the Town and Country Planning (Development Management Procedure) (England) Order (“the DMPO”) required the Council’s reasons for refusal, including the landscape related aspects, to “state clearly and precisely” the Council’s “full reasons for the refusal”. It is also agreed that the Planning Inspectorate’s Procedural Guide: Planning appeal – England (“the PINS Guidance”) required the Council’s Full Statement of Case to contain “all the details and arguments (as well as supporting documents and evidence) which a ... [they] will put forward to make their case in the appeal”.

2. Methodology and Approach

- 2.1 A LVIA methodology that complies with best practice guidance accompanied the submitted LVIA.
- 2.2 It is agreed that as the planning application is outline only (except for access), it is anticipated that details of the phasing of the proposed development and measures to minimise so far as it is possible landscape and visual effects during the construction phase, would be contained within a Construction Environmental Management Plan (CEMP) that would be conditioned and form part of a reserved matters application.
- 2.3 It is agreed that the Guidelines for Landscape and Visual Impact Assessment 3rd Edition (“GLVIA3”) is not intended to be prescriptive and does not provide a detailed ‘recipe’ that should be followed in every situation.
- 2.4 It is agreed that the magnitude of effect should consider the geographical area over which physical changes would occur (direct effects) or would be perceived (indirect effects).
- 2.5 It is agreed that the susceptibility to change of a visual receptor is influenced by whether the views experienced are fixed or transient in nature.

- 2.6 It is agreed that Landscape Institute Technical Guidance Note LITGN 2024-01 states that the focus of the visual assessment should be the visual receptors (i.e. the people as set out within Para 6.31. of GLVIA3). The purpose of viewpoints is covered at Para 6.19 (i.e. for illustration of the visual effects).
- 2.7 It is agreed that the Council did not request a Residential Visual Amenity Assessment (RVAA) and it is agreed that one is not required.
- 2.8 It is agreed that any greenfield residential development will, when assessed against a GLVIA3 compliant methodology, have some adverse effects on landscape character and some adverse visual effects, in particular on-site and from receptors in close proximity to the site.

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 Site is located in National Landscape Character Area 66: Mid Severn Sandstone Plateau.
- 3.3 The Shropshire Landscape Typology (2006) describes the regional landscape character. The Site and surrounding area lie within LCT 14: Sandstone Estate lands. The key characteristics are stated as:

Arable land use

Regular field patterns

Parkland associated with country houses

Clustered settlement pattern

Medium-large scale, open landscapes.

- 3.4 The Shropshire Landscape and Visual Sensitivity Study (2018) assessed Parcel C, that the Site is located within, in terms of landscape value as being “a rural landscape of moderate strength and condition, with relatively good historic value derived from the grade II and II* buildings within Boningale” and that “there are no particularly strong features within the parcel, however the landscape makes an important contribution to the enjoyment of the area”. It is described as an unvaried landscape of regular and irregular, small to medium scale arable and pastoral fields.
- 3.5 The Shropshire Landscape and Visual Sensitivity Study (2018) assessed that for Parcel C, that the Site is located within, the overall landscape sensitivity to change arising from new housing

would be medium and in relation to views experienced within the parcel there would also be a medium sensitivity to change arising from new housing.

3.6 The Site does not contain any landscape features that would be considered rare or unique.

3.7 The levels of tranquillity and the perceptual aspects associated with the Site are influenced by the Site's proximity to the A464 Holyhead Road, Cross Road, Patshull Road, and Newhouse Lane.

4. Visual baseline matters on which the parties agree

4.1 ZTVs of the Proposed Development and winter photography from representative publicly accessible locations that comply with best practice guidance accompanied the submitted LVIA.

4.2 Photography supporting an LVIA is an aide memoir. It is not intended to and cannot cover every possible location where there may be views of a Proposed Development.

4.3 The representative viewpoint selection covers an appropriate range of views to illustrate potentially notable (significant) effects upon visual receptors.

4.4 The Landscape Institute Technical Guidance Note 2024-01 recognises that views from houses and individual properties are a matter of private amenity, and that it is an established planning principle that there is no right to a view.

5. Landscape Mitigation Proposals

5.1 Full details of the landscape mitigation would be subject to a reserved matters planning application. However, the Appellant and the Council will reference the submitted Illustrative Landscape Masterplan as part of their evidence which was submitted for assessment purposes.

6. Landscape effects on which the parties agree

6.1 The landscape receptors scoped into the LVIA adequately capture all the potentially notable (significant) landscape effects that would arise from the Proposed Development.

6.2 A Scott Schedule outlining the differences between the parties in the assessment of landscape effects is contained at Annex 1 to this statement.

6.3 The Site is not the subject of any national or local landscape designations.

- 6.4 The Site is not a “valued landscape” for the purposes of paragraph 187(a) of the NPPF.
- 6.5 There are no effects as a result of the Proposed Development on any NPPF 187a valued landscape or designated landscape.
- 6.6 The Proposed Development would not contribute to physical or visual coalescence between the settlements.

7. Visual effects on which the parties agree

- 7.1 The visual receptors scoped into the LVIA adequately capture all the potentially notable (significant) visual effects that would arise from the Proposed Development.
- 7.2 A Scott Schedule outlining the differences between the parties in the assessment of visual effects is contained at Annex 2 to this statement.
- 7.3 It is an established planning principle that there is no private right to a view and that the indicative location of the Proposed Development is unlikely to result in any unacceptable effects upon the privacy of existing residents in properties adjoining the Appeal Site.
- 7.4 The Illustrative Masterplan illustrates that appropriate separation distances between existing and proposed dwellings could be achieved. It is agreed that an acceptable scheme in terms of impact to private visual amenity of residents in existing properties can be developed as part of a reserved matters application.
- 7.5 In terms of public rights of way, it is agreed that the greatest change to existing views as a result of the Proposed Development would be experienced by users of the public footpaths between Holyhead Road and Newhouse Lane at the southeastern end of the Site.
- 7.6 The magnitude of change experienced by users of other public rights of way in the wider landscape beyond the Site boundary would typically reduce with distance.

8. Other matters on which the parties agree

- 8.1 Assuming that the Taylor Wimpey proposal (25/04584/OUT) was consented and constructed to the north of the Site, then the addition of the Proposed Development would not result in any unacceptable cumulative landscape and visual effects.
- 8.2 Landscape and visual effects (Character and appearance) were not expressed to be a standalone reason for refusal in the Council’s reasons for refusal but were instead expressed to be an aggravating factor.

9. Landscape and Visual Matters on which the parties disagree and are to be defended by Council

- 9.1 It is not agreed by the Council that the Appellant's study area extending in a 2km radius from the application boundary is an appropriate study area. The Council considers that it should have been expanded to include Viewpoint 12 on LVIA Figure 6, with the result that it would have included all potential landscape and visual receptors that could be affected by the Proposed Development to the degree that the effects could be considered material in the planning balance.
- 9.2 The Council also disagrees with the criteria used in the LVIA methodology tables 5, 10 and 13 for assessing the magnitude of change to landscape and visual receptors. The Council has provided its own assessment criteria in Annex 3, which it will use in assess change in place of LVIA methodology tables 5, 10 and 13.
- 9.3 It is not agreed by the Council that the Appellant's Illustrative Landscape Masterplan, read in conjunction with the Environmental Enhancement Strategy (EES), could adequately mitigate the landscape impacts of the proposed development on the surrounding landscape.
- 9.4 The Council does not agree with the Appellant that the principal landscape effects of the proposed development would only be experienced on the Site and in the immediate vicinity of the Site.
- 9.5 Beyond the Site, the Council does not agree with the Appellant that there would be no changes to any of the key characteristics listed in the Shropshire Landscape Typology.
- 9.6 Beyond the immediate vicinity of the Site, the Council does not agree with the Appellant that the opportunity to perceive indirect perceptual effects upon landscape character resulting from new street lighting or increased traffic movements would be negligible.
- 9.7 The Council does not agree with the Appellant that visual effects from all relevant visual receptors that are publicly accessible would be at most Moderate and would typically reduce following the growth of mitigation planting.

Annex 1: Landscape Receptor Assessment Comparison

Appellant Assessment in black text

Council Assessment in blue text

The Council does not adopt the Appellant's methodology and to assist in the clarification of any differences, the relevant sections of the Council's own methodology are included at Annex 3.

Receptor	Sensitivity (Value/susceptibility)	Magnitude of Change	Level of effect
Land cover	Medium (Medium/Medium)	Year 1 and Year 15: High	Major adverse
	Medium (Medium/Medium)	Year 1 and Year 15: High	Major adverse
Topography	Low (Low/Low)	Year 1 and Year 15: Low	Minor adverse
	Medium (Medium/Medium)	Year 1 and Year 15: Low	Minor adverse
Trees and tall hedgerows	High (Medium/High)	Year 1: Negligible Year 15: Low	Yr 1: Negligible Yr 15: Moderate beneficial
	High (Medium/High)	Year 1: Low Year 15: Low	Yr 1: Moderate adverse (factoring in loss, e.g. at roundabout) Yr 15: Moderate beneficial
Low clipped hedgerows	Medium (Medium/Medium)	Year 1 and Year 15: Low	Year 1: Minor adverse Year 15: Minor beneficial
	High (Medium/High)	Year 1 and Year 15: Low	Year 1: Moderate adverse Year 15: Moderate adverse
Water features	High (High/High)	Year 1 and 15: Low	Year 1: Moderate beneficial Year 15: Minor beneficial
	High (High/High)	Year 1 and 15: Low	Year 1: Moderate adverse (factoring in likely culverting of watercourse) Year 15: Moderate adverse

Receptor	Sensitivity (Value/susceptibility)	Magnitude of Change	Level of effect
Public access	High (High/High)	Year 1: Medium Year 15: Medium	Year 1: Major beneficial Year 15: Major beneficial
	High (High/High)	Year 1: Medium Year 15: Medium	Year 1: Major beneficial Year 15: Major beneficial
Landscape Character within the Site	Medium (Medium/Medium)	Year 1: High Year 15: High	Year 1: Major adverse Year 15: Major adverse
	Medium (Medium/Medium)	Year 1: High Year 15: High (new vegetation does not alter level of change)	Year 1: Major adverse Year 15: Major adverse
Landscape Character within the immediate context of the Site	Medium (Medium/Medium)	Year 1: Medium Year 15: Low	Year 1: Moderate adverse Year 15: Minor adverse
	Medium (Medium/Medium)	Year 1: High Year 15: High	Year 1: Major adverse Year 15: Major adverse
Landscape Character of the wider countryside	Medium (Medium/Medium)	Year 1: Negligible adverse Year 15: Negligible adverse	Year 1: Negligible adverse Year 15: Negligible adverse
	Medium (Medium/Medium)	Year 1: Medium Year 15: Medium	Year 1: Moderate adverse (factoring in effects on settlement pattern) Year 15: Moderate adverse

Annex 2: Visual Receptor Assessment Comparison

Appellant Assessment in black text

Council Assessment in blue text

The Council does not adopt the Appellant's methodology and to assist in the clarification of any differences, the relevant sections of the Council's own methodology are included at Annex 3.

Receptor and representative viewpoints	Sensitivity (Value/susceptibility)	Magnitude of Change	Level of effect
Albrighton (Viewpoints 1 & 2)	High (Medium/High)	Year 1: Low Year 15: Low	Year 1: Moderate adverse Year 15: Moderate adverse
	High (Medium/High)	Year 1: High (VP 1) and Low (VP 2) Year 15: High (VP 1) and Low (VP 2)	Year 1: Very Substantial adverse (VP 1) (factoring in substantial truncation of views from settlement edge) Moderate adverse (VP 2) Year 15: Very Substantial adverse (VP 1) and Moderate adverse (VP 2)
Boningale (Viewpoints 15 & 16)	High (High/High)	Year 1: Negligible Year 15: Negligible	Year 1: Negligible adverse from public locations Year 15: Negligible adverse from public locations
	High (High/High)	Year 1: Low (VP15) and Negligible (VP16) Year 15: Low (VP15) and Negligible (VP16)	Year 1: Moderate adverse (VP15) and Negligible adverse (VP16) Year 15: Moderate adverse (VP15) and Negligible adverse (VP16)
Cross Britain Way (Viewpoint 4)	High (Medium/High)	No change	No effect
	High (Medium/High)	No change	No effect

Receptor and representative viewpoints	Sensitivity (Value/susceptibility)	Magnitude of Change	Level of effect
Public footpath 0102/9/1 (Viewpoint 5)	High (Medium/High)	Year 1: Low Year 15: Negligible	Year 1: Moderate adverse Year 15: Negligible adverse
	High (Medium/High)	Year 1: Low Year 15: Low	Year 1: Moderate adverse Year 15: Moderate adverse (proposed housing would be seen across a wide panorama)
Public footpaths 0111/4/1 and 0111/3/1 (Viewpoints 7 & 8)	High (Medium/High)	Year 1: Medium Year 15: Low	Year 1: Major adverse Year 15: Moderate adverse
	High (Medium/High)	Year 1: High (proposed housing prominent across wide panorama) Year 15: High	Year 1: Very Substantial adverse Year 15: Very Substantial adverse
Public footpath 0111/1/1 (Viewpoint 10)	High (Medium/High)	Year 1: Low Year 15: Negligible	Year 1: Moderate adverse Year 15: Negligible adverse
	High (Medium/High)	Year 1: Medium Year 15: Medium (no notable change to built form visibility)	Year 1: Major adverse Year 15: Major adverse
Public footpath 0111/13/1 and Public bridleway Perton 19 (Viewpoints 11 and 12)	High (High/High)	Year 1: Negligible Year 15: Negligible	Year 1: Negligible adverse Year 15: Negligible adverse
	High (High/High)	Year 1: Negligible (VP11) and Medium (VP12) (readily noticeable expanse of new housing) Year 15: Negligible (VP11) and Medium (VP12)	Year 1: Negligible adverse (VP11) and Major adverse (VP12) Year 15: Negligible adverse (VP11) and Major adverse (VP12)

Receptor and representative viewpoints	Sensitivity (Value/susceptibility)	Magnitude of Change	Level of effect
A464 Holyhead Road (Viewpoints 9, 13, 14 & 17)	Medium (Medium/Low)	Year 1: Medium Year 15: Low	Year 1: Moderate adverse Year 15: Minor adverse
	Medium (Medium/Low)	Year 1: High (proposed housing visually prominent and seen against skyline) Year 15: High	Year 1: Major adverse Year 15: Major adverse
Patshull Road (Viewpoints 6 & 16)	Medium (Medium/Medium)	Year 1: Medium Year 15: Low	Year 1: Moderate adverse Year 15: Minor adverse
	Medium (Medium/Medium)	Year 1: High (VP6) (proposed housing visually prominent/ seen against skyline) and Low (VP16) Year 15: High (VP6) and Low (VP16)	Year 1: Major adverse (VP6) and Minor adverse (VP16) Year 15: Major adverse (VP6) and Minor adverse (VP16)
Cross Road (Viewpoint 3)	Medium (Medium/Medium)	Year 1: Medium Year 15: Low	Year 1: Moderate adverse Year 15: Minor adverse
	Medium (Medium/Medium)	Year 1: High (substantial alteration to view) Year 15: High	Year 1: Major adverse Year 15: Major adverse
Newhouse Lane (Viewpoints 7 & 13)	Medium (Medium/Medium)	Year 1: Medium Year 15: Low	Year 1: Moderate adverse Year 15: Minor adverse
	Medium (Medium/Medium)	Year 1: High (VP7) (proposed housing visually prominent/ seen against skyline) and Medium (VP13) Year 15: High (VP7) and Medium (VP13)	Year 1: Major adverse (VP7) and Moderate adverse (VP13) Year 15: Major adverse (VP7) and Moderate adverse (VP13)

Receptor and representative viewpoints	Sensitivity (Value/susceptibility)	Magnitude of Change	Level of effect
Rushey Lane (Viewpoint 18)	Medium (Medium/Medium)	Year 1: Negligible Year 15: Negligible	Year 1: Negligible adverse Year 15: Negligible adverse
	Medium (Medium/Medium)	Year 1: Negligible Year 15: Negligible	Year 1: Negligible adverse Year 15: Negligible adverse
Green Lane (Viewpoint 19)	Medium (Medium/Medium)	Year 1: Low Year 15: Negligible	Year 1: Minor adverse Year 15: Negligible adverse
	Medium (Medium/Medium)	Year 1: Medium (notably increased proportion of built form in view) Year 15: Medium	Year 1: Moderate adverse Year 15: Moderate adverse
Burnhill Green Road (Viewpoint 20)	Medium (Medium/Medium)	Year 1: Low Year 15: Negligible	Year 1: Minor adverse Year 15: Negligible adverse
	Medium (Medium/Medium)	Year 1: Low Year 15: Low	Year 1: Minor adverse Year 15: Minor adverse

Annex 3: Methodology to be used by the Council

The criteria for assessing magnitude of change for landscape receptors is set out below, and is intended to be used by the Council in place of LVIA methodology Tables 5 and 13.

Impact magnitude	Criteria
High	A prominent change that may be large in scale and/or extent and include the substantial alteration to key characteristics of the character area or the addition of new uncharacteristic features or components that substantially alter the overall landscape character.
Medium	A readily noticeable change of more limited scale and extent including the loss or alteration of some key landscape characteristics or elements, and/or the addition of new features or components that would form prominent elements of the character area.
Low	A change affecting small areas of landscape character where the proposed development would not quite fit into the landform and scale of the landscape; would add new features or elements of limited characterising influence and/or would result in a slight loss or alteration to one or more characteristics of the character area.
Negligible	A change affecting relatively small areas of landscape character where the proposed development will largely complement the scale, landform and pattern of the landscape and existing character of the landscape would be substantially conserved.

The criteria for assessing magnitude of change for visual receptors is set out below. and is intended to be used by the Council in place of LVIA methodology Table 10.

Impact Magnitude	Criteria
High	The proposals form a significant and immediately apparent part of the scene, appearing as a prominent and contrasting feature; Total loss or substantial alteration to key characteristics of the view; Addition of new features or components that are continuously highly visible across the majority of the view and out of character.
Medium	A readily noticeable change to the view, where change is evident but is not the key feature in the view; Noticeable change or alteration to one or more key characteristics of the view; Addition of new features or components that may be continuously highly visible across much of the view but are largely characteristic of the existing view from a receptor.
Low	Minor changes to the view that will not be readily noticeable, affecting a small proportion of the view that may be obliquely viewed or partly screened and/or appearing in the background landscape. May be a transient view obtained over short periods and capable of being missed by casual observers; Slight loss or alteration to one or more characteristics of the view from a receptor; Addition of new features that may be intermittently visible in part of the view but are largely characteristic of the existing view from a receptor.
Negligible	Changes to just a minor element in the overall view where change is barely perceptible; Very minor or barely perceptible loss or alteration of largely inconspicuous characteristics of the view from a receptor.

The matrix to be used by the Council for the evaluation of Landscape and Visual Effects is set out below.

Evaluation of Landscape and Visual Effects

	Sensitivity		
Magnitude of Change	HIGH	MEDIUM	LOW
HIGH	Very Substantial	Major	Moderate
MEDIUM	Major	Moderate	Minor
LOW	Moderate	Minor	Minor
NEGLIGIBLE	Negligible	Negligible	Negligible

Signed on behalf of the Local Planning Authority		Signed on behalf of Appellant	
Organisation	Shropshire Council	Organisation	Pegasus Group
Signature			
Name	Stephen Kirkpatrick – Director, Scarp Landscape Architecture	Name and role	Neil Furber – Senior Director
Qualification	BSc BLD CMLI	Qualification	BSc (Dual Hons) Dip LA CMLI
Date	14/07/2026	Date	13.07.26