

Urban Design Rebuttal Statement Land to the East of Tilstock Road, Tilstock, Shropshire

On behalf of Boningale Developments Ltd.

Date: 06/10/2025 | Pegasus Ref: P24-1425

PINS Ref: : APP/L3245/W/25/3362414 | LPA Ref: 24/O4176/FUL

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Introduction

- 1.1. This Rebuttal Statement has been prepared on behalf of the appellants to respond in advance to urban design points raised within the Council's Planning Proof of Evidence ("PoE") of Ollie Thomas ("OT") and the urban design (layout) points raised by the Council's Highways Proof of Evidence of Chris Mead ("CM").
- 1.2. This rebuttal is narrowly focused to the matters raised within the Council's putative reasons for refusal 1 and 3 ("rfr"), and I respond to points with reference to my Urban Design Proof of Evidence (paragraph references within are marked as "CP") and the appeal documents as appropriate. No concession is intended.

OT Figure 1

- 1.3. OT Figure 1 exaggerates the extent of the appeal site relative to the village. The boundary of the appeal site is correctly shown at CD 6.21 Site Location Plan.

The effect of the development on the character and appearance of the area, including consideration of urban design matters.

- 1.4. At OT §4.26 the following assertion is made:

§4.36 ...New development, within the settlement, has been delivered that is both proportionate and incremental to the size and role of the settlement...
- 1.5. And, at OT §4.37 the following assertion is made:

"4.37...the Appeal would disrupt the existing built pattern of development that exists within Tilstock, through extending the settlement northwards when the current pattern is very much along a west-east linear configuration."
- 1.6. With reference to my analysis of the village (CP PoE Section 4: §4.15 – §4.55), the above assertions are incorrect. As illustrated at CP Figures 15 – 18, the village has not grown incrementally (as in fixed scale amounts) and the pattern of growth has not been informed by the size of the village (proportionate). Further, as agreed in the Design SofCG – Pattern of Growth:

"Since 1973 the growth of Tilstock has been both to the north of the village along the boundary to the appeal site (Tilstock Close, Crabmill Meadows) and to the south of Tilstock Road..."

1.7. At OT §4.28 the following assertion is made:

"4.38 The Appeal proposal would introduce a disproportionate scale of new housing, located on the edge of the settlement, physically separated from the established built form surrounded by a substantial landscape buffer...the Appeal proposal would appear as an incongruous development that would erode the character of the existing built form and pattern."

1.8. As explained above and illustrated at CP **Figures 15 – 18**, I find no pattern of 'proportionate' growth. As explained within the DAS (CD 5.5), the scale and character of built form is defined by the period of development, and I find that the appeal scheme would not be incongruous and would not erode the existing characteristics of the built form or pattern.

1.9. Landscaping would also not physically separate the development. These spaces include the play area, the amenity and natural spaces and the proposed routes through the landscaped areas to the PRoW will afford the opportunity for new and existing residents to meet, and therein promote social inclusion.

Achieving well designed places

1.10. OT §4.45 asserts that:

"4.45 The proposed layout demonstrates an innate priority for sustainable movements, genuine choice for all modes or priority-first for walking and cycling."

1.11. The above is a supportive comment, and reflective of the design approach as I explain at Section 7 of my PoE. If, however, and being fair, OT meant to infer that the appeal scheme 'does not demonstrate...' I would disagree and affirm that the appeal scheme is pedestrian led – a decision, which as explained in the DAS (CD 5.5), has shaped the structure of the layout. The evidence of Anna Meet explains transport matters and the genuine choices of movement. I concur with her conclusions.

1.12. OT §4.45 further asserts:

"...The proposed access point and internal street system do not align with the established context of Tilstock, and do not integrate existing street patterns within their design."

- 1.13. The proposed vehicular access is onto one of Tilstock's principal routes, consistent with other developments. The proposed footpath access links into an established PRow.
- 1.14. The Design SofCG acknowledges that: 'Recent developments (post 2000) have a compact pattern and form, characterised by a regular, ordered layout and close set dwellings; and that recent developments are cul-de-sacs. As illustrated within the DAS (CD 5.5), the internal layout of the appeal scheme is consistent with the above and draws upon a linear street pattern.'

Internal street arrangement

- 1.15. CM's PoE asserts at §5.57:
- "The layout provides a dominance for private car movements throughout and is wholly unnecessary and to the detriment of sustainable movement across the site."***
- 1.16. In terms of urban design, I address the above with reference to the Council's SMART (CD 2.15) policy and specifically the guidance within Section A.5 'Principles of Estate Road', which is introduced as follows:
- "#31. This section of the guide provides advice on the principles of residential estate road design and encourages improved layouts that are designed to reflect the local context. The advice is intended to be sufficiently flexible to allow the design of road layouts that are both imaginative and suitable for adoption."***
- 1.17. Point 35 of the SMART (CD 2.15) sets out a number of design objectives relevant to the above. The following are relevant:
- *To achieve high environmental quality in new residential developments.*
- 1.18. The proposed layout ensures all public spaces are overlooked, and that there is a choice of attractive routes.
- *To ensure that the groupings of buildings, the layouts of roads, footways and spaces, combine to achieve a distinctive identity and environment for each housing development within its context.*
- 1.19. The Council have not cited or articulated harm with regard to the identity of the appeal scheme (distinctiveness, character and appearance, perimeter block layout). As described by the DAS (CD 5.5) this will be a memorable, legible and distinctive layout informed by the surrounding context.

- *To secure layouts which provide for the needs of pedestrians, cyclists, public transport, and appropriate vehicle speeds.*
- 1.20. The Design SofCG acknowledges that a permeable layout and shared surfaces are acceptable.
- 1.21. The street hierarchy provides a minor access road and connecting shared spaces. The appropriateness of vehicle speeds is addressed by Anna Meer within her Highways Proof of Evidence (AM **§3.44 – §3.56**).
 - *To restrict traffic within the housing area to that generated by those who live there and to those who need to be there, such as visitors, tradesmen, public utilities and refuse collection, and thus limit traffic flows near homes.*
- 1.22. The Design SofCG acknowledges that cul-de-sac layouts are consistent with the pattern of development in the village. The layout is a cul-de-sac and as such vehicle movements would be likely only prospective residents and visitors and tradesmen, public utilities and refuse collection.
 - *To provide a safe and convenient environment for all residents of new development.*
- 1.23. The Council's reasons for refusal do not cite highway safety as an issue.
 - *To provide adequate access for service vehicles, including emergency service and refuse collection vehicles.*
- 1.24. The layout has been tracked and I consider that it provides adequate access for service vehicles, including emergency service and refuse collection vehicles as explained in the evidence of Anna Meer.
 - *To ensure that the needs of the disabled are catered for. Unacceptable gradients and steps without alternative ramps should be avoided. Also, consideration should be given to the position of lamp columns, signposts and the design of gratings etc.*
- 1.25. The Council's reason for refusal nor Statement of Case cite accessibility (the needs of the disabled and gradients) as an issue.

Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2

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