

24/04176/FUL Consultee Comments Tracker

Listed from oldest to most recent

SC Ecologist

Comment Date: Thu 07 Nov 2024

BIODIVERSITY NET GAIN

Please submit the Condition Assessments.

The BNG metric only includes the baseline habitats.

Post-development interventions need to be provided to show how 10% net gain is going to be achieved.

Should 10% net gain not be possible on the site, justification as to why this is the case, details of how 10% will be achieved (e.g. off-site or buying units) and how this meets the BNG hierarchy need to be provided.

SKYLARKS

The Preliminary Ecological Appraisal (Cass Design Consultants, October 2024) identified skylark 'on or immediately adjacent to the Site' during the survey. Further survey work should be carried out to ascertain whether skylarks are breeding on the site, and therefore whether any mitigation or compensation measures will be required.

GREAT CRESTED NEWTS

The Preliminary Ecological Appraisal states that 'Further assessment of these ponds was undertaken in the form of eDNA sampling, the results of which are presented in a separate report.'

Please submit this report.

The Preliminary Ecological Appraisal goes on to say that 'The project will be registered on the Natural England led District Level Licence (DLL) Scheme'.

Please see the government website for information on how to join the DLL scheme:

<https://www.gov.uk/government/publications/great-crested-newts-district-level-licensing-schemes-for-developers/developers-how-to-join-the-great-crested-newt-district-level-licensing-scheme>

The website states: 'You must include a copy of the countersigned agreement [the Impact Assessment and Conservation Payment Certificate] with your application for planning permission to show you've agreed to join the scheme.'

A countersigned IACPC needs to be submitted in support of the planning application. Without this, the LPA cannot consider the favourable conservation status test under the Habitats Regulations 3 derogation tests.

HABITATS REGULATIONS ASSESSMENT - RECREATIONAL IMPACTS ON INTERNATIONAL SITES

This application must be considered under the Habitats Regulations Assessment process in order to satisfy the Local Authority duty to adhere to The Conservation of Habitats and Species Regulations 2017 (known as the Habitats Regulations). Recreational pressure on Cole Mere (part of the Midlands Meres and Mosses Phase 2 Ramsar) has been identified as having an adverse impact on this designated site.

The application site lies approximately 11.3km from Cole Mere.

Both the Cole Mere Visitor Survey Report (EPR, May 2018) and the Cole Mere Management Plan 2020-2025 (Shropshire Council) identify that recreational pressure is influencing the integrity of Cole Mere and impacting upon the aim to bring it into favourable condition.

Face to face visitor questionnaire surveys using a standard methodology were carried out at Cole Mere in August and September 2017. The results suggest that baseline recreational pressure is around 8.75 people per hour (averaged over the year) and 37,000 people per year. The study proposed an indicative catchment area of 11.7km (75% of visits) from Cole Mere, within which developments involving a net increase in housing may contribute to an increase in recreation pressure at the site.

The main reasons for visitors choosing Cole Mere included the natural look and feel of the site, proximity to home, and being able to let the dog off the lead. The vast majority of visitors completed the circular walk around the lake, a walk of 2.5 km and several commented that it was a well-maintained path and an easy walk. The majority of visitors had dogs with them (56.9%) and the majority of dogs were allowed off leads (82.2%), while almost half (48.3%) entered the water.

The report concluded that, in light of the high baseline visitation levels at Cole Mere, any increase in recreational pressure arising from new housing within the 11.7km catchment is likely to give rise to significant adverse effects upon the structure, function and integrity of the site, and that impact avoidance measures are required.

In order to mitigate such impacts, Mr Shaun Burkey, Countryside and Heritage Sites Manager (North), identified a suite of visitor improvement measures that could be implemented at the site, to mitigate recreational impacts, and which the proposed development could contribute to, including improved visitor signage, car park improvements and protection of the rare least water lily.

A contribution of £50 per bedroom towards to the management of Cole Mere will therefore be required, to mitigate for impacts to this designated site, to support the aims and objectives for the reserve set out in the Cole Mere Management Plan 2020-2025 and is commensurate with contributions secured for other housing schemes within the catchment of Cole Mere.

An Appropriate Assessment will need to be compiled for Brown Moss once agreement of the financial contribution has been confirmed by the applicant.

The financial contribution to ongoing visitor management mitigation measures may need to be secured in a section 106 agreement.

HABITATS REGULATIONS ASSESSMENT - RECREATIONAL IMPACTS ON INTERNATIONAL SITES

This application must be considered under the Habitats Regulations Assessment process in order to satisfy the Local Authority duty to adhere to The Conservation of Habitats and Species Regulations 2017 (known as the Habitats Regulations). Recreational pressure on Brown Moss (part of the Midlands Meres and Mosses Phase 1 Ramsar) has been identified as having an adverse impact on this designated site.

The application site lies approximately 2km from Brown Moss.

Brown Moss lies within the catchment where any increase in houses would likely give rise to effects on Brown Moss as a result of increased recreation if not mitigated. Face to face visitor questionnaire surveys using a standard methodology were carried out at Brown Moss in August and September 2017. The results suggest that baseline recreational pressure is around 3 people per hour (averaged over the year) and 16,060 people per year. The study proposed an indicative catchment area of 3.4km (75% of visits) from Brown Moss, within which developments involving a net increase in housing may contribute to an increase in recreation pressure at the site.

The report concluded that in light of the sensitivity of the site, any increase in visitor pressure (even if small) is likely to act in combination with other pressures upon the site's structure and function causing a significant effect on the site's integrity.

In order to mitigate such impacts, Mr Shaun Burkey, Countryside and Heritage Sites Manager (North), identified a suite of visitor improvement measures that could be implemented at the site to mitigate recreational impacts and which the proposed development could contribute to,

including improved visitor signage and increased infrastructure maintenance.

A contribution of £50 per bedroom towards these mitigation measures is therefore considered appropriate to assist in the delivery of the identified mitigation measures and is commensurate with contributions secured for other housing schemes within the catchment of a similarly affected international site (Cole Mere Ramsar). The contribution would assist in implementing visitor management measures to mitigate increased recreational pressure arising from the development over the long term.

An Appropriate Assessment will need to be compiled for Brown Moss once agreement of the financial contribution has been confirmed by the applicant.

The financial contribution to ongoing visitor management mitigation measures may need to be secured in a section 106 agreement.

SC Affordable Houses

Comment Date: Fri 08 Nov 2024

A scheme of 70 new homes would need to provide 10 affordable homes on site and a financial contribution. A proforma needs to be submitted so the contribution can be calculated and agreed. The affordable homes on site should be made up of 7 affordable rent and 3 shared ownership. There is a small amount of affordable need in Whitchurch rural but mainly for Prees Heath and this is predominantly for 1 bedroomed homes. We do therefore welcome the 1 bed bungalows. (although in a different settlement) The only terraces on the site are the other affordable dwellings and would therefore question if the affordables were indistinguishable from the open market homes. Could the applicant confirm the floor areas for all of the affordable properties and whether the site is to be competed in phases and I will comment further then.

SC Learning & Skills

Comment Date: Mon 11 Nov 2024

Shropshire Council Learning and Skills reports that current forecasts indicate the need for additional school place capacity for both primary and secondary level. This development along with future housing in the area is highly likely to create a requirement for additional school places to support the educational needs of children in the area. It is therefore essential that the developers of this and any new housing in this area contribute towards the consequential cost

of any additional places or facilities considered necessary to meet pupil requirements in the area. Due to the scale of development and the number of pupils it will generate it is recommended that contributions for both primary and secondary education provision are secured via a CiL agreement. It is projected (using latest DFE yield data) that 70 houses will result in:

6 new EARLY YEARS places (DFE Yield 0.07)

23 new PRIMARY places (DFE Yield 0.27)

9 new SECONDARY places (DFE Yield 0.14)

4 new POST 16 places (DFE Yield 0.05)

and 1 child who will require an EHCP (Educational Health Care Plan) (DFE Yield 0.01)

Link to yield data: <https://department-for-education.shinyapps.io/pupil-yields-dashboard/>

Link to latest cost benchmarking data: <https://documents.hants.gov.uk/property-services/NationalSchoolDeliveryBenchmarkingreport.pdf>

SC Archaeology (Historic Environment)

Comment Date: Thu 14 Nov 2024

Background to Recommendation:

These updated comments follow those for PREAPP/24/00151. It is noted that the site boundary for the present application is amended and slightly larger than that for the preapplication enquiry.

The proposed development site is north of Tilstock. At present there are no records of any features with archaeological interest on the Shropshire Historic Environment Record (HER) on the proposed development site itself. However, it is located near known heritage assets to the south, including the Grade II Listed Building of Christ Church (NHLE 1177184) approximately 100m away. Artefacts dating from the early medieval to post medieval periods have been recorded nearby through the Portable Antiquities Scheme, the nearest being less than 50m from the proposed development site.

Historic mapping indicates a pond, footpath and former field boundary were located in the proposed development site in the 19th century. Mapping and aerial photography indicates limited development of the site, suggesting the possibility that currently unrecorded

archaeological features and deposits are present on the preapplication site.

It is noted that a Heritage Assessment by Pegasus Group has been prepared in support of the proposed development. Officers concur with the assessment that there is low potential for archaeological remains dating from the prehistoric to post medieval periods, and that these remains may be of up to regional significance. Officers also agree that the paucity of recorded activity may reflect an absence of previous archaeological investigation.

RECOMMENDATION:

With regard to the requirements set out in Local Plan Policy MD13 and Paragraph 200 of the NPPF (December 2023), it is advised that the Heritage Assessment is sufficient in determining the application.

In relation to Local Plan Policy MD13 and Paragraph 211 of the NPPF (December 2023), it is advised that a phased programme of archaeological work is made a condition of any planning permission. This should comprise an initial field evaluation, consisting of a geophysical survey and a targeted trial trenching exercise of the overall site area, followed by further mitigation as appropriate. An appropriate condition would be: -

Suggested Conditions: JJ36

(a) No development approved by this permission shall commence until a written scheme of investigation for a programme of archaeological work has been submitted to and approved by the local Planning Authority in writing. The submitted details shall include post-fieldwork reporting and appropriate publication.

(b) The approved programme of archaeological work set out in the written scheme of investigation shall be implemented in full and a report provided to the local planning authority prior to first use or occupancy of the development. The report shall include post fieldwork assessments and analyses that have been completed in accordance with the approved written scheme of investigation. This shall include evidence that the publication and dissemination of the results and archive deposition has been secured.

Reason: The site is known to hold archaeological interest.

SC Regulatory Services

Comment Date: Tue 19 Nov 2024

Environmental Protection has identified the site and surrounding areas as potentially contaminated land, due to unknown filled ground at the centre of the site, under the Council's Environmental Protection Act 1990 Part 2A responsibilities.

It is noted a Phase I Desk Study has been submitted with the application - which recommended further site investigation. A Preliminary Review of Ground Conditions, Geotechnical & Geo-Environmental Conclusions has also been submitted.

For Environmental Protection to comment further, a full Phase 2 Site Investigation report will need to be uploaded with this application. When this is submitted, Environmental Protection can be again consulted and formal comments regarding any potential conditions can be posted.

SC Trees

Comment Date: Tue 26 Nov 2024

Planning Consultation Response

To: Ollie Thomas

From: Martin Sutton

Date: 22nd November 2024

PLANNING REFERENCE 24/04176/FUL

DEVELOPMENT PROPOSED: Residential development of 70 dwellings including access, open space, landscaping and associated works.

LOCATION: Land To The East Of Tilstock Road, Tilstock, Whitchurch, Shropshire, .

Dwg. No: Site Visit: no

Tree Locations Verified: Constraints: no

Notes:

I have reviewed submitted documents and drawings and on behalf of Shropshire Council Tree

Team I wish to comment on arboricultural aspects related to the proposed development. Comments are made regarding the submitted layout and the proposed landscaping scheme.

1. Layout:

· The Site Layout Plan (P24-1425_DE_002_C_02) is considered generally acceptable from an arboricultural perspective. There is, however, one point at the north-east corner of the site where a conflict is perceived between the housing layout as proposed and existing boundary trees to be retained. The rear gardens of plots 67, 68 and 69 are seen to be overhung to a considerable degree (about half of each garden) by the canopies of two mature oak trees located within the hedgerow boundary to the site. These trees are identified in the Arboricultural Assessment (fpcr, October 2024) as T2 and T3. These trees are currently recorded as being 16m in height and having radial crown spreads of 8m (T2) and 9m (T3). Although classed as 'mature', both these trees have the potential to increase significantly in size, by up to some 10m in height and some 4-5m in radial branch spread.

The trees are located to the north of the dwellings, so shading of the properties is not considered to present undue problem. However, the degree of canopy overhang is considered to be excessive, and likely to restrict reasonable use and enjoyment of the gardens. In addition, the proximity of these large trees is likely to have an overbearing presence as a 'green wall' from the main rooms windows facing them and, being mature trees which naturally carry a certain amount of dead wood, cause concerns for future occupants as to tree safety. These issues are likely to lead to pressure for heavy pruning or possibly even removal of the trees. This could not be considered a successful juxtaposition between trees and new housing and thus does not constitute a sustainable development. It is contrary to the NPPF and local development framework policies on sustainable development and design and protection of the natural environment (CS6, MD2 and MD12).

It is therefore recommended that the layout of the development be reviewed and amended with respect to plots 67, 68 and 69, so as to create a more successful and sustainable juxtaposition between trees T2 and T3 and the dwellings and their gardens on these plots.

2. Landscaping:

' The landscaping scheme as shown on the Landscape Masterplan (P24-1425_EN_06A) is generally supported. However, there are a few points of detail on the Detailed POS Hard and

Soft Landscape Proposals and the On-Plot Landscape Proposal drawings (P24-1425_EN_07A and P24-1458_EN_010 respectively) that we would raise as follows:

1. It is recommended that the tree planting pit specification be amended to include the use of a proprietary root deflecting barrier wherever trees are to be planted close to vulnerable hard surfaces such as parking bays, patios, garden walls, foot paths or other hard surfaces on shallow foundations. This is to prevent future root growth causing damage to the adjacent hard surface. We would suggest installing a suitable root barrier to a depth of 15 - 20cm or so below the bottom of the sub-base or foundation to be protected, along the edge of the vulnerable surface where it lies within say 2.5 - 3m of a newly planted tree. It is also recommended that the specific locations where the root barrier is to be installed be shown on a suitable approved plan.

2. It is proposed to plant two nos of the evergreen tree *Ligustrum japonicum* in front of the houses on plots 67 and between plots 68 and 69. As described above, the rear garden space of these properties is effectively largely 'sterilised' by the canopies of the overhanging mature oak trees on these plots. Further planting of evergreen trees close to the front of these relatively small plots could add to the sense of enclosure created by the trees.

It is recommended that the two *L.japonicum* be removed from in front of these plots, perhaps replacing them with a suitable species of smaller specimen shrub.

Officer: County Arboriculturalist

Dated: 22nd November 2024

Planning Policy

High Level Response

Planning Application reference: 24/04176/FUL

Proposal: Residential development of 70 dwellings including access, open space, landscaping and associated works.

Location: Land East of Tilstock Road, Whitchurch

Background

The proposals relate to the development of a 4.05ha site located on the north edge of the settlement of Tilstock. The application seeks full planning permission for 70 residential dwellings, to include the provision of 10 affordable dwellings, open space, landscaping and associated infrastructure, vehicle access is proposed off Tilstock Road (B5476).

Conformity with the Adopted Plan

The starting point for decision making is the adopted local plan, which currently consists of the Core Strategy (2011), Site Allocations and Management of Development Plan (SAMDev Plan) and any adopted formal Neighbourhood Plans. The adopted local plan should be read and applied as a whole. There are currently no neighbourhood plans for this area.

Core Strategy policy CS1: Strategic Approach promotes growth and investment through new development to meet Shropshire's needs and create sustainable communities. The policy aims to secure a 'rural rebalance' to enable sustainable development in rural areas, development and investment will be located predominantly in community hubs and community clusters.

CS4: Community Hubs and Community Clusters supports the strategic approach set out in policy CS1. The policy allows development that helps *'rebalance rural communities by providing facilities, economic development or housing for local needs and is of a scale appropriate to the settlement.'*

Market housing development is expected to provide a suitable mix of housing that caters for local needs, deliver community benefits in the form of contributions to affordable housing for local people and contributions to identified requirements for facilities, services and infrastructure.

All development in Community Hubs and Clusters is expected to be of a scale and design that is sympathetic to the character of the settlement and its environs, in accordance with policy CS6.

SAMDev Policy MD1: Scale and Distribution of Development – supports Core Strategy Policies CS1, CS2, CS3 and CS4, directing sustainable development towards Shrewsbury, the Markets Towns, Keys Centres and the Community Hubs and Community Cluster settlements.

Tilstock is identified as part of a community cluster alongside Ash Magna/Ash Parva, Prees Heath, Ightfield and Calverhall (Schedule MD1.1)

Settlement Policy S18.2(ii): Whitchurch Rural & Ightfield and Calverhall Community

Cluster, sets out the development objectives for this Community Cluster which includes Tilstock alongside Ash Magna/Ash Parva, Prees Heath, Ightfield and Calverhall. Together this community cluster is expected to deliver a housing growth of about 100 dwellings between 2011-2026. Tilstock is expected to provide around 50 dwellings, delivered through the development of allocated sites (TIL001, TIL002 and TIL008), together with development of infilling, groups of houses and conversions on suitable sites within the development boundaries identified on the Policies Map.

The site subject to this planning application is located outside of the development boundary as identified on Policy Map S18 (Insert 3) and as such for the purposes of planning policy is within the 'countryside'. Core Strategy policy CS5 and SAMDev Plan policy MD7a apply and alongside the NPPF seek to limit new residential development. In order to accord with these policies new market housing is expected to be strictly controlled.

SAMDev Policy MD3 relates to housing delivery and deals with the role of settlement housing guidelines stating the following:

2. *The settlement housing guideline is a significant policy consideration. Where development would result in the number of completions plus outstanding permissions providing more dwellings than the guideline, decisions will have regard to:*
 - i. *The increase in number of dwellings relative to the guideline; and*
 - ii. *The likelihood of delivery of the outstanding permissions; and*
 - iii. *The benefits arising from the development; and*
 - iv. *The impacts of the development, including the cumulative impacts of a number of developments in a settlement; and*
 - v. *The presumption in favour of sustainable development.*
3. *Where a settlement housing guideline appears unlikely to be met, additional sites outside the settlement development boundaries that accord with the settlement policy may be acceptable subject to the considerations in paragraph 2 above.*

The published Five Year Housing Land Supply Statement (March, 2024) identifies that as at the 31st March 2023, for the Community Cluster , 108 completions (since 2011/2012) and a further 60 sites are with planning permission or Prior approval (as at 31st March 2023). 5 allocations remain without planning permission (as at 31st March 2023).

Of the three allocated sites for Tilstock, TIL001 and TIL008 has been completed. TIL002 remains allocated, outline and reserved matters planning permission was granted for 9 dwellings and the development is ongoing.

The figures within the Five Year Housing Land Supply Statement (2024) do not consider any planning permissions or completions since the 31st March 2023.

Given the progress with the allocated sites for Tilstock and number of completions and commitments identified there is considered to be a sufficient supply of housing for the community cluster, with the adopted residential guideline for Community clusters being achieved. As such it is not considered that SAMDev Plan Policy MD3(3) is applicable in the context of this preapplication site.

The Five-Year Housing Land Supply and Housing Delivery Test

Shropshire Council annually prepares Five Year Housing Land Supply Statements to summarise the Shropshire five-year land supply and Shropshire housing delivery test position.

The current published Five-Year Housing Land Supply Statement has a base date of 31st March 2023. This assessment concludes that:

- Shropshire currently has 5.91 years supply of deliverable housing land against the housing requirement identified within the adopted Core Strategy (2011) and 7.63 years supply of deliverable housing land against the local housing need, calculated using Government's standard methodology (2023 base date to align with the base date for this assessment of housing land supply).
- Housing delivery in Shropshire over the last 3 years has exceeded the housing needed for this period as calculated within the national housing delivery test (152% delivery).

As such, there is a five-year supply of housing land across Shropshire and the national housing delivery test has been met. Therefore, the relevant adopted plan policies remain up to date.

Planning Statement - Housing Need

It is noted that within the accompanying Planning Statement (October 2024), a review of the Council's Five Year Housing Land Supply has been undertaken to support the application. Shropshire Council disagrees with the conclusions reached within this review and maintains that it has a robust Five Year Housing Land Supply. Specifically, the Council maintains that a 5.91 years supply of deliverable housing land exists against the housing requirement within the adopted Development Plan and 7.63 years supply of deliverable housing land against local housing need calculated using Governments standard methodology (2023 base date).

As the review undertaken by the applicant does not detail the sites which they dispute, the Council is not able to specifically address their concerns. However, the Council would note the following with regard to the 'themes' identified.

Dwellings on sites with Planning Permission – lapses / imminent lapses

As the applicant has stated, the definition of deliverable dwellings is provided within Annex 2: Glossary of the National Planning Policy Framework (NPPF). This includes *“sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires...”*

-With regard to potential 'imminent' lapses, the applicants position is clearly contradictory to this definition - such sites should be considered deliverable and as such suitable for inclusion within the Five Year Housing Land Supply 'until permission expires'. Furthermore, the Council would emphasise that it is pure speculation to suggest that such consents will lapse in the future, as it is not unusual for developers to wait until towards the end of a permission to bring forward a development. For the avoidance of doubt, Shropshire experiences a low lapse-rate with regard to planning permissions for residential development.

-With regard to planning permissions that have lapsed, the Council annually reviews all Planning Permissions and removes the limited number that lapse from its housing land supply, as such the Council disagrees that the Five Year Housing Land Supply includes lapsed permissions.

Dwellings on sites with Planning Permission – build out rates

The Council considers its approach to and assumptions regarding build out rates are appropriate and robust. This approach is clearly documented within Chapter 5 of the Five Year Housing Land Supply statement. In summary, the Council had identified 'standard' build rates

for development across Shropshire (informed by engagement with the development industry). Where possible, these assumptions are refined through discussions with the site promoter.

Past delivery rates in Shropshire demonstrate the robustness of the Council's assumptions in the Five Year housing Land Supply.

For instance, with the exception of Specialist Housing (where the entirety of the development is completed in a single year), the highest annual delivery rate identified by the Council is 90 dwellings (19/05564/REM - Land Between Preston Street & London Road, Shrewsbury). This is the second phase of a development, where the first phase (same developers) has been consistently achieving equivalent rates (89 completions in 2020/21; 124 completions in 2021/22; and 87 completions in 2022/23).

Furthermore, there are numerous other sites in Shropshire where significant delivery rates have been achieved, and as such endorse the assumptions on similar sites. This includes the SAMDev Plan Allocation South of Mytton Oak Road where rates of up to 98dpa were achieved; the SAMDev Plan Allocation at Shrewsbury South SUE where rates well in excess of 100dpa were achieved; and several sites in Shifnal (including at Houghton Road and Coppice Green Lane) where rates of over 50dpa were achieved.

Dwellings on sites with Planning Permission – lead in times

The Council considers its approach to and assumptions regarding lead-in times are appropriate and robust. This approach is clearly documented within Chapter 5 of the Five Year Housing Land Supply statement. In summary, the Council had identified 'standard' lead-in times for development across Shropshire, based on past development proposals (numerous examples provided within Chapter 5 of the Five Year Housing Land Supply statement). Where possible, these assumptions are refined through discussions with the site promoter.

Dwellings on sites with a 'Resolution to Grant' Planning Permission – lack of evidence of deliverability

The Council includes only 'selected' sites where a 'resolution to grant' Planning Permission was reached before the base date for the Five Year Housing Land Supply statement, where it considers there is clear evidence they will be delivered within the five year period. The Council would note that at time of publication of the Five Year Housing Land Supply Statement, all of these sites benefited from Planning Permission and none constituted major development.

Dwellings on allocated sites are estimated to be completed within 5-years – lack of evidence of deliverability

Consistent with this definition of deliverable provided within Annex 2: Glossary of the NPPF, Shropshire Council has taken a cautious approach to the inclusion of dwellings on allocations within the first five years of the housing land supply. Specifically, only dwellings considered to be available now, offer a suitable location for development now, and achievable with a realistic prospect that housing will be delivered on the site within five years are included.

This assessment of deliverability, which the Council considers constitutes clear evidence, is documented within Appendix E of the Five Year Housing Land Supply statement.

The Council would note that 1,274 dwellings on allocations are included within the Five Year Housing Land Supply (1,415 before application of a cautious 10% non-delivery rates). Since the base date for the Five Year Housing Land Supply statement, Planning Permission has been granted for 956 dwellings; Planning Permission has been granted for enabling works (spine road) to facilitate a further 108 of these dwellings; and Planning Applications are pending consideration for 147 of these dwellings. This demonstrates the robustness of the Council's assumptions.

The Council would also note that the applicant for one of the sites presumably disputed, is the applicant itself.

Dwellings on SLAA site – lack of evidence of deliverability

Paragraph 72 of the 2021 NPPF addresses windfall allowances in housing land supply, stating such an allowance is appropriate where *“compelling evidence that they will provide a reliable source of supply. Any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends. Plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.”*

SLAA sites are windfall sites for 5 or more dwellings identified through the strategic housing land availability assessment. Only those sites considered to be available now, offer a suitable location for development now, and achievable with a realistic prospect that housing will be delivered on the site within five years are included.

This assessment of deliverability, which the Council considers constitutes clear evidence, is documented within Appendix G of the Five Year Housing Land Supply statement.

Dwellings on emerging affordable housing sites deliverable within 5-years – lack of evidence of deliverability

Shropshire has a strong track record of affordable exception development, facilitated by the Council's Housing Enablement function. Indeed, in 2023/24 Shropshire was the second highest performing LA, in terms of dwelling completions on affordable exception sites.

As detailed in Chapter 5 of the Five Year Housing Land Supply, emerging affordable housing sites are identified through proactive engagement with RSL's and only included within the five year housing land supply where they are considered deliverable. Given the Council's track-record, strong source of evidence on specific sites and policy framework which facilitates appropriate exception site development, the Council considers there is clear and compelling evidence that these sites are appropriate for inclusion with the Five Year Housing Land Supply.

Dwellings on windfall sites – minor adjustment

Paragraph 72 of the 2021 NPPF addresses windfall allowances in housing land supply, stating such an allowance is appropriate where *“compelling evidence that they will provide a reliable source of supply. Any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends. Plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.”*

It is noted that the applicant supports the principle of a small site windfall allowance being included within the Five Year Housing Land Supply.

The Council clearly detail the factors considered when determining if a small site windfall allowance is appropriate, consistent with paragraph 72 of the NPPF. This assessment is clearly detailed within Chapter 5 of the Five Year Housing Land Supply statement and the Council considers justifies its allowance. In particular the Council would note that:

-The SLAA concluded it was appropriate to include a windfall allowance in the housing land supply.

-Over the last five years (2018/19-2022/23), 4,683 dwellings (net) were completed on windfall sites (1,669 dwellings on sites of less than 5 dwellings and 3,014 dwellings on sites of 5 or more dwellings). This equates to 973dpa (334dpa on sites of less than 5 dwellings and 603dpas on sites of 5 or more dwellings).

-The policies in the adopted Development Plan demonstrably have and will continue to facilitate appropriate windfall development.

The Council considers this demonstrates that it has already taken a cautious approach to its small site windfall allowance and as such there is no justification for a further reduction. The Council would also note that the applicants suggested deduction is inconsistent with their position within submissions on the draft Shropshire Local Plan, which endorses the Council's small site windfall allowance.

More generally, the Council would note that it applies a specific 10% non-delivery allowance to all components of the Five Year Housing Land Supply (excluding the small sites windfall allowance) to allow for 'slippage' in the delivery of these sites. This demonstrates the cautious approach utilised by the Council within its assessment.

Other relevant adopted Local Plan policies

The adopted Local Plan is intended to be read and applied as a whole. In addition to the above the following adopted plan policies are also of relevance and any development proposals will need to have regard to these policies:

Core Strategy Policies:

CS6 – Sustainable Design and Development Principles;

CS8 – Facilities, Services and Infrastructure Provision;

CS9 – Infrastructure Contributions;

CS11 – Type and Affordability of Housing;

CS17 – Environmental Networks;

CS18 – Sustainable Water Management;

SAMDev Plan Policies:

MD2 – Sustainable Design;

MD8 – Infrastructure Provision;

MD12 – Natural Environment;

Local Plan Review

Shropshire Council have an emerging Draft Local Plan (2016-2038) which has been through several stages of consultation and submitted to the Planning Inspectorate for examination on 3rd September 2021. The first phase of public hearing sessions took place in July 2022, January 2023 and May 2023. The second stage hearings began in October 2024, however the Inspectors issued a holding letter (29th October 2024) which cancelled the remaining set of second stage hearing sessions due to 'significant concerns about the soundness of the Plan in respect of a number of areas to the Council'. The Council is currently awaiting a detailed letter from the Planning Inspectorate which will set out what the concerns are. Given the relatively advanced stage of the Local Plan Review some limited weight could be applied to relevant Draft Local Plan policies as a material consideration in the planning application decision-making process. It is acknowledged that the limited weight is reduced in light of the recent instruction from the Planning Inspector's instructions to pause the Local Plan Review process.

Ultimately, the draft Shropshire Local Plan will only carry full weight upon its adoption. Additionally, like the Adopted Plan, the Draft Plan is intended to be read and used as a whole and all relevant policy requirements would need to be taken into account where it is proposed that any weight is given to the emerging Plan.

Local Plan Review Policy Considerations

Tilstock is proposed to remain part of a Community Cluster Settlement within the draft Shropshire Local Plan (draft policy SP2 Strategic Approach and draft settlement policy S18.3)

The draft Shropshire Local Plan is intended to be read and applied as a whole. Therefore, when applying very limited weight there is also a need to consider the conformity of the proposals with the wider policies of the draft Shropshire Local Plan. In this case draft policies which introduce additional policy considerations would include:

- The settlement guidelines in draft Policy S18.3
- Draft Policy SP3: Climate Change

- Draft Policy SP5: High Quality Design
- Draft Policy SP9: Managing Development in Community Clusters
- Draft Policy DP1: Residential Mix
- Draft Policy DP3: Affordable Housing Provision
- Draft Policy DP11: Minimising Carbon Emissions
- Draft Policy DP12: The Natural Environment
- Draft Policy DP14: Green Infrastructure
- Draft Policy DP15 Open Space and Recreation
- Draft Policy DP16: Landscaping of New Development
- Draft Policy DP18: Pollution and Public Amenity
- Draft Policy DP20: Water Efficiency
- Draft Policy DP21: Flood Risk
- Draft Policy DP22: Sustainable Drainage Systems
- Draft Policy DP27: Broadband and Mobile Communication Infrastructure

Conclusions

Paragraph 47 of the National Planning Policy Framework (NPPF) states that '*Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.*' The Core Strategy and SAMDev (alongside any adopted formal Neighbourhood Plans) currently make up the adopted local plan in Shropshire. The draft Shropshire Local Plan does need to be taken into consideration, albeit the policies only have 'limited weight' as discussed above.

Tilstock is part of a community cluster and is considered an appropriate location to achieve sustainable development. The site subject to this application is outside the currently adopted development boundary for Tilstock and as such for policy purposes, located within the 'countryside'. Adopted local plan policies (including Core Strategy Policy CS5 and SAMDev Plan

policy MD7a) and the NPPF set out criteria which limit new residential development in the countryside. The scheme is considered contrary to the adopted development plan policy and no material considerations have been identified which may weigh sufficiently in favour of the proposal to justify departure to the adopted development plan.

There remains a need to consider the details of proposals from a development management perspective and have regard to the wider policies and technical advice from relevant service areas.

27th November 2024

SUDS

Comment Date: Tue 03 Dec 2024

The technical details submitted for this Planning Application have been appraised by WSP UK Ltd, on behalf of Shropshire Council as Local Drainage Authority.

All correspondence/feedback must be directed through to Shropshire Council's Development Management Team.

Condition:

No development shall take place until a scheme of surface and foul water drainage has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is occupied/brought into use (whichever is the sooner).

Reason: The condition is a pre-commencement condition to ensure satisfactory drainage of the site and to avoid flooding.

Drainage Comment:

The submitted FRA states that infiltration to ground is not feasible for this site and Shropshire Council do not ordinarily accept pumped surface water solutions. The proposals to discharge surface water to a public surface water sewer are therefore acceptable in principle but require consent for both connection and discharge rate, from Severn Trent.

The following items require attention:

1. Mains surface water connection agreement.

The information held in Appendix 6 of the FRA does not indicate acceptance of the proposed surface water discharge rate or a connection agreement, by Severn Trent.

The applicant must submit evidence to show that Severn Trent are willing to accept the surface water into the mains sewer and at the proposed discharge rate.

2. Determination of groundwater at location of proposed attenuation pond and swales

The drainage strategy utilises an attenuation pond in the southeast corner of the site, the depth of which is indicated to be around 1.6 to 1.9m deep. The Phase 2 site investigation, reports groundwater at between 0.3m and 1.2m below ground level, across the site.

Groundwater must not be allowed to interact with any proposed attenuation ponds or swales, which may cause loss of storage volume.

The level of groundwater must be determined in the location of the proposed attenuation pond and at representative locations along the routes of the swales. Results including a location plan of test locations must be submitted for approval.

3. Attenuation basin

The volume of the pre-treatment pond should be stated and reconciled with the existing pond.

The proposed attenuation pond volume and pretreatment pond must accurately represent the existing situation and provide sufficient storage within the drainage network for the 1% Annual Exceedance Probability rainfall event + 40% for climate change.

4. Network simulation results

Network simulation results should be submitted for approval. Allowances for urban creep should be made within impermeable areas ' see informative.

4. Maintenance access

An access arrangement should be shown from the street to the pond, to allow for access of maintenance vehicles and equipment.

5. Swales

A typical cross section for the swales should be defined and submitted, e.g. on the retention basin cross section drawing, such that, alongside layout plans, storage volumes can be determined.

Informative:

a) Network simulation results

The attenuation drainage system should be designed so that the 1% Annual Exceedance Probability rainfall event + 40% for climate change will not cause flooding of any property either within the proposed development or contribute to flooding outside of the development.

The total site area used to estimate the existing Greenfield runoff rate should equal the impermeable area within the proposed development, it should not include any area of soft landscaping or other permeable area.

b) Urban Creep

Urban creep is the conversion of permeable surfaces to impermeable over time e.g. surfacing of front gardens to provide additional parking spaces, extensions to existing buildings, creation of large patio areas.

The appropriate allowance for urban creep must be included in the design of the drainage system over the lifetime of the proposed development. The allowances set out below must be applied to the impermeable area within the property curtilage:

Residential Dwellings per hectare == Change allowance % of impermeable area

Less than 25 == 10%

30 == 8%

35 == 6%

45 == 4%

More than 50 == 2%

Flats & apartments == 0%

Note: where the inclusion of the appropriate allowance would increase the total impermeable area to greater than 100%, 100% should be used as the maximum.

Curtilage' means area of land around a building or group of buildings which is for the private use of the occupants of the buildings.

A drained area plan clearly showing the addition of urban creep must be submitted for approval.

SC Regulatory Services

Comment Date: Mon 09 Dec 2024

Environmental Protection acknowledges the Phase II Site Investigation report submitted on behalf of application 24/04176/FUL by Eastwood Consulting Engineers, dated 28th November 2024.

Gas monitoring has not yet been fully completed at the site (3 rounds have been completed, out of the minimum required 6 rounds ' see Table 5.5 of CIRIA C659 - Assessing Risks) and a spike in CH₄ has been recorded that needs further monitoring, in addition to an elevated level of CO₂ at 5.4%. As per British Standard 8485:2015+A1:2019, these levels could merit consideration for CS2 classification.

Therefore, Environmental Protection cannot currently accept the site is classified as CS1 and further monitoring to meet the minimum requirements is necessary.

SC Ecologist

Comment Date: Tue 21 Jan 2025

I am happy with the submitted GCN IACPC and will complete a 3 tests matrix once the additional information has been submitted.

However, the other previously requested information has not yet been submitted:

BIODIVERSITY NET GAIN

Please submit the Condition Assessments.

The BNG metric only includes the baseline habitats.

Post-development interventions need to be provided to show how 10% net gain is going to be achieved.

Should 10% net gain not be possible on the site, justification as to why this is the case, details of how 10% will be achieved (e.g. off-site or buying units) and how this meets the BNG hierarchy need to be provided.

SKYLARKS

The Preliminary Ecological Appraisal (Cass Design Consultants, October 2024) identified skylark on or immediately adjacent to the Site during the survey. Further survey work should be carried out to ascertain whether skylarks are breeding on the site, and therefore whether any

mitigation or compensation measures will be required.

HABITATS REGULATIONS ASSESSMENT - RECREATIONAL IMPACTS ON COLE MERE

This application must be considered under the Habitats Regulations Assessment process in order

to satisfy the Local Authority duty to adhere to The Conservation of Habitats and Species Regulations 2017 (known as the Habitats Regulations). Recreational pressure on Cole Mere (part of the Midlands Meres and Mosses Phase 2 Ramsar) has been identified as having an adverse impact on this designated site.

The application site lies approximately 11.3km from Cole Mere.

Both the Cole Mere Visitor Survey Report (EPR, May 2018) and the Cole Mere Management Plan 2020-2025 (Shropshire Council) identify that recreational pressure is influencing the integrity of Cole Mere and impacting upon the aim to bring it into favourable condition.

Face to face visitor questionnaire surveys using a standard methodology were carried out at Cole

Mere in August and September 2017. The results suggest that baseline recreational pressure is around 8.75 people per hour (averaged over the year) and 37,000 people per year. The study proposed an indicative catchment area of 11.7km (75% of visits) from Cole Mere, within which developments involving a net increase in housing may contribute to an increase in recreation pressure at the site.

The main reasons for visitors choosing Cole Mere included the natural look and feel of the site, proximity to home, and being able to let the dog off the lead. The vast majority of visitors completed the circular walk around the lake, a walk of 2.5 km and several commented that it was a well-maintained path and an easy walk. The majority of visitors had dogs with them (56.9%) and the majority of dogs were allowed off leads (82.2%), while almost half (48.3%) entered the water.

The report concluded that, in light of the high baseline visitation levels at Cole Mere, any increase in recreational pressure arising from new housing within the 11.7km catchment is likely to give rise to significant adverse effects upon the structure, function and integrity of the

site, and that impact avoidance measures are required.

In order to mitigate such impacts, Mr Shaun Burkey, Countryside and Heritage Sites Manager (North), identified a suite of visitor improvement measures that could be implemented at the site, to mitigate recreational impacts, and which the proposed development could contribute to, including improved visitor signage, car park improvements and protection of the rare least water lily.

A contribution of £50 per bedroom towards to the management of Cole Mere will therefore be required, to mitigate for impacts to this designated site, to support the aims and objectives for the reserve set out in the Cole Mere Management Plan 2020-2025 and is commensurate with contributions secured for other housing schemes within the catchment of Cole Mere.

An Appropriate Assessment will need to be compiled for Brown Moss once agreement of the financial contribution has been confirmed by the applicant.

The financial contribution to ongoing visitor management mitigation measures may need to be secured in a section 106 agreement.

HABITATS REGULATIONS ASSESSMENT - RECREATIONAL IMPACTS ON BROWN MOSS

This application must be considered under the Habitats Regulations Assessment process in order

to satisfy the Local Authority duty to adhere to The Conservation of Habitats and Species Regulations 2017 (known as the Habitats Regulations). Recreational pressure on Brown Moss (part of the Midlands Meres and Mosses Phase 1 Ramsar) has been identified as having an adverse impact on this designated site.

The application site lies approximately 2km from Brown Moss.

Brown Moss lies within the catchment where any increase in houses would likely give rise to effects on Brown Moss as a result of increased recreation if not mitigated. Face to face visitor questionnaire surveys using a standard methodology were carried out at Brown Moss in August and September 2017. The results suggest that baseline recreational pressure is around 3 people per hour (averaged over the year) and 16,060 people per year. The study proposed an indicative catchment area of 3.4km (75% of visits) from Brown Moss, within which developments involving a net increase in housing may contribute to an increase in recreation pressure at the site.

The report concluded that in light of the sensitivity of the site, any increase in visitor pressure (even if small) is likely to act in combination with other pressures upon the sites structure and function causing a significant effect on the sites integrity.

In order to mitigate such impacts, Mr Shaun Burkey, Countryside and Heritage Sites Manager (North), identified a suite of visitor improvement measures that could be implemented at the site to mitigate recreational impacts and which the proposed development could contribute to, including improved visitor signage and increased infrastructure maintenance.

A contribution of £50 per bedroom towards these mitigation measures is therefore considered appropriate to assist in the delivery of the identified mitigation measures and is commensurate with contributions secured for other housing schemes within the catchment of a similarly affected international site (Cole Mere Ramsar). The contribution would assist in implementing visitor management measures to mitigate increased recreational pressure arising from the development over the long term.

An Appropriate Assessment will need to be compiled for Brown Moss once agreement of the financial contribution has been confirmed by the applicant.

The financial contribution to ongoing visitor management mitigation measures may need to be secured in a section 106 agreement.

Please contact me, or one of the other Ecology team members, if you have any queries on the above.

Sophie Milburn
Planning Ecologist
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Tel.: 01743 254765

Please contact me, or one of the other Ecology team members, if you have any queries on the above.

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SC Ecologist

Comment Date: Sun 16 Feb 2025

BIODIVERSITY NET GAIN

Before SC Ecology can provide comments on the BNG, please submit the completed metric and Condition Assessments.

SKYLARKS

Please submit the previously requested skylark survey.

HABITATS REGULATIONS ASSESSMENT -FINANCIAL CONTRIBUTIONS

Please submit the previously requested information in relation to Brown Moss and Cole Mere, e.g. confirmation of the number of bedrooms and agreement of the financial contributions.

**Proposed Residential Development
East Of Tilstock Road, Tilstock
24/04176/FUL**

**LVIA Review
for Shropshire Council**

By

ESP Ltd

Creative Industries Centre
Wolverhampton Science Park
WV10 9TG



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1. Executive Summary

This is a review of a landscape and visual impact assessment (LVIA) accompanying a planning application for 70 No. dwellings, located to the east of Tilstock Road, Tilstock.

Although details of the author of the LVIA have not been provided, Pegasus is an environmental planning consultancy and Landscape Institute Registered Practice with significant experience in the sector, hence we conclude that they are competent experts in the field of Landscape and Visual Impact Assessment.

The LVIA methodology is clear and evidence-based and compliant with GLVIA3 and other technical guidance notes, with the exception of detail for the predicted landscape and visual effects for the three stages of the development (i.e. construction, completion/Year 1 and post-completion/Year 15). However, there appears to be some inconsistency in its application, notably the high visual sensitivity attached to potential residential receptors. The baseline information is well-described and proportionate to the scale of the proposed development. Photography has been undertaken in line with best practice as set out in the Landscape Institute's *Technical Guidance Note 06/19 Visual Representation of development proposals*.

Effects are generally what one would expect for a development of this scale, which show that it represents a significant change to the Site itself, and the views experienced by the closest receptors, but these effects are localised and diminish with distance as the built form is screened by vegetation, landform and buildings. These effects are also partially mitigated over time as soft landscaping matures.

Landscape effects include Moderate Adverse effects upon the Site and its immediate context, but only as a single assessment with no specific reference to Construction, Year 1 or Year 15 stages. The LVIA reasonably predicts potential for some beneficial effects on the local vegetation reducing resulting from the landscape proposals.

Visual effects include Major Adverse effects upon the users of the nearest PROWs, reducing to Moderate Adverse over time with the proposed woodland planting along the eastern boundary of the Site. The LVIA has also identified Moderate Adverse effects upon the 'Settlement' of Tilstock, reducing to Minor Adverse over time. It is our considered opinion that these may include some residential receptors; these would be assessed by the LVIA's methodology as 'High' sensitivity in line with GLVIA3 methodology rather than the 'Medium' used in the report. With a 'High' sensitivity it is likely that there may be Major Adverse visual effects on receptors within the settlement at Year 1, although we agree that these would also reduce over time with appropriate mitigation. There is also no assessment of visual effects at Construction stage, which may give rise to adverse effects.

We therefore conclude that the LVIA be amended in line with our recommendations, in order that it can be fully relied upon to assess whether the proposals comply with Local Plan policies relating to landscape and visual matters.

2. Introduction

ESP Ltd were commissioned by Shropshire Council on 26 February 2025 to carry out a review of a landscape and visual impact assessment (LVIA) commissioned by the applicant in to accompany planning application 24/04176/FUL.

2.1. Quality Assessment Review Brief

Shropshire Council required technical support on the landscape and visual implications of the proposed scheme.

The scope of this review is to advise whether:

- The LVIA has been carried out in an appropriate manner in accordance with the 'Guidelines for Landscape and Visual Impact Assessment' 3rd Edition (GLVIA3), published by the Institute of Environmental Management and Assessment and the Landscape Institute in 2013, and supporting technical guidance notes produced by the Landscape Institute.
- The proposed development complies with the Council's Local Plan policies on landscape and visual amenity.
- The mitigation proposed is appropriate in addressing any predicted adverse impacts.
- The findings of the LVIA are reliable and can be supported.

2.2. Review methodology

The LVIA submitted by the applicant was reviewed in detail, both the written text and the illustrative material provided in support of the text, as well as relevant documentation available in the planning portal, such as hard and soft landscaping plans.

There are no statutory criteria or standards laid down in the UK for the assessment of landscape and visual impacts. However, best practice is undertaken in general conformity with the GLVIA3.

A key principle of GLVIA3 is the assessment of effects in a proportionate, clear, methodical, and evidenced manner. An appropriate methodology based on the principles set out in GLVIA3 is essential in order to produce reliable and consistent results.

In addition to the assessment of the LVIA for compliance with the best practice set out in GLVIA3, regard has been given in this review to the content of the Landscape Institute's *Technical Guidance Notes on Visual Representation of development proposals* (TGN 06/19);

Reviewing Landscape and Visual Impact Assessments (LVIAs) and Landscape and Visual Appraisals (LVAs) (TGN 01/20); and the Landscape Institute *Technical Guidance Note on Assessing landscape value outside national designations* (TGN 02/21).

3. Assessment review

In this section we review the proposed development, and the workings and findings of the landscape and visual impact assessment.

3.1. Brief Description of the Proposed Development

The proposed development comprises 53 No. single family homes, located to the west of Woodhill Road, Highley. Consideration has been given to the existing trees and hedgerows found on and around the site, and to the existing site's topography. A public open space (POS) is located at the northern end of the site, retaining a landscape buffer on high ground. A LEAP play area is also provided near the entrance to the site, within the area of POS. The landscape proposals are described in detail within Section 5 of the LVIA and illustrated on accompanying detailed soft landscape plans by Pegasus.

We note that Pre-application advice was provided in April 2024 for this site, although the proposals differ (ref: PREAPP/24/00151). The advice recommended the preparation of an LVIA to accompany the application.

3.2. LVIA Methodology

The LVIA methodology is set out in Section 1.6 of the report and in greater detail in Appendix 2 *Detailed Methodology*. The methodology described is detailed and evidence-based, and if applied consistently to the assessment of effects, may be expected to generate reliable results.

The landscape and visual baseline and subsequent assessment of effects are considered and documented separately in the LVIA in accordance with GLVIA3. The susceptibility to change and value of landscape and visual resources are described in detail, and how these contribute to overall judgements of sensitivity. Landscape value judgements are based on criteria set out in the Landscape Institute's Technical Guidance Note 02/21 *Assessing landscape value outside national designations*. The magnitudes of effect are described in detail, with landscape effects considered in terms of size or scale of change, geographical extent, duration and reversibility.

However, we note that Construction effects are not considered within the assessment as the LVIA states that this stage 'is short and temporary'. This is not in accordance with 'Stages in the project life cycle' detailed at Section 4.16 of GLVIA3.

3.3. Landscape assessment

3.3.1. Landscape baseline

A study area of 2km radius from the Site is detailed in the LVIA in paragraph 1.7 and is well documented in the report and accompanying figures. The baseline study is deemed to be sufficient for a development of this scale, including the Site's context and all likely effects.

The Site, its landscape features and surrounding context are described in detail in paragraphs 2.1 to 2.8 of the LVIA.

The landscape value of the Site is examined in paragraphs 5.14 to 5.19 of the LVIA, in line with best practice as set out in TGN 02/21 and concludes that the Site is considered to be of Medium value, as it is *"typical of undeveloped land adjacent to a suburban settlement."* The Site's susceptibility to change is also considered to be Medium and conforms to the Methodology set out in Appendix 2. The LVIA concludes that the overall sensitivity is Medium, and we consider this assessment to be a reasonable judgement.

We note that this assessment is in line with the nearest parcel – Whitchurch E – identified in the 2018 Shropshire Landscape & Visual Sensitivity Assessment (LVSS) some 2km to the north of the Site.

3.3.2. Landscape figures

Landscape figures are presented as scaled A3 plans, which is in line with best practice. These include:

- Figure 1 Site Location;
- Figure 2 Environmental Designations (which includes all footpaths);
- Figure 3 Topography;
- Figure 4 Landscape Character;
- Figure 5 Screened Zone of Theoretical Visibility; and
- Figure 6 Viewpoint Location (on aerial photograph).

These figures are shown as A3 plans at 1:20,000 scale, using OS bases and aerial photographs, which is in line with best practice.

3.3.3. Landscape character

Section 4 correctly identifies that the Site lies within the National Character Area 61 - Shropshire, Cheshire and Staffordshire Plain, and within the Settled Pastoral Farmlands Landscape Character Type (LCT), as defined by the extant Shropshire Landscape Typology¹, but does not include adjacent LCTs; given that the nearest adjacent LCT lies over 1km to the east we do not consider this to be a serious omission. Only the host LCT is discussed in the main text of the report but given the geographical coverage of this LCT taking in most potential receptors, this is an acceptable approach.

3.3.4. Landscape effects

Judgements are made on sensitivity (considering landscape receptor value and landscape receptor susceptibility in accordance with GLVIA3), magnitude and overall nature of effect (including whether the effect is adverse, beneficial or neutral). Landscape effects are described in Section 4 of the LVA, as well as in the Summary and Conclusions in Section 8.

There is no assessment of effects during construction. It is likely that the construction phase may give rise to major adverse landscape impacts on some receptors.

The LVIA describes the effects on Land Cover, Topography, Trees and Hedgerows, and the Landscape Character of the site and the wider countryside. However, there is a lack of reference to construction or operational stages, with just a single assessment. We note that there has been an attempt to incorporate the potential beneficial effects of new tree and hedgerow planting, but this is not clearly defined in terms of the assessment stages.

Landscape effects upon the Site are predicted to be 'overall moderate adverse' but it is not clearly stated for what stage this is assessed.

3.3.5. Conclusions

It is considered that the landscape assessment results are not robust at present, and the assessment should be expanded as follows:

- Assessment of landscape effects during construction and completion [Year 1 and Year 15 to be consistent with visual effects] for the landscape receptors

¹ *The Shropshire Landscape Typology, Shropshire County Council (2006).*
ESP Ltd.

3.4. Visual assessment

3.4.1. Visual receptors and viewpoint selection

7 viewpoint locations from which a photographic record has been obtained have been identified in the LVA to inform the assessment of visual effects. These are concentrated within the immediate surroundings of the Site, with a few out-lying views from selected locations. There are also 4 photographs taken from within the Site. The selection of viewpoints was found to be appropriate and based upon an appropriate identification of visual receptors. Viewpoint locations are shown on Figure 6 Visual Appraisal.

3.4.2. Photography

The photographic images are presented in line with the Type 1 Visualisation as described in the Landscape Institute's *Technical Guidance Notes on Visual Representation of development proposals* (TGN 06/19.) Whilst we note that the LVIA confirms [refer LVIA section 1.13] that '*due to the timing of instruction, it was not possible to obtain winter views*' we consider that adequate consideration has been made by the assessment of winter conditions, in line with the guidance.

3.4.3. Zone of Theoretical Visibility/Visual Envelope

A computer-generated Zone of Theoretical Visibility (ZTV) has been produced for this LVIA, shown on Figure 5. This uses modelled screening of woodland and buildings and therefore reduces the area of theoretical visibility. GLVIA3 at section 6.8 recommends the use of 'bare earth' which does not take account of potential screening. However, given the topography, existing vegetation and built form, and the scale of the proposed development, we feel this is a reasonable approach if a 'bare earth' ZTV is also provided.

3.4.4. Visual effects

Generally, we consider that the assessment of receptor sensitivity [detailed in Tables 8 and 9, Appendix 2] is accurate and in line with GLVIA3, with the highest susceptibility assigned to residential receptors and users of PRow. However, whilst we note that the LVIA defines all views as 'public views' we would request that the receptor sensitivity for viewpoints from Tilstock – classified by the LVIA as 'Settlements & Places of Interest' – be clarified as to whether they should be reassessed as High sensitivity receptors.

Assessments are made of visual sensitivity and magnitude of change, with reference to the criteria set out in the methodology, and overall degree of effect. The tables used to assess the overall significance are clear and well-presented.

The visual effects are only assessed for the Year 1 and Year 15. There is no assessment of effects during construction. It is likely that the construction phase may give rise to major adverse visual impacts from some receptors.

3.4.5. Conclusions

Generally, the judgements are appropriately made using sound methodology, and we concur with the findings of the visual assessment which are summarised in Section 6 Conclusions and Recommendations of this review - apart from the assessment from receptors in Tilstock. We would therefore recommend that the receptor sensitivity from Tilstock is reviewed, and that the visual effects for the Construction stage is also provided for all viewpoints.

4. Design and Mitigation

4.1. Mitigation of effects

There is no specific mitigation for construction effects – these are not assessed in the LVIA. These could include adherence to best practice for construction site management, such as the installation of hoardings around the development site and the consideration for siting of site compounds and equipment.

Mitigation for other landscape and visual effects is discussed throughout the LVIA in terms of the landscape design, with described measures including the green buffer of woodland planting and the planting of boundary hedgerows. The potential for planting to reduce the adversity of predicted effects is discussed in the LVIA, with predicted effects at Year 15 generally less than at Year 1. The retention of existing boundary trees and vegetation is an important factor in mitigating landscape and visual effects and should be of the highest priority for the development going forward.

It is noted that some of the highest levels of effect are predicted for users of the PROW to the east of the Site, which could potentially be mitigated by the planting along the eastern site boundaries. Over time the planting would filter the views to the proposed development and lessen the predicted effects at Year 15 to Not Significant.

4.2. Design considerations

In addition to the LVIA descriptions, we have also reviewed the following design information:

- Landscape Masterplan (Pegasus Ref: P24-1425-EN-06A)
- Detailed Soft On-Plot Landscape Proposals (Sheets 1 to 4) (Pegasus Ref: P24-1458-EN-010)
- Design & Access Statement (Pegasus, October 2024)

4.2.1. Soft Landscape

The Landscape Masterplan is generally well-presented with good amounts of native woodland and hedgerow planting with green buffers. The SuDS basin has a variety of marginal and aquatic wetland plants and wet meadow grassland (suggesting that the basin will retain water year-round) and should provide amenity to the residents.

4.2.2. Hard Landscape

The Landscape Masterplan illustrates the various paving and street furnishings with benches, bins and fencing shown on plans.

5. Policy Compliance

In Section 3 of the LVIA, the proposed development is assessed against national and local planning policies. In paragraph 7.20 the LVIA states that *"potential for the proposed development to implement sustainable design principles as an integral part of the development that respects and enhances the natural environment and existing landscape features."*

We have assessed the contents of the LVIA and the proposed development's general compliance with landscape and visual-related elements of local policy. We have summarised the contents of the policies and described the proposed development's compliance, in the tables below.

5.1. Shropshire Local Development Framework

The Adopted Core Strategy (Adopted March 2011) is the guiding document relating to Shropshire's development through 2026. Policies CS5, CS6 and CS17 note that the Shropshire Landscape Character Assessment (Shropshire County Council, 2006) forms part of the Key Evidence for these policies.

Table 5.1 Shropshire Core Strategy 2006-2026 (DPD)

No.	Policy	Summary	Compliance
CS5	Countryside and Green Belt	This policy ensures that new development will be strictly controlled in accordance with national planning policies protecting the countryside and Green Belt. Development proposals on appropriate sites which maintain and enhance countryside vitality and character will be permitted where they improve the sustainability of rural communities.	The site is not subject to Green Belt policies, but the proposed development has been assessed in the LVIA in terms of its landscape character receptors, which are informed by the Shropshire Landscape Typology (2006). The LVIA found Minor Adverse effects upon the host LCT, reducing to Minor Adverse/Negligible over time. Once amended in line with our recommendations it is likely that, with respect to landscape character, the LVIA will provide sufficient information to suggest that the proposed development could be in accordance with Policy CS5.
CS6	Sustainable Design and Development Principles	To create sustainable places, development will be designed to a high quality using sustainable design principles, to achieve an inclusive and accessible environment which respects and enhances local distinctiveness, and which mitigates and adapts to climate change.	As noted above, the LVIA has considered the local landscape character and published typologies. The proposed development includes general elements of sustainable design (habitat creation, renewable and energy saving measures). From a landscape and visual perspective, the design is generally compliant with CS6.
CS17	Environmental networks	Development should protect and enhance the diversity, high quality and local character of Shropshire's natural, built and historic environment, and should not adversely affect the visual, ecological, geological, heritage or recreational values and functions of these assets, their immediate surroundings or their connecting corridors. Development should have regard for designations such as National Landscapes and World Heritage Sites.	The site is not subject to any landscape-specific designations, such as National Landscapes. As noted above the proposed development has been assessed for effects upon the local landscape character, which have been found to be no greater than Minor Adverse. The site layout is constraints-led and has sustainable features and is generally compliant with CS17.

5.2. Shropshire Site Allocation and Management of Development (SAMDeV) Plan

This Plan was adopted in December 2015, and sets out site allocations for development, as well as environmental constraints.

Table 5.2 Site Allocation and Management of Development (SAMDeV) 2015

No.	Policy	Summary	Compliance
MD2	Sustainable Design	This policy expands on Policy CS6, and requires developments to respond positively to local design aspirations, as set out in published guidance such as Local Plans, Design Statements, etc. Development must show that landscaping and open space have been considered holistically and should respond to the local character and context.	As noted above, the proposed development has taken landscape constraints and character into account and contains sustainable design features. However, this needs to be reviewed once the additional detail is provided on landscape and visual effects. Further detail on landscape & visual effects is required to comply with Policy MD2.
MD12	The Natural Environment	This policy seeks to avoid harm to Shropshire's natural assets, including with regard to: i. the special qualities of the Shropshire Hills AONB; ii. locally designated biodiversity and geological sites; iii. priority species; iv. priority habitats v. important woodlands, trees and hedges; vi. ecological networks vii. geological assets; viii. visual amenity; ix. landscape character and local distinctiveness.	The site is not subject to any landscape-specific designations, such as National Landscapes. As noted above, the proposed development has taken landscape constraints and character into account and contains sustainable design features. Further detail on landscape & visual effects and any additional mitigation to be incorporated into the Landscape Strategy is required to assess whether the proposals comply with Policy MD12.

6. Conclusions and Recommendations

6.1. Conclusions

The assessment methodology generally reflects the recommendations of GLVIA3; however, it does not take adequate account of 'Stages in the project life cycle' [GLVIA3]. The baseline conditions and the proposed development are clearly described. Map based supporting figures are clear and cross-referenced within the text, and photography has been presented in line with best practice guidance.

The predicted effects are generally what one would expect for a development of this scale, which show that it represents a substantial change to the site itself, and the views experienced by the closest receptors, but these effects are localised and diminish with distance as the built form is screened by vegetation, land form and buildings. These effects are also partially mitigated over time as soft landscaping matures.

We therefore conclude that the LVIA be amended in line with our recommendations detailed below, in order that it can be fully relied upon to assess whether the proposals comply with Local Plan policies relating to landscape and visual matters.

6.2. Recommendations

It is considered that the landscape and visual assessment results are not adequate at present and should be expanded as follows:

- Assessment of construction and completion [Year 1 and Year 15 to be consistent with visual effects] for the landscape receptors

It is considered that the visual assessment results are not robust at present and should be expanded as follows:

- 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.

We therefore recommend that the LVIA is amended as summarised above – and that any mitigation for additional adverse landscape or visual effects identified is incorporated into the landscape strategy - to help ensure that the proposals comply with Local Plan policies CS6, CS8, CS17, MD2 and MD12.