

PLANNING STATEMENT

Formation of Link Road with 2.00m Footway and 3.00m shared Footpath/Cycleway Provision between the Ellesmere Business Park Roundabout on the A495 and Canal Way, including Associated Modification to the Ellesmere Business Park Roundabout, Recontouring and Earthworks Throughout the Site and Formation of Flood Compensation Areas

Land between Ellesmere Wharf
and the A495 Oswestry Road, Ellesmere

Prepared for Burbury Investments Limited by
Nigel Thorns BSc(Hons) DipTP MRTPI

NigelThornsPlanningConsultancyLtd
CharteredConsultantTown&CountryPlanning

Watton, 22 Kingsland Road,
Shrewsbury, Shropshire, SY3 7LD
Tel 01743 343660
Mobile 07791316173
Email nigel@nigelthorns.co.uk

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1. Introduction

- 1.1 This report considers the planning issues associated with the planning application on Land Between the A495 Business Park Roundabout and Canal Way, Ellesmere.
- 1.2 The planning application proposes:

“Formation of Link Road with 2.00m Footway and 3.00m shared Footpath/Cycleway Provision between the Ellesmere Business Park Roundabout on the A495 and Canal Way, including Associated Modification to the Ellesmere Business Park Roundabout, Recontouring and Earthworks Throughout the Site and Formation of Flood Compensation Areas”
- 1.3 The application is submitted on behalf of Burbury Investments Limited.
- 1.4 The statement sets out the context for the development by providing the background to the proposals including a description of the site and its surroundings, the proposed development and the relevant up-to-date policy framework. It then assesses the proposals against the identified policy framework and the key material considerations and sets out the case in support of development.

2. Content of the Planning Application

Application Form	
Application Form & Certificates	Nigel Thorns Planning Consultancy

Documents	
Planning Statement	Nigel Thorns Planning Consultancy
Design and Access Statement	Roberts Limbrick Architects
Landscape Design Guide	Liz Lake Associates
Utilities Assessment Report	BWB Consulting
Flood Risk Assessment	BWB Consulting
Site Investigation Phase 1 main site	BWB Consulting
Site Investigation Phase 2 main site	BWB Consulting
Site Investigation Phase 2 nursery	BWB Consulting
Sustainable Drainage Strategy	Shepherd Gilmour Engineers
Foul Water Strategy	Shepherd Gilmour Engineers
Surface Water Drainage Proforma	Shepherd Gilmour Engineers
Transport Statement	Highgate Transport
Tree Report	Birch Chartered Foresters Surveyors
Tree Survey Drawings	Birch Chartered Foresters Surveyors
Tree Removal Drawings	Birch Chartered Foresters Surveyors
Preliminary Ecological Appraisal	Arbor Vitae Ecology
Heritage Assessment	Garry Miller Historic Building Cons'lty
Archaeological Assessment	Castlering Archaeological
Landscape & Visual Impact Assess't	Illman Young

Drawings		
PL101B	Site Location Plan	Roberts Limbrick Architects
PL500S	Masterplan	Roberts Limbrick Architects
101- 106	Topographical Survey sheets 1 to 6	Shepherd Gilmour Engineers
701 P01	Scot St Roundabout Arrangement	Shepherd Gilmour Engineers
703 P01	Scotland St Roundabout Contours	Shepherd Gilmour Engineers
704 P01	Scotland St Roundabout Contours	Shepherd Gilmour Engineers
0401 P3	Proposed Earthworks – Contours	Shepherd Gilmour Engineers
0402 P2	Proposed Earthworks - ISO	Shepherd Gilmour Engineers
0414 P1	Proposed Earthworks – Sections 1	Shepherd Gilmour Engineers
0414 P1	Proposed Earthworks – Sections 2	Shepherd Gilmour Engineers
0500 P2	Highways Arrangement	Shepherd Gilmour Engineers
0508 P2	Highways Longsection 1	Shepherd Gilmour Engineers
0509 P2	Highways Longsection 2	Shepherd Gilmour Engineers
0515 P1	Canal Way Connection	Shepherd Gilmour Engineers

3. The Site and Background

- 3.1 Ellesmere is a market town in the north western part of Shropshire and the site lies to the south west of the settlement.
- 3.2 An aerial photograph below identifies the extent of the land the subject of the planning application. The key points within the town and the main road links are also shown.



- 3.3 Site 1 identifies the extent of the land associated with the Outline Application 14/04047/OUT approved on the 20th December 2016. Site 2 is a parcel of land adjoining the Ellesmere Business Park Roundabout, purchased by the applicants in 2021.
- 3.4 The site lies below the town of Ellesmere and comprises a series of open fields bounded by well maintained hedgerows and occasional hedgerow trees. The land is currently used for grazing livestock.
- 3.5 Immediately to the north is the Ellesmere Business Park, an area of land currently being developed for housing by Shropshire Homes, the Lakelands School along with the Berwyn View housing estate.
- 3.6 To the north east is the former 'Creamery Site' which has recently been developed for housing together with a Tesco Supermarket.
- 3.7 To the east is the Shropshire Union Canal Wharf which runs into the town centre and agricultural; land beyond.
- 3.8 To the south lies the Shropshire Union Canal which forms part of the network of canals linking Shropshire to the River Mersey which was completed in 1797. At its junction with the towns canal spur is the 'Ellesmere Yard' which is a working canal yard owned by the Canal and

Rivers Trust. Beyond the canal to the south are further areas of agricultural land.

- 3.9 To the west lies further areas of agricultural grazing land.
- 3.10 The overall site boundary within the red line application site is 32.73ha (including the Business Park Roundabout, the access route through the site, the connection to Canal Way, the areas of earthworks throughout the site and the flood compensation areas).

4. Planning History

- 4.1 There are 3 relevant planning applications associated with the site as follows:

4.2 Planning Application 14/04047/OUT

- 4.2.1 The application proposed 'Outline application for mixed development of a hotel, boating marina, leisure complex, pub/restaurant, residential, holiday cabins and touring caravans with associated infrastructure to include access'
- 4.2.2 The application was approved on the 20th December 2016

4.3 Planning Application 19/00187/REM

- 4.3.1 The application proposed 'Approval of reserved matters (layout, scale, appearance, landscaping and access) pursuant of 14/04047/OUT for the mixed residential development of 50 Dwellings'
- 4.3.2 The application was withdrawn on the 8th January 2020

4.4 Planning Application 18/05815/VAR

- 4.4.1 This application was directly related to the reserved matters application for 50 dwellings and proposed to 'vary conditions 5 (link road infrastructure); 6 (landscaping scheme); 11 (Environmental Management Plan) and 13 (Construction Traffic Management Plan); all pursuant of 14/04047/OUT (mixed development with associated infrastructure) to allow for submission of documents at Phase 2 Reserved Matters stage'
- 4.4.2 The application was withdrawn on the 8th January 2020

4.4 Planning Application 19/05445/REM

- 4.4.1 This application proposed 'Residential Development of 99 Dwellings including Associated Access via Canal Way, Landscaping and Flood Mitigation Works (Phase 1 of Application 14/04047/OUT)
- 4.4.2 The application was refused on the 25th March 2022

5. The Proposed Development

5.1 The application seeks consent for the following

“Formation of Link Road with 2.00m Footway and 3.00m shared Footpath/Cycleway Provision between the Ellesmere Business Park Roundabout on the A495 and Canal Way, including Associated Modification to the Ellesmere Business Park Roundabout, Recontouring and Earthworks Throughout the Site and Formation of Flood Compensation Areas”

5.2 An extract of the Drawing C-0401-P3 Earthworks Strategy Proposed Levels is shown below



5.3 For clarification the scheme includes the following works throughout the red line application site:

- Improvement/Re-alignment of Roundabout on A495
- Access Road with varying widths throughout the site
- Link to Canal Way
- 2.00m Footpath on one side of the Access Road
- 3.00m shared Footpath/Cycleway on one side of the Access Road
- Earthworks throughout the Site to create 'Plateaus' for Development
- Flood Compensation/Mitigation Areas

5.4 The scheme provides the overall roadworks, infrastructure and engineering framework to allow the future parcels of the site to be developed.

6. Planning Policy Context

- 6.1 National Planning Policy Framework issued in 2021 makes clear at Paragraph 2 that:

“Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise”

- 6.2 The Development Plan for the application site incorporates 2 key documents which are discussed below:

- Core Strategy
adopted 24th February 2011
- Site Allocations and Management of Development Plan (SAMDev)
adopted 17th December 2015

6.3 Shropshire Council Core Strategy

- 6.3.1 The Shropshire Core Strategy was adopted in March 2011 and provides the strategic planning policy including the Councils 'spatial vision and objectives' up to 2026.

- 6.3.2 A key objective for the future development of Shropshire is detailed as the need to:

“Support the development of sustainable communities which are thriving, inclusive and safe, ensuring that people in all areas of Shropshire have access to decent affordable homes, jobs, education and training, multifunctional open space and the countryside, healthcare, leisure, cultural, shopping and other facilities and services, and the provision of infrastructure, to meet their needs.”

- 6.3.3 Policy CS1 of the Core Strategy sets out the strategic objectives of the plan ensuring that new development is centered around sustainable settlements throughout the district, and states that:

Shropshire will flourish, accommodating investment and new development to contribute to meeting its needs and to make its settlements more sustainable, delivering over the plan period 2006-2026, around 27,500 new homes, of which 9,000 will be “affordable housing”, around 290 hectares of employment land, and accompanying infrastructure across Shropshire in the following places:

- The Market Towns and other Key Centres will maintain and enhance their traditional roles in providing services and employment, accommodating around 40% of Shropshire's residential development over the plan period;

6.3.4 Ellesmere is defined as a Key Centre within the Core Strategy document, and is referred to specifically within Policy CS3 as follows:

Market Towns and other Key Centres will maintain and enhance their roles in providing facilities and services to their rural hinterlands, and providing foci for economic development and regeneration. Balanced housing and employment development, of an appropriate scale and design that respects each town's distinctive character and is supported by improvements in infrastructure, will take place within the towns' development boundaries and on sites allocated for development.

Ellesmere will have development to support local business development, recognising its high quality landscape particularly the environmental and historic assets of the meres and the canal.

6.3.5 Policy CS3 specifically refers to Ellesmere as follows:

Ellesmere

4.49 Ellesmere (population 3,700) lies on the A495 between Oswestry, Wrexham and Whitchurch. The adjacent Mere and the Llangollen branch of the Shropshire Union Canal attract significant numbers of visitors. A major mixed-use redevelopment on the site of the canalside wharf is underway, and offers prospects for continued regeneration. There are fewer jobs in the town than there are resident workers and most workplaces in Ellesmere are small. Housing tenures in the local joint committee area at the time of the 2001 Census were 71.2% owner occupied, 17.3% private rented and 11.5% social rented.

6.3.6 The scheme meets the requirements of CS3 and supports its key objective in accommodating sustainable residential, employment and recreational development which will support local business development and respect the environmental and historic assets of the town.

6.3.7 Policy CS15 defines Ellesmere as a Key Centre and states that:

"Development and other measures will maintain and enhance the vitality and viability of Shropshire's network of town and rural centres, and, within the context of the strategic approach (Policies CS1-CS5), support the delivery of appropriate comparison and convenience retail; office; leisure; entertainment and cultural facilities.

In accordance with national planning policy, and having taken into account sequential and impact assessments where relevant, town

centres will be the preferred location for new retail, office and other town centre uses.

The Key Centres of ... Ellesmere ... will act as district centres within their respective spatial zones, serving the needs of their immediate rural hinterlands.

Where appropriate to the role and function of each identified centre, development will be encouraged to:

- Support a balanced approach to the planned level of housing and employment growth for each town;
- Support improvements to the accessibility of town centres, including from surrounding rural areas;
- Positively contribute to the delivery of wider investment, regeneration and town centre management strategies;
- Positively contribute to the mix and diversity of uses within town centres, without undermining their primary retail function;
- Support the appropriate re-use or regeneration of land and premises

6.3.8 There are other generic policies within the Core Strategy which are applicable to the development:

- Core Strategy Policy CS6 (Sustainable Design and Development Principles) states development should be designed to a high quality using sustainable design principles, to achieve an inclusive and accessible environment which respects and enhances local distinctiveness and protects natural resources and heritage assets.
The wider scheme will be designed to meet the requirements of Policy CS6.
- Core Strategy Policy CS7 (Communications and Transport) states a sustainable pattern of development requires the maintenance and improvement of integrated, accessible, attractive, safe and reliable communication and transport infrastructure and services.
The scheme provides a safe and convenient access, whilst promoting walking and cycling to provide greater connectivity and permeability across the site.
- Core Strategy CS8 (Facilities, Services and Infrastructure Provision) seeks to deliver sustainable places by protecting and enhancing existing facilities, services and amenities.
It is clear that the mixed use scheme across the wider site will significantly enhance the services and amenities within the

town which will have a positive impact upon the quality of life of residents and visitors.

- Core Strategy CS9 (Infrastructure Contributions) states developer contributions will be required for new residential development in proportion to its scale and the sustainability of its location.
The wider site will include appropriate affordable housing and CIL payments
- Core Strategy Policy CS13 - Economic Development, Enterprise and Employment suggests that the Council will plan positively to develop and diversify the Shropshire economy, supporting enterprise, and seeking to deliver sustainable economic growth and prosperous communities. In doing so, particular emphasis will be placed on:
 - Promoting Shropshire as a business investment location and a place for a range of business types to start up, invest and grow, recognising the economic benefits of Shropshire's environment and quality of life as unique selling points which need to be valued, conserved and enhanced;
 - Supporting the revitalisation of Shropshire's Market Towns, developing their role as key service centres, providing employment and a range of facilities and services accessible to their rural hinterlands, in accordance with Policy CS3;
 - Supporting the development and growth of Shropshire's key business sectors and clusters, in particular ... tourismThe scheme will contain a range of recreational and leisure uses across the wider site. This will revitalise and add to the economic prosperity of the town as well as bringing direct employment in line with Policy CS13.
- Core Strategy Policy CS15 (Towns and Rural Centres), confirms development and other measures will maintain and enhance the vitality and viability of Shropshire's network of town and rural centres, and, within the context of the strategic approach (Policies CS1-CS5), support the delivery of appropriate comparison and convenience retail facilities.
The wider scheme creates a mixed use development which will positively contribute to the delivery of wider investment and regeneration within the town in line with Policy CS15.
- Core Strategy Policy CS17 (Environmental Networks) seeks to protect, enhance and connect Shropshire's environmental assets and landscapes.
The existing landscape along with the proposed planting scheme will limit its negative effects and create a balanced addition to the town, while maintaining the character of the surrounding landscape.

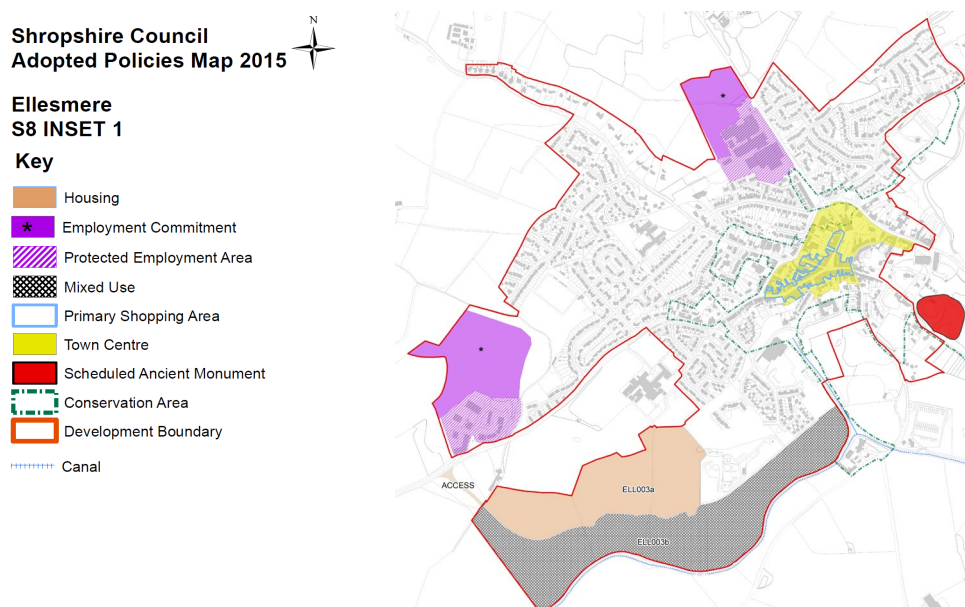
- Core Strategy Policy CS18 (Sustainable Water Management) aims to manage water in an integrated way to reduce public risk from flooding and maximise benefits. All developments should include sustainable drainage systems (SUDS) to manage surface water, with the aim of achieving a reduction in the existing runoff rate

The scheme will include SUDs within the drainage designs

The scheme meets the requirements of the Core Strategy policies.

6.4 Shropshire Council SAMDev

- 6.4.1 The Site Allocations and Management of Development Plan (SAMDev) was adopted on the 17th December 2015.
- 6.4.2 The Adopted Plan includes the current application site as the only housing/leisure allocation within the town of Ellesmere.
- 6.4.3 An extract from the Shropshire Council Policy Map for the Ellesmere Area (S8-Inset-1) is shown below



- 6.4.4 The application site area is shown in 2 parts as follows:
 - ELL003a – referred to under Schedule S8.1a: Housing Sites
 - ELL003b – referred to under Schedule S8.1c: Leisure/Tourism Sites
- 6.4.5 The site forms an integral part of the future development of Ellesmere and is designated accordingly within the Councils emerging SAMDev Document.
- 6.4.6 The current application seeks to kick start the wider development across the site

6.5 Shropshire Local Plan Review 2016 - 2036

- 6.5.1 The emerging Local Plan Review 2016 to 2038 was submitted to the Secretary of State for examination on 3 September 2021. The Stage 1 Examination commenced in July 2022, with a further sitting on the 17th January 2023. The Inspectors have provided their interim findings in a letter dated 15th February 2023. Given the status of the Inspectors letter the future progress of the Local Plan Review and timetable for the Stage 2 Examination is unknown.
- 6.5.2 The Local Plan Review suggests no changes to the current allocation discussed at 6.4 above.
- 6.5.3 In addition the parcel of land adjacent to the A495 is allocated for housing development within the wider allocation ELL005/ELL008 & ELL033.

6.6 National Planning Policy Framework (NPPF March 2021)

- 6.6.1 NPPF is a significant material consideration and sets out the Government's planning policies for England and how these are expected to be applied.
- 6.6.2 Paragraph 8 explains that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):
 - a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
 - b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
 - c) **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

6.6.3 NPPF at paragraph 10 states that

So that sustainable development is pursued in a positive way, at the heart of the Framework is a **presumption in favour of sustainable development** (paragraph 11).

For **decision-taking** this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁷, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁶; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

6.6.4 The planning application should be considered in the context of the presumption in favour of sustainable development in line with NPPF guidance.

6.7 Other Material Considerations include

- Planning Practice Guidance
- Shropshire Council Supplementary Planning Documents

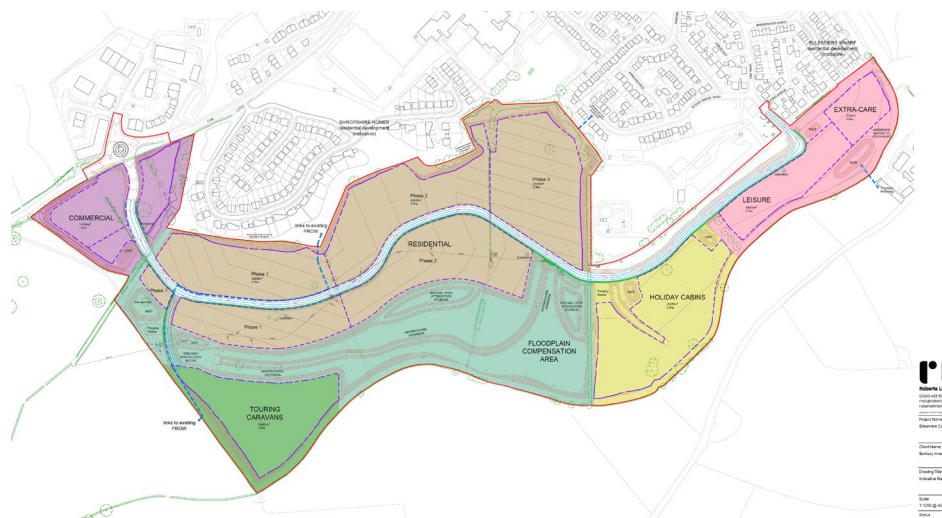
7. Other Planning Issues

7.1 Background to the Application

- 7.1.1 Since the vision for the site was first introduced within the Shropshire Council Local Plan adopted in 2015, there has been a desire locally (Ellesmere Town Council and Ellesmere Rural Parish Council) to provide the link road in its entirety prior to any significant level of development being provided.
- 7.1.2 This planning application responds to this desire and seeks consent for the very specific engineering and infrastructure associated with the link road and the necessary earthworks and flood alleviation works.
- 7.1.3 Once the link road application is approved, it is anticipated that work would start on site to create the link road and the associated earthworks in late 2023/early 2024.
- 7.1.4 In the meantime separate planning applications would be submitted for the development parcels throughout the wider development site.
- 7.1.4 Many of the detailed planning issues will be dealt with within the future planning applications for the separate development parcels along the route of the link road.
- 7.1.5 The issues below explain the planning issues with the current planning application and how these relate to the ongoing development parcels.

7.2 Masterplan Drawing PL500revS

- 7.2.1 The application relates only to the link road and the associated earthworks across the site.
- 7.2.2 Drawing PL500revS is submitted for information purposes only and an extract is shown below:



7.2.3 This Drawing shows the broad categories of uses across the site and follows the principles of the allocations within the Adopted Shropshire Council Local Plan (2006 to 2026) as well as the Shropshire Council Local plan Review (2016 to 2038).

7.2.4 Each development parcel throughout the site would be subject to a planning application which would be considered on its own planning merits.

7.3 Access to the Site off the A495 to the West

7.3.1 Since the original planning consent Ref: 14/04047/OUT the applicant has purchased additional land adjacent to the A4895 shown in the extract of the Masterplan Drawing PL500revS below:



7.3.2 This additional parcel of land allows the western access to the site off the A495 to be accommodated off the 'Ellesmere Business Park' roundabout.

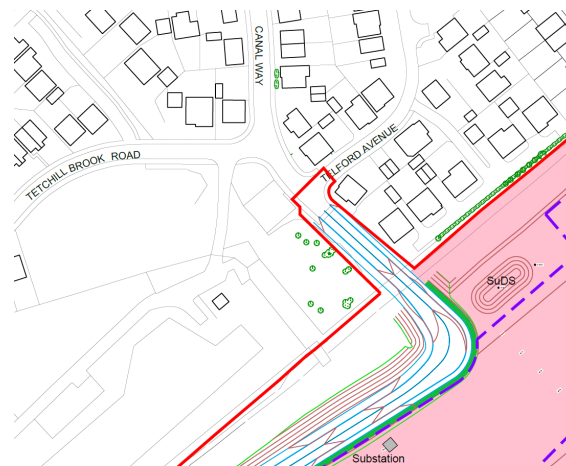
7.3.3 Highgate Transportation of 43-45 Park Street, Bristol BS1 5NL have provided the necessary detail to demonstrate that the access can be suitably accommodated off a reconfigured Roundabout on the A495

7.4 Access to the Site off Canal Way to the East.

7.2.2 Canal Way via a traffic light junction off Scotland Street, provides access to the Ellesmere Tesco store along with the new residential development provided by Persimmon Homes and others.

7.4.2 Canal Way was proposed as the route into the larger allocation of land within the Adopted Shropshire Council Local Plan (2006 to 2026) as well as the Shropshire Council Local Plan Review (2016 to 2038).

7.4.3 Canal Way is the long established route into the wider site and the connection point is shown in the extract Masterplan Drawing PL500revS below.



7.4.3 Highgate Transportation of 43-45 Park Street, Bristol BS1 5NL have provided the necessary detail to demonstrate that the access can be suitably accommodated off Canal Way.

7.5 Access Route

7.5.1 The access route will link the A495 and Canal Way.

7.5.2 The route will include the following:

- Footway 2.00m
- Roadway varying between 6.00m and 10.50m
- Footway/Cycleway 3.00m

7.5.3 There may be points along the route where the frontage footpath route may not be required (for example where the 'holiday cabins' front the link road). This will be determined within each planning application for the development parcels in consultation with the Shropshire Council Highway Team

7.6 Landscaping Along the Route

7.6.1 It is not possible at this point to provide a full landscaping scheme along the route of the link road because:

- the location of the individual access points into the development parcels have yet to be determined and any landscape proposals would prejudice future access along the Link Road
- the location of the direct access points to properties has yet to be determined (individual access points were agreed in principle)

within application 19/05445/REM) and any landscape proposals would prejudice future direct access points along the Link Road

- the landscape scheme may prejudice the layout or landscaping scheme associated with each development parcel

7.6.2 However 'Liz Lake Associates' of 1 Host Street, Bristol BS1 5BU have provided a 'Spine Road Landscape Design Code' and this is submitted with the application documentation.

7.6.3 It is anticipated that each development parcel would provide its own landscape scheme for the open spaces etc. However each frontage scheme onto the Link Road would adhere to the principles of the 'Spine Road Landscape Design Code' which includes:

- tree lined avenue along the whole length of the link road
- the species list will ensure consistency of the landscaping along the link road route, to include
 - *Carpinus Betulus – Frans Fontaine* - Upright Hornbeam
 - *Tilla Cordata Greenspire* - Small Leafed Lime
 - *Pyrus Calleryana Chanticleer* - Callery Pear
- each of these species will provide between 8.00m to 10.00m height and between 2.50m and 5.00m width after 25 years

7.6.4 This reflects guidance at Paragraph 131 of the National Planning Policy Framework which states that:

"Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined ..."

7.6.5 By applying the principles of the 'Spine Road Landscape Design Code' future development parcels will ensure that there is a consistent and coherent landscape strategy/pattern throughout the development.

7.6.6 It is expected that a condition would be attached to any planning permission requiring each development parcel to adhere to the principles set out within the 'Spine Road Landscape Design Code'

7.7 Landscaping Beyond the Access Route

7.7.1 Each development parcel would provide its own landscape scheme for the open spaces etc and these landscape details would be included within the subsequent planning application for the individual parcel of land.

7.8 Earthworks

- 7.8.1 The existing site includes various changes in levels including mounds and depressions as shown within the topographical survey of the site shown on Drawings 0101-P1 to 0106-P1 provided by Shepherd Gilimour Consulting Engineers.
- 7.8.2 The earthworks across the site are proposed to provide a developable site ready for future users to move straight to the development phase, following the grant of consent on each parcel of land.
- 7.8.3 These works are to designed to make the site more attractive to future developers.
- 7.8.4 For information the site is material neutral, meaning that the material is moved within the site to accommodate the changes in levels, with no material taken off site and no material brought onto site.

7.9 Flood Alleviation Measures

- 7.9.1 A Flood Risk Assessment has been prepared by BWB Consulting Limited of Livery Place, 35 Livery Street, Colmore Business District, Birmingham B3 2PB and this is submitted with the planning application documentation.
- 7.9.2 This Flood Risk Assessment forms part of the planning application documentation and concludes at paragraph 5.5 (page 46) that:

“In compliance with the requirements of NPPF, and subject to the mitigation measures proposed, the development could proceed without being subject to significant flood risk. Moreover, the development will not increase flood risk to the wider catchment area subject to suitable management of surface water runoff discharging from the site and the proposed de-culverting and floodplain rearrangement works”
- 7.9.3 The planning application proposes to implement the necessary flood alleviation measures in the southern part of the site. This includes the Tetchill Brook diversion, opening of the culvert as well as the recontouring of the land to provide flood compensation.
- 7.9.4 These works are shown on Drawings submitted by Shepherd Gilmour Engineers.

7.10 Impact upon Neighbouring Properties

- 7.10.1 The application proposes the link road and infrastructure works necessary to prepare the site for future development.
- 7.10.2 Due to the size of the site there are few immediately neighbouring properties.

- 7.10.3 The properties along Canal Way will be aware that Canal Way itself was proposed as the route into the larger allocation of land within the Adopted Shropshire Council Local Plan (2006 to 2026) as well as the Shropshire Council Local Plan Review (2016 to 2038). The amenity of these residents along Canal Way were considered in the allocation of the wider parcel of land.
- 7.10.4 There are recently constructed residential properties along Tetchill Brook Road (off Canal Way), but these are distant from the site boundary. In addition the earthworks are limited in this area.
- 7.10.5 There is a new housing site to the north being developed by Shropshire Homes, but these are distant from the site boundary and set at a higher level. In addition the earthworks are limited in this area.
- 7.10.6 On the basis of the above there is no material impact from the specific development proposed within this application upon the surrounding residential properties.
- 7.10.7 The proposed scheme along with the controls within the outline consent ensure there will be no material impact upon the amenity of the surrounding residential properties. The scheme complies with Policy CS6 which requires developments to safeguard residential and local amenity.
- 7.10.8 At the point of future planning applications across the parcels of the wider site, residents and other interested parties will have the opportunity to make appropriate representations.

7.11 Trees

- 7.11.1 A Tree Survey Report has been undertaken by Birch Independent professional tree woodland and environmental land management – Chartered Foresters, Chartered Surveyors. This report forms part of the planning application documentation.
- 7.11.2 The later landscape schemes across the land parcels throughout the site will include significant new tree planting across the site as described within sections 7.6 'Landscaping Along the Route' and 7.7 'Landscaping Beyond the Access Route'.

7.12 Footpaths and Permeability

- 7.12.1 It is important that this site provides the necessary entry points for both footpath and cycling routes through to the wider site
- 7.12.2 The Link Road provides both footpath a cycleway connectivity through the centre of the site from the A495 Business Park roundabout through to Canal Way.
- 7.12.3 Footpath 0209/12/2 runs from the Shropshire Homes site to the north to the canal to the south west. This would be maintained within the scheme

but will need to be diverted due to the position of the flood mitigation area. An alternative footpath route will be provided in consultation with the 'Public Rights of Way' team.

7.12.4 In addition this public footpath will need to be closed whilst the earthworks are undertaken on site across the whole site.

7.12.4 Additional footpath routes will be provided into and through the site via the individual parcels of land.

7.12.4 The scheme is highly permeable in line with local and national planning policy.

7.13 Ecology

7.13.1 A Preliminary Ecological Appraisal has been prepared by Arbor Vitae Environment Ltd of Lower Betton Farm, Cross Houses, Shrewsbury SY5 6JD which is submitted with the planning application documentation.

7.13.2 The key findings of the assessment are:

- A short section of trees will require removal at tree group G5 to allow the proposed road to run through this section. This will result in the loss of a small number of ash and sycamore trees.
- The section of Tetchill Brook will remain undisturbed by the development work to install the access road. An 8m watercourse buffer will be implemented and the remaining land in between will be included within native landscaping plans as part of future development.
- The Newnes Brook will be culverted where the new road passes over, between Field 2 & 3. This is likely to result in the removal of a small number of ash and sycamore trees. At present, livestock have access to the brook and their impact upon the water quality is evident. Removing this source of pollution will be beneficial for the overall health of local waterways.
- The proposed roadway and engineering works on site have the potential to disturb badger setts located along Hedge 1. Appropriate working buffers and protection zones will be required to avoid any disturbance. A minimum distance of 30m will be retained between Hedge 1 and all excavation/machinery on site.
- Activity transect surveys will be required on site to ascertain the extent to which bat species use the site and any features within the development boundary. As a minimum, a Wildlife Sensitive Lighting Plan will be implemented during construction. Full details of planned lighting will be produced to follow the guidance from The Bat Conservation Trust: Bats and artificial lighting in the UK (2018).

- The majority habitat type on site is grazed modified grassland with very little species diversity or variation in sward height. The routine agricultural usage reduces the lands suitability as a nesting site for breeding birds, as well as the presence of public footpath routes used by dog walkers. Work to remove any mature vegetation including hedgerow and trees has the potential to disturb breeding birds, if done so during the nesting season.
- The grazed grassland field parcels offer no suitable terrestrial opportunities for GCN as there are no foraging or resting places available on the land. Hedge and tree bases offer some suitability for shelter and/or brumation but the overall lack of terrestrial habitat significantly reduces the chances of GCN being present within the vicinity of the site. The proposed development is unlikely to cause an offence to GCN under current relevant legislation but precautionary measures will be adopted to remove any residual risk.
- The construction of the main road infrastructure though the site is not expected to have any impact upon major aquatic corridors which are likely to be in use by otter. Watercourse culverts have a low likelihood of disturbing otter activity given the relative size and location of the features. Pre-commencement inspections will be carried out to check for any fresh signs of otter activity at the site.
- It is unlikely that reptile species are active on or adjacent to the site given the poor suitability of the existing land use and surrounding areas. The proposals will have no impact upon reptile species.
- Enhancement measures are not realistically deliverable at the end of the engineering works as this is a preparatory phase.
- Once the site-wide engineering activity is complete, compartmentalised development of the land will ensue under separate planning applications. Any subsequent planning applications will be subject to Biodiversity Net Gain and will use the pre-engineering works baseline condition of on-site habitats in order to calculate all required enhancements (e.g. habitat to be used as baseline will be species-poor semi improved grassland *rather than* bare earth).
- Plans which will provide significant ecological enhancement for the site will include; diversion of an existing culverted watercourse onto an over ground basin, the creation of a large floodplain attenuation area with all appropriate landscaping, vegetated SUDS basins throughout the site and native tree planting. Each area of development will provide specific details for its own phase.

7.14 Heritage Impact

- 7.14.1 A 'Heritage Statement' was prepared by Garry Miller Historic Building Consultancy for the original Outline Consent 14/04047/OUT which proposed 'Outline application for mixed development of a hotel, boating marina, leisure complex, pub/restaurant, residential, holiday cabins and touring caravans with associated infrastructure to include access'. That application which included buildings adjacent to the canal and the nearby Heritage Assets was approved on the 20th December 2016.
- 7.14.2 This application includes no above ground development which minimises the impact upon any existing Heritage Assets. The original 'Heritage Statement' prepared by Garry Miller Historic Building Consultancy is submitted for context and information.

7.15 Archaeology

- 7.15.1 An 'Archaeological Assessment' was prepared by Castlering Archaeology for the original Outline Consent 14/04047/OUT which proposed 'Outline application for mixed development of a hotel, boating marina, leisure complex, pub/restaurant, residential, holiday cabins and touring caravans with associated infrastructure to include access'. That application was approved on the 20th December 2016.
- 7.15.2 This application includes no further below ground development which may impact upon any existing areas of Archaeological importance. The original 'Archaeological Assessment' prepared by Castlering Archaeology is submitted for context and information.

7.16 Site Investigation

- 7.16.1 A Phase I Site Investigation was undertaken by BWB Consulting Limited of Livery Place, 35 Livery Street, Colmore Business District, Birmingham B3 2PB in July 2013 and this forms part of the application documentation.
- 7.16.2 A Phase II Site Investigation was undertaken by BWB Consulting Limited of Livery Place, 35 Livery Street, Colmore Business District, Birmingham B3 2PB in July 2021 and this forms part of the application documentation.

7.17 Landscape and Visual Impact

- 7.17.1 A 'Landscape & Visual Impact Assessment' was prepared by Illman Young for the original Outline Consent 14/04047/OUT which proposed 'Outline application for mixed development of a hotel, boating marina, leisure complex, pub/restaurant, residential, holiday cabins and touring caravans with associated infrastructure to include access'. That application was approved on the 20th December 2016.
- 7.17.2 This application includes no above ground development which minimises the landscape and visual impact upon the landscape. The original

'Landscape & Visual Impact Assessment' prepared by Illman Young is submitted for context and information.

7.18 Site Utilities

7.18.1 A 'Project Development Utilities' Report has been undertaken by BWB Consulting Limited of Livery Place, 35 Livery Street, Colmore Business District, Birmingham B3 2PB in October 2022 and this forms part of the application documentation.

7.18.2 This confirms that all services and utilities are available to the service the site including electricity, gas, clean water supply, foul water disposal and telephone and fibre cable.

7.19 Pre Application Discussions

7.19.1 Pre application discussions have taken place with Shropshire Council Officers.

7.19.2 Ongoing verbal discussions have taken place in the context of the current planning application and in particular the nature of the planning application, the proposed works and the information required to be submitted.

NigelThornsPlanningConsultancyLtd
CharteredConsultantTown&CountryPlanning

Watton, 22 Kingsland Road,
Shrewsbury, Shropshire, SY3 7LD
Tel 01743 343660
Mobile 07791316173
Email nigel@nigelthorns.co.uk