

National Planning Policy Framework

14. At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. For plan-making this means that:

- local planning authorities should positively seek opportunities to meet the development needs of their area;
- Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:
 - 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; or
 - specific policies in this Framework indicate development should be restricted.⁹

For decision-taking this means:¹⁰

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - 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; or
 - specific policies in this Framework indicate development should be restricted.⁹

Footnote 9. For example, those policies relating to sites protected under the Birds and Habitats Directives (see paragraph 119) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park (or the Broads Authority); designated heritage assets; and locations at risk of flooding or coastal erosion.

113. Local planning authorities should set criteria based policies against which proposals for any development on or affecting protected wildlife or geodiversity sites or landscape areas will be judged. Distinctions should be made between the hierarchy of international, national and locally designated sites,²⁴ so that protection is commensurate with their status and gives appropriate weight to their importance and the contribution that they make to wider ecological networks.

115. Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.

116. Planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of:

- the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and
- any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated

128. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

129. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

Definition: Heritage Asset

"A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).

Annex 2: Glossary, National Planning Policy Framework

(Not totally clear if this includes an AONB)

144. When determining planning applications, local planning authorities should:

- give great weight to the benefits of the mineral extraction, including to the economy;
- as far as is practical, provide for the maintenance of landbanks of non-energy minerals from outside National Parks, the Broads, Areas of Outstanding Natural Beauty and World Heritage sites, Scheduled Monuments and Conservation Areas;

The Town and Country Planning (Development Management Procedure) (England) Order 2010

Para 2 Interpretation In this Order, unless the context otherwise requires—

“major development” means development involving any one or more of the following—

- (a) the winning and working of minerals or the use of land for mineral-working deposits;
- (b) waste development;
- (c) the provision of dwellinghouses where —
 - (i) the number of dwellinghouses to be provided is 10 or more; or
 - (ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c)(i);
- (d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- (e) development carried out on a site having an area of 1 hectare or more;

BUT, case law says that this only applies to procedural matters in the order, not to applicability of NPPF 116.

Planning Practice Guidance:

Paragraph: 005 Reference ID: 8-005-20140306

How is major development defined in National Parks and Areas of Outstanding Natural Beauty, for the purposes of the consideration of planning applications in these areas?

Planning permission should be refused for major development in a National Park, the Broads or an Area of Outstanding Natural Beauty except in exceptional circumstances and where it can be demonstrated to be in the public interest. **Whether a proposed development in these designated areas should be treated as a major development, to which the policy in paragraph 116 of the Framework applies, will be a matter for the relevant decision taker, taking into account the proposal in question and the local context.** The Framework is clear that great weight should be given to conserving landscape and scenic beauty in these designated areas irrespective of whether the policy in paragraph 116 is applicable.

Revision date: 06 03 2014

<http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/landscape/>

SHROPSHIRE CORE STRATEGY

Around one third of the County is upland, mostly to the south and west and almost 81,000 hectares are designated as the Shropshire Hills Area of Outstanding Natural Beauty (AONB).

Key day visitor attractions include Ironbridge Gorge and Pontcysyllte Aqueduct and Canal (both UNESCO World Heritage Sites) Stokesay and Ludlow Castles, Severn Valley Railway, RAF Cosford Museum, the Country Parks of Attingham, Weston and Hawkstone and the countryside of the Shropshire Hills AONB.

Tourism - Visitor attractions include: historic town centre and cultural events, Theatre Severn, Battlefield, Attingham Park, Shropshire Hills AONB.

Spatial Vision:

The character, quality and diversity of Shropshire's natural and historic environment, the County's greatest asset, will have been protected, restored and enhanced. The quality of the landscape, geodiversity and core areas of biodiversity such as the **Shropshire Hills AONB**, Meres and Mosses, and Severn Valley corridor will have been maintained and managed. Both designated and non-designated historic buildings, sites and landscapes will be recognised for their importance to Shropshire's character, communities, economy and sense of place.

Shropshire's biodiversity network will connect with similar networks across its borders, maximising potential for wildlife to adapt to climate change. Green infrastructure and areas of recognised environmental quality within towns and villages, with links to the surrounding countryside, will provide enhanced opportunities for recreation, with associated benefits for health and well-being of residents, flood management and improved biodiversity.

CS5 Countryside and Green Belt

In the open countryside, new development will be strictly controlled in accordance with national planning policies protecting the countryside and Green Belt from inappropriate development.

Subject to the further controls over development that apply to the 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 by bringing local economic and community benefits, particularly where they relate to:

- Small-scale new economic development diversifying the rural economy, including farm diversification schemes;
- dwellings to house agricultural, forestry or other essential countryside workers and other affordable housing or accommodation to meet a local need in accordance with national planning policies and Policies CS11 and CS12;
 - With regard to the above two types of development, applicants will be required to demonstrate the need and benefit for the development proposed. Development will be expected to take place primarily in recognisable named settlements or be linked to other existing development and business activity.
- agricultural/horticultural/forestry/mineral related development, although proposals for large scale new development will be required to demonstrate that there are no unacceptable adverse environmental impacts;
- the retention and appropriate expansion of an existing established business, unless relocation to a suitable site within a settlement would be more appropriate;

- the conversion or replacement of suitably located buildings for small scale economic development / employment generating use;
- sustainable rural tourism and countryside recreation proposals in accordance with Policies CS16 and CS17;
- required community uses and infrastructure which cannot be accommodated within settlements;
- conversion of rural buildings which take account of and make a positive contribution to the character of the buildings and the countryside.
- Proposals for conversions will be considered with regard to the principles of PPS7, giving equal priority to the following uses:
 - small scale economic development/employment generating use, including live-work proposals and tourism uses;
 - affordable housing to meet local need (including agricultural workers dwellings);
 - other uses appropriate to a countryside location.

Open market residential conversions will only be considered where high standards of sustainability are achieved and, except where the buildings are listed, a financial contribution for the provision of affordable housing to be delivered off site is provided in accordance with Policy CS11. In all cases, development proposals should be consistent with the requirements of Policies CS6 and CS17.

Green Belt

Within the designated Green Belt in south-eastern Shropshire, there will be additional control of new development in line with government guidance in PPG2. Land within development boundaries in the settlements of Shifnal, Albrighton, Alveley, Beckbury, Claverley, and Worfield, and at the Alveley and Stanmore Industrial Estates is excluded from the Green Belt. In addition to appropriate development in these areas, limited infilling will be permitted in any other Community Hubs and Community Clusters listed in the Site Allocations and Management of Development DPD, subject to the requirements of Policies CS4, CS6 and CS11. Also, limited local needs affordable housing on exceptions sites which accords with the requirements of Policy CS11 will be permitted in the Green Belt. Areas of safeguarded land are reserved for potential future development at Albrighton and Shifnal, while the military base and Royal Air Force Museum at Cosford is recognised as a major existing developed site within the Green Belt where limited defence related development will be permitted.

Explanation:

4.71 The emphasis of this policy is on sustainability and rural rebalance, supporting Policy CS1 Strategic Approach, linking with the Sustainable Community Strategy vision for 'Our Communities' and the Regional Spatial Strategy objectives for rural renaissance, and following the principles of national planning policy, particularly PPS4 and PPS7. The policy seeks to enhance the broader social and economic well-being of rural communities, facilitating development that supports appropriate land and resource based uses and economic diversification and that provides for local needs, including affordable housing, community facilities and infrastructure. It provides recognition that the countryside is a 'living-working' environment which requires support to maintain or enhance sustainability, together with the ability to adapt to the changing needs and circumstances.

4.72 However, whilst this policy seeks to facilitate a wide range of beneficial rural development, the operation of this policy, in conjunction with Policy CS6 and more detailed policies in the SAMDev DPD, recognises the need to consider the **scale and design** of proposals, where development is most appropriately **sited, environmental and other**

impacts. There will be a significant emphasis on achieving quality and sustainability of design, particularly locally appropriate design and use of materials. Thus, proposals which would result in isolated, sporadic, out of scale, badly designed or otherwise unacceptable development, or which may either individually or cumulatively erode the character of the countryside, will not be acceptable. Whilst these considerations will apply generally, there will be areas where development will need to pay particular regard to landscape character, biodiversity or other environmental considerations including in the Shropshire Hills Area of Outstanding Natural Beauty.

...

Key evidence:

Shropshire Hills AONB Management Plan 2009 – 2014 - Shropshire Hills AONB Partnership (May 2009)

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. This will be achieved by:

- Requiring all development proposals, including changes to existing buildings, to achieve criteria set out in the sustainability checklist. This will ensure that sustainable design and construction principles are incorporated within new development, and that resource and energy efficiency and renewable energy generation are adequately addressed and improved where possible. The checklist will be developed as part of a Sustainable Design SPD;
- Requiring proposals likely to generate significant levels of traffic to be located in accessible locations where opportunities for walking, cycling and use of public transport can be maximised and the need for car based travel to be reduced;

And ensuring that all development:

- Is designed to be adaptable, safe and accessible to all, to respond to the challenge of climate change and, in relation to housing, adapt to changing lifestyle needs over the lifetime of the development in accordance with the objectives of Policy CS11
- Protects, restores, conserves and enhances the natural, built and historic environment and is appropriate in scale, density, pattern and design taking into account the local context and character, and those features which contribute to local character, having regard to national and local design guidance, landscape character assessments and ecological strategies where appropriate;
- Contributes to the health and wellbeing of communities, including safeguarding residential and local amenity and the achievement of local standards for the provision and quality of open space, sport and recreational facilities.
- Is designed to a high quality, consistent with national good practice standards, including appropriate landscaping and car parking provision and taking account of site characteristics such as land stability and ground contamination;
- Makes the most effective use of land and safeguards natural resources including high quality agricultural land, geology, minerals, air, soil and water;

- Ensures that there is capacity and availability of infrastructure to serve any new development in accordance with the objectives of Policy CS8.

Proposals resulting in the loss of existing facilities, services or amenities will be resisted unless provision is made for equivalent or improved provision, or it can be clearly demonstrated that the existing facility, service or amenity is not viable over the long term.

CS16: Tourism, Culture and Leisure

To deliver high quality, sustainable tourism, and cultural and leisure development, which enhances the vital role that these sectors play for the local economy, benefits local communities and visitors, and is sensitive to Shropshire's intrinsic natural and built environment qualities, emphasis will be placed on:

- Supporting new and extended tourism development, and cultural and leisure facilities, that are appropriate to their location, and **enhance and protect the existing offer** within Shropshire.
- Promoting connections between visitors and Shropshire's natural, cultural and historic environment, including through active recreation, access to heritage trails and parkland, and an enhanced value of local food, drink and crafts.
- **Supporting development that promotes opportunities for accessing, understanding and engaging with Shropshire's landscape, cultural and historic assets including the Shropshire Hills AONB, rights-of-way network, canals, rivers and meres & mosses.** Development must also meet the requirements of **Policy CS17**.
- Supporting appropriate regeneration schemes and tourism development proposals that seek to enhance the economic, social and cultural value of canals and heritage railways including:
 - Shropshire Union Canal
 - Shropshire Union Canal - Llangollen branch
 - Shropshire Union Canal - Montgomery branch
 - The Severn Valley Railway
 - The Cambrian Railway
- Promoting and preserving the distinctive historic, heritage brand and values of Shrewsbury, the market towns and rural areas.
- Supporting schemes aimed at diversifying the rural economy for tourism, cultural and leisure uses that are appropriate in terms of their location, scale and nature, which retain and enhance existing natural features where possible, and **do not harm Shropshire's tranquil nature**.
- Development of high quality visitor accommodation in accessible locations served by a range of services and facilities, which enhances the role of Shropshire as a tourist destination to stay. In rural areas, proposals must be of an appropriate scale and character for their surroundings, be close to or within settlements, or an established and viable tourism enterprise where accommodation is required. Where possible, existing buildings should be re-used (development must also accord with Policy CS5).

Explanation:

...

6.31 **Sustainable tourism**, and high quality cultural and leisure development can deliver wide ranging benefits for Shropshire by contributing to a successful visitor economy; providing a potential focus for regeneration; supporting the quality of life of local communities; and promoting social inclusion. Within Shropshire, tourism is a key local economic sector which generates around £457m a year from around nine million visits and supports around 8,786 full time job equivalents. Along with cultural and leisure development these sectors can play a significant role in ensuring the economic prosperity of Shrewsbury and the Market Towns. Appropriate tourism development, in particular, can also potentially help sustain rural services and facilities, particularly where they are connected, and contribute towards rural regeneration and community benefit.

6.33 ...Shropshire has a number of regionally, nationally and internationally recognised attractions including the historic market towns of Shrewsbury, Ludlow and Bridgnorth, the **Shropshire Hills AONB**, the meres and mosses of north Shropshire, RAF Cosford, Shrewsbury's Theatre Severn and festivals such as the Shrewsbury Flower Show, Ludlow Food Festival, Bishops Castle Walking Festival and Clun Green Man Festival.

CS17: Environmental Networks

Development will identify, protect, enhance, expand and connect Shropshire's environmental assets, to create a multifunctional network of natural and historic resources. This will be achieved by ensuring that all development:

- Protects and enhances the diversity, high quality and local character of Shropshire's natural, built and historic environment, and does not adversely affect the visual, ecological, heritage or recreational values and functions of these assets, their immediate surroundings or their connecting corridors. Further guidance will be provided in SPDs concerning the natural and built environment;
- Contributes to local distinctiveness, having regard to the quality of Shropshire's environment, including landscape, biodiversity and heritage assets, such as the **Shropshire Hills AONB**, the Meres and Mosses and the World Heritage Sites at Pontcysyllte Aqueduct and Canal and Ironbridge Gorge
- Does not have a significant adverse impact on Shropshire's environmental assets and does not create barriers or sever links between dependant sites;
- Secures financial contributions, in accordance with Policy CS8, towards the creation of new, and improvement to existing, environmental sites and corridors, the removal of barriers between sites, and provision for long term management and maintenance. Sites and corridors are identified in the LDF evidence base and will be regularly monitored and updated.

Explanation:

7.4 Environmental networks consist of environmental assets and their connections which can provide **multifunctional benefits**. This includes providing opportunities for informal recreation for local communities and tourists; improving health and community wellbeing, **sense of place and identity, social cohesion, increasing biodiversity value and maintaining air quality**. Such networks can also help us to mitigate against and adapt to the effects of climate change, providing natural methods to manage flood risk and routes for the dispersal and migration of species.

7.5 Shropshire has a wealth of environmental assets which make it locally distinct. The local geology is diverse, with a wide range of mineral resources and rocks representing most of the major divisions of geological time. The area includes large, more natural areas such as the Shropshire Hills AONB, and the Meres and Mosses in North Shropshire, as well as areas of open space throughout the range of urban settlements from larger towns such as Shrewsbury and Oswestry to local centres and rural villages.

...

7.7 All new development should take account of the features which generate local distinctiveness, both within Shropshire and its surrounds. Evidence from the Landscape Character Assessment, Historic Landscape Characterisation and Urban Characterisation Assessment should be used to ensure proposals contribute towards retaining and enhancing these assets and thereby making a positive contribution to the environment. For development affecting the Shropshire Hills AONB, particular regard should be paid to the Shropshire Hills AONB Management Plan.

Glossary

Area of Outstanding Natural Beauty (AONB)

A statutory landscape designation recognising that a particular landscape is of national importance. The primary purpose of the designation is to conserve and enhance the natural beauty of the landscape. The Shropshire Hills is Shropshire's only AONB.

Shropshire Site Allocations and Management of Development (SAMDev) Plan, Pre-Submission Draft (Final Plan) Shropshire Council 17/3/2014 26

Introduction (extract)

Added value comes particularly at the local level, the draft policies fully support the development and importance of Community Led Plans and recognise the significance of the AONB Management Plan. (emphasis added)

Policy context (extract)

2.5 The Shropshire Hills AONB covers 23% of the county's land area. This national designation has a principal purpose of conserving and enhancing natural beauty and secondary purposes of meeting the need for quiet enjoyment of the countryside and having regard for the interests of those who live and work there. To achieve these aims, AONBs rely on planning controls and practical countryside management. The statutory Shropshire Hills AONB Management Plan contains a number of policies adopted by Shropshire Council and has therefore been a key document influencing the preparation of the SAMDev policies. Whilst stressing the importance of the countryside as a whole, the SAMDev policies emphasise the importance of the AONB and the need to conserve and enhance its character and distinctiveness and have regard where appropriate to the requirements of the AONB Management Plan. (emphasis added)

Policy MD2 Sustainable Design, Explanation (extract)

For development affecting the Shropshire Hills AONB, particular regard should be paid to the Shropshire Hills AONB Management Plan and supplementary guidance. (emphasis added)

Policy MD7 – General Management of Development in the Countryside

(explanation, para 4.66) The changing needs and effects of agricultural and other related enterprises in the countryside are a particular local issue, in particular the impacts of large scale agricultural buildings. General sustainable design criteria and development management considerations are as relevant to this type of development as other proposals in the countryside and the Plan seeks to balance the needs of the countryside as a working environment with its role as a place to live and enjoy. The policy defines the primary considerations that will be taken into account in considering agricultural development proposals which require planning consent. Additional criteria set out in other relevant policy such as MD2 Sustainable Design and MD12 Natural Environment which, for example, highlights special requirements in the Shropshire Hills AONB, which would also need to be taken into account in considering applications. It should be noted that where appropriate, planning conditions will be attached to a permission to control the quality of the development and to ensure the scheme incorporates appropriate agreed mitigation measures such as coloured external cladding, landscaping and waste management; (emphasis added)

Policy MD8 - Infrastructure Provision (extract)

New Strategic Infrastructure

3. Applications for new strategic energy, transport, water management and telecommunications infrastructure will be supported in order to help deliver national priorities and locally identified requirements, where its contribution to agreed objectives outweighs the potential for adverse impacts. Particular consideration will be given to the potential for adverse impacts on:

- i. Residential and other sensitive neighbouring land uses;
- ii. Visual amenity;
- iii. Landscape character and sensitivity, including impacts on sensitive skylines;
- iv. Recognised natural and heritage assets and their setting, including the Shropshire Hills AONB (Policy MD12);
- v. The visitor and tourism economy including long distance footpaths, cycle tracks and bridleways (Policy MD11);
- vi. Noise, air quality, dust, odour and vibration;
- vii. Water quality and resources;
- viii. Impacts from traffic and transport during the construction and operation of the infrastructure development;
- ix. Cumulative impacts.

4.74 For wind energy proposals, the policy identifies a number of specific considerations which give rise to local concern and upon which specific reassurance will be sought. Applicants for such proposals should provide sufficient information to allow a qualitative assessment of the potential impacts against relevant national, local or good practice standards including:

- i. British Horse Society standards (2010) for the buffer distance between wind turbines and bridleways;
- ii. ETSU R 97 standards for noise assessment;
- iii. The policies of the AONB Management Plan. (emphasis added)

Policy MD11 - Tourism facilities and visitor accommodation

1. Tourism, leisure and recreation development proposals that require a countryside location will be permitted where the proposal complements the character and qualities of the site's immediate surroundings, and meets the requirements in Policies CS5, CS16, MD7, MD12, MD13 and relevant local and national guidance;

2. All proposals should to be well screened and sited to mitigate the impact on the visual quality of the area through the use of natural on-site features, site layout and design, and landscaping and planting schemes where appropriate. **Proposals within and adjoining the Shropshire Hills AONB should pay particular regard to landscape impact and mitigation.** (emphasis added)

Explanations (extract)

4.108 In areas of recognised scenic and environmental value proposals must pay particular regard to the qualities of the area and the reasons for designation in line with Policies CS6 and CS17, MD12, MD13 and the NPPF. **Within and adjoining the Shropshire Hills Area of Outstanding Natural Beauty applicants should also have regard to guidance in the Shropshire Hills AONB Management Plan. Sustainable tourism development plays a vital role in supporting the local economy but must be sensitive to the inherent qualities that the AONB is designated for;** (emphasis added)

Policy MD12: The Natural Environment

In accordance with Policies CS6, CS17 and through applying the guidance in the Natural Environment SPD, the conservation, enhancement and restoration of Shropshire's natural assets will be achieved by:

1. Ensuring that the social or economic benefits of development can be demonstrated to clearly outweigh the harm to natural assets where proposals are likely to have an unavoidable significant adverse effect, directly, indirectly or cumulatively, on any of the following:

- 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.

(emphasis added)

In these circumstances a hierarchy of mitigation then compensation measures will be sought.

2. Encouraging development which appropriately conserves, enhances, connects, restores or recreates natural assets, particularly where this improves the extent or value of those assets which are recognised as being in poor condition.

3. Supporting proposals which contribute positively to the special characteristics and local distinctiveness of an area, particularly in the Shropshire Hills AONB, Nature Improvement Areas, Priority Areas for Action or areas and sites where development affects biodiversity or geodiversity interests at a landscape scale, including across administrative boundaries. (emphasis added)

Explanation (in full)

4.113 Policy MD12 sets out in detail the level of protection offered to Shropshire's natural assets. Natural assets include: biodiversity and geological features; trees, woodlands and hedges in both rural and urban settings; the ways in which the above combine and connect

to create locally distinctive and valued landscapes, **including the Shropshire Hills Area of Outstanding Natural Beauty** and the contribution all of the above make to visual amenity;

4.114 Such assets provide ecosystem services including; flood relief; soil retention; climate change mitigation and adaptation; carbon sequestration; interception of airborne pollutants; water filtration; amenity value; health and well-being benefits and opportunities for tourism and recreational activities. These services are essential to a thriving economy;

4.115 Internationally and nationally important sites of wildlife conservation and geological interest as well as legally protected habitats and species will be afforded the highest level of protection in line with the relevant legislation and policy. **Great weight will also be given to conserving and enhancing the natural beauty of the Shropshire Hills AONB, having regard to the AONB Management Plan.** Development proposals affecting or involving the following will be assessed in accordance with the relevant legislation and national policy; European and nationally designated wildlife sites (Special Protection Areas (SPA), Special Areas of Conservation (SAC), Ramsar and Sites of Special Scientific Interest (SSSIs) and all candidate designations; **Major developments in Areas of Outstanding Natural Beauty;** Ancient woodland, other irreplaceable habitats and aged or veteran trees; Pollution – including noise, water, air and light pollution Further details are given in the Natural Environment SPD; (emphasis added)

4.116 The principle behind MD12 follows the hierarchy of:

- i. avoid loss or damage;
- ii. where the public benefits of the development clearly outweigh the value of any assets affected, provide adequate mitigation measures for any full or partial harm or loss;
- iii. as a last resort, where neither avoidance nor mitigation is reasonably possible, provide adequate compensation measures.

4.117 Development proposals must firstly assess whether they are likely to affect a natural asset, using current accepted guidance and best practice (see the Natural Environment SPD). Effects can be direct, indirect or cumulative. Where an effect is identified, further work should be carried out to define whether this is an adverse or benign effect and if adverse, whether it is likely to be significant. If a significant adverse effect is identified, then any social or economic benefits of the proposal must be clearly stated to enable a proper assessment of all aspects of the development;

4.118 Where loss or damage to an asset is likely then all reasonable alternative methods of delivering the proposal should be considered. If no solution can be found, through use of an alternative site or redesign to avoid harm for example, and the demonstrated social or economic benefits of the proposed development clearly outweigh the harm to that asset, then mitigation and compensation measures will be sought through planning conditions, planning agreements or offsetting measures as appropriate. Biodiversity offsetting may be an alternative method of providing compensation and the Natural Environment SPD sets out appropriate measures for a variety of circumstances;

4.119 Proposals should demonstrate that on-site mitigation or compensation measures are not feasible, before off-site measures will be considered. Off-site compensation measures, including tree and/or hedge planting, will be considered within the same settlement or associated group of settlements (as defined within the LDF Implementation Plan and Place Plans) in which the development is located. All on- and off-site compensation, mitigation or offsetting measures should be accompanied by a management plan detailing management and implementation provisions and indicating how these will be resourced, both financially and practically over an agreed timescale;

4.120 If neither on- nor off- site mitigation or compensation is possible, applicants will be encouraged, where appropriate, to make a contribution via a section 106 agreement to funds to support the conservation and enhancement of natural assets (including the planting of trees, woodland and hedgerow) more widely in Shropshire in accordance with the Natural Environment SPD;

Natural Assets

4.121 The special qualities of the Shropshire Hills AONB are set out in the AONB Management Plan. This is a statutory document, required under section 89(2) of the Countryside & Rights of Way Act 2000 to contain Shropshire Council's and Telford & Wrekin Council's policy for the management of the AONB and for the carrying out of their functions in relation to it. The Management Plan should be regarded as a material consideration in planning decisions; (emphasis added)

4.122 A list of locally designated biodiversity and geological sites can be found in the Natural Environment SPD. These include Local Wildlife Sites, Local Geological Sites, Local Nature Reserves and Local Green Spaces where the latter are notified at least in part, for their wildlife value;

4.123 UK Priority species and habitats (NERC Act 2006, section 41 list) are nationally important. A link to the list is provided in the Natural Environment SPD, together with additional habitats and species of local importance;

4.124 Trees, woodlands and hedges are integral and significant features in Shropshire's landscapes and townscapes and their conservation and proper management is an essential factor in maintaining local distinctiveness. Important trees, woods and hedges include those with legal protection as well as other trees, groups of trees, woodlands and hedgerows that are of demonstrable significance in terms of their amenity, cultural, biodiversity, landscape, heritage, financial or ecosystem service values, or which make a significant contribution to the character of a building, a settlement or the setting thereof. Further information about determining the importance and value of trees, woodland and hedgerows can be found in the Natural Environment SPD;

4.125 Ecological networks are vital for the movement, foraging, migration and dispersal of wildlife species through urban and rural landscapes. In the past, plants and animals have generally been protected on discrete sites which then tended to form islands of biodiversity embedded in otherwise inhospitable surroundings. In order to halt the loss of biodiversity, ecological features need to be buffered and joined to form a functioning network. Such networks also help to provide ecosystem services such as pollination and improve resilience to climate change. In many cases they will be integral components of the environmental networks covered by policy CS17 and should be maintained, enhanced and created. Examples of ecological networks are provided in the Natural Environment SPD;

4.126 Geological assets include quarries as well as naturally occurring rock exposures, and geomorphological landforms such as drumlins and kettle holes. These features may be designated as geological SSSIs or as Local Geological Sites (LGS) – formerly regionally important geological sites (RIGS). Geological assets also include other valued cultural evidence of geology such as use of local building stone, mining structures and educational resources such as museum collections. Additional information is provided in the Natural Environment SPD;

4.127 Visual amenity is a measure of the visual quality of a site or area as experienced by residents, workers or visitors. It is the collective impact of the visual components, as

perceived by people, which make a site or an area pleasant to be in. It is thus greatly influenced by value judgements. Visual amenity is strongly related to landscape character but the two are not the same. Planning proposals should appraise their impact on visual amenity and landscape character separately and clearly distinguish between the two;

4.128 The Shropshire Landscape Character Assessment and Historic Landscape Characterisation provide information on the locally distinctive features which combine to produce the characteristic landscapes of Shropshire. **The Shropshire Hills AONB Management Plan provides information on the valued characteristics which comprise the landscape of the designated area;** (emphasis added)

Deriving benefits from development

4.129 Development has a positive role to play in not only conserving natural assets but in enhancing, restoring, re-creating and connecting them. Reference should be made to the Place Plans for appropriate opportunities and other information on positive measures is set out in the Natural Environment SPD. **The Shropshire Hills AONB Management Plan also sets out actions which would enhance the natural beauty and contribute to the greater enjoyment and understanding of the protected landscape;** (emphasis added)

4.130 The connections between natural and heritage assets – the environmental network - are identified and protected by policy CS17 and shown within the Natural Environment SPD. **Opportunities to deliver landscape wide improvements to these networks exist particularly in Nature Improvement Areas, Priority Areas for Biodiversity Action and the Shropshire Hills AONB.** Increasing the connectivity of assets both within and between such areas provides benefits for the natural and historic environment. Partnership working will be encouraged where appropriate, to achieve this objective, in accordance with policies CS8, CS9 and CS17 and MD13; (emphasis added)

4.131 Landscape scale initiatives such as Nature Improvement Areas and Priority Areas for Biodiversity Action have partnerships (e.g. Shropshire, Telford & Wrekin Local Nature Partnership and the Shropshire Biodiversity Partnership) co-ordinating actions for their conservation and enhancement. Where relevant, development proposals should consider how they can increase the size and quality of priority habitats and reduce fragmentation, to deliver net gains in accordance with CS17.

Policy MD13: The Historic Environment

In accordance with Policies CS6 and CS17 and through applying the guidance in the Historic Environment SPD, Shropshire's heritage assets will be conserved, sympathetically enhanced and restored by:

- 1. Ensuring that proposals which are likely to either directly or indirectly affect the significance of a heritage asset, including its setting, are accompanied by a Heritage Assessment.**
- 2. Ensuring that the social or economic benefits of a development can be demonstrated to clearly outweigh any adverse effects on the significance of a heritage asset, or its setting, taking into account the degree of harm, the importance of the asset and any potential beneficial use of the asset. Where such proposals are permitted, measures to offset and record the loss of significance to the heritage asset and to advance understanding in a manner proportionate to the asset's importance and the level of impact, will be required.**
- 3. Encouraging development which delivers positive benefits to heritage assets, as identified within the Place Plans. Support will be given in particular, to proposals which appropriately conserve, manage or enhance the significance of a heritage asset**

including its setting, especially where these improve the condition of those assets which are recognised as being at risk or in poor condition.

Explanation

4.132 Whilst this policy is closely related to sustainable design (CS6 and MD2) and the conservation of Shropshire's natural environment (CS17 and MD12) it sets out specific guidance on the protection of Shropshire's historic environment, including the requirements that need to be met for those development proposals which are likely to have either a direct or indirect impact on the significance, including the setting, of a heritage asset;

4.133 Heritage assets are buildings, monuments, sites, places, areas or landscapes which have a degree of significance and heritage interest that merit consideration as part of the planning process. The term includes all designated assets, namely Listed Buildings, Conservation Areas, World Heritage Sites, Registered Parks and Gardens, Registered Battlefields, Scheduled Ancient Monuments, and nationally protected landscapes such as Areas of Outstanding Natural Beauty; (emphasis added)

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POLICY CS 7: Rural Area

Development within the rural area will be limited to that necessary to meet the needs of the area. It will be focussed on the settlements of High Ercall, Tibberton and Waters Upton. New housing development will be expected to deliver affordable housing to the level of 40% of all such development. Outside of these settlements development will be limited and within the open countryside will be strictly controlled.

POLICY CS 12: Natural Environment

The natural environment of the Borough will be protected and enhanced. **The natural environment of The Shropshire Hills Area of Outstanding Natural Beauty** and that of the Borough's Sites of Special Scientific Interest, Areas of Special Landscape Character, Local Nature Reserves, Wildlife Sites and Ancient Woodland sites **will be protected from development that has the potential to adversely impact on its sustainability.** Biodiversity, including habitats, and geodiversity will be protected from development. Where appropriate, development that delivers enhancement will be consistent with local biodiversity targets and objectives.

POLICY CS 13: Environmental Resources

The environmental resources of the Borough will be used with prudence within environmental limits. The production of energy from renewable sources will be supported where this is consistent with the statements within this policy, others contained within the Development Plan and national guidance. Development that reduces the risks of contaminated land to the environment and human health will be supported. That which has detrimental impacts on the environment, including the quality of land, air or water, will be resisted if satisfactory mitigation cannot be achieved. Development will avoid increasing the risk of flooding. Where appropriate and consistent with the policies of the Development Plan and local strategies, development will integrate measures for sustainable water management. Further guidance on reducing the Borough's carbon burden will be provided by supplementary documents.