

Recommendation:- Grant Permission subject to the completion of a Section 106 Agreement and to the imposition of the planning conditions set out in Appendix 1.

REPORT

1.0 THE PROPOSAL

- 1.1 The application seeks outline planning permission (with access for approval) for residential development of up to 25 dwellings on approximately 2 hectares of land. All other matters, namely appearance, landscaping, layout and scale, are reserved for subsequent consideration.
- 1.2 The application is supported by an indicative site layout which demonstrates how up to 25 dwellings, together with associated open space, drainage infrastructure and access arrangements, could be accommodated on the site. The layout is illustrative only and does not form part of the application for approval.
- 1.3 Access to the site is proposed from Station Road, this being the sole matter submitted for determination at this stage.

2.0 SITE ADDRESS

- 2.1 As above.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

- 3.1 The application has been referred to Planning Committee following a request from the local Ward Member. Given the level of objection received and the planning balance to be struck in determining the application, the Vice Chairman and Planning Manager agreed that it would be appropriate for the application to be determined by Planning Committee.

4.0 Community Representations Summary

4.1 Consultee Comments Summary

- 4.1.1 **SC Drainage (Lead Local Flood Authority, LLFA)** – Initial responses from the LLFA objected to the proposal on the basis that insufficient information had been provided to demonstrate an acceptable surface water drainage strategy.

Concerns were raised regarding the proposed method of surface water disposal, the viability of the proposed discharge route, the lack of information required by the Council's Surface Water Drainage Proforma, and the absence of sufficient

evidence to demonstrate that surface water could be managed without increasing flood risk on or off site. The LLFA maintained its objection following the submission of additional information, citing unresolved concerns regarding the viability of the proposed discharge point and the adequacy of the supporting drainage evidence.

Following the submission of further drainage information, including an updated Flood Risk Assessment Addendum, Outline Drainage Strategy and supporting technical information, the LLFA confirmed that the additional information demonstrated that a surface water drainage strategy could be achieved in principle and withdrew its objection. The LLFA raises no objection to the development subject to the imposition of a condition requiring the submission and approval of detailed surface water drainage design at the reserved matters stage.

4.1.2 SC Ecology - The Ecology Officer reviewed the submitted ecological information, including the Ecological Impact Assessment, Bat Activity Survey Report and Biodiversity Net Gain Assessment.

The initial response raised concerns regarding the Biodiversity Net Gain position. The submitted metric identified a deficit in habitat units and it had not been demonstrated how the statutory requirement for a minimum 10% Biodiversity Net Gain would be achieved. The Ecology Officer recommended that the outstanding habitat unit deficit be resolved at application stage and advised that a Section 106 Agreement would be required to secure any significant on-site Biodiversity Net Gain together with a monitoring contribution.

The Ecology Officer also noted that a financial contribution towards mitigation measures at Cole Mere Ramsar Site had been agreed in principle and that a Habitats Regulations Assessment and Appropriate Assessment would be undertaken once the necessary information had been provided. The financial contribution is currently calculated at £50 per bedroom.

The Ecology Officer confirmed that the submitted ecological survey work was otherwise acceptable in principle and indicated that conditions and informatives would be recommended in relation to protected species, ecological enhancement measures and lighting.

Following review of the additional information submitted during the application process, the Ecology Officer confirmed that the ecological survey work remained acceptable and raised no objection to the proposal subject to planning conditions, planning obligations and informatives.

The final response confirmed that the submitted Biodiversity Net Gain Assessment identified a loss of 0.70 habitat units (-15.96%) and a gain of 0.31 hedgerow units (+54.97%). It remained the Ecology Officer's view that the Biodiversity Net Gain position should preferably be resolved at application stage.

However, the Ecology Officer confirmed that the matter could be addressed through the Reserved Matters process, provided that the biodiversity gain hierarchy is followed and appropriate mechanisms are secured through planning conditions and a Section 106 Agreement.

The Ecology Officer confirmed that a Section 106 Agreement would be required to secure the delivery, management and monitoring of Biodiversity Net Gain for a minimum period of 30 years together with a monitoring contribution. A financial contribution towards visitor management and mitigation measures at Cole Mere Ramsar Site was also identified as necessary and would be secured through the Section 106 Agreement. An Appropriate Assessment was undertaken which concluded that, subject to the agreed mitigation, the proposal would not adversely affect the integrity of the designated site.

The final consultation response raised no objection to the proposal subject to planning conditions relating to badger surveys, wildlife enhancement measures, external lighting and ecological protection, together with the completion of the Section 106 Agreement.

4.1.3 SC Highways – The Local Highway Authority initially objected to the proposal. The initial response stated that the pre-application advice had not been adequately addressed and that insufficient traffic survey information had been submitted to assess visibility requirements, traffic flows and the appropriateness of walking and cycling within the carriageway. Whilst no concern was raised regarding the ability of the local highway network to accommodate additional vehicular traffic, concerns were expressed regarding the sustainability of the location, the limited opportunities for travel by modes other than the private car and the lack of supporting pedestrian and cycling infrastructure.

Further comments were provided during the course of the application in April 2026. These comments considered the proposed access arrangements, site layout, cumulative impacts of development proposals within Clive, pedestrian and cycling provision, and the relationship of the proposal to the character of the settlement. The Highway Authority maintained concerns regarding the sustainability of the location and the extent of supporting infrastructure for non-car travel and identified a range of potential mitigation measures.

In response, the applicant submitted additional information including Automatic Traffic Count survey data, visibility assessments, swept path analysis, revised access proposals and a Transport Statement Addendum dated June 2026.

Following review of the additional information, the Highway Authority confirmed that the proposed access arrangements and visibility splays were acceptable. The Highway Authority advised that the development was anticipated to generate fewer than 30 additional vehicle movements during peak hours and concluded that the proposal would not result in an unacceptable impact on highway safety or severe residual cumulative transport impacts, including when considered

alongside other development proposals within the village.

The Highway Authority subsequently withdrew its objection and raised no objection to the proposal subject to conditions relating to access design, adoptable street details and construction traffic management.

- 4.1.4 **SC Archaeology** – The Council's Archaeology Officer reviewed the application following earlier pre-application advice. The response notes that the site lies between Clive and Yorton, with the latter recorded as a settlement of early medieval origin. Whilst no designated or non-designated heritage assets are recorded within the application site on the Historic Environment Record, the response identifies evidence of historic mining and extraction activity in the wider area, including the former Clive Copper Mine, together with records of archaeological finds in the vicinity of the site.

The Archaeology Officer reviewed the submitted Heritage Impact Assessment prepared by Berrys. The assessment concluded that the archaeological potential of the site was low to very low but had not been informed by intrusive archaeological evaluation despite earlier pre-application advice.

The Archaeology Officer advised that, notwithstanding the absence of archaeological evaluation, the submitted Heritage Impact Assessment provided sufficient information for the determination of the outline application.

The response recommends that any planning permission be subject to a condition requiring a phased programme of archaeological investigation. This should comprise an initial geophysical survey followed by targeted trial trenching and any further mitigation considered necessary in light of the results. The Archaeology Officer raises no objection to the proposal subject to the recommended archaeological condition.

- 4.1.5 **SC Trees** – The Council's Tree Officer reviewed the submitted Arboricultural Survey and Impact Assessment together with the associated Tree Protection Plan and supporting drawings.

The Tree Officer confirmed that there is no objection to the proposal on arboricultural grounds.

The response notes that, due to the outline nature of the application, any planning permission should be subject to conditions requiring the submission of a tree survey, Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan based upon the final approved layout and prepared in accordance with BS5837:2012.

The Tree Officer also recommends that any future Reserved Matters application be accompanied by a landscaping scheme incorporating appropriate tree and

hedgerow planting prepared in accordance with BS8545:2014, together with details of planting specifications, protection, maintenance and replacement.

The Tree Officer raises no objection to the proposal subject to the recommended conditions.

- 4.1.6 **SC Green Infrastructure** – The Council's Green Infrastructure Officer reviewed the submitted Landscape and Visual Appraisal, illustrative layout and supporting landscape information.

The initial response raised concerns regarding the extent to which landscape mitigation identified within the Landscape and Visual Appraisal relied upon planting located within private residential plots. Observations were also made regarding the assessment of visual effects, the treatment of site boundaries and the long-term retention of proposed landscape mitigation. The response further identified matters relating to public open space, green infrastructure connectivity, tree planting, pedestrian access, links to the Public Rights of Way network and formal play provision.

The Green Infrastructure Officer advised that future Reserved Matters submissions should incorporate appropriate public open space and formal play provision and indicated that the detailed design should consider the provision of a Local Area for Play (LAP), or alternatively a Local Equipped Area for Play (LEAP), together with enhanced pedestrian connectivity and publicly managed landscape mitigation.

In response to later consultation, the Green Infrastructure Officer confirmed that the previous comments remained applicable and should inform any future Reserved Matters submission. The response reiterated the recommendation that landscape mitigation should, where possible, be located within publicly managed open space, that public open space should be served by accessible pedestrian routes, and that future Reserved Matters proposals should include appropriate play provision, public rights of way connections and green infrastructure measures.

The Green Infrastructure Officer raises no objection to the proposal in principle and identifies a number of matters to be addressed through future Reserved Matters submissions and planning conditions.

- 4.1.7 **SC Affordable Homes** – The Council's Affordable Housing Team reviewed the submitted Affordable Housing Proforma and advised that the proposal provides the correct level of affordable housing in accordance with the Council's requirements.

The initial response noted that the identified affordable housing need was for

rented 1 and 2-bedroom bungalows and advised that the affordable housing tenure should be for rent. The response also noted that the indicative layout showed 3-bedroom houses rather than the dwelling types identified as being required.

Following re-consultation, the Affordable Housing Team confirmed that, although the indicative layout remained unchanged, the applicant had confirmed that the detailed affordable housing provision would be agreed through the Section 106 Agreement.

The Affordable Housing Team raises no objection to the proposal subject to the affordable housing provision being secured through the Section 106 Agreement.

- 4.1.8 **SC Learning and Skills** – The Council's Learning and Skills Team reviewed the application and advised that current forecasts indicate the need for additional school place capacity at primary, secondary and special educational needs level within the local area.

The response notes that additional education infrastructure may be required to accommodate pupil demand arising from the development together with other planned growth within the area.

The Learning and Skills Team recommends that contributions towards primary, secondary and special educational provision should be secured through the Community Infrastructure Levy (CIL) process rather than through a site-specific planning obligation.

- 4.1.9 **SC Regulatory Services (Environmental Protection)** – The Council's Regulatory Services (Environmental Protection) team reviewed the application and raised no objection in principle to the proposed development on residential amenity grounds.

The response notes that construction activities associated with the development have the potential to generate impacts including noise, dust and general disturbance affecting nearby residential properties and other sensitive receptors.

Regulatory Services recommends that any future planning permission should be subject to a Construction Environmental Management Plan (CEMP) incorporating appropriate mitigation measures to control construction-related impacts.

- 4.1.10 **Integrated Care Board** - The Integrated Care Board reviewed the application and raised no objection to the proposed development in principle.

The response identifies a requirement for a financial contribution of £15,546

towards healthcare infrastructure and advises that suitable provisions should be secured through a Section 106 Agreement, with the contribution index linked to BCIS Tender Price Index (TPI) and capable of being drawn down at an appropriate stage. The response states that the support provided is subject to confirmation of the contribution amount and the agreement of suitable Section 106 provisions.

4.2 Public Comments Summary

4.2.1 Clive Parish Council – Initial Objection

Clive Parish Council considered the application in November 2025 and resolved to object. The Parish Council disputed the Council's five-year housing land supply position and the use of the withdrawn Local Plan evidence base as a material consideration. The Parish Council considered the site to be open countryside and stated that the proposal conflicted with the adopted spatial strategy and policies restricting open market housing in the countryside.

The Parish Council further raised concerns regarding the sustainability of the location, the availability of local services and facilities, infrastructure capacity, healthcare provision, school capacity, water supply and sewerage infrastructure, highway safety, public transport provision, flood risk and drainage, biodiversity impacts, landscape character, visual impact, housing density and the cumulative effects of development within Clive. The Parish Council concluded that the proposal conflicted with the development plan, national policy and a number of the Council's Sustainability Objectives and should be refused.

Clive Parish Council – Re-consultation Objection

Following consideration of the revised application and additional information, Clive Parish Council reconsidered the proposal in March 2026 and resolved to maintain its objection.

The Parish Council stated that its previous concerns remained unresolved and raised further concerns regarding the submitted traffic generation figures, the traffic survey information, vehicle speeds, the continuation of the proposed access road beyond the site, the suitability of the proposed drainage strategy and the impact of widened visibility splays on the appearance and character of the development.

The Parish Council maintained that the proposal would have unacceptable impacts in relation to highways, drainage, sustainability and landscape character, requested that the application be determined by Planning Committee and urged that full weight be given to the conflicts it identified with planning policy and the Council's Sustainability Objectives.

4.2.2 Local Ward Member, Cllr Alison Williams – objects.

The Councillor maintains her objection to the proposal. Concerns are raised regarding the sustainability of the location, the capacity and resilience of existing water supply, sewerage and wastewater infrastructure, and the absence of certainty regarding future infrastructure upgrades. The Councillor refers to recent water supply interruptions within the village, reports of low water pressure, the use of tanker deliveries to support local water infrastructure and concerns regarding the capacity of the sewage treatment system.

Further concerns are raised regarding highway safety, including the revised access position, the attainability of the proposed visibility splays, potential visibility constraints associated with nearby infrastructure, and the reliability of the submitted traffic survey information. The Councillor also raises concerns relating to the loss of agricultural land, the potential for future development beyond the application site, biodiversity and ecology impacts, light pollution, and the long-term management and maintenance of landscaping, attenuation features and communal open space.

The Councillor additionally maintains concerns regarding the viability of the proposed drainage strategy, including the potential implications of bedrock and the proposed drainage route, and requests that the application be considered by Planning Committee.

4.2.3 Public representations summary – 164 objections and 1 representation of support were received.

The main objections raised included those relating to:

- Planning policy, countryside location, settlement strategy and decision-making process;
- Five-year housing land supply and the weight attributed to the withdrawn Local Plan evidence base;
- Sustainability of the location, including reliance on private car travel, public transport provision and local service availability;
- Highway safety, vehicle speeds, traffic generation, cumulative traffic impacts and pedestrian accessibility;
- Flood risk, surface water drainage, foul drainage, water supply and sewerage infrastructure;
- Capacity of local infrastructure including healthcare, education and community services;
- Ecology, biodiversity, protected species, Biodiversity Net Gain and impacts on dark skies;
- Landscape character, visual impact, rural setting and the perceived estate-style form of development;
- Housing density, housing mix, affordable housing provision and local housing need;
- Agricultural land loss and food production concerns.

The representation in support:

- supported the provision of additional housing within the village,
- considered the scale of development to be reasonable;
- considered that approval would allow new residents to live in the village.

4.2.4 The above provides a summary of the principal matters raised through consultation and public representations. All consultee responses, representations and supporting documents are available for inspection in full on the Council's Planning Portal and form part of the application record.

5.0 THE MAIN ISSUES

- Policy and principle of development
- Highway, access and transport
- Drainage, flood risk and water infrastructure
- Ecology, Biodiversity Net Gain and Habitat Regulations
- Landscape and visual impact and Green Infrastructure
- Trees and arboriculture
- Heritage and archaeology
- Residential amenity (outline considerations)
- Infrastructure and developer contributions

6.0 OFFICER APPRAISAL

6.1 Policy and principle of development

6.1.1 The application seeks outline planning permission for residential development of up to 25 dwellings on land to the south of Station Road, Clive. The site lies outside any defined settlement boundary and is therefore located within the countryside for the purposes of the adopted development plan, immediately adjoining the existing built form of the village.

Development Plan Position

6.1.2 The adopted development plan comprises the Shropshire Core Strategy (2011) and the Site Allocations and Management of Development (SAMDev) Plan (2015). These documents direct the majority of new housing development to Shrewsbury, Market Towns, Key Centres and identified Community Hubs and Community Clusters. Clive is not identified as a settlement where strategic housing growth is directed.

6.1.3 Under Policy CS5 of the Core Strategy and Policy MD7a of the SAMDev Plan, new open market residential development in the countryside is strictly controlled and generally limited to specific exceptions. The proposal does not fall within any

of these categories and is therefore contrary to the adopted spatial strategy.

- 6.1.4 This conflict with the development plan is an important material consideration, underlies many of the objections raised by the Parish Council, local Ward Member and local residents, and weighs against the proposal.
- 6.1.5 Planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. Accordingly, whilst the proposal conflicts with the adopted development plan, it must also be assessed having regard to the National Planning Policy Framework (August 2026) and other material considerations.

Housing Land Supply and National Policy

- 6.1.6 The Council's most recent published Five Year Housing Land Supply Statement confirms that Shropshire currently has a 4.61 year supply of deliverable housing land and is therefore unable to demonstrate a five year supply of deliverable housing sites.
- 6.1.7 As a consequence, the decision-making policies of the National Planning Policy Framework (NPPF) relevant to housing delivery are directly engaged and the presumption in favour of sustainable development applies.
- 6.1.8 The August 2026 NPPF places a strong emphasis on boosting housing delivery and meeting identified housing needs. Policy S5 identifies circumstances where residential development outside settlement boundaries may be appropriate where there is an evidenced unmet housing need, including where a local planning authority cannot demonstrate a five year supply of deliverable housing sites. Policy HO7 further requires substantial weight to be given to the benefits of providing homes which contribute towards meeting identified housing needs.
- 6.1.9 These policies are significant material considerations in favour of the proposal and attract considerable weight in the assessment of the principle of development.
- 6.1.10 Whilst the conflict with the development plan weighs against the proposal, it is not determinative in isolation and must be considered alongside national policy and all other material considerations in the planning balance.

Sustainability and Location

- 6.1.11 Concerns have been raised regarding the sustainability of Clive as a location for additional development, including reliance upon private car travel, the range of local facilities available to residents and the cumulative effect of housing growth. These concerns are acknowledged and are relevant considerations.
- 6.1.12 For development plan purposes, Clive remains countryside and the proposal is clearly contrary to the adopted settlement strategy. However, the assessment of

sustainability requires consideration of a range of factors and cannot be determined solely by reference to the adopted settlement hierarchy.

- 6.1.13 It is acknowledged that objectors dispute the weight which should be attributed to the evidence base supporting the withdrawn Local Plan, including the assessment of Clive's services and facilities. The withdrawn Local Plan carries no policy weight. However, Cabinet has resolved that the evidence base underpinning that plan remains a material consideration and may be taken into account where relevant to the determination of planning applications.
- 6.1.14 The evidence base supporting the withdrawn Local Plan identified Clive as a settlement containing a range of services and facilities and formed part of the assessment of settlement capacity undertaken through the Local Plan process. Similarly, the Strategic Land Availability Assessment identified the site as having future residential potential, whilst acknowledging that development would not accord with the adopted policy framework. Whilst neither document establishes policy support for the proposal, both form part of the wider evidence base relevant to the assessment of sustainability and settlement capacity.
- 6.1.15 The site directly adjoins and is physically related to the existing built form of the village. Clive contains a number of community facilities including a primary school, medical practice, village hall and church, together with bus services and access to rail services at nearby Yorton. A number of representations contend that the range of local services and facilities available to residents has reduced over time and that residents remain reliant on private car travel for many journeys. These are material considerations in assessing the sustainability of the location and are considered in the overall planning balance.
- 6.1.16 The sustainability of the proposal must therefore be assessed having regard to national policy, the Council's current housing land supply position and the detailed consideration of highways, accessibility, drainage, ecology, landscape, heritage and infrastructure matters addressed elsewhere within this report.

Scale of Development

- 6.1.17 The proposal seeks permission for up to 25 dwellings.
- 6.1.18 This scale of development would not ordinarily be supported within the countryside under the adopted development plan and contributes to the policy conflict identified above.
- 6.1.19 As the application is in outline form, the acceptability of the proposed scale must be considered alongside whether the associated impacts can be satisfactorily accommodated. Matters relating to highways, drainage, landscape impact, ecology, infrastructure capacity, design, layout and residential amenity are therefore considered separately within the relevant sections of this appraisal. The proposal would represent a material increase in the size of the housing stock. However, the scale of growth is not considered so significant as to

fundamentally alter the role or function of the settlement.

Affordable Housing

6.1.20 The provision of affordable housing is a material consideration and constitutes a social benefit associated with the proposal. The scheme would be required to provide affordable housing in accordance with the Council's prevailing policy requirements, secured through a Section 106 Agreement.

6.1.21 The Council's Affordable Housing Team advises that the prevailing target rate within this part of the County is 10%, with the precise tenure mix, dwelling types and distribution to be secured through the legal agreement and agreed through the Reserved Matters process.

6.1.22 The provision of both market and affordable housing attracts weight in favour of the proposal. In addition, Policy HO7 of the NPPF requires substantial weight to be given to the benefits of providing homes which contribute towards meeting identified housing needs. In the context of the Council's current housing land supply position, the delivery of up to 25 dwellings attracts significant weight in favour of the proposal.

Agricultural Land

6.1.23 A number of representations raise concerns regarding the loss of agricultural land and the implications for food production. This matter is a material planning consideration.

6.1.24 Policy N2 of the NPPF (2026) requires decision-makers to take account of the quality of agricultural land, including whether land is classified as Best and Most Versatile (BMV) agricultural land, and advises that where significant development of agricultural land is necessary, areas of poorer quality land should be used where possible. BMV agricultural land comprises land within Grades 1, 2 and Subgrade 3a.

6.1.25 The proposed development would result in the loss of approximately 1.99 hectares of agricultural land. A site-specific Agricultural Land Classification Assessment has been submitted in support of the application. Whilst the site is identified as Grade 3 land on the provisional mapping, the submitted assessment concludes that the entirety of the application site comprises Subgrade 3b agricultural land, with droughtiness identified as the principal limiting factor affecting agricultural productivity. No alternative technical evidence has been submitted to demonstrate that the site should be classified as BMV agricultural land.

6.1.26 The loss of agricultural land is acknowledged and attracts some weight in the assessment of the proposal. However, having regard to the submitted Agricultural Land Classification Assessment and the absence of identified BMV agricultural land within the site, the proposal is not considered to conflict with the specific provisions of Policy N2 relating to the protection of BMV agricultural land.

Whilst the loss of agricultural land weighs modestly against the proposal, it is not considered to represent a significant adverse impact in the overall planning balance.

Principle Conclusion

- 6.1.27 Whilst the proposal conflicts with the adopted settlement strategy and therefore the spatial strategy of the development plan, the Council's inability to demonstrate a five year supply of deliverable housing land, together with the support provided by Policies S5 and HO7 of the National Planning Policy Framework, are significant material considerations in favour of the proposal. The extent to which those considerations outweigh the identified development plan conflict depends upon the outcome of the detailed assessment of the proposal against the remaining material considerations addressed below. The principle of residential development therefore falls to be considered in the context of the Council's current housing land supply position, national planning policy and the detailed assessment of the proposal's impacts set out in the following sections of this report.

6.2 Highway, access and transport

- 6.2.1 A significant number of representations, including those from local residents, the Parish Council, the local Ward Member, Clive Matters and other interested parties, raise concerns regarding highway safety, increased traffic generation, vehicle speeds, pedestrian safety, limited footway provision, visibility at the proposed access, cumulative traffic impacts arising from other development proposals within Clive, and the overall sustainability of the site. These concerns have been carefully considered together with the submitted transport evidence and the consultation responses provided by the Local Highway Authority.

Local Highway Authority consultation history

- 6.2.2 The Highway Authority initially objected to the application. Whilst it did not identify a fundamental issue in terms of the capacity of the local highway network to accommodate the traffic likely to be generated by the proposal, concerns were raised regarding the sustainability of the location, the lack of dedicated pedestrian infrastructure within the settlement, the relationship of the proposed access with the character of Station Road, and the extent to which the proposal would support walking and cycling movements.
- 6.2.3 Further detailed comments were provided by the Highway Authority in April 2026, including observations regarding the proposed access arrangement, pedestrian connectivity, the indicative layout and the cumulative effect of growth within Clive. The Highway Authority also considered the potential cumulative effects arising from other planning applications under consideration within the village, including the two outline applications currently under consideration on land at the opposite end of the village.

- 6.2.4 In response, the applicant submitted additional transport information, including updated Automatic Traffic Count (ATC) survey data, revised access proposals, swept path analysis, visibility assessments and amendments to the indicative layout. The applicant also revised the access location, removed the continuous internal road loop and provided an additional pedestrian link with potential to connect to the development with the existing Public Right of Way network.
- 6.2.5 Following review of this additional information, the Highway Authority withdrew its objection and confirmed that the application would be acceptable subject to planning conditions.

Access and highway safety

- 6.2.6 As this is an outline application, access is the only highway matter submitted for approval at this stage. The detailed internal layout remains illustrative and will be subject to future reserved matters approval.
- 6.2.7 The application proposes a single point of vehicular access from Station Road. Visibility splays and swept path assessments have been undertaken and are illustrated on Drawing No. SA54111 BRY 0003A. The submitted assessment demonstrates visibility splays of 2.4m x 46m to the east and 2.4m x 50m to the west based upon measured vehicle speeds obtained from the ATC surveys. The Local Highway Authority has reviewed this information and confirmed that the proposed visibility splays are acceptable and that the use of Manual for Streets visibility standards is appropriate in this location.
- 6.2.8 The Highway Authority's final response specifically confirms that the proposed access arrangement is acceptable from a highway safety perspective, subject to detailed engineering design being secured by condition. It also confirms that swept path analysis demonstrates suitable access for service and refuse vehicles.
- 6.2.9 Having regard to the submitted visibility assessment, swept path analysis and the final advice of the Highway Authority, officers are satisfied that a safe means of vehicular access can be achieved.

Sustainability, walking and cycling

- 6.2.10 A recurring concern raised by objectors is that Clive has limited footway provision and that future residents would rely heavily upon private vehicles. Objectors also contend that the settlement lacks the infrastructure necessary to support sustainable travel choices and that additional development would reinforce car dependency.
- 6.2.11 It is recognised that Clive does not benefit from the level of footway provision, segregated active travel infrastructure or service provision typically associated with larger settlements, and that this forms a significant part of the concern raised by objectors. However, the absence of such infrastructure does not, in itself, render development unacceptable. The assessment must consider the

characteristics of the settlement, the opportunities available for walking and cycling, the likely travel behaviour of future residents, and whether the proposal would result in an unacceptable impact on highway safety or severe residual cumulative impacts on the transport network. In this regard, significant weight is attached to the final advice of the Highway Authority.

- 6.2.12 The submitted ATC surveys recorded relatively low traffic volumes on Station Road and mean vehicle speeds significantly below the posted speed limit. The supporting transport evidence concludes that the road currently operates as a low-speed, low-traffic environment in which pedestrians already share carriageway space with vehicles.
- 6.2.13 During the course of the application process the proposed access position was revised and moved closer to the settlement. In addition, the indicative layout was amended to show a pedestrian link to the existing Public Right of Way network and improvements to internal pedestrian permeability. Whilst the internal layout and associated pedestrian connections are illustrative only and are not submitted for approval at this outline stage, they demonstrate how the Highway Authority's concerns regarding accessibility and connectivity could be addressed through the detailed layout considered at reserved matters stage. The acceptability of the proposed access itself forms part of the current application and has been assessed by the Highway Authority accordingly.
- 6.2.14 Whilst it is accepted that residents are likely to make use of private vehicles for a proportion of journeys, this is not uncommon within rural settlements and must be considered in the context of the characteristics of the settlement as a whole. It does not, in itself, justify refusal of the application.
- 6.2.15 The relevant question is whether the development would result in an unacceptable impact on highway safety or severe residual cumulative transport impacts. The Highway Authority has ultimately concluded that it would not.

Traffic generation and cumulative impacts

- 6.2.16 A number of representations challenge the traffic generation assumptions within the Transport Statement, the reliability of the traffic survey data and the applicant's conclusions regarding the ability of the local road network to accommodate additional development. Particular concern has been expressed regarding the cumulative impact of this proposal when considered alongside other development proposals currently under consideration within Clive.
- 6.2.17 A number of representations, particularly those submitted by Clive Matters, challenge the reliability of the submitted traffic survey information, trip generation assumptions and elements of the transport assessment. These matters were raised through the consultation process and informed the submission of revised transport evidence by the applicant. The revised Transport Statement Addendum specifically addressed concerns relating to the ATC survey data, including an identified anomaly within the original survey dataset, and provided updated

analysis and supporting information. Whilst objections to the submitted transport evidence have been maintained by objectors, the revised information was subsequently reviewed by the Highway Authority, which ultimately withdrew its objection. Significant weight is therefore attached to the final professional advice of the Highway Authority.

6.2.18 The Highway Authority considered these matters in detail as part of its consultation response and expressly assessed the cumulative position within the village. This included consideration of existing traffic flows, vehicle speeds, likely trip generation and the impact of other live development proposals.

6.2.19 The updated transport evidence estimates that the development would generate fewer than 30 additional vehicle movements during the peak hour periods and approximately 150 two-way movements across a typical day. The Highway Authority accepted that the increase in traffic associated with a development of up to 25 dwellings would be modest.

6.2.20 Importantly, the Highway Authority's final consultation response concluded that the likely effects of the development would not result in an unacceptable impact on highway safety and that a highway objection could not be sustained, including when the cumulative effects of the other current applications were taken into account.

6.2.21 This conclusion carries significant weight as it represents the professional judgment of the Council's statutory highway adviser, reached after reviewing the additional information submitted during the course of the application. The NPPF states that development should only be prevented or refused on highways grounds where there would be an unacceptable impact on highway safety or where the residual cumulative impacts on the road network would be severe. Having regard to the final Highway Authority response, officers are satisfied that neither of those tests is met in this case.

Conclusion

6.2.22 The concerns raised by local residents, the Parish Council, the Ward Member, Clive Matters and other interested parties regarding highway safety, pedestrian safety, sustainability, visibility, traffic generation and cumulative impacts have been carefully considered.

6.2.23 The Highway Authority initially objected to the application and sought further evidence. Additional transport information, revised access arrangements, visibility assessments and supporting highway analysis were subsequently submitted. Following review of that information, including consideration of the cumulative impact of development proposals currently under consideration within Clive, the Highway Authority withdrew its objection and confirmed that the development would be acceptable subject to conditions.

Having regard to the submitted Transport Statement, Transport Statement

- 6.2.24 Addendum, visibility and swept path assessments, the consultation history, the final advice of the Highway Authority and the relevant provisions of the National Planning Policy Framework, Core Strategy Policy CS6 and SAMDev Policy MD2, officers are satisfied that the proposal would not result in an unacceptable impact on highway safety and would not give rise to severe residual cumulative transport impacts. The proposal is therefore considered acceptable in highways and accessibility terms.

6.3 **Drainage, flood risk and water infrastructure**

- 6.3.1 A significant number of representations, including those from local residents, the Parish Council, the local Ward Member, Clive Matters and other interested parties, raise concerns regarding flood risk, surface water drainage, foul drainage capacity, sewage infrastructure and water supply resilience within the village. The matters raised include existing flooding on local roads, the suitability of the proposed surface water drainage strategy, the adequacy of infiltration testing, attenuation capacity, the viability of the proposed outfall route, the potential effect of additional surface water runoff, the capacity of existing sewerage infrastructure and reported interruptions to the local water supply. These representations and supporting technical submissions have been taken into account in assessing the application.

Surface water drainage and flood risk

- 6.3.2 The application site lies within Flood Zone 1 and is therefore at a low probability of fluvial flooding. The submitted Flood Risk Assessment also identifies no mapped areas of surface water flooding within the application site itself. The application is supported by a Flood Risk Assessment and Outline Drainage Strategy, together with subsequent technical addenda and revised drainage strategy drawings.
- 6.3.3 The original drainage strategy identified that infiltration testing undertaken within the site had not demonstrated favourable conditions for infiltration. The proposed strategy therefore provides for surface water to be collected and attenuated on site before being discharged at a controlled rate to a receiving watercourse. The supporting information includes greenfield runoff calculations, attenuation storage estimates and an indicative gravity outfall route.
- 6.3.4 The submitted drainage information identifies a potential discharge route to a receiving watercourse approximately 615 metres from the site. The applicant advises that the route lies within land under its control.
- 6.3.5 The Lead Local Flood Authority (LLFA) initially objected to the application because sufficient information had not been provided to demonstrate how surface water would be managed without increasing flood risk on or off the site. Its concerns included the feasibility of the proposed means of discharge, the

length and viability of the proposed outfall route, the absence of some of the information required by the Council's Surface Water Drainage Proforma and whether a continuous positive gravity fall could be achieved. The LLFA maintained its objection following an initial submission of further information while those matters remained unresolved.

- 6.3.6 Further drainage information was subsequently submitted, including an updated Flood Risk Assessment Addendum, revised Outline Drainage Strategy drawings, greenfield runoff calculations, attenuation storage estimates and further information concerning the proposed discharge route. The applicant also provided a response explaining why it considered the proposed gravity outfall to be technically feasible and deliverable.
- 6.3.7 Following its review of the revised information, the LLFA concluded that the applicant had demonstrated that a surface water drainage strategy could be achieved in principle. It considered that the additional information addressed its previous concerns regarding the feasibility of a surface water discharge strategy and consequently withdrew its objection. The LLFA identified an apparent discrepancy between the invert levels at two chambers, meaning that a continuous positive gravity fall had not yet been fully demonstrated throughout the proposed outfall route. However, having regard to the outline nature of the application, it was satisfied that this and the remaining detailed matters could be addressed by planning condition. The LLFA nevertheless concluded that these matters did not prevent a surface water drainage strategy being achieved in principle and therefore withdrew its objection.
- 6.3.8 The LLFA's final consultation response is a significant material consideration. Its conclusion was reached following several rounds of consultation and the submission and review of additional technical information. The withdrawal of its objection does not mean that the detailed drainage design has already been approved. Rather, it establishes that a viable surface water drainage strategy can be achieved in principle and that the outstanding detailed design matters are capable of being appropriately addressed through the recommended planning condition.
- 6.3.9 The condition recommended by the LLFA is comprehensive and requires the drainage design to be submitted prior to or in conjunction with each reserved matters application. Amongst other matters, it requires:
- agreement of greenfield runoff rates and attenuation of post-development runoff;
 - interception of the first 5 mm of rainfall;
 - attenuation storage for the specified rainfall events, including allowances for climate change;
 - demonstration of a continuous positive gravity fall throughout the drainage network and outfall route;
 - detailed drainage designs, hydraulic modelling and calculations for the

- 3.33% and 1% Annual Exceedance Probability rainfall events;
- an allowance for urban creep;
- appropriate biodiversity, amenity and water quality treatment measures;
- exceedance flow routing and management;
- protection of buildings and utility infrastructure from flooding; and
- appropriate finished ground-floor levels.

6.3.10 The representations concerning surface water runoff, infiltration testing, attenuation capacity, the proposed outfall, invert levels, exceedance flows and flood risk have therefore been carefully considered. Some of those concerns reflect matters also identified during the LLFA's assessment and explain why additional information was required before its objection was withdrawn.

6.3.11 Following consideration of the revised information, however, the Council's specialist drainage adviser is satisfied that a viable surface water drainage strategy has been established at the level required for an outline application. The detailed condition provides a mechanism for the final drainage scheme, supporting calculations and outfall arrangements to be scrutinised and approved before the detailed design of the development is settled and before the development is occupied.

6.3.12 The development would consequently be situated in an area at low risk of fluvial flooding, and an acceptable means of managing surface water has been demonstrated in principle. Subject to the recommended condition, officers are satisfied that the development can be made safe for its lifetime without increasing flood risk elsewhere and that the proposal accords with the relevant provisions of the National Planning Policy Framework and Core Strategy Policy CS18.

Foul drainage and water supply

6.3.13 Concerns have been raised by the Parish Council, local residents and Clive Matters regarding the capacity and resilience of the existing foul sewerage and potable water supply infrastructure serving Clive. Matters raised include reports of low water pressure, temporary interruptions to water supply, the recent use of tanker-supported water supplies within the village, concerns regarding foul sewerage and sewage treatment capacity, and reports of sewage overflows during periods of heavy rainfall. These concerns are acknowledged and have been taken into account in the assessment of the application.

6.3.14 The application proposes a connection to the existing public foul sewer in Station Road. The submitted Flood Risk Assessment and Outline Drainage Strategy identify the existing sewer and indicate that the development is anticipated to be capable of draining to it by gravity. The submitted information further recognises that the necessary connection and adoption arrangements would require engagement and agreement with the relevant statutory undertaker.

6.3.15 The provision of water supply and foul sewerage infrastructure is primarily the responsibility of the relevant statutory undertaker and is subject to separate

statutory approval processes. The right to connect to the public sewer, the provision of a water supply and any necessary network reinforcement or infrastructure improvements fall within the remit of those separate regulatory regimes.

- 6.3.16 Whilst objectors have supplied information relating to existing infrastructure performance, including reports of water supply interruptions and network operational issues, no technical evidence is before the Local Planning Authority demonstrating that the proposed development could not be satisfactorily served by the existing foul sewerage or water networks, or that any necessary infrastructure improvements could not be delivered through the relevant statutory processes. The material submitted evidences concerns regarding the current operation and resilience of the network but does not include a technical assessment of network capacity demonstrating that the development would be incapable of being served.
- 6.3.17 Accordingly, whilst the concerns raised by residents are acknowledged and carry some weight, and while it is recognised that existing infrastructure issues have been reported within the village, the evidence before the Local Planning Authority does not demonstrate that the proposed development would give rise to unacceptable impacts in relation to foul sewerage or water supply infrastructure, nor that satisfactory connections could not be provided through the relevant statutory regimes.

Conclusion

- 6.3.18 Overall, the drainage-related representations have been taken into account. The LLFA initially objected and required further information before it was prepared to accept the proposed approach. Following submission and assessment of that additional information, it concluded that a viable surface water drainage strategy had been demonstrated in principle and withdrew its objection subject to a comprehensive condition controlling the detailed design.
- 6.3.19 Having regard to the site's location within Flood Zone 1, the submitted Flood Risk Assessment and subsequent drainage information, the consultation history, the LLFA's final advice and the safeguards contained within the recommended condition, officers are satisfied that flood risk and surface water drainage have been addressed to an appropriate level for an outline application.
- 6.3.20 Concerns regarding foul sewerage and water supply infrastructure are acknowledged. However, whilst representations refer to existing infrastructure issues within the village, insufficient technical evidence is before the Local Planning Authority to demonstrate that the proposed development could not be served by the existing foul sewerage and water supply networks or that any necessary infrastructure improvements could not be delivered through the relevant statutory regimes.
- 6.3.21 The proposal is therefore considered acceptable in drainage, flood risk, foul

drainage and water supply terms.

6.4 Ecology, Biodiversity Net Gain and Habitat Regulations

- 6.4.1 Concerns have been raised by the Parish Council, Clive Matters and local residents regarding the impact of the development on wildlife, biodiversity, ecological networks, protected species, hedgerows, dark skies and the overall ecological value of the site. Particular concerns relate to the potential effects on bats, birds, hedgehogs, newts and other species, the loss of greenfield land, the adequacy of the Biodiversity Net Gain proposals and the reliance on off-site measures to address any habitat deficit. These matters have been carefully considered together with the submitted ecological information and the advice of the Council's Ecology Officer.

Protected species and site ecology

- 6.4.2 The application is supported by an Ecological Impact Assessment and Bat Activity Survey Report. The Council's Ecology Officer has reviewed the submitted information and confirms that the scope and quality of the ecological surveys are sufficient for the purposes of determining the application. No objection is raised in respect of protected species, subject to the imposition of conditions and informatives relating to matters including badger surveys, biodiversity enhancements, external lighting controls and ecological protection measures.
- 6.4.3 A number of representations raise concerns regarding the potential impact of the development on bats, birds, hedgehogs, newts and other wildlife species, together with concerns regarding habitat loss, ecological connectivity and the impact of artificial lighting on nocturnal species. These concerns are acknowledged. The submitted ecological surveys and supporting reports have assessed the ecological value of the site and the likely effects of the proposal. The Ecology Officer is satisfied that the ecological baseline has been adequately established and that impacts on protected species and ecological networks can be appropriately mitigated through retention and management of ecological features, ecological enhancement measures and a detailed lighting strategy secured by condition.
- 6.4.4 The submitted ecological evidence identifies the site as being largely comprised of improved grassland of relatively limited ecological value, with the principal ecological features comprising the existing boundary hedgerows and associated habitats. The development would inevitably result in the loss of a proportion of existing habitat. However, subject to the recommended mitigation and enhancement measures, the Ecology Officer is satisfied that protected species and ecological interests can be appropriately safeguarded. The Ecology Officer has not identified any requirement for further ecological survey work prior to determination of the application.

Biodiversity Net Gain

- 6.4.5 The proposal is required to achieve a minimum 10% Biodiversity Net Gain in accordance with statutory requirements.
- 6.4.6 The submitted Biodiversity Net Gain assessment identifies a loss of 0.70 habitat units (-15.96%) and a gain of 0.31 hedgerow units (+54.97%). At the time of the Ecology Officer's consultation response, it had not been demonstrated how the required habitat unit gain would be achieved and the applicant indicated that off-site provision may be required, subject to the availability of suitable land. No further information has been submitted by the applicant to demonstrate how the remaining habitat unit deficit would be addressed.
- 6.4.7 The Ecology Officer advised that there would be merit in resolving the Biodiversity Net Gain position at application stage in order to avoid delay and potential redesign at a later stage. However, the Ecology Officer also confirmed that the outstanding habitat unit deficit could be addressed through the Reserved Matters process, provided that the biodiversity gain hierarchy is followed and appropriate mechanisms are secured through planning conditions and a Section 106 Agreement. The Section 106 Agreement will secure the delivery, management and monitoring of Biodiversity Net Gain for a minimum period of 30 years together with the associated monitoring contribution.
- 6.4.8 Whilst the precise mechanism for achieving the remaining habitat unit gain has not yet been finalised, the statutory Biodiversity Gain regime requires a Biodiversity Gain Plan to be approved before development can lawfully commence. In these circumstances, the Ecology Officer is satisfied that the outstanding Biodiversity Net Gain requirements can be appropriately secured through the statutory Biodiversity Gain process, Reserved Matters submissions and associated planning obligations.

Habitats Regulations Assessment

- 6.4.9 The application has been assessed under the Conservation of Habitats and Species Regulations 2017 (as amended). Recreational pressure on the Cole Mere Ramsar site, part of the Midlands Meres and Mosses Phase 2 Ramsar designation, has been identified as a potential pathway for likely significant effects. An Appropriate Assessment has therefore been undertaken by the Local Planning Authority and is attached to this report below.
- 6.4.10 The applicant has agreed to make a financial contribution towards visitor management and mitigation measures at Cole Mere, secured through a Section 106 Agreement. The Appropriate Assessment concludes that, with this mitigation in place, the proposal would not adversely affect the integrity of the designated site either alone or in combination with other plans or projects.

Conclusion

- 6.4.11 The development would result in the loss of a proportion of existing habitat and biodiversity considerations therefore form an important part of the assessment.

The concerns raised regarding protected species, habitat loss, ecological connectivity, lighting impacts and Biodiversity Net Gain have been carefully considered. However, the Council's Ecology Officer raises no objection to the proposal subject to conditions and planning obligations.

- 6.4.12 The submitted ecological information is considered sufficient to assess the likely impacts of the proposal, protected species interests can be appropriately safeguarded, and the Habitats Regulations requirements can be satisfied through the proposed mitigation measures. Whilst the detailed mechanism for achieving the required Biodiversity Net Gain has not yet been finalised, the Ecology Officer is satisfied that this can be secured through the statutory Biodiversity Gain process, planning conditions and legal agreement, and development could not lawfully commence unless the statutory biodiversity gain requirements are met.
- 6.4.13 On that basis, the proposal is not considered to give rise to unacceptable ecological impacts and is considered acceptable in ecological terms, subject to the recommended mitigation, conditions and planning obligations.

6.5 Landscape and visual impact and Green Infrastructure

- 6.5.1 A significant number of representations, including those from the Parish Council, Clive Matters, local residents and the local Ward Member, raise concerns regarding the effect of the proposed development on the character and appearance of the area. Particular concerns relate to the loss of open countryside, the perceived estate-style form of development, harm to the rural setting of Clive, visual effects on the approach to the village from Broughton Bank, impacts on local landscape character, the loss of dark skies, and concerns that the proposed development would be out of keeping with the existing pattern of village growth. These matters have been carefully considered together with the submitted Landscape and Visual Appraisal (LVA) and the comments of the Council's Green Infrastructure Officer.
- 6.5.2 The application is supported by a LVA prepared by Arthian. The appraisal identifies the site as lying within the Principal Settled Farmlands Landscape Character Area and concludes that the proposal would result in moderate adverse effects on the landscape character of the site itself during the early years following development. Effects on the wider Principal Settled Farmlands Landscape Character Area are assessed as minor adverse. The appraisal further concludes that visual effects would be experienced primarily from a limited number of nearby viewpoints, public rights of way and neighbouring residential properties, with effects reducing over time as landscape mitigation planting establishes and matures. The appraisal concludes that the landscape has capacity to accommodate development of the scale proposed without giving rise to overriding landscape or visual harm.
- 6.5.3 The Council's Green Infrastructure Officer has not raised an objection to the

development in principle. In doing so, the Officer reviewed the submitted LVA , illustrative layout and landscape proposals and identified a number of matters that should be addressed through future Reserved Matters submissions. In particular, concern is raised regarding the extent to which some landscape mitigation and structural planting relies upon planting within private residential plots. The Green Infrastructure Officer advises that, where appropriate, important structural planting, boundary treatment and landscape mitigation should instead be incorporated within publicly managed open space to ensure long-term retention and management. The Officer also identifies opportunities to strengthen green infrastructure connectivity, public open space provision, formal play provision, street tree planting and links to the wider Public Rights of Way network. These matters are capable of being addressed through Reserved Matters submissions and appropriate planning conditions. The illustrative layout identifies a potential pedestrian connection to Public Right of Way 0206/12/1 and, having regard to the applicant's wider land ownership, officers are satisfied that the provision of such a connection can be secured through an appropriately worded planning condition and considered in detail through the Reserved Matters process.

- 6.5.4 The concerns raised by objectors regarding the impact of the development on the rural character of Clive, and in particular the perception that the proposal would introduce an estate-style form of development at odds with the existing pattern of growth within the village, are acknowledged. It is accepted that the proposal would extend built development onto a currently undeveloped parcel of agricultural land and that this would alter the character and appearance of the site. The application is in outline form and the submitted layout is illustrative only. Nevertheless, the development of up to 25 dwellings would introduce built form where none currently exists, and some adverse effects on landscape character and visual amenity would arise. These effects weigh against the proposal.
- 6.5.5 Particular concern has been raised regarding views approaching the village from the vicinity of Broughton Bank and the potential effect of the development on the rural setting of Clive. Officers accept that development of the site would alter the experience of these views, replacing part of the existing agricultural foreground with residential development. However, the submitted LVA assesses effects on the wider landscape character area as minor adverse and concludes that the most significant visual effects would remain relatively localised. Whilst residents and visitors may reasonably attribute greater value to certain views than that identified within the appraisal, the site is not subject to any national or local landscape designation and the evidence before the Local Planning Authority does not demonstrate that the impacts would be of such significance as to justify refusal of the application.
- 6.5.6 The application site directly adjoins and is physically related to the existing settlement edge. Existing hedgerows, trees and surrounding built development provide a degree of visual containment and the proposed development would be seen in the context of the existing village rather than as an isolated feature within

the wider landscape. The LVA identifies the greatest visual effects from sections of Public Right of Way 0206/12/1 immediately to the south of the site and from a limited number of nearby residential properties. Whilst these effects are assessed as moderate adverse, or moderate to major adverse in specific locations during the early years following development, they are also assessed as reducing over time as proposed planting matures and the development becomes more integrated within its surroundings.

- 6.5.7 Concerns regarding impacts upon dark skies are also acknowledged. Residential development of the site would inevitably introduce additional sources of light, including lighting associated with dwellings, vehicle movements and potentially external lighting infrastructure, and would therefore alter the existing night-time character of the site and its immediate surroundings to some degree. However, the site directly adjoins existing residential development and forms part of the settlement edge of Clive, where domestic lighting is already present. The extent, form and necessity of any external lighting is not known at this stage and would be subject to future consideration through Reserved Matters submissions, highway design requirements and ecological lighting controls where appropriate. Whilst some increase in night-time illumination is an inevitable consequence of development, the evidence before the Local Planning Authority does not indicate that the resulting effects would be so significant as to justify refusal of the application.
- 6.5.8 Overall, officers conclude that the proposal would result in some harm to landscape character and visual amenity. This harm attracts weight against the proposal. However, having regard to the findings of the submitted Landscape and Visual Appraisal, the absence of any landscape objection in principle from the Council's Green Infrastructure Officer, the location of the site adjacent to the existing settlement edge, and the opportunities to secure enhanced landscape mitigation, green infrastructure measures and public open space through the Reserved Matters process, the identified landscape and visual effects are not considered to be of such magnitude as to justify refusal of the application. The proposal is therefore considered acceptable in landscape and Green Infrastructure terms, subject to appropriate planning conditions and the future approval of Reserved Matters.

6.6 Trees and arboriculture

- 6.6.1 A number of representations raise concerns regarding the potential loss of trees, hedgerows and green infrastructure associated with the proposed development. These matters have been considered together with the submitted arboricultural information and the advice of the Council's Tree Officer.
- 6.6.2 The application is supported by an Arboricultural Survey and Impact Assessment together with an associated Tree Protection Plan prepared by Arthian Ltd. The submitted information identifies the existing tree resource on and adjacent to the

site and considers the likely implications of the proposed development. The Council's Tree Officer has reviewed the submitted information and raises no objection to the application on arboricultural grounds.

6.6.3 Given that the application is in outline form, the final layout of the development has not yet been fixed and the detailed relationship between proposed development, retained trees and future planting will be considered at Reserved Matters stage. The Tree Officer has advised that any planning permission should be subject to conditions requiring:

- the submission of a detailed Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan based on the final site layout, prepared in accordance with BS5837:2012; and
- the submission of a comprehensive landscaping scheme, including appropriate tree and hedgerow planting, prepared in accordance with BS8545:2014, together with details of planting specifications, protection, maintenance and replacement.

These requirements reflect the outline nature of the application, where the final layout, landscaping and relationship between development and retained trees have not yet been determined.

6.6.4 The concerns raised by objectors regarding the retention of trees and hedgerows are acknowledged. However, having regard to the submitted arboricultural information and the advice of the Council's Tree Officer, there is no evidence before the Local Planning Authority that the proposal would result in unacceptable arboricultural impacts. Subject to the recommended conditions securing tree protection measures, detailed arboricultural assessment and landscape planting, the proposal is considered acceptable in tree and arboricultural terms.

6.7 **Heritage and archaeology**

6.7.1 A number of representations raise concerns regarding the effect of the proposal on the historic character of Clive and its rural setting. These matters have been considered together with the submitted Heritage Impact Assessment and the advice of the Council's Archaeology Officer. Whilst the concerns raised by objectors are acknowledged, these primarily relate to the perceived effect of the development on village character and landscape setting and are considered separately within the Landscape and Visual Impact section of this report.

6.7.2 The application is supported by a Heritage Impact Assessment (HIA) prepared by Berrys which considers both the archaeological potential of the site and the potential impact of the proposal on designated heritage assets within the surrounding area. The assessment identifies a number of listed buildings within the wider study area, including the Grade II* listed Church of All Saints. Whilst some intervisibility exists between the site and the church, the assessment concludes that the proposed development would be experienced in the context of

the existing settlement edge of Clive and would not result in harm to the significance or setting of the church or any other designated heritage asset. No designated heritage assets would be directly affected by the proposal. Officers have reviewed the HIA and agree with its conclusion that the proposal would not result in harm to the significance or setting of any designated heritage asset.

6.7.3 As regards archaeology, the Council's Archaeologist has provided comments on the application following earlier pre-application advice. The site lies between Clive and Yorton, the latter being a settlement of early medieval origin recorded in the Domesday Survey. Whilst no designated or non-designated heritage assets are recorded within the application site itself on the Historic Environment Record, there is evidence of historic mining and extraction activity within the wider area, including the former Clive Copper Mine, together with records of earlier archaeological finds.

6.7.4 The submitted HIA concludes that the archaeological potential of the site is low to very low. Although the assessment was not informed by intrusive archaeological evaluation despite earlier pre-application advice, the Archaeology Officer is satisfied that the submitted information is sufficient for the purposes of determining the application at outline stage and has confirmed that any remaining uncertainty regarding archaeological interests can be appropriately addressed through a phased programme of archaeological investigation secured by condition.

6.7.5 The Archaeology Officer raises no objection to the proposal but recommends that any planning permission should be subject to a condition requiring a phased programme of archaeological investigation. This would comprise an initial geophysical survey and targeted trial trenching, with any further mitigation undertaken where necessary, to ensure that any archaeological remains are appropriately investigated, recorded and safeguarded in accordance with Policy MD13 of the SAMDev Plan and the National Planning Policy Framework.

6.7.6 Having regard to the submitted HIA, the advice of the Council's Archaeology Officer and the absence of any identified harm to the significance or setting of designated heritage assets, the proposal is not considered to give rise to unacceptable heritage or archaeological impacts. Subject to the recommended archaeological condition, the development is considered acceptable in heritage and archaeological terms.

6.8 Residential amenity (outline considerations)

6.8.1 A number of representations raise concerns regarding the effect of the proposed development on neighbouring living conditions. These concerns include perceived overlooking, loss of privacy, noise and disturbance, the relationship between proposed and existing dwellings, impacts arising from the elevated position of parts of the site, and disturbance associated with the construction

phase. These matters have been considered together with the submitted outline proposals and the advice of the Council's Environmental Protection Officer.

- 6.8.2 The application seeks outline planning permission with only access submitted for approval. Matters relating to layout, scale, appearance and landscaping remain reserved for future consideration. The precise position, orientation, design and scale of individual dwellings has therefore not yet been determined. As a consequence, a detailed assessment of matters such as separation distances, overlooking relationships, garden sizes, levels, outlook and residential amenity can only be undertaken at Reserved Matters stage.
- 6.8.3 Given that layout, scale, appearance and landscaping are reserved matters, matters such as separation distances, overlooking, outlook, levels, privacy and garden provision will require careful consideration as part of any future Reserved Matters application. The Local Planning Authority would need to be satisfied at that stage that the detailed design secures an acceptable standard of amenity for both existing and future occupiers.
- 6.8.4 Shropshire Council Regulatory Services were consulted on the application and raise no objection in principle to the proposed development on residential amenity grounds. However, the Environmental Protection Officer recommends that construction-related impacts, including noise, dust and general disturbance, should be appropriately controlled through the submission and implementation of a Construction Environmental Management Plan (CEMP).
- 6.8.5 Whilst the concerns raised by neighbouring residents are acknowledged, the precise position, scale and relationship of any future dwellings have not been established at this stage. Subject to the future approval of an acceptable Reserved Matters scheme and the implementation of appropriate construction controls, there is no evidence before the Local Planning Authority that the site could not be developed in a manner that protects the living conditions of existing and future occupiers. The proposal is therefore considered acceptable in residential amenity terms at this stage.

6.9 Infrastructure and developer contributions

- 6.9.1 A substantial number of representations raise concerns regarding the capacity of local infrastructure to accommodate the proposed development. Particular concerns relate to healthcare provision, school capacity, water supply infrastructure, sewerage infrastructure and the cumulative impact of residential growth within Clive. These matters have been considered together with the consultation responses received from relevant consultees.
- 6.9.2 The proposal gives rise to a number of planning obligations and infrastructure requirements which are necessary to make the development acceptable in planning terms. These obligations are considered capable of satisfying the tests

set out within Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended), being necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development.

Affordable housing

- 6.9.3 The Council's Affordable Housing Team advises that the proposal should provide affordable housing in accordance with Policy CS11 of the Core Strategy and the adopted Type and Affordability of Housing SPD. The prevailing affordable housing requirement for this part of the County is 10%, with the precise tenure mix, dwelling types and distribution to be secured through a Section 106 Agreement and agreed as part of any subsequent Reserved Matters application.

Biodiversity Net Gain and Habitats Regulations mitigation

- 6.9.4 The Council's Ecology Officer advises that a Section 106 Agreement is required to secure the delivery, monitoring and management of Biodiversity Net Gain for a minimum period of 30 years together with the associated monitoring contribution. The agreement will also secure the financial contribution required to mitigate recreational impacts on Cole Mere Ramsar Site identified through the Habitats Regulations Assessment process.

Public open space, green infrastructure and sustainable drainage

- 6.9.5 The proposal will incorporate public open space, landscaping, green infrastructure and sustainable drainage features intended to serve future residents. Both the Green Infrastructure Officer and Ecology Officer identify the need for appropriate long-term management and maintenance arrangements. Where such infrastructure is not proposed for adoption by a statutory authority, appropriate arrangements will be required to secure its future provision, management and maintenance. The Section 106 Agreement will therefore secure the management and maintenance of public open space, children's play provision, structural landscaping, green infrastructure and sustainable drainage infrastructure together with any necessary management company arrangements.

Healthcare

- 6.9.6 A number of representations state that Clive Medical Practice is operating at or close to capacity and that further development would place additional pressure on healthcare services. These concerns are acknowledged.
- 6.9.7 The Integrated Care Board has assessed the likely impact of the development and requested a financial contribution towards healthcare infrastructure.
- 6.9.8 However, Shropshire Council is a Community Infrastructure Levy (CIL) charging authority and healthcare infrastructure is capable of being funded through the Council's CIL programme. In this regard, healthcare infrastructure requirements can be considered alongside other strategic infrastructure priorities when determining future CIL expenditure. The requested healthcare contribution is therefore not proposed to be secured through the Section 106 Agreement, as

healthcare infrastructure is capable of being funded through the Council's CIL programme.

Education

6.9.9 Concerns have also been raised regarding the ability of local schools to accommodate additional pupils arising from the development.

6.9.10 Shropshire Council Learning and Skills advises that additional school place capacity may be required at both primary and secondary level and confirms that education infrastructure requirements arising from the development should be addressed through the CIL process rather than by site-specific planning obligation. CIL receipts generated by the development will therefore contribute towards strategic infrastructure provision, including education and other infrastructure priorities identified by the Council.

Utility infrastructure

6.9.11 Concerns regarding water supply, foul drainage and sewerage infrastructure have been carefully considered elsewhere within this report. Whilst these matters feature prominently within public representations, the information before the Local Planning Authority does not demonstrate that the development could not be served by the existing utility networks or that any necessary infrastructure improvements could not be delivered through the relevant statutory regimes. Utility infrastructure provision remains subject to the separate statutory responsibilities of the relevant undertakers.

Conclusion

6.9.12 Having regard to the consultation responses received and the planning obligations proposed, the infrastructure impacts arising from the development are considered capable of being appropriately addressed.

Subject to the completion of a Section 106 Agreement securing:

- 6.9.13
- 10% affordable housing;
 - Biodiversity Net Gain, including habitat management, monitoring and maintenance for a minimum period of 30 years;
 - a financial contribution, currently calculated at £50 per bedroom, towards recreational mitigation measures at Cole Mere Ramsar Site;
 - the provision and long-term management and maintenance of public open space, children's play provision, structural landscaping, green infrastructure and sustainable drainage infrastructure; and
 - appropriate management company arrangements where such infrastructure is not proposed for adoption by a statutory authority.
- together with payment of any applicable Community Infrastructure Levy, the impacts of the development are considered capable of appropriate mitigation.

The proposal is therefore considered acceptable in infrastructure and developer contribution terms.

6.9.14

7.0 Conclusion and overall planning balance

- 7.1 The application seeks outline planning permission for residential development of up to 25 dwellings on land south of Station Road, Clive, with all matters reserved except for access.
- 7.2 The site lies outside any defined settlement boundary and is therefore treated as countryside for the purposes of the adopted development plan. The proposal conflicts with the spatial strategy set out within the adopted development plan, particularly Policies CS5 and MD7a, which seek to strictly control new open market residential development in the countryside. This conflict forms a central component of the objections raised by the Parish Council, local Ward Member and local residents and weighs against the proposal.
- 7.3 However, planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, significant material considerations arise from the current national planning policy context. The Council is currently unable to demonstrate a five-year supply of deliverable housing land and has identified a housing land supply of 4.61 years. Consequently, the decision-making policies of the National Planning Policy Framework relating to housing delivery are directly engaged and the presumption in favour of sustainable development applies. Policies S5 and HO7 of the August 2026 NPPF place significant emphasis on meeting housing needs and require substantial weight to be afforded to the delivery of new homes, including affordable housing.
- 7.4 The proposal would deliver up to 25 dwellings, including policy-compliant affordable housing provision, at a time when the Council cannot demonstrate a five-year supply of deliverable housing land. In accordance with Policies S5 and HO7 of the National Planning Policy Framework, this attracts significant weight in favour of the proposal. The proposal would also provide temporary economic benefits during the construction phase.
- 7.5 The site directly adjoins and is physically related to the existing built form of Clive and is not considered to represent an isolated location. Clive contains a number of community facilities including a primary school, medical practice, village hall and church, together with access to bus services and rail services at nearby Yorton. Whilst opportunities for travel by means other than the private car exist, it is recognised that the settlement is rural in nature and that such opportunities are more limited than would typically be the case in larger towns and urban areas. The facilities available locally, the role and function of the settlement and the degree of reliance upon private car travel have been taken into account as part of the overall planning balance.
- 7.6 The concerns raised by local residents, Clive Matters, the Parish Council and the local Ward Member have been carefully considered throughout the assessment

of the application. The proposal has been assessed in detail against all material planning considerations. The Local Highway Authority and Lead Local Flood Authority initially raised concerns but subsequently withdrew their objections following the submission of additional information and revised technical assessments. Similarly, no objections are maintained by the Council's Ecology Officer, Green Infrastructure Officer, Tree Officer, Archaeology Officer or Environmental Protection Officer, subject to the recommended planning conditions, planning obligations and, where appropriate, further consideration through the Reserved Matters process. Concerns relating to healthcare capacity, education provision and other local infrastructure requirements have also been considered and are capable of being addressed through the Community Infrastructure Levy framework, planning obligations where appropriate and the wider statutory responsibilities of infrastructure providers. The information before the Local Planning Authority does not demonstrate that the proposal would result in unacceptable impacts in relation to highway safety, flood risk, foul drainage, water supply, biodiversity, heritage assets, arboriculture, residential amenity or infrastructure provision.

- 7.7 The proposal would nevertheless give rise to a number of adverse impacts. Most notably, it conflicts with the adopted settlement strategy and would result in the loss of approximately 1.99 hectares of agricultural land together with some localised landscape and visual harm arising from the extension of development onto a currently undeveloped site. These matters attract weight against the proposal.
- 7.8 However, the agricultural land affected is not identified as Best and Most Versatile agricultural land and the proposal is therefore not considered to conflict with the specific provisions of Policy N2 of the National Planning Policy Framework relating to the protection of BMV land. The landscape and visual impacts, whilst adverse, are assessed as localised and capable of mitigation through detailed design, structural planting and green infrastructure measures secured through planning conditions and the Reserved Matters process.
- 7.9 Officers acknowledge the genuine concerns raised by local residents regarding the scale of development, its countryside location and its effects on the character of the area. Those concerns have informed the assessment and are reflected in the weight attributed to the conflict with the adopted development plan and the identified landscape harm. However, for the reasons set out above, the adverse effects of the proposal are not considered to substantially outweigh its benefits.
- 7.10 When assessed against the development plan and the national decision-making policies of the National Planning Policy Framework as a whole, officers consider that the benefits of the proposal would not be substantially outweighed by its adverse effects. Taking account of the Council's current housing land supply position, the support provided by Policies S5 and HO7 of the National Planning Policy Framework, the delivery of market and affordable housing, and the detailed assessment of all other material considerations, the proposal is

considered acceptable, subject to the mitigation measures, planning obligations and planning conditions identified within this report.

7.11 Accordingly, subject to the completion of a Section 106 Agreement and the imposition of appropriate planning conditions, the application is recommended for approval.

7.12 In considering the application due regard has been given to the relevant planning policies of the Shropshire Core Strategy, the SAMDev Plan and the National Planning Policy Framework (August 2026) and the Type and Affordability of Housing SPD and the Design of New Dwellings SPD. The Local Planning Authority has also had special regard to the desirability of preserving the setting of listed buildings in accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. For the reasons set out within Section 6.7 of this report, it is concluded that the proposal would not result in harm to the significance or setting of any listed building.

8.0 Artificial Intelligence (AI)

AI can be used to support our work and to create content by bringing together or summarising responses to consultation. The report writer remains responsible for ensuring that the content of the report is factually accurate and that the use of AI is responsible and lawful. All original documents remain unaltered on the planning register should you wish to view them in full.

9.0 Risk Assessment and Opportunities Appraisal

9.1 Risk Management

There are two principal risks associated with this recommendation as follows:

- As with any planning decision the applicant has a right of appeal if they disagree with the decision and/or the imposition of conditions. Costs can be awarded irrespective of the mechanism for hearing the appeal, i.e. written representations, hearing or inquiry.
- The decision may be challenged by way of a Judicial Review by a third party. The courts become involved when there is a misinterpretation or misapplication of policy or some breach of the rules of procedure or the principles of natural justice. However their role is to review the way the authorities reach decisions, rather than to make a decision on the planning issues themselves, although they will interfere where the decision is so unreasonable as to be irrational or perverse. Therefore they are concerned with the legality of the decision, not its planning merits. A challenge by way of Judicial Review must be made a) promptly and b) in any event not later than six weeks after the grounds to make the claim first arose.

Both of these risks need to be balanced against the risk of not proceeding to determine the application. In this scenario there is also a right of appeal against

non-determination for application for which costs can also be awarded.

9.2 Human Rights

Article 8 gives the right to respect for private and family life and First Protocol Article 1 allows for the peaceful enjoyment of possessions. These have to be balanced against the rights and freedoms of others and the orderly development of the County in the interests of the Community.

First Protocol Article 1 requires that the desires of landowners must be balanced against the impact on residents.

This legislation has been taken into account in arriving at the above recommendation.

9.3 Equalities

The concern of planning law is to regulate the use of land in the interests of the public at large, rather than those of any particular group. Equality will be one of a number of 'relevant considerations' that need to be weighed in Planning Committee members' minds under section 70(2) of the Town and Country Planning Act 1990.

10.0 Financial Implications

There are likely financial implications if the decision and / or imposition of conditions is challenged by a planning appeal or judicial review. The costs of defending any decision will be met by the authority and will vary dependent on the scale and nature of the proposal. Local financial considerations are capable of being taken into account when determining this planning application – insofar as they are material to the application. The weight given to this issue is a matter for the decision maker.

HABITATS REGULATIONS ASSESSMENT (HRA)

1.0 INTRODUCTION

As required by Regulation 63 of the Conservation of Habitats & Species Regulations 2017 (as amended), before Shropshire Council (the competent authority) can grant planning permission for a project that has the potential to affect an internationally designated site, the council has to undertake a Habitat Regulations Assessment.

Proposed Residential Development Land To The South Of Station Road Clive

This is a record of the Habitat Regulations Assessment (HRA) (including Screening for Likely Significant Effects and Appropriate Assessment where required) carried out by Shropshire Council relating to the following planning application.

NAME OF PLAN OR PROJECT AND DESCRIPTION:	25/03814/OUT Residential Development Land To The South Of, Station Road, Clive, Shrewsbury, Shropshire. Outline Planning Application (with access for approval) for a residential development of up to 25 dwellings
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2.0 HRA STAGE 1 – SCREENING

This stage of the process aims to identify the likely impacts of a project upon an international site, either alone or in combination with other plans and projects, and to consider if the impacts are likely to be significant. Following recent case law (People Over Wind v Coillte Teoranta C-323/17), any proposed mitigation measures which are not an integral part of the project but which are put in place to avoid or reduce adverse impacts are not taken into account in Stage 1. If such measures are required, then they will be considered in stage 2, Appropriate Assessment.

NAME AND DESCRIPTION OF SITE(S) SITE SCREENED IN FOR CONSIDERATION:	Cole Mere is part of the Midland Meres and Mosses Phase 2 Ramsar site. As a whole, the Ramsar is designated for the following: Criterion 1a. A particularly good example of a natural or near natural wetland, characteristic of this biogeographical region, The site comprises the full range of habitats from open water to raised bog. Criterion 2a. Supports a number of rare plants associated with wetlands, including the nationally scarce cowbane <i>Cicuta virosa</i>, elongated sedge <i>Carex elongate</i> and bog rosemary <i>Andromeda polifolia</i>. Also present are the nationally scarce bryophytes <i>Dicranum undulatum</i>, <i>Dicranum affine</i> and <i>Sphagnum pulchrum</i>. Criterion 2a. Containing an assemblage of invertebrates, including several rare wetland species. There are 16 species of Red Data Book insect listed for the site including the following endangered species: the moth <i>Glyphipteryx lathamella</i>, the caddisfly <i>Hagenella clathrata</i> and the sawfly <i>Trichiosoma vitellinae</i>. Cole Mere exhibits open water, swamp, wet pasture and
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	carr habitats.
POTENTIAL EFFECT PATHWAYS:	Recreational pressure
IS THE PROJECT DIRECTLY CONNECTED WITH OR NECESSARY TO THE MANAGEMENT OF THE SITE (PROVIDE DETAILS)?	No
ARE THERE ANY OTHER PROJECTS OR PLANS THAT TOGETHER WITH THE PROJECT BEING ASSESSED COULD AFFECT THE SITE (PROVIDE DETAILS)?	Yes. The SAMDev Plan and Local Plan Review both identify site allocations which lie within the Zone of Influence of Cole Mere (estimated to be 11.7km from the site derived from on-site visitor surveys). These allocations and any windfall sites would act in combination with the proposed project.

2.1 ARE SIGNIFICANT EFFECTS LIKELY?

The proposed development consists of 25 dwellings approximately 11.3km from Cole Mere, therefore within the 11.7km catchment where additional housing is likely to give rise to significant adverse effects upon the structure, function and integrity of the site, through increased recreation.

Cole Mere is owned by Shropshire Council, is a Countryside Heritage Site, Common Land and has been declared Open Access Land. Hence there is full public access to the site.

The Shropshire Council Cole Mere Management Plan 2020 - 25 states that the site is popular for dog walking and bird watching, especially with the link to the Shropshire Union Canal and Ellesmere. The amenity grass area is well used for picnicking and informal games. Formal recreation includes sailing and angling.

The site is sensitive to increased visitor pressure through a number of means:

- direct disturbance (swimming of dogs, trampling by people);
- eutrophication of surrounding habitats, particularly species-rich meadows, by increased dog fouling;
- increased risk of non-native and/or invasive plant introductions; and
- visitors preventing appropriate management of the site designed to restore the designated features (e.g. grazing).

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 majority of visitors complete the circular walk around the lake. Dog walking was the most commonly cited reason for visiting (47.1%), although walking and exercise were also popular. The majority of dog walkers said their dog(s) were let off the lead (86.2%), and almost half of dog owners said their dog(s) entered the water (48.3%).

The study proposes 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 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 site and impact avoidance measures are required.

2.2 SCREENING CONCLUSION

Following Stage 1 screening, Shropshire Council has concluded that the proposed development is likely to have a significant effect on the Midland Meres and Mosses Phase 2 Ramsar (constituent site Cole Mere). An Appropriate Assessment is therefore required.

3.0 HRA STAGE 2 – APPROPRIATE ASSESSMENT

3.1 PREDICTED IMPACTS

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.

The site has a relatively high visitation rate and dog walking and walking are popular, leading to impacts as follows:

- Increased nutrients derived from dog faeces and urine damaging nutrient poor habitats;
- Increased physical damage to habitats through walkers and dogs;
- Increased risk of introducing invasive species, via footwear, equipment and dogs; and
- Interference with habitat management.

The average household size in the UK was 2.36 residents per household in 2023¹.

It can be assumed that of the 25 households proposed, around 36% of those are likely to own a dog² with an average of 1.3 dogs per dog owning household, which equates to an additional 12 dogs and 59 additional people in the visitor catchment of Cole Mere.

¹ ONS website:

<https://www.ons.gov.uk/peoplepopulationandcommunity/birthsdeathsandmarriages/families/bulletins/familiesandhouseholds/2023> (Accessed 11th April 2025.)

² Statista Website: <https://www.statista.com/statistics/308218/leading-ten-pets-ranked-by-household-ownership-in-the-united-kingdom-uk/> (Accessed 11th April 2025.)

3.2 COUNTERACTING (MITIGATION) MEASURES

In order to protect Cole Mere, Shropshire Council identified a suite of visitor improvement measures that could be implemented at the site to mitigate recreational impacts, which the proposed development could contribute to. The measures include improved visitor signage, visitor infrastructure maintenance, car park improvements, visitor monitoring etc.

A contribution of £4800 (£50/bedroom) will be made to Shropshire Council to implement ongoing visitor management mitigation measures which will be secured in a section 106 agreement.

3.3 ASSESSMENT OF ADVERSE EFFECTS ALONE

There will be no adverse effect on site integrity, alone.

3.4 ASSESSMENT OF ADVERSE EFFECTS IN COMBINATION

There will be no adverse effect on site integrity in-combination with any other proposals, as residual effects will be absent.

3.5 SECURING OF MITIGATION MEASURES

A section 106 agreement is proposed to secure the contribution to the visitor management measures.

4.0 FINAL CONCLUSION

Following Stage 1 screening, Shropshire Council concluded that the proposed development is likely to cause significant effects on the Midlands Meres and Mosses Phase 2 Ramsar (constituent site Cole Mere) through the pathways detailed in this HRA.

The Appropriate Assessment concludes that, with the imposition of mitigation measures as detailed in this HRA, the proposed works under planning application reference 25/03814/OUT will not adversely affect the integrity of the Midlands Meres and Mosses Phase 2 Ramsar (constituent site Cole Mere). A planning decision can be made on this basis.

DATE OF COMPLETION FOR THE HRA SCREENING MATRIX:

27/03/2026

HRA COMPLETED BY:

Sophie Milburn
Planning Ecologist

APPENDIX 1

Guidance on completing the HRA Screening Matrix

The Habitats Regulations Assessment process

Essentially, there are two 'tests' incorporated into the procedures of Regulation 63 of the Conservation of Habitats and Species Regulations 2017, one known as the 'significance test' and the other known as the 'integrity test'. If, taking into account scientific data, we conclude there will be no likely significant effect on the European Site from the development, the 'integrity test' need not be considered. However, if significant effects cannot be counted out, then the Integrity Test must be researched. A competent authority (such as a Local Planning Authority) may legally grant a permission only if both tests can be passed.

The first test (the significance test) is addressed by Regulation 63, part 1:

63. (1) A competent authority, before deciding to undertake, or give any consent, permission or other authorisation for a plan or project which –

(a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and

(b) is not directly connected with or necessary to the management of that site, must make an appropriate assessment of the implications for that site in view of that site's conservation objectives.

The second test (the integrity test) is addressed by Regulation 63, part 5:

63. (5) In light of the conclusions of the assessment, and subject to regulation 64 (consideration of overriding public interest), the competent authority may agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the European site or the European offshore marine site (as the case may be).

In this context 'likely' means "if it cannot be excluded, on the basis of objective information, that it will have a significant effect on the site", or "it may happen", not merely that it is a fanciful possibility. 'Significant' means not trivial or inconsequential but an effect that is noteworthy – *Natural England guidance on The Habitat Regulation Assessment of Local Development Documents (Revised Draft 2009)*.

63. (6) In considering whether a project will adversely affect the integrity of the site, the authority must have regard to the manner in which it is proposed to be carried out or to any conditions or restrictions subject to which they propose that the consent, permission or other authorisation should be given.

Habitats Regulations Assessment Outcomes

A Local Planning Authority can only legally grant planning permission if it is established that the proposed plan or project will not adversely affect the integrity of the European Site.

If it is not possible to establish this beyond reasonable scientific doubt then planning permission cannot legally be granted unless it is satisfied that, there being no alternative solutions, the project must be carried out for imperative reasons of over-riding public interest, and the Secretary of State has been notified in accordance with section 64 of the Conservation of Habitats and Species Regulations 2017. The latter measure is only to be used in extreme cases and with full justification and compensation measures, which must be reported to the European Commission.

Duty of the Local Planning Authority

It is the duty of the planning case officer, the committee considering the application and the Local Planning Authority as a whole to fully engage with the Habitats Regulations Assessment process, to have regard to the response of Natural England and to determine, beyond reasonable scientific doubt, the outcome of the 'significance' test and the 'integrity' test before making a planning decision.

10. Background

Relevant Planning Policies

Core Strategy and SAMDev Plan Policies:

- CS1 - Strategic Approach
- CS5 - Countryside and Greenbelt
- CS6 - Sustainable Design and Development Principles
- CS7 - Communications and Transport
- CS8 - Facilities, Services and Infrastructure Provision
- CS9 - Infrastructure Contributions
- CS11 - Type and Affordability of housing
- CS18 - Sustainable Water Management
- MD1 - Scale and Distribution of Development

MD2 - Sustainable Design
MD3 - Managing Housing Development
MD7A - Managing Housing Development in the Countryside
MD12 - Natural Environment
MD13 - Historic Environment
Settlement: S17 - Wem
SPD Type and Affordability of Housing
SPD Design of New Dwellings

National Planning Policy Framework

RELEVANT PLANNING HISTORY:

SS/26/00065 SSPPA00001 - Site 16 SSA 7th April 2025

PREAPM/25/00083 Proposed residential development of up to 25 dwellings PREAMD 13th May 2025

11. Additional Information

View details online: <http://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=T3XGUYTDLC300>

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)
Cabinet Member (Portfolio Holder) - Councillor David Walker
Local Member Cllr Alison Williams
Appendices APPENDIX 1 - Conditions

APPENDIX 1

Conditions

STANDARD CONDITION(S)

1. Approval of the details of the appearance of the development, layout, scale, and the landscaping of the site (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: The application is an outline application under the provisions of Article 5 of the Development Management Procedure (England) Order 2015 and no particulars have been submitted with respect to the matters reserved in this permission.

2. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

Reason: This condition is required to be imposed by Section 92 of the Town and Country Planning Act, 1990.

3. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: This condition is required to be imposed by Section 92 of the Town and Country Planning Act, 1990.

4. Construction works, site clearance, deliveries and the operation of plant and machinery shall not take place outside 07:30 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays and at no time on Sundays or Bank Holidays.

Reason: To protect the amenities of occupiers of nearby properties from noise and disturbance.

5. The plans and particulars submitted in support of a reserved matters application shall include a landscaping scheme, incorporating suitable tree and hedge planting as appropriate, prepared in accordance with British Standard 8545: 2014 Trees: from Nursery to Independence in the Landscape ' Recommendations, or its current version, to the written satisfaction of the LPA. The approved scheme shall include:

a) details of the trees and shrubs to be planted in association with the development, including species, locations or density and planting pattern, type of planting stock, size at planting,

means of protection and support, planting period and date of completion, and measures for post-planting maintenance and replacement of losses;

b) details as relevant of the specification and location of the barriers to be installed prior to commencement of development (and / or any other measures to be taken), for the protection of ground reserved for the planting identified in a) above.

The development shall subsequently be undertaken in accordance with the approved landscaping scheme.

Reason: to ensure satisfactory tree and shrub planting as appropriate to enhance the appearance of the development and its integration into the surrounding area.

6. The first Reserved Matters application relating to layout and landscaping shall include details of a pedestrian connection from the development to Public Right of Way 0206/12/1 across land within the applicant's control. The details shall include the alignment of the route, surfacing, accessibility arrangements, relationship to the proposed public open space and Green Infrastructure corridors, and arrangements for its future maintenance and management.

The development shall thereafter be carried out in accordance with the approved details.

Reason: To secure appropriate Green Infrastructure connectivity, recreational accessibility and integration with the wider Public Rights of Way network in accordance with adopted development plan policies CS17 and MD2.

7. The first Reserved Matters application shall include:

a) details of existing and proposed site levels across the development;

b) existing and proposed finished floor levels of all buildings;

c) site cross-sections through the development demonstrating the relationship between the proposed development, surrounding land levels, adjacent residential properties and the adjoining highway; and

d) details of any proposed earthworks, retaining structures or changes to ground levels.

Development shall thereafter be carried out in accordance with the approved details.

Reason: To enable the Local Planning Authority to properly assess the effect of the development on visual amenity, landscape character, neighbouring residential amenity and the wider character of the area, having regard to the sloping nature of the site.

CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

8. (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.

(b) The approved programme of archaeological work set out in the written scheme of investigation shall be implemented in full and a report detailing the results of the archaeological work provided to the local planning authority prior to first use or occupancy of the development.

Reason: The site is known to hold archaeological interest.

9. Prior to or in conjunction with the submission of each reserved matters application, in accordance with the submitted Flood Risk Assessment Addendum / Technical Note (Berrys, May 2026) and Outline Drainage Strategy Concept Sheets 1 of 2 and 2 of 2 (Drawing Nos. SA54111-BRY-ST-PL-C-0001 Rev B and SA54111-BRY-ST-PL-C-0002 Rev A), detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and agreed with the Local Planning Authority. The approved scheme shall be constructed and implemented prior to the first occupation of the development. The scheme shall address the following matters:

- Greenfield runoff rates for the site shall be agreed with the Lead Local Flood Authority. The post development runoff rates will be attenuated to the equivalent Greenfield rate for all rainfall events up to and including the 1% Annual Exceedance Probability (AEP).
- Provision of interception for the first 5mm of rainfall for the majority of rainfall events.
- Provision of multiple surface water attenuation storage features, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 3.33% AEP and 1% AEP rainfall events (both including allowances for climate change).
- A continuous positive gravity fall throughout the proposed drainage network and outfall route.
- Detailed designs, modelling calculations and drawings of the drainage storage and conveyance network in the:
 - I. 3.33% AEP critical rainfall event plus climate change to show no flooding outside the drainage features on any part of the site.
 - II. 1% AEP critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any flooding outside the drainage features, ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development. It will also show that no runoff during this event will leave the site uncontrolled.
- Urban Creep of 10% shall be added to impermeable areas of residential properties.

- Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C753, 2015 or any update), including appropriate biodiversity, amenity and treatment stages for water quality prior to discharge.
- Drawings showing exceedance flow routing and the management of exceedance flows during rainfall events in excess of the 1% AEP event plus climate change allowance, ensuring risks to people and property are minimised.
- Finished ground floor levels of residential properties are a minimum of 300mm above expected flood levels of all sources of flooding (including the ordinary watercourses, SuDS features and within any proposed drainage scheme) or 150mm above ground level, whichever is the more precautionary.

Reason: To prevent flooding in accordance with the National Planning Policy Framework and the National SuDS Standards by ensuring the satisfactory management of local sources of flooding, surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development.

10. No development shall take place until a scheme of foul 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: To ensure the satisfactory provision of foul drainage infrastructure.

11. Prior to the commencement of development hereby permitted full engineering details of the proposed site access junction and associated footway works shall be submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved details before the occupation of the 1st dwelling.

Reason: To ensure a satisfactory means of access to the highway.

12. No development shall take place on that phase until a construction management plan incorporating a method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be based on the approved outline construction management plan submitted in support of the application and shall provide for:

- I. A construction programme including phasing of works;
- II. A 24-hour emergency contact number;
- III. expected number and type of vehicles accessing the site:
 - Deliveries, waste, cranes, equipment, plant, works, visitors;
 - Size of construction vehicles;
 - The use of a consolidation operation or scheme for the delivery of materials and goods;

- Phasing of works;
- IV. Means by which a reduction in the number of movements and parking on nearby streets can be achieved (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction):
 - Programming;
 - Waste management;
 - Construction methodology;
 - Shared deliveries;
 - Car sharing;
 - Travel planning;
 - Local workforce;
 - Parking facilities for staff and visitors;
 - On-site facilities;
 - A scheme to encourage the use of public transport and cycling
- V. Routes for construction traffic, avoiding weight and size restrictions to reduce unsuitable traffic on residential roads;
- VI. Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site;
- VII. Locations for storage of plant/waste/construction materials;
- VIII. Arrangements for the turning of vehicles, to be within the site unless completely unavoidable;
- IX. Arrangements to receive abnormal loads or unusually large vehicles;
- X. Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available;
- XI. Any necessary temporary traffic management measures;
- XII. Measures to protect vulnerable road users (cyclists and pedestrians);
- XIII. Arrangements for temporary facilities for any bus stops or routes;
- XIV. Method of preventing mud being carried onto the highway;
- XV. Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

The plan shall be adhered to throughout the construction period.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the site clearance and construction phase of the development.

13. Within six weeks prior to the commencement of development, a badger inspection shall be undertaken by an appropriately qualified and experienced ecologist and the outcome reported in writing to the Local Planning Authority. If new evidence, or a change in status, of badgers is recorded during the pre-commencement survey then the ecologist shall submit a mitigation strategy for prior approval that sets out appropriate actions to be taken during the works. These measures will be implemented as approved.

Reason: To ensure the protection of badgers under the Protection of Badgers Act 1992.

14. No part of the development hereby approved shall commence until a tree survey, an Arboricultural Impact Assessment, an Arboricultural Method Statement and a Tree Protection Plan, based upon the final approved site layout and prepared in accordance with British Standard 5837: 2012 Trees in Relation to Design, Demolition and Construction ' Recommendations, or its current version, have been submitted to and approved in writing by the LPA. Thereafter the development shall be carried out strictly in accordance with the recommendations of these approved plans and reports.

Reason: to safeguard the amenities of the local area and to protect the natural features that contribute towards this and that are important to the appearance of the development.

15. No development or site clearance works shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include measures for the control of construction noise, vibration, dust and dirt, together with arrangements for investigating and responding to complaints arising from construction activities. The approved CEMP shall be implemented and adhered to throughout the construction period.

Reason: To safeguard the amenities of neighbouring occupiers during the construction phase in accordance with adopted development plan policies CS6 and MD2.

CONDITION(S) THAT REQUIRE APPROVAL DURING THE CONSTRUCTION/PRIOR TO THE OCCUPATION OF THE DEVELOPMENT

16. The construction of any new estate street shall not be commenced until full engineering, drainage, and constructional details of the streets proposed for adoption have been submitted to and approved in writing by the local planning authority. The development shall, thereafter, be constructed in accordance with the approved details, unless otherwise agreed in writing with the local planning authority.

Reason: - In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway.

17. Prior to first occupation / use of the buildings, the makes, models and locations of wildlife boxes shall be submitted to and approved in writing by the Local Planning Authority. The following boxes shall be erected on the site:

A minimum of 6 external woodcrete bat boxes or integrated bat bricks, suitable for nursery or summer roosting for small crevice dwelling bat species.

A minimum of 10 artificial nests, of either integrated brick design or external box design, suitable for a range of bird species, including starlings (42mm hole, starling specific), sparrows (32mm hole, terrace design), swifts (swift bricks) and house martins (house martin nesting cups).

A minimum of 6 invertebrate boxes or bricks.

A minimum of 2 hedgehog boxes.

The boxes shall be sited in suitable locations, at an appropriate height above the ground and with a clear flight path where relevant, and where they will be unaffected by artificial lighting. Bat boxes should be erected on southerly aspects (south-west, south or south-east) and bird boxes should be erected on northerly or shaded east/west aspects. Swift bricks should be positioned: 1) Out of direct sunlight; 2) At the highest possible position in the building's wall; 3) In clusters of at least three; 4) 50 to 100cm apart; 5) Not directly above windows; 6) With a clear flightpath to the entrance; and 7) North or east/west aspects preferred. (See <https://www.swift-conservation.org/Leaflet%204%20-%20Swift%20Nest%20Bricks%20-%20installation%20&%20suppliers-small.pdf>.) The boxes shall thereafter be maintained for the lifetime of the development.

Reason: To ensure the provision of roosting and nesting opportunities, in accordance with local development plan policies MD12 and CS17 and the National Planning Policy Framework.

18. Prior to the erection of any external lighting on the site, a lighting plan shall be submitted to and approved in writing by the Local Planning Authority. The lighting plan shall demonstrate that the proposed lighting will not impact upon ecological networks and/or sensitive features. The submitted scheme shall be designed to take into account the advice on lighting set out in the Bat Conservation Trust's Guidance Note GN08/23: Bats and Artificial Lighting At Night, GN01/21: The Reduction of Obtrusive Light and Guidance Note 9/19: Domestic exterior lighting: getting it right. The development shall be carried out strictly in accordance with the approved details and thereafter retained for the lifetime of the development.

Reason: To minimise disturbance to bats, which are European Protected Species.