

Shropshire Council

Natural Environment

Supplementary Planning Document

Consultation Draft

March 2016

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Natural Environment Supplementary Planning Document

Introduction

1. Scope of document

This Draft Supplementary Planning Document (SPD) has been prepared to support those policies in the Shropshire Local Plan which aim to protect, conserve and enhance the natural environment. These are CS6 and CS17 in the Core Strategy and MD12 in the Site Allocations and Management of Development (SAMDev) Plan. A separate Draft Historic Environment, linked primarily to Policy MD13, covers heritage assets.

This Draft SPD focusses on Policy MD12 which seeks to avoid harm to a series of natural assets:

- the special qualities of the Shropshire Hills AONB
- locally designated biodiversity and geological sites
- priority species
- priority habitats
- important woodlands, trees and hedges
- ecological networks
- geological assets
- visual amenity
- landscape character and local distinctiveness

Proposals which are likely to have a significant adverse effect on one or more of these assets will only be permitted if applicants can show that both: they can't avoid the harm to the asset(s); and the social and economic benefits of their proposal outweigh such harm. In such circumstances, Shropshire Council will then require firstly, mitigation measures and secondly, compensation measures, to offset the harm.

Whilst Local Plan policies protect those natural assets valued in a local context (including environmental networks in CS17) Shropshire supports many natural assets which are designated and protected by European Directives and Acts of Parliament. This legislation operates independently of the planning system but local authorities must have regard to its requirements in the exercise of their planning functions. This Draft SPD outlines the procedures to be followed for planning proposals which are likely to affect

- Special Areas of Conservation (SACs) and candidate SACs
- RAMSAR Sites
- Sites of Special Scientific Interest (SSSI)
- National Nature Reserves (NNRs)
- Shropshire Hills Area of Outstanding Natural Beauty (AONB)
- Ancient semi-natural woodland
- Veteran Trees
- Tree Preservation Orders
- Trees in Conservation Areas
- Hedgerow Retention Orders
- Internationally and nationally (known as legally) protected species

However, applicants should refer to the original legislation for definitive guidance.

Please note: nationally and internationally designated assets are only covered in Sections A1.1, A1.2 and A1.3 of this SPD. The remaining sections focus on those assets protected by the Local Plan. **All references to natural assets in the rest of the document should therefore be taken to mean those protected by the Local Plan unless indicated otherwise.**

2. Structure of document

The Natural Environment SPD is intended to be a web-based resource once it is finalised. Thus, although it is presented as one document for the purposes of this consultation, it has been written in individual numbered sections with the aim of enabling users to follow links to other parts of the document. Such links are shown in bold and coloured type in this version, but will be made live in the final publication.

With the web format in mind, the SPD has also been structured around 4 questions designed to take an applicant through the steps necessary to fulfil the requirements of Policy MD12 (see flow chart below). The questions form the main sections of the SPD (prefixed Q1, Q2 Q3, Q4) with the answers to each sections (prefixed by A1, A2, etc) following on (see also outline of structure).

3. Purpose of document

This document aims to provide applicants with guidance on the type of information Shropshire Council requires in order to assess compliance with Local Plan policies. The onus throughout is on the applicant to supply enough details about the effects of their proposal to enable a proper evaluation of its merits. However, whilst applicants should always provide sufficient detail to enable the Council to make an informed decision they should ensure that only that which is relevant, necessary and material to the assessment of the impact of the proposal on natural assets is included.

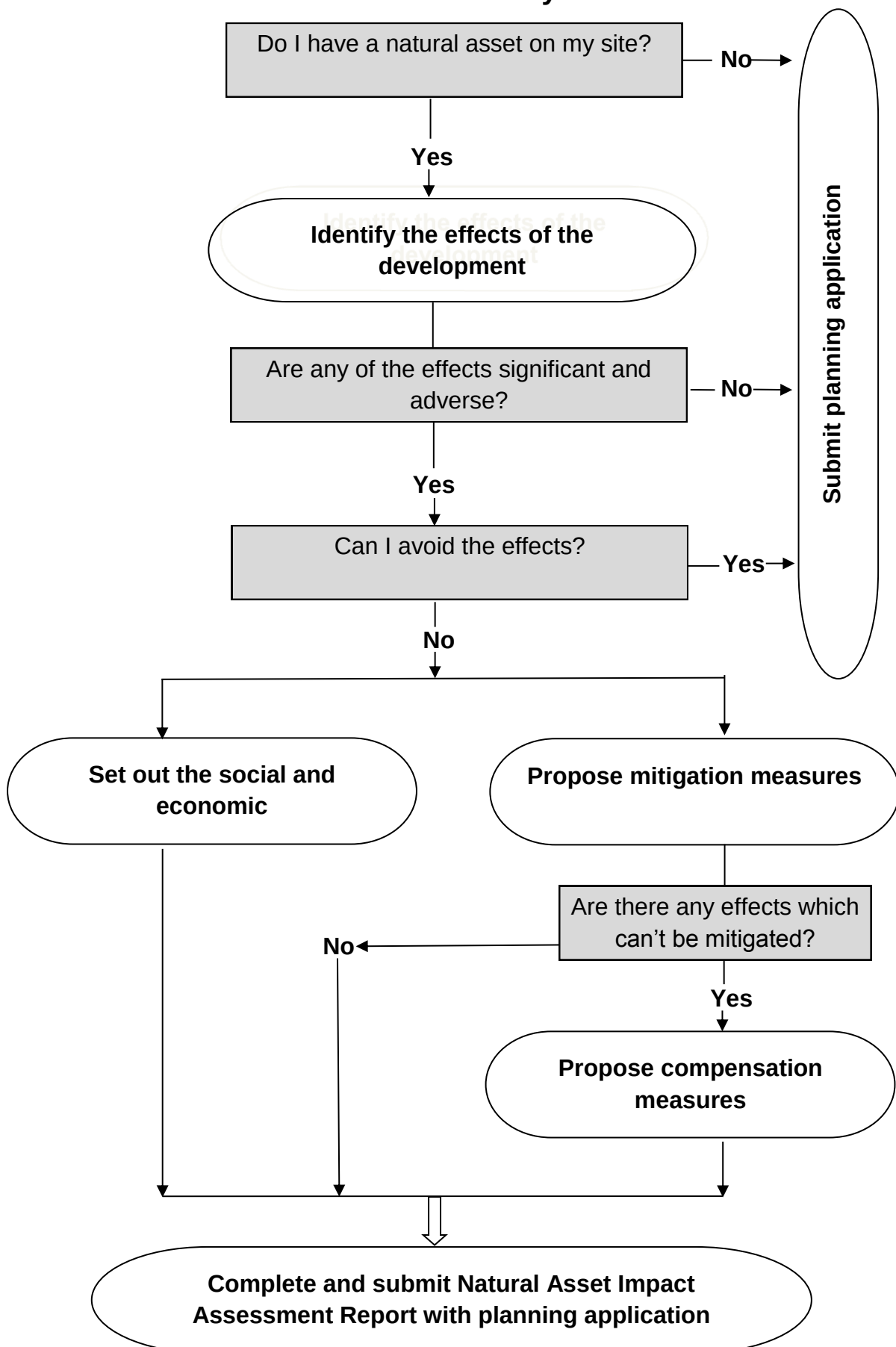
The basis for the assessment of the impact of a proposal on a natural asset is the Natural Asset Impact Assessment Report (NAIAR). A model format for this is given in [Appendix 1](#). A NAIAR should be submitted at the same time as the application for each proposal which is likely to affect those assets covered by Policies CS17 and MD12. Applicants are also encouraged to seek pre-application advice from the Council's Development Management Team as this may reduce the cost and time involved in submitting a planning application.

4. Consultation

The consultation period for this Draft Natural Environment SPD runs for 6 weeks from Friday 18th March 2016 to 5pm on Friday 29th April 2016. Consultation responses should be sent to: planning.policy@shropshire.gov.uk. Responses received after 5pm on 29th April will not be considered.

It would be most helpful if respondents could identify the Draft SPD that is being commented on in the subject heading and indicate which sections of the document their comments relate to by quoting the headings used in the Draft SPD itself i.e. section A1.2, part 3 or section Q3, part 1 etc.

Flow Chart for Policy MD12



Question 1. Do I have a natural asset on my site?

1.1 What is a natural asset?

Shropshire's natural assets are those features that contribute to the county's high quality natural environment. They include:

- sites and species of international (European importance)
- sites, species and areas of national (UK) importance
- features of value in a local (Shropshire) context.

Many natural assets are designated and protected by laws and regulations separate to the planning system and safeguarded from the adverse effects of development by the National Planning Policy Framework (NPPF) and Local Plan policies. All the types of natural assets found in Shropshire are listed in the following sections and [Appendix 2](#) shows which legislation, NPPF paragraph or Local Plan policy applies to each.

1.2 Which assets are protected by national or international legislation?

Shropshire supports many natural assets which are designated and protected by European Directives and Acts of Parliament. This legislation operates independently of the planning system but local authorities must have regard to its requirements in the exercise of their planning functions. Applicants may also need a licence from Natural England or the Environment Agency to carry out those activities prohibited by legislation even when planning permission has been granted.

The following categories of internationally and nationally protected assets are found in Shropshire:

a) Internationally protected sites

- Special Areas of Conservation (SACs) and candidate SACs
- RAMSAR Sites

[Section A1.1](#) provides guidance on taking internationally protected sites into account in the planning process. It sets out how to find out where they are in Shropshire and explains how the provisions of the Habitats Regulations are applied to planning applications

b) Nationally protected sites, areas and features

- Sites of Special Scientific Interest (SSSI)
- National Nature Reserves (NNRs)
- Shropshire Hills Area of Outstanding Natural Beauty (AONB)
- Ancient semi-natural woodland (protection derives from NPPF)
- Veteran Trees (protection derives from NPPF)
- Tree Preservation Orders
- Trees in Conservation Areas
- Hedgerow Retention Orders
-

[Section A1.2](#) provides guidance on taking nationally protected sites, areas and features (including the Shropshire Hills AONB) into account in the planning process and how to find out where they are in Shropshire.

c) Legally protected species

A full list of all the legally protected species occurring in Shropshire is given in [Appendix 3](#) but those most frequently encountered during the development process are:

Internationally protected

- Bats (all species)
- Dormouse
- Freshwater Pearl Mussel
- Great Crested Newt
- Otter

Nationally protected

The most commonly encountered nationally protected species are:

- Badger
- Barn Owl
- Water Vole
- White Clawed Crayfish

Section A1.3 provides guidance on taking legally (internationally and nationally) protected species into account in the planning process. **Appendix 4** shows which types of development are likely to affect which protected species.

Please note: nationally and internationally designated assets are only covered in **Sections A1.1, A1.2 and A1.3**. The remaining sections of this SPD focus on those assets protected by the Local Plan. **All references to natural assets in the rest of this document should therefore be taken to mean those protected by the Local Plan unless indicated otherwise.**

1.3 Which assets are protected by Local Plan policies?

The following assets are protected by Local Plan policies:

- Shropshire's environmental network
- the special qualities of the Shropshire Hills AONB
- locally designated biodiversity and geological sites;
- priority species;
- priority habitats
- important woodlands, trees and hedges;
- ecological networks
- geological assets;
- visual amenity;
- landscape character and local distinctiveness.

Appendix 5 provides definitions for each of these and **Appendix 6** sets out the relevant NPPF, NPPG and Local Plan policies for each natural asset. **Appendix 7** lists the priority species found in Shropshire and **Appendix 8** lists the priority habitats found in Shropshire.

1.4 How do I find out where those natural assets protected by the Local Plan are in Shropshire?

Information on the location of those assets protected by the Local Plan is derived from current records, historic records and credible information supplied by third parties (these can be organisations or individuals). All applicants must check these records to find out whether a natural asset is present on a proposed development site, or in the case of species, is likely to be present, based on the habitats found on the site. Information supplied by third parties must be verified before it can be taken into account. **Section A1.4** explains how to find out where natural assets occur in Shropshire.

A1.1. Taking internationally protected sites into account in the development management process

1. Background

Circular 06/2005 on Biodiversity and Geological Conservation – Statutory obligations and their impact within the planning system also provides guidance on internationally protected sites and the planning system:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7692/147570.pdf

2. The HRA process

Shropshire contains a relatively large number of internationally designated sites such as Special Areas of Conservation (SACs) and RAMSAR sites. Together with Special Protection Areas (SPAs) these are known in the UK as European sites or Natura 2000 sites. They are protected under the Conservation of Habitats and Species Regulations 2010 (the Habitats Regulations) (see also Q1 and Appendix 2). Almost all Natura 2000 sites are also Sites of Special Scientific Interest (SSSI), although their protection through the planning process derives from their European designation rather than their SSSI status. As a matter of Government policy, potential RAMSAR sites are also treated as European sites.

The multi-agency geographical information for the countryside (MAGIC) mapping tool shows the location of the SACs and RAMSAR sites in Shropshire:

<http://www.magic.gov.uk/MagicMap.aspx>.

Shropshire Council is classed as a competent authority under Regulation 61 of Habitats Regulations. This means that before giving planning permission for a plan or project which:

- a) is likely to have a significant effect on a European 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;

the Council must make an assessment of the implications for that site in view of that site's conservation objectives. This process is called a Habitat Regulations Assessment (HRA).

The process is described in more detail below.

A HRA involves an initial screening to identify any possible ways by which a development could affect a European Site, either in Shropshire or in an adjoining area (including Wales). If the screening shows that there are no pathways by which the proposal could have an effect, it is screened out and will not need any further assessment.

If the screening shows that there are pathways then the Council must carry out an in- depth analysis (known as Appropriate Assessment). This examines whether the proposal is likely to have an adverse effect on the features for which the site is notified. Planning permission can only be granted if the Appropriate Assessment concludes, *beyond scientific doubt*, that the development will not adversely affect those species or habitats for which the site is designated.

The phrase '*beyond scientific doubt*' refers to the Precautionary Principle. This is one of the key elements in decision making concerning environmental protection and is enshrined in the Habitat Regulations. It is applied where there are reasonable grounds to suspect that an activity could cause harm but where there is uncertainty about either the likelihood of that harm occurring, or the degree of that harm.

When Appropriate Assessment is needed for a planning application, the Precautionary Principle means that unless it can be definitively proved that the proposal will not have an adverse effect on the features for which a European Site is designated, then permission must be refused. This is most easily understood where the Appropriate Assessment identifies that an effect might happen. There is no requirement on the Council to show that an effect will actually occur. Permission can only be granted if it can be conclusively proved that an effect will not occur.

When carrying out an Appropriate Assessment, the Council must consult Natural England and take their response into account. The National Planning Policy Framework (footnote 9) states that paragraph 14 (a presumption in favour of sustainable development) does not apply where development requiring Appropriate Assessment under the Habitat Directive is being considered, planned or determined.

Where the Appropriate Assessment identifies an adverse effect, it may be possible to avoid this by either re-designing the proposal, or by the use of mitigation measures. The mitigation measures should be sufficient to prevent the harm occurring in the first place. An example is the provision of more public open space than would otherwise have been required within a development, to prevent harm from increased recreational pressure to sensitive habitats on a nearby European site. However, whilst considering actions which might make a proposal acceptable, it is important to realise that the Habitat Regulations do not allow for compensation measures. This means for example, that there is no opportunity to offer to create a similar habitat to the one which would be harmed by the planning proposal, either within the development or on an alternative site. The Regulations are clear that the harm to the European site must not happen at all.

Any modified development proposal must be re-screened. If the mitigation measures do not remove the whole of the adverse effect, then an Appropriate Assessment will be needed for any remaining impacts.

If the Appropriate Assessment identifies that significant adverse effect on a European Site is likely and that this cannot be avoided or mitigated, then permission can only be granted for imperative reasons of overriding public interest. Regulation 62 (2) of the Habitats Regulations defines these as:

- a) reasons relating to human health, public safety or beneficial consequences of primary importance to the environment; or
- b) any other reasons which the competent authority, having due regard to the opinion of the European Commission, consider to be imperative reasons of overriding public interest.

If the Council decides that imperative reasons of overriding public interest apply to a development proposal then permission can only legally be granted by the Secretary of State.

It is highly unlikely that Shropshire Council will grant permission for a development proposal affecting a European site if either Natural England submits an objection, or if a proposal fails an Appropriate Assessment.

3. What do I need to do?

Shropshire Council carries out the HRA but applicants must provide the Council with enough information to enable them to do this (Regulation 61). Planning permission will be refused when an applicant does not supply sufficient information at either the screening or Appropriate Assessment stages.

4. Screening

Shropshire Council will screen every planning application. The Council will take the distance of the proposal from a European site into account as well as whether there is a pathway for

an impact on the features for which the protected site is designated. In doing this the Council will refer to Natural England's Impact Risk Zones (IRZ) available on the multi-agency geographic information for the countryside website <http://www.magic.gov.uk/MagicMap.aspx>.

The IRZ is a GIS tool used by Natural England to make an initial assessment of the potential impacts of development proposals on European sites and SSSIs. It defines zones around each site according to the particular sensitivities of the features for which it is notified and specifies the types of development that have the potential to have adverse impacts. Applicants can use the tool to get an early indication on whether their proposal is likely to be screened out of the HRA process or not.

Applicants will be asked to provide further information at this stage if the Council is unable to determine the likely effects of the proposal on European sites based on the information supplied with the application. The risk of needing to provide additional information (which could lead to delays in receiving a decision) can be reduced if applicants provide as many details as possible in the first instance.

The Council will inform applicants if their proposal has not been screened out.

4.1 Applications already screened out: SAMDev allocated sites

The SAMDev Plan has itself been subject to HRA so all the allocated sites have already been screened and subject to Appropriate Assessment as necessary. Applications on allocated sites for the same amount and type of development as shown in SAMDev will thus not need either screening or Appropriate Assessment.

However, the results of the Appropriate Assessment for SAMDev showed that mitigation measures would be needed for development on some sites in Market Towns and within some Community Hubs and Clusters in the following areas:

- Bishop's Castle
- Craven Arms
- Ellesmere
- Oswestry
- Shrewsbury
- Wem
- Whitchurch

These mitigation measures are reflected in the relevant SAMDev settlement policies. Table 1 below details the settlements, allocated sites, the European sites, the adverse effects and the required mitigation measures. Applicants should contact Shropshire Council to discuss their proposals for mitigation measures before submitting an application on one of these allocated sites.

4.2 Applications that can't be screened out: the River Clun catchment

The River Clun SAC is assessed as being in an unfavourable condition and is thus particularly sensitive to actions which affect its integrity. This has led to additional work being carried out to assess the impact of development in the river's catchment. Development in this area which would result in additional nutrients or sediment entering the river system cannot be screened out and will therefore need Appropriate Assessment.

Shropshire Council has produced a Guidance Note on Development in the River Clun Catchment <http://new.shropshire.gov.uk/media1/1874/gn12-development-within-the-river-clun-catchment-september2013.pdf> This sets out the approach and procedures to be followed for planning applications in this area (except for those on allocated sites, see above) and includes a map of the catchment.

4.3 Appropriate Assessment

Shropshire Council is likely to need additional information to enable them to carry out the Appropriate Assessment. Applicants will be advised of the information required on a case by case basis.

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Table 1

Place Plan Area	Location and SAMDev policy number	Allocated site or type of development	European site affected	Effect pathway	Mitigation measures
Bishop's Castle	S2.3 Bishop's Castle Area	All development	River Clun SAC	Hydrological and water quality	Measures are set out in the River Clun SAC Guidance Note. This is informed by the River Clun SAC Nutrient Management Plan.
	S2.1 Bishop's Castle Town	BISH013 Schoolhouse Lane East			
	S2.2 (i) Bucknell	BUCK001 Timber Yard/Station Yard			
	S2.2 (iii) Clun	CLUN002 Land at Turnpike Meadow			
	S2.2 (iv) Lydbury North	LYD007 South of Telephone Exchange			
		LYD008 North of Telephone Exchange			
		LYD009 Former Garage			
		LYD011 Land adjacent to Church Close			
	S2.2 (vi) Abcot, Beckjay, Clungunford, Hopton Heath, Shelderton, Twitchen (Three Ashes)	All development (no site allocations made)			
Craven Arms	S7.3 Those parts of the Craven Arms Area in the river Clun catchment	All development	River Clun SAC	Hydrological and water quality	Measures in line with the River Clun SAC Nutrient Management Plan and the River Clun SAC Guidance Note.
	S7.2 (i) Aston on Clun, Hopesay, Broome, Horderley, Beambridge, Long Meadow End, Rowton, Round Oak	No site allocations made			

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Place Plan Area	Location and SAMDev policy number	Allocated site or type of development	European site affected	Effect pathway	Mitigation measures
Ellesmere	MD5a Mineral sites	Wood Lane North extension	Cole Mere RAMSAR site Whitemere RAMSAR site	Water quality: sedimentation, hydrological changes and dust	Proposed by developers
	S8.3 Ellesmere Area	All development	Cole Mere RAMSAR site Fenns, Whixall, Bettisfield, Wem and Cadney Mosses SAC/RAMSAR site	Increased recreational pressure	Increase in amount of semi-natural open space within the development in line with policy MD2. Contributions to visitor management measures at the SAC and RAMSAR sites in line with policies CS8, CS9 and CS17 and any management or action plan for the designated site as well as the priorities set out in the Ellesmere Place Plan where appropriate.
			Cole Mere RAMSAR site	Water quality: eutrophication from phosphate and nitrate	Surface water management and foul water drainage?
	S8.1 Ellesmere Town (excluding employment sites ELR074 and ELR075).	ELL003a Land south of Ellesmere	Cole Mere RAMSAR site Fenns, Whixall, Bettisfield, Wem and Cadney Mosses SAC/RAMSAR site	Increased recreational pressure	Increase in amount of semi-natural open space within the development in line with policy MD2 Contributions to visitor management measures at the SAC and RAMSAR sites in line with policies

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Place Plan Area	Location and SAMDev policy number	Allocated site or type of development	European site affected	Effect pathway	Mitigation measures
					CS8, CS9 and CS17 and any management or action plan for the designated site as well as the priorities set out in the Ellesmere Place Plan where appropriate.
		ELL003b Land south of Ellesmere	Cole Mere RAMSAR site	Water quality: eutrophication from phosphate and nitrate	Surface water management and foul water drainage
	S8.2 (i) Cockshutt	CO002a and CO002b Land to the west of Cockshutt	Cole Mere RAMSAR site Fenns, Whixall, Bettisfield, Wem and Cadney Mosses SAC/RAMSAR site Whitemere RAMSAR site	Increased recreational pressure Adverse effects on water quality	Increase in amount of semi-natural open space within the development in line with policy MD2. Contributions to visitor management measures at the RAMSAR and SAC sites in line with policies CS8, CS9 and CS17 and any management or action plan for the designated site as well as the priorities set out in the Ellesmere Place Plan where appropriate. Cole Mere only: Surface water management and foul water drainage
		CO005 and CO023 Land at Cockshutt House Farm and Land South of Kenwick Road			
		CO018 Land south of Chapel House Farm			
	S8.2 (ii) Dudleston Heath and Elson	No site allocations made			
	S8.2 (iii) Dudleston and Street Dinas	No site allocations made			
	S8.2 (iv) Tetchill, Lee, Whitemere	TET001 Land south of Cairndale			
	S8.2 (vi) Welsh Frankton, Perthy, New Marton, Lower Frankton	WFTN002 Land adjacent to St Andrew’s church			

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Place Plan Area	Location and SAMDev policy number	Allocated site or type of development	European site affected	Effect pathway	Mitigation measures
	S8.2 (vi) Welshampton, Lyneal	(DUDH006) Ravenscroft Haulage site			
Oswestry	S14.2 (iii) Llanymynech, Pant	LLAN009 Land north of playing fields	Montgomery Canal SAC	Hydrological: water abstraction and discharge	Surface water management and foul water drainage
		LLAN001 Former railway land, Station Road			
Shrewsbury	S16.2 (i) Baschurch	BAS005 Land at rear of Wheatlands Estate	Fenemere RAMSAR site	Hydrological: surface water abstraction and ground water abstraction	Water management
		BAS035 Land at Station Road			
		BAS025 Land to rear of Medley Farm			
		BAS017 Land to the west of Shrewsbury Road			
	S16.2 (xvi) Weston Lullingfields, Weston Wharf, Weston Common	No site allocations made			
Wem	S17.1 Wem Town (excluding employment site ELR031)	WEM003 Land off Pym's Road	Fenns, Whixall, Bettisfield, Wem and Cadney Mosses SAC/RAMSAR site	Increased recreational pressure	Increase in amount of semi-natural open space within the development in line with policy MD2. Contributions to visitor management measures at the RAMSAR site in line with policies CS8, CS9 and CS17 and any management or action
		WEM012 Land at Tilley			

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Place Plan Area	Location and SAMDev policy number	Allocated site or type of development	European site affected	Effect pathway	Mitigation measures
					plan for the designated site as well as the priorities set out in the Wem Place Plan where appropriate.
Whitchurch	S18.1 Whitchurch Town (excluding employment sites ELR033 and ELR035)	WHIT009 Land at Tilstock Road	Fenns, Whixall, Bettisfield, Wem and Cadney Mosses SAC/RAMSAR site Brown Moss SAC/RAMSAR site	Increased recreational pressure	Increase in amount of semi-natural open space within the development in line with policy MD2. Contributions to visitor management measures at the SAC and RAMSAR sites in line with policies CS8, CS9 and CS17 and any management or action plan for the designated site as well as the priorities set out in the Whitchurch Place Plan where appropriate.
		WHIT046 Land at Mount Farm			
		WHIT021 Land at Alport Road			
		WHIT051 Land west of Oaklands Farm			
		WHIT033 Land north of Mill Park			
	S18.2 (i) Prees, Prees Higher Heath	PRE002/010/011 Land west of Shrewsbury Street	Fenns, Whixall, Bettisfield, Wem and Cadney Mosses SAC/RAMSAR site Brown Moss SAC/RAMSAR site	Increased recreational pressure	Increase in amount of semi-natural open space within the development in line with policy MD2. Contributions to visitor management measures at the RAMSAR site in line with policies CS8, CS9 and CS17 and any management or action plan for the designated site as well as the
		PRE008 Land at Moreton Street			

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Place Plan Area	Location and SAMDev policy number	Allocated site or type of development	European site affected	Effect pathway	Mitigation measures
					priorities set out in the Whitchurch Place Plan where appropriate.
	S18.2 (ii) Whitchurch Rural, Ightfield, Calverhall	TIL001 Land at the Vicarage, Tilstock	Fenns, Whixall, Bettisfield, Wem and Cadney Mosses SAC/RAMSAR site Brown Moss SAC/RAMSAR site	Increased recreational pressure	Increase in amount of semi-natural open space within the development in line with policy MD2. Contributions to visitor management measures at the RAMSAR site in line with policies CS8, CS9 and CS17 and any management or action plan for the designated site as well as the priorities set out in the Whitchurch Place Plan where appropriate.
		TIL002 Land at Tilstock Close, Tilstock			
		TIL008 Land at Russell House, Tilstock			
		ASHP002 Land west of Ash Parva			
		PH004 Former Cherry Tree Hotel and adjoining land, Prees Heath			

A1.2. Taking nationally protected sites and features into account in the planning process.

This section deals with

- Sites of Special Scientific Interest (SSSI),
- National Nature Reserves (NNR),
- Ancient Semi-Natural Woodland
- Veteran Trees.
- Tree Preservation Orders
- Trees in Conservation Areas
- Hedgerows in the countryside
- Shropshire Hills Area of Outstanding Natural Beauty

1. Nationally protected sites

Shropshire contains 112 SSSIs and 4 NNRs. All NNRs are also SSSIs so the remainder of this document refers simply to SSSIs. They are chosen as representative examples of valuable habitats, geological features or populations of species. SSSIs are designated by Natural England who also specifies those activities which would damage each site's special interest. Such activities cannot be carried out without consent from Natural England. Under the 1981 Wildlife and Countryside Act, there are unlimited fines for carrying out, or permitting someone else to carry out a controlled activity on an SSSI without Natural England's permission. Payment to repair any damage to the site may also be required.

1.1 How to find out if a nationally protected site is likely to be affected by a development proposal.

The MAGIC mapping tool at <http://www.magic.gov.uk/MagicMap.aspx> shows the locations of all the SSSIs in Shropshire as well as any Impact Risk Zones. The latter are areas within which development could affect the designated site.

If a proposal is likely to affect a SSSI, either directly or indirectly because it is in the Impact Risk Zone then Natural England's designated sites system at <https://designatedsites.naturalengland.org.uk/SiteSearch.aspx> lists those operations which would damage the special interest (and therefore require consent). It is usually possible to carry out many of these operations in certain ways or at specific times of year, or on certain parts of the SSSI, without damaging the features of interest. Contact Natural England or Shropshire Council for early advice if any of the activities associated with a development proposal are included in the list.

1.2 What to do if a nationally protected site will be affected by a development proposal.

Applicants should submit the following with their proposal:

- information about the activities they propose which are likely to damage the site,
- any measures taken to avoid these,
- the special features of the site which are affected
- an explanation of the benefits of the development (see NPPF paragraph 118)

Shropshire Council will consult Natural England for all proposals affecting nationally protected sites. In line with paragraph 118 of NPPF, the Council will not normally permit developments likely to have an adverse effect on a SSSI.

2. Ancient Woodland and Veteran Trees

Much of the guidance in this section is taken from the joint standing advice on ancient woodland and veteran trees produced by Natural England and the Forestry Commission: <https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys->

[licences](http://www.forestry.gov.uk/pdf/AncientWoodsSA_v7FINALPUBLISHED14Apr3.pdf/$FILE/AncientWoodsSA_v7FINALPUBLISHED14Apr3.pdf). An earlier version of this which contains more background information is available at [http://www.forestry.gov.uk/pdf/AncientWoodsSA_v7FINALPUBLISHED14Apr3.pdf/\\$FILE/AncientWoodsSA_v7FINALPUBLISHED14Apr3.pdf](http://www.forestry.gov.uk/pdf/AncientWoodsSA_v7FINALPUBLISHED14Apr3.pdf/$FILE/AncientWoodsSA_v7FINALPUBLISHED14Apr3.pdf)

Shropshire contains 882 ancient woodlands. Trees and woodland classed as 'ancient' or 'veteran' are irreplaceable. Ancient woodland takes hundreds of years to establish and is considered important for its wildlife, soils, recreation, cultural value, history and contribution to landscapes. It is defined as any wooded area that has been wooded continuously* since at least 1600 AD. It includes:

- ancient semi-natural woodland- mainly made up of trees and shrubs native to the site, usually arising from natural regeneration
- plantations on ancient woodland sites - areas of ancient woodland where the former native tree cover has been felled and replaced by planted trees, usually of species not native to the site
- ancient wood pastures and historic parkland

*Wooded continuously doesn't mean there has been a continuous tree cover across the entirety of the whole site. Open space, both temporary and permanent, is an important component of woodlands.

Veteran trees are trees which, because of their age, size or condition are of cultural, historical, landscape and nature conservation value. They can be found as individuals or groups within ancient wood pastures, historic parkland, hedgerows, orchards, parks or other areas.

Ancient semi-natural woodland, plantations on ancient woodland sites, ancient wood pasture, historic parkland and veteran trees have equal protection under paragraph 118 of the NPPF.

2.1 How to find out where ancient woodland and veteran trees are in Shropshire

The key information source for identifying ancient woodlands in England is the Ancient Woodland Inventory (AWI), which Natural England is responsible for maintaining. This shows ancient woodlands that are more than 2 ha in size. The Inventory can be downloaded as a Geographic Information System (GIS) dataset from Natural England's website <https://www.gov.uk/government/organisations/natural-england> (protected sites and species) website or viewed online at www.magic.gov.uk.

The Woodland Trust's Ancient Tree Hunt dataset is currently the only record of the locations of some veteran trees <http://www.ancient-tree-hunt.org.uk/>

2.2 Assessing the impact of development on ancient woodland and veteran trees

Impacts of development in an area of ancient woodland or veteran trees can include:

- damaging or destroying the trees or woodland
- damaging or killing veteran trees or parts of them
- damaging roots and soil, as well as the understorey (all the vegetation under the taller trees)
- polluting the ground
- changing the woodland's water table or drainage
- damaging archaeological features or heritage assets

Impacts of development nearby can include these effects on the trees and woodland, and the species they support:

- compacting the soil around tree roots

- breaking up or destroying connections between woodland and other habitats
- reducing the amount of semi-natural habitats (like parks) next to ancient woodland
- changing the water table or drainage
- increasing the amount of pollution, including dust
- increasing disturbance to wildlife from additional traffic and visitors
- increasing light pollution
- increasing damaging activities like fly-tipping and the impact of domestic pets
- changing the landscape character of the area

The Forestry Commission have produced a guide to assessing the impact of development on ancient woodland

[http://www.forestry.gov.uk/pdf/150330AWAssessmentGuide2.pdf/\\$FILE/150330AWAssessmentGuide2.pdf](http://www.forestry.gov.uk/pdf/150330AWAssessmentGuide2.pdf/$FILE/150330AWAssessmentGuide2.pdf)

Applicants should complete this assessment and submit it as part of their development proposal.

Where development is likely to only affect a veteran tree, then a tree survey should be carried in accordance with guidance in British Standard BS 5837 and submitted as part of the planning application. See also [section A2.2](#)

2.3 What to do if ancient woodland or a veteran tree will be affected by a development proposal.

Paragraph 118 of NPPF only permits development which would result in the loss or deterioration of ancient woodland or loss of an aged or veteran tree if the benefits of development in that location clearly outweigh the loss. Planning applications which would cause such loss or deterioration should therefore be accompanied by a clear description of the benefits of the proposal and be able to demonstrate that there are no possible alternative locations for the development.

Shropshire Council will consult Natural England and the Forestry Commission on all planning applications in or within 500m of ancient woodland.

If the Council decides to grant permission, then mitigation measures will be sought in the first instance. Only if the applicant can demonstrate that there are no suitable mitigation measures will compensation measures be considered. A combination of both may be acceptable, depending on the circumstances. The joint standing advice from Natural England and the Forestry Commission suggests a range of both types of measures (see above). Applicants may wish to include details of those they consider suitable with their application but discussions on compensation will not affect the Council's consideration of the development proposal. Any mitigation or compensation measures will form part of planning conditions or an obligation.

3. Protected trees.

The protection of trees derives from two sources:

- a Tree Preservation Order (TPO)
- Conservation Area designation

a) Tree Preservation Orders

Local Authorities are responsible for making TPOs. Any species of tree, including fruit trees, can be protected by a TPO. Trees are assessed on their merits according to certain criteria, such as health and stability, visibility from a public place, contribution to the character of a locality, cultural/historic/habitat value and rarity/progeny. An Order prohibits the:

- cutting down
- topping
- lopping
- uprooting
- wilful damage
- wilful destruction

of trees without the local planning authority's written consent. In the Secretary of State's view, cutting roots is also a prohibited activity and requires the authority's consent.

There are (presently) four types of TPO, although any one Order can contain any number of items which can be of one or more types. The types are as follows:

1. Individual: can be applied to an individual tree.
2. Group: can be applied to a group of individual trees which, together, make up a feature of amenity value but which separately might not.
3. Area: a type of TPO not normally made now but still common, as formerly this type was used frequently. It covers all trees in a defined area at the time the order was made.
4. Woodland: covers all trees within a woodland area regardless of how old they are.

Copies of the Order are served on the owners of land upon which the trees are growing, and on the owner-occupiers of affected and joining properties. A schedule and a map are usually attached to the TPO. The schedule shows the type/s of TPO which make up the Order, and often gives details of the species of trees affected. TPOs are public documents and can be inspected at the Council's office.

Further general information about TPOs can be found at:

<http://planningguidance.communities.gov.uk/blog/guidance/tree-preservation-orders/>

b) Trees in Conservation Areas

A Conservation Area is an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. Trees often make an important contribution to the character of Conservation Areas, and are therefore given special protection.

Trees in a Conservation Area that are not protected by a separate TPO are protected by the provisions in section 211 of the Town and Country Planning Act 1990. Under this, the Council must be given 6 weeks formal written notice of an intention to carry out the pruning or felling of any tree within a Conservation Area greater than 7.5cm in diameter (as measured at 1.5m above ground level). The Council will decide whether or not it wishes to control the proposed works in any way. If it does, then it will make a TPO within the 6 weeks notification period. If a TPO is made, a further application under the TPO process (see below) will be needed in order to carry out the works. The penalties for unauthorised felling or works to trees in Conservation Areas are the same as for trees protected by a TPO (see above).

3.1 How to find out which trees are covered by a TPO or in a Conservation Area

Applicants should contact the Council to find out which trees, or groups of trees, are covered by a TPO. Further information about TPOs in Shropshire, including how to apply for consent to do work to a tree covered by a TPO is available at:

<https://new.shropshire.gov.uk/environment/trees-woodlands-and-hedges/tree-preservation-orders/>

Information (including maps) about the Conservation Areas in Shropshire can be found at:

<http://new.shropshire.gov.uk/environment/historic-environment/conservation-areas/>

3.2. How do protected trees affect the planning process?

A TPO is a material consideration in the planning process. It does not prevent development, but it means that the tree(s) must be taken into account. In certain circumstances it may be agreed that pruning or removal may be permitted in order to accommodate development, but the TPO enables the Council to control these actions and to obtain new planting to replace trees which are removed. Shropshire Council may make also TPOs on application sites before permission is granted in order to secure the retention of trees within the development.

If a full planning permission is granted, the Council's consent under the TPO is not required for cutting down or carrying out work on protected trees if this work is *required* to implement that permission. For example, the TPO is overridden if a tree has to be removed to make way for a new building for which full planning permission has been granted.

However, if only outline planning permission has been granted, the Council's consent under the TPO is still required before cutting down or carrying out work on protected trees. Consent is also required before cutting down or carrying out work on trees to implement permitted development rights under the Town and Country Planning (General Permitted Development) Order 1995. This means that anyone relying on permitted development rights for their proposal would have to obtain the Council's consent if it was necessary in the process to cut down or carry out work on a protected tree.

The granting of planning permission can carry with it conditions requiring new tree planting to be carried out. These may be smaller / younger trees in a different place. They can however, be covered by a TPO to secure their position in the landscape for the future.

4. Protected hedgerows in the countryside: the Hedgerow Regulations

This SPD differentiates between hedges and hedgerows. The following provides guidance:

- A hedge is a line of trees or shrubs maintained to form a physical boundary.
- A hedgerow is this same line of trees or shrubs but in association with other flora and fauna and physical features such as banks and ditches, in other words a complete ecosystem.

The Hedgerows Regulations 1997 protect most countryside hedgerows which are more than 30 years old from being removed. Removal includes not only grubbing up, but other acts which result in the destruction of a hedgerow. These acts may not necessarily be carried out on the hedgerow itself. They could be undertaken on a nearby land or on a bank supporting a hedgerow, as part of a planning proposal for instance. But, if they result in the destruction of the hedgerow, it has been 'removed' for the purposes of the Regulations.

A countryside hedgerow is one which grows in, or adjacent to any;

- land used for agriculture or forestry,
- land used for the breeding or keeping of horses, ponies or donkeys
- public right of way
- common land
- village green
- local nature reserve
- site of special scientific interest

and

- has a continuous length of at least 20 metres
- or if less than 20 metres, meets another hedgerow at each end.

The Regulations do not apply to garden hedges. These are defined as hedgerows within, or marking the boundary of, the curtilage of a dwelling house. This is the case even though the land on the other side may be used for one of the purposes set out above. For example, the Regulations do not apply where the hedgerow marks the boundary line between agricultural and residential land, such as on the edge of a settlement.

The local planning authority administers the Regulations and anyone wishing to remove a hedgerow (or part of a hedgerow) needs to apply to the Council before doing so. The Council will then assess the hedgerow to determine whether it is 'important' and must be kept, or whether it can be removed. Coppicing, layering and the removal of dead or diseased shrubs or trees are treated as normal management.

An important hedgerow must be at least 30 years old and meet one of the following (simplified) criteria:

1. Marks a pre-1850 parish or township boundary
2. Incorporates an archaeological feature
3. Is part of, or is associated with, an archaeological site
4. Marks the boundary of, or is associated with, a pre-1600 estate or manor.
5. Forms an integral part of a pre-Parliamentary enclosure field system
6. Contains certain categories of species of birds, animals or plants listed in the Wildlife and Countryside Act or Joint Nature Conservation Committee (JNCC) publications
7. Within an average 30m length, includes:
 - at least 7 woody species
 - at least 6 woody species and has at least 3 associated features
 - at least 6 woody species, including a black poplar tree, or large leaved lime, or small leaved lime, or wild service tree; or
 - at least 5 woody species and has at least 4 associated featuresThe list of 56 woody species comprises mainly shrubs and trees. It generally excludes climbers (such as clematis, honeysuckle and bramble) but includes wild roses.
8. Runs alongside a bridleway, footpath, road used as a public path, or a byway open to all traffic and includes at least 4 woody species, on average in a 30m length and has at least 2 of the associated features listed at (i) to (v) below:

The associated features are:

- i) a bank or wall supporting the hedgerow
- ii) less than 10% gaps
- iii) on average, at least one tree per 50 metres
- iv) at least 3 species from a list of 57 woodland plants
- v) a ditch
- vi) a number of connections with other hedgerows, ponds or woodland; and
- vii) a parallel hedge within 15 metres.

More information about the Hedgerow Regulations can be found at:

<https://www.gov.uk/guidance/countryside-hedgerows-regulation-and-management>

Guidance on removing a hedgerow in Shropshire is available at:

<https://new.shropshire.gov.uk/environment/trees-woodlands-and-hedges/hedgerow-removal/>

4.1 How do the Hedgerow Regulations affect the planning process?

As with TPOs, the grant of planning permission removes the need to notify the Council of the intent to remove a countryside hedgerow. However, a hedgerow on a development site which would otherwise have been classed as 'important' under the Hedgerow Regulations will be deemed to be an environmental asset as per Policy MD12. See [section A2.2](#) for further information.

4.2 When do the Regulations not apply?

You don't need to tell the Council that you are removing a hedgerow if:

- it's less than 20 metres long (but not if it is part of a hedge which is 20 metres or more long and not if it is less than 20 metres long but meets another hedge at each end)
- it's in or borders a domestic dwelling
- you are making a new opening to replace existing access to the land (but the existing access must be filled by planting a hedge within 8 months of making the new opening)
- you are correctly managing the hedgerow by laying or coppicing
- there is no other way of obtaining access to the land or the cost would be disproportionate
- you create a temporary access point for emergency purposes
- it's needed for national defense purposes
- it's for carrying out work for which planning permission has been granted (but see the Regulations for restrictions on this)
- it's required to fulfil a statutory plant or forest health order to eradicate or prevent disease or tree pests
- it's required to fulfil a statutory notice preventing interference with electric powerlines and apparatus
- it's required to complete statutory drainage or flood defense works
- new trunk roads or motorways are being built on the site

Please note: the fact that work is permitted by the Regulations does not affect any other prohibition or restriction such as an Inclosure Act.

5. The Shropshire Hills AONB

The designation of the Shropshire Hills AONB derives from the National Parks and Access to the Countryside Act 1946. The requirement for Local Authorities and other public bodies 'have regard to the purposes of AONBs in carrying out their functions' is set out in the Countryside and Rights of Way Act 2000.

Protection for the special qualities of AONBs rests with the planning system and is equivalent to that for National Parks ([Appendix 2](#)). Paragraphs 115 and 116 of the NPPF set out the approach that planning authorities should take when considering proposals for major development in AONBs. [Section A2.6](#) gives guidance on assessing the effects of development on the Shropshire Hills AONB.

The management of the Shropshire Hills AONB is overseen by the Shropshire Hills AONB Partnership. The Partnership prepares and endorses the Shropshire Hills AONB Management Plan (see <http://www.shropshirehillsaonb.co.uk/a-special-place/management-plan/>). This is a material consideration in the planning process. The Partnership's responses to planning applications affecting the AONB is governed by a planning protocol <http://www.shropshirehillsaonb.co.uk/wp-content/uploads/2010/10/Planning-Protocol-2011-signed1.pdf> Further general information about planning and the AONB is available at <http://www.shropshirehillsaonb.co.uk/aonb-partnership/planning/>

A1.3. Taking legally protected species into account in the planning process

1. Background

Protected species are so called because they are protected by law. They are those plants or animals whose numbers are falling or whose range is contracting (either within the UK or the European Union) or, in the case of badgers and some birds, because they are subject to persecution or cruelty.

The protection derives from European Directives, UK Regulations and Acts of Parliament:

Directives and Regulations

- Council Directive 2009/147/EC on the conservation of wild birds (Wild Birds Directive)
- Council Directive 92/43 EEC on the conservation of natural habitats and of wild fauna and flora (the Habitats Directive).

These Directives are transposed into UK law by:

- The Conservation of Habitats and Species Regulations 2010 (the Habitats Regulations) and amended by:
- The Conservation of Habitats and Species (Amendment) Regulations 2012

Acts of Parliament

- The Wildlife and Countryside Act 1981 (as amended)
- The Natural Environment and Rural Communities Act 2006 (NERC)
- The Protection of Badgers Act 1992

Each lists the species it protects and sets out the activities which constitute offences. A licensing regime allows what would otherwise be an unlawful act to be carried out lawfully. Natural England and the Environment Agency are the licencing bodies in England.

Appendix 3 sets out those protected species most likely to be found in Shropshire and shows where that protection derives from. For a complete list of all protected species and prohibited activities, please refer to the original legislation.

2. How to find out if protected species might be affected by development proposal.

As some of the activities proscribed by legislation may occur when development takes place, it is essential that the presence or absence of protected species and the extent that they may be affected by a planning proposal is established through ecological survey work before planning permission is granted. Such survey work must be carried out by a suitably experienced and where necessary, licenced ecologist. It should be as up to date as possible, ideally from the most recent survey season but in any event, no more than 2-3 years old.

As ecological survey work can be expensive and lead to significant delay, the Council will only expect it when there is a reasonable likelihood of protected species being present. Information about which types of development are likely to affect which species is given in

Appendix 4.

Guidelines on the timing and methods for protected species surveys are given in Standing Advice from Natural England and the Environment Agency at:

<https://www.gov.uk/guidance/protected-species-and-sites-how-to-review-planning-proposals>.

These cover the following species which occur in Shropshire:

- Bats - all species
- Great crested newts
- Badgers
- Hazel dormice
- Water voles
- Otters

- Wild birds - common crossbill, firecrest, goshawk, hobby, kingfisher, red kite, merlin, barn owl, peregrine, little ringed plover and quail.
- Reptiles: adder, common lizard, grass snake and slow worm
- Protected plants – Killarney fern, floating water plantain, pennyroyal, varnished hook moss and marsh flapwort
- White-clawed crayfish
- Invertebrates – freshwater pearl mussel
- Freshwater fish- twait shad

If the habitats on the site suggest that other protected species may be present then contact either the Council's Ecologist or Natural England for advice.

3. What to do if protected species occur on site

If protected species are found on site, then an assessment of the impact of the development on the species will be needed as well as avoidance, mitigation and compensation measures and proposals for the management and maintenance of the site after development. Guidance on how to assess all these requirements is given in the Standing Advice (as above).

4. Information needed as part of a planning application.

Shropshire Council cannot legally make a planning decision affecting protected species without information about how a proposal will affect that species. Therefore, a protected species survey report should be submitted alongside the planning application. Ecological survey work for protected species cannot form part of a planning condition.

5. How will the application be considered?

The Council will evaluate the protected species report as part of the consideration of the development proposal. If further work is needed, then the Council's ecologist or Natural England will provide advice. Survey work and suggested avoidance, mitigation and compensation measures will be assessed against current accepted guidance and best practice. Any deviations from this for site specific, ecological reasons should be clearly and technically justified. Impacts of the development before and after avoidance, mitigation or compensation measures should be quantified wherever possible. If, when assessing an application, further survey work or other information is still needed, then the Council's Ecologists or Natural England will provide advice or request this, but early submission of full details with the application will help to prevent delays at a later stage. Early advice can be provided by the Council's ecologists through the pre-application system.

If development will adversely affect a European Protected Species (EPS) even after avoidance or mitigation measures have been proposed, then Shropshire Council are required to form a view on the likelihood of a licence (to permit the otherwise prohibited activities) being granted before any development can be approved. Natural England has published a Guidance Note on European Protected Species and the Planning Process in order to assist planning authorities with this.

The Note contains advice on when Natural England are likely to view a proposed development as being licensable. It can be found at:

<http://publications.naturalengland.org.uk/publication/113030>

In summary though, if the development does not meet any of the following three tests, then Shropshire Council will refuse permission:

- (a) it must be necessary for preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment
- b) there is no satisfactory alternative

(c) the action will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

Applicants should note that even when planning permission has been granted, a licence may still be needed from Natural England or the Environment Agency before development can take place. The Council will advise applicants of this requirement where necessary, but the responsibility for obtaining the licence rests with the applicant, not Shropshire Council.

Natural England has produced further advice on European Protected Species: *Mitigation Licensing - How to get a licence at:*

<http://publications.naturalengland.org.uk/publication/4727870517673984?category=12002>

Shropshire Council will usually impose a planning condition specifying that the relevant licence has been granted before any work can commence on site.

A1.4 How to find out where those natural assets protected by the Local Plan occur in Shropshire

Both current and historic records should be consulted for each planning application. Information submitted by third parties should also be taken into consideration once it has been verified (see 3 below).

1. Current records

Table 2 below lists sources of current records for each natural asset covered by Local Plan policies.

Table 2: Location of current records for natural assets

Name of asset	How to find out where asset occurs	Contact for additional information
Environmental network	http://shropshire.gov.uk/environment/biodiversity-and-ecology/biodiversity-and-planning/shropshire-environmental-network/	Shropshire Council
The Shropshire Hills AONB	Boundary available at: http://shropshire.gov.uk/maps/default.htm Special qualities set out in AONB Management Plan: http://www.shropshirehillsaonb.co.uk/	Shropshire Hills AONB Partnership
Locally designated wildlife site	http://www.shropshirewildlifetrust.org.uk/what-we-do/wildlife-sites	Contact: Shropshire Wildlife Trust
Locally designated geological site and geological assets	http://shropshire.gov.uk/maps/natenvironment.htm http://www.shropshiregeology.org.uk/RIGS/RIGS.asp	Shropshire Geological Society
Priority species	https://data.nbn.org.uk/	Joint Nature Conservancy Committee
Priority habitats (national list)	https://data.nbn.org.uk/	Joint Nature Conservation Committee
Important woodlands, trees and hedges	Important woods, hedges and trees are those identified as category A, B or U with biodiversity interest.	Established through field survey: see section A2.2
Visual amenity	Assessment needed for each planning application	Shropshire Council
Landscape character and local distinctiveness	Shropshire Landscape Assessment and Shropshire Historic Landscape Characterisation http://www.shropshire.gov.uk/environment/shropshires-landscape/shropshire-landscape-assessment/ Assessment needed for each planning application	Shropshire Council

Q2. How do I know if my proposal will have an effect on a natural asset?

Sections Q1 and **A1.4** give guidance on how to find out whether there is a natural asset either on, or close to a proposed development site. If yes, then the next step is to find out what sort of effect the proposal is likely to have on that asset.

All development represents a change to the existing situation so always has some sort of effect. However, Policy MD12 is concerned only with those effects which are both **significant and adverse**. Guidance on identifying significant adverse effects on the natural assets protected by Local Plan policies is given in **sections A2.1 to A2.6** as follows

A2.1 Assessing the effects of development on ecological assets:

- locally designated biodiversity sites
- priority species
- priority habitats
- ecological networks
- environmental networks

A2.2 Assessing the effects of development on trees, woodlands and hedges

A2.3 Assessing the effects of development on landscape character

A2.4 Assessing the effects of development on visual amenity

A2.5 Assessing the effects of development on geological assets

- locally designated geodiversity sites
- geological assets

A2.6 Assessing the effects of development on the Shropshire Hills AONB

The assessment of an effect of a development should be proportionate to the scale and type of the development and the proximity and nature of the asset. For example, a change of use of a building is likely to have much less impact than a housing development. Similarly, a proposal for minerals extraction may affect a geological asset much more than a householder development would. It is important that a suitably qualified professional is used to assess the effect of development on natural assets.

The results of the assessment should be submitted to the Council as part of a Natural Asset Impact Assessment Report. A model outline for this is given in **Appendix 1**. Where proposals are likely to affect more than one natural asset, the assessment section of the Report should be completed for each asset.

A2.1: Assessing the effect of development on ecological assets.

This part of the SPD applies to the following ecological assets:

- locally designated biodiversity sites
- priority species
- priority habitats
- ecological networks
- the ecological components of the environmental network

It gives guidance on completing **sections A and B** of the Natural Asset Impact Assessment Report (NAIAR) (**Appendix 1**) and is based on the Guidelines for Ecological Impact Assessment produced by the Chartered Institute of Ecology and Environmental Management (CIEEM) (referred to hereafter as the CIEEM Guidelines)
http://www.cieem.net/data/files/Publications/EcIA_Guidelines_Terrestrial_Freshwater_and_Coastal_Jan_2016.pdf

1. Survey Work

All survey work should be carried out by a qualified and experience ecologist. The Chartered Institute of Ecologists and Environmental Management is the leading relevant professional body and their website <http://www.cieem.net/> contains a directory of professional practitioners.

1.1 Desk based

This comprises a search of current, historic and third party records and should already have been carried out as part of the process for determining whether the development proposal is likely to affect a natural asset see **Section A1.4**

1.2 Field work

Field work is likely to be needed for all ecological assets and it is essential that this is carried out at the right time of year. Some plants can be extremely difficult to identify when not in flower and may not even be present above ground for some months. Similarly some species of birds and butterflies are migratory and mammals, such as hedgehogs, hibernate during the winter months.

Field work usually comprises two stages: an initial habitat survey and a second, more targeted and detailed survey of specific features of interest (usually species) if these are found during the initial survey. Both types of survey will be needed where the desk based assessment indicates that priority species may be present.

a) Habitat survey

There are several different methods for the classification of habitats. The National Biodiversity Network (NBN) has produced a Habitats Dictionary which brings those in current use in the United Kingdom together as a single publicly accessible information resource. See http://habitats.nbn.org.uk/about_project.htm

Of the methods currently used, the Phase 1 Habitat Classification identifies maps and describes the main habitats. It also provides target notes on important aspects of a site (usually species) which can then be surveyed in more detail (**see below**). The method is widely used and continues to act as the standard technique for an initial habitat survey across the UK. A handbook can be found at: <http://jncc.defra.gov.uk/page-2468> and more details are given at <http://jncc.defra.gov.uk/page-4258>

If the Phase 1 method is used for the assessment of priority habitats then the habitat classification will need to be correlated with the definitions given in the UK Biodiversity

Action Plan: Priority Habitat Descriptions at

http://jncc.defra.gov.uk/PDF/UKBAP_PriorityHabitatDesc-Rev2011.pdf (see also **Appendix 8**).

Where priority or particularly diverse or valuable habitats are likely to be adversely affected, more detailed botanical survey (phase 2) will be required. Depending on the situation these may involve detailed species lists with abundance ratings, quadrat results and/or identification of National Vegetation Classification types.

b) Species survey

If the initial habitat survey indicates that legally protected species or priority species may occur on the site, then additional survey work will be needed. This should be carried out by a qualified ecologist with expertise in survey methods and any licencing requirements for the type of species (mammal, bird, fish etc) involved. Survey and assessment methods for legally protected species are covered in **section A1.3**.

2. Actual, predicted baseline and favourable condition.

The condition of each asset provides the basis for assessing the effects of a proposal.

a) Favourable condition

This is the ideal condition for the asset such that it is capable of being sustained, or sustaining itself in the case where management practices are not key to its survival, in that location in the long term. For habitats it is likely to be expressed in terms of a typical species assemblage and for species, a population level. It should also include a description of any necessary management techniques i.e., grazing, coppicing, mowing, since these are integral to the maintenance of many ecological assets.

b) Actual condition

This is a description of the condition - including any management practices (state if none) and the likelihood of these continuing in the absence of development - of the asset at the time the field survey was carried out. It should make reference to the area of the asset or presence/absence of designated features. For example:

The site contains 2ha of wet woodland priority habitat and 0.5 ha of unimproved grassland which supports greater butterfly orchid priority species. The whole site forms part of the ecological network to the west of Oswestry. The woodland is not currently being managed and the grassland is managed as a hay meadow by cutting and grazing. In the absence of development it is unlikely that woodland will be managed but the hay meadow management regime is linked to the viability of the agricultural enterprise.

c) Predicted baseline condition

This will only be needed if the start date of the proposal, or a phase of the proposal, will be more than 3 years from the date of the field survey. After this time, field survey work is considered to be out of date. The baseline condition is a prediction of the condition of the asset at the time the development is scheduled to commence. For example, if construction is programmed for July 2019, then the baseline condition is that predicted to occur in July 2019.

3. Assessing the effects of development.

Appendix 9 gives guidance on identifying the impacts and effects of development on natural assets and **Appendix 10** sets out those aspects of ecological structure and function to consider when predicting the impacts and effects of development on ecological assets. Reference should be made to these to identify all the effects of the proposal.

4. Determining adverse effects.

Effects may also be positive, neutral or negative (adverse). The key question in distinguishing between these is:

- **Will this move the actual (or predicted baseline) condition of the asset towards or away from its favourable condition?**

The actual condition, rather than the favourable condition is the important factor because the Local Plan seeks to avoid harm to environmental assets as they currently exist.

Effects which move the actual condition or predicted baseline condition towards the favourable condition are classed positive. Some examples are an increase in species diversity, an extension of habitat or an improvement in water quality. Other positive effects include halting or slowing down an existing decline in the numbers of a species or the extent of a habitat.

Effects which move the actual condition or predicted baseline condition away from the favourable condition can be classed as adverse. They usually involve either partial or total loss of a feature or damage to that feature such as pollution, or fragmentation. They may also increase or exacerbate the effects of an existing negative trend.

Effects which do not move the condition or predicted baseline condition either towards or away from the favourable condition are neutral. This does not mean that there is no change, rather that the outcome of that change is neither positive nor negative.

5. Assessing the significance of adverse effects.

Policy MD12 seeks to protect natural assets against significant adverse effects. Only those effects identified as adverse need then be assessed for their significance and in this context, an adverse effect is either significant or it is not. There are no degrees of significance.

5.1 Factors influencing significance.

For the purposes of this SPD, the significance of an effect is influenced by the following factors:

- magnitude
- extent
- duration
- reversibility
- timing and frequency
- context

a) Magnitude

This is the 'size' or 'amount' or degree or scale of an **effect** determined on a quantitative basis if possible such as 'a 10% reduction in the number of hedgehogs using the site'. Where it is not possible to provide accurate numbers, the use of adjectives such as 'partial' 'total' or 'complete' can provide a relative understanding.

b) Extent

The extent of an effect is the area over which it occurs. This may be part, or all, of the site or extend to connected or adjacent features such as watercourses or woodlands. Additionally, some effects, for instance recreational pressure, may manifest themselves at a distance from the application site.

c) Duration

This is the length of time for which the effect is expected to last. This may be different to the duration of the activity causing the effect. For example, a 6 month construction period running from March to September may cause disturbance to a bird species during the

breeding season which then has longer term consequences for the maintenance of the population.

For species, duration is best expressed in the context of lifecycle. For example, five years would span at least five generations of dragonflies. For other ecological assets effects should be described as short, medium or long term and temporary (expressed as months and years) or permanent.

d) Reversibility

For the purposes of this SPD, reversibility is the capacity for recovery. A reversible effect is one from which spontaneous recovery is possible or which can be counteracted by mitigation. An irreversible effect is one from which recovery is not possible within a reasonable timescale or there is no reasonable chance of action being taken to reverse it.

Some activities may cause both reversible and irreversible effects. For example, the construction of a temporary access road through woodland might cause a loss of food and shelter to common woodland birds. This might be reversed in a few years but the compaction of the fragile woodland soils on which many ground flora species depend may be irreversible.

e) Timing and frequency

The number of times and the point in a lifecycle that an activity occurs will influence the resulting effect. For example, a single person walking a dog once a day will have a very small effect on wetland birds using a nearby waterbody. However, numerous walkers spread throughout the day will cause much more frequent disturbance. This is likely to affect the bird's feeding success and their subsequent ability to survive. Similarly, the effects of disturbance on ground nesting birds will be much more severe in the nesting season than at other times of year.

f) Context

This SPD is concerned with those ecological assets deemed valuable in a Shropshire context. This may be different to a regional or national context. For instance a reduction of 5% in the numbers of a priority species when measured against the national population of that species may be different to the same reduction if the species occurs at the edge of its range in Shropshire or is in decline in Shropshire but not elsewhere.

The principle behind magnitude, extent, duration and context is that the larger/greater these are, the more important the effect. The opposite applies to timing and frequency and clearly, an irreversible effect is much more serious than a reversible one.

The significance attributed to each adverse effect identified should be clearly justified against these factors.

5.2 Determining significance.

Significant adverse effects are likely to be those which undermine the current value of an asset since this is what the Local Plan seeks to conserve.

Having assessed each adverse effect against the factors above, the key question in determining significance for the purpose of Policy MD12 is:

- **Is this effect likely to prevent the asset maintaining its actual condition in its current location in the long term?**

If the answer is yes, then Shropshire Council is likely to consider the effect to be significant.

A2:2: Assessing the effect of development on important woodlands, trees and hedges.

This part of the SPD gives guidance on completing **sections A and B** of the Natural Asset Impact Assessment Report (NAIAR) (**Appendix 1**)

Reference to 'trees' in this part of the SPD should be taken to include individual trees, woodlands, hedges and large woody shrubs.

For the purposes of this SPD, hedges are defined as a line of trees or shrubs maintained to form a physical boundary. A hedgerow is this same line of trees or shrubs but in association with other flora and fauna and physical features such as banks and ditches, in other words a complete ecosystem (East Riding of Yorkshire Council).

The following legally protected assets are subject to separate assessment and consenting regimes which are covered in **section 1.2**

- trees covered by a Tree Preservation Order
- trees in Conservation Areas
- hedgerows in the countryside

Note: Where a hedge marks the boundary between residential and agricultural land, such as the edge of a settlement, the Hedgerow Regulations do not apply.

This part of the SPD deals with all trees that do not fall into the above categories and applies to all major and minor applications.

1. Establishing the value of trees

Policy MD12 seeks to protect important woodlands, trees and hedges from the significant adverse effects of development but leaves the definition of 'important' to this SPD.

Accordingly, **trees categorised as A, B (or U with identifiable biodiversity or landscape value) are classed as important trees for the purposes of Policy MD12.**

Establishing which, if any, trees are important requires survey work. This should be carried out in accordance with British Standard BS 5837. There are two types of survey:

- a topographical survey
- a tree survey

Both will be needed for major applications but a topographical survey will not be needed for minor applications unless advised by the Council.

a) Topographical survey.

This shows ground level spot heights or contours throughout the site. It also shows relevant features such as buildings and other structures, roads, paths and other hard surface areas, water courses and features, walls and boundary features, drainage and overhead and underground service runs.

Full details of what a topographical survey should record are given in BS 5837. They include:

- the position of all trees within the site with a stem diameter of 75mm or more, measured at 1.5m above highest adjacent ground level.
- the position of trees with an estimated stem diameter of 75mm or more that overhang the site boundary. For the purposes of this SPD, this should include the approximate position of trees on adjoining land, where they are within influencing distance (see note below) of the proposed development.
- the crown spread for individual trees (for this SPD this means those on site and those within influencing distance)

- the overall extent of the canopy for woodlands or substantial tree groups (for this SPD this means those on site and those within influencing distance)
- the extent, basal ground levels and height of shrub masses, hedges, hedgerows and stumps

Note: Trees within influencing distance of the development include:

- single-stemmed trees at or within a distance of 12 times their estimated stem diameter (when measured at a point 1.5m above ground level) from the boundary.
- multi-stemmed trees at or within a distance of 10 times their estimated basal diameter from the site boundary.

subject to a maximum distance of 15m from the site boundary.

b) Tree survey

A tree survey categorises the quality and value of the existing tree stock. It should include all trees, hedges and significant shrubs on site and within influencing distance of site and follow the parameters set out in BS 5837. For minor applications (where a topographical survey has not been carried out) the extent and approximate height of shrub masses, hedges and hedgerows as well as the overall extent of the canopy for woodlands or substantial tree groups should also be recorded.

The survey must include a plan showing the location to within a metre of all existing trees on site, numbered individually or as groups as appropriate. Where woodland is within a site it should be accurately plotted with all boundary trees shown. Where development is proposed within woodland it will be necessary to plot all trees. The lines of all internal and boundary hedges must be also be shown. The Root Protection Area (see BS 5837) for each tree should also be plotted.

2. Natural Asset Impact Assessment Report and baseline.

If survey work identifies that the development is likely to affect important trees, then a NAIAR ([Appendix 1](#)) must be submitted with the planning application. The baseline description ([section B](#)) should include the survey results and clearly identify the important trees.

3. Assessing the effects of development

The assessment of the effects of the development ([section C](#) of the NAIAR) should take into account the characteristics of such trees with due allowance for space and their future growth and maintenance requirements. For category U trees, this should include management requirements for safety reasons.

[Appendix 9](#) lists the types of activities which might have an impact on environmental assets. BS 5837 sets out some factors which should be considered in relation to trees. These include:

- site construction access
- the intensity and nature of the construction activity
- contractor's car parking
- phasing of construction works
- the availability of special construction techniques
- the location of, and space for, temporary and permanent apparatus
- all changes in ground level
- working space for equipment
- space for temporary structures
- type and extent of landscape works
- space for storage of materials
- the effects of slope on the movement of potentially harmful liquid spillages

BS 5837 gives details of the specific features of trees that should be taken into account when assessing the effects:

- shading
- privacy and screening
- direct damage
- future pressure for removal
- seasonal nuisance
- ultimate height and spread of the tree

3. Determining significant adverse effect.

Policy MD12 requires the identification of direct, indirect or cumulative effects and seeks to protect trees against any of these which are both adverse and significant. Therefore, once all the effects of the proposed development have been determined, they should be categorised according to whether they are:

- direct
- indirect or,
- cumulative

and

- beneficial or
- adverse

Only those effects identified as adverse need then be assessed for their significance and in this context, an adverse effect is either significant or it is not. There are no degrees of significance.

3.1 Factors influencing significance

For the purposes of this SPD, the significance of an effect is influenced by the following factors:

- magnitude
- extent
- duration
- reversibility
- timing and frequency

a) Magnitude

This is the ‘size’ or ‘amount’ or degree or scale of an **effect** determined on a quantitative basis if possible. Where it is not possible to provide accurate numbers, the use of adjectives such as ‘partial’ ‘total’ or ‘complete’ can provide a relative understanding.

b) Extent

The extent of an effect is the area over which it occurs. This may be part, or all, of the site or extend to connected or adjacent features such as watercourses or woodlands. Additionally, some effects, particularly on root zones, may manifest themselves at a distance from the application site.

c) Duration

This is the length of time for which the effect is expected to last. This may be different to the duration of the activity causing the effect. The duration of an effect should be described as short, medium or long term and temporary (expressed as months and years) or permanent.

d) Reversibility

For the purposes of this SPD, reversibility is the capacity for recovery. A reversible effect is one from which spontaneous recovery is possible or which can be counteracted by mitigation. An irreversible effect is one from which recovery is not possible within a reasonable timescale or there is no reasonable chance of action being taken to reverse it.

e) Timing and frequency

The number of times and the point in a lifecycle that an activity occurs will influence the resulting effect

The principle behind magnitude, extent and duration is that the larger/greater these are, the more important the effect. The opposite applies to timing and frequency and clearly, an irreversible effect is much more serious than a reversible one.

The significance attributed to each adverse effect identified should be clearly justified against the factors above.

3.2 Determining significance

Significant adverse effects are likely to be those which undermine the current value of an important tree, hedge or woodland since this is what the Local Plan seeks to conserve

Having assessed each adverse effect against the factors above, the key question in determining significance for the purpose of Policy MD12 is:

Is this effect likely to prevent the tree maintaining its current categorisation in the long term?

If the answer is yes, then Shropshire Council is likely to consider the effect to be significant.

A2.3 Assessing the effect of development on the landscape.

1.0 Introduction and Scope

This part of the SPD gives guidance on completing **sections A and B** of the Natural Asset Impact Assessment Report (NAIAR) (**Appendix 1**).

For the purposes of this SPD, the landscape means the countryside, and includes undeveloped land partially bounded (but not wholly enclosed) by existing development e.g. edge of settlement situations. It does not include those areas where the built environment is dominant (townscapes).

An assessment of landscape effects, as defined by GLVIA3:

'...deals with the effects of change and development on landscape as a resource. The concern here is with how the proposal will affect the elements that make up the landscape, the aesthetic and perceptual aspects of the landscape and its distinctive character.'

As all development represents change, planning proposals outside the main towns and key settlements in Shropshire will almost always affect the landscape. This means that some assessment of landscape effects will be needed for most planning applications in the countryside. Such assessment should be proportionate to the scale of the proposal and the nature of its likely affects. Accordingly, the approach set out below should be followed for all major planning applications, for all sites of more than 5 dwellings or 0.5ha of employment land and for any other proposals where the Council considers that potential effect on the landscape is a relevant issue.

Apart from the Shropshire Hills AONB (**see sections A.1.2 and 2.6**), there are no landscape designations in Shropshire. This means that each planning proposal will need to establish the value of the landscape before any assessment of the effects of development can be undertaken. This is best carried out through the preparation of a landscape baseline.

The landscape impact baseline should include consideration of:

- the extent of the study area and sources of information;
- the possible effects that might occur;
- the main receptors (those features which are key to landscape character)
- the extent and appropriate level of detail for the baseline studies;
- methods to be used in assessing significance;
- the approach to assessment of cumulative effects.

2.0 The landscape baseline.

A landscape baseline aims to provide an understanding of the landscape in the area that may be affected by the proposal. It provides information on the following aspects:

- geographic extent of the affected landscape (the study area);
- constituent elements and the value attached to these;
- character and the way this varies spatially;
- history;
- condition;
- the way in which the landscape is experienced.

2.1 Defining the study area

The first stage in preparing the landscape baseline is establishing the study area. This should include the site itself and the full extent of the wider landscape around it which the development may influence.

The initial phase of this is desk based, using documents such as National Area Character Profiles, the Shropshire Landscape Character Assessment, the Shropshire Historic Landscape Characterisation and the Shropshire Historic Farmsteads Characterisation Project. Such locally produced documents are likely to be the most relevant and any departure from these should be clearly justified.

For major applications, consultation with local special interest groups and organisations may help in refining the boundaries of the study area.

Once the number and extent of the landscape types likely to be affected has been established, more detailed field surveys of the site itself, its immediate setting and surroundings should be undertaken. Field observations should be clearly recorded and retained in an accessible form for future reference. They should record the specific characteristics of the study area and analyse the extent to which this conforms to, or differs from, the published assessments.

The results of the field work may then be used to sub-divide the landscape types into smaller units and/or to define particular features which make an important contribution to character.

The condition of the different landscape units and individually important features should be recorded at this stage as well as evidence of current pressures causing change in the landscape. The latter should be based on the field work and documentary evidence as necessary.

The predicted landscape baseline aims to describe the landscape in the absence of the proposal. This means projecting forward any current pressures causing change (both positive and negative) to the key landscape elements and describing how this might affect the criteria used to determine their value in the future. The timescale for the predicted baseline should be related to the nature of the pressures e.g. climate change is likely to act over a much longer period of time than changes linked to previous development consents in the vicinity of the site.

2.2 Establishing the value of the landscape.

Designated landscapes have inherent established value. All landscapes have character, but society attaches more value to some landscapes and/or landscape features than to others. Additionally, individual stakeholders may value the same landscape/feature for different reasons. The difference between the value attributed to individual features within a landscape and areas of landscape as a whole is illustrated by the fact that a veteran tree may have value in its own right but also be important because it is part of a parkland landscape.

Assessment of the value attached to the landscape and those individual features which contribute to its character in the study area should be carried out within a clearly recorded and transparent framework so that it is clear how that it has been arrived at.

The following criteria should be considered in the identification of non-established value:

a) Condition

This is a measure of the physical state of the landscape. It may include the extent to which typical character is represented in individual landscape units or features, the intactness of the landscape and the condition of individual elements.

b) Scenic quality

This is the term used to describe the visual appeal of the landscape. It is different to visual amenity ([see section 2.4](#)) but encompasses local distinctiveness.

c) Rarity

This is a measure of the presence of scarce or unusual features in the landscape or of an uncommon landscape type. It should be expressed in a Shropshire context.

d) Representativeness

This is a consideration of whether the character of the landscape unit or landscape feature is typical, or a good example of, that particular character/feature.

e) Intactness

This is the degree to which the character of the landscape unit or feature is clearly recognisable and in good condition.

f) Conservation interests

The presence of natural or historic assets can add to the value of a landscape as well as have value in their own right.

g) Recreation value

This is evidence that the landscape is valued for those types of recreational activity where experience of the landscape is important.

h) Perceptual aspects

These are qualities such as wildness or tranquillity

i) Association

Some landscapes are associated with particular people such as artists or writers, or particular historical events that contribute to the appreciation of the area.

Many of the landscapes likely to be affected by planning proposals in Shropshire are ordinary, everyday landscapes so criteria such as association or rarity may not apply. In these situations, the value of each landscape unit or feature is likely to rely more heavily on representativeness, intactness and scenic quality. In these instances the assessment will need to reflect factors such as sense of place, local distinctiveness and aesthetic qualities.

2.3 Identify the landscape receptors.

The landscape receptors are those with the highest value when assessed against the relevant factors in 2.2 above. They can be whole landscape units or specific landscape features. Their identification provides the basis for applying Policy MD12 to landscape impact assessment.

2.4 Landscape baseline report

The landscape baseline report should:

- identify the landscape elements and features within the study area;
- classify the landscape character and key characteristics;
- consider established and non-established values attached to the landscape
- identify the landscape receptors.

3.0 Assessing the effects of the proposal on the landscape.

Policy MD12 requires the identification of significant adverse effects. This is a four stage process:

- i. identify all the interactions of the development with the landscape receptors;
- ii. determine the nature of these effects and identify any which are adverse;
- iii. assess the significance of the adverse effects;
- iv. describe the significant adverse effects.

3.1 Identify all the effects of the development on the landscape receptors

Appendix 9 gives guidance on identifying the impacts and effects of development on natural assets. Reference should be made to this to identify all the effects of the proposal on each of the landscape receptors.

3.2 Determine the nature of each effect

Effects on the landscape are influenced by the degree to which the proposal fits with existing character and the contribution to the landscape that the development may make in its own right, usually by virtue of good design, even if it is in contrast to existing character. A consideration of these issues is likely to involve an assessment of:

- the changes to the landscape receptors;
- the loss of the landscape receptors;
- the addition of new elements or features that will influence the character and distinctiveness of the landscape. Such features may be man-made or natural e.g. new structures or planting of trees (bearing in mind the time taken to reach maturity);
- the combined effects of these changes on overall character.

Cumulative landscape effects are likely to include effects:

- on the fabric of the landscape – removal of or changes in individual elements or features and/or introduction of new ones;
- on aesthetic aspects of the landscape – such as its scale, sense of enclosure, diversity, pattern and colour, and/or on its perceptual or experiential attributes e.g. sense of naturalness, remoteness or tranquillity;
- on the overall character of the landscape as a result of one or both of the above, especially modification to key characteristics and possible creation of new landscape character.

The most significant cumulative landscape effects are likely to be those that:

- give rise to changes in landscape character of such extent as to have major effects on its key characteristics;
- or in some cases to transform it into a different landscape type.

Emphasis remains on the main project and how or whether it adds to or combines with others to create a significant cumulative effect.

An informed professional judgement should be made for all identified effects and a clear and justified explanation provided for each conclusion, whether positive, neutral or adverse.

3.3 Assess the significance of the effects

Once the nature of the effects has been determined, the significance of those which are judged to be adverse should be assessed. These are the effects which Policy MD12 seeks to prevent.

The significance of effect is derived from combining judgements of the sensitivity of the receptor with those of the magnitude of effect. The sensitivity of a landscape receptor is derived from combining judgements of the susceptibility of the receptor to specific changes associated with the development with judgements of the values attached to the receptor. The magnitude of effect is derived from combining judgements of the size/scale of the effect, the geographical extent of the effect, its relative duration and its reversibility.

a) Sensitivity: susceptibility to change

This represents the capacity of a key landscape element to respond to the adverse effect without undue consequences for the maintenance of the baseline situation. Judgements about the susceptibility of each key landscape elements to change should be recorded on a verbal scale (for example, high, medium, low) but the basis for this must be clear and linked back to evidence from the baseline study.

Additionally, many sites allocated in SAMDev have been assessed for their landscape sensitivity to development. For proposals affecting such sites, the relevant landscape capacity and sensitivity mapping report (documents EV58-EV62 based on the former District Council areas at <http://shropshire.gov.uk/planning-policy/samdev-examination/evidence-base/>) can be used to inform the assessment.

b) Sensitivity: value

Specific values for specific landscape receptors are identified during the baseline reporting (refer to part 2.2 above)

c) Magnitude: size or scale

The judgement about size and scale of an effect should take account of:

- the extent of landscape receptor that will be lost, expressed as a proportion of the total baseline extent;
- the degree to which the aesthetic or perceptual aspects of the landscape receptor are altered either by removal of existing features or by addition of new ones. For example, the removal of hedges may change a small scale, intimate landscape into a large scale open one or the introduction of new buildings may alter open skylines.

A verbal scale can be used to categorise and distinguish the amount of change e.g. major, minor or none.

d) Magnitude: geographical extent

The geographical area over which the effects will be felt is distinct from the size or scale of the effect. For example, there may be moderate loss of landscape elements over a large geographical area or a major addition affecting a small, localised area. In general effects may have an influence at the following scales, although not all will be relevant for each proposal:

- the site level (within the application, or red line, boundary);
- the immediate setting of the site;
- at the scale of the landscape unit within which the proposal lies;
- on a larger scale, influencing the landscape type or several landscape units; depending on how these have been defined in the landscape baseline.

e) Magnitude: duration and reversibility

These are separate but linked concepts. Duration can be expressed on a simple scale such as short, medium or long term provided that the corresponding periods are defined and justified.

Reversibility is a judgement about the prospects and practicality of the particular effect being reversed in a given time scale, for example, a generation. Some forms of development such as housing can be considered permanent whilst others such as wind turbines are often argued to be reversible since they have a limited life and could eventually be removed and/or the land reinstated.

The assumptions behind the judgements on reversibility and duration should be made clear so that a temporary or reversible effect is linked to a definition of how long that effect is likely to last.

3.4 Determine the significance

It is reasonable to say that major loss of a landscape receptor over an extensive area is likely to be significant. Conversely, reversible adverse effects of short duration, over a restricted area may not be significant. Significance of effect, either adverse or beneficial, can be given ratings such as *major*, *moderate*, *minor*, *negligible* or *neutral*. These terms should

be backed up with narrative descriptions relevant to the landscape setting and type of development.

3.6 Conclusions

The conclusions must clearly record:

- effects on the fabric of the landscape;
- effects on the character of the landscape;
- effects on designated landscapes;
- potential cumulative landscape effects.

In reaching a conclusion on the significance of the adverse effects of a proposal on the landscape, the following question may be helpful:

Is this effect likely to prevent the landscape receptors maintaining their current value in the long term?

If the answer is yes, then Shropshire Council is likely to consider the effect to be significant.

Acknowledgement: This section of the SPD is adapted from the Guidelines for Landscape and Visual Impact Assessment: The Landscape Institute and Institute of Environmental Management & Assessment (Third edition 2013) (GLVIA3).

A2.4. Assessing the effects of development on visual amenity

1. Introduction and Scope

This part of the SPD gives guidance on completing **sections A and B** of the Natural Asset Impact Assessment Report (NAIAR) (**Appendix 1**).

An assessment of visual effects is defined by GVLIA3 as dealing with:

‘.....the effects of change and development on the views available to people and their visual amenity. The concern here is with assessing how the surroundings of individuals or groups of people may be specifically affected by changes in the content and character of views as a result of the change or loss of existing elements of the landscape and/or introduction of new elements.’

This SPD is concerned with those elements of visual amenity connected with the countryside. In this context, countryside includes undeveloped land partially bounded (but not wholly enclosed) by existing development e.g. edge of settlement situations. It does not cover those areas where the built environment is dominant (townscapes). The visual impacts of development in such situations are most closely linked to design (see Policies CS6 and MD2) and to the significance and setting of historic assets (see Policies CS6, CS17, MD13 and the Historic Environment SPD).

An assessment of visual amenity will be needed for most planning applications in the countryside. Such assessment should be proportionate to the scale of the proposal and the nature of its likely affects. Accordingly, the approach set out below should be followed for all major planning applications, all sites of more than 5 dwellings or 0.5ha of employment land and for any other proposals where the Council considers that potential effect on visual amenity is a relevant issue.

The visual impact assessment should include consideration of:

- the extent of the study area, which is proportional to the scale and nature of the proposed development;
- the range of people who may be affected (the receptors);
- the representative or key viewpoints that need to be examined.

2.0 The Visual Baseline

Each planning proposal will need to establish a visual baseline before any assessment of the effects of development can be undertaken. The work carried out to establish the baseline this should be proportionate to the scale of the proposed development.

The visual baseline should establish:

- the area in which the development may be visible;
- the different groups of people who may experience views of the development;
- the viewpoints where they will be affected;
- the nature of the views at the viewpoints.

Where there are heritage assets in the vicinity of the proposed development, the visual baseline should indicate whether the proposal is likely to affect the setting. If this is the case, a separate heritage impact assessment should be prepared in line with Policy MD13 and the Historic Environment SPD.

2.1 Mapping the visibility

Land that may be visually connected with the development proposal must be identified and mapped at the outset. This may require the use of a digital mapping package to produce a

Zone of Theoretical Visibility (ZTV). This desk based exercise shows the land from which the proposal may theoretically be visible. The ZTV should be constructed using multiple-point analysis, combining maps for different parts of the proposal. A simple visual analysis of contour maps may suffice in simple visual environments.

Once the ZTV has been prepared, it should be supplemented by a walking survey to record potential views of the development site. This should examine and record the location, size, extent and screening effects of landscape components such as buildings, walls, fences, trees, hedgerows, woodlands and banks. Both the ZTV and visibility survey should assume that the observer head height is between 1.5 and 1.7 metres above ground level, unless the receptor is on horse-back. The effects of distance on views must also be considered. Parts of the ZTV can be omitted from the final baseline if it is judged that that visibility from this distance will be extremely limited. The visibility survey may also need to include qualitative assessments of the effects of the predicted light levels on night time visibility.

2.2 Identify the visual receptors

The visual receptors are those people in the area who will be affected by the changes in views and visual amenity. As well as residents, visual receptors may be people who work there, people who are passing through by road or rail, people visiting promoted attractions or people using the area for different recreational purposes.

The types of visual receptors and the places where they will be affected by the development should be identified. A note should also be made of the numbers of each type of viewer who are likely to be affected in each case. Where it is not possible to gather firm data, a relative judgement should be provided. For example, one place may affect comparatively fewer people than another.

The visual amenity of residents may also form a subset of a residential amenity assessment. The latter includes issues such as noise, light and vibration. However, it is important to consider local residents' visual amenity even where the wider residential amenity is not being assessed.

2.3 Determine viewpoints and views

The viewpoints from which the proposal will be seen by the different visual receptors should be identified. These may include:

- public footpaths and bridleways;
- open access land;
- roads and railways;
- work places;
- buildings providing public access
- dwellings.

The selection of viewpoints should be informed by the ZTV and the visibility survey as well as desk research on footpaths, bridleways, public access land and popular vantage points for residents and visitors. Viewpoints may be fixed, or may cover important sequential views along key routes or transport corridors. The latter is more likely to be needed for major applications.

There are three types of fixed viewpoints:

i) Representative viewpoints. These are chosen to demonstrate the experience of different types of visual receptor e.g. people using a public footpath. They are useful where the effects are unlikely to differ across a number of viewpoints.

ii) Specific viewpoints. These are key viewpoints within the landscape. They may be promoted views or be located in areas of particular noteworthy visual or recreational amenity or have particular cultural associations.

iii) Illustrative viewpoints. These are those to demonstrate a particular effect or issue such as the restricted visibility at a certain location.

Viewpoints should cover:

- near and more distant views – although not so distant as to be meaningless;
- the full range of visual receptors.

2.4 Record views

Photographs should be taken at each viewpoint to record the existing views. Technical guidance on photography and photomontage is available from the Landscape Institute (Photography and photomontage in landscape and visual impact assessment: Advice Note 01/11).

The details of viewpoint locations should be accurately mapped and catalogued and the following details recorded for each photograph.

- direction of view;
- distance from development;
- area covered;
- type of view – fixed point or sequential and glimpse, vista etc;
- date taken – amongst other things, this is important for an understanding of seasonal changes in vegetation;
- weather conditions.

The information should be sufficient for someone else to return to the exact location and record the same view

2.5 Identify the range of visual receptors

The identification of a range of appropriate visual receptors provides the basis for a consideration of the effects of the development and hence the judgement required by Policy MD12 on the balance between these effects and visual amenity.

It is important to remember throughout that visual receptors are all people. However, not every person, group of people or their view(s) will be affected to the same extent by a development: some views are more highly valued and some people will be more susceptible to changes in those views. Both factors should be assessed to determine the most sensitive visual receptors.

2.5 Visual baseline report

The visual baseline report should describe

- the area in which the development may be visible;
- the different groups of people who may experience views of the development
- the key receptors
- the viewpoints where the key receptors will be affected;
- the nature of the views at these viewpoints.

3. Assessing the effects of the proposal

Policy MD12 requires the identification of significant adverse effects. This is a four stage process:

- v. identify all the effects of the development on the key visual receptors;
- vi. determine the nature of these effects and identify any which are adverse;
- vii. assess the significance of the adverse effects;
- viii. define the significant adverse effects.

3.1 Identify all the effects on the visual receptors

Appendix 9 gives guidance on identifying the impacts and effects of development on natural assets. Reference should be made to this to determine the effects of the proposal on each of the visual receptors.

3.2 Determine the nature of each effect

The determination of the nature of the effects (positive, neutral or adverse) is influenced by a range of issues which include:

- the nature of the views of the development, for example, full, partial or only a glimpse;
- the proportion of the development or aspects of it which would be visible such as all, most, some, very little, none;
- the distance from the viewpoint of the development and whether the viewer would focus on the development due to its scale and proximity or whether the development would be only a minor element in a panoramic view;
- whether the view is stationary or transient or one of a sequence of views, as from a footpath or moving vehicle;
- the nature of the changes, which may include;
 - changes to the existing skyline profile,
 - creation of a new visual focus in the view,
 - introduction of new man-made objects,
 - changes in visual simplicity or complexity
 - alteration of visual scale
 - change to the degree of visual enclosure.

Cumulative visual effects are those resulting either from:

- adding the effects of the project being assessed to the effects of other projects in the baseline, or from their combined effects;
- or from changes in the content and character of views due to the introduction of new elements or removal of or damage to existing ones.

Table 3: Types of cumulative visual effect (summary based on Scottish Natural Heritage: 2012)

<i>Generic</i>	<i>Specific</i>	<i>Characteristics</i>
Combined		
Occurs where the observer is able to see two or more developments from one viewpoint	in combination	Where two or more developments are or would be within the observer's arc of vision at the same time without moving his/her head
	in succession	Where the observer has

Sequential Occurs when the observer has to move to another viewpoint to see the same or different developments. Sequential effects may be assessed for travel along regularly used routes such as major roads or popular paths	frequently sequential	to turn his/her head to see the various developments – actual and visualised
	Occasionally frequent	Where the features appear regularly and with short time lapses between instances depending on speed of travel and distance between viewpoints
		Where longer time lapses between appearances would occur because the observer is moving very slowly and/or there are larger distances between the viewpoints

High levels of significance may arise from cumulative visual effects related to:

- developments in close proximity to the main project and clearly visible together in views from selected viewpoints;
- developments that are highly inter-visible, with overlapping ZTVs – even though the individual developments may be at some distance from the main project and from individual viewpoints;
 - in such cases projects may not be particularly significant when viewed individually, but the overall combined cumulative effect at a particular viewpoint may be more significant.

An informed professional judgement should be made for all identified effects and a clear and justified explanation provided for each conclusion, whether positive, neutral or adverse.

3.3 Assess the significance of effects

Once the nature of the effects has been determined, the significance of those which are judged to be adverse should be assessed. These are the effects which Policy MD12 seeks to prevent.

The significance of effect is derived from combining judgements of the sensitivity of the receptor with those of the magnitude of effect. The sensitivity of a landscape receptor is derived from combining judgements of the susceptibility of the receptor to specific changes associated with the development with judgements of the values attached to the receptor. The magnitude of effect is derived from combining judgements of the size/scale of the effect, the geographical extent of the effect, its relative duration and its reversibility.

a) Sensitivity: susceptibility to change

The susceptibility of different visual receptors to changes in views and visual amenity is mainly a function of

- the occupation or activity of people experiencing the view at particular locations;
- the extent to which their attention or interest may therefore be focussed on the views and the visual amenity they experience at that location.

The visual receptors most likely to be susceptible to change include:

- residents at home – particularly where rooms normally used during daylight hours are likely to have a view of the development;
- those people (residents or visitors) engaged in those outdoor recreational activities (including use of public rights of way) linked to an appreciation of particular views.
- visitors to heritage assets or to other attractions where views of the surrounding countryside are an important contributor to the experience;
- those communities where views contribute to the landscape setting enjoyed by residents of that area.

The visual receptors likely to be less sensitive to change include:

- people engaged in outdoor recreation which does not involve or depend on an appreciation of views of the landscape;
- people at their place of work whose attention may be focused on their work activity, not their surroundings and where the setting of the work place is not important to the quality of the working life.

Judgements about the susceptibility of visual receptors to change should be recorded on a simple scale (such as: *high, medium, low*) but the basis for this must be clear and linked back to the evidence from the visibility study and viewpoints.

b) Sensitivity: value

The value attached to a view should take account of:

- the visibility of recognised valued features such as heritage assets;
- mention or the view in guidebooks or representation on tourist maps;
- provision of facilities for the enjoyment of the view, such as parking places, sign boards or interpretive material;
- references to the view in literature or art.

c) Magnitude: size or scale

The size or scale of the effect needs to take account of:

- the addition or loss of features in the view;
- changes in the composition of the view including the proportion occupied by the proposed development;
- the degree of contrast or integration of any new features or changes in the landscape with the existing or remaining landscape elements and characteristics in terms of form, scale and mass, line, height, colour and texture;
- the length of time over which the view of the development will be experienced
- whether views will be a full, partial or glimpses.

c) Magnitude: geographical extent

The geographical extent of a visual effect will vary with different viewpoints and is likely to reflect:

- the angle of the view in relation to the main activity of the visual receptor;
- the distance of the viewpoint from the proposed development;
- the extent of the area over which the changes would be visible.

d) Magnitude: duration and reversibility

These are separate but linked concepts. Duration can be expressed on a simple scale such as short, medium or long term provided that the corresponding periods are defined and justified.

Reversibility is a judgement about the prospects and practicality of the particular effect being reversed in a given time scale, for example, a generation. Some forms of development such as housing can be considered permanent whilst others such as wind turbines are often argued to be reversible since they have a limited life and could eventually be removed and/or the land reinstated.

The assumptions behind the judgements on reversibility and duration should be made clear so that a temporary or reversible effect is linked to a definition of how long that effect is likely to last.

3.4 Determine the significance

Significance of effect, either adverse or beneficial, can be given ratings such as *major, moderate, minor, negligible or neutral*. These terms should be backed up with narrative descriptions relevant to the visual environment and type of development.

Once the significance of effect has been determined, potential mitigation measures can be applied to the development where possible and the whole assessment process repeated to identify residual visual effects.

3.6 Conclusions

The conclusions must clearly indicate the significance of potential effect on the visual amenity of a representative range of receptors. Large scale changes which introduce new, non- characteristic, discordant or intrusive elements into the views experienced by the key visual receptors are more likely to be significant than small changes or changes involving features already present within the view. In practice however, many effects of development fall somewhere between these two and in this instance, the following question may be helpful:

Is this effect likely to mean that the current visual amenity experienced by the key receptor(s) will not be maintained in the long term?

If the answer is yes, then Shropshire Council is likely to consider the effect to be significant.

Acknowledgement: This part of the SPD is adapted from the Guidelines for Landscape and Visual Impact Assessment: The Landscape Institute and Institute of Environmental Management & Assessment (Third edition 2013) (GLVIA3).

A2.5 Assessing the effects of development on geological assets.

This part of the SPD gives guidance on completing **sections A and B** of the Natural Asset Impact Assessment Report (NAIAR) (**Appendix 1**). It applies to locally designated geodiversity sites and geological assets. Locally designated geodiversity sites (LGS) were formerly known as regionally important geological and geomorphological sites (RIGS).

An assessment of the effects of development on geological assets will be needed for all planning proposals affecting LGSs, the geological special qualities of the Shropshire Hills AONB or where Shropshire Council has identified that a proposed development may affect a valued geological asset.

1. The geological baseline

The current condition of the geological asset should be described with reference to the information on LGS at http://www.shropshiregeology.org.uk/RIGS/RIGS_view.html and appropriate geological maps or other published material.

Site survey may be needed to confirm that the features for which the site was designated or the asset is valued are still apparent and to describe the nature of any changes which might affect the condition of the site/asset since designation e.g. vegetation growth, fly tipping, erosion.

2. Assessing the effects of the proposal on geological assets.

Policy MD12 requires the identification of significant adverse effects. This is a four stage process:

- ix. identify all the effects of the development on the features for which the asset is valued
- x. determine the nature of these effects and identify any which are adverse
- xi. assess the significance of the adverse effects
- xii. define the significant adverse effects

2.1 Identify all the effects on the features for which the asset is valued

Appendix 9 gives guidance on identifying the impacts and effects of development on natural assets. Reference should be made to this to determine the effects of the proposal on each of the features for which the asset is valued.

2.2 Determine the adverse effects

The determination of the nature of an effect (positive, neutral or adverse) is influenced by the extent to which the proposal is likely to:

- reverse or exacerbate existing trends such as vegetation growth, erosion
- expose new aspects of the feature
- cause the loss of a particular element
- introduce new opportunities for public appreciation of the valued feature
- introduce new opportunities for research
- affect the setting of a landscape scale geomorphological feature

2.3 Assess the significance of the adverse effects.

The significance of any adverse effects identified is affected by its:

- magnitude
- extent
- permanence
- rarity and context

a) Magnitude

This is the '**size**' or 'amount' or degree or scale of an **effect** determined on a quantitative basis if possible such as 10% of the rock face will be obscured. Where it is not possible to provide accurate numbers, the use of adjectives such as 'partial' 'total' or 'complete' can provide a relative understanding.

b) Extent

The extent of an effect is the area over which it occurs. This may be part, or all, of the valued feature.

c) Permanence

This is a measure of how long the effect is likely to last for. Permanent effects such as erosion cause irreversible changes whilst temporary effects such as the storage of materials are more likely to conserve the value of the asset.

d) Rarity and context

Many geological features represent particular conditions or events at a specific period in time and thus have a restricted occurrence. Others typify a particular process and so may be more widespread. Shropshire has rocks from nearly all the geological periods as well as geomorphological features associated with glacial episodes. Many of these features are nationally protected (i.e. geological Sites of Special Scientific Interest) but this SPD is concerned with those deemed valuable in a Shropshire context

The significance attributed to each adverse effect identified should be clearly explained and justified against these factors.

2.4 Define the significance

Changes which destroy or obscure geological features which have a restricted occurrence or typify a particular geological/geomorphological process are likely to be more significant than those which are temporary and act on a small part of a feature which is well represented elsewhere in Shropshire.

In practice however, many effects of development fall somewhere between these two and in this instance, the following question may be helpful:

Is this effect likely to mean that the current value of the geological asset will not be maintained in the long term?

If the answer is yes, then Shropshire Council is likely to consider the effect to be significant.

A2.6. Assessing the effects of development on the Shropshire Hills AONB

The Shropshire Hills Area of Outstanding Beauty (AONB) is a nationally designated and protected landscape. **Section A1.2** covers the requirements of the National Planning Policy Framework (NPPF) with respect to the AONB. This part of the Natural Environment SPD gives guidance on assessing the effects of development on the special qualities of the AONB (listed in **Appendix 5**) and on completing **sections A and B** of the Natural Asset Impact Assessment Report (NAIAR) (**Appendix 1**).

The primary purpose of AONB designation is to conserve and enhance natural beauty. The phrase 'natural beauty' in relation to AONBs is not strictly defined but includes references to the area's '*flora, fauna and geological and physiographical features*' (National Parks and Access to the Countryside Act 1949, as amended). Natural beauty is closely linked to our modern understanding of landscape value and character. The Environment Act 1995 states (in relation to National Parks, whose protection is equivalent to AONBs) that '*landscape encompasses everything – 'natural' and human – that makes an area distinctive: geology, climate, soil, plants, animals, communities, archaeology, buildings, the people who live in it, past and present and the perceptions of those who visit it*'.

This means that an assessment of the effect of development on the AONB should be based firstly on a landscape and visual impact assessment, supplemented by assessments of ecological assets, trees, woodlands and hedges and geological assets as appropriate (**sections A2.1 to 2.5**). Where heritage assets are likely to be affected by a development proposal, the Historic Environment SPD gives guidance on completing a Heritage Impact Assessment.

The survey and assessment parts of the Natural Asset Impact Assessment Report should be completed for all the relevant assets identified making clear that these are being assessed in the context of the AONB.

Question 3: Can I avoid a significant adverse effect on a natural asset?

This part of the SPD gives guidance on completing **section D** of the Natural Asset Impact Assessment Report (NAIAR) (**Appendix 1**).

If it is likely that a natural asset is present on a development site (see **section A1.4**) or significant adverse effects have been identified (**sections A2.2 to A2.6**), Policy MD12 requires applicants to demonstrate that there is no satisfactory means of avoiding harm¹. This involves either finding an alternative site or re-designing the development. The ways in which these options have been considered forms part D of the Natural Asset Impact Assessment Report.

1. Alternative site

Whilst it is recognised that many applicants may not be in a position to find an alternative site, nevertheless, this option should be considered before re-design. The process set out in **sections Q1 and A1.1 to A1.4** should be followed for the consideration of alternative sites.

If an alternative site can be found, then the application can be submitted. There is no need to submit any other information on natural assets.

2. Re-design

If it is not possible to find an alternative then consideration should be given to re-designing the proposal. The aim should be find a way of delivering the desired outcome without affecting the natural asset. It can be useful to seek pre-application advice at this stage.

A simple example might be a proposal for 15 houses on a site containing a traditional orchard (a priority habitat). A re-designed proposal might exclude the orchard from the site boundary, reduce the number of houses to 13 and design the layout of the development so that the gardens of the houses form the boundary to the orchard.

Each re-design of a proposal will need to repeat the assessment of effects in **sections A2.1 to A2.6** as appropriate. If this shows that there is no longer a significant adverse effect, the application can be submitted. Information on the re-design may be useful to show how harm to natural assets has been avoided, but this is at the discretion of the applicant.

If however, a significant adverse effect remains, albeit lesser or different in nature, or where neither an alternative site nor a re-design can be shown to avoid a significant adverse effect, applicants will need to demonstrate that the social or economic benefits of the proposal outweigh the harm to the asset (**section Q4**).

¹ Major development in the Shropshire Hills AONB is covered by paragraphs 115 and 116 of the NPPF and **section A1.2** of this SPD.

Q4. What do I do if there is still a significant adverse effect?

This part of the SPD gives guidance on completing **sections E and F** of the Natural Asset Impact Assessment Report (NAIAR) (**Appendix 1**).

If, despite considering alternative sites and re-design, the development is still likely to have a significant adverse effect on a natural asset, Policy MD12 requires applicants to clearly demonstrate the social and economic benefits of the proposal

1. Demonstrate social and economic benefits

The onus is on the applicant to decide on, define and explain the social and economic benefits of their proposal: this SPD does not give guidance on what these might be. However, all applications will have some benefits. For instance, the provision of housing meets a social need and its construction is likely to provide employment. It may be helpful to refer to the section headings in NPPF to see the topics that the government considers make up the 3 strands of sustainable development: these cover the social and economic aspects as well as the environmental. It should be noted though, that any benefits should accrue to the wider community and not be just for private individuals or companies.

Applicants should clearly identify those benefits they feel are likely to arise from their proposal in **part D** of the NAIAR. Shropshire Council will then consider whether these are sufficient to outweigh the harm to the asset.

2. Provide mitigation and compensation measures.

If, on balance, the Council considers that the social and economic benefits of the planning proposal outweigh the harm to the natural asset, then applicants will be expected to provide mitigation and/or compensation measures. These will be secured through the use of planning conditions (for on-site measures) and planning agreements (for off-site measures).

For the purposes of this SPD, the mitigation hierarchy referred to in Policy MD12 has three categories¹ in descending order of priority:

- i) Primary measures, developed through the iterative design process which have become integrated or embedded into the project design
- ii) Standard construction and operational management practices for avoiding and reducing environmental effects.
- iii) Secondary measures, designed to address any residual effects remaining after primary and standard construction measures have been incorporated into the scheme.

The hierarchy serves to meet the principle of 'moving from a net loss of biodiversity to achieving net gains for nature' expressed in NPPF paragraph 9 and re-iterated in NPPG.

The primary measures and the construction and operational management practices should be included in the submitted project description (**part A** of the Natural Asset Impact Assessment Report). They could include modifications to:

- the location of activities
- the location of features within the site (such as public open space) and the size and function of these
- the layout and design of buildings e.g. height, materials, orientation
- infrastructure
- the numbers of buildings, especially houses
- access to the site, within the site and adjacent to the site e.g. rights of way
- ground modelling
- new tree and shrub planting

It can be expected that these measures will definitely be implemented as they are proposed as an integral part of the scheme.

Secondary measures are those not built into the final development proposals. They are proposed as a means of addressing the significant adverse effects identified in **part C** of the Natural Asset Impact Assessment Report. These are the mitigation and compensation measures referred to in Policy MD12.

Although mitigation and compensation are linked, they differ from each other as follows:

Mitigation: actions proposed to reduce or remedy significant adverse effects

Compensation: actions proposed to make up for any residual significant adverse effects after mitigation.

Applicants should demonstrate that mitigation measures have been considered before compensation measures. Compensation is the least favourable option and should only be proposed where the likelihood of mitigation measures being effective (in the sense that they will not address the significant adverse effect) or reasonably possible can be shown to be low.

Additionally, on-site mitigation measures are preferred to off-site. Again, applicants should clearly demonstrate that on-site measures are not likely to be effective or are not reasonably feasible when proposing off-site measures. Off-site measures should be situated as close as possible to the application site (within the same settlement or group of settlements as defined in the LDF Implementation Plan or Place Plan) unless there are sound reasons for another location.

It is not possible to give specific guidance on the types of measures suitable for the many different types of effects that developments are likely to have, but the general principle is that the measure should:

- be directly connected to the natural asset affected
- be linked to the effect it is intended to counter
- replace like for like by providing equivalent value, function and structure. If this is not likely to be possible immediately, then there should be a realistic prospect of this being achieved within an acceptable timescale.

Thus the loss of an important tree could be mitigated by the planting of other trees of the same species or the infilling of part of a quarry could be countered by the excavation of the same rock exposure adjacent to the development site. Mitigation and compensation measures may also be linked to objectives that have been set in management plans or conservation strategies for the area e.g. the Shropshire Hills AONB Management Plan.

Care should be taken that mitigation and compensation measures for one natural asset do not have consequences for other natural assets. This may mean further assessment of the proposal once mitigation and/or compensation measures have been identified.

3. Biodiversity offsetting

Biodiversity offsetting is a form of off-site compensation designed to create new ecological features. It is based on a system of calculating the value of the assets being lost and replacing them with features of the same or higher value in a different location. Biodiversity offsets are distinguished from other forms of ecological compensation by the requirement for measurable outcomes: the losses resulting from the impact of the development and the gains achieved through an offset are measured in the same way.

Although the principle of biodiversity offsetting has been recognised for some time, the difficulty of objectively and consistently ascribing a quantitative rather than qualitative value to ecological assets has hindered its use in the planning system. However, Defra and Natural England ran six biodiversity offsetting pilot areas from 2012 to 2014 which used a metric to overcome the issue of measuring loss and gain.

The metric used in the pilot is actually a combination of measurements that together provide an assessment of the biodiversity value of a particular area. It allows the biodiversity impact of a development to be quantified so that the offset requirement, and the value of the compensatory action, can be clearly defined. Metrics are transferable between sites and habitats, allowing an impact on one habitat type to be offset with conservation action elsewhere, or involving a different habitat type and/or quality of habitat. A technical paper on the metric for the biodiversity offsetting pilot is available at

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69531/pb13745-bio-technical-paper.pdf

Biodiversity offsetting using the Defra metric should be considered as a valid compensation measure for residual significant adverse effects on ecological assets. As this can be a complicated process, applicants might find it easiest to use one of the environmental companies specialising in this area. Some of them offer an independent 'brokerage' service which registers potential receptor sites offered by farmers and landowners and matches them to the needs of developers. Such companies should be able to:

- use the Defra metric to calculate the credit requirements for developers
- calculate the credits available for sale from potential compensation (receptor) sites
- register providers and receptor sites
- facilitate the creation, purchase and tracking of credits, using legal agreements and certificates
- ensure the long-term management, monitoring and reporting of receptor sites.

4. Re-assessment

Applicants should re-assess the proposal in the light of any mitigation and/or compensation measures proposed to determine whether all the significant adverse effects have been countered. The results of this assessment should be provided in **part X** of the Natural Asset Impact Assessment Report.

5. Management and monitoring

It is essential that any mitigation and/or compensation measures are realistic, deliverable and capable of being monitored. Applicants should demonstrate this through the preparation of an Environmental Management Plan (EMP) (**part E** of the Natural Asset Impact Assessment Report). The EMP may be split into two sections covering

- i. implementation and management
- ii. monitoring

The implementation and management part of an EMP should:

- set out the methods by which the mitigation and compensation measures will be achieved
- set out suitable specifications and performance standards covering the establishment, maintenance and management of new features
- identify who is responsible for which measure
- set out a timescale for implementation

The monitoring part of the EMP should identify where monitoring is required and set out:

- the methods to be used
- the criteria for determining success or failure
- appropriate timing

- mechanisms for implementation
- frequency and duration of monitoring
- frequency of reporting.

The EMP should describe what is required for mitigation and/or compensation measures to be effective in sufficient detail for planning conditions or legal agreements to be drafted and/or detailed schemes to be submitted before implementations. Assumptions about plant growth and survival rates or other changes over time should be realistic and some form of contingency planning should be included in the event that any of the measures prove unsuccessful.

6. When mitigation and compensation are not possible.

The explanatory text to Policy MD12 offers applicants the ability to make a financial contribution to funds to support the conservation and enhancement of natural assets in situations where neither on- nor off- site mitigation and/or compensation are possible. This is not expected to be the norm and applicants must demonstrate that all possible methods of mitigating or compensating for significant adverse effects (including biodiversity offsetting) are not feasible before the Council will consider this option. However, in those exceptional circumstances, the Council will work with applicants to identify an appropriate use for any such funds (including contributions to environmental schemes or projects provided by external agencies) via a section 106 agreement.

1. Taken from the Guidelines for Landscape and Visual Impact Assessment, 3rd Edition, Landscape Institute and Institute of Environmental Management & Assessment 2013.

Appendix 1: Model Format for Natural Asset Impact Assessment Report

The model format below is intended as a good practice guide to the structure and type of information that should be included in a Natural Asset Impact Assessment Report (NAIAR).

However, it is important to remember that the configuration and content of the report should be proportionate to the predicted degree of risk to the natural asset and to the nature and scale of the proposed development. Consequently, whilst report authors should always provide sufficient detail to enable the Council to make an informed decision they should ensure that only that which is relevant, necessary and material to the assessment of the impact of the proposal on natural assets is included.

Section of Report	Relevant section of SPD	Content
Introduction		
Cover page		Report title. Date of report. Name and contact details of principal author. Name of individual/organisation who commissioned the report. Unique reference number so that the report can be referred to, including version number.
Quality assurance		Details of QA protocol
Contents table		Provide page numbers for each section (and possibly also sub-sections), as well as figures, tables and appendices.
Summary		A one page summary to include: • Purpose of the report • Description of the proposed development • Methodology used • The key effects of the development on the asset and their significance • Any proposed mitigation and/or compensation measures • Conclusions Consider also the use of a finalised Ecological Constraints and Opportunities Plan (ECOP) as specified in BS42020 clause 5.4 as a graphical means of presenting key information.
Introduction		Site name and location; provide a plan on an OS base showing the site, ownership boundary and the red-line planning application boundary. Brief description of the nature of the proposal with reference to specific numbers, size of development etc. Brief description of the natural assets likely to be affected by the proposal. Name and qualifications of principal author. Name of individual/organisation who commissioned the report. Reference to any previous reports provided for the site (e.g. if the proposal has been amended or further survey work has been commissioned reference earlier reports) Clear statement of the purpose of the report e.g.: • <i>To identify and describe all potentially significant adverse effects associated with the proposed</i>

		<i>development</i> • To set out the mitigation and/or compensation measures required to ensure compliance with local plan policy • To identify how mitigation measures will/could be secured • To identify how compensation measures will/could be secured • To provide an assessment of the significance of any residual effects • To set out the requirements for post-construction monitoring
Description of proposal		Larger scale site map showing proposed layout of development, including access arrangements and any off-site works Description of proposal including anticipated start date, length of construction and any phasing e.g. <i>phase 1 comprises 14 dwellings to be completed over a 12 month period commencing in April 2018. Phase 2 comprises 12 dwellings, commencing in May 2019.</i>
Planning policy background		State which Local Plan policies apply. Policies do not need to be repeated in full, the name and title will be sufficient e.g. <i>MD12: The Natural Environment.</i> Brief outline of policy requirements applicable to proposal and compliance with relevant sections of this SPD
A: Desk study		
Identification of natural assets likely to be affected by development	Q1 and A1.4	• List the individuals or organisations that have been contacted. • List the websites that have been used to search for relevant data. • Describe the information that has been requested/searched for. • State when data searches were carried out. • List any ecological reports that have been reviewed, such as previous reports for the same site, or reports for adjacent sites (appropriately referenced). • Describe any consultation that has taken place in relation to determining the scope of the assessment.
Results: Desk study		List the natural asset(s) likely to be affected by the proposal.
B: Baseline		
Baseline description	A2.1 to A2.6	For all natural assets likely to be affected: describe the relevant baseline(s). Where field survey has been carried out include the following • Brief description of methodology (provide details in an appendix) • Description of study area with relevant maps, plans and photographs • Names and qualifications of surveyors • Date(s) of surveys and weather, time of day (if relevant) • Reference to relevant guidance documents • Explanation of any departures from guidance in sections A2.1 to A2.6 • Asset specific information as set out in sections A2.1 to

		A2.6 • Limitations
C: Assessment: Effects		
Effects of the proposal	A2.1 to	For all natural assets likely to be affected: Identify the impacts of the activities associated with all stages of the development. Describe and characterise the effects of these impacts: direct, indirect, etc Where no impact on a particular asset identified by the desk study is predicted a clear statement of this should be provided with appropriate justification.
Adverse effects	A2.6	List the adverse effects
Determine the significance of the effects		The assessment of significance must include a robust justification for the conclusions reached with reference to the baseline and the factors outlined in the relevant asset-specific section of the SPD
Significant adverse effects		Identify the significant adverse effects for all the natural assets affected by the proposal.
D: Measures to avoid the effects		
Avoiding the effect	Q3	For all natural assets likely to be significantly adversely affected: Set out the measures considered to avoid significant adverse effects through alternative site or re-design.
E: The social and economic benefits		
Social benefits of the proposal	Q4	Set out the social benefits of the proposal
Economic benefits of the proposal		Set out the economic benefits of the proposal
F: Mitigation and compensation measures		
Mitigation measures	Q4	For all natural assets likely to be significantly adversely affected: Set out the mitigation measures and identify the significant adverse effect each is designed to address. Define any significant adverse effects likely to remain once these measures have been implemented.
Compensation measures		Set out the compensation measures proposed and identify the residual significant adverse effect each is designed to address.
Environmental Management Plan		Provide environmental management plan detailing measures needed to ensure that mitigation and/or compensation measures are effective.
Conclusion		
Conclusions		• Draw conclusions on the overall effects of the scheme, justifying how the proposal accords with relevant legislation and planning policy. • Demonstrate compliance with or deviation from relevant development plan policies and statutory obligations. • Identify mechanisms to secure commitment to and delivery of recommended measures e.g. through planning conditions. • Explain clearly what the likely outcomes are for the

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		natural assets if the proposed development is granted planning permission. Such implications should provide Shropshire Council with a clear understanding of the likely consequences for those natural assets likely to be significantly adversely affected by the proposal.
References		All documents referred to in the text should be listed and appropriately referenced.
Appendices		Provide detailed survey methodologies, results and site photographs in appendices.

Appendix 2: Guide to sources of legislation and planning policy for natural assets

Type of Designation	Relevant legislation or source of designation	Source of planning policy
European		
Special Area of Conservation (SAC)	The European Community Habitats Directive 12 May 1992 Transposed into UK law by: The Conservation of Habitats and Species Regulations 2010 (as amended)	The European Community Habitats Directive 12 May 1992: Article 6: paragraphs 6(3) and 6(4) The Conservation of Habitats and Species Regulations 2010 (as amended) Regulations 61, 62 and 63
Ramsar Sites	Ramsar Convention on Wetlands (1971) UK: The Conservation of Habitats and Species Regulations 2010 (as amended)	The European Community Habitats Directive 12 May 1992: Article 6: paragraphs 6(3) and 6(4) The Conservation of Habitats and Species Regulations 2010 (as amended) Regulations 61, 62 and 63
European Protected Species (EPS)	The European Community Habitats Directive 12 May 1992 UK: The Conservation of Habitats and Species Regulations 2010 (as amended)	The Conservation of Habitats and Species Regulations 2010 (as amended) Part 3
National		
Sites of Special Scientific Interest	The Wildlife & Countryside Act 1981 (as amended) Countryside and Rights of Way Act 2000	NPPF paragraph 118
National Nature Reserves	Designated by Natural England as a selection of the best SSSI already designated under The Wildlife & Countryside Act 1981 (as amended)	NPPF paragraph 118
Protected species	The Wildlife & Countryside Act 1981 (as amended)	Part 1 of The Wildlife & Countryside Act 1981 (as amended)
Shropshire Hills Area of Outstanding Natural Beauty (AONB)	Countryside and Rights of Way Act 2000	NPPF paragraph 116
Tree Preservation Orders	Part VIII of the Town and Country Planning Act 1990 as	n/a

Type of Designation	Relevant legislation or source of designation	Source of planning policy
	amended by Section 192 of the Planning Act 2008 and Part 6 of the Localism Act 2011 Town and Country Planning (Tree Preservation) (England) Regulations 2012	
Hedgerows	The Hedgerow Regulations 1997	n/a
Ancient semi-natural woodland	n/a	NPPF paragraph 118
Veteran Trees	n/a	NPPF paragraph 118
Local		
Shropshire's environmental network	Shropshire Core Strategy 2011	Core Strategy policy CS17
The special qualities of the Shropshire Hills AONB	Shropshire Hills AONB Management Plan	SAMDev policy MD12
Locally designated biodiversity sites	The Shropshire Local Sites Partnership	SAMDev policy MD12
Locally designated geological sites	The Shropshire Geological Society	SAMDev policy MD12
Priority species	Natural Environment and Rural Communities Act 2006	SAMDev policy MD12
Priority habitats	Natural Environment and Rural Communities Act 2006	SAMDev policy MD12
Important woodlands, trees and hedges	Local Plan	SAMDev policy MD12
Ecological networks	Local Plan	SAMDev policy MD12
Geological assets	Local Plan	SAMDev policy MD12
Visual amenity	Local Plan	SAMDev policy MD12
Landscape character and local distinctiveness	Local Plan	SAMDev policy MD12

Appendix 3: Legally protected species found in Shropshire

This appendix does not contain the full list of species protected by law in Shropshire only those most likely to be affected by planning proposals. Please refer to the relevant legislation for a complete list of all protected species.

Internationally Protected

The following species in are protected under the Conservation of Habitats and Species Regulations 2010 (the Habitats Regulations).

Section of 2010 Habitat Regulations	Type	Common Name	Latin name
2	Mammal	European Otter	<i>Lutra lutra</i>
		Dormouse	<i>Muscardinus avellanarius</i>
		All bat species	-
	Amphibian	Great Crested Newt	<i>Triturus cristatus</i>
	Mollusc	Desmoulin's whorl snail	<i>Vertigo moulinsiana</i>
		Freshwater Pearl Mussel	<i>Margaritifera margaritifera</i>
5	Plant	Killarney Fern	<i>Trichomanes speciosum</i>
		Floating Water-plantain	<i>Luronium natans</i>

Nationally protected

All internationally protected species are also protected by national legislation. However, the following species are solely protected under schedules of the 1981 Wildlife and Countryside Act (as amended).

Schedule of 1981 Wildlife and Countryside Act (as amended)	Type	Common name	Latin name
1	Bird	Common Crossbill	<i>Loxia curvirostra</i>
		Firecrest	<i>Regulus ignicapilla</i>
		Goshawk	<i>Accipiter gentilis</i>
		Hobby	<i>Falco subbuteo</i>
		Kingfisher	<i>Alcedo atthis</i>
		Red Kite	<i>Milvus milvus</i>
		Merlin	<i>Falco columbarius</i>
		Barn Owl	<i>Tyto alba</i>
		Peregrine	<i>Falco peregrinus</i>
		Little Ringed Plover	<i>Charadrius dubius</i>
5	Quail	Quail	<i>Coturnix coturnix</i>
		Fish	Twait Shad
		Crustacean	Atlantic stream crayfish
		Invertebrate	Lesser Silver Water Beetle
		Mammal	Water Vole
			Pine Marten
		Reptile	Adder
			Common Lizard
			Grass Snake
			Slow Worm

Schedule of 1981 Wildlife and Countryside Act (as amended)	Type	Common name	Latin name
8	Lichen	Orange-fruited Elm-lichen	<i>Caloplaca luteoalba</i>
	Fungi	Sandy Stiltball	<i>Battarraea phalloides</i>
		Pennyroyal	<i>Mentha pulegium</i>
		Varnished Hook-moss	<i>Hamatocaulis vernicosus</i>
		Marsh Flapwort	<i>Jamesoniella undulifolia</i>

Badgers

Badgers are protected by the Protection of Badgers Act 1992. This is primarily concerned with animal welfare and the need to protect badgers from activities such as baiting and from deliberate harm. Accordingly is an offence to:

- Wilfully kill, injure, take, possess or cruelly ill-treat a badger, or to attempt to do so
- Intentionally or recklessly interfere with a sett (this includes disturbing badgers whilst they are occupying a sett, as well as damaging or destroying a sett or obstructing access to it.

Appendix 4: Guidelines on the types of development activities likely to affect Shropshire's legally protected species.

The tables below give some indications of when survey work for legally protected species may be needed based on the type of activities involved in the development and the habitats in and around the site. Shaded boxes indicate that survey work may be needed for that particular species. Those species marked with an asterisk have Species Action Plans in the Shropshire Biodiversity Action Plan which give more detail on their distribution and habitat requirements. Where relevant, notes on distribution have been included as text within the boxes in the tables.

Notwithstanding this, survey work should also be carried out if current, historic or third party records indicate the presence of a legally protected species on or near a site (see section A1.4 for using current, historic and third party records).

Types of activity likely to affect bats, otters and reptiles

Activity	Bats	Otter	Reptiles
Demolishing, converting, extending or changing existing buildings, including barns			
Construction and operation of wind turbines			
Removal of trees			
Building or maintenance of roads			
Installation of outside lighting for listed buildings or churches			
Increasing noise or light levels close to ponds, rivers or streams			
Floodlighting green space within 50 metres of: - woodland - water - hedgerows - lines of trees connected to woodland or water			
Altering the water levels of the site or surrounding area			

Habitats supporting protected mammals, amphibians, reptiles, invertebrates, molluscs and fish

Habitat	Badgers	Bats	Great Crested Newt*	Dormice*	Water vole*	Otter	Reptiles	White clawed crayfish	Freshwater pearl mussel	Twait Shad
There are signs of setts or badgers in the development site or nearby. Setts sett										

Shropshire Council: Natural Environment Supplementary Planning Document
Consultation Draft: March 2016

Habitat	Badgers	Bats	Great Crested Newt*	Dormice*	Water vole*	Otter	Reptiles	White clawed crayfish	Freshwater pearl mussel	Twait Shad
entrances are normally 25 to 35cm in diameter and shaped like a 'D' on its side and there are likely to be large spoil heaps outside. They can be found - among rocks and boulders - under garden sheds and raised buildings - among hay bales - under hedges or bushes										
Trees that: - are more than 100 years old - have holes, cracks and cavities - are more than 1 metre around at chest height										
Log piles or rubble										
Grassland										
Scrub				Particularly in the south west of Shropshire. Known populations in Clun, Wenlock						
Woodland										
Hedgerows										

Shropshire Council: Natural Environment Supplementary Planning Document
Consultation Draft: March 2016

Habitat	Badgers	Bats	Great Crested Newt*	Dormice*	Water vole*	Otter	Reptiles	White clawed crayfish	Freshwater pearl mussel	Twait Shad
				Edge and Habberley						
Moorland										
Mature gardens										
A watercourse with soft earth or silt-shored banks					Particularly in the north of Shropshire. Known populations on River Perry and Newport Canal					
A watercourse with wide swathes of soft vegetation growing from out of the water on and the banks										
A slow flowing or relatively deep watercourse										
A river or stream										
A lake or marsh										
Any pond within 500 metres of the development, even if it only holds water some of the year			Y							
A pool within a quarry										
Derelict or previously used land with a mosaic of bare ground and vegetation										
A railway line, riverbank,										

Shropshire Council: Natural Environment Supplementary Planning Document
Consultation Draft: March 2016

Habitat	Badgers	Bats	Great Crested Newt*	Dormice*	Water vole*	Otter	Reptiles	White clawed crayfish	Freshwater pearl mussel	Twait Shad
roadside embankment or roadside verge										
A canal										
A field edge or headland with tussocky, uneven ground										
A boundary bank or older stone wall										
River Severn and its tributaries										

Habitat types and activities for protected birds

Habitat	Common Crossbill	Firecrest	Goshawk	Hobby	Kingfisher	Red Kite	Merlin	Barn Owl*	Peregrine	Little Ringed Plover	Quail
Coniferous woodland											
Deciduous woodland											
Mature garden											
Heathland											
Arable land											
Moorland											
Farmland											
Woodland edge near water											
Rivers, canals, lakes											
Rough Grassland											

Shropshire Council: Natural Environment Supplementary Planning Document
Consultation Draft: March 2016

Habitat	Common Crossbill	Firecrest	Goshawk	Hobby	Kingfisher	Red Kite	Merlin	Barn Owl*	Peregrine	Little Ringed Plover	Quail
Old or disused buildings and large hollow trees in farmland											
Cliffs and quarry faces											
Sandy riverbanks and bare or pebbly ground near water											
Construction of wind turbines											
Demolishing, converting, extending or changing existing buildings, including barns											

Habitat types for protected plants

Habitat	Killarney Fern	Floating water plantain*	Pennyroyal	Varnished hook moss	Marsh Flapwort*
Shady, sheltered and damp ravines					
Canals, pools with still water		Montgomery Canal, Bomere Pool and Brown Moss			
Seasonally flooded damp grassland					
Alkaline flushes					Craven Arms area
Blanket bog					Craven Arms area

Appendix 5: Definitions for Shropshire's natural assets

This appendix defines and provides more detail on all the natural assets protected by the Local Plan. **Section A1.4** sets out how to find out where they are in Shropshire.

1. Assets protected by Core Strategy policy CS17

The environmental network

Shropshire's environmental network includes the ecological network (see below) but is wider than this in that it also includes visible and accessible historic environment assets and public access routes (national and local long distance trails and selected public sites and rights of way). Green Infrastructure should be also considered as part of the Environmental Network. However, some elements of green infrastructure will not provide the connectivity or habitat quality required by the ecological part of the network.

2. Assets protected by the Site Allocations and Management of Development Plan (SAMDev) policy MD12

Special qualities of the Shropshire Hills AONB

The special qualities of the Shropshire Hills AONB are those aspects for which it is considered important, and on which the priorities for its management are based. They comprise:

- **Diversity and contrast:** the Shropshire Hills have no single dominant feature or landform. The area's landscape character is one of variety and of transition: between the lowland plains of the English Midlands and the uplands of Wales: and between the north and south of Britain,
- **Hills:** The hills define the identity of the area and are the backbone of the landscape.
- **Farmed Landscape:** This includes the patchwork of fields (mostly pasture bounded by hedges), hedgerow and field trees (including many veteran trees) and remnants of valuable grassland and hay meadows.
- **Woodlands:** The area has higher than the national average cover of ancient and semi-natural woodland, especially on the steeper slopes. There are also many small woodlands, along with larger predominantly conifer plantations (many of which are being diversified), parkland and wood pasture and small, often remnant, orchards.
- **Rivers and River Valleys:** The Rivers Clun, Teme and Onny, along with many smaller rivers and streams, are relatively clean and natural in form, and of high quality. Valleys vary from the steep-sided batches and dingles of the Long Mynd and Stiperstones, to larger valleys with some flood meadows, and the broad dales such as Corve Dale and Ape Dale which divide up the area.
- **Geology:** The Shropshire Hills have the greatest geological variety of any comparable sized area in the UK, or indeed the world.
- **Wildlife:** Especially valuable habitats are heathland, grassland, woodland and rivers. The area's transitional position (see diversity and contrast) gives rise to an unusual mix of species associated with both upland and lowland and some national rarities. Other species such as Merlin, Snipe, Curlew, Whinchat, Dipper, Emperor moth, Small Pearl Bordered Fritillary and Grayling butterfly are very significant in a regional and county context. The AONB is also a stronghold for species which were formerly more common or widespread, such as Skylark, Tree Pipit, Black Poplar and Great Crested Newt.
- **Heritage:** This includes Offa's Dyke, Iron Age hillforts such as Caer Caradoc and Bury Ditches and medieval castles and fortified houses like Clun and Stokesay. The Shropshire Hills has the greatest concentration of medieval castle earthworks anywhere in Britain and much of the field and settlement pattern is also very ancient. The area contains estates, parkland, planted settlements and abandoned medieval

villages as well as later Parliamentary enclosures and the remains of charcoal burning, lead mining, stone quarrying and associated 'squatter' settlements.

- **Scenic and Environmental Quality:** There are panoramic views within, into and out of the AONB and visual contrasts between the relatively wild hills and valleys and the softer, more settled landscapes.
- **Tranquillity:** The area has an unspoilt and in places, remote quality in which relatively low levels of noise, dark skies and unspoilt views predominate.
- **Culture and Opportunities for Enjoyment:** The Shropshire Hills have been a cultural inspiration for writers such as A E Housman, Mary Webb and Malcolm Saville and the area has some of the best rights of way networks in Shropshire (most of it is open access land) with a wide variety of recreational sites, features and promoted routes.

All the qualities relate to each other and overlap to some extent. The interaction between natural and cultural factors creates a significance which is not recognised by looking at one aspect in isolation. This must be borne in mind when considering development proposals which may affect the AONB.

The Shropshire Hills AONB Management Plan gives more detail on these special qualities and sets out they will be conserved, enhanced and restored, see:

<http://www.shropshirehillsaonb.co.uk/>

Locally designated biodiversity sites

Locally designated biodiversity sites (also known as county Wildlife Sites, or Local Wildlife Sites) are designated by the Shropshire Local Wildlife Sites Partnership. The Partnership is co-ordinated by the Shropshire Wildlife Trust. Local Wildlife Sites are important as they are of substantive nature conservation value, supporting much of Shropshire's biodiversity. Their designation is triggered by meeting detailed biological criteria. Sites are generally chosen for their species-rich habitats or for important populations of threatened or rare species. Any identified local site which meets the biological criteria is designated. There is therefore the potential for some local sites to be of equal quality to an SSSI.

Locally designated geodiversity sites

Geodiversity is the variety of rocks, fossils, minerals, landforms, soils and natural processes, such as weathering, erosion and sedimentation that underlie and determine the character of our natural landscape and environment. Locally designated geodiversity sites were formerly known as Regionally Important Geological and Geomorphological Sites (RIGS). They are designated by Shropshire Council with advice from the Shropshire Geological Society and are the most important non-statutory designated sites for geology and geomorphology.

Priority species

Priority Species are those considered by the Secretary of State to be of principal importance for the purpose of conserving biodiversity under section 41 of the NERC Act. They have been selected by updating the UK Biodiversity Action Plan priority lists so are still sometimes referred to as UKBAP species. [Appendix 7](#) contains a list of the priority species present in Shropshire.

Priority habitats

Priority habitats are those considered by the Secretary of State to be of principal importance for the purpose of conserving biodiversity under section 41 of the NERC Act. They have been selected by updating the UK Biodiversity Action Plan priority lists so are still sometimes referred to as UKBAP habitats. [Appendix 8](#) contains a list of the priority habitats present in Shropshire.

Important woodlands, trees and hedges

Important trees, woodlands and hedges are those of high or moderate quality (Categories A and B) as defined by British Standard 5837. Trees which would otherwise be categorised as U in BS 5837 but which have identifiable biodiversity or landscape value are classed as important only where issues concerning their safety can be appropriately managed.

Category U trees which have heritage value are likely to be either veteran trees or within ancient woodland and thus be covered by NPPF.

Ecological networks

Ecological networks consist of linear features such as hedges, green lanes, railway lines with green embankments, disused railway lines, roads with natural verges, canals, water courses (particularly with bankside vegetation), flood plains and field margins. As well as designated wildlife sites, areas of semi-natural habitat such as priority habitats, woodlands, scrub, heathland, species-rich grassland, ponds, marshy ground, also form parts of ecological networks.

Geological assets

Geological assets include quarries as well as naturally occurring rock exposures and geomorphological landforms such as drumlins and kettle holes. They also include other valued cultural evidence of geology such as use of local building stone, mining structures and educational resources such as museum collections. Where these features occur within a locally designated geodiversity site they are protected by that designation. The geological assets category covers those valued geographical and geomorphological features outside such sites.

Visual amenity

Visual amenity is a measure of the visual quality of a site or area as experienced by residents, workers or visitors. It is the collective impact of the visual components, as perceived by people, which make a site or an area pleasant to be in. It is thus greatly influenced by value judgements. Visual amenity is strongly related to landscape character but the two are not the same

Landscape character and local distinctiveness

Landscapes vary because of, differences in their underlying geology, soils, topography, land cover, hydrology, historic and cultural development and climatic influences. Landscape character is a distinct, recognisable and consistent pattern of elements in the landscape that makes one area different from another. The character of all landscapes, from those that might be considered outstanding to everyday or degraded, can be described and grouped into types.

Landscape Character Types are distinct types of landscape that are relatively homogeneous in character. They are generic in nature in that they may occur in different areas in different parts of the country, but wherever they occur they share broadly similar combinations of geology, topography, drainage patterns, vegetation, historical land use, and settlement pattern.

Evidence of previous land uses, such as field patterns, ridge and furrow, coppice woodland and heritage assets are an important component of landscape character. Historic Landscape Characterisation describes landscapes based on the way in which they were formed; their current and earlier land uses and their physical appearance.

Local distinctiveness is closely linked to the environment, the economy and the social ambience of a place and can be defined as those features which make a place special, differentiating it from anywhere else. It is the sum of landscape character, wildlife, archaeology, history, traditions, building design, materials, shape, size, form and purpose and crafts – everything that makes somewhere truly unique.

Appendix 6: Relevant planning policies and planning guidance for Shropshire's natural assets

To avoid repetition, only the relevant text from each Core Strategy or SAMDev policy is shown here. Please refer to the Shropshire Core Strategy or SAMDev for complete policy wordings as follows:

Core Strategy <http://shropshire.gov.uk/media/830904/shropshire-core-strategy-2011-reduced.pdf>

SAMDev: <http://shropshire.gov.uk/media/830904/shropshire-core-strategy-2011-reduced.pdf>

1. The Shropshire Hills AONB

1.1 NPPF for the Shropshire Hills AONB

Page	Para	Text
26 - 27	115, 116	Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads. Planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of: - the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy; - the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and - any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.
34	144	When determining planning applications, local planning authorities should:..... as far as is practical, provide for the maintenance of landbanks of non-energy minerals from outside National Parks, the Broads, Areas of Outstanding Natural Beauty and World Heritage sites, Scheduled Monuments and Conservation Areas;

1.2 NPPG for the Shropshire Hills AONB

Landscape section

Paragraph: 002	Reference ID: 8-002-20140306
How can I find out about National Parks, the Broads and Areas of Outstanding Natural Beauty?	
Information about the National Parks and Broads and the Government's priorities for these protected landscapes is in the National Parks Circular, English National Parks and the Broads – UK Government Vision and Circular 2010. There is no equivalent circular on Areas of Outstanding Natural Beauty, but Natural England has published information on these areas.	
Revision date: 06 03 2014	

Paragraph: 003	Reference ID: 8-003-20140306
How can I find out about the legal duties of local planning authorities in relation to National Parks and Areas of Outstanding Natural Beauty?	
Section 11A (2) of the National Parks and Access to the Countryside Act 1949, Section 17A of the Norfolk and Suffolk Broads Act 1988 and Section 85 of the Countryside and Rights of Way Act 2000 require that 'in exercising or performing any functions in relation to, or so as to affect, land' in National Parks and Areas of Outstanding Natural Beauty, relevant authorities 'shall have regard' to their purposes. A list of the public bodies and persons covered under "relevant authorities" is found in Defra guidance on the 'have regard' duty. Natural England has published good practice guidance on the 'have regard' duty. This duty is particularly important to the delivery of the statutory purposes of protected areas. The duty applies to all local planning authorities, not just national park authorities. The duty is relevant in considering development proposals that are situated outside National Park or Area of Outstanding Natural Beauty boundaries, but which might have an impact on the setting of, and implementation of, the statutory purposes of these protected areas.	
Revision date: 06 03 2014	

Paragraph: 004	Reference ID: 8-004-20140306
Does planning need to take account of management plans for National Parks and Areas of Outstanding Natural Beauty?	
Planning policies and decisions should be based on up-to-date information about the natural environment and other characteristics of the area. As part of this, local planning authorities and neighbourhood planning bodies should have regard to management plans for National Parks and Areas of Outstanding Natural Beauty, as these documents underpin partnership working and delivery of designation objectives. The management plans highlight the value and special qualities of these designations to society and show communities and partners how their activity contributes to protected landscape purposes.	

National Parks and Areas of Outstanding Natural Beauty management plans do not form part of the statutory development plan, but may contribute to setting the strategic context for development by providing evidence and principles, which should be taken into account in the local planning authorities' Local Plans and any neighbourhood plans in these areas.

National Parks and **Areas of Outstanding Natural Beauty management plans may also be material considerations in making decisions on individual planning applications, where they raise relevant issues.**

Revision date: 06 03 2014

Paragraph: 005

Reference ID: 8-005-20140306

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

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

Related policy: National Planning Policy Framework- Paragraph 116

Revision date: 06 03 2014

1.3 Core Strategy policies for the Shropshire Hills AONB

CS16 Tourism, Culture and Leisure

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

- **Supporting development that promotes opportunities for accessing, understanding and engaging with Shropshire's landscape, cultural and historic assets including the Shropshire Hills AONB, rights-of-way network, canals, rivers and meres & mosses.** Development must also meet the requirements of Policy CS17.

CS17 Environmental Networks

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

- **Contributes to local distinctiveness, having regard to the quality of Shropshire's environment, including landscape, biodiversity and heritage assets, such as the Shropshire Hills AONB, the Meres and Mosses and the World Heritage Sites at Pontcysyllte Aqueduct and Canal and Ironbridge Gorge.**

1.4 SAMDev for the Shropshire Hills AONB

MD8 –Infrastructure Provision

New Strategic Infrastructure

- i. **Applications for new strategic energy, transport, water management and telecommunications infrastructure will be supported** in order to help deliver national priorities and locally identified requirements, **where its contribution to agreed objectives outweighs the potential for adverse impacts. Particular consideration will be given to the potential for adverse impacts on:**
 - ii. **Natural and heritage assets and their setting, including the Shropshire Hills AONB (Policies MD12 and MD13);**

MD11 - Tourism facilities and visitor accommodation

1. **Tourism, leisure and recreation development proposals that require a countryside location will be permitted where the proposal complements the character and qualities of the site's immediate surroundings**, and meets the requirements in Policies CS5, CS16, MD7, MD12, MD13 and relevant local and national guidance;
2. **All proposals should to be well screened and sited to mitigate the impact on the visual quality of the area** through the use of natural on-site features, site layout and design, and landscaping and planting schemes where appropriate. **Proposals within and adjoining the Shropshire Hills AONB should pay particular regard to landscape impact and mitigation.**

MD12: The Natural Environment

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

1. Ensuring that proposals which are likely to have a significant effect, directly, indirectly or cumulatively, on any of the following:
 - i. **the special qualities of the Shropshire Hills AONB;**

will only be permitted if it can be clearly demonstrated that:

- a) there is no satisfactory alternative means of avoiding such impacts through re-design or by re-locating on an alternative site and;
- b) the social or economic benefits of the proposal outweigh the harm to the asset.

In all cases a hierarchy of mitigation then compensation measures will be sought.

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

2. Locally designated biodiversity and geological sites and geological assets

2.1 NPPF for locally designated biodiversity and geological sites and geological assets

Page	Para	Text
25, 26	109	The planning system should contribute to and enhance the natural and local environment by: protecting and enhancing valued landscapes, geological conservation interests and soils;

2.2 NPPG for locally designated biodiversity and geological sites and geological assets

Biodiversity, ecosystems and green infrastructure section

Paragraph: 008	Reference ID: 8-008-20140306
How should local planning authorities set about planning for biodiversity and geodiversity?	
Local and neighbourhood plans and planning decisions have the potential to affect biodiversity or geodiversity outside as well as inside designated areas of importance for biodiversity or geodiversity. Local planning authorities and neighbourhood planning bodies should therefore seek opportunities to work collaboratively with other partners, including Local Nature Partnerships to develop and deliver a strategic approach to protecting and improving the natural environment based on local priorities and evidence. Equally, they should consider the opportunities that individual development proposals may provide to enhance biodiversity and contribute to wildlife and habitat connectivity in the wider area. In considering how development can affect biodiversity, and how biodiversity benefits could be delivered through the planning system, it is useful to consider: - the policies and commitments in Biodiversity 2020 - the contents of any existing biodiversity strategies covering the relevant local or neighbourhood plan area and any local biodiversity action plans; - the potential effects of a development on the habitats or species on the Natural Environment and Rural Communities Act 2006 section 41 list (in Biodiversity 2020) - whether an ecological survey is appropriate; - the factors listed in guidance on local ecological networks that supports National Planning Policy Framework paragraph 117. The statutory obligations in regard to international and national designated sites of importance for biodiversity must also be considered.	
Revision date: 06 03 2014	

Paragraph: 012

Reference ID: 8-012-20140306

Why are Local Sites important and how can I find out more about them?

Local designated sites (which include 'Local Wildlife Sites' and 'Local Geological Sites') make an important contribution to ecological networks and are overseen by Local Sites systems. These systems vary considerably in terms of size (both the administrative area they cover and the number of sites selected) and cover contrasting landscapes in coastal, rural and urban situations. Local Sites systems encompass both biodiversity and geological conservation. Natural England has published advice on the development and management of systems to identify locally designated sites. The advice proposes frameworks and standards for their operation as well as for the selection, protection and management of the sites themselves.

Revision date: 06 03 2014

2.3 Core Strategy policies for locally designated biodiversity and geological sites and geological assets

CS6: Sustainable Design and Development Principles

To create sustainable places, **development will be designed to a high quality** using sustainable design principles, **to achieve an inclusive and accessible environment which respects and enhances local distinctiveness** and which mitigates and adapts to climate change. **This will be achieved by:**

And ensuring that all development:

- Makes the most effective use of land and **safeguards natural resources including high quality agricultural land, geology, minerals, air, soil and water;**

CS17 Environmental Networks

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

- Secures financial contributions, in accordance with Policy CS8, towards the creation of new, and improvement to existing, environmental sites and corridors, the removal of barriers between sites, and provision for long term management and maintenance. **Sites and corridors are identified in the LDF evidence base and will be regularly monitored and updated.**

2.4 SAMDev policies for locally designated biodiversity and geological sites and geological assets

MD2 – Sustainable Design

Further to Policy CS6, for a development proposal to be considered acceptable it is required to:

5. **Consider design of landscaping and open space holistically** as part of the whole development **to provide safe, useable and well-connected outdoor spaces which respond to and reinforce the character and context within which it is set**, in accordance with Policy CS17 and MD12 and MD13, **including;**

MD2 – Sustainable Design

- i. Natural and semi-natural features, such as, trees, hedges, woodlands, ponds, wetlands, and watercourses, as well as existing landscape character, **geological** and heritage **assets** and;

MD12: The Natural Environment

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

2. Ensuring that proposals which are likely to have a significant effect, directly, indirectly or cumulatively, on any of the following:

ii. locally designated biodiversity and geological sites;

will only be permitted if it can be clearly demonstrated that:

- c) there is no satisfactory alternative means of avoiding such impacts through re-design or by re-locating on an alternative site and;
- d) the social or economic benefits of the proposal outweigh the harm to the asset.

In all cases a hierarchy of mitigation then compensation measures will be sought.

3. Important woodlands, trees and hedges

3.1 NPPF for Important woodlands, trees and hedges

Page	Para	Text
27-28	118	When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:
		planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss;

3.2 NPPG for important woodlands, trees and hedges

Biodiversity, ecosystems and green infrastructure section

Paragraph: 021

Reference ID: 8-021-20140306

How can I find out whether an area is 'ancient woodland'?

A starting point to establish whether an area is ancient woodland is to look at the relevant ancient woodland inventory. These inventories comprise county maps of sites (generally greater than two hectares) that are thought to have been continuously wooded since 1600 AD. The national inventory is published and updated by Natural England. Both Ancient

Semi-Natural Woodland (ASNW) as well as Plantations on Ancient Woodland Sites (PAWS) are ancient woodland. Both types should be treated equally in terms of the protection afforded to ancient woodland in the National Planning Policy Framework. The Forestry Commission can also advise on all issues in relation to ancient woodlands.

Related policy: National Planning Policy Framework Paragraph 118

Revision date: 06 03 2014

Paragraph: 022

Reference ID: 8-022-20140306

Should local planning authorities consult the Forestry Commission where development proposals affect ancient woodland?

Local planning authorities are advised to consult the Forestry Commission about development proposals that contain or are likely to affect Ancient Semi-Natural woodlands or Plantations on Ancient Woodlands Sites (PAWS) (as defined and recorded in Natural England's Ancient Woodland inventory), including proposals where any part of the development site is within 500 metres of an ancient semi-natural woodland or ancient replanted woodland, and where the development would involve erecting new buildings, or extending the footprint of existing buildings.

Revision date: 06 03 2014

Paragraph: 023

Reference ID: 8-023-20140306

How can I find out whether trees that could be affected by a development proposal are 'aged or veteran' trees?

Guidance on the features and importance of veteran trees is provided by Natural England. Local Records Centres and other organisations with an interest in trees may be able to advise on the location of known veteran trees.

Revision date: 06 03 2014

Tree Preservation Orders and trees in conservation areas section

Paragraph: 001

Reference ID: 36-001-20140306

What is a Tree Preservation Order?

A Tree Preservation Order is an order made by a local planning authority in England to protect specific trees, groups of trees or woodlands in the interests of amenity. An Order prohibits the:

- cutting down
- topping
- lopping
- uprooting
- wilful damage
- wilful destruction

of trees without the local planning authority's written consent. If consent is given, it can be subject to conditions which have to be followed. In the Secretary of State's view, cutting roots is also a prohibited activity and requires the authority's consent.

Revision date: 06 03 2014

Paragraph: 005

Reference ID: 36-005-20140306

Who makes Tree Preservation Orders and why?

Local planning authorities can make a Tree Preservation Order if it appears to them to be 'expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area.

Authorities can either initiate this process themselves or in response to a request made by any other party. When deciding whether an Order is appropriate, authorities are advised to take into consideration what 'amenity' means in practice, what to take into account when assessing amenity value, what 'expedient' means in practice, what trees can be protected and how they can be identified.

When granting planning permission authorities have a duty to ensure, whenever appropriate, that planning conditions are used to provide for tree preservation and planting. Orders should be made in respect of trees where it appears necessary in connection with the grant of permission.

Flowchart 1 at <http://planningguidance.planningportal.gov.uk/blog/guidance/tree-preservation-orders/annex-a-flowcharts/flowchart-1-making-and-confirming-a-tree-preservation-order/> shows the process for making an Order.

Revision date: 06 03 2014

Paragraph: 007

Reference ID: 36-007-20140306

What does 'amenity' mean in practice?

'Amenity' is not defined in law, so authorities need to exercise judgment when deciding whether it is within their powers to make an Order.

Orders should be used to protect selected trees and woodlands if their removal would have a significant negative impact on the local environment and its enjoyment by the public. Before authorities make or confirm an Order they should be able to show that protection would bring a reasonable degree of public benefit in the present or future.

Revision date: 06 03 2014

Paragraph: 008

Reference ID: 36-008-20140306

What might a local authority take into account when assessing amenity value?

When considering whether trees should be protected by an Order, authorities are advised to develop ways of assessing the amenity value of trees in a structured and consistent way, taking into account the following criteria:

Visibility

The extent to which the trees or woodlands can be seen by the public will inform the authority's assessment of whether the impact on the local environment is significant. The trees, or at least part of them, should normally be visible from a public place, such as a road

or footpath, or accessible by the public.

Individual, collective and wider impact

Public visibility alone will not be sufficient to warrant an Order. The authority is advised to also assess the particular importance of an individual tree, of groups of trees or of woodlands by reference to its or their characteristics including:

- size and form;
- future potential as an amenity;
- rarity, cultural or historic value;
- contribution to, and relationship with, the landscape; and
- contribution to the character or appearance of a conservation area.

Other factors

Where relevant to an assessment of the amenity value of trees or woodlands, authorities may consider taking into account other factors, such as importance to nature conservation or response to climate change. These factors alone would not warrant making an Order.

Revision date: 06 03 2014

Paragraph: 009

Reference ID: 36-009-20140306

What can help local authorities identify trees that may need protection?

An authority's tree strategy may identify localities or populations of trees as priorities for the making or reviewing of Orders. Authorities may also refer to existing registers, recording trees of particular merit, to assist in their selection of trees suitable for inclusion in an Order.

Revision date: 06 03 2014

Paragraph: 010

Reference ID: 36-010-20140306

What does 'expedient' mean in practice?

Although some trees or woodlands may merit protection on amenity grounds it may not be expedient to make them the subject of an Order. For example, it is unlikely to be necessary to make an Order in respect of trees which are under good arboricultural or silvicultural management.

It may be expedient to make an Order if the authority believes there is a risk of trees being felled, pruned or damaged in ways which would have a significant impact on the amenity of the area. But it is not necessary for there to be immediate risk for there to be a need to protect trees. In some cases the authority may believe that certain trees are at risk as a result of development pressures and may consider where this is in the interests of amenity, that it is expedient to make an Order. Authorities can also consider other sources of risks to trees with significant amenity value. For example, changes in property ownership and intentions to fell trees are not always known in advance, so it may sometimes be appropriate to proactively make Orders as a precaution.

Revision date: 06 03 2014

Paragraph: 011

Reference ID: 36-011-20140306

What trees can be protected?

An Order can be used to protect individual trees, trees within an area, groups of trees or whole woodlands. Protected trees can be of any size or species.

Orders covering a woodland protect the trees and saplings of whatever size within the identified area, including those planted or growing naturally after the Order was made. This is because the purpose of the Order is to safeguard the woodland as a whole, which depends on regeneration or new planting.

Revision date: 06 03 2014

Paragraph: 012

Reference ID: 36-012-20140306

Can shrubs and hedges be protected by a Tree Preservation Order?

Authorities may only use an Order to protect anything that may ordinarily be termed a tree. This would not normally include shrubs, but could include, for example, trees in a hedge or an old hedge which has become a line of trees of a reasonable height. The removal of countryside hedgerows is regulated under *The Hedgerow Regulations 1997*.

Revision date: 06 03 2014

3.3 Core Strategy policies for important woodlands, trees and hedges

The Core Strategy does not specifically cover trees, woodlands and hedges but the explanatory text to **CS6** and **CS17** makes it clear that they are included in these policies.

3.4 SAMDev policies for important woodlands, trees and hedges

MD2 – Sustainable Design

Further to Policy CS6, for a development proposal to be considered acceptable it is required to:

5. **Consider design of landscaping and open space holistically as part of the whole development to** provide safe, useable and well-connected outdoor spaces which respond to and **reinforce the character and context within which it is set**, in accordance with Policy CS17 and MD12 and MD13, including;
 - ii. **Natural and semi-natural features, such as, trees, hedges, woodlands, ponds, wetlands, and watercourses, as well as existing landscape character, geological and heritage assets and;**

MD12: The Natural Environment

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

2. Ensuring that proposals which are likely to have a significant effect, directly, indirectly or cumulatively, on any of the following:
 - iii. **important woodlands, trees and hedges;**

will only be permitted if it can be clearly demonstrated that:

- e) there is no satisfactory alternative means of avoiding such impacts through re-design or by re-locating on an alternative site and;
- f) the social or economic benefits of the proposal outweigh the harm to the asset.

MD12: The Natural Environment

In all cases a hierarchy of mitigation then compensation measures will be sought.

4. Ecological Networks

4.1 NPPF for ecological networks

Page	Para	Text
15	61	Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.
25, 26	109	The planning system should contribute to and enhance the natural and local environment by: • minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

4.2 NPPG for ecological networks

Biodiversity, ecosystems and green infrastructure section

Paragraph: 008	Reference ID: 8-008-20140306
How should local planning authorities set about planning for biodiversity and geodiversity?	
Local and neighbourhood plans and planning decisions have the potential to affect biodiversity or geodiversity outside as well as inside designated areas of importance for biodiversity or geodiversity. Local planning authorities and neighbourhood planning bodies should therefore seek opportunities to work collaboratively with other partners, including Local Nature Partnerships to develop and deliver a strategic approach to protecting and improving the natural environment based on local priorities and evidence. Equally, they should consider the opportunities that individual development proposals may provide to enhance biodiversity and contribute to wildlife and habitat connectivity in the wider area. In considering how development can affect biodiversity, and how biodiversity benefits could be delivered through the planning system, it is useful to consider: • the policies and commitments in Biodiversity 2020 • the contents of any existing biodiversity strategies covering the relevant local or neighbourhood plan area and any local biodiversity action plans; • the potential effects of a development on the habitats or species on the Natural Environment and Rural Communities Act 2006 section 41 list (in Biodiversity 2020) • whether an ecological survey is appropriate;	

the factors listed in guidance on local ecological networks that supports National Planning Policy Framework paragraph 117. The statutory obligations in regard to international and national designated sites of importance for biodiversity must also be considered.	
Revision date: 06 03 2014	
Paragraph: 009	Reference ID: 12-009-20140306
What are local ecological networks and what evidence should be taken into account in identifying and mapping them?	
The components of an ecological network are explained at section 2.12 of the Natural Environment White Paper. Relevant evidence in identifying and mapping local ecological networks includes: - the broad geological, geomorphological and bio-geographical character of the area, creating its main landscapes types; - key natural systems and processes within the area, including fluvial and coastal; - the location and extent of internationally, nationally and locally designated sites; - the distribution of protected and priority habitats and species - areas of irreplaceable natural habitat such as ancient woodland or limestone pavement, the significance of which may be derived from habitat age, uniqueness, species diversity and/or the impossibilities of re-creation; - habitats where specific land management practices are required for their conservation; - main landscape features which, due to their linear or continuous nature, are important for the migration, dispersal and genetic exchanges of plants and animals, including any potential for new habitat corridors to link any isolated sites that hold nature conservation value, and therefore improve species dispersal; - areas with potential for habitat enhancement or restoration, including those necessary to help biodiversity adapt to climate change or which could assist with the habitats shifts and species migrations arising from climate change; - an audit of green space within built areas and where new development is proposed; - information on the biodiversity and geodiversity value of previously developed sites and the opportunities for incorporating this in developments; and - areas of geological value which would benefit from enhancement and management. Local Nature Partnerships can be a useful source of information for existing ecological networks.	
Revision date: 06 03 2014	

4.3 Core Strategy policies for ecological networks

CS17 Environmental Networks
Development will identify, protect, enhance, expand and connect Shropshire's environmental assets, to create a multifunctional network of natural and historic resources. This will be achieved by ensuring that all development: Protects and enhances the diversity, high quality and local character of Shropshire's natural, built and historic environment, and does not adversely affect the visual, ecological, heritage or recreational values and functions of these assets, their immediate

surroundings or their connecting corridors. Further guidance will be provided in SPDs concerning the natural and built environment;

- Contributes to local distinctiveness, having regard to the quality of Shropshire's environment, including landscape, biodiversity and heritage assets, such as the Shropshire Hills AONB, the Meres and Mosses and the World Heritage Sites at Pontcysyllte Aqueduct and Canal and Ironbridge Gorge
- Does not have a significant adverse impact on Shropshire's environmental assets and does not create barriers or sever links between dependant sites;
- Secures financial contributions, in accordance with Policy CS8, towards the creation of new, and improvement to existing, environmental sites and corridors, the removal of barriers between sites, and provision for long term management and maintenance. Sites and corridors are identified in the LDF evidence base and will be regularly monitored and updated.

4.4 SAMDev policies for ecological networks

MD2 – Sustainable Design

Further to Policy CS6, for a development proposal to be considered acceptable it is required to:

5. **Consider design of landscaping and open space holistically as part of the whole development to provide safe, useable and well-connected outdoor spaces** which respond to and **reinforce the character and context within which it is set**, in accordance with Policy CS17 and MD12 and MD13, including;
 - iii. **Natural and semi-natural features, such as, trees, hedges, woodlands, ponds, wetlands, and watercourses, as well as existing landscape character, geological and heritage assets**

MD12: The Natural Environment

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

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

5. Landscape character, visual amenity and local distinctiveness

5.1 NPPF and landscape character, visual amenity and local distinctiveness

Page	Para	Text
5	17, 5 th bullet point	Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking . These 12 principles are that planning should: • take account of the different roles and character of

Page	Para	Text
		different areas, promoting the vitality of our main urban areas , protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;
15	58	Planning policies and decisions should aim to ensure that developments: • respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation; • are visually attractive as a result of good architecture and appropriate landscaping.
25, 26	109	The planning system should contribute to and enhance the natural and local environment by: • protecting and enhancing valued landscapes, geological conservation interests and soils;

5.2 NPPG and landscape character, visual amenity and local distinctiveness

Landscape section

Paragraph: 001	Reference ID: 8-001-20140306
How can the character of landscapes be assessed to inform plan-making and planning decisions?	
One of the core principles in the National Planning Policy Framework is that planning should recognise the intrinsic character and beauty of the countryside. Local plans should include strategic policies for the conservation and enhancement of the natural environment, including landscape. This includes designated landscapes but also the wider countryside. Where appropriate, landscape character assessments should be prepared to complement Natural England's National Character Area profiles. Landscape Character Assessment is a tool to help understand the character and local distinctiveness of the landscape and identify the features that give it a sense of place. It can help to inform, plan and manage change and may be undertaken at a scale appropriate to local and neighbourhood plan-making. Natural England provides guidance on undertaking these assessments	
Related policy: National Planning Policy Framework Paragraph 17, Paragraphs 156-157 and Paragraph 170	
Revision date: 06 03 2014	

5.3 Core Strategy policies for and landscape character, visual amenity and local distinctiveness

CS6: Sustainable Design and Development Principles
To create sustainable places, development will be designed to a high quality using sustainable design principles, to achieve an inclusive and accessible environment which respects and enhances local distinctiveness and which mitigates and adapts to climate

change. This will be achieved by:
....ensuring that all development:

- **Protects, restores, conserves and enhances the natural, built and historic environment and is appropriate in scale, density, pattern and design taking into account the local context and character, and those features which contribute to local character, having regard to national and local design guidance, landscape character assessments and ecological strategies where appropriate;**

CS16 Tourism, Culture and Leisure

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

- **Supporting development that promotes opportunities for accessing, understanding and engaging with Shropshire's landscape,** cultural and historic assets including the Shropshire Hills AONB, rights-of-way network, canals, rivers and meres & mosses. Development must also meet the requirements of Policy CS17.
- **Development of high quality visitor accommodation** in accessible locations served by a range of services and facilities, which enhances the role of Shropshire as a tourist destination to stay. **In rural areas, proposals must be of an appropriate scale and character for their surroundings,** be close to or within settlements, or an established and viable tourism enterprise where accommodation is required. Where possible, existing buildings should be re-used (development must also accord with Policy CS5).

CS17 Environmental Networks

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

- **Protects and enhances the diversity, high quality and local character of Shropshire's natural, built and historic environment, and does not adversely affect the visual, ecological, heritage or recreational values and functions of these assets, their immediate surroundings or their connecting corridors.** Further guidance will be provided in SPDs concerning the natural and built environment;
- **Contributes to local distinctiveness, having regard to the quality of Shropshire's environment, including landscape,** biodiversity and heritage assets, such as the Shropshire Hills AONB, the Meres and Mosses and the World Heritage Sites at Pontcysyllte Aqueduct and Canal and Ironbridge Gorge.

5.4 SAMDev policies for and landscape character, visual amenity and local distinctiveness

MD2 – Sustainable Design

Further to Policy CS6, for a development proposal to be considered acceptable it is

MD2 – Sustainable Design

required to:

2. **Contribute to and respect locally distinctive or valued character** and existing amenity value **by**:
 - i. Responding appropriately to the form and layout of existing development and the way it functions, including mixture of uses, streetscape, building heights and lines, scale, density, plot sizes and local patterns of movement; and
 - ii. Reflecting locally characteristic architectural design and details, such as building materials, form, colour and texture of detailing, taking account of their scale and proportion; and
 - iii. Protecting, conserving and enhancing the historic context and character of heritage assets, their significance and setting, in accordance with MD13; and
 - iv. Enhancing, incorporating or recreating natural assets in accordance with MD12.
3. **Embrace opportunities for contemporary design solutions, which take reference from and reinforce distinctive local characteristics** to create a positive sense of place, but avoid reproducing these characteristics in an incoherent and detrimental style;
4. **Consider design of landscaping and open space holistically as part of the whole development** to provide safe, useable and well-connected outdoor spaces which respond to and **reinforce the character and context within which it is set**, in accordance with Policy CS17 and MD12 and MD13, **including**:
 - iv. Natural and semi-natural features, such as, trees, hedges, woodlands, ponds, wetlands, and watercourses, as well as **existing landscape character**, geological and heritage assets...

MD7b– General Management of Development in the Countryside

Further to the considerations set out by Core Strategy Policy CS5:

2. **Proposals for the replacement of buildings which contribute to the local distinctiveness, landscape character** and historic environment, **will be resisted unless they are in accordance with Policies MD2 and MD13**. Any negative impacts associated with the potential loss of these buildings, will be weighed with the need for the replacement of damaged, substandard and inappropriate structures and the benefits of facilitating appropriate rural economic development;

MD8 –Infrastructure Provision

New Strategic Infrastructure

3. **Applications for new strategic energy, transport, water management and telecommunications infrastructure will be supported** in order to help deliver national priorities and locally identified requirements, **where its contribution to agreed objectives outweighs the potential for adverse impacts**. Particular consideration will be given to the potential for adverse impacts on:
 - iii. **Visual amenity;**
 - iv. **Landscape character and sensitivity, including impacts on sensitive skylines;**

MD8 –Infrastructure Provision

MD11 - Tourism facilities and visitor accommodation

1. **Tourism, leisure and recreation development proposals that require a countryside location will be permitted where the proposal complements the character and qualities of the site's immediate surroundings**, and meets the requirements in Policies CS5, CS16, MD7, MD12, MD13 and relevant local and national guidance;
2. **All proposals should to be well screened and sited to mitigate the impact on the visual quality of the area** through the use of natural on-site features, site layout and design, and landscaping and planting schemes where appropriate. Proposals within and adjoining the Shropshire Hills AONB should pay particular regard to landscape impact and mitigation.

Visitor accommodation in rural areas:

6. **Further to the requirements in Policy CS16, proposals for new and extended touring caravan and camping sites should have regard to the cumulative impact of visitor accommodation on the natural and historic assets of the area**, road network, or over intensification of the site;
7. **Static caravans, chalets and log cabins are recognised as having a greater impact on the countryside and in addition (to 6), schemes should be landscaped and designed to a high quality;**
10. **New sites for visitor accommodation and extensions to existing chalet and park home sites in the Severn Valley will be resisted due to the impact on the qualities of the area from existing sites;**

MD12: The Natural Environment

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

2. Ensuring that proposals which are likely to have a significant effect, directly, indirectly or cumulatively, on any of the following:
 - iv. **visual amenity;**
 - v. **landscape character and local distinctiveness.**

will only be permitted if it can be clearly demonstrated that:

- a) there is no satisfactory alternative means of avoiding such impacts through re-design or by re-locating on an alternative site and;
- b) the social or economic benefits of the proposal outweigh the harm to the asset.

In all cases a hierarchy of mitigation then compensation measures will be sought.

4. **Supporting proposals which contribute positively to the special characteristics and local distinctiveness of an area**, particularly in the Shropshire Hills AONB, Nature Improvement Areas, Priority Areas for Action or areas and sites where development affects

MD12: The Natural Environment

biodiversity or geodiversity interests at a landscape scale, including across administrative boundaries.

MD14: Waste Management Facilities

1. Further to Policy CS19, **the development of waste transfer, recycling and recovery facilities will be supported where applicants can demonstrate that potential adverse impacts on the local community and Shropshire's natural and historic environment can be satisfactorily controlled. Particular consideration will be given (where relevant) to:**

- i. **Measures to protect people and the environment from adverse effects, including: visual; noise; vibration; dust; litter; vermin and birds; air and water pollution; odour; or traffic impacts;**

MD17: Managing the Development and Operation of Mineral Sites

1. **Applications for mineral development will be supported where applicants can demonstrate that potential adverse impacts on the local community and Shropshire's natural and historic environment can be satisfactorily controlled. Particular consideration will be given (where relevant) to:**

- i. **Measures to protect people and the environment from adverse effects, including visual, noise, dust, vibration and traffic impacts;**

6. European (Natura 2000) sites

6.1 NPPF for European sites

Page	Para	Text
1	2	Planning policies and decisions must reflect and where appropriate promote relevant EU obligations and statutory requirements.
27-28	118	When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles: - the following wildlife sites should be given the same protection as European sites: - potential Special Protection Areas and possible Special Areas of Conservation; - listed or proposed Ramsar sites; and - sites identified, or required, as compensatory measures for adverse effects on European sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.
28	119	The presumption in favour of sustainable development (paragraph

Page	Para	Text
		14) does not apply where development requiring appropriate assessment under the Birds or Habitats Directives is being considered, planned or determined.

6.2 NPPG for European sites

Biodiversity, ecosystems and green infrastructure section

Paragraph: 011	Reference ID: 8-011-20140612
What are the legal obligations on local planning authorities and developers regarding European sites designated under the Birds or Habitats Directives, protected species and Sites of Special Scientific Interest?	
Updated guidance on the law affecting European sites, protected species and Sites of Special Scientific Interest is being prepared by Defra and will replace the advice set out in Circular 06/05: Biodiversity and Geological Conservation	
Related policy: National Planning Policy Framework Paragraph 118 – 119	
Revision date: 12 06 2014	

Paragraph: 008	Reference ID: 8-008-20140306
How should local planning authorities set about planning for biodiversity and geodiversity?	
Local and neighbourhood plans and planning decisions have the potential to affect biodiversity or geodiversity outside as well as inside designated areas of importance for biodiversity or geodiversity. Local planning authorities and neighbourhood planning bodies should therefore seek opportunities to work collaboratively with other partners, including Local Nature Partnerships to develop and deliver a strategic approach to protecting and improving the natural environment based on local priorities and evidence. Equally, they should consider the opportunities that individual development proposals may provide to enhance biodiversity and contribute to wildlife and habitat connectivity in the wider area. In considering how development can affect biodiversity, and how biodiversity benefits could be delivered through the planning system, it is useful to consider: • the policies and commitments in Biodiversity 2020 • the contents of any existing biodiversity strategies covering the relevant local or neighbourhood plan area and any local biodiversity action plans; • the potential effects of a development on the habitats or species on the Natural Environment and Rural Communities Act 2006 section 41 list (in Biodiversity 2020) • whether an ecological survey is appropriate; • the factors listed in guidance on local ecological networks that supports National Planning Policy Framework paragraph 117. The statutory obligations in regard to international and national designated sites of importance for biodiversity must also be considered.	
Revision date: 06 03 2014	

6.3 Core Strategy policy for European sites

The Core Strategy does not specifically cover European sites but paragraph 7.6 in the explanatory text to **CS17** provides some background information.

6.4 SAMDev policies for European sites

MD2 – Sustainable Design

Further to Policy CS6, for a development proposal to be considered acceptable it is required to:

5. **Consider design of landscaping and open space holistically as part of the whole development** to provide safe, useable and well-connected outdoor spaces which respond to and **reinforce the character and context within which it is set**, in accordance with Policy CS17 and MD12 and MD13, **including**;
 - v. providing adequate open space of at least 30sqm per person that meets local needs in terms of function and quality and contributes to wider policy objectives such as surface water drainage and the provision and enhancement of semi natural landscape features. For developments of 20 dwellings or more, this should comprise an area of functional recreational space for play, recreation, formal or informal uses including semi-natural open space;
 - vi. **Where an adverse effect on the integrity of an internationally designated wildlife site due to recreational impacts has been identified, particular consideration will be given to the need for semi natural open space, using 30sqm per person as a starting point;**

MD12: The Natural Environment

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

1. **Requiring a project-level Habitats Regulations Assessment for all proposals where the Local Planning Authority identifies a likely significant effect on an internationally designated site. Permission will be refused where a HRA indicates an adverse effect on the integrity of a designated site which cannot be avoided or fully mitigated. Where mitigation can remove an adverse effect, including that identified by the HRA for the Plan or the Minerals HRA, measures will be required in accordance with; CS6, CS8; CS9; CS17; CS18: MD2; remedial actions identified in the management plan for the designated site and the priorities in the Place Plans, where appropriate.**

7. Biodiversity enhancement

7.1 NPPF and biodiversity enhancement

Page	Para	Text
Ministerial forward (i)	5 th paragraph	Our natural environment is essential to our wellbeing, and it can be better looked after than it has been. Habitats that have been degraded can be restored. Species that have been

Page	Para	Text
		isolated can be reconnected. Green Belt land that has been depleted of diversity can be refilled by nature – and opened to people to experience it, to the benefit of body and soul.
2 and 3	9 2 nd bullet point	Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment , as well as in people's quality of life, including (but not limited to)..... • moving from a net loss of bio-diversity to achieving net gains for nature
5	17, 5 th and 7 th bullet points	Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles are that planning should: • contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework;
25, 26	109	The planning system should contribute to and enhance the natural and local environment by: • minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
27-28	118	When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles: • development proposals where the primary objective is to conserve or enhance biodiversity should be permitted;

7.2 NPPG and biodiversity enhancement

Biodiversity, ecosystems and green infrastructure section

Paragraph: 007	Reference ID: 8-007-20140306
Is there a statutory basis for planning to seek to minimise impacts on biodiversity and provide net gains in biodiversity where possible?	
Yes, Section 40 of the Natural Environment and Rural Communities Act 2006 , which places a duty on all public authorities in England and Wales to have regard , in the exercise of their functions, to the purpose of conserving biodiversity. A key purpose of this duty is to embed consideration of biodiversity as an integral part of policy and decision making throughout the public sector , which should be seeking to make a significant contribution to the achievement of the commitments made by Government in its Biodiversity 2020 strategy	

Guidance on statutory obligations concerning designated sites and protected species is published separately because its application is wider than planning and links are provided to external guidance. Local planning authorities should take a pragmatic approach – the aim should be to fulfil statutory obligations in a way that minimises delays and burdens.

The National Planning Policy Framework is clear that pursuing sustainable development includes moving from a net loss of biodiversity to achieving net gains for nature, and that a core principle for planning is that it should contribute to conserving and enhancing the natural environment and reducing pollution.

Revision date: 06 03 2014

Paragraph: 008

Reference ID: 8-008-20140306

How should local planning authorities set about planning for biodiversity and geodiversity?

Local and neighbourhood plans and **planning decisions** have the potential to affect biodiversity or geodiversity outside as well as inside designated areas of importance for biodiversity or geodiversity. Local planning authorities and neighbourhood planning bodies should therefore seek opportunities to work collaboratively with other partners, including Local Nature Partnerships to develop and deliver a strategic approach to protecting and improving the natural environment based on local priorities and evidence. Equally, they **should consider the opportunities that individual development proposals may provide to enhance biodiversity** and contribute to wildlife and habitat connectivity in the wider area.

In considering how development can affect biodiversity, and how biodiversity benefits could be delivered through the planning system, it is useful to consider:

- the policies and commitments in Biodiversity 2020
- the contents of any existing biodiversity strategies covering the relevant local or neighbourhood plan area and any local biodiversity action plans;
- the potential effects of a development on the habitats or species on the Natural Environment and Rural Communities Act 2006 section 41 list (in Biodiversity 2020)
- whether an ecological survey is appropriate;
- the factors listed in guidance on local ecological networks that supports National Planning Policy Framework paragraph 117.

The statutory obligations in regard to international and national designated sites of importance for biodiversity must also be considered.

Revision date: 06 03 2014

Paragraph: 017

Reference ID: 8-017-20140306

How can development not only protect but also enhance biodiversity?

Biodiversity maintenance and enhancements through the planning system have the potential to make a significant contribution to the achievement of Biodiversity 2020 targets.

Biodiversity enhancement in and around development should be led by a local understanding of ecological networks, and should seek to include:

- habitat restoration, re-creation and expansion;
- improved links between existing sites;
- buffering of existing important sites;

- new biodiversity features within development; and
- securing management for long term enhancement.

Revision date: 06 03 2014

7.3 Core Strategy policies for biodiversity enhancement

CS6: Sustainable Design and Development Principles

To create sustainable places, development will be designed to a high quality using sustainable design principles, to achieve an inclusive and accessible environment which respects and enhances local distinctiveness and which mitigates and adapts to climate change. This will be achieved by:

.....ensuring that all development:

- Protects, restores, conserves and **enhances the natural**, built and historic **environment** and is appropriate in scale, density, pattern and design taking into account the local context and character, and those features which contribute to local character, having regard to national and local design guidance, landscape character assessments and ecological strategies where appropriate;

CS17 Environmental Networks

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

- Protects and **enhances the diversity, high quality and local character of Shropshire's natural**, built and historic **environment**, and does not adversely affect the visual, ecological, heritage or recreational values and functions of these assets, their immediate surroundings or their connecting corridors. Further guidance will be provided in SPDs concerning the natural and built environment;

CS18: Sustainable Water Management

Developments will integrate measures for sustainable water management to reduce flood risk, avoid an adverse impact on water quality and quantity within Shropshire, including groundwater resources, and provide opportunities to enhance biodiversity, health and recreation, by ensuring that:.....

7.4 SAMDev policies for biodiversity enhancement

MD2 – Sustainable Design

Further to Policy CS6, for a development proposal to be considered acceptable it is required to:

2. Contribute to and respect locally distinctive or valued character and existing amenity value by:

MD2 – Sustainable Design

- v. Responding appropriately to the form and layout of existing development and the way it functions, including mixture of uses, streetscape, building heights and lines, scale, density, plot sizes and local patterns of movement; and
- vi. Reflecting locally characteristic architectural design and details, such as building materials, form, colour and texture of detailing, taking account of their scale and proportion; and
- vii. Protecting, conserving and enhancing the historic context and character of heritage assets, their significance and setting, in accordance with MD13; and
- viii. **Enhancing**, incorporating or recreating **natural assets in accordance with MD12.**

MD12: The Natural Environment

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

- 3. **Encouraging development which appropriately conserves, enhances, connects, restores or recreates natural assets, particularly where this improves the extent or value of those assets which are recognised as being in poor condition.**
- 4. **Supporting proposals which contribute positively to the special characteristics and local distinctiveness of an area, particularly in the Shropshire Hills AONB, Nature Improvement Areas, Priority Areas for Action or areas and sites where development affects biodiversity or geodiversity interests at a landscape scale, including across administrative boundaries.**

MD17: Managing the Development and Operation of Mineral Sites

- 1. **Applications for mineral development will be supported** where applicants can demonstrate that potential adverse impacts on the local community and Shropshire's natural and historic environment can be satisfactorily controlled. **Particular consideration will be given (where relevant) to:**

- vi. Effects on ecology and **the potential to enhance biodiversity;**

Appendix 7: Priority species found in Shropshire

The lists below shows those priority species found in Shropshire.

Some priority species are also protected by the Habitats Directive and/or the Wildlife and Countryside Act (Appendix 2). They are not shown here as their legal protection carries the greater weight.

Mammals	
Hedgehog	<i>Erinaceus europaeus</i>
Brown Hare	<i>Lepus europaeus</i>
Harvest Mouse	<i>Micromys minutus</i>
Polecat	<i>Mustela putorius</i>

Birds	
Skylark	<i>Alauda arvensis</i>
European White-fronted Goose	<i>Anser albifrons subsp. albifrons</i>
Greenland White-fronted Goose	<i>Anser albifrons subsp. flavirostris</i>
Tree Pipit	<i>Anthus trivialis</i>
Nightjar	<i>Caprimulgus europaeus</i>
Lesser Redpoll	<i>Carduelis cabaret</i>
Linnet	<i>Carduelis cannabina</i>
Hawfinch	<i>Coccothraustes coccothraustes</i>
Cuckoo	<i>Cuculus canons</i>
Lesser Spotted Woodpecker	<i>Dendrocopos minor</i>
Yellowhammer	<i>Emberiza citrinella</i>
Reed Bunting	<i>Emberiza schoeniclus</i>
Red Grouse	<i>Lagopus lagopus</i>
Grasshopper Warbler	<i>Locustella naevia</i>
Woodlark	<i>Lullula arborea</i>
Corn Bunting	<i>Miliaria calandra</i>
Yellow Wagtail	<i>Motacilla flava</i>
Spotted Flycatcher	<i>Muscicapa striata</i>
Curlew	<i>Numenius arquata</i>
House Sparrow	<i>Passer domesticus</i>
Tree Sparrow	<i>Passer montanus</i>
Gray Partridge	<i>Perdix perdix</i>
Wood Warbler	<i>Phylloscopus sibilatrix</i>
Willow Tit	<i>Poecile montanus</i>
Marsh Tit	<i>Poecile palustris</i>
Dunnock	<i>Prunella modularis</i>
Bullfinch	<i>Pyrrhula pyrrhula</i>
Turtle Dove	<i>Streptopelia turtur</i>
Starling	<i>Sturnus vulgaris</i>
Song Thrush	<i>Turdus philomelos</i>
Ring Ouzel	<i>Turdus torquatus</i>
Lapwing	<i>Vanellus vanellus</i>

Fish	
Eel	<i>Anguilla anguilla</i>
River Lamprey	<i>Lampetra fluviatilis</i>
Sea Lamprey	<i>Petromyzon marinus</i>

Fish	
Atlantic Salmon	<i>Salmo salar</i>
Brown Trout	<i>Salmo trutta</i>

Amphibian	
Common Toad	<i>Bufo bufo</i>

Mollusc	
Mud Pond Snail	<i>Omphiscola glabra</i>

Flowering plants	
Spreading Bellflower	<i>Campanula patula</i>
Cornflower	<i>Centaurea cyanus</i>
Basil Thyme	<i>Clinopodium acinos</i>
Frog Orchid	<i>Coeloglossum viride</i>
Purple Ramping Fumitory	<i>Fumaria purpurea</i>
Red Hemp-nettle	<i>Galeopsis angustifolia</i>
Yellow Bird's-nest	<i>Monotropa hypopitys</i>
Tubular Water Dropwort	<i>Oenanthe fistulosa</i>
Lesser Butterfly Orchid	<i>Platanthera bifolia</i>
Grass-wrack Pondweed	<i>Potamogeton compressus</i>
Annual Knawel	<i>Scleranthus annuus</i>
Small-flowered Catchfly	<i>Silene gallica</i>
Marsh Stitchwort	<i>Stellaria palustris</i>

Mosses and liverworts	
Bog paw-wort	<i>Barbilophozia kunzeana</i>
Waved fork-moss	<i>Dicranum bergeri</i>
Sausage Beard-moss	<i>Didymodon tomaculosus</i>
Pitted Frillwort	<i>Fossombronina foveolata</i>
Channelled Crystalwort	<i>Riccia canaliculata</i>
Spreading-leaved Beardless-moss	<i>Weissia squarrosa</i>

Fungi and lichens	
Constant Bolete	<i>Boletus immutatus</i>
Woolly Rosette	<i>Cotylidia pannosa</i>
Big Blue Pinkgill	<i>Entoloma bloxamii</i>
Olive Earthtongue	<i>Microglossum olivaceum</i>
a lichen	<i>Pyrenula nitida</i>
Violet Crowncup	<i>Sarcosphaera coronaria</i>
Carroty False Truffle	<i>Stephanospora caroticolor</i>
a lichen	<i>Toninia sedifolia</i>

Butterflies and moths	
Grey Dagger	<i>Acronicta psi</i>
Knot Grass	<i>Acronicta rumicis</i>
Forester	<i>Adscita statices</i>
Flounced Chestnut	<i>Agrochola helvola</i>
Brown-spot Pinion	<i>Agrochola litura</i>
Beaded Chestnut	<i>Agrochola lychnidis</i>
Green-brindled Crescent	<i>Allophyes oxyacanthae</i>
Ear Moth	<i>Amphipoea oculea</i>
Mouse Moth	<i>Amphipyra tragopoginis</i>
Dusky Brocade	<i>Apamea remissa</i>
Garden Tiger	<i>Arctia caja</i>
Centre-barred Sallow	<i>Atethmia centrargo</i>
Dark Brocade	<i>Blepharita adusta</i>
Pearl-bordered Fritillary	<i>Boloria euphrosyne</i>
Small Pearl-bordered Fritillary	<i>Boloria selene</i>
Minor Shoulder-knot	<i>Brachylomia viminalis</i>
Mottled Rustic	<i>Caradrina morpheus</i>
Haworth's Minor	<i>Celaena haworthii</i>
Crescent	<i>Celaena leucostigma</i>
Streak	<i>Chesias legatella</i>
Broom-tip	<i>Chesias rufata</i>
Latticed Heath	<i>Chiasmia clathrata</i>
Small Heath	<i>Coenonympha pamphilus</i>
Large Heath	<i>Coenonympha tulia</i>
Goat Moth	<i>Cossus cossus</i>
Dingy Mocha	<i>Cyclophora pendularia</i>
False Mocha	<i>Cyclophora porata</i>
Small Square-spot	<i>Diarsia rubi</i>
Small Phoenix	<i>Ecliptopera silaceata</i>
September Thorn	<i>Ennomos erosaria</i>
Dusky Thorn	<i>Ennomos fuscantaria</i>
August Thorn	<i>Ennomos quercinaria</i>
Grey Mountain Carpet	<i>Entephria caesiata</i>
Galium Carpet	<i>Epirrhoe galiata</i>
Dingy Skipper	<i>Erynnis tages</i>
Autumnal Rustic	<i>Eugnorisma glareosa</i>
Spinach	<i>Eulithis mellinata</i>
White-line Dart	<i>Euxoa tritici</i>
Double Dart	<i>Graphiphora augur</i>
Narrow-bordered Bee Hawk	<i>Hemaris tityus</i>
Small Emerald	<i>Hemistola chrysoprasaria</i>
Ghost Moth	<i>Hepialus humuli</i>
Grayling	<i>Hipparchia semele</i>
Rustic	<i>Hoplodrina blanda</i>
Rosy Rustic	<i>Hydraecia micacea</i>
Wall Brown	<i>Lasiommata megera</i>
Wood White	<i>Leptidea sinapsis</i>
White Admiral	<i>Limenitis camilla</i>
Brindled Beauty	<i>Lycia hirtaria</i>
V-moth	<i>Macaria wauaria</i>
Dot Moth	<i>Melanchra persicariae</i>

Butterflies and moths	
Broom Moth	<i>Melanchra pisi</i>
Pretty Chalk Carpet	<i>Melanthia procellata</i>
Rosy Minor	<i>Mesoligia literosa</i>
Drab Looper	<i>Minoa murinata</i>
Shoulder-striped Wainscot	<i>Mythimna comma</i>
Lunar Yellow Underwing	<i>Noctua orbona</i>
Oblique Carpet	<i>Orthonama vittata</i>
Powdered Quaker	<i>Orthosia gracilis</i>
Common Fan-foot	<i>Pechipogo strigilata</i>
Grass Rivulet	<i>Perizoma albulata</i>
Silver-studded Blue	<i>Plebeius argus</i>
Grizzled Skipper	<i>Pyrgus malvae</i>
Argent & Sable	<i>Rheumaptera hastata</i>
White-letter Hairstreak	<i>Satyrrium w-album</i>
Shaded Broad-bar	<i>Scotopteryx chenopodiata</i>
White Ermine	<i>Spilosoma lubricipeda</i>
Buff Ermine	<i>Spilosoma luteum</i>
Anomalous	<i>Stilbia anomala</i>
Figure of Eighty	<i>Tethea ocularis octogesimea</i>
Hedge Rustic	<i>Tholera cespitis</i>
Feathered Gothic	<i>Tholera decimalis</i>
Blood-vein	<i>Timandra comai</i>
Pale Eggar	<i>Trichiura crataegi</i>
Barred Toothed-striped	<i>Trichopteryx polycommata</i>
Cinnabar	<i>Tyria jacobaeae</i>
Oak Hook-tip	<i>Watsonalla binaria</i>
Dusky-lemon Sallow	<i>Xanthia gilvago</i>
Sallow	<i>Xanthia ictoria</i>
Red Carpet	<i>Xanthorhoe decoloraria</i>
Dark-barred Twin-spot Carpet	<i>Xanthorhoe ferrugata</i>
Heath Rustic	<i>Xestia agathina</i>
Neglected Rustic	<i>Xestia castanea</i>

Bees	
a solitary bee	<i>Andrena tarsata</i>
Brown-banded Bumblebee	<i>Bombus humilis</i>
Red-shanked Carder-bee	<i>Bombus ruderarius</i>
a solitary bee	<i>Eucera longicornis</i>
a solitary bee	<i>Osmia parietina</i>

Beetles	
Zircon Reed Beetle	<i>Donacia aquatica</i>
a bark beetle	<i>Ernoporus tiliae</i>
Stag Beetle	<i>Lucanus cervus</i>

Flies	
a crane fly	<i>Lipsothrix errans</i>
a crane fly	<i>Lipsothrix nervosa</i>
a crane fly	<i>Lipsothrix nobilis</i>
a muscid fly	<i>Phaonia jaroschewskii</i>

Spiders	
a spider	<i>Dictyna pusilla</i>
Cotton's Amazon Spider	<i>Glyphesis cottonae</i>
Triangle Hammock-spider	<i>Saariotoa firma</i>

Caddis fly	
Window Winged Sedge	<i>Hagenella clathrata</i>

Appendix 8: Priority habitats found in Shropshire

The list below shows those priority habitats found in Shropshire. Definitions for each habitat are given in the UK Biodiversity Action Plan: Priority Habitat Descriptions at http://jncc.defra.gov.uk/PDF/UKBAP_PriorityHabitatDesc-Rev2011.pdf

Habitat
Water based
Rivers
Oligotrophic and Dystrophic Lakes
Ponds
Mesotrophic Lakes
Eutrophic Standing Waters
Lowland Fens
Reedbeds
Lowland Raised Bog
Farmed landscapes
Arable Field Margins
Hedgerows
Traditional Orchards
Wood-Pasture & Parkland
Lowland Meadows
Woodlands
Upland Oakwood
Upland Mixed Ashwoods
Wet Woodland
Lowland Mixed Deciduous Woodland
Grasslands
Lowland Dry Acid Grassland
Lowland Calcareous Grassland
Upland Calcareous Grassland
Calaminarian Grasslands
Heaths and Fens
Lowland Heathland
Upland Heathland
Upland Flushes, Fens and Swamps
Purple Moor Grass and Rush Pastures
Other
Inland Rock Outcrop and Scree Habitats
Open Mosaic Habitats on Previously Developed Land

Appendix 9: Defining the impacts and effects of development activities.

The assessment of the effects of a proposal on an environmental asset involves

- i. the identification of activities associated with the development,
- ii. their impacts,
- iii. the consequences of those impacts (the effects)
- iv. the nature of the effects and their significance for the value of the asset.

This appendix gives guidance on the first three tasks. **Sections A2.1 to A2.6** provide guidance on the last task.

The words ‘impact’ and ‘effect’ are often used interchangeably, but this SPD makes a distinction between the two. The following definition (taken from the Guidelines for Ecological Impact Assessment produced by the Chartered Institute of Ecology and Environmental Management (CIEEM) (referred to hereafter as the CIEEM Guidelines) is useful:

Impact: Actions resulting in changes to an ecological feature. For example: the construction of an access road means removing a hedgerow.

Effect: Outcome to an ecological feature from an impact. For example: the removal of a hedgerow leads to a reduction in a breeding bird population.

1. Assessing the impacts.

A development proposal is likely to involve several different and distinct activities taking place at different times, which will have differing impacts and effects. For instance, the construction of foundations might cause a lowering of the water table during the initial development phase whilst the creation of a balancing pond once construction finishes might raise the water table. The table below lists the types of activities which might have an impact on natural assets. Applicants should only consider those activities which are likely to affect the structure, function or value of a natural asset (**Appendix 10** gives specific guidance on this for ecological assets).

Development activities likely to affect natural assets (adapted from Guidelines for Ecological Impact Assessment produced by the Chartered Institute of Ecology and Environmental Management)

Preliminary activities prior to construction
ground investigations e.g. for contaminated land, boreholes
archaeological excavation
access and travel on/off- site
demolition operations
vegetation clearance, including shrubs, hedges and trees
Construction phase
access and travel on/off-site,
areas for plant maintenance and for storage of oils, fuels and chemicals
movement of materials to/from or within a site
demolition operations
acoustic disturbance and vibration from construction activities
assembly areas for components of construction
blasting e.g. for minerals operations
dewatering or drawdown e.g. for reservoir safety works or mining
infilling of pond, marsh or bog,
modification of water course, dredging
water abstraction, discharge to a water body
dust generation

on-site borrow pits, land raising
groundworks
soil stripping
environmental incidents and accidents e.g. spillages, noise and emissions;
burning of waste;
lighting;
provision of services and utilities e.g. underground power lines, water supply and drainage;
setup of site offices/compounds
storage areas for construction / excavated materials;
structural works for new building and engineering;
structural works to existing buildings, including conversions
vegetation/habitat clearance including tree felling.

Occupation/operational phase
access to site (both route and means);
drainage;
implementation of landscape design and habitat management (type and location);
presence of people, vehicles and their activities e.g. increased public access and recreational pressure, risk of fires
lighting
physical presence of structures e.g. a new road or a wind turbine
presence of pets
site operation and management e.g. maintenance operations, industrial processes generating emissions, lighting, noise, operation of wind turbines, use of a road by traffic etc.

Decommissioning phase
removal of site offices/compounds, temporary access routes and final site clearance
removal of ancillary developments including culverts
removal or demolition of structures that may have been colonised during operational phase e.g. by breeding birds;
removal of contaminated water or soil;
removal or neglect of structures which might cause pollution.
management equipment e.g. water pumps
monitoring equipment

Restoration phase
access to site (both route and means)
drainage
implementation of landscape design and habitat management (type and location)

Potential non- standard operations
one off incidents and accidents (including fuel leaks and spills, vandalism, erosion and sediment runoff).

Note: Some developments, such as mineral extraction, will operate in continuous phases of construction, operation and restoration.

2. Defining the effects.

Once the impacts of all the activities associated with development have been identified, the effects should be determined.

Policy MD12 covers direct, indirect or cumulative effects. Impacts may lead to any or all of these effects but the type of each should be identified where relevant.

A direct effect is usually easy to define, occurring when development takes place actually on the site of a natural asset.

Indirect effects can be harder to assess. The natural assets most likely to be indirectly affected by development are ponds, rivers, streams, trees and woodlands. For example, run-off from building sites or from hard surfaces within a new development may enter watercourses, causing effects downstream from the site itself. Similarly, the root zone of trees extends for some distance from the trunk so construction activities in this area can cause damage.

Cumulative effects are the result of several, usually unrelated, activities taking place on or close to an asset. Whilst the effect of each activity may be relatively small, the sum of these effects may be greater.

The relationship between activities, impacts, effects and type of each effect.

Activity	Impact	Effect	Type of effect
Construction of access road	Loss of 30m of hedgerow	Loss of shrubs and ground flora	Direct
		Loss of food and shelter for birds	Indirect
		Loss of hedgerow within wider countryside	Cumulative
Provision of 0.5ha of Public Open Space	Change in management practice from hay meadow to amenity grassland.	Loss of hay meadow	Indirect

Appendix 10: Aspects of ecological structure and function to consider when predicting the impacts and effects of development

Taken from CIEEM (2016) Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater and Coastal, 2nd edition.

Available resources

- territory – hunting/foraging grounds, shelter and roost sites, breeding sites, corridors for migration and dispersal, stop-over sites;
- food and water (quantity and quality);
- soil minerals and nutrients;
- solar radiation and gaseous resources.

Environmental processes

- flooding, drought, wind blow and storm damage, disease, eutrophication, erosion, deposition and other geomorphological processes, fire and climate change.

Ecological processes

- population dynamics – population cycles, survival / reproduction rates, competition, predation, seasonal behaviour, dispersal / genetic exchange;
- vegetation dynamics – colonisation, succession, competition, and nutrient-cycling.

Human influences

- animal husbandry; cutting, burning, mowing, draining, irrigation, culling, hunting;
- excavations, dredging, ground profiling;
- ploughing, seeding, planting, cropping, fertilising, pesticides, herbicides;
- pollution; introduction of exotics, weeds and genetically modified organisms;
- disturbance from public access, pets.

Historical context

- natural range of variation over recorded historical period and
- irregular perturbations beyond normal range (e.g. very infrequent storm events).

Ecological relationships

- food webs, predator-prey relationships, herbivore-plant relationships, herbivore-carnivore relationships, adaptation, and dynamism.

Ecological role or function

- decomposer, primary producer, herbivore, parasite, predator, keystone species.

Ecosystem properties

- fragility and stability, carrying capacity, productivity, community dynamics;
- connectivity;
- source/sink;
- numbers in a population or meta-population, minimum viable populations;
- sex and age ratios;
- patchiness and degree of fragmentation;
- ecological coherence.

Other environmental influences

- air quality;
- hydrology and water quality;
- nutrient status and salinity.