

This matter is being dealt with by

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4th December 2024

FAO Lynn Parker

**Shropshire Council
The Shirehall
Abbey Foregate
Shrewsbury
SY2 6ND**

Dear Lynn,

24/02108/OUT: Outline Application to include access for a mixed-use development comprising up to 800 no dwellings, a care home of up to 80 units, a secondary school and local centre with associated access, infrastructure, landscaping and drainage at Patshull Road, Albrighton.

1.1 This letter seeks to respond to the correspondence received from and on behalf of the Albrighton Village Action Group (AVAG) relating to the live Outline Planning Application at Patshull Road, Albrighton (the “Site”). In particular, this letter seeks to address the following documents which have been received by Shropshire Council (the “Council”):

- “Community Objections” submitted on behalf of AVAG by Cerda Planning Consultants on 28th August 2024
- “Statement of Objection” submitted by AVAG, dated 25th August 2024, received 29th August 2024
- “Letter of Objection” submitted by Nicola Gooch of Irwin Mitchell Solicitors on behalf of AVAG, dated 28th August 2024, received 29th August 2024 (pertains to application)
- “Letter of Objection” submitted by Nicola Gooch of Irwin Mitchell Solicitors on behalf of AVAG, dated 28th August 2024, received 29th August 2024 (pertains to Marrons’ letter of 2nd August 2024, which addressed the potential impacts of the NPPF Consultation and WMS)

- 1.2 The upcoming sections of this letter summarise each piece of correspondence and address each of these in turn. By the nature of the correspondence, the same issues are raised several times across the four documents, so reference will be made appropriately to avoid repetition of rebuttal points.
- 1.3 It is noted that significant elements of the submissions made by and behalf of AVAG stray outside matters considered to be material to the determination of the application. Naturally, we have sought only to respond to the relevant, material points.

“Community Objections” submitted on behalf of AVAG by Cerda Planning Consultants on 28th August 2024

- 2.1 The objection document submitted by Cerda has been split into sections, which are appropriate to address in turn. The following paragraphs will address matters in this order:

- Conflict with the plan-led system and the Local Plan
- Effect on Green Belt
- Effect on landscape and character of the area
- Effect on the Historic Environment
- Loss of best and most versatile agricultural land
- Highway matters
- Impacts on infrastructure
- Biodiversity

Conflict with the Plan-led System and the Local Plan

- 2.2 Within the Cerda Letter, Section 3 claims (at 3.3) that:

“this application is an attempt to circumvent the local plan process by forcing to the Council to consider an application of such a scale that it would effectively shape the strategy for development within and around Albrighton for years to come – the plan and strategy for the area being led by a speculative planning application rather than the plan leading the strategy for development based on the true and appropriately considered needs of the area.”

- 2.3 The letter goes on to state that the spatial strategy as set out in the current adopted Development Plan should be given full weight and be used to guide new development proposals in the County, providing *“sufficient housing sites to meet the long-term needs of the area and its residents”*.
- 2.4 This is not the case and is a direct contradiction to the Authors Regulation 19 response where he states *“for these reasons the Councils strategy and decision not to allocate more sites does not meet the tests of soundness”*.
- 2.5 The Adopted Development Plan is wholly time expired, and the basket of most important policies are out-of-date and incapable of sufficiently meeting the needs of the County, for reasons previously outlined within the application submission.
- 2.6 In the case of applications submitted to Shropshire Council and reviewed against the adopted Core Strategy, minimal weight should be given to the Core Strategy, due to being time expired, and containing policies considered to be ‘out-of-date’. This being the case, Paragraph 11 of the National Planning Policy Framework is engaged, applying a presumption in favour of sustainable development.
- 2.7 Further to that which has been outlined previously, there have been developments in the progress of the emerging Local Plan Review since the submission of the application which have meaningful bearing on how this application should be considered.
- 2.8 Given the significance of the changing policy context, both locally and nationally, were the application to be refused, it should be expected that the applicant would seek to submit an appeal promptly. Inevitably this would place significant financial and resource pressure on all parties.
- 2.9 The Council began a review of the preparation of a new Local Plan Review in 2017. The draft Shropshire Local Plan Review (2016 – 2038) was submitted to the Secretary of State for Examination on 3rd September 2021.
- 2.10 The Planning Inspectors examining the draft Shropshire Local Plan Review released their Interim Findings paper (ID28) on February 15, 2023. This came after the first round of hearings, which covered legal and strategic matters (including strategic policies). The main Hearing Sessions took place in July 2022, and in January 2023, there was an additional session dedicated to the Duty to Cooperate.

- 2.11 The Draft Shropshire Local Plan recently underwent further examination, taking place between 15 and 23 October 2024, as a stage 2 to the previous sessions which took place in July 2022. Following the first fortnight of hearing sessions, the Inspectors came to the conclusion that they have “significant concerns about the soundness of the Plan in respect of a number of areas”. This was set out in a letter to the LPA (ID46) which cancelled the three further weeks of planned hearings. Further explanation as to their views is anticipated in the coming weeks.
- 2.12 In light of the recent correspondence between the Housing Minister Matthew Pennycook and the Chief Executive of the Planning Inspectorate, where a delay of more than 6-months is necessary during an Examination process, it is expected that Council’s will be asked to withdraw their Plans for Examination or Inspectors are likely to confirm in their Report that the submitted Plan is unsound. It is pertinent here therefore to note firstly that the Shropshire Local Plan Review Examination is one of the longest ongoing Examinations nationally and it has been subject to numerous and extensive delays already. Whilst the nature of the Inspectors serious concerns is unknown at the time of writing this letter, it is entirely reasonable to assume that ‘significant soundness’ issues cannot reasonably be fixed within 6 months (noting the Examination hearing were paused on 29th October).
- 2.13 Alongside this activity, the Government is working to conclude their work on reforms to the National Planning Policy Framework. This follows a period of consultation. The outcome of this work is anticipated before the end of 2024, and based on the draft consultation text, is likely to have significant implications not only for this application, or Shropshire Council, but planning nationally. Encompassed within these proposals are changes to the Standard Method by which minimum housing numbers are calculated for each local authority area.
- 2.14 Due to the delay and expected withdrawal (or conclusions of unsoundness) of the emerging Plan, any resubmitted Plan will be examined under the revised Framework once that comes into force. The revised Framework, along with a revised Standard Method, will significantly increase the expected housing delivery for the Shropshire, rising from 1,070 dwellings per annum at present, to 2,059 following the reforms.
- 2.15 Therefore, in the context of an Authority with an out-of-date Local Plan, no realistic hope of adopting a new plan in the short, or even medium term, and a minimum housing requirement which is set to nearly double within the coming months, there is no “conflict with a plan-led system”. The plan-led system will not provide sufficient housing to meet the needs of Shropshire, leading to a chronic undersupply of housing and exacerbating the national housing crisis, and therefore there is no reasonable justification for the Council to continue to fail local residents by refusing ‘speculative

planning applications' and permission should be granted unless "any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole" (NPPF Paragraph 11d).

2.16 The significant benefits of the application have been outlined within the Planning Statement and throughout the application submission, and include:

- Provision of 800 dwellings towards the chronic undersupply locally and nationally;
- Affordable housing (policy, be that nationally or locally, compliant);
- Provision of a new secondary school;
- GP Surgery (including minor injuries provision) and Pharmacy
- Expansion of primary education facilities;
- Provision of older persons specialise accommodation;
- Provision of flexible workspace; and
- Improvement to the local highway network.

2.17 The application is therefore considered to accord with the NPPF and should be approved in accordance with Paragraph 11d.

Effect on the Green Belt

2.18 The following response has been prepared in conjunction with Pegasus, the landscape consultant for this scheme.

2.19 Section 4 of the Cerda Letter claims that the Applicant's Green Belt report is referencing the wrong LUC assessment. This is incorrect and requires clarification of how Parcel P36 was assessed by LUC. Parcel P36 is a large parcel that includes the site and has been separately assessed by LUC with Sub-Parcel P36 outside the site. The Pegasus Green Belt report at Section 3 covers the assessment of Parcel P36 which includes the Site and wider land within Parcel P36 (excluding Sub-Parcel P36). There is no misrepresentation of the safeguarded land in Sub-Parcel 36 which is included on the plan at Appendix 1 of the Pegasus Green Belt Report.

2.20 Table 3.5 of the published Green Belt Review Stage 2 (see extract below) identifies how Parcel P36 and Sub-Parcel P36 are assessed separately as different areas.

Table 3.5: Summary of Opportunity Areas Assessed

Reference	Parcel References (from Stage 1 GB Assessment)	Size (ha)
Albrighton		
Ab-1	Parcels P32, P38 and P39.	90.1
Ab-1a	Parcel P38 and Sub-parcel P32.	36.4
Ab-2	Parcels P35, P36 and P37.	240
Ab-2a	Sub-parcels P35 and P36.	13.9

2.21 The Cerda Letter goes on to state that the evidence in the LUC Green Belt review is not challenged by the Applicant. In actual fact, the Pegasus Green Belt report uses the criteria of the LUC report to reach its own conclusions on Green Belt harm at §4.5, noting that LUC did not assess the Site, but a larger parcel of land (Parcel P36) in which the Site is located. For convenience paragraph 4.5 of the Pegasus Green Belt report is reproduced below:

The release of the Site from the Green Belt comprising less than half of the Parcel P36 area would have a lower level of harm than the whole Parcel and this is considered a 'Moderate' level of harm, for the following reasons:

- a) The Site comprises less than half of the Parcel P36 area;*
- b) The Site adjoins the existing settlement edge, safeguarded land, and a potential development area;*
- c) The Site only has a moderate contribution to Purpose 3 (the same as assessed in the SGBR for the wider Parcel P36);*
- d) The Site would have no contribution to Purposes 1, 2 and 4; and*
- e) Landscape mitigation measures adopted, and the defensible new boundaries selected, including road corridors, would provide stronger new boundaries to the Green Belt than are present at the current settlement edge.*

2.22 Further within Section 3 it is noted that the proposed development would constitute *inappropriate development* in the context of Paragraph 154. This is not disputed by the Applicant and is made plain in the application submission. However, it is asserted that per Paragraph 153, planning permission may be granted if Very Special Circumstances can be found whereby other considerations clearly outweigh the harm by reason of inappropriateness and any other harm.

2.23 As advanced within the Planning Statement, it is considered that the considerable tranche of benefits offered by this scheme constitute Very Special Circumstances sufficient to outweigh any Green Belt harm identified.

2.24 Added to this, the significant housing need currently experienced, which will be borne out in the revised Standard Method by 2025, will show a chronic undersupply in Shropshire. This represents a further element of Very Special Circumstances.

2.25 Further Very Special Circumstances, in addition to the benefits of the scheme as listed at 2.13 above, include:

- The Site has recently been considered suitable for safeguarding by the Council as detailed within the Additional Updated Sustainability Appraisal;
- The Council has agreed to accommodate unmet housing and employment needs from the Black Country and the subject Site is the single most appropriate location to meet said need and Boningale Homes and numerous other parties, including Cerda, have adduced evidence which demonstrates that the emerging Local Plan Review, as drafted is not, in our assessment, capable of being found sound;
- We consider that the Council cannot currently demonstrate a sufficient supply of deliverable housing.
- This shortfall is significant and worsening;
- The Site is suitable for residential development in terms of location and characteristics and it is not of high environmental or landscape value;
- The provision of affordable housing, without subsidy, is a significant benefit in circumstances where the Council is not delivering sufficient affordable homes to meet pressing need;
- The provision of market housing that will provide new, quality homes, in a community where people wish to live;
- The supply of housing in an area of acute affordability challenges will assist in curtailing the exceptional growth in house prices;
- Alongside the housing provision, the proposed development includes land for a Secondary School, meeting an identified need, and ensuring that pupils of Albrighton have a new modern educational facility within walking and cycling distance of their homes;
- A modern Care Home facility is proposed, and meets some of the increasing needs of an aging population in Shropshire and indeed Albrighton;

- The provision of such a care facility will provide jobs and boost the local economy, but will further ensure that houses currently under occupied by older residents can be freed up and returned to the housing market;
- The provision of Local Centre comprising, a supermarket, GP Surgery and Pharmacy along with flexible workspace, will ensure the ongoing vitality of Albrighton and provide amenities and facilities that complement the existing provision within the settlement;
- The provision of highway improvements, including a new gateway spine road will improve vehicular access to Albrighton from Telford and Wolverhampton; and
- The creation of an Active (Green) Travel route, and the provision of offsite cycleway improvements will encourage existing and future residents of the settlement to travel sustainably, reducing unsustainable transport movements and encouraging mental and physical well-being.

2.26 During the process of the Local Plan Review consideration was given to Green Belt release. In light of the doubling in housing need at a local level, inevitably this topic will be raised again in subsequent drafts, and more land will need to be released for development. This Site is an eminently suitable candidate for such release owing to:

- a) Having limited impact on overall Green Belt in Shropshire, comprising just 0.2% of the Green Belt in Shropshire;
- b) Being physically well related and connected to the existing adjoining village edge to the north, including safeguarded land and potential development land controlled by another developer;
- c) Comprising a notable extension of Albrighton that takes into account existing densities and building heights and would be in keeping with the historical pattern of substantial outward village growth. The expansion occurred relatively recently during the latter part of the 20th century with extensive development of modern housing estates west and southwest of the historic core;
- d) Including notable areas of undeveloped land as public open space, incorporating existing planting and enhancing green infrastructure including public access; and
- e) If revised to remove this Site, the new Green Belt boundaries would follow existing features on the ground including road corridors where existing hedgerows and tree planting would be predominantly retained. The site boundaries including the new access road at the southeast corner of the site would be reinforced by new planting, typically comprising woodland belts.

2.27 Furthermore, the revised Framework is expected to change policies relating to Green Belt. Draft Paragraph 142 states that “Green Belt boundaries should only be altered where exceptional

circumstances are evidenced and justified. This includes, but is not limited to, instances where authorities cannot meet its identified need for housing”.

- 2.28 The draft Framework continues to state that Green Belt development should not be regarded as inappropriate where development would not fundamentally undermine the function of the Green Belt across the area of the plan as a whole. Should the revised Framework be published as expected, there is a case to be made that the proposal at Albrighton would not only significantly support delivery of Shropshire’s new housing targets, but would meet National Planning Policy for Green Belt development.

Effect on Landscape and Character of the Area

- 2.29 Section 5 of the Cerda Letter related to the effect on landscape and character of the area. The following response has been prepared in conjunction with Pegasus, the landscape consultant for this scheme. At paragraphs 5.1-5.5 Cerda identify some of the more sensitive elements and key characteristics of the local landscape and conclude that:

‘The proposed development would clearly be at odds with the landscape assessment and cause significant visual harm to the landscape and character of not just the application site, but the wider area of Albrighton and Boningale’

- 2.30 The Cerda analysis simply identifies potentially sensitive elements, beyond the site boundary, and doesn’t explain how they would be affected by the Proposed Development. The assertion of *‘significant visual harm to the landscape and character’* does not distinguish between effects to landscape character and effects upon visual amenity. No methodology or best practice guidance has been referenced or appears to have been followed in order to reach this conclusion (e.g. Guidelines for Landscape and Visual Impact Assessment – 3rd Edition - 2013). By contrast the Pegasus LVIA is based on a full range of best practice guidance and a detailed methodology (see Appendix 1 of the LVIA).
- 2.31 At paragraph 5.7 Cerda draw attention to Pegasus LVIA concluding major adverse effect on baseline character of the site. This is inevitable with a development of this scale on almost any Greenfield site. Cerda fails to acknowledge the green infrastructure benefits and negligible effect on landscape character of the wider countryside as set out in the Pegasus LVIA.

- 2.32 At paragraph 5.7, Cerda state that Site visits are needed as a minimum to take place in the winter months so that a full assessment of the impact over all of the seasons can be made. However, the LVIA does consider winter effects and the site visits for the LVIA were undertaken in winter conditions in early March (note Photos dated 07/03/24) with trees and shrubs clearly not yet in leaf.
- 2.33 At paragraph 5.8, Policy MD2 of the SAMDev is quoted and the proposal are stated as being at odds with policy as it is claimed to 'prevent adverse impacts'. However, the policy carefully sets out the parameters of the built development that should '*contribute to and respect locally distinctive or valued character*'. The policy does not state that adverse landscape character effects 'should be prevented'.
- 2.34 At 5.9, Cerda acknowledge that design is a Reserved Matter but claims development would 'not be in character with its surroundings'. It is unclear which elements Cerda claim are not in character with the surroundings. There is no reference by Cerda to the Environmental Enhancement Strategy by Pegasus which sets out how landscape proposals could be designed to reflect character of surrounding area and deliver other benefits.

Effect on the Historic Environment

- 2.35 This planning application has been supported by a Heritage Assessment, prepared by Pegasus Group. Therein, the following conclusion is drawn, and has been extracted by Cerda for their letter:

Overall, the proposed development would result in a change in character to the eastern land parcel with which intervisibility exists, albeit this change will be directly visible only in filtered views from the open pasture to the northern boundary, alongside heavily filtered views from small sections of Church Lane. Taking into account the existing baseline, this is considered to result in less than substantial harm at the low end of the spectrum to the Boningale Conservation Area.

- 2.36 Cerda have stated that they disagree with the conclusions drawn within the Heritage Assessment. This is despite the author of the Cerda letter seemingly having no qualifications or professional experience in conservation or heritage, and there being no evidence of consultation with a heritage specialist.

- 2.37 To take their principle points in turn:

Impact on the rural character of Boningale and resultant “harm” to character of the Boningale Conservation Area: finding the harm to be “at the very top end of the spectrum of substantial harm”

- 2.38 This is clearly incorrect. No objective consideration of the heritage significance and setting of the Conservation Area is presented within the Cerda Letter, certainly not by a heritage professional. Such an assessment is given in the Pegasus Group Heritage Statement, and it is on this basis and on the basis of relevant guidance and case law that we are confident our assessment of less than substantial harm at the low end of the spectrum is robust.
- 2.39 It has been clarified in a High Court Judgement of 2013 that substantial harm would be harm that would: "...have such a serious impact on the significance of the asset that its significance was either vitiated altogether or very much reduced." 1313 EWHC 2847, R DCLG and Nuon UK Ltd v. Bedford Borough Council.
- 2.40 This high bar is clearly not reached in this case and to suggest as much is patently unreasonable.
- 2.41 No criticism was made of the Pegasus Assessment by the Heritage Consultee to the LPA in their consultation response of 14th August 2024.
- 2.42 Furthermore, the response asserts that the site visit was carried out when vegetation was present which is not throughout much of the year. The site visit was clearly carried out when no leaves were on deciduous trees, as is evident from the photographs included within the Heritage Assessment.

Impact on the rural character of Albrighton and resultant “harm” to character of the Albrighton Conservation Area: no conclusion on level of harm

- 2.43 The Cerda response does not appear to have been informed by a consideration of the extent separation between the application Site and the Albrighton Conservation Area. For several heritage assets in the wider locality of the Site there is such a degree of spatial and visual separation, including intervening built form, vegetation and topography, that any intervisibility is wholly screened.
- 2.44 The Heritage Assessment sets out these considerations, noting that the Albrighton Conservation Area lies c.500m to the north-east of the Site (the eastern parcel) at its closest point. The Conservation Area is centred upon the historic village of Albrighton, with the western section following the High Street and encompassing the known extent of the Medieval settlement. Meanwhile the

eastern half, to the east of Meadow Road, predominantly comprises the northern section of the parkland associated with Albrighton Hall and Meeson Hall.

- 2.45 It was confirmed during the site walkover that views towards the Site from the southern designation boundary are wholly screened by virtue of spatial separation in combination with intervening vegetation and undulating topography. Meanwhile views from all other areas are screened by built form. The Albrighton Conservation Area Was therefore excluded from further assessment.

Inappropriate to seek outline planning permission as the degree of any harm cannot be measured (para 6.24)

- 2.46 This is a patently unreasonable comment. An application of this scale would only ever be made in Outline form and it is perfectly possible to conduct a review of the harm to heritage assets on that basis. If that were not the case then Outline Planning Permission could never be granted in the vicinity of a heritage asset. Clearly there will be opportunity for detailed consideration of the precise impacts in terms of the spatial layout of the Site, building heights etc., during the consideration of reserved matters.

Impact on archaeological interest yet to be established

- 2.47 A Geophysical Survey has been completed and confirms that the site has low archaeological potential.

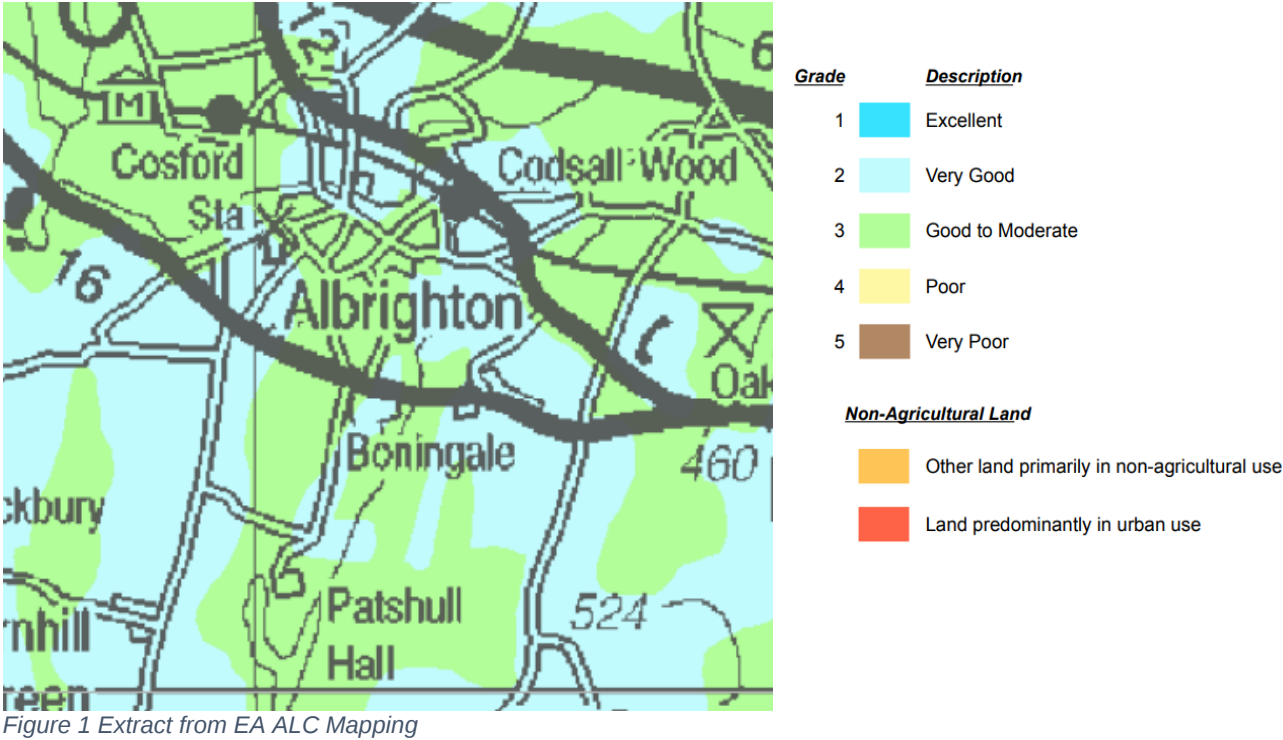
Public benefits do not outweigh harm.

- 2.48 In the interest of avoiding repetition within this letter I will not reiterate the many and varied benefits of the proposal here, but would refer to paragraph 2.13 above. While we would disagree with the level of harm found by the Cerda author, who is seemingly unqualified to make such assessments, we find that the benefits of the scheme would significantly outweigh any harm found to arise.

Loss of Best and Most Versatile Agricultural Land

- 2.49 As stated at Section 7 of the Cerda Letter, the Site comprises land which is currently and historically in agricultural use. However, the Letter is incorrect in stating that the Site includes land in Agricultural Land Classification Grades 1, 2 and 3a.

2.50 According to the Environment Agency mapping, as shown in Figure 1 below¹, the Site lies within Grade 2 and 3 ALC. There is no Grade 1 ALC in the vicinity so this aspect of the Cerda response, like several aspects, is entirely erroneous.



2.51 It should be noted that the vast majority of the County, as shown on the map below, is comprises of land of Grade 2 or 3. Therefore, simply put, the site is of no greater values that the vast majority of south Shropshire.

¹ [Agricultural Land Classification map West Midlands Region - ALC004](#)

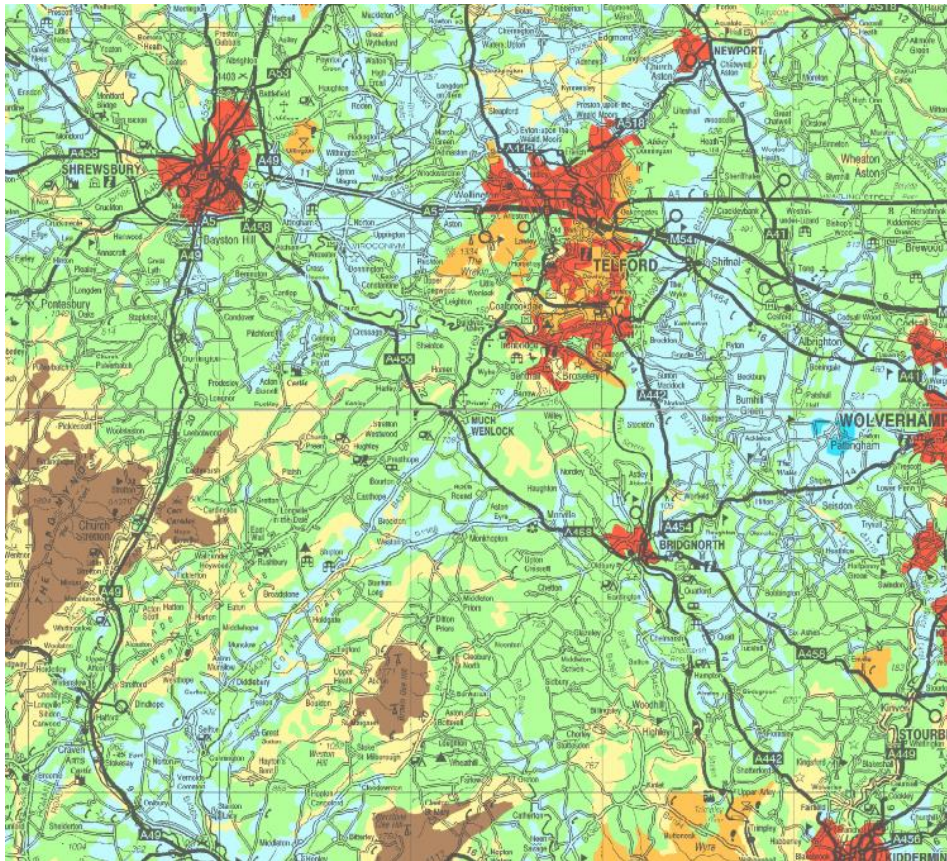


Figure 2 Wider Extract from EA ALC Mapping

- 2.52 Therefore, it will be unavoidable to deliver any quantum of housing to start contributing towards the significant undersupply, without some loss of land in Grades 2 and 3. If development were to be entirely restricted within such areas, frankly, no development would occur in Shropshire.
- 2.53 Furthermore, it is noted that land around Albrighton which has been allocated or permitted for development is within Grades 2 and 3, including the Safeguarded Land which lies adjacent to the application Site.
- 2.54 While the importance of retaining good quality farmland is understood, this should be balanced against the chronic undersupply of housing locally and nationally and that in areas such as this Greenfield land will need to be utilised for development. Inevitably this will result in a degree of loss but the benefits associated with the application are considered to weigh in its favour.

Highway Matters

2.55 The Cerda Letter, alongside the other objection letters referenced in this response, raise a variety of Highway Matters which will be addressed here. This response, prepared by SDD/DLP, covers the following points:

- A. Frequency and suitability of public transport options;
- B. Site Location and proximity to existing Albrighton village services;
- C. Stopping up of Patshull Road, Newhouse Lane and the southern element of Cross Road;
- D. Potential impact on wider road network specifically Cross Road, Bowling Green Lane, Elm Road and Green Lane;
- E. Active Travel Provision and highway safety concerns on Cross Road;
- F. Consideration over the quantum of large agricultural vehicles on surrounding roads;
- G. Overall impact on traffic numbers and congestion; and
- H. Overall suitability of the assessment undertaken and Staffordshire County Council Highways objection

A. *Frequency and suitability of public transport options;*

2.56 The frequency and suitability of existing public transport opportunities and the distance between the Albrighton South site and Albrighton rail station were raised in a number of the AVAG responses to the application. These points were raised in paragraphs 8.2-8.9 of the ET Planning Sustainability Statement, paragraph 24 and bullet points R, S and T of the AVAG Statement of Objection and in paragraph 8.5 of the Cerda Planning Limited Objection.

Existing Bus Services and Measures Proposed

2.57 In terms of the frequency of existing bus services, Point T of the AVAG Statement of Objection states that the 'applicants have incorrectly stated that the bus service runs every 10 minutes'. The frequency of bus service 891 which is the closest route to the site is correctly referenced at paragraph 3.79 of the TA submitted with the application as one service every 60 minutes during the weekday and not as referred to in the AVAG Statement of Objection.

2.58 However, the proposals could deliver an improved public transport offering that would not only provide a realistic public transport travel opportunity for those travelling to and from the site but would also provide benefit in terms of increased service frequencies and catchment for existing residents

of Albrighton was considered in depth in paragraphs 8.23 – 8.30 of the TA submitted with the application. ATE raised no concern with the proposed strategy and suggested that appropriate financial contributions should be put in place.

- 2.59 Any contributions to improve the frequency and catchment of existing services could be secured by a S106 Legal Agreement or in a Unilateral Undertaking (UU) which would be agreed with SC Highways Officers prior to the granting of any planning consent.
- 2.60 Notwithstanding the improvements to existing services that could be secured through the delivery of the Albrighton South site, the internal development spine roads would be designed (during the Reserved Matters detailed design stage) to accommodate public transport routes and bus stop facilities to further encourage public transport use.

Existing Rail Services and Measures Proposed

- 2.61 As set out in paragraph 3.83 of the TA, Albrighton rail station is approximately 1.9km to the east of the centre of the Albrighton South site. Based on the 'Providing for Journeys on Foot' (CIHT, 2000), document, the maximum walking distance typically accepted for journeys on foot is 2km. Therefore, it is clear that the majority of the site will be within an appropriate walk distance of the rail station.
- 2.62 In addition to this, as set out in paragraphs 3.51 – 3.74 of the TA, a detailed assessment of 'active travel' provision was undertaken for the key walking and cycling route between the site and the rail station. This assessment resulted in a number of active travel improvements being proposed as summarised in paragraph 8.14 of the TA including the provision of a new upgraded section of a 3m wide shared footway/cycleway on Cross Road to the north east of the site and a raised Zebra crossing facility to the east of the Cross Road/Patshull Road junction to facilitate crossing to and from the new shared footway/cycleway facility. In addition to the above, two pedestrian crossing points on Station Road were found to be deficient in terms of dropped kerbs and tactile paving during the assessment. As such, improvements to the route were proposed as part of the TA.
- 2.63 Subsequent to the above, the active travel improvements proposed as part of the TA were reviewed by ATE in their consultation response, with it being concluded that further off-site improvements should be proposed to encourage active travel. These latest off-site improvements are shown on Drawing SH5034-4PD-010 which is included at Appendix C to the ATE Response Note. These improvements include the provision of additional dropped kerb and tactile paving crossings on key desire lines to the Albrighton rail station and local facilities on the High Street, speed cushions on

Cross Road to enforce the existing 30mph speed limit and improve the walking and cycling environment for those using active travel modes and the potential provision of a signalised crossing point over High Street to the west of the junction with Station Road/Cross Road.

2.64 Overall, it is considered that the proposed active travel improvements set out in the TA, the ATE response Note and updated as part of this Note provide a comprehensive suite of improvements to encourage walking and cycling trips to and from the site and the local facilities provided in Albrighton village as well as Albrighton rail station to the north east of the site.

2.65 Whilst, based on CIHT guidance, it is considered that the site is within appropriate walking distance of the surrounding local facilities and Albrighton rail station, and that the proposed active travel improvements would further encourage trips by walking and cycling, it is recognised that there could be a demand for motorised travel between the site and Albrighton High Street and the rail station. As such, as set out in the TA, it is proposed that an EV shuttle bus service could be provided as part of the development to facilitate additional movements between the site and local area. This is detailed in paragraphs 8.17 - 8.22 of the TA. This service would be provided in addition to the other active travel improvements proposed and would provide an alternative, sustainable mass transit travel option between the site and the wider village facilities and rail station.

2.66 In terms of the frequency of services and stations served by Albrighton rail station, it is noted that these have changed since the submission of the TA and planning application. However, the station still provides hourly services between Shrewsbury and Birmingham between the hours of 06:15 and 00:08/16 Monday to Saturday with hourly services between 09:15 and 00:02 on a Sunday, as confirmed by the updated timetable contained on the West Midlands Railway website (www.westmidlandsrailway.co.uk/travel-information/journey-planning/timetables)

2.67 Based on the information set out above, it is concluded that the surrounding public transport facilities are appropriate to encourage longer sustainable journeys and that these existing services can be improved and complemented by the delivery of the Albrighton South site which will benefit both new and existing residents of Albrighton.

B. Site Location and Proximity to Existing Albrighton Village Services

2.68 The location of the site and its proximity to the existing Albrighton village services (not including Albrighton rail station which has been addressed above) was raised in a number of the AVAG

responses to the application. These points were raised on page 26 (point A) of the AVAG Statement of Objection and in paragraph 8.6 of the Cerda Planning Limited Objection.

- 2.69 The location of the site and its proximity to local existing facilities is covered in depth in paragraphs 3.24 – 3.29 of the TA submitted with the application with a detailed assessment of the local facilities that are within a 2km walking and cycling distance of the centroid of the site set out in Table 2 of the TA.
- 2.70 In addition to this, as set out earlier in this Note, an assessment of the walking and cycling route was undertaken and where appropriate and deliverable, improvements were set out in the TA. Again, as set out in this Note, following a review of the ATE comments submitted on the application, the potential to provide further off-site improvements to encourage active travel has been assessed. These potential improvements are described in the paragraphs above and are shown on Drawing SH5034-4PD-010 which is included at Appendix C to the ATE Response Note.
- 2.71 Notwithstanding the off-site active travel measures that are proposed as part of the application, the indicative phasing (build out) strategy proposed as part of the outline development is contained at Appendix D to the ATE Response Note. This confirms that the northern parcel of residential development which is bound by Patshull Road and Cross Road would be delivered in the first phase. This is located the shortest walking distance into Albrighton (circa 1.1km from the centre of the residential parcel), and is equivalent to a 15 minute walk which is considered a reasonable distance to walk to local existing amenities / shops etc.
- 2.72 In addition to the above, a commitment which confirms that the proposed local centre facilities will start construction on completion of phase 1 will be made to ensure that they are available at the earliest viable point in the build-out. A suitably worded planning condition associated with any planning consent can be imposed such that the local centre facilities are completed by an agreed threshold of dwellings occupied. This number should be agreed between the applicant and the LPA to satisfy this concern.
- 2.73 Based on the information set out above, it is concluded that the Albrighton South site is located within an appropriate active travel distance to local facilities and that additional active travel improvements will be delivered as part of the Albrighton South site which will benefit both new and existing residents of Albrighton. In addition to this, the local centre facilities that will be delivered as part of the site build

out will be constructed at the earliest possible viable time and the timing of delivery can be secured as part of a suitably worded planning condition.

C. Stopping up of Patshull Road, Newhouse Lane and the Southern Element of Cross Road

- 2.74 The potential impact of the stopping up of Patshull Road, Newhouse Lane and the southern element of Cross Road was raised in a number of the AVAG responses to the application. These points were raised on page 26 (points B, M, N and P) of the AVAG Statement of Objection and in paragraph 8.10 of the Cerda Planning Limited Objection. The concerns raised in these points primarily relate to the impact that closing sections of the roads to through traffic would have on the operation of the wider road network and that these routes have historically provided multiple routes of vehicle access into Albrighton village.
- 2.75 For clarity, it should be confirmed that vehicle access to all existing residential, commercial and education land uses and facilities that are served from Patshull Road, Newhouse Lane and the southern element of Cross Road will be maintained and that only 'through' traffic will be restricted from using these roads (sections of roads) to travel to and from the village.
- 2.76 In terms of the impact on the wider surrounding road network, junction capacity testing was undertaken for the improved Patshull Road/Cross Road/Elm Road junction as part of the assessment work to inform the TA. This junction is the key junction that will be impacted by the stopping up of Patshull Road and Newhouse Lane as traffic that would previously have utilised these routes in and out of the village will all be routed through this improved junction as part of the access proposals. The junction capacity testing undertaken confirms that the improved junction will operate within capacity in all future traffic scenarios with capacity testing undertaken for a future year of 2034 to ensure full development traffic flows and future growth including any traffic from allocated development sites is included in the traffic flows for testing.
- 2.77 In addition to this, the proposed roundabout junction and right turn lane ghost island with the A464 which will provide vehicle access to and from the Albrighton South site from the south will also operate well within capacity in 2034 in all development traffic scenarios. Given that the key Patshull Road/Cross Road/Elm Road junction and both site access junctions with the A464 will operate well within capacity in all future year scenarios, there will be no need for vehicles to reroute to use other village access points from the wider area (which was raised as a concern in the AVAG responses).

Full capacity testing of the junctions set out above is contained in paragraphs 7.1 – 7.26 of the TA submitted with the application.

- 2.78 In addition to this, the two new junctions with the A464 have been designed to meet current Department for Transport (DfT) Design Manual for Roads and Bridges (DMRB) design standards which will be a significant benefit in terms of safety as the current access junctions from the south (Cross Road Y Junction, Patshull Road and Newhouse Lane) do not meet current DfT DMRB standards.
- 2.79 In practice, the stopping up of the three roads to through traffic will provide a significant benefit in terms of road safety as the majority of vehicle movements to and from Albrighton to the south will now be via the two new proposed junctions which meet current design standards with the majority of vehicle movements that would have been made through the existing substandard junctions rerouted through the site.
- 2.80 Notwithstanding that the existing road junctions do not meet current design standards, sections of Patshull Road and Newhouse Lane are also unsuitable in width to facilitate two-way vehicle movements which can lead to queuing at peak times or attempting to pass in inappropriate locations. This combined with the fact that both routes are utilised by pedestrians and cyclists as well as motorised vehicles is an existing safety concern. The stopping up of these roads for through traffic ensures that the majority of existing vehicle movements will be transferred from these roads and on to the internal spine road through the site that will be designed to appropriate design requirements to accommodate the volume of traffic that will use it. Additionally, the proposals will be a significant benefit to the existing Albrighton Primary School to the north of the site on Newhouse Lane as the stopping up of proposals will significantly reduce ‘through’ traffic passing the School along Newhouse Lane. It should be noted however, in line with the Council and national strategic priorities with reference to sustainability, that the roads are proposed to take the form of green pedestrian and cycle ways, providing attracting and safe walking and cycling options into the core of Albrighton.
- 2.81 In line with discussions with SC Highways, additional junction capacity testing is being undertaken for junctions in the wider area to confirm the wider impact of development traffic. If appropriate and required, improvements will be provided to off-site junctions to mitigate the impact of development traffic and to ensure that in line with Paragraph 115 of the NPPF, the impact of the proposed development would not be classified as ‘severe’.

2.82 In summary, whilst it is noted that the proposals will restrict vehicle movements on roads that have historically been used to access the village from the south, these existing roads are not designed to standard, do not allow two-way movements on their full length and meet the A464 at junctions that do not meet current DfT DMRB design standards in terms of road width, junction geometry and visibility splays. These substandard roads and junctions will be replaced with new junctions that can meet current design standards and as shown by the junction capacity modelling undertaken, will operate well within capacity in all future year traffic flow scenarios. In addition, the proposals will also reduce conflicts between vehicles and more vulnerable road users particularly around the Albrighton Primary School on Newhouse Lane. As such, it is considered that the stopping up of Patshull Road, Newhouse Lane and the southern element of Cross Road will provide a benefit to the wider Albrighton area when compared to the current situation.

D. Potential Impact on Wider Road Network Specifically Cross Road, Bowling Green Lane, Elm Road and Green Lane

2.83 The potential impact of the proposed development on the operation of Cross Road, Bowling Green Lane, Elm Road and Green Lane was raised in a number of the AVAG responses to the application. These points were raised on page 26 (points C, E, G and L) of the AVAG Statement of Objection, on page 6 of the Irwin Mitchel LLP Letter of Objection and in paragraph 8.14 of the Cerda Planning Limited Objection. The concerns raised in these points primarily relate to the potential impact that additional traffic associated with the proposals could have on the operation of the roads in terms of capacity and congestion. A number of photos were also included in the AVAG objections which are referenced as showing existing congestion on these roads caused by larger vehicle movements and permitted on-street parking.

2.84 In terms of the proposed distribution of vehicle traffic, as set out in the TA submitted with the planning application, 78% of development traffic would use the southern site access junctions onto the A464 Holyhead Road and as such would not travel north through Albrighton village or on to Bowling Green Lane or Elm Road. The traffic distribution in the TA was calculated using 2011 Journey to Work Census Data (which is industry best practice) and then revised using more up to date employment data set out in the Economic Benefit Assessment also submitted with the application. This approach has been agreed by SC Highways Officers following the submission of the application.

2.85 Given that only 22% of journey to work vehicle movements will travel north/north east from the site, the number of additional vehicle movements travelling through Albrighton village will be limited. In addition to this, initial off-site junction capacity modelling is being undertaken to establish the potential

impact of development traffic on wider off-site junctions. The initial work undertaken at the Cross Road/High Street junction indicates that this junction will continue to operate within capacity in all future year scenarios even with the addition of development and wider committed development traffic. Further details of the off-site junction capacity testing being undertaken is set out later in this Note.

- 2.86 The fact that the Cross Road/High Street junction would operate within capacity in all future testing scenarios confirms that there would be no need for development traffic to utilise Elm Road and Bowling Green Lane as 'rat runs' to access the A41 on the north eastern side of the village. Notwithstanding this, if considered appropriate and required by SC Highways, the Albrighton South development could provide a financial contribution to SC to discourage existing vehicles from using these routes as 'through' roads to the A41 to the north east. This could comprise traffic calming measures in the form of speed humps or similar along Elm Road and / or Bowling Green Lane to reduce vehicle speeds and the time it takes to do the alternative route.
- 2.87 In terms of the potential impact on Cross Road and Green Lane to the south west of the site, the proposed site access roundabout with the A464 Holyhead Road will provide an appropriate point of access for vehicles travelling to and from the south west. This new roundabout has been designed to meet the current DfT DMRB design standards which will provide a benefit when compared to the existing Green Lane and Cross Lane junctions.
- 2.88 In summary, whilst the AVAG responses indicate that 'through traffic' on Elm Road and Bowling Green Lane can cause congestion particularly if larger vehicles are utilising the routes, it is not considered that development traffic will travel on these roads during peak times. This is based on the traffic distribution put forward as part of the TA and subsequently agreed by SC Highways Officers.
- 2.89 In terms of larger vehicles associated with the construction of the site, the access routes these vehicles take can be controlled and regulated by the implementation of a Construction Traffic Management Plan which will prohibit large construction vehicle movements on Elm Road and Bowling Green Lane. The exact route for construction vehicles would be agreed with SC Highways prior to any construction works commencing on site.

E. Active Travel Provision and Highway Safety Concerns on Cross Road

- 2.90 The level of active travel provision and pedestrian safety concerns were put forward in a number of the AVAG responses to the application. These points were raised on page 26 (points D, F, I, O and Q) of the AVAG Statement of Objection, on page 6 of the Irwin Mitchel LLP Letter of Objection and

in paragraph 8.9 of the Cerda Planning Limited Objection. The concerns raised in these points primarily relate to the suitability of the active travel measures proposed and the impact that additional vehicle traffic could have on the safe operation of Cross Road.

- 2.91 In terms of the proposed active travel provision, this has already been set out in detail in this Note with the full active travel proposal drawing shown on Drawing SH5034-4PD-010 which is included at Appendix C to the ATE Response Note. These proposals will encourage walking and cycling to and from the Albrighton South site and will also provide a benefit for existing Albrighton residents in terms of improving pedestrian access to Albrighton railway station and improving crossing facilities over Albrighton High Street. The proposals will also reduce vehicle speeds on Cross Road which was referenced as a concern in a number of the AVAG responses when referencing pedestrian and cycle (active travel) movements.
- 2.92 One active travel concern raised in the AVAG responses was that existing pedestrian movements would be banned from Patshull Road and Newhouse Lane due to these roads being 'stopped up'. This is not the case as pedestrian and cycle movements will still be permitted on these roads and it is only vehicle 'through movements' that will be banned. This will in turn benefit active travel users on these roads and allows Patshull Road to be reclassified as a 'green route' which will prioritise active travel movements.
- 2.93 In terms of the potential impact of development traffic on Cross Road, as set out in the TA submitted with the application, only 22% of journey to work vehicle movements will travel on Cross Road to the north and east of the site. The active travel and speed reduction measures already described in this Note have been prepared to mitigate the potential impact of development traffic and also improve the environment for existing active travel users on Cross Road.
- 2.94 With regards to road safety, the Personal Injury Accident (PIA) review described in paragraphs 3.93 - 3.101 of the TA confirmed that for the latest 5 years of available data there had only been one slight PIA on Cross Road. This PIA occurred at the Cross Road/A464 junction and did not involve a pedestrian or a cyclist. Given the fact that there are no recorded pedestrian or cyclist PIAs on the full length of Cross Road it is concluded that there are no significant existing active travel concerns on this route. The provision of improved crossing facilities, the widening of a footway to provide a shared, offroad footway/cycleway, the provision of dropped kerb tactile crossings where required and the provision of speed reducing measures on Cross Road will combine to further encourage walking and cycling movements between the site and Albrighton High Street.

2.95 In addition to the above, a number of the AVAG active travel and pedestrian safety comments seemed to indicate that the proposed development will lead to a requirement for people to walk on Cross Road on the far western boundary of the site where there is currently no footway provision. Whilst there may be no pedestrian or cycle provision on this section of Cross Road at the current time, As set out in the TA, a new section of 3m shared footway/cycleway will be provided as part of the development between the new Cross Road site access junction and the start of the existing active travel provision on Cross Road to the east of the Patshull Road/Cross Road junction. An extract of this provision is shown in Figure 3 below and in detail on Drawing SH5034-4PD-004 which is included as Appendix I of the TA.

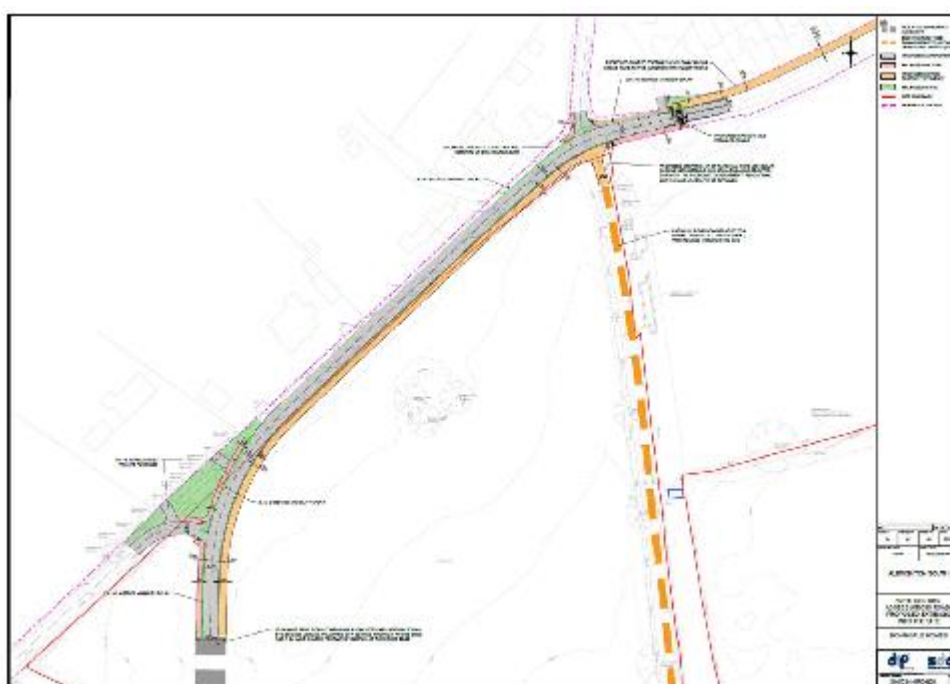


Figure 3 Proposed Shared Footway/Cycleway on Cross Lane

2.96 In summary, as set out above it is considered that the proposed Albrighton South site could provide a full suite of active travel measures to encourage both new and existing residents to make active travel choices. In addition, as confirmed by the PIA data in the TA, it is not considered that there are any material active travel safety concerns on the roads that surround the site and the measures proposed will only make the adoption of more sustainable travel methods more attractive to residents.

F. Consideration Over the Quantum of Large Agricultural Vehicles on Surrounding Roads

- 2.97 The consideration of large agricultural vehicles was raised in two of the AVAG responses to the application. This point is raised on page 6 of the Irwin Mitchel LLP Letter of Objection and in paragraph 8.2 of the Cerda Planning Limited Objection. The concerns primarily related to the how larger agricultural vehicles impact on the operation of the local road network.
- 2.98 Given the proposals are for a residential led development, the proposed development will not lead to an increase in large agricultural vehicles as referenced in the AVAG comments. In practice, the proposals which include for new access junctions on the A464 which are designed in line with current DfT DMRB guidance will be a benefit for larger vehicles travelling to and from/through Albrighton village as they provide the appropriate geometry and visibility splays required to allow larger slower moving vehicles to safely egress the junctions when compared to the existing substandard junctions.
- 2.99 In addition to this, whilst the AVAG comments referenced concerns over the impact that large agricultural vehicles have on the operation of Bowling Green Lane and Elm Road, as already described, it is not considered that any development traffic would need to use these routes to access the A41 and as such the proposals will have no material impact on the existing situation.
- 2.100 In summary, it is clear that whilst larger agricultural vehicles may have an impact on the efficient operation of the surrounding road network, this existing issue will not be materially exacerbated by the Albrighton South development and could potentially be improved by the provision of the new access junctions on to the A464 to the south.

G. Overall Impact on Traffic Numbers and Congestion

- 2.101 The overall quantum of development traffic and its potential to cause 'congestion' was raised in two of the AVAG responses to the application. This point is raised on page 6 of the Irwin Mitchel LLP Letter of Objection and in paragraph 8.2 of the Cerda Planning Limited Objection.
- 2.102 As set out, based on the Census vehicle trip distribution submitted as part of the TA, 78% of journey to work movements will be made to and from the A464 Holyhead Road to the south and as such will not impact on the operation of the roads within and through Albrighton village. In addition to this, the junction capacity testing undertaken as part of the TA has confirmed that the two new access junctions on to the A464 have been designed to ensure they operate well within capacity in all future traffic scenarios even with the addition of development, re-routed traffic and traffic associated with committed developments.

2.103 Notwithstanding this, in line with discussions with SC Highways, additional junction capacity testing is being undertaken for junctions in the wider Albrighton area as well as at the key junctions with the A41 to confirm the wider impact of development traffic. If appropriate and required, junction improvements will be proposed to mitigate the impact of development traffic and to ensure that in line with Paragraph 115 of the NPPF, the impact of the proposed development would not be classified as 'severe'.

H. Overall Suitability of the Assessment Undertaken and Staffordshire County Council Highways Objection

2.104 The overall suitability of the assessment work undertaken was raised in three of the AVAG responses to the application. This matter is raised on page 26 (points J and K) of the AVAG Statement of Objection, on page 6 of the Irwin Mitchel LLP Letter of Objection and in paragraph 8.12 of the Cerda Planning Limited Objection.

2.105 SDD / DLP do not agree with the assertion put forward in the AVAG responses, as the TA submitted with the application provided a thorough assessment of the potential impacts of the development and was prepared with due consideration with the requirements set out in the DfT 'Guidance on Transport Assessments' 2007 document and the Department for Levelling Up, Housing and Communities 'Travel Plans, Transport Assessments and Statements' document first published in 2014.

2.106 In addition to the detailed site access junction capacity modelling undertaken (which confirmed that all of the new site accesses would operate well within capacity in all development traffic scenarios), it was confirmed in paragraph 7.12 of the TA that further off-site junction modelling would be undertaken to assess the wider impact of development traffic following the submission of the application. This modelling was not undertaken at the time of the application as the vehicle trip rates and detailed traffic distribution submitted to SC Highway as part of the Pre-application Transport Note had not been assessed by SC Highways Officers, and any wider off-site modelling undertaken without agreement to these key elements could lead to abortive work.

2.107 However, following the submission of the application, SC Highways have now provided a response to the TA (dated 15th October 2024) which confirms in principle agreement to the majority of trip rates and traffic distributions put forward. As such, detailed capacity modelling of wider off-site junctions is being undertaken as part of the post application discussions to confirm the wider impact of development traffic. As previously set out, if appropriate and required, improvements to off-site junctions will be provided to mitigate the impact of development traffic and to ensure that in line with

Paragraph 115 of the NPPF, the impact of the proposed development would not be classified as 'severe'.

2.108 The Staffordshire County Council (Staffs CC) Highways objection (dated 6th August 2024) to the proposals is noted and this was raised in the AVAG comments on the application. Following the receipt of the objection, a meeting was held with Staffs CC Highways Officers (dated 8th August 2024) to confirm the scope and extent of junction modelling they would require to allow a more considered view on the application to be provided. This scope has been agreed and additional junction capacity modelling is being undertaken to satisfy the requirements of Staffs CC.

2.109 Therefore, based on the information set out above, it is clear that the level of assessment submitted as part of the application TA and the subsequent additional work (that could not be completed prior to the submission due to lack of engagement from SC Highways Officers) that is now being undertaken is appropriate to ensure that a comprehensive assessment of the potential impact of the Albrighton South site can be made.

Impacts on Infrastructure

2.110 Section 9 of the Cerda Letter sets out the author's concerns about the potential impacts the proposal may have upon local infrastructure.

2.111 This application poses considerable benefits to the provision of local infrastructure, including:

- Provision of a secondary school;
- Contributions towards local education;
- Flexible working/employment space;
- GP Surgery;
- Pharmacy;
- Supermarket;
- Care home;
- Highway improvements, including a new gateway spine road to improve vehicular access to Albrighton from Telford and Wolverhampton; and
- The creation of an Active (Green) Travel route.

2.112 This level of benefits and infrastructure is only possible with a large development, will provide considerable benefits to all in the locality, not just the future residents of the Site.

2.113 Nonetheless, there will clearly be contributions required towards those facilities not provided on Site. This is required of all development and the Applicant is accepting of those contributions wherever justified.

2.114 It is noted for example that Shropshire's Learning and Skills consultee has raised no objection to the scheme, requesting financial contributions towards education in the locality to accommodate the additional population.

2.115 The Cerda Letter mentions lack of access to a GP Surgery, clearly omitting to note that the proposals include provision of a GP Surgery and Pharmacy as is confirmed within the Planning Statement and supporting technical reports. Discussions with a local practice have taken place.

2.116 The development provides a wide range of infrastructure within the Site, and will provide financial contributions for those limited items which are not accommodated within the Site itself. Overall the net impact on local infrastructure will be positive.

Biodiversity

2.117 Section 10 of the Cerda letter relates to biodiversity, noting that the preliminary ecological appraisal has identified that some surveys are yet to be undertaken. These are all instructed and scheduled to take place in the appropriate seasons, and the results will be shared with the LPA as soon as available.

2.118 The Site however, as is set out in the PEA, is not of significant ecological value and as is well understood by local residents, the landowner has control of significant additional neighbouring land that can, if necessary, be utilised for mitigation and biodiversity net gain.

Conclusion on Cerda Letter

2.119 As a final comment in respect of the report prepared by Cerda, it is surprising to note that the author has acted for other developers in opposing the Shropshire Local Plan Review, arguing that the Plan as submitted is unsound. Whilst we fundamentally agree that the Plan is unsound, the

interchangeable professional opinion expressed by Cerda does bring into considerable question the validity of the contents of the submission made on behalf of AVAG.

2.120 Having now concluded the addressing of comments raised by the Cerda letter, this letter goes onto address any points raised in the following documents which have not already been addressed:

- “Statement of Objection” submitted by AVAG, dated 25th August 2024, received 29th August 2024
- “Letter of Objection” submitted by Nicola Gooch of Irwin Mitchell Solicitors on behalf of AVAG, dated 28th August 2024, received 29th August 2024 (pertains to application)
- “Letter of Objection” submitted by Nicola Gooch of Irwin Mitchell Solicitors on behalf of AVAG, dated 28th August 2024, received 29th August 2024 pertains to Marrons’ letter of 2nd August 2024, which addressed the potential impacts of the NPPF Consultation and WMS)

“Statement of Objection” submitted by AVAG, dated 25th August 2024, received 29th August 2024

Loss of Rural Character and Impacts on landscape

- 3.1 While the majority of points raised by the AVAG group in their Statement have previously been addressed in the above response to the Cerda Letter, one or two landscape-related points are worth making.
- 3.2 With respect to access to the Site by walkers, horse riders, etc. AVAG claim that the Site is currently accessible, and thus that the application would reduce this access. However, there are no public rights of way across the site apart from two public footpaths at the southeast corner of the Site (see LVIA Viewpoints 7 and 8). There are pedestrian footways along the A614 to the south. It is acknowledged that walkers and horse riders may use Cross Lane and Patshull Lane, however the lanes are narrow with typically very narrow verges.
- 3.3 Anyone currently accessing the Site by means other than those listed above are trespassing.
- 3.4 Further, AVAG claim that the Site provides superb open views (pg 9). It is recognised that local residents will typically value the undeveloped countryside around their settlement, wherever they live, however the Site is not subject to any statutory or non-statutory designations that indicate an elevated

landscape value and no important views are identified in the Development Plan. Further, as the Council will be well aware, there is 'no right to a view' and this is simply not a material consideration.

- 3.5 There is generally no public access to the Site, as stated above, and views of the Site are often largely restricted by intervening trees and hedgerows, even in winter, as shown in the Pegasus LVIA (Viewpoints 2, 4, 5, 9, 10, 11, 12, 15, 16, 18, 19 and 20).
- 3.6 It is acknowledged in the Pegasus LVIA that there are more open views of the Site (Viewpoints 1, 3, 6, 7, 8, 13, 14, 17), however with the exception of Viewpoints 7 and 8 from public footpaths, these views would be experienced in the context of nearby road traffic. For Viewpoint 1 this view would be appreciated at the roundabout junction of Cross Road and Patshull Road and at Viewpoints 13, 14, and 17 the views of the Site would be from the A614 footways. Finally, for people who may choose to walk along Cross Road and Patshull Road where there is no formal footway provision, there are views of the Site through occasional gaps in the roadside hedgerows (Viewpoints 3 and 6).
- 3.7 At Pg 24 of their response, AVAG highlight landscape and visual sensitivity of the area with views in and out. However, there are no views 'out of the Site' apart from the public footpaths at the southeast corner of the Site (see Viewpoints 7 and 8). Views into the Site are covered in the detailed response above. In summary, views into the Site are frequently restricted by field boundary hedgerows/trees or where views are less restricted by planting, the Site would be experienced in the context of road traffic.

Flood Risk and Drainage

- 3.8 AVAG claim that the Site is prone to flooding, which a development of this nature would exacerbate. Please be advised that further to comments received from the Lead Local Flood Authority, additional work is ongoing in this area, the results of which will be available soon. Infiltration testing has recently been undertaken and the results already provided to the Council, and the applicant and their team continue to work positively with the LLFA and the LPA.
- 3.9 With regard to highway flooding, the consultant team have identified opportunities to offer a betterment and reduce highway flooding within the vicinity of the site.

Viability

- 3.10 AVAG have expressed concern that some of the facilities the application aims to provide are unviable. The applicant clearly does not consider this to be the case and had undertaken adequate pre-application engagement with stakeholders in those relevant fields. This has included discussions with healthcare providers and retail options.
- 3.11 A detailed financial appraisal of the Site naturally occurred prior to submission of the development.
- 3.12 For clarity, the applicant has been approached by numerous supermarket operators with a view to running the proposed supermarket, by a local GP practice who wishes to run the proposed surgery and pharmacy and by a care provider who wishes to operate the Care Home.

Community cohesion and goodwill

- 3.13 AVAG find that the application should be resisted due to the strength of local opposition to the scheme. However, these houses are absolutely needed within the County and to support the wider needs of the Black Country. The current Development Plan and indeed the draft Local Plan Review (such as it is), will not deliver homes sufficient to meet local needs. Those much-needed homes need to go somewhere, and that is always going to incite a degree of community backlash. This is an inevitability of planning, particularly at scale. However, the benefits of planning at a scale such as this are innumerable, allowing developers to fund and provide much more than the minimum levels of infrastructure so often found in smaller, piecemeal schemes.
- 3.14 Further residents who are reportedly objecting to the proposed development have provided media interviews where remarkably they have confirmed that their own families have been displaced from Albrighton owing to a lack of available and affordable housing.

“Letter of Objection” submitted by Nicola Gooch of Irwin Mitchell Solicitors on behalf of AVAG, dated 28th August 2024, received 29th August 2024 (pertains to application)

- 4.1 Again, this section will address the principle points raised in Ms Gooch’s letter of 28th August, making reference, where relevant, to previous sections of this response note.
- 4.2 Ms Gooch outlines the main objections of her client, AVAG, as follows, with the Marrons response in italics below each point:

- There is no demonstrated “need” for development of the Site. It is not allocated in the Local Plan and the Council has a five-year housing supply.
 - *This has been addressed elsewhere in this response and no further response is required.*
- The development would result in unjustifiable harm to the Green Belt and the landscape character of the Site;
 - *This has been addressed elsewhere in this response and no further response is required.*
- The development would result in unjustifiable harm to the setting of designated heritage assets and two conservation areas;
 - *This has been addressed elsewhere in this response and no further response is required.*
- The application does not satisfactorily address a number of important factors, including the loss of agricultural land, biodiversity net gain requirements, and the impact of the development on highways and local community infrastructure.
 - *This has been addressed elsewhere in this response and no further response is required.*

“Letter of Objection” submitted by Nicola Gooch of Irwin Mitchell Solicitors on behalf of AVAG, dated 28th August 2024, received 29th August 2024 (pertains to Marrons’ letter of 2nd August 2024, which addressed the potential impacts of the NPPF Consultation and WMS)

- 5.1 The second letter submitted by Ms Gooch on behalf of AVAG pertains to a letter sent by Marrons to the case officer on 2nd August 2024, relating to the potential impacts of the NPPF Consultation and the WMS (“Building the Homes We Need”) which was released at that time.
- 5.2 Ms Gooch notes that the weight to be attributed to the WMS has been correctly identified in the Marrons letter.
- 5.3 Following the Inspector’s hearings holding letter to Shropshire Council ref ID46, of 29th October, the vast majority of Ms Gooch’s text relating to the weight to be accorded to the draft plan, and the fact that the draft plan is to be assessed under transitional arrangements and thus the NPPF 2023, is out of date. The transitional arrangements will not apply and this has been covered in depth elsewhere in this note, and does not require repetition.

- 5.4 A detailed response from Counsel will be provided in response to the legal submissions once the Inspectors' letter has been received.

Yours sincerely,



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