

**Appeal Reference 6007402 - Patshull
Road, Albrighton, WV7 3BH**

**Will Hossack on behalf of
Shropshire Council**
**Green Belt Proof of
Evidence**

Final report
Prepared by LUC
July 2026



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Chapter 1

Professional Credentials

Will Hossack

- 1.1 My name is Will Hossack, and I am a Principal Planner currently employed by LUC. I am a licentiate member of the RTPI and hold a master's degree in Spatial Planning and Development from Henley Business School (the University of Reading).
- 1.2 I have been instructed to act as an expert witness in relation to Green Belt matters on behalf of Shropshire Council in relation planning appeal 6007402 (Local Planning Authority (LPA) planning application 24/02108/OUT).
- 1.3 My involvement with the appeal site began in July 2025, where I was involved in drafting a site-specific assessment on behalf of the LPA. This assessment considered whether Albrighton could be considered a Large Built-up Area and the contribution of the appeal site to relevant Green Belt purposes. In April 2026, I was instructed following the refusal of 24/02108/OUT, to defend the refusal in relation to Green Belt policy (where the Officer Report was partly informed by the LUC site specific assessment).
- 1.4 I have over eight years of experience within the planning sector, having worked in both the public and private sector respectively. Explicitly, I spent five years as an Assistant Research Officer and Planning Officer for the London Borough of Harrow, and now nearly four years at private consultancies (at Senior and Principal levels).
- 1.5 Notably, I have extensive experience with development management applications within Green Belt designations, including appeals, and I have been the Project Manager for a number of Strategic Green Belt Assessments since joining LUC, which includes the identification of land considered to be 'grey belt'. Most recently in June 2026, I was the expert witness on Green Belt matters for North Warwickshire Borough Council in relation to Recovered Appeal Reference: 6005614.
- 1.6 LUC has been instructed by Shropshire Council to undertake a county wide strategic assessment. Beyond assisting other members of staff at the start of the project regarding how to implement LUCs methodology, I have had (and continue to have) no other involvement with the Shropshire Strategic Green Belt Assessment.

- 1.7 I have visited the Appeal Site its surroundings (including the settlement of Albrighton) and have examined the relevant plans and documents for the purpose of the inquiry.
- 1.8 The evidence which I have prepared and provided for appeal reference 6007402 (in this proof of evidence – CD1.21) is true and is given in accordance with guidance of my professional institution, irrespective of whom I am instructed. I can confirm that the opinions expressed are true and professional opinions.

Chapter 2

Scope of Evidence

Scope of Evidence

- 2.1 My evidence addresses planning matters insofar as they relate to the Green Belt considerations which comprises:
- The relevant local and national policy context;
 - Whether the proposal would be inappropriate development within the Green Belt;
 - The impact to the openness and purposes of the Green Belt.
- 2.2 The proposed development does not benefit from any of the exceptions to development outlined in Paragraph 154 of the Framework. Notably, the application was submitted prior to the introduction of 'grey belt', and a case only advancing Very Special Circumstances was put forward (accepting it was inappropriate development at the time of submission).
- 2.3 As such, my evidence largely focuses upon whether the proposed land would fall to be considered 'grey belt' and if it could be considered 'not inappropriate' development in the Green Belt by benefitting from paragraph 155 of the Framework. I also seek to attribute the harm to the openness of the Green Belt (and its purposes).
- 2.4 Criteria b, c, and d of paragraph 155 pertain to other planning considerations, which are beyond the scope of this proof of evidence. The remaining criteria has been addressed by the Planning Proof of Evidence(s) (CD1.22 and CD1.24).
- 2.5 It is common ground that development of the site would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the Plan and my evidence does not therefore address the second half of paragraph 155.a of the Framework.
- 2.6 For clarity, my evidence does not seek to identify other harms (beyond that to the Green Belt) or comment on the benefits of the scheme, as such it does not seek to comment on the wider planning balance nor confirm whether VSCs exist. The existence or otherwise of VSCs falls within the scope of the Planning proof of evidence (CD1.24).

Chapter 3

Local and National Policy Context

Local Plan

- 3.1 This chapter seeks to briefly raise to the Inspector the relevance of local policy insofar as they relate to the Green Belt matters of this appeal (including if Albrighton is a Town and a Large Built-Up Area), as references in the Development Plan are a relevant material consideration. Issues and further commentary on planning policy, including weightings, are included in the planning proof of evidence (CD1.24).
- 3.2 The Local Plan comprises two main documents:
- The Core Strategy (2011) (CD – also referred to as ‘CS’) (CD2.2.)
 - The SAMDev Plan (2015) (CD – also referred to as ‘SAMDev DPD’) (CD2.3)
- 3.3 In 2013, the Albrighton Neighbourhood Plan ‘Light’ (CD2.27) was published. Whilst this document was created by Albrighton Parish Council and the community, it was not put forward for a referendum under the provisions of the Localism Act and as such, is not an adopted document and whilst it is referred to as a Neighbourhood Plan, it does not form part of the Development Plan.
- 3.4 The LPA submitted an emerging Local Plan for examination in 2021 (referred to as the ‘Withdrawn Draft Shropshire Local Plan’ or ‘WDLP’ – CD2.33), however, following soundness concerns from the Inspectorate, this plan was not adopted and was subsequently withdrawn by the LPA, as such this document also does not form part of the development plan.
- 3.5 On 8th May 2026, the LPA published an intention to commence preparation of the next Local Plan for the area, with commencement of the 30-month plan-making process being in September 2026 (CD2.28).
- 3.6 Whilst the Local Plan is now ‘time expired’ being a plan designed to run from 2010 – 2026, it remains the adopted development and provides the starting point for assessments of individual applications.

Core Strategy (CD2.2)

- 3.7 In relation to Green Belt matters, **CS1** has some relevance in defining the spatial strategy, paragraph 4.6 summarises that:

*“The strategy reflects the **distinctive, rural nature of Shropshire** and the connection between the county town of Shrewsbury, the Market Towns, smaller settlements and the rural areas they serve. It is an approach that seeks to nurture, protect and develop the social and physical fabric of communities, supporting new economic potential within their environmental setting”.*

- 3.8 CS1 defines ‘Market Towns and other Key Centres’ as the second tier of settlements in the strategy (below Shrewsbury, the sub-regional centre within the LPA). The strategy states these settlements will maintain and enhance their traditional roles in providing services and employment, accommodating around 40% of Shropshire’s residential development over the plan period.
- 3.9 Table 1: Settlement Strategy of CS1 provides an overview of the role and strategic approach of settlement tiers and confirms that **Albrighton** is defined as a second tier settlement ‘Market Town and other key centre’ which serves other settlements and rural hinterlands and is a centre for service provision, economic development & regeneration. It accommodates local needs and inward migration, within East Shropshire.
- 3.10 The Spatial Strategy details that the West Midlands Green Belt is only present within the East Shropshire Spatial Area.
- 3.11 Policy **CS3** confirms that balanced housing and employment development, of an appropriate scale and design that respects each town’s distinctive character will take place within the towns’ development boundaries and on sites allocated for development – the policy reaffirms that Albrighton falls within this tier of settlement and that the strategy does not seek make any changes to Green Belt boundaries.
- 3.12 Paragraph 4.47 provides an overview of Albrighton confirming that it is considered to be a town (with a population of 5,100) and compared to other “Market Towns” in Shropshire. The demographics of the town are unique (as Shropshire generally has an ageing population) being heavily influenced by military personnel which can vary from a few hundred to 4000+ at any one time, as such, the town “caters” for a population of residents and military personnel (with the latter also being based in nearby Cosford).

- 3.13 **Policy CS5** pre-dates the NPPF and states new development in the Green Belt and the countryside will be strictly controlled and lists a number of exceptions in this regard, none of which would apply to the appeal proposal. However, the policy also confirms that an area of ‘safeguarded land’ within the Green Belt (neighbouring Albrighton to the east) was identified, the function of which was to address the future expansion in the settlement and release this land via the SAMDev DPD.
- 3.14 **Policy CS15** confirms that Albrighton will act as a district centre within the Eastern Shropshire zone in the context of Town Centre (economic) policy.

SAMDev DPD (CD2.3)

- 3.15 The SAMDev DPD was adopted in 2015 and sought to align itself with the NPPF, with PPSs being referenced in a limited capacity in the DPD.
- 3.16 Policy **MD1** reiterates the spatial strategy of the plan and re-affirms that Albrighton is in the second settlement tier of ‘Market Towns and Key Centres’ which along with Shrewsbury are the “main foci for development”.
- 3.17 Policy **MD6** provides specific development management considerations in accordance with CS5 and where development does not conflict with the purposes of the Green Belt. Notably, the policy supports ‘Limited infill development in identified Community Hubs and Clusters’ (smaller settlements) – this would not apply to Albrighton as it is an inset settlement.
- 3.18 Policy **MD10a** identifies ‘Town Centres, Primary Shopping Areas and Primary and Secondary Frontages and provides categories (A-C) of centres. Albrighton falls within Category B of this policy ‘Settlements with Town Centres and Primary Shopping Areas’. The Adopted Policy Map of S1 details the identified ‘Town Centre’ of Albrighton.
- 3.19 The SAMDev DPD provides a number of specific Settlement Policies. **Policy S1: Albrighton Area** comprises five parts under **S1.1 Albrighton Town Development Strategy**. Despite being part of the heading of S1.1 which refers to Albrighton as a ‘town’. The policy makes two references to Albrighton being a ‘village’. The policy also refers to a safeguarded land designation to the east of ALB002 (which has now been developed). Part 5 of the policy requires all development proposals to ‘have regard’ to the Albrighton Plan (which is confirmed to mean the non-statutory ‘Albrighton Neighbourhood Plan Light as described in paragraph in 3.3 of this Proof of Evidence). S1.2 confirms there are no Community Hub or Cluster Settlements in the Albrighton Area whilst S1.3 seeks to support commercial/industrial uses.

National Policy

3.20 The current iteration of the Framework (CD2.1) introduced 'grey belt' which is relevant to the application of paragraph 155. Any development that fails any of the requirements of paragraph 155, is subject to the consideration of whether VSCs exist.

3.21 Grey belt is defined in Annex 2: Glossary of the Framework as:

"For the purposes of plan-making and decision-making, 'grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development".

3.22 The PPG (CD2.21) was also updated February 2025 to assist in the interpretation of whether land falls to be considered as grey belt in relation to the strength of purposes A, B and D. Paragraph: 005 Reference ID: 64-005-20250225 explicitly identifies 'illustrative features' to identify whether land is considered to make a 'strong', 'moderate' or 'weak' contribution to these purposes. It does not provide guidance on purposes C and E.

3.23 It should be noted that the Draft NPPF Consultation (CD2.34), which was published in December 2025, seeks to incorporate parts of the Green Belt PPG into the Framework under Annex E. This is broadly similar with the exception of footnote 87 which confirms 'towns' for purpose B includes cities.

3.24 The Draft NPPF Consultation (CD2.34) also seeks to change the definition of 'grey belt' land by removing the relevance of Footnote 7 constraints. Explicitly the consultation definition is as follows:

"Grey belt: *For the purposes of plan-making and decision-making, 'grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in policy GB2".*

3.25 Page 78 of the accompanying consultation notes (CD2.35) provided the proposed reasoning for this change in definition as follows:

*“A change is proposed to the definition of ‘grey belt’ to remove reference to other “Footnote 7” areas. This reference was originally included to ensure that our grey belt policy reforms did not undermine the protection given to these areas. However, this reference meant that grey belt can only be provisionally identified **before** considering the impact of specific development proposals, which could make it more difficult to accurately identify grey belt. It could also apply additional layers of protection to these areas within a Green Belt context, which is unnecessary.*

Our revised definition seeks to enable grey belt to be identified with greater certainty, whilst continuing to ensure that these areas receive the same level of protection as elsewhere in the Framework”.

- 3.26 The draft NPPF Consultation has not been adopted at the time of writing and can only be given limited weight.

Other Documents

- 3.27 Notwithstanding the above, there are a number of other non-statutory documents relevant to consider for the determination of this appeal which comprise:

- The Albrighton Neighbourhood Plan ‘Light’ (referred to as the ‘ANP’) (CD2.27)
- The Withdrawn Shropshire Local Plan (2016-2038) (CD2.33)
- Shropshire Council Hierarchy of Settlements (August 2020) (CD2.30)
- Shropshire Green Belt Assessment (prepared by LUC - September 2017) (CD2.22)
- Shropshire Council Green Belt Assessment (prepared by LUC - September 2025) (CD5.11)

Albrighton Neighbourhood Plan ‘Light’ (CD2.27)

- 3.28 The ANP was published in June 2013 and is a community-led plan prepared by the respective parish councils of Albrighton, Donington with Boscobel and Boningale.
- 3.29 As previously stated, it does not form part of the Development Plan but policy S1 of the SAMDev DPD seeks for development proposals to have regard to the document (with the ANP also referencing the CS and SAMDev DPD).
- 3.30 The ANP refers to the settlement as a ‘village’ throughout reflecting the views of local people who responded to the survey – who also sought to retain “Albrighton as a village as opposed to it growing into a town”, although the ANP does not expand upon what is meant by this response in paragraph 4.5, this is under the Housing section of the document.

- 3.31 The ANP does not have any specific Green Belt policies, but seeks to provide an additional exception for a replacement GP surgery in the Green Belt and consider additional employment land within the Green Belt as part of Shropshire Council's review of the CS.

Withdrawn Shropshire Local Plan (2016-2038) (CD2.33)

- 3.32 The WDLP had sought to update the spatial strategy in policy **SP2** and provided a schedule of 'Urban Locations' (SP2.1), this now seeks to differentiate the five 'Market Towns' from the 'Key Centres'. Albrighton falls within the latter of the WDLP. However, SP2.5 when distinguishing the settlement hierarchy had both Principal and Key Centres in the same category (SP2.5.b).
- 3.33 **SP11** sought to provide an updated Green Belt policy, seeking to retain the development boundaries of Albrighton, Alveley, Bridgnorth and Shifnal. The policy differentiated these settlements from the *villages* of Beckbury, Claverley and Worfield which are also inset in the Green Belt but function as countryside under separate countryside policy (SP10). The Green Belt policy considered what would be appropriate development and set out areas of Safeguarded Land. Notably, the policy sought to provide 19.9ha of Safeguarded Land around Albrighton (summarised in Schedule S1.1(ii)).

Figure 3.1 Schedule S1.1(ii) of the WDLP

Schedule S1.1(ii). Safeguarded Land: Albrighton Key Centre	
Safeguarded Land	Site Area
Land at Cross Road	6.98ha
Land bounded by Kingswood Road, High House Lane and the By-Pass	6.56ha
Land between the By-Pass and Railway Line	6.32ha

Whilst Land at Cross Road (detailed in CD) was proposed to be Safeguarded Land, as the WDLP was never adopted it does not benefit from this designation – it remains Green Belt. None of the land relevant for the appeal was proposed to be safeguarded land.

- 3.34 Policy **S1.1** provided the development strategy for Albrighton Key Centre and reaffirmed its role as a Key Centre that contributes towards strategic growth objectives in the east of the County. The policy sought to place emphasis on the Albrighton Plan (the ANP) similar to the existing adopted policy. **S1.2** identified Cosford as a Community Hub within the Albrighton Place Plan Area (a significant rural service centre).

Shropshire Council Hierarchy of Settlements (August 2020) (CD2.30)

- 3.35** The Spatial Strategy for the WDLP was informed by the Shropshire Council Hierarchy of Settlements study which undertook a four-stage process to categorise settlements.
- 1.** Stage 1 identified 'recognisable named settlements'
 - 2.** Stage 2 screened these settlements for their inclusion at later stages based on their settlement size and self-containment. Population and dwelling estimate figures utilised 2011 Census Data for Built-up Areas and Shropshire Council Housing Completions Data.
 - 3.** Stage 3 assessed all screened-in settlements using a scoring system attributing points to settlements based on type and level of services and facilities (differing scorings for primary and secondary services); high speed broadband provision; employment opportunities; and public transport links.
 - 4.** Stage 4 sought to rank and categorise settlements accounting for their size, with points achieved in Stage 3 used to rank them. The categories reflect those in Policy SP2 of the WDLP.
- 3.36** The study estimated Albrighton to have a population estimate of 4,870, dwelling estimate of 2,205 and gave the settlement an overall score of 94 for its Services and Facilities offering. For comparison scores of all other Green Belt settlements have been provided in **Table 3.1**.

Table 3.1 Green Belt Settlements (in Albrighton, Bridgnorth and Shifnal Place Plan Area) Scores from Stage 3 of the Shropshire Settlement Hierarchy Study

Settlement	Place Plan Area	Total	Status
Bridgnorth	Bridgnorth	109	Principal Centre
Shifnal	Shifnal	97	Key Centre
Albrighton	Albrighton	94	Key Centre
Alveley	Bridgnorth	59	Community Hub
Cosford/Donington	Albrighton	48	Community Hub
Beckbury	Albrighton	43	Other Rural Settlement
Claverley	Bridgnorth	43	Other Rural Settlement
Worfield	Bridgnorth	38	Other Rural Settlement
Quatford	Bridgnorth	28	Other Rural Settlement

Settlement	Place Plan Area	Total	Status
Ackleton	Bridgnorth	25	Other Rural Settlement
Kemberton	Shifnal	25	Other Rural Settlement
Hilton	Bridgnorth	23	Other Rural Settlement
Ryton	Shifnal	21	Other Rural Settlement
Tong	Albrighton	19	Other Rural Settlement
Stanmore Camp	Bridgnorth	18	Other Rural Settlement
Badger	Albrighton	16	Other Rural Settlement
Tong Norton	Albrighton	15	Other Rural Settlement

Shropshire Green Belt Assessment (September 2017) (CD2.22)

- 3.37 LUC was commissioned to provide an updated Green Belt Assessment in 2017 to underpin the previous Local Plan update (now withdrawn). This document preceded the February 2025 Green Belt PPG and the introduction of grey belt and used a methodology different to contemporary assessments (post-2024).
- 3.38 The appeal site was assessed as part of Parcel P36 and attributed the following contribution to the five Green Belt purposes:

Purpose A	Purpose B	Purpose C	Purpose D	Purpose E
No contribution	Weak	Moderate	Strong	Equal

- 3.39 The 2017 study did not consider Albrighton to be a large built-up area, paragraph 3.26 of this study confirmed that there was no definition of 'large built-up area' and referenced the 2011 ONS definition of a 'large built-up area' (a settlement with a population between 0.5 - 1 million people).
- 3.40 It was considered that Shropshire does not have a LBUA and it was "agreed", the only large built-up areas considered in this assessment were Telford and the West Midlands Conurbation, only land adjacent to them was considered relevant for Purpose 1 (Purpose A).
- 3.41 Albrighton was a town for Purpose 2 (Purpose B) and Purpose 4 (Purpose D) within this study (along with Bridgnorth and Shifnal).

- 3.42 The study was followed by a Shropshire Green Belt Review: Stage 2 (CD2.36) to assess the harm of Green Belt release of identified parcels, with Appendix 1 being the specific Albrighton assessment.

Shropshire Council Green Belt Assessment (September 2025) (CD5.11)

- 3.43 During the course of the application LUC were instructed to undertake an assessment of the appeal site (SCGBA) which considered whether Albrighton would be considered a 'large built-up area' and the contribution of the appeal site to each Green Belt purpose, with findings as follows:

Purpose A	Purpose B	Purpose C	Purpose D	Purpose E
Strong	Weak	Strong	Weak	Moderate (Equal)

- 3.44 The assessment considered the differences between the ratings of P36 in the 2017 SGBA as well as the updates to the PPG when reaching the above conclusions.
- 3.45 The SCGBA considered specific local plan documents and appeals to conclude that Albrighton is in fact a large built-up area.
- 3.46 The appendix to this SCGBA includes the method statement, which includes definitions used for the assessments, which aligns with LUCs strategic assessments elsewhere.
- 3.47 Whilst I was a co-author of the SCGBA and agree with its findings, I have sought to provide further assessment following my own site visit to Albrighton and the appeal site and expand upon issues which are likely matters of disagreement by the appellant.

Chapter 4

Whether the Development is Inappropriate Development within the Green Belt

- 4.1 The appellant is advancing the case that the development is ‘not inappropriate development’ by virtue of paragraph 155.
- 4.2 Paragraph 155 features multiple tests, however, as stated in paragraphs 2.3 – 2.5 of this proof my evidence is only assessing Paragraph 155.a as the other tests are cross-cutting considerations.

“155. The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all of the following apply:

a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;

b. There is a demonstrable unmet need for the type of development proposed,

c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and

d. Where applicable the development proposed meets the ‘Golden Rules’ requirements set out in paragraph 156-157 below.”

- 4.3 It is common ground that development of the appeal site would not have a fundamental impact on the purposes of the remaining Green Belt (taken together) across the area of the plan. As such, this chapter seeks to demonstrate that the proposed development does **not** utilise grey belt land as it makes a strong contribution to Purpose A of paragraph 143.

Contribution of Purpose A – to check the unrestricted sprawl of a large built up area (LBUA)

- 4.4 Paragraph 005 Reference ID: 64-005-20250225 of the Green Belt PPG (CD2.21) provides considerations for informing the judgement of the contribution of land (assessment areas) to Purposes A, B and D.

“This purpose relates to the sprawl of large built up areas. Villages should not be considered large built up areas”

- 4.5 For Purpose A, Paragraph 5 confirms this purpose relates to large built up areas ('LBUA') and not all settlements in the Green Belt, explicitly it states villages should not be considered large built up areas. It does not define what is a large built up area or whether a single threshold exists for this purpose.
- 4.6 The point of contention on this ground is whether Albrighton can be considered a large built up area. If it does not, then the appeal site can only make a 'weak' contribution to Purpose A.

Is Albrighton a LBUA?

- 4.7 Firstly, it is imperative to note that prior to the Green Belt PPG update in 2025, there was no definition in national policy or guidance as to what constituted a LBUA for purpose A. The PPG now provides a disqualifying criterion for what should not be a LBUA – settlements that are villages should not be considered LBUAs (i.e. settlements that are larger than villages can be considered LBUAs). Whether a settlement is a LBUA or not, is a matter of planning judgement, and the PPG is deliberate in this regard.
- 4.8 Appendix 1 comprises two parliamentary questions to MHCLG answered by Matthew Pennycook MP on this matter (on behalf of the SoS). The first question tabled on 16th July 2025, five months after the introduction of the 'grey belt' PPG, from Victoria Collins MP, was as follows (emphasis is my own):

Question: "To ask the Secretary of State for Housing, Communities and Local Government, **whether her Department plans to issue a formal definition of a Large Built-Up Area for the purposes of planning decisions**".

Answer: "Local Planning Authorities (LPAs) must necessarily exercise judgement to interpret and apply national planning policy to their particular local circumstances..."

- 4.9 The other question tabled by Sir Oliver Dowden MP on 9th February 2026 also sought clarity on this matter, as well as other definitions (emphasis is my own):

Question: "To ask the Secretary of State for Housing, Communities and Local Government, **with reference to the Planning Practice Guidance on the Green Belt, how the Department defines (a) large built-up areas, (b) towns and (c) historic towns.**

Answer: “The revised National Planning Policy Framework published on 12 December 2024 and the Green Belt guidance updated on 27 February 2025 do not introduce a definition of large-built up area, town, historic town or village...”

- 4.10 As such, it is clear that whether a settlement is a LBUA is a matter of judgement which has to account for local circumstances and that there is no upper or lower limit as to what constitutes a LBUA, only that ‘villages’ should not be considered LBUAs.
- 4.11 If it is considered that Albrighton is something ‘more’ than a village (or considered to be a town) then it can be considered to be a LBUA, however, further consideration within the Shropshire context is required to discern as to whether it is a *large* built-up area.
- 4.12 The appellant’s Statement of Case does not expand upon what grounds they consider that Albrighton is not a LBUA, however the appellant’s Green Belt Assessment (CD11.13) suggests that Albrighton is not a LBUA based on the findings of the 2017 GBA (CD2.24) and Parcel P36.
- 4.13 CD11.13 uses the parcel assessment of P36 as a starting point and seeks to extrapolate its conclusions, as the appeal site is smaller than the total parcel area of P36.
- 4.14 When assessing purpose A, paragraph 2.8 of CD11.13 states that “*it is relevant to note*” the PPG advises villages should not be considered LBUA but lacks any commentary as to whether Albrighton is considered a village or a large built-up area. It should also be noted that when considering Purpose A, CD2.22 only considered land adjacent to a LBUA make a contribution and as such, in light of the PPG, is not useful for any substantive assessment of the appeal site in relation to purpose A.
- 4.15 When assessing purpose B (CD11.13), it is clear across that the appellant considered Albrighton to not be a ‘Town’ for purposes B and D, on the basis they consider it a “*large village*” (in paragraphs 2.9 – 2.15) however, again there is no commentary as to how this conclusion has been drawn. It should be noted that CD2.22 considered Albrighton to be a town for Purpose B.
- 4.16 The types of settlements relevant to Purpose A (large built-up area) and Purpose B (towns) were seen as different prior to the 2025 PPG (in CD2.22). The current guidance is a ‘step-change’ which now confirms both purposes should not include villages.
- 4.17 As such, CD2.22 had identified only Telford and the West Midlands conurbation as the only LBUAs in the Shropshire Green Belt, with reference to the 2011 ONS ‘built-up area geographies’.
- 4.18 Whilst the ONS definition was helpful to consider the national scale of built-up areas, identifying 5,493 built-up areas, it should be noted that the categories of the dataset were “*grouped by the size of their usually resident population into five categories*”. As such, this definition (including

what is a 'large' built-up area) is purely a descriptive figure based on stratifying the dataset (category thresholds grouped by the recorded size of all built-up areas across the country) – the categories are not a planning policy figure and do not account for why certain settlements are of a certain size or their role in a particular catchment (such as an LPA or County Council boundary). It would not be a useful benchmark, to use for the assessment of Albrighton. In any event, it should be noted that regardless of this figure Telford was included as a LBUA in the SGBA despite having a population of circa. 140,000 usual residents.

Figure 4.1 Table 2 of 2011 Built-up Area Classification from ONS ('2011 Census: Characteristics of Built-up Areas')

England and Wales, 2011

Category	Number of usual residents	Number of built-up areas	Total usually resident population	Percentage of total population
Non built-up	N/A	N/A	2,703,100	4.8
Minor	<10,000	4,999	7,646,500	13.6
Small	10,000 - 99,999	424	11,826,500	21.1
Medium	100,000 - 499,999	59	12,303,900	21.9
Large	500,000 - 999,999	7	5,036,100	9.0
Major	1,000,000+	4	16,559,700	29.5

Source: Census 2011, Office for National Statistics

- 4.19** The ONS subsequently updated the built-up area classifications in response to the 2021 census. This metric is used in current LUC strategic studies to sense check whether a settlement can be considered a LBUA (but it is not fully determinative in itself).
- 4.20** The 2021 geographies are not directly comparable with the 2011 geographies due to a change in the ONS method, now identifying 7,018 built-up areas where six categories were identified with a further "*Approximate settlement type*" classification. This geography identified that the general threshold for when a settlement is identified as a town is when it has a usual resident population of 5,000.

Figure 4.2 Table 1 of 2021 Built-up Area Classification from ONS ('Towns and cities, characteristics of built-up areas, England and Wales: Census 2021')

Population range (Usual resident population)	BUA size classification	Approximate settlement type
0-4,999	minor	hamlet or village
5,000-19,999	small	larger village / small town
20,000-74,999	medium	medium towns
75,000-199,999	large	large towns / smaller cities
200,000+	major	cities

Source: Office for National Statistics

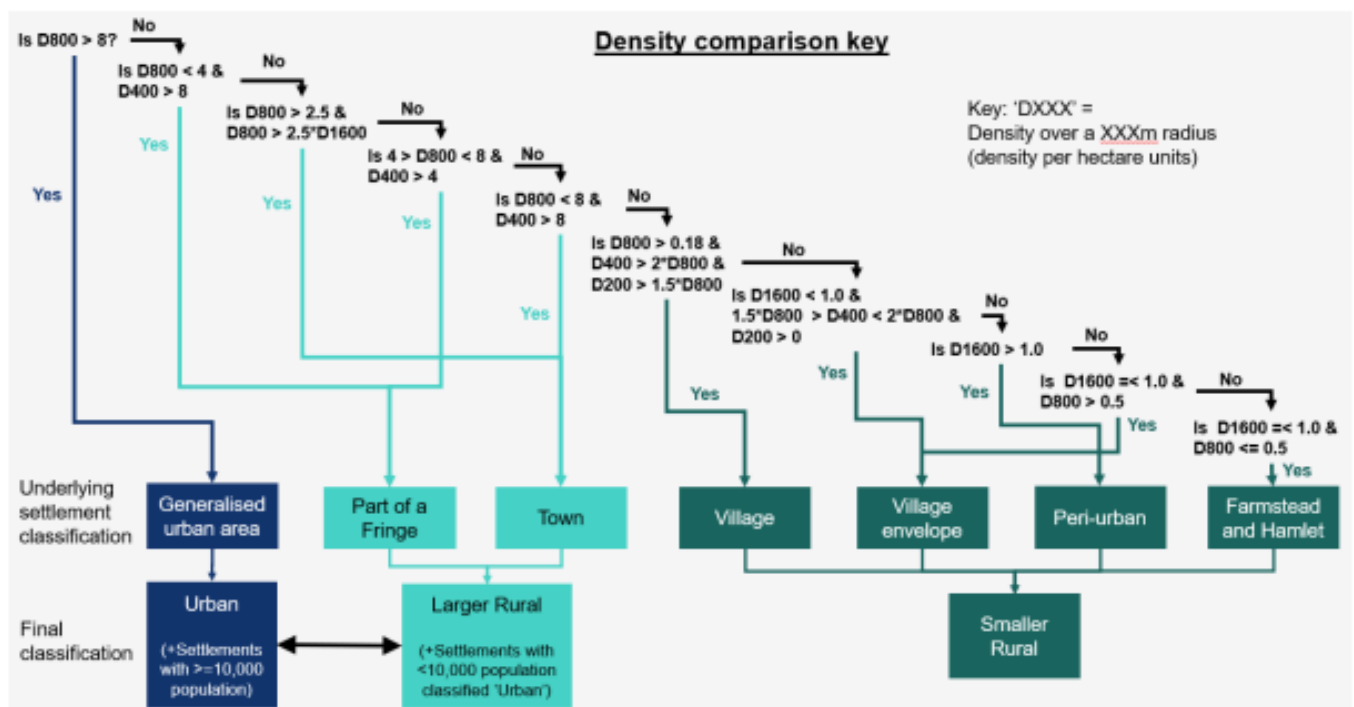
- 4.21** It is not possible to use the 2021 Built-up Area Classification to identify Albrighton's population, as the 2021 geography includes the built-up extent of Cosford (unable to be disaggregated and provides a figure of 6,850 using 2024 population estimates). The Hierarchy of Settlements paper (2020) utilised the 2011 built-up area geographies and population figures which identified a usual resident population of 4,870. As such, the settlement would fall into the 'hamlet or village' approximate settlement type of the 2021 definition when using 2011 data, but again, these definitions are accounting for all settlements across England and Wales and are not fully indicative (hence the categorisation, being '*Approximate*' settlement type).
- 4.22** Notwithstanding that Albrighton, based on 2011 population figures, would only be circa. 130 persons short of squarely falling into the 'small town' threshold, there have been three major residential applications of note that have been delivered since 2011 resulting in an additional 164 dwellings (with only 13 of these being 1 bedroom units), as such the housing stock today could accommodate over 5000 usual residents in comparison to the 2011 figures.

Table 4.1 Major Applications Delivered within Albrighton Since 2011

Planning Application Reference	Proposed Units (Increase in Units)	Number of 1 bed units
14/05456/REM (Reserved Matters)	56	4
15/02448/FUL	65	5
23/00870/FUL	43	4

4.23 Notwithstanding, it should also be noted that all Output Areas within the settlement when using the ONS Urban-Rural Classification are classified as “Larger Rural”. Whilst these classifications are not planning policy tools (albeit they do underpin part of the application of the Government’s Connectivity Tool) they provide classifications based on densities. The classification filters settlements into underlying classification before a final classification of either Urban, Larger Rural or Smaller Rural. The Underlying Settlement Classification confirms that to be classified as “Larger Rural” the settlement has to have either a density that classifies it as “part of a fringe” or a “town”. If an area has a density less than a ‘town’ classification it would then be considered a ‘village’ which can only lead to the final classification of a “Smaller Rural Settlement” (smaller classifications than village include, village envelope, peri-urban, farmstead and hamlet). The ONS methodology notes that ‘smaller’ and ‘larger’ classifications are determined by density dwelling profiles and not population. Therefore, on this metric, emphasising density, Albrighton would be a town.

Figure 4.3 Figure 3 of 2021 Urban Rural Classification of Statistical Geographies, England and Wales Methodology



This figure details the density assessments, Underlying Settlement Classification and the Final Classification from the ONS methodology, if Albrighton were considered a ‘village’ based on density its Output Areas would have the *Smaller Rural* classification (Albrighton OAs are classified as *Larger Rural* instead).

- 4.24 As such, depending on the definition of ONS classifications, Albrighton is close to being considered a town against the approximate settlement classification in 2011, and is at least a town when considering density. When considering the additional completions, since 2011, it is likely that the housing stock (built-up area) would be reflective of over 5,000 usual residents and would fall into the small town classification. As such, when considering the national comparison, I consider that Albrighton is a town and can be considered to be a LBUA.
- 4.25 Notwithstanding, the SoS has confirmed that the overall planning judgement as to whether a settlement is a LBUA must also account for an LPAs “**particular local circumstances**” (as per paragraph 4.8) – which these definitions do not do. If these definitions were intended to be prescriptive for planning policy, then the PPG (or other national policy) would state so. However, the fact Albrighton, is a town, is likely indicative that it is a large built-up area as the majority of settlements in Shropshire are villages and denoted in the Spatial Strategy as being ‘smaller settlements’ (see classifications in Table 10 of CD2.30 which confirms there are around 550 settlements in the LPA).
- 4.26 The LUC site specific Green Belt assessment (CD5.11) set out whether Albrighton could be considered a large built-up area, in light of the PPG resulting in a ‘step change’ in national policy.
- 4.27 This assessment summarised multiple appeal decisions (including recovered appeal decisions) that were most relevant at the time to assist in identifying whether a settlement is a LBUA, with the following key considerations being derived from them:
- The extent of facilities and services offered within the built-up area (this is often reflective of a settlements role in the spatial strategy and settlement hierarchy);
 - The size of a settlement
- 4.28 Whilst the above were considered to be the most determinative considerations, individual nuances of considerations of each appeal were also summarised in Chapter 3 of CD2.24, nuances of note include:
- Where contradictory decision-making or records are present, references in the Development Plan (beyond consideration of the Spatial Strategy) and other relevant documents (such as withdrawn or superseded documents) can assist in determining if a settlement is a village or not.
 - When referring to documents and records consideration if this is still an accurate depiction at the time of the decision (facts on the ground).
- 4.29 I still consider in the absence of any further definition or guidance on this matter that these considerations are relevant and the most robust basis for determining if a settlement can be

considered a LBUA within its local context. As such, in finding that Albrighton is a town, I will now turn to assessing the considerations as described in paragraph 4.26 to consider if Albrighton is a LBUA in the Shropshire Green Belt (particular local circumstances).

Facilities and Services

- 4.30 In the absence of a definition of a LBUA, the context of what to expect as an indicative level of facilities and services is subjective, as the SoS has confirmed that when making this judgement, consideration of the particular local circumstances are required, it cannot be overlooked that Shropshire is an inherently rural county and its built-up areas will be inherently different to the built-up areas of another geography in a generally more urbanised area.
- 4.31 As such, starting with the adopted development plan allows consideration of the local circumstances and identifies what areas are targeted to deliver housing and infrastructure, providing a clear differentiation of what settlements are considered to be larger than others.
- 4.32 The CS (CD2.2) considers Albrighton to fall within the second tier of the settlement hierarchy – “Market Towns and other Key Centres”.
- 4.33 The spatial strategy defined in CS1, provides three tiers of settlements across the county. The strategy itself sought to deliver 27,500 homes between 2006-2026 and around 290ha of employment land:
1. The first tier contains only one settlement, Shrewsbury, being a sub-regional centre and Shropshire’s growth point – accommodating approximately 25% of all dwellings in the strategy;
 2. The second tier comprises the “Market Towns and other Key Centres” – accommodating 40% of all dwellings in the strategy;
 3. The third and final tier is defined as “the rural areas” – accommodating around 35% of all dwellings in the strategy. This tier focuses on settlements referred to as “community hubs and community clusters” but also refers to settlements not formally designated. It should be noted that where these settlements are located within the Green Belt, and washed-over, CS5 (the Green Belt policy) provides an additional exception of limited infilling (i.e. the ‘limited infilling in villages’ test under now paragraph 154.e of the Framework).
- 4.34 Policy CS3 states that Market Towns and other key centres will “*maintain and enhance their roles in providing **facilities and services to their rural hinterlands, and providing foci for economic development and regeneration. Balanced housing and employment development, of an appropriate scale and design that respects each town’s distinctive character and is supported***

by improvements in infrastructure, will take place within the towns' development boundaries and on sites allocated for development" (emphasis is my own).

- 4.35 It is clear therefore, that the spatial strategy differentiates Albrighton from what it considers are small settlements (villages). This tier is expected to accommodate 40% of dwellings in the spatial strategy, across 19 settlements (out of around 549 settlements, excluding Shrewsbury, within the LPA, as per CD2.30).
- 4.36 Table 1 of the CS emphasises that this tier of the hierarchy means it has a wider reaching influence than other settlements in Shropshire and has a role that provides a centre to serve other settlements and rural hinterlands. The strategy envisions it comprises a centre for service provision, economic development and regeneration. Crucially, these centres seek to accommodate local needs and needs arising from inward migration, particularly in the case of the latter this is indicative of a 'large' size (other settlements below it in the hierarchy do not attract inward migration).
- 4.37 As such, Albrighton being described as a town throughout the sub-text of Policy CS1 is reflective of its role as a large settlement – it is one point of focus for delivering the spatial strategy (as opposed to being an area to make up purely windfall supply) and this is reflected in the Development Plan as it seeks to direct significant residential development to the town via housing allocations and safeguarded land, demonstrated by recent planning approvals for major residential development on these sites.
- 4.38 I acknowledge that CS15 differentiates Albrighton as a 'key centre' from other Market Towns, however, this is to highlight it as a district centre (as opposed to a principal centre) in the context of a policy seeking to support the delivery of economic and leisure uses (relevant to the consideration of Town centres). In fact, paragraph 6.27 of the CS confirms this differentiation by stating: "*Smaller towns or Key Centres provide **an important service role for both local communities and their rural hinterlands**. The policy positively encourages appropriate 'town centre' development in the identified Key Centres in order for them to enhance this role and to enable greater self containment*".
- 4.39 The policy is not seeking to differentiate Albrighton in a way that indicates it is a smaller settlement or indeed lower in the settlement hierarchy in any way - just that it is a smaller town than principal centres (which are not in the Green Belt or Eastern Spatial Zone) but still larger than the majority of settlements in the Shropshire (not accounting for the Green Belt).
- 4.40 Furthermore, CS15 and sub-paragraphs to the policy continue to cite all referenced centres as "town centres", whilst references to self-containment also demonstrates its role as a LBUA –

where the facilities and services present are not only adequate to support its local population on a day to day basis but also smaller settlements in its locality.

- 4.41 The SAMDev DPD reaffirms Albrighton as a 'Market Town and Key Centre' when defining settlements, and in policy MD10a seeks to further confirm that the Town Centre of Albrighton is a Category 'B' centre (*'Settlements with Town Centres and Primary Shopping Areas'*), below the centres of Oswestry and Shrewsbury (Category 'A') but above five settlements in the same tier of the settlement hierarchy.
- 4.42 The SAMDev DPD has conflicting references to how it refers to Albrighton referring to it as a 'village within Policy S1'. However, this policy is termed, the Albrighton **Town** Development Strategy and also references it as a town under S1.1(4). The inconsistency in the references has not altered its role as a settlement seeking to accommodate (in part) 40% of the Spatial Strategy, and the policy confirms it is/was seeking to deliver around 250 dwellings over the plan period by predominantly allocating land (which is appropriate to its existing scale).
- 4.43 The conflicting references in the SAMDev DPD potentially arise from the documents seeking to have regard to the 'Albrighton Plan' (CD2.27) which is a community-led document, created in 2013 (after the CS).
- 4.44 CD2.27 was created by multiple Parish Councils and refers to the settlement as a village throughout. As part of the consultation exercise undertaken by the plan, respondents had expressed the desire to retain Albrighton as a 'village' and prevent it from growing into a town. The Albrighton Plan explicitly states that it wishes to retain its "village ambience" and assets such as the village green and conservation areas.
- 4.45 However, it should be noted that the Albrighton Plan is not an adopted document, it has not been tested under examination and as such, it also holds no strategic policies. The plan itself also reaffirms that the main settlement of Albrighton plays a role in providing facilities and services for its rural hinterlands.
- 4.46 Whilst there is no definitive 'list' of characteristics that can be considered to be indicative of a settlement being a 'village' (as per '*Tate*¹' judgement referenced in CD16.42¹), and vice versa no defining list of characteristics for other types of settlements, the offering of facilities and services in Albrighton is significant and go beyond what one would traditionally expect of a smaller settlement in Shropshire.

¹R (On the application of Tate) v Northumberland County Council [2018] EWCA Civ 1519

- 4.47** The Hierarchy of Settlements paper (2020) had undertaken an assessment of all services and facilities across the county. Part of this assessment included scoring for each settlement based on the availability of services and facilities. However, the methodology also differentiated between primary services (those that people need to use on regular basis that are essential to everyday life) and secondary services which were defined as:

“Services and facilities that people would expect to be available in larger settlements are not needed on a day to day basis”.

- 4.48** Albrighton had an overall score of 94 however, the number of points it received from secondary services (38) was greater than the points it received from primary services (34), with the remaining points made up by scoring the maximum possible for Public Transport Links, Employment Opportunities and High Speed Broadband.

Table 4.2 Hierarchy of Settlements (2020) Stage 4 Scores for Green Belt Settlements

Settlement	Total Score	Points from Primary Services	Points from Secondary Services	Settlement Classification as per Adopted Hierarchy
Bridgnorth	109	38	49	Market Towns and Key Centres
Shifnal	97	36	39	Market Towns and Key Centres
Albrighton	94	34	38	Market Towns and Key Centres
Alveley	59	24	20	Recognisable Named Settlement
Cosford/Donington	48	20	6	Recognisable Named Settlement
Claverley	43	20	13	Recognisable Named Settlement
Beckbury	43	16	12	Recognisable Named Settlement

Settlement	Total Score	Points from Primary Services	Points from Secondary Services	Settlement Classification as per Adopted Hierarchy
Worfield	38	20	13	Recognisable Named Settlement

- 4.49** Within the Albrighton area it should be noted that Cosford/Donington is the next largest settlement (a 'community cluster' in the Albrighton Area in the WDLP) and has an overall score nearly half that of Albrighton. As stated throughout the core strategy, the population of Albrighton can fluctuate depending on the number of military personnel that may live in the town as opposed to Cosford, however, in all cases the personnel (which can be up to 4000 at any one time) also frequent the town for its facilities and services – this is exemplified by Albrighton's score comprising a much larger figure for Secondary Services.
- 4.50** Table 3.1 also details the other smaller settlements in the Albrighton area which show that Albrighton is the largest settlement in the Albrighton area of the Green Belt.
- 4.51** Whilst a more qualitative point, I observed on my site visit, that it is entirely possible for residents to undertake a weekly food shop without leaving Albrighton. There are three grocery stores within the settlement albeit following my site visit, I consider only one of these is akin to a supermarket. The co-operative and Morrisons, offer fresh produce and a wider range of products than the third convenience store. Particularly in the case of the co-operative store, it is of a size I would consider to be a supermarket (particularly as the ground floor has a GIA of 281m², meaning it has a floor area akin to a supermarket expected under Use Class E).
- 4.52** I also observed that Albrighton features multiple schools, public houses, multiple leisure and recreation facilities, community centres, cafes, restaurants and a GP surgery. CD2.16 features the full scoring for all settlements in its Appendix 3. However, I consider that the range of facilities and services go beyond just serving the local population and is indicative of a larger settlement (a town) and not a smaller village.
- 4.53** As demonstrated in Table 4.1 there is a significant difference between the smaller 'villages' and larger Market Towns in the Green Belt in Shropshire. Albrighton's status in the settlement hierarchy as a Market Town is one where it provides a number of services beyond day to day facilities for its resident population but also its hinterlands. It is undoubtedly larger in its offering of services and facilities than the majority of other Green Belt settlements, and in the particular local

circumstances I consider the range and provision of services and facilities in Albrighton to be evidence of it being a large built-up area in the Shropshire Green Belt.

Size

- 4.54 Whilst the Spatial Strategy is a clear and objective starting point for this assessment (and this reflects LUCs Approach to Strategic Green Belt assessments), a consideration of physical size is still necessary.
- 4.55 Albrighton would have at one point in time have been a village, a smaller settlement, but this is not the case today. The A41 Albrighton Bypass facilitated additional growth to the north of the settlement and at present, it no longer has a built form which would be associated with a smaller village. It has a density of development which has little in common with the majority of other rural settlements in the Shropshire Green Belt (save for Shifnal and the eastern area of Bridgnorth – the other large Green Belt settlements), or indeed its original linear form.
- 4.56 The form of Albrighton is such that, it is not a loose-knit village and features significant housing development along multiple roads with a diversity of development (cul-de-sacs, estate planned areas and redeveloped or infilled sites). Regardless the countryside is not perceptible throughout the settlement, save for when for traversing a settlement edge, which is what would be expected of a small rural settlement.
- 4.57 The feeling of being in a large built-up area is prevalent throughout with the ‘village ambience’ (areas feeling less developed) only being at either ends of High Street (where the Albrighton and Albrighton and Donington Conservation Areas are present). Furthermore, and as noted in the CD2.36, the extent of the development in the settlement is such that it has limited remaining infill opportunities (indicating significant historic growth).
- 4.58 The original ‘village core’ is delineated by the Albrighton Conservation Area to the south of the settlement. The Albrighton Conservation Area Appraisal (2008) (CD2.32) when describing “The Pattern of Development” identifies that:

*“Since the 1950s, however, **Albrighton has expanded dramatically with the construction of large housing estates surrounding the historic core of the village, as well as redevelopment within it.** This historic centre, coincides with the present-day commercial centre, forming half of the Conservation Area.*

Until the 20th century Albrighton was very largely linear in form. The village grew along the High Street, with open countryside to the north and south. The historic pattern of development can still be clearly

seen within the Conservation Area, where the vast majority of historic buildings are on High Street itself. 20th Century development has filled in gaps within the centre and extended the village eastwards along High Street. **Large-scale housing developments to the north and south-west of High Street has destroyed much of the rural setting of the village's historic core**".

- 4.59 As such, references to Albrighton being a village and its 'ambience' likely arise due to efforts to maintain its historical core and not to its size. These references do not mean it has been prevented from growing, CD2.32 acknowledged at the time of writing, that the more contemporary "large-scale" development has eroded its original village form.
- 4.60 The most recent examples of the growth of the settlement can be observed by the Inset Settlement Map associated with Policy S1 'Albrighton Town Development Strategy'. One housing allocation under Policy S1.1(2), ALB0002 has been delivered in part with a further application (and reserved matters) being recently approved for 88 dwellings (23/02095/OUT and 25/03227/REM).
- 4.61 Development for up to 150 dwellings has also been approved on the Safeguarded Lane to the east of ALB002 (under application ref. 24/02662/OUT), beyond the defined settlement boundary which accounts for site allocations, with Reserved Matters currently being considered.
- 4.62 The Inset Map also details the 'Town Centre' designation within Albrighton, as per the Conservation Appraisal this in part overlaps with the commercial centre of the village core but extends beyond the western boundary of the Conservation Area (beyond the cluster of listed buildings more associated with the village core).
- 4.63 In fact, CD2.32 goes further to comment on the overall size of Albrighton in comparison to the Conservation Area under "*The Character of the Conservation Area*":

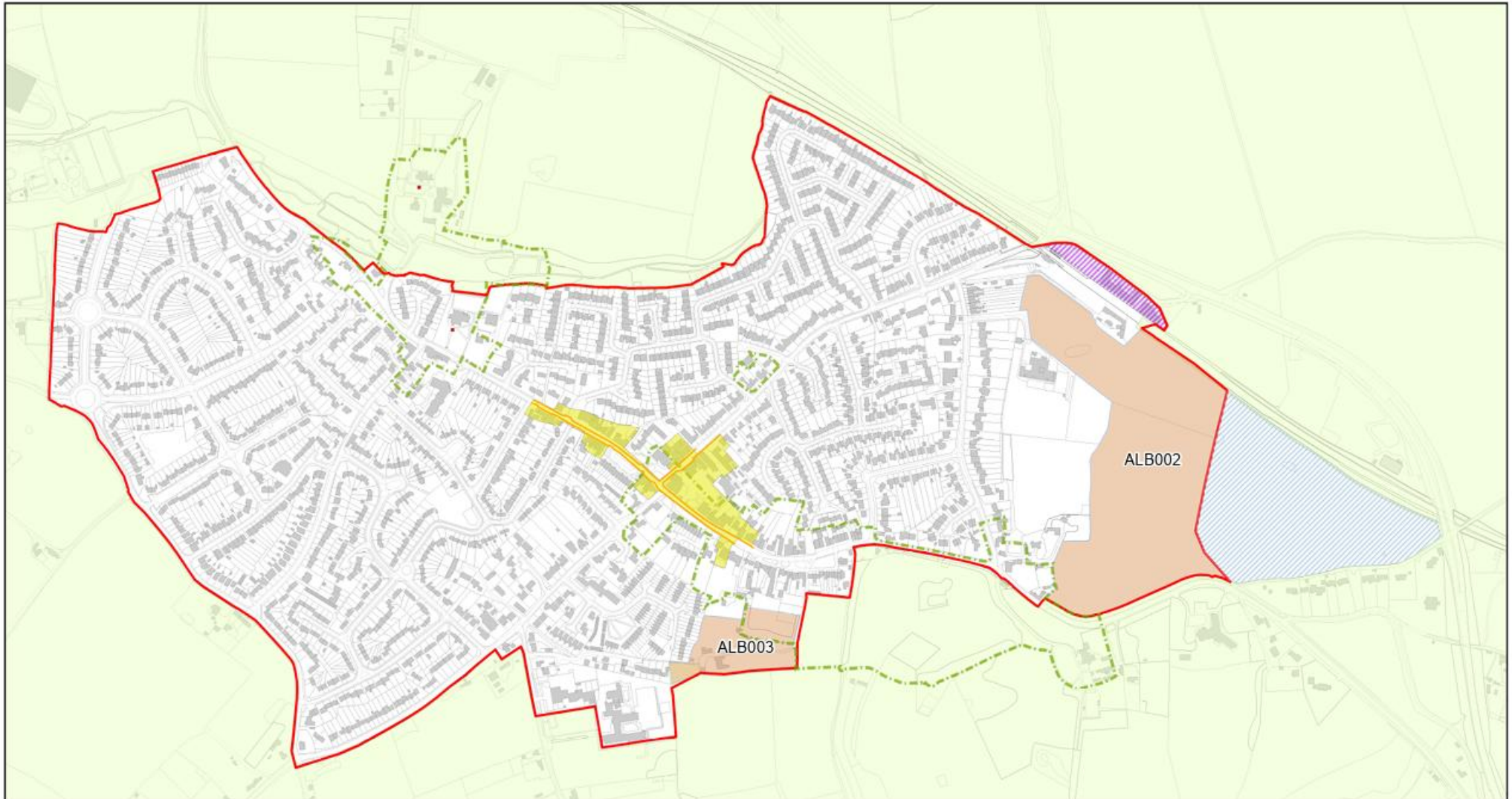
*"The historic core of Albrighton, which comprises most of the original part of the village pre-dating 20th century expansion, makes up a little less than half of the Conservation Area. **Although Albrighton has grown to the size of a small town**, this historic core retains a strong village feeling...The original linear form of the village can still clearly be seen in the concentration of historic buildings along High Street, contrasting 20th century development"*.

- 4.64 Therefore, there is a clear historic perspective that the settlement of Albrighton has evolved to be larger than its original village form, despite maintaining a 'village feeling' within the Conservation Areas. As such, these references do not undermine the actual size of the settlement today.

- 4.65 My assessment on this matter also aligns with appeal decision **APP/C3620/W/24/3347843** (CD16.36) which concerned the settlement of Ashted in Epsom, which had grown from being a village core, and whilst the Spatial Strategy termed it as a ‘suburban village’ (second tier of the Mole Valley Adopted Plan) was deemed to be a town and ergo a large built-up area, and concluded in paragraph 11:

*“The identification of grey belt requires an assessment of whether the land in question strongly contributes to purposes (a), (b) and (d) of the Green Belt, each of which relates to towns rather than villages. Epsom, the outer edges of which are visible from the site along Wilmerhatch Lane, is a town, whereas **Ashted is defined in the Local Plan as a ‘suburban village’**. **On the ground it can be seen that the modern settlement was established through substantial urban expansion around a preexisting village, the core of which is still styled Ashted Village. However, Ashted now bears little resemblance to a village as generally understood, both due to its size and the significant range of shops, services and facilities that it hosts. For the purposes of my assessment, I therefore find that Ashted is in practice a small town**”.*

Figure 4.4 Albrighton Inset Settlement Map (Policy S1 of SAMDev DPD)



Extract of the Albrighton Settlement Inset Map as per Policy S1 of the SAMDev Plan. The map details the inset area of the settlement enclosed by the Development Boundary (red line); Conservation Areas (dark green dashed lines); Town Centre (yellow); Green Belt (light green); Primary Shopping Area (Orange Line); Safeguarded Land (Blue); Protected Employment Site (Purple) and Housing Allocations (Brown).

- 4.66** Notwithstanding the above illustrating the historical growth and overall size of Albrighton today, caused by historic large-scale development. Consideration of other built-up areas in the Shropshire context are still required, explicitly in the Shropshire Green Belt (as LBUA is a term only used in paragraph 143 of the Framework – it is a Green Belt term).
- 4.67** As previously stated, Albrighton is one of the larger settlements within the Shropshire Green Belt along with (part of) Bridgnorth and Shifnal, which form the “Market Towns and other Key Centres” tier of the settlement hierarchy. In comparison to other Green Belt settlements which are lower in the hierarchy (Community Hub and below – which are described as “smaller settlements” and “villages” in the CS), the population and dwelling estimates of Albrighton is of a significantly higher number than what is considered a ‘smaller settlement’ in the Spatial Strategy.
- 4.68** Table 4.1 details the difference in size between the larger settlements (market towns) and the next largest settlements in the Green Belt, using the population figures from the Hierarchy of Settlements Study (Census 2011 mapped to built up area geographies – CD2.16).

Table 4.3 Population and Dwelling Estimates of Largest Shropshire Green Belt Settlements (in Albrighton, Shifnal and Bridgnorth Place Plan Area referenced in Policy SP11 of the WDLP)

Settlement	Population	Dwelling Estimate	Status as per WDLP Hierarchy	Status as per Adopted Hierarchy
Bridgnorth	13,028*	6,189	Principal Centre	Market Towns and Key Centres
Shifnal	6,991	3,215	Key Centre	Market Towns and Key Centres
Albrighton	4,870	2,205	Key Centre	Market Towns and Key Centres
Alveley	1,583	718	Community Hub	Recognisable Named Settlement
Cosford/Donington	1,752	423	Community Hub	Recognisable Named Settlement
Claverley	559	242	Other Rural Settlement	Recognisable Named Settlement
Worfield	315	155	Other Rural Settlement	Recognisable Named Settlement

Settlement	Population	Dwelling Estimate	Status as per WDLP Hierarchy	Status as per Adopted Hierarchy
Beckbury	224	97	Other Rural Settlement	Recognisable Named Settlement

*Whilst Bridgnorth has been included for completeness, it is not fully constrained by the Green Belt with only its eastern area (beyond the River Severn) being within the designation. This area has a population of at least 3,190 based on LSOA areas Shropshire 033C and 033D, were 033A to be included this would equate to 4,782 but includes a significant area within the western area of the settlement.

- 4.69** There is a clear marked difference between the 'Market Towns' and the next biggest settlements in the Shropshire Green Belt (Villages / Community Hubs and below) in terms of both population and dwelling estimate. Albrighton is clearly larger than these smaller settlements by a significant extent, characteristic of the difference in the tiers of the settlement hierarchy, being over twice the size of Alveley in population and dwelling estimate.
- 4.70** Whilst comparison with other Green Belt settlements is the most relevant for considering whether the built-up area of Albrighton can be considered to be 'large' (as consideration of Purpose A is a Green Belt policy), it is also worth noting that in comparison to other Market Towns throughout the county (not just in the Green Belt), that Albrighton is larger than 10 other settlements classed as 'Market Towns or Key Centres' (which are not constrained by the Green Belt).

Table 4.4 Population of Market Towns and Description from CS

Settlement	Population (2007 Estimate from CS)	Population from Census 2011 (as per Hierarchy of Settlements Study 2020)	Description of settlement in CS3 (sub paragraphs 4.37 – 4.57)
Oswestry	18,300	19,113	Town
Bridgnorth	11,400	13,028	Town
Market Drayton	11,100	12,075	Town
Ludlow	9,900	10,717	Town
Whitchurch	8,700	10,104	Town
Shifnal	5,600	6,991	Town
Wem	5,400	6,151	Town

Settlement	Population (2007 Estimate from CS)	Population from Census 2011 (as per Hierarchy of Settlements Study 2020)	Description of settlement in CS3 (sub paragraphs 4.37 – 4.57)
Albrighton	5,100	4,870	Town
Broseley	4,500	5,372	Town
Ellesmere	3,700	4,188	Town
Church Stretton	3,700	3,936	Town
Highley	3,400	3,195	Linear Settlement
Cleobury Mortimer	2,400	3,049	Centre
Craven Arms	2,300	2,607	Town
Much Wenlock	2,200	2,357	Town
Bishop's Castle	1,800	1,970	Town
Pontesbury	1,500	1,897	Small Settlement
Minsterley	1,400	1,558	Settlement

4.71 As such, even when looking beyond the Green Belt, Albrighton is of a size within the county that indicates it is larger than other settlements also regarded as towns in the same tier of the settlement hierarchy, which have been unconstrained by the Green Belt and ergo larger than circa. 541 settlements within Shropshire.

4.72 It is acknowledged that Albrighton's population is the only settlement which appears to have declined in population, as per table 4.4, however, this is likely due to differences in the availability of statistical geographies at the time of writing the CS and the fluctuation in the presence of military personnel, who live in Albrighton as opposed to Cosford.

- 4.73 As such, I consider Albrighton is of a size indicative of a larger town within Shropshire, particularly when considering its Green Belt context. It is of a size that indicates it not only dwarves smaller settlements considered to be villages, but other towns in the same tier of the hierarchy. I consider it would be adequately described as a **large built-up area**.

Conclusion

- 4.74 In conclusion, the adopted spatial strategy refers to Albrighton as a 'Market Town and Key Centre' and it has services and facilities, including a number of secondary services which allow for its residents to meet their primary and secondary needs without travelling elsewhere. Whilst this level of self-containment denotes a largeness, these services also serve its wider hinterlands. It is also of a size which differentiates itself not only from smaller settlement in the Shropshire Green Belt, but other Market Towns within the county.
- 4.75 The WDLP sought to retain Albrighton in the second tier of the spatial strategy demonstrating its continued relevance as a focus of development and supporting its rural hinterlands. It is, in my opinion, a large built-up area for the purposes of Green Belt policy.
- 4.76 Whilst references to the settlement being a village exist, they do not undermine my conclusion. Albrighton at one point in time was undoubtedly a village and it is located in a rural part of the country, where rural settlements can often have a village like feel and community. The majority of 'village' references are derived from the Albrighton plan, which is a community-led document, the LPA considered Albrighton (and still does) to be a town, with policy references to the Albrighton plan also being present.
- 4.77 The spatial strategy clearly envisioned Albrighton to be a significant focus for delivering residential development and this fits its classification as a town and a LBUA.

Assessment of Contribution to Purpose A

- 4.78 When considering the contribution of land to purpose A, paragraph 142 of the Framework is particularly relevant as whilst it provides a general overview of Green Belt policy it explicitly states in relation to sprawl:

The fundamental aim of Green Belt policy to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence,

- 4.79 As such, maintaining the absence of development in a parcel is directly relevant to checking sprawl.
- 4.80 A parcel with 'strong' contribution to purpose A (as per paragraph: 005 of the Green Belt PPG) is described as land that is likely:
- to be free of development;
 - lack physical features in reasonable proximity that could restrict and contain development;
 - to be adjacent or near to a LBUA;
 - and if developed result in an incongruous pattern of development.
- 4.81 It is crucial to note that the PPG is not exhaustive and is aspatial guidance it does not account for every scenario, and a judgement has to be made as to what contribution land makes to a purpose.
- 4.82 However, it is revealing that when describing what illustrative features are present for assessment areas that make a 'moderate' contribution (after having read what is likely to make a strong contribution), the PPG states it is likely to include one or more of the following features that weakens the land's contribution to this purpose:
- Having physical feature(s) in reasonable proximity that could restrict and contain development;
 - Be partially enclosed by existing development, such that new development would not result in an incongruous pattern of development;
 - Contain existing development;
 - and/or being subject to other urbanising influences.
- 4.83 The PPG when describing the 'illustrative features' for Purpose A (and other purposes) describes what makes a 'strong' contribution, and what features could 'weaken' a strong contribution (resulting in a moderate contribution). **Therefore, it is not simply enough to state a feature is present, consideration of how this feature 'weakens' the lands contribution to preventing urban sprawl is required.**
- 4.84 For example, all land adjacent to a LBUA will normally exhibit urbanising influence arising from development at the settlement edge (with the development being within the LBUA adjacent to the Green Belt). However, if the land was considered to make a 'moderate' contribution on this basis then in most scenarios no land directly adjoining a LBUA would ever make a 'strong' contribution to checking the unrestricted sprawl of a LBUA (Purpose A). Open undeveloped land adjoining a

settlement edge will undoubtedly play a strong role in restricting the sprawl of a LBUA (unless other features weaken its contribution).

- 4.85 It is apparent that the reference to ‘restricting and containing features’ in the PPG, is used to indicate whether sprawl would be “unrestricted” or not. If land (an assessment area) lacks these features then if developed it would be increasing urbanising influence of land further into the Green Belt, weakening its contribution and potentially creating more ‘grey belt’ which is not the intention of the policy (undermining the permanence of open land in the Green Belt).
- 4.86 Likewise, avoiding an incongruous pattern of development indicates that sprawl would be restricted, as development may form an extension that is assimilated with the LBUA, normally where it adjoins two sides of a settlement, and avoids projecting into the Green Belt, beyond settlement edges, in an irregular fashion (like a ‘finger of development’). Development that is not adjacent but ‘near’ may also infill an area of land (such as a gap in a row of dwellings or area of hardstanding within an industrial estate), which already lies within the sprawl of the LBUA. However, the openness of this land will not have a strong contribution to Purpose A, as the enclosing development means its role in preventing sprawl has already been compromised and it would not be extending further into the Green Belt (like a ‘finger of development’).
- 4.87 It should not be forgotten that in relation to ‘patterns of development’, the PPG considers a moderate contribution (regarding this illustrative feature) to be where it partially adjoins existing development – it is a function of the openness of the land and whether development adjoins it “such that” it would not appear incongruous. It is not considering the type of development proposed and the pattern in a wider sense. **To do so would not be assessing the contribution of the land, but the development proposal, which is explicitly not what the definition of grey belt entails.**
- 4.88 The above is supported by the SoS decision to disagree with the Inspector’s Report in application APP/K0425/W/24/3351904 (CD16.37). The inspector stated the proposal would be essentially squared off and create other boundaries: “*in an area that is already subject to other urbanising influences*”, development was also present adjoining the appeal site in part, but the SoS disagreed with this assessment as follows, demonstrating deliberation has to be given as to whether illustrative features actually weaken the contribution of an assessment area:

“44. The Secretary of State has considered the Inspector’s analysis at IR15.6 – 15.8. He considers there are clear physical boundaries to contain development to the north (the A4155) and west (A404 and Marlow) but does not consider the site is clearly defined to the east and south. He agrees that

this is fundamentally a settled landscape, with built form interspersed with rural uses (IR9.150) predominantly consisting of open fields and lakes (IR10.64) to the east and south (IR2.3). However, he does not agree that the site would essentially square off the existing development in the area and he considers development would result in an incongruous pattern of development (IR15.8). Unlike the Inspector, the Secretary of State therefore considers that the land does strongly contribute to purpose a) (IR15.8)".

- 4.89 Whilst the SoS in this instance has referred to a 'settled landscape' as per landscape considerations (IR9.150 of CD16.37), when considering purpose A, this has been done to highlight the openness of the site, and that despite built form (and indeed urbanising influence) being present it is not significant enough to weaken the contribution the site makes to Purpose A. The overall conclusion is that it is not sufficient to create a congruent pattern of development in the relevant rural area (in Green Belt terms), and in the absence of other features that weakens its contribution is considered to make a strong contribution. Whilst every case is to be determined on its own merits the appeal highlights that for a congruous pattern of development to exist the assessment area has to relate to sufficient existing development which limit the role of land in restricting the sprawl of the LBUA; the introduction of development itself does not do this.

The Appeal Site

- 4.90 I have visited the settlement of Albrighton and viewed the appeal site from public land along parts of Cross Road, Patshull Road, Newhouse Lane and the A464.
- 4.91 Based on the submitted documents and my own observations on site, I do **not** consider that any of the illustrative features that define a 'moderate' parcel in the PPG for purpose A are present to the degree **that they weaken the parcels contribution to purpose A**. More explicitly, I find that the appeal site makes a strong contribution as:
- The appeal site is adjacent (and where it does not adjoin is near) to Albrighton (which I consider to be a LBUA);
 - I do not consider there to be physical features (or enclosing development) in reasonable proximity that could restrict and contain development;
 - I do not consider that development of the land would result in a congruent pattern of development (development of the appeal site would be incongruous);
 - I do not consider there to be existing development within the appeal site that would weaken the land's strong contribution to purpose A;

- I do not consider that there are strong urbanising influences from outside of the parcel that weaken the land's contribution to the purpose A.

4.92 Where not common ground, I have provided my reasoning in relation to the above points below, turning to the relevant PPG illustrative features in turn, however, the inspector should be alert to the fact that one illustrative feature being present or not will not always be determinative of the strength of contribution of the land and as previously stated a planning judgement is required to its relevance.

Are there physical features in reasonable proximity that could restrict and contain development of the appeal site?

4.93 The PPG does not define what qualifies as physical features that 'restrict and contain' development.

4.94 Generally, and in accordance with LUCs general methodology for strategic assessments, these features are:

- relate to the extent which development of assessment areas would be prevented from having an increased urbanising influence on land beyond (by being intervening physical features);
- They seek to prevent the contribution of adjacent land from being 'weakened', were land to be developed such that it would weaken the contribution of other land from a 'strong' contribution to a 'moderate' contribution then it would not be considered to be 'restricted and contained', as the impact of development is going beyond the assessment area;
- Were they to emanate out of the LBUA, the feature alone would may not be considered to restrict and contain development (for example a tree lined main road may extend some distance into the countryside and connect multiple settlements, it would not follow that open land adjacent to it, would by default play a weakened role in checking the unrestricted sprawl of a LBUA).

4.95 There is no definition of what constitutes a physical feature that restricts and contain development but generally, and in accordance with the above principles, as per LUC SGBA (CD) physical features that 'restrict and contain' are considered to be the following:

- Strong natural landscape elements such as woodlands or changes in topography, which limit views or create a stronger sense of separation between urban and open land; or
- Natural or manmade features that present a physical barrier to movement, and which have some visual screening role, such as tree-lined rivers or canals, motorway and railway lines with embankments or main roads with strong boundary vegetation.

- 4.96 The concept of ‘urbanising influence’ is particularly important to understand within this concept as the PPG is clear that land that makes a moderate contribution to purpose A, can include not only land with development within it, but also land that is subject to other urbanising influences (without development within it). As such, were LUC’s interpretation to be incorrect, development could be justified within one parcel of grey belt land that could weaken adjacent ‘strong’ land creating further grey belt. This would undermine the ability of land to check the unrestricted sprawl of a large built-up area and is clearly at odds with paragraph 155 that requires development to utilise grey belt land in the first instance (not create it). **As such, tree lines, hedgerows and minor roads are generally not considered to be features that can restrict the sprawl of a LBUA.**
- 4.97 I emphasise that the above reasoning is not an argument of ‘precedent’ as every development is to be assessed on its own merits, however as ‘grey belt’ is defined by the contribution of the land and not the proposed development, consideration as to whether wider land would ‘become’ grey belt is part of the consideration as to whether development would be ‘restricted and contained’.
- 4.98 It should be noted that permission to apply for Planning Statutory Review has been granted in relation allowed planning appeal APP/V4630/W/25/3369937 (CD16.38 and CD16.39 comprise the respective appeal decision and court order). Whilst this review has not yet been heard, permission to review has been granted on the basis that it is arguable the PPG emphasises the features of the site (an assessment area) rather than development (the inspector in paragraph 74 deliberated that “...it is conceivable that development could extend north of the site into the field parcels...as trees and hedgerows in themselves are not barriers to sprawl. This could continue unrestricted for several hundred metres...However, additional development to the north is only hypothetical at this stage and would need to be assessed on its own merits...”. The inspector also considered the illustrative masterplan for the development (paragraph 75) in their deliberations. When granting permission for review David Elvin KC (sitting as Deputy High Court Judge observed:

*“It is arguable that having considered the features of the site to the east, west and south that are relevant to the guidance in para. 5 of the PPG on Green Belts **which focuses on features of the site and not development.** However, the consideration at DL 74 and 75 instead appear to consider the development proposals for the site and not its features and is arguably a misapplication or misunderstanding of PPG para 5”.*

Physical Features to the North/North-West of the Appeal Site (including Cross Road)

- 4.99 The appeal site, in part, adjoins the settlement at the junction of Elm Road, Cross Road and Patshull Road. However, the appeal site does not include the draft ‘Safeguarded Land’ (this would have been a WDLP Allocation – but crucially as this plan was not adopted the land does

not have a current designation) as shown on the illustrative masterplan (CD11.17 and CD11.31). This neighbouring parcel is delineated by hedgerows and boundary trees to the south.

- 4.100** Another parcel of land termed 'Development Land Controlled by Other Developer', is also shown on the CD11.17 (and CD11.31), and lies between the appeal site and the settlement. Like the 'Safeguarded Land' this parcel has no existing designation (nor any previously proposed) it is simply agricultural land not owned by the applicant (red line does not enclose this parcel nor the draft 'Safeguarded Land').
- 4.101** The north-western parcel boundary of the appeal site adjoining Cross Road predominantly comprises hedgerows and boundary trees but also features a business park and ribbon development. Where the appeal site adjoins the business park, its development would not increase the urbanising influence on neighbouring land due to the extent and scale of the warehouse buildings and their associated activity – however, this is only part of the parcel boundary.
- 4.102** Where the parcel only adjoins vegetation (or lacks it entirely as per a section in the south-west of Cross Road), it would not be restricted and contained as urbanising influence would undoubtedly increase on land to the west and north-west. I acknowledge that ribbon development is present in part along Cross Road, however, these dwellings are low-density set being detached with open space either side of them (where built form is absent). I do not consider they have a continuous enough 'frontage' even when viewed in conjunction with the business park to conclude the western boundary would be restricted and contained by physical features as it largely adjoins open fields delineated by hedgerows (and boundary trees).

Figure 4.5 Site Photograph of Part of North-Western Boundary along Cross Road



Photograph details the undeveloped nature of the appeal site and details in foreground part adjoining hedgerows along Cross Road. Tree lines and hedgerows in background are either aligning Patshull Road or internal field boundaries.

- 4.103** The northern parcel boundaries adjoining land to the south of the settlement by Cross Road and west of Newhouse Lane (the 'safeguarded land' and land not controlled by the appellant), are only defined by hedgerows and boundary trees – this is the northern boundary of the appeal site. These features would not contain the urbanising influence of the appeal site if it were developed, increasing the urbanising influence on the intervening land between the settlement and the appeal site. As such, the assessment area does not feature physical features that would restrict and contain development to the north.

Figure 4.6 Site Photograph of Northern Appeal Site Boundary by Junction of Cross Road and Patshull Road



- 4.104** Whilst Patshull road features low-density dwellinghouses, these are set within long narrow curtilages, where residential gardens are present (open land). As a result the ‘containing’ built form is scattered to the extent that the boundary is largely defined by open land delineated by boundary treatment or hedgerows.
- 4.105** I do not consider these dwellings would restrict and contain development of the appeal site. The built form of these dwellings does not comprise a significant or continuous physical feature that would restrict and contain development, that would prevent urbanising influence on land to the east (the ‘Safeguarded Land’).
- 4.106** Notwithstanding the lack of physical features, the appeal site would effectively be ‘leapfrogging’ this land and enclosing it. Both parcels of adjoining land are currently open, but if the appeal site were developed, particularly in the case of the southernmost parcel (the ‘Development Land

controlled by Other Developer'), would exhibit an increase in urbanising influence, which is largely absent owing to its distance from the settlement. This would result in the intervening parcels making a weakened contribution to purpose A.

- 4.107** Whilst the settlement is located beyond this land (to the north of the appeal site), it should be noted that this land plays a role in checking the sprawl of the LBUA itself. It does not follow that the proximity of the settlement to the appeal site, means that development would be restricted and contained to the north, effectively ignoring the intervening land. The appeal site features only hedgerows and tree lines separating the appeal site from the intervening land and as such would it would not be restricted and contained in this direction. This is also indicative of an incongruous pattern of development.
- 4.108** As such, most northern parcel boundaries of the appeal site (the assessment area) do not feature physical features that would restrict and contain development predominantly comprising hedgerows and boundary trees. Where built form is present, I do not consider this is of a consistency or scale to provide a restricting and containing feature along the full extent of these boundaries.

Physical Features to the East of the Appeal Site

- 4.109** The majority of the boundary along Newhouse Lane comprises hedgerows and boundary trees (on both sides of the road). Where boundary trees are present, I do not consider these are of a significant density to have any significant role in limiting the urbanising influence associated with development of the appeal site.
- 4.110** As previously stated, hedgerows and boundary trees are generally not considered to be features that would restrict and contain development, as the urbanising influence of development would still breach these features, particularly when out of season and intervisibility between adjoining agricultural land would be more present.
- 4.111** Newhouse lane also features scattered dwellings, which are not significant in built form or their siting to one another to comprise any significant extent of frontage that would restrict and contain the appeal site. The overwhelming boundary features along Newhouse Lane comprise vegetation.
- 4.112** The smaller parcel to the south-east of Newhouse Lane which is proposed to be part of the appeal site by providing part of the new 'primary route' comprises part of an open agricultural field where no hedgerows or other boundaries intervene, and as such is also not restricted and contained to the east (or the north).

Physical Features to the South of the Appeal Site

4.113 The south of the site adjoins the A464 (Holyhead Road). This road is predominantly adjoined by tree lines and hedgerows of varying consistency. Despite the A464 being present, intervisibility with the appeal site to the land to the south still exists. There is no density of vegetation that would contain the urbanising influence arising from development of the appeal site.

Figure 4.7 Site Photograph of Appeal Site Boundary and A464



Southern Boundary of Appeal Site comprises hedgerows for large areas adjoining the A464.

4.114 Particularly at certain points there are gaps in the hedgerows adjoining the appeal site further weakening its effectiveness of restricting and containing development.

Figure 4.8 Site Photograph of Southern Appeal Site Boundary



Photograph taken facing north at the southern parcel boundary near the junction of Newhouse Lane and A464. Boundary feature comprises weak vegetation (foreground).

- 4.115** Whilst sporadic development is present to the south, this is the exception to the character of physical features along this boundary, as built form (like along other boundaries does not form any significant frontage of development to contain the appeal site. Open land and low-lying boundary treatment or limited vegetation are also the boundary features enclosing the open land associated with these developments.
- 4.116** Notwithstanding, it should be noted that parts of the southern boundary of the appeal site do not fully extend up to the A464, being inset around a dwelling, converted agricultural building and Lea Hall. Where the parcel boundaries adjoin these areas, they immediately adjoin private amenity space or paddocks. The built form in these areas is also limited having a little effect of enclosing

adjoining land such, that the role it plays in restricting the sprawl of Albrighton has not been compromised.

- 4.117 It is acknowledged the south-eastern most parcel adjoining the A464 adjoins an area of woodland, I consider this to be of a density and strength to restrict and contain this part of the appeal site. However, this forms only a small proportion of the southern boundary and as such I do not consider that physical features exist to restrict and contain the appeal site to the south as a whole.

Is the Appeal Site Restricted and Contained?

- 4.118 In conclusion, whilst I accept that there is some existing development (the business park estate to the west) and a woodland block (to the south of the A464) that would restrict and contain the urbanising influence of development of the appeal site in a localised sense, the majority of boundaries largely comprises hedgerows and tree lines which are not barriers to sprawl.
- 4.119 This conclusion is also supported by the appellant's LVIA (CD11.1) which concludes in paragraph 8.4:

“Field boundaries of the Site are typically defined as low clipped hedgerows which are gappy in places, with occasional mature hedgerow trees...”

- 4.120 Whilst paragraph 4.9 only discusses the tree and hedgerows on and adjoining the site in the context of effect on landscape element (as opposed to an overall conclusion as per the paragraph above), its description underpins that the majority of site boundaries is largely comprised of vegetation (being either continuous or gappy – the LVIA also describes the dwellings in Green Belt as **“scattered”** dwellings highlighting that the physical features adjoining the site is largely vegetation):

“The perimeter of the western parcel is bound by mature hedgerows, largely continuous in character and typically 2-2.5m high, located along Cross Road and the A464 to the South. The hedgerow planting along Patshull Road to the east is more fragmented in places. Occasional hedgerow trees are most notable along Patshull Road, and several isolated trees are located near the center of the Site. Internal field boundaries are low clipped hedgerows. The eastern Site parcel is bound by mature native hedgerows, similar to the western parcel and these hedgerows are typically continuous in character and approximately 2m high as found along the A464 to the southern boundary and Newhouse Lane to the east...”

4.122 Whilst I understand that the Green Belt is not a landscape designation, and increased urbanising influence is not just in relation to what a particular ‘receptor’ would perceive, CD11.1 is also useful for understanding the effectiveness of certain physical features that enclose the site by their Year 1 effect (where boundaries are akin to as they exist as additional planting as part of the proposal is unlikely to have established) as listed in Table 2: Operational Effects on Views from Visual Receptor Groups (or the inability in this case). This assessment is seeking to understand the ‘visual impact’ of development and concludes multiple ‘moderate adverse’ effects (a number of these effects are contested by the Council’s Landscape witness as per CD4.9, considering greater levels of effect than stated – they are only relevant as they confirm that Year 1 boundaries (by proxy, existing boundaries) would not restrict and contain the urbanising influence associated with development of the appeal site).

Table 4.5 CD11.1 LVIA - Table 2 Commentary on Boundary Features

LVIA Receptor and Effect (as per Appellant’s LVIA)	Location of Receptor in Relation to Assessment of Restricting and Containing Features	Commentary from LVIA Regarding Effect of Development (Year 1 only)
2 (Minor Adverse)	Adjacent to southern settlement boundary by open space (relevant to assessment of physical features along the northern boundary)	<i>“...there may be glimpses of the roofscape of new development from very limited locations set beyond the safeguarded land...”</i>
5 (Minor Adverse)	To the east of the appeal site, south of Albrighton Primary School – (relevant to assessment of physical features along the eastern boundary)	<i>“There would be intermittent views of new residential development and the buildings on the school site. The proposed buildings on the site would be set behind and between intervening mature trees and hedgerows”.</i>
7 and 8 (Major Adverse)	To the east of the southern section of Newhouse Lane (relevant to assessment of	<i>“The upper floors and roofscape of the proposed residential development would be clearly visible above the existing</i>

LVIA Receptor and Effect (as per Appellant's LVIA)	Location of Receptor in Relation to Assessment of Restricting and Containing Features	Commentary from LVIA Regarding Effect of Development (Year 1 only)
	physical features along the eastern boundary)	<i>hedgerow along Newhouse Lane</i> ".
13, 14 and 17 (Moderate Adverse)	To the south-east of the appeal site, south of the A464 (relevant to assessment of physical features along southern boundary)	<i>"There are currently fleeting open views across the Site where the route follows the southern boundary for approximately 200m along the eastern parcel...Views of the western parcel are more limited where a tall hedge typically screens views of the ground within the site..."</i>
3 (Moderate Adverse)	The south-western section along Cross Road (beyond the business park) (relevant to assessment of physical features along north-western boundary)	<i>"At the southwestern end of Cross Road there is a c.30m long gap in the hedge that allows views across the site (viewpoint 3). Elsewhere along Cross Road, views of the site are currently typically restricted by tall hedgerows"</i> .
7 & 13 (Moderate Adverse)	To the east of the southern section of Newhouse Lane and junction of Newhouse Lane and A464 (relevant to assessment of physical features along the eastern/southern boundary)	<i>"The single-track lane is bounded by hedgerows and very narrow verges...From the central and southern parts of the lane itself there would be views of the upper parts of the proposed residential development..."</i>

- 4.123 Urbanising influence would be exerted onto Green Belt land which is largely free of urbanising development, and it should be noted that the appellant's argument in relation to visual openness (and landscape effects) is that enhanced landscaping will 'define' the boundary between the proposed development and the countryside – this is only required as there is no definition between the two, as there is an absence of restricting and containing features (for example see the scattered tree planting on the Illustrative Landscape Plan south of Holyhead Road in blue line – CD11.17).
- 4.124 These neighbouring parcels do not already make a 'moderate' or 'weak' contribution to purpose A itself, being open undeveloped land, absent from urbanising influence and near to Albrighton. Their openness and existing 'strong' contribution would be weakened owing to the lack of physical features failing to restrict and contain the appeal site if it were developed.
- 4.125 As such, the appeal site could **not** be described as being restricted and contained, such that it weakens the strong contribution of the parcel. In accordance with PPG Paragraph: 005 Reference ID: 64-005-20250225, this would indicate the parcel would be described as having a 'strong' contribution to purpose A (on the basis of *"lacking physical feature(s) in reasonable proximity that could restrict and contain development"*).

Would development of the appeal site result in an incongruous pattern of development?

- 4.126 As previously stated, the 'pattern of development' has to be considered in the context of Purpose A, to consider that land makes a 'moderate' contribution to this purpose, then its role as being permanently open (undeveloped) land is required to be compromised ('weakened') in some way.
- 4.127 Open land checks the sprawl of the LBUA by being adjacent/near to LBUA and remaining permanently open (as per paragraph 142 of the Framework). The pattern of development in this regard, is informed by existing development in the Green Belt, but also the lack of it – where development is not. Were the 'pattern of development' referenced in the PPG to mean anything different this would not have the effect of preventing unrestricted sprawl from the LBUA.
- 4.128 The PPG is clear in this regard that when it references 'patterns of development' that land that makes a strong contribution may appear as a 'finger' of development (protruding out in an irregular fashion from the settlement). Where the PPG considers the pattern of development to justify a 'moderate' contribution, this is where an assessment area is partially enclosed by development **"to such a degree"** that it would not result in an incongruous pattern of development.
- 4.129 Therefore, it is simply not enough for development to be present it has to enclose an assessment area to a point that it is considered its role in restricting sprawl has been weakened. The 'partial

enclosure' of an assessment area along only one edge would also likely be insufficient to weaken land with a 'strong' contribution (in the absence of other weakening features), as if it were sufficient then arguably all land adjacent to only one settlement edge of a LBUA could make a moderate contribution (as by definition adjacent land will be partially enclosed by the settlement itself – this is also vindicated by paragraph 142 of the Framework and the PPG example of a 'finger of development' – protruding out with no justification for doing so).

- 4.130 The appeal site is free from existing development and predominantly adjoins agricultural land. It has a strong 'countryside' perception to it, being removed from urbanising influences and as such is not associated with the LBUA. It only directly adjoins a small corner of the LBUA, and the appeal site is not enclosed by any significant settlement edges.
- 4.131 Whilst sporadic development is present along Cross Road, Patshull Road and Newhouse Lane, these developments have little relation to the LBUA and/or are low-density development which has not compromised the wider openness of the Green Belt. the appeal site is simply where the settlement 'is not'. As such, development of the appeal site appears as a new irregular 'wing' to the settlement – extending into where the LBUA currently does not exist (it is unrestricted sprawl).
- 4.132 It does not assimilate with or 'square off' any part of the settlement and pierces into the countryside. This incongruity is particularly apparent when considering the 'leapfrogged land' currently being open and undeveloped.
- 4.133 In terms of the individual dwellings that adjoin certain parts of the site boundaries these are small-scale in nature, and as stated in relation to the assessment of physical features that could restrict and contain, the presence of built form adjoining the appeal site is the exception and not the rule. They are not of a density to provide a perception that the site is within the (or any) urban area.
- 4.134 The dwellings along Cross Road lie close to one another, but still appear as individual dwellings, with little relation to the settlement form of Albrighton (being ribbon development). They are set within generous plots which maintain openness amongst its cumulative built-up frontage, particularly when compared to the tighter arrangement of dwellings along Cross Road within the settlement itself.
- 4.135 It is acknowledged that a very small part of the appeal site (where it adjoins the settlement) would be sited between parts of the ribbon dwellings along Cross Road and the first dwelling along Patshull Road, however, owing to the open space enclosing the settlement edge (including the appeal site) and undeveloped areas within the curtilages of these dwellings I do not believe this creates a sense of enclosure to result in a congruent form of development in this location – particularly as the dwellings along Cross Road could already be described as a finger of

development. The lack of development and maintained openness around development in this location is still serving to restrict the sprawl of the LBUA with the ribbon dwellings appearing separate but near to the LBUA. Were any development to come forward in this area it would result in this development appearing as small 'finger' of development, awkwardly protruding from Albrighton. In short, the dwellings along Cross Road and Patshull Road would not justify a finger of development in this location due to their low-density and maintained openness.

- 4.136** In any event the lack of enclosure is evident when considering the fact, the dwellings do not extend for any significant distance away from the settlement and are only present at a certain point along the appeal site boundaries, the ribbon of dwellings along Cross Road adjoin an agricultural field, that also adjoins Cross Road itself the openness of which is limiting the sprawl of the LBUA.
- 4.137** Whilst the business park, and a bungalow (the bungalow on the eastern side of Cross Road), comprise other areas of development along the western boundary, beyond open fields, these too also adjoin open undeveloped land and are further away from the LBUA. They do not form a consistent enclosure with the preceding development to result in a congruent pattern of development.
- 4.138** Regardless of consideration of this localised area, it is only a small part of the entire assessment area. There will be multiple instances where when considered in isolation, parts of the site would partly adjoin low-density development, however, whilst this development is all near to the LBUA (and ergo so is adjoining land in the Green Belt), the openness of the appeal site and adjoining land still restricts the sprawl of the LBUA, these developments appear as isolated areas of built and have not compromised the contribution of land in this regard – it is clear this is where the built form of Albrighton is not.
- 4.139** When considering the wider southern area of the appeal site, the lack of development of significance along Newhouse Lane to the east, extends to the very south of the appeal site. Likewise, the A464 also lacks any significant development to enclose the southern boundary. The appeal site is simply an area that does not read as part or any other urbanised area that lies within the sprawl of the LBUA.
- 4.140** As such, development of the assessment area would be introducing an irregular protrusion from the LBUA which, in the absence of any physical features that restrict and contain development would fail to assimilate with or square off any part of Albrighton, it appears as an incursion into the countryside (where there 'is not' development). The appeal site as a whole appears irregular with the settlement form of Albrighton, as it is not enclosed by its settlement edges nor other development in its sprawl that has compromised the openness of the appeal site.

- 4.141 Whilst not a single ‘finger’ of development, were parts of the appeal site to be considered in isolation, it would appear as multiple fingers of development, along Cross Road, Patshull Road and Newhouse Lane – their amalgamation creating a new third ‘wing’ to the settlement would not appear any less incongruous in relation to the existing settlement – it is a large area of sprawl.
- 4.142 The development of the appeal site would be incongruous with the pattern of the development formed by the settlement form of the LBUA and the open undeveloped land around it. Development of the appeal site would not appear as rounding off the settlement and would appear as a new irregular edge, protruding into the Green Belt in a manner which the ‘finger of development’ analogy in the PPG is seeking to avoid.
- 4.143 The development present within the sprawl of the LBUA has not weakened the contribution of the appeal site such that it now makes it a moderate contribution to Purpose A (it makes a strong contribution). It should also be noted that even if the southern boundary were to be considered to be restricted and contained, development of the assessment area would still appear significantly incongruous and not result in a ‘weakened contribution’ to purpose A as a significant extent of sprawl would lead up to this boundary – this is still where the current settlement ‘is not’.
- 4.144 On this basis alone and in accordance with PPG Paragraph: 005 Reference ID: 64-005-20250225, this would indicate the parcel would be described as having a ‘strong’ contribution to purpose A as the appeal site *“if developed, result in an incongruous pattern of development (such as an extended “finger” of development into the Green Belt)”*.

Does the Site Contain Existing Development such that it Weakens its Contribution to Purpose A?

- 4.145 The appeal site comprises agricultural land and does not feature any built form. As such, there is no presence of development within the appeal site that would weaken its contribution to purpose A. The appeal site does not perform as a ‘moderate’ parcel. The parcel is “free from existing development” – which is one of the illustrative features that would be expected from a ‘strong’ parcel as per the PPG.

Is the Site Subject to Urbanising Influences that Weaken its Contribution to Purpose A?

- 4.146 In my opinion, the site is not subject to any significant urbanising influence that weakens its contribution to Purpose A. The appeal site itself is large and where adjoining development may be perceived, this only has localised impacts at the edges of the parcel. Urbanising influence will decrease with distance across the parcel. Further, the agricultural nature of the site results in the overwhelming perception of the land being characteristic tranquil countryside.
- 4.147 For clarity, Paragraphs 2.20 – 2.22 in the Method Statement of CD5.11 defines ‘other urbanising influences’. Paragraph 2.20 in particular states this *“could be land use or activity in a site which is*

generally associated with urban areas, or it could be an urbanising influence from adjacent inset / non-Green Belt development". The strength of urbanising influence will depend on a number of factors, including the presence or lack of intervening physical boundary features, scale/visibility of development in the associated urban area, such as schools, landform change, distance for existing urban edge and the strength of the relationship with the wider countryside (Paragraph 2.22 of CD5.11).

- 4.148 Only a small part of the settlement edge adjoins the appeal site, where only a single dwelling on the junction is perceptible. As such, the site has very little relation to the large built up area of Albrighton itself.
- 4.149 Similarly, whilst there is some perception from dwellings along Cross Road, Patshull Road, and Newhouse Lane only glimpses of low-density built form is perceptible, particularly where some dwellings comprise bungalows. The built form does not detract from the country lanes they are adjoining with hedgerows and boundary trees being characteristic of the road throughout – intervisibility to the wider agricultural land to the north-west and the appeal site is also present along Cross Road.
- 4.150 The converted agricultural building (Lea Farm) is perceptible within the parcel however, as this is a former agricultural building (appropriate development) and a single dwelling, it does not have any significant urbanising effect to weaken the wider assessment areas contribution to Purpose A, it appears for all intents and purposes as an isolated dwelling in a wider field.
- 4.151 The warehouses at the business park are also in part perceptible from the site however, these do not serve to significantly undermine the open countryside perception of the wider site, with their influence diminishing away from the boundary (as demonstrated in Figure 4.9). Further, the business park itself adjoins open land (the gap between the business park and dwellings to the north-east, with the adjoining bungalow to the south-west being set within a wide open curtilage).

Figure 4.9 Site Photograph of Appeal Site facing South-West (taken from Patshull Road)



Converted dwelling (Lea Farm) accessed via Patshull Road (left) and Business Park along Cross Road (right) in background

- 4.152** Whilst the A464 adjoins the southern boundary, which has more frequency of traffic than the country lanes of Cross Road, Patshull Road and Newhouse Lane, it did not serve to undermine the feel of being in the countryside I experienced when traversing the area nor the general the feeling of being away from a built-up area.
- 4.153** The site itself does feature telegraph poles however; these are infrequent with limited physical form and due to their wooden material do not detract from the wider agricultural land which the site overwhelmingly comprises.
- 4.154** In terms of the experience of surrounding development (or lack thereof in this case), there is no activity, development or other urbanising influence that indicates the appeal site has a weakened contribution to checking the unrestricted sprawl of the LBUA. The appeal site is in agricultural use and the surrounding fields are also in agricultural use, the activity within the site and nearby is characteristic of a rural area as opposed to an urban area. The feeling of the site (and indeed surrounding area) is one that is away from built up area, particularly when viewed from Patshull

Road and Newhouse Lane where intervisibility with fields within and adjoining the appeal site are more present.

- 4.155 When accounting for all the above, any urbanising influence exerted from adjoining development does not undermine the rural and open character of the site, nor its role in checking the unrestricted sprawl of the LBUA.

Conclusions on Purpose A

- 4.156 In conclusion, the site is a large open undeveloped area that if developed would form part of the sprawl of the LBUA (being near to it). The site is free of existing development and there is no presence of the LBUA or other development (visually or spatially) that would indicate development would be congruent with the pattern of development.
- 4.157 The appeal site is not restricted and contained and therefore development of the site would be considered to be unchecked unrestricted sprawl. The development of the appeal site would also 'leapfrog' land which is currently restricting the settlement form of the LBUA weakening it and resulting in an incongruous finger of development.
- 4.158 There is no development within or adjoining the site that undermines the strong contribution the openness of the parcel makes to purpose A – this is where the LBUA is not and open land. As such, I consider the appeal site makes a **strong contribution** to purpose A and would not be grey belt.
- 4.159 Therefore, the appeal proposal would not be able to utilise grey belt land and would not comply with paragraph 155 of the Framework. As such, I consider the proposal to be inappropriate development within the Green Belt.

Chapter 5

The Impact to the Openness and Remaining Purposes of the Green Belt

Impact to Green Belt Purposes C (to assist in safeguarding the countryside from encroachment) and E (to assist in urban regeneration, by encouraging the recycling of derelict and other urban land)

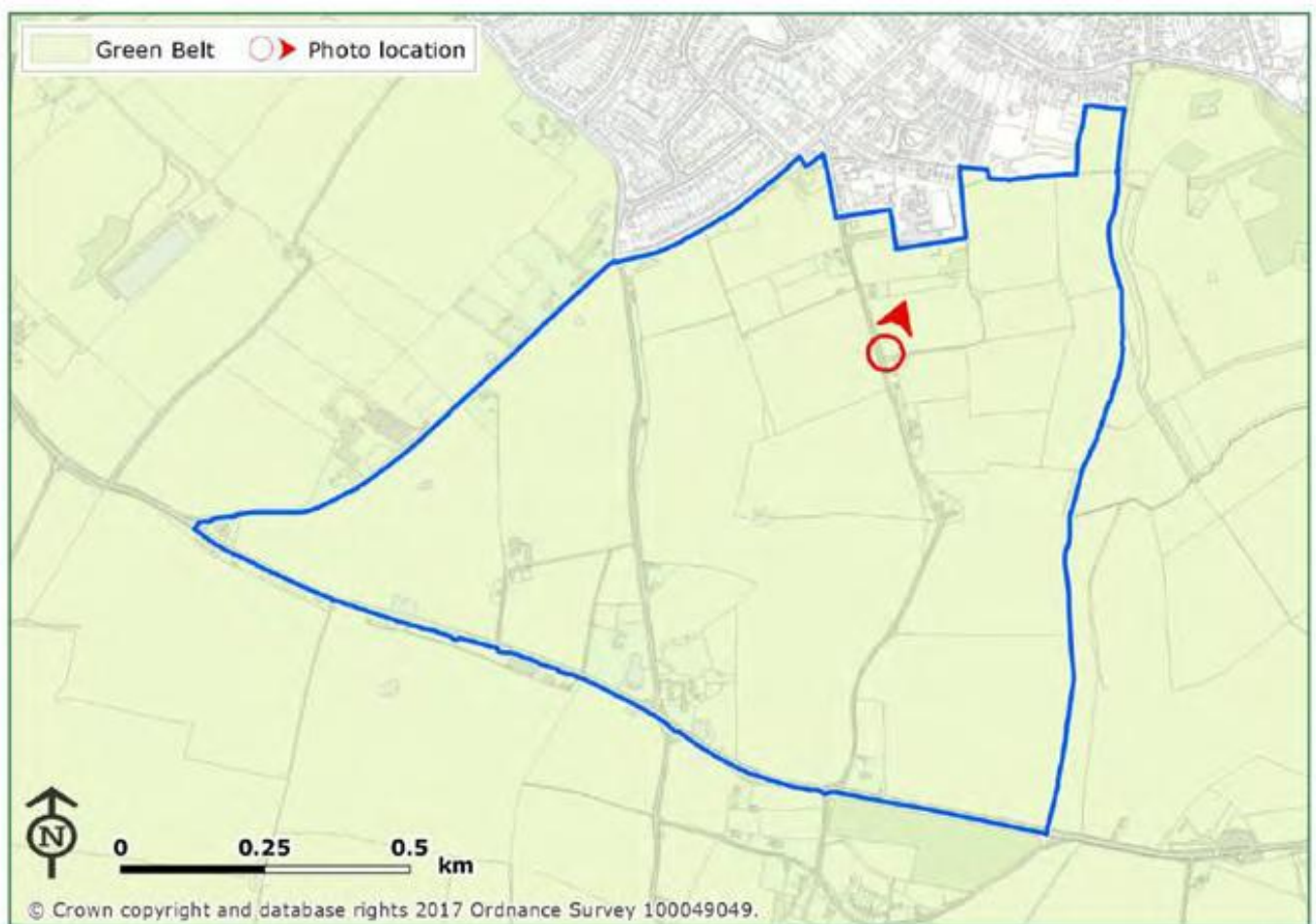
- 5.1 The PPG does not provide guidance in relation to purposes C and E, and relevant definitions and assessment methods for these purposes can be found in CD5.11.

Purpose C – to assist in safeguarding the countryside from encroachment

- 5.2 Purpose C seeks to safeguard the countryside from encroachment. The appeal site comprises large areas of agricultural land with limited urbanising influence, it has a clear connection to the wider countryside comprising open fields and perceived amongst other areas of the countryside, it is largely an unspoilt area of the countryside free from development.
- 5.3 The PPG does not seek to provide illustrative features for assessment areas to this purpose however, it largely has synergies with Purpose A as the countryside is also where the a LBUA (and other development) is not. As such, CD5.11 considers a strong contribution to Purpose C to have the following illustrative features:
- Land is part of the countryside;
 - Land is subject to negligible or no urbanising influence, and has a strong sense of separation from urban areas;
 - There are a lack of features to restrict and contain development, such that were development take place within the parcel there would be an urbanising impact on adjacent Green Belt land.
- 5.4 There is no significant development to give the impression the site is part of an urban area and it is open undeveloped land – the fact the appeal site is not previously developed land means there is no development that indicates the appeal site already encroaches into the countryside. There is no development that would limit its wider relationship with the countryside (even when accounting for the presence of the converted dwelling at Lea Farm, albeit technically not within the site). The introduction of development, particularly of this scale, would simply encroach into the countryside (highlighting its incongruity in relation to the settlement form of the LBUA for purpose A).

- 5.5 CD5.11, acknowledged that the 2017 GBA considered P36 to have 'moderate strength' for purpose C however, P36 included a large part of the southern settlement edge which is not part of the appeal site (adjacent to the settlement edge). As such, the 'moderate' rating attributed in the previous assessment had considered a higher impact from urbanising influence and particularly note *"some sense of encroachment within the parcel to the north as a result of the settlement edge of Albrighton"*.

Figure 5.1 Parcel P36 from the 2017 SGBA



The appellant's Green Belt Assessment had used the conclusions of the 2017 assessment however, as shown, P36 includes more land to the east and directly adjoins the settlement edge

- 5.6 As previously stated, the appeal site feels 'away' from the settlement and its agricultural use, along with neighbouring agricultural uses (which can be perceived) represent a strong connection to the countryside.
- 5.7 Development of the appeal site would also increase urbanising influence on other open land, which also has a strong perception to the countryside with an absence of development (and

urbanising influence) due to a lack of physical features that restrict and contain development. As such, the appeal site would make a strong contribution to purpose C.

Purpose E – to assist in urban regeneration, by encouraging the recycling of derelict and other urban land

- 5.8 Purpose E seeks to encourage the recycling of derelict and other urban land. Generally it is difficult to assess or apply an individual assessment of Green Belt against this purpose, as it is difficult to justify why the release/and or development of land has a greater impact in encouraging the re-use of land than another.
- 5.9 Strategic studies often consider that all Green Belt land has an ‘equal’ contribution (reflected in CD5.11 with a ‘moderate’ rating) as the plan-making process requires the LPA to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development by making use of as much brownfield land as possible, therefore, Purpose E must have already been assessed when deciding to release land in the Green Belt.
- 5.10 CD11.13 does not seek to advance that the proposed development can only come forward on the appeal site. In the absence of any specific reasoning as to why the appeal site should have a stronger or weaker contribution, I consider a moderate contribution is most appropriate (reflected in the SCGBA and strategic studies as an ‘equal’ contribution).

Impact to Green Belt Openness

- 5.11 ‘Openness’ is multi-faceted however, a conclusion of the overall impact of openness is required to be reached. The consideration of the impact to Green Belt openness is development specific, unlike contribution, and I have also accounted for the proposed ‘mitigation’ in my assessment.
- 5.12 It is relevant to note the Case Law surrounding assessments of openness, in light of the appellant’s approach to this assessment.
- 5.13 The judgement of *Turner*² (CD16.40) explicitly confirmed this in Paragraph 14.

*“The concept of “openness of the Green Belt” is not narrowly limited to the volumetric approach...**The word “openness” is open-textured and a number of factors are capable of being relevant when it comes to applying it to the particular facts of a specific case.** Prominent among these will be factors relevant to how built up the Green Belt is now and how built*

² John Turner and (1) Secretary of State For Communities And Local Government (2) East Dorset District Council [2016] EWCA Civ 466

up it would be if redevelopment occurs (in the context of which, volumetric matters may be a material concern, but are by no means the only one) and factors relevant to the visual impact on the aspect of openness which the Green Belt presents”

- 5.14 Paragraphs 21 – 27 of the judgement goes on to confirm that spatial and visual aspects could be relevant but notably in Paragraph 25 confirmed that the absence of visual intrusion does not equate to no impact on openness.
- 5.15 The judgement of *Samuel Smith*³ (CD16.41) reaffirmed paragraph 14 of *Turner* stating that the consideration of visual effects to openness is not a matter of legal principle, but of planning judgement for the decision maker. However, the judgement also explicitly confirmed in paragraph 5 that:

“...the visual quality of the landscape is not in itself an essential part of the “openness” for which the Green Belt is protected”.

- 5.16 I reiterate these judgements, as I consider that there are visual impacts associated with the appeal development that are therefore material to the consideration of openness, however, this is not to be confused with a point of effects/impacts to the landscape.
- 5.17 Following findings of relevant case law and PPG Paragraph: 013 Reference ID: 64-013-20250225 (CD2.21), I consider the following to be dimensions of openness relevant to this appeal: spatial openness; visual openness; permanence (remediability), and degree of activity.

Spatial Openness

- 5.18 CD11.13 states in paragraph 5.7 that its assessment of spatial impacts to openness: *“is informed by several factors including the relationship of the site to the existing settlement and the robustness of any revised boundaries to the Green Belt, following of the Site from the designated”*. It is worth noting, the appeal site would retain its Green Belt designation if developed, the consideration of the impact of the proposal on spatial openness is not a consideration of paragraph 149 of the Framework.
- 5.19 CD11.13 simply states there is an ‘inevitable’ effect upon spatial openness but does not state the degree of harm and minimises this harm by comparing the appeal site to the entirety of the Green Belt in Shropshire. Whilst *Turner* confirmed the extent of how built up the Green Belt would become is relevant this is stated in relation to the ‘redevelopment’ (a more local scale), and I do

³ *R (on the application of Samuel Smith Old Brewery (Tadcaster) and others) (Respondents) v North Yorkshire Country Council (Appellant)* [2020] UKSC 3

not consider a % comparison of the entire Green Belt assists in this consideration – as any development could be justified as having a limited impact on the Green Belt on the basis other areas of the Green Belt unrelated to a development site would be retained.

- 5.20 The fact remains whilst the appeal site adjoins Albrighton and some washed-over development it is an open site and the Green Belt adjoining the appeal site is open and undeveloped – the appeal site comprises circa. 47ha of agricultural land, it is not a built-up area of the Green Belt.
- 5.21 Point C of paragraph 5.11 of CD11.13 is telling at the degree of the incursion, notably this paragraph states the effect is diminished as it is comparable to previous large extensions:

*“c) comprise 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”.*

- 5.22 It is, therefore, surprising that the assessment does not describe the overall impact as substantial as this paragraph argues that the scale of the development is akin to previous large expansions. These expansions have resulted in the existing form of Albrighton which is itself removed from the Green Belt.
- 5.23 In short, the appeal site is a large area of open undeveloped Green Belt and has no uses to indicate it is previously developed – it is open in spatial terms. The proposed development seeks to extend up to the A464 in the countryside.
- 5.24 The proposed development would introduce a substantial amount of built form into this area of the Green Belt, across the whole site and where there was no development before. It is not enclosed by any other development of a similar scale within the Green Belt.

Visual Openness

- 5.25 The remaining consideration of visual openness in CD11.13 states it considers the ‘*visual links of a Site or area such as a Green Belt, to the wider Green Belt, intervisibility between settlements and potential impacts on wider ranging views across the Green Belt*’. Paragraph 5.13 seeks to emphasise that the site has ‘very limited public access’, however, as stated in paragraph 5.15 in this proof, the visual quality of the landscape is not an essential part of openness. Therefore, emphasis in the assessment in relation public highways and rights of way is not directly assessing the visual impact to openness – paragraph 5.14 of CD11.13 states that the Green Belt Assessment is “*necessarily focused on publicly accessible locations*”. As such, CD11.13 does not

account for the totality of the impact on visual openness as regardless if a location is publicly accessible the built form can impact adjacent land in the Green Belt, this effect exists regardless of if it would be regularly perceived.

- 5.26 In short, I consider that whilst additional landscaping such as trees may reduce the perception of built form, the development would still be perceived, adjacent and further from the site. The openness of the Green Belt in this area is defined by open agricultural land with hedgerows and boundary trees, when within the appeal site the extensive built form of a settlement extension would no doubt be prevalent and ubiquitous.
- 5.27 This is not a conclusion that CD11.13 disagrees with but only seeks to downplay, by relying on viewpoints undertaken to inform the LVIA submitted with the application. Whilst landscape impacts will likely be helpful, it should not be forgotten that the Green Belt is not designated for its landscape character. Therefore, regardless of whether a 'landscape impact' would be considered acceptable because it is only a long range view and a wider landscape would be preserved, this does not mean that the visual openness of the Green Belt has been retained or limited in some way. There is no case law, policy or other guidance that suggests acceptability from a long-range view in the Green Belt should be prioritised over localised impacts.
- 5.28 This is particularly so with the appeal site as it is not previously developed land and free from development, the conclusion of CD11.13, states in paragraph 5.34 (emphasis is my own):

*“...In close proximity to the Site, **the perception of the loss of openness whilst moderate or notable in some cases, would be localised.** Mitigation planning, including woodland belts, would over time reduce the proportion of built development perceived, and **whilst visual openness would be reduced,** the resulting change would be consistent with the character of the wider landscape and **reduction in openness would typically affect the Site itself,** and not views across the wider Green Belt landscape...”*

- 5.29 In short, the conclusions of CD11.13 in this regard consider these impacts to not be substantial owing to its impact across the “*wider Green Belt landscape*”.
- 5.30 Figure 5 of CD11.13 comprises a ZTV, which demonstrates that the visual impact of the development will be significantly visible in all directions beyond the appeal site. The ZTV shows that the only areas with 0-20% visibility of the development would be directly behind existing buildings. Percentages of 80-100% are present adjacent and beyond the appeal site boundaries in all directions – although it is acknowledged this does not account for existing hedgerows and trees.

- 5.31 Table 4.5 of this proof comprises parts of the appellant's LVIA which acknowledges adverse effects minor and moderate, as per CD4.9, the evidence of Stephen Kirkpatrick considers that a number of these effects should be considered 'major adverse' as opposed to minor. Regardless of the extent of effects both parties agree visual impacts exist at least locally.
- 5.32 The assessment in CD11.13 focuses on the enhancements of boundary planting (hedgerows and trees) but acknowledges that visual effects still exist, in any event it should be noted that specific landscaping details are reserved at this stage, with only illustrative landscaping plans being provided. Similarly, building heights are not proposed in the parameter plan. As such, the only indication in the documents is that a similar density to the settlement will be provided at 12.5m height.
- 5.33 In relation to the visual openness to the north of the site, the illustrative masterplan (CD11.17) details that no landscaping enhancement is to be provided to the northern appeal site boundary (adjoining the 'safeguarded land' and 'potential development land'). The built form of the school and residential areas directly adjoins these boundaries and in the absence of any significant screening development would no doubt be perceptible from these locations. Likewise the plan, details a small community green space on the junction of Cross Road and Patshull Road (shown in my Figure 4.6), where CD11.13 states (paragraph 5.16 – emphasis is my own): *"...the proposed scheme in place there would be clear views of the proposed residential development set behind a community green space at the northern end of the Site...and also in views across the Site from the northern end of Cross Road resulting in the removal of the roadside hedgerow and creation of a new footway and vehicular access"*.
- 5.34 Whilst the assessment seeks to highlight mitigation of this impact there would undoubtedly be a perceptible impact in the Green Belt to the north of the site, where open undeveloped fields will be replaced by residential and school buildings.
- 5.35 Similarly, to the east of the site, the updated landscaping plan shows additional tree belts and hedgerows, adjacent to large scale areas proposed for residential areas, CD11.13 considers that the proposed development would have a *"notable effect in reducing the perception of openness of the Site"* in this direction. Paragraph 5.23 goes on to state that further afield only a "slight" adverse impact would be present and it would be "barely" perceptible – whilst the paragraph then goes on to consider mitigation further reducing this impact, it concludes that there would be no "material effect" upon the visual openness of the Green Belt *"as a whole"*. As such, there is an impact on the Green Belt locally from the development of the appeal site, it is just not being acknowledged in this conclusion.

- 5.36 In relation to perception of the site from the south, paragraphs 5.24-5.26 of CD11.13 confirms there would be another localised reduction in openness as the development would be perceptible, with the exception of the south-eastern parts of the site (towards Boningale). Notably, the assessment states in paragraph 5.26 that the effect of planting would in effect “*partly re-establish the baseline of a limited sense of openness*”, but not fully.
- 5.37 The updated landscaping masterplan (CD11.17) includes a new blue line area not on the original location plan detailing an additional area of tree planting to the south of the A464, as such, CD11.13 has not accounted for this additional mitigation.
- 5.38 Finally, to the west, CD11.13 again acknowledges fleeting or partial glimpses from localised areas (but still considered to be an effect – albeit minor). The viewpoints referenced are circa. 500m at most west of the site but do not directly adjoin Cross Road. The updated parameter plan shows residential development along Cross Road, adjoining areas where the business park and isolated dwellings are not present. Pedestrian footpaths and limited boundary trees are proposed adjoining these areas, and therefore, the visual impact of major residential development would be perceived from these adjoining fields (there is no viewpoint in the LVIA from these fields) and as such they have not been considered in CD11.13. The updated illustrative plan has resulted in these areas of development being pushed further to the site boundary with less landscaping.
- 5.39 In conclusion, the landscaping and scale of development are matters reserved in this application, and an assessment can only be considered based on the illustrative plans. The proposed development is a significant incursion with sprawling built form into the countryside. Whilst mitigation planting is proposed, there are areas where the development would still be perceived from adjacent land (and land further afield). There will be a perceptible and notable change of the appeal site from an open undeveloped area of agricultural land to an extension of the settlement.

Permanence

- 5.40 The proposed development is not seeking a temporary planning permission and is not seeking to restore the land to its former condition. As such, any harm to the openness and purposes of the Green Belt arising from development of the appeal site would be permanent.

Activity

- 5.41 The appeal site predominantly comprises agricultural land which is not considered to be ‘development’ as per S55(2)(e) of the Act.
- 5.42 The increase in activity will be substantial not only comprising significant built interventions but also with the number of residents associated with the residential, commercial and civic uses.

- 5.43 The associated residential activity, green space and local centre will result in the previous agricultural land having activity associated with daily living changing the appeal site into part of the town.
- 5.44 The appellant's Transport Statement (CD7.1) shows that residential trip generation alone (with an internalisation factor accounting for residents that may not need to travel to work and services) would result 304 two-way trips in the AM peak period and 330 two-way trips in the PM peak period. As such, the activity would be a marked change from the quiet country roads (albeit on my site visit this was not in Peak Hours and School Holidays).

Conclusion on Impact to Green Belt Openness and Purposes

- 5.45 Based on the above, I consider the overall harm to the Green Belt by way of its openness is **substantial**.
- 5.46 I do not agree with the findings of CD11.13 which seeks to downplay the overall impact by comparing it to the wider designation and overlooking the localised impacts as does the initial planning statement. Both documents do not seek to assign any specific weight to this harm beyond the 'moderate' harm noted in CD11.13.
- 5.47 In finding that the site is inappropriate development consideration of the harm to all Green Belt purposes is also required. Whilst not always the case, in this instance I consider that the contribution of the land to the purposes is proportionate to the harm caused by its development. Particularly Purposes A and C will be a function of the openness of the site and the substantial harm identified reflects their strong contributions, the presence of mitigation planting does not serve to prevent the settlement from sprawling and encroachment into the countryside – the appeal development undermines both of these purposes by being a large settlement extension.

Chapter 6

Conclusion

- 6.1 In conclusion, I find that the appeal site makes a **strong** contribution to purposes A and C of the Green Belt.
- 6.2 In relation to purpose A:
- It is common ground the appeal site is ‘adjacent to’ the LBUA and ‘free of existing development’;
 - I do not consider the appeal site to be restricted and contained by physical features in reasonable proximity;
 - I consider the appeal site, if developed would result in an incongruous pattern of development, forming both a finger ‘emitting’ from the LBUA and an irregular area of development that reads as part of the sprawl of the LBUA.
- 6.3 In relation to purpose C:
- I consider the appeal site forms a large area of agricultural land that has a strong relationship with the countryside (more so than any urban area or development);
 - The site is not subject to any significant urbanising influences;
 - The appeal site is not restricted and contained and if developed would result in an urbanising impact on adjacent land
- 6.4 As such, the development would not utilise land that could be described as grey belt and the appeal development would constitute inappropriate development in the Green Belt, as it would fail criteria (a) of paragraph 155. **In accordance with paragraph 153 of the Framework, I attach substantial weight to the harm to the Green Belt arising from inappropriate development.**
- 6.5 In accordance with paragraph 153 of the Framework, VSCs will be required to be evidenced to outweigh this harm along with other harms identified to the Green Belt and elsewhere.
- 6.6 In relation to the harm to the openness of the Green Belt (when considering visual aspects, spatial aspects, permanence and increases in activity), I consider there to be **substantial harm to the openness of the Green Belt arising from the proposed development of the appeal site.**
- 6.7 I consider further harm also arises in relation to harm to significant harm to Green Belt purposes A and C, with moderate harm to purpose E and no harm to purposes B and D. Overall, I consider

these harms to cause additional harm to the Green Belt (albeit they are a function of its openness).