



## Planning Rebuttal Proof of Evidence

Evidence of Megan Wilson BSc (Hons) MSc MRTPI CIHCM

In Respect of the S. 78 Appeal at Land at Patshull Road, Albrighton

On behalf of Boningale Developments Limited

Appeal Reference: 6007402

LPA Reference: 24/02108/OUT

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## 0. Preamble

### Qualification and Experience

- 0.1. My name is Megan Wilson. I hold a Bachelor of Science Degree with Honours in Human Geography, together with a Master of Science Degree in Urban Regeneration. I am a Chartered Member of the Royal Town Planning Institute and the Chartered Institute of Housing. I am employed as a Planning Director at Marrons and lead the Sheffield Office.
- 0.2. I have over 10 years' experience working in a variety of planning roles and have previously worked for a national strategic land promoter, a regional housebuilder and in planning consultancy. I have advised a range of clients in relation to the promotion of land through the Local Plan process and the submission of planning applications. I have appeared at Local Plan Examination hearings and planning appeals as a witness. I provided expert witness evidence (at an Inquiry) in respect of an Appeal against the non-determination of an application by Shropshire Council in November 2025 (APP/L3245/W/25/3362414).
- 0.3. The evidence I have prepared and provide to this Inquiry on behalf of Boningale Developments Limited is true and given in accordance with the code of conduct of the Royal Town Planning Institute.



# 1. Introduction

- 1.1. This Rebuttal Proof has been prepared in response to the Planning Proof of Evidence of Mr Thomas Ryan, submitted on behalf of the Albrighton Development Action Group (“ADAG”).
- 1.2. I do not seek to respond to each of the matters raised within Mr Ryan’s evidence, many of which are already addressed within my principal Proof of Evidence and the evidence of the wider Appellant team.
- 1.3. The rebuttal elements are confined to the matters raised by Mr Ryan at paragraphs 4.26, 4.27, 4.30 and 4.33 of his evidence in respect of the proposed Local Centre and, in particular, his suggestion that insufficient evidence has been provided regarding its relationship with the existing centre of Albrighton. As detailed on the amended application form [CD5.5] and within the submitted Planning Statement [CD5.1] at paragraphs [3.10-3.11], the Appeal proposals include the provision of land for a small-format supermarket within the identified Local Centre.
- 1.4. I note that the Council has not raised an objection to the proposed provision of land for a small-format supermarket within the Local Centre during the course of the application or in its evidence.

## 2. Local Centre

- 2.1. Mr Ryan states at paragraph 4.26 of his evidence that the Appellant relies upon the housing, care home, local centre and secondary school collectively creating a “self-contained neighbourhood” capable of meeting many of the day-to-day needs of future residents.
- 2.2. He goes on to suggest that, whilst these facilities are presented as a public benefit, they risk establishing a distinctly separate activity hub on the southern edge of Albrighton rather than reinforcing the existing centre.
- 2.3. I consider this to misunderstand both the purpose and scale of the proposed Local Centre.
- 2.4. The Local Centre is not proposed as an alternative town or district centre, nor is there any suggestion that it would seek to replicate the range of shops, services and facilities presently available within Albrighton.
- 2.5. Rather, it comprises a modest element of a comprehensive mixed-use development and is intended principally to provide for some of the day-to-day needs of future residents, including through the provision of a small-format supermarket (up to 1,500 sqm gross internal floorspace), medical facility and flexible workspace.
- 2.6. This is important in the context of a development of up to 800 dwellings. Providing residents with the opportunity to meet some day-to-day needs within the development itself reduces the number and length of trips which would otherwise be required beyond the Site.
- 2.7. There is, in my view, also an obvious tension within the wider case advanced by ADAG.
- 2.8. A principal criticism made elsewhere in their evidence is that future residents would be located at an unacceptable distance from existing services and facilities and would consequently be excessively reliant upon travel beyond the Site.
- 2.9. Yet, at paragraphs 4.26-4.33 of Mr Ryan’s evidence, the provision of services and facilities within the development, which directly responds to that concern, is itself criticised.
- 2.10. The two propositions sit uneasily together.



- 2.11. A strategic development should not, in my view, be criticised both for being insufficiently close to existing facilities and for providing appropriate day-to-day facilities within the development itself.
- 2.12. I have seen no evidence from Mr Ryan demonstrating that the nature and scale of those facilities would give rise to an unacceptable effect upon the existing centre of Albrighton.

### 3. Nature and Scale of Retail Provision

- 3.1. At paragraph 4.27, Mr Ryan states that limited information has been provided regarding the type and extent of services and facilities proposed within the Local Centre.
- 3.2. The planning application is made in outline, with the description of development simply referencing the inclusion of a local centre. It is therefore neither unusual nor inappropriate that the precise operators or detailed configuration of individual units have not been fixed at this stage.
- 3.3. The parameters of the proposal are nevertheless clear.
- 3.4. The Local Centre is intended to accommodate a small-format supermarket, up to a maximum of 1,500 sqm gross internal floorspace, alongside a medical facility and flexible workspace. The maximum area of the Local Centre is proposed to be secured by condition, with detail of how the local centre is to be configured a reserved matter. The local centre is not proposed as a large-format retail destination and does not seek to replicate the wider range of retail, leisure and service uses within Albrighton.
- 3.5. Importantly, there is commercial interest in the proposed retail provision. As identified within my principal Proof, expressions of interest have been received from both Co-op and Sainsbury's.
- 3.6. Of particular relevance, as detailed within my principal Proof at Appendix MW3, Co-op has confirmed that it would operate the proposed small-format supermarket and its existing small foodstore in Albrighton concurrently. Its interest is therefore in additional provision, rather than the relocation or replacement of the existing small foodstore.
- 3.7. In my view, that provides a useful real-world indication that the proposed facility is capable of operating as a complementary provision.
- 3.8. Mr Ryan provides no retail assessment, expenditure analysis or other substantive evidence to demonstrate that the proposed Local Centre would result in a significant adverse effect upon the vitality or viability of Albrighton centre.
- 3.9. Rather, the concern advanced is essentially that future residents would have the opportunity to use the facilities proposed within the Appeal Site.
- 3.10. I do not consider that to amount to a planning harm.



- 3.11. The Appeal proposal would introduce up to 800 additional households into Albrighton. Those households would generate substantial additional expenditure, only a proportion of which would reasonably be expected to be captured by the modest Local Centre proposed.
- 3.12. Existing shops, restaurants, public houses, services and other businesses within Albrighton would remain available to future residents and would benefit from the additional population and expenditure generated by the development.
- 3.13. I therefore do not accept the proposition at paragraph 4.30 of Mr Ryan's evidence that providing the principal components necessary to meet some local day-to-day needs results in the creation of an "independent community".
- 3.14. The proposal remains physically and functionally related to Albrighton and future residents would continue to utilise the wider range of services and facilities available within the existing settlement.

## 4. Sequential Approach

- 4.1. It isn't clear to me whether Mr Ryan means to raise an issue concerning the sequential approach (now retained in the revised NPPF at TC3). What follows is set out in case Mr Ryan did mean to do so.
- 4.2. Any area of search would need to be by reference to the proposed small-format supermarket and its intended role in meeting local day-to-day needs, principally those arising from the Appeal development.
- 4.3. In this context, Albrighton centre and edge of centre locations are logically the principal focus, but on a precautionary basis Shifnal can also be included to consider any opportunities within and on the edge of a nearby centre serving the surrounding rural area. However, the inclusion of Shifnal does not alter the primarily local role intended for the proposed small-format supermarket.
- 4.4. Having considered commercial property listings, development-plan allocations, planning applications and permissions, and sites promoted for development, there are no opportunities on sites in or on the edge of either Albrighton or Shifnal which could accommodate a small-format supermarket (with a maximum floorspace of 1,500 sq. m. GIA) or even a considerably smaller store than this.
- 4.5. In terms of premises (rather than sites) there are advertised premises at 8 Bradford Street, Shifnal (149 sqm), and 9 Cheapside, Shifnal (approximately 87 sqm). Neither would be capable of performing the intended role and function of the proposed supermarket as is obvious from the very small size of the premises in question.
- 4.6. I have therefore concluded that if Mr Ryan did intend to raise a sequential point, there is no basis upon which any such concern can be substantiated.

## 5. Retail Impact

- 5.1. Mr Ryan repeatedly raises the potential effect of the proposed Local Centre upon existing services and facilities within Albrighton. It isn't clear to me whether Mr Ryan means by this to contend that there would be a significant adverse impact (which is the test now found in TC3(4) and TC4 of the NPPF). What follows is written in case Mr Ryan did mean to do so.

### Existing Convenience Shopping Provision

- 5.2. Convenience retail provision within Albrighton includes the existing Co-op small foodstore on the High Street and convenience stores including Albrighton News and Morrisons Daily.
- 5.3. Within Shifnal, convenience retail provision includes the Co-op foodstore on Bradford Street and other convenience stores.
- 5.4. Codsall also contains a small Co-op supermarket outside of the village centre, and a number of convenience stores, whilst there is a Sainsbury's supermarket towards the centre of Perton.

### Retail Impact

- 5.5. It is well established that an impact assessment should focus on the specific form of development proposed. As set out in the PPG:

*As a guiding principle impact should be assessed on a like-for-like basis in respect of that particular sector (e.g. it may not be appropriate to compare the impact of an out of centre DIY store with small scale town-centre stores as they would normally not compete directly). Retail uses tend to compete with their most comparable competitive facilities.<sup>1</sup>*

- 5.6. The proposed retail provision is a small-format supermarket with a maximum gross internal floorspace of 1,500 sqm.
- 5.7. The existing Co-op small foodstore and other convenience retailers in Albrighton provide for local day-to-day shopping needs.

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<sup>1</sup> Paragraph: 015 Reference ID: 2b-015-20190722

- 5.8. Within Shifnal, the Co-op foodstore on Bradford Street is also relevant to the assessment.
- 5.9. In respect of Albrighton, some overlap in convenience expenditure and some trade diversion may arise. However, as detailed within my principal Proof, Co-op has confirmed that it would operate both the proposed small-format supermarket and the existing small foodstore at the same time. That is a relevant indication of the potential for the two stores to coexist.
- 5.10. In respect of Shifnal, the Co-op foodstore may experience some trade diversion, including from residents of Albrighton and its surroundings who currently shop there.
- 5.11. However, it is important to consider that the proposed small-format supermarket is principally intended to serve the new development, which would introduce up to 800 additional households. On the indicative assumption of 2.5 residents per dwelling, this would represent approximately 2,000 residents at full occupation. Those residents would generate additional convenience expenditure and would also have access to the wider range of shops and services within Albrighton and other centres.
- 5.12. Albrighton and Shifnal provide a wider range of shops, services and leisure uses than the proposed small-format supermarket.
- 5.13. The additional housing would increase the number of residents within the local catchment and create opportunities for additional expenditure within existing centres.
- 5.14. There is no basis upon which it could be concluded that what is proposed would be likely to cause a significant adverse impact on either Albrighton or Shifnal centre. Nor does Mr Ryan put forward any evidence to suggest otherwise.
- 5.15. At paragraph 4.26 he states that there is no clear evidence that the services proposed would not affect existing High Street services. The relevant point is not whether there would be any effect, but whether the proposal would be likely to give rise to a **significant** adverse impact – TC3(4).
- 5.16. The mere possibility that an out-of-centre retail facility will have **some** effect upon shopping patterns is not equivalent to demonstrating a **significant** adverse impact upon the vitality or viability of a centre.
- 5.17. Almost any new retail provision is capable of influencing consumer behaviour to some degree. National policy does not seek to prevent any such effect.



- 5.18. In this case, as referred to above, the limited scale of the proposed retail provision must also be considered alongside the substantial increase in local expenditure which would arise from the occupation of up to 800 additional homes.
- 5.19. In my judgement, the Local Centre would provide convenient day-to-day provision for future residents whilst the existing centre of Albrighton would continue to perform its wider role and would benefit from the additional population and expenditure generated by the Appeal proposal. Similar points can be made about Shifnal too.
- 5.20. Local Centre would provide complementary provision alongside the existing centres, notwithstanding providing some competition for convenience expenditure.

## 6. Delivery

- 6.1. Finally, Mr Ryan states at paragraph 4.33 that there is insufficient certainty regarding what the Local Centre would comprise, the impact upon existing facilities and how and when it would be delivered.
- 6.2. As stated above, this is an outline planning application.
- 6.3. It is entirely usual for strategic development of this nature to establish the land-use parameters and mechanisms for delivery at outline stage, with the detailed design and occupation of individual commercial units following subsequently.
- 6.4. The fact that the Appellant would not itself operate a small-format supermarket, medical facility or other commercial premises does not diminish the planning benefit arising from making appropriate land available for those uses.
- 6.5. Nor does the involvement of third-party operators make their delivery inherently uncertain.
- 6.6. Indeed, expressions of commercial interest have already been received in respect of the proposed small-format supermarket. As detailed within my principal Proof, Co-op has confirmed that it would operate the proposed small-format supermarket concurrently with its existing small foodstore in Albrighton.
- 6.7. Appropriate mechanisms relating to the provision and availability of land can be secured through the planning obligations and conditions associated with the development.
- 6.8. I therefore do not agree that the outline nature of the application provides a reasonable basis upon which to materially discount the Local Centre as a benefit or to conclude that its provision is unacceptable.
- 6.9. I similarly do not consider it necessary or reasonable, as suggested by Mr Ryan, to require the Local Centre to be delivered within the first phase of development irrespective of commercial demand, the rate of housing delivery or the practical requirements of future operators.
- 6.10. The appropriate approach is to secure a proportionate mechanism which ensures that the land is made available at an appropriate point in the development, whilst retaining sufficient flexibility to allow the facility to respond to commercial demand and the needs of the growing community.

## 7. Conclusion

- 7.1. I have considered carefully the points raised by Mr Ryan in respect of the proposed Local Centre.
- 7.2. The Local Centre is deliberately modest in scale and is intended to meet some of the day-to-day needs generated by a development of up to 800 homes. The proposed small-format supermarket would be limited to 1,500 sqm gross internal floorspace, and this will be secured by condition.
- 7.3. Its provision would reduce the need for some journeys beyond the Site and forms an appropriate component of a comprehensive mixed-use development.
- 7.4. There are no sequentially preferable opportunities nor is it likely that what is proposed would have a significant adverse impact on nearby centres.
- 7.5. Mr Ryan does not seek to substantiate that there are sequentially preferable opportunities or that significant adverse impacts on the nearby centres are likely.
- 7.6. I maintain the conclusion within my principal Proof that moderate positive weight should be afforded to the provision of land for the Local Centre.



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