

**Rebuttal Transport Proof of Evidence
of Mr John Russell**

**Residential Development
Patshull Road, Albrighton, Shropshire**

On behalf of
Albrighton Development Action Group

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1.0 INTRODUCTION

Author's Qualifications and Experience

- 1.1 My name is John Norman Russell. I am a Chartered Transport Planner, being a Chartered Member of the Institute of Logistics and Transport (CMILT) and a Member of the Chartered Institution of Highways and Transportation (MCIHT). I have an Honours Degree in Civil Engineering. I am a Director of JR Transport Planning Limited a consultancy that specialises in transport planning, traffic engineering and highway design.
- 1.2 I have prepared this rebuttal evidence in response to Miss Anna Meer's proof of evidence
- 1.3 I have not provided comment on every paragraph of Miss Meer's evidence. I deal here with those areas of Miss Meer's evidence that my proof of evidence has not already dealt with and areas that I consider need to be addressed. Any lack of comment should not be taken as my agreement with the views that Miss Meer expresses.
- 1.4 My rebuttal does not deal with general policy changes arising from the Government's revised National Planning Policy Framework (2026NPPF). These policy matters are dealt with in separate submissions provided by Mr Tom Ryan on behalf of the Albrighton Development Action Group
- 1.5 My rebuttal considers the following matters:
 1. In Section 2 I comment on walking accessibility;
 2. In Section 3 I comment on cycling accessibility;
 3. In Section 4 I comment on public transport accessibility;
 4. In Section 5 I raise specific matters of relevance to the Appeal Site which have directly arisen from the Government's 2026NPPF – as opposed to general matters which are dealt with under separate cover; and
 5. In Section 6 I identify if and how the conclusions I make in my proof of evidence have changed consequent to reviewing Miss Meer's evidence.
- 1.6 Where I only refer to a paragraph number, this refers to a paragraph number in Miss Meer's proof of evidence.

The evidence which I have prepared and provide for this appeal in this proof of evidence is true to the best of my knowledge and belief and has been prepared and is given in accordance with the guidance of my professional institution and I confirm that the opinions expressed are my true and professional opinions.

2.0 WALKING ACCESSIBILITY

2.1 Paragraphs 5.2 to 5.13 deal with walking distances and conclude that:

It is my opinion that a walking distance of up to 2km is reasonable to replace short trips that would otherwise be made by car. These being trips to educational establishments, railway station, employment places, retail units, services and facilities

2.2 However, the evidence contained in successive guidance documents does not support this conclusion. It is, rather, the personal opinion of the witness.

2.3 It is accepted that the distances identified in relevant guidance are indicative rather than rigid pass/fail thresholds. Nevertheless, they are a material and weighty consideration. They are informed by research undertaken by respected institutions, including the Chartered Institution of Highways and Transportation ("CIHT"), and are widely used across the sector when assessing the accessibility and transport sustainability of new development.

2.4 Importantly, such guidance draws together evidence from a range of sources, studies and research and seeks to establish distances that can reasonably be applied when planning for the population generally. That is materially different from relying on what an individual, or a relatively small sample of individuals, may choose to do in practice.

2.5 It is common ground that the relevant guidance concerning the distances over which it can reasonably be assumed that people will walk to everyday facilities is set out in CIHT 2000 and CIHT 2015. Section 2.1(4) of the Accessibility SoCG records the agreement of the three parties as follows:

'That the 'Planning for Walking' Guidance (CIHT, 2015) and 'Providing for Journeys on Foot' Guidance (CIHT, 2000) cited at paragraphs 3.26 and 3.27 of the Transport Assessment are widely recognised as guidance documents for designing and evaluating pedestrian travel'

2.6 Those documents provide ranges of distances which are considered reasonable for walking. They therefore provide an established basis for assessing whether a proposed development is appropriately located in relation to everyday facilities and whether walking can reasonably be relied upon as a mode of travel.

2.7 Where a proposed development falls within those recognised distances, it is reasonable, in the absence of site-specific constraints, to plan on the basis that walking is a realistic and available option for an appropriate proportion of trips.

2.8 Where, however, a development relies upon substantially greater walking distances, the issue is different. The question is no longer simply what people may do in practice in the wider population, but whether it is appropriate, in the context of planning for a new development, to assume that future residents or users will make trips on foot over those greater distances.

- 2.9 This distinction between observed behaviour and appropriate planning assumptions for new development is important in considering the Appellant's reliance on the National Travel Survey ("NTS").
- 2.10 The Appellant relies upon generic national evidence from the NTS to support the proposition that people walk further than the distances identified in the agreed guidance. However, the evidence relied upon produces a single national average walking trip distance of 1,120 metres. That statistic does not demonstrate that a 2km walking distance is a reasonable planning assumption for new development.
- 2.11 An average of actual walking trips across the existing population is not equivalent to a finding that a particular walking distance is an appropriate accessibility standard for the location of new development. The two questions are fundamentally different:
1. What people do: the distance that people actually walk, across all journey purposes, circumstances and built environments; and
 2. What should be planned for: the distance over which it is reasonable to assume, when locating and designing new development, that walking will provide a realistic alternative to motorised travel.
- 2.12 The latter is the question addressed by the CIHT guidance. The fact that some existing trips are longer than the distances identified in that guidance does not undermine the guidance or establish that those longer distances should be used as the basis for planning new development.
- 2.13 Indeed, the NTS figure of 1,120 metres is broadly consistent with the scale of distances identified in the established guidance. Subject to journey purpose, as agreed at paragraph 16 of the Accessibility SoCG, the relevant planning assumptions include approximately 800 metres to a town centre, 2,000 metres to a school or place of employment, and 1,200 metres to other destinations. The national average therefore provides no evidential basis for replacing those established planning assumptions with the blanket assumption that people will reasonably walk up to 2km to all destinations.
- 2.14 In this regard, it is noteworthy the 2026NPPF glossary definition of Reasonable Walking Distance, which is provided in full below:
- 'Reasonable walking distance: For the purpose of policies S5, L3, GB7 (relating to land around well-connected stations), this should be considered to be around 800 metres, or around 10 minutes' walk time if topography, route availability and quality or physical barriers would prevent or discourage walking from up to 800 metres away. For the purpose of policy HC5 (hot food takeaways) it should be considered to be around 400 metres, or around five minutes' walk time if topography, route availability and quality or physical barriers would prevent or discourage walking up to 400 metres. Where a reasonable walking distance is required to be calculated when applying policies S5(1)(h), L3(2)(c) and GB7(1)(h), and only part of the site falls within the reasonable walking distance, those sub-paragraphs of policies S5, L3 and GB7 only apply to the area of the site within that reasonable walking distance.'
- 2.15 This provides further evidence of the distinction between what people may walk in practice and the distances which it is appropriate to use when planning for and assessing new development. The Government continues to use approximately 800 metres as a benchmark for a "reasonable walking

distance" in relevant planning policy. That approach is consistent with the wider body of established guidance, including:

- CIHT 2015 guidance concerning walking distances to railway stations;
- the principles of 20-minute neighbourhoods, which envisage facilities being accessible within approximately 800 metres;
- Manual for Streets; and
- the National Design Guide.

- 2.16 The significance of these documents is not that they establish a rigid maximum distance beyond which nobody will walk. Rather, they provide an evidence-based framework for determining whether it is reasonable, when planning new development, to assume that walking will be a realistic mode of travel.
- 2.17 Finally, at paragraph 5.5 the Appellant places weight on guidance contained in PPS13. This is erroneous. As agreed at paragraph 19 of the Accessibility SoCG, PPS13 was withdrawn in 2012. It is therefore superseded national planning policy and should be afforded no weight in determining the appropriate walking distances for the assessment of the proposed development.

3.0 CYCLING ACCESSIBILITY

- 3.1 At paragraph 5.16, the Appellant states that “there is no evidence to support the assumption that local roads are not suitable for cycling”. This rather misses the point. The issue before the Inquiry is not whether there is evidence that some people cycle on the local roads. The issue is whether the existing and future highway network provides an appropriate and sufficiently attractive level of provision to enable cycling to be a realistic mode of travel for the future residents of the proposed development.
- 3.2 The Appellant has not undertaken a recognised assessment of the suitability of the relevant routes for cycling against an established design standard.
- 3.3 In contrast, Section 4 of my evidence assesses the suitability of the relevant routes for cycling having regard to the Government’s guidance in Local Transport Note 1/20 (“LTN 1/20”).
- 3.4 LTN 1/20, *Cycle Infrastructure Design*, Department for Transport, 2020, provides the Government’s principal guidance on the design of cycle infrastructure. It was published alongside the Government’s policy document *Gear Change: A bold vision for cycling and walking*, issued in July 2020, which set out the Government’s ambition to increase levels of cycling and walking.
- 3.5 LTN 1/20 therefore provides an appropriate and recognised framework against which to assess whether the routes relied upon by the Appellant provide suitable infrastructure for cycling.
- 3.6 The principles in LTN 1/20 are not limited to an assessment of existing conditions. They can also be applied when considering the suitability of infrastructure in the future, having regard to anticipated changes in traffic conditions.
- 3.7 That is particularly relevant in this case. The proposed development of 800 dwellings would generate a substantial increase in daily traffic on the local highway network serving Albrighton. The suitability of a route for cycling must therefore be considered in the circumstances that will arise when the development is operational, rather than simply by reference to existing traffic conditions.
- 3.8 An important feature of LTN 1/20 is that it recognises that the appropriate level of protection for cyclists is related to the speed and volume of motor traffic and, importantly, to the type and level of cycling that the infrastructure is intended to accommodate.
- 3.9 There will always be highly confident and experienced cyclists who are willing to cycle in conditions involving relatively high traffic speeds or traffic volumes. That does not, however, establish that the same conditions are suitable for the population generally.
- 3.10 The purpose of planning for cycling as part of a sustainable development is not simply to accommodate those who are already confident enough to cycle in challenging conditions. It is to provide infrastructure capable of supporting a broader range of potential cyclists, including those who may be less confident or less experienced.

- 3.11 The fact that cyclists are currently observed on the relevant roads is therefore unsurprising and does not demonstrate that those roads provide suitable infrastructure for the future residents of the Appeal Site. In particular:
- confident and experienced cyclists may be willing to cycle in conditions involving relatively high traffic speeds and/or traffic volumes; and
 - existing traffic volumes are materially lower than those anticipated once the proposed development is fully operational.
- 3.12 The existence of current cycling activity is therefore evidence of use, but it is not, without further analysis, evidence of suitability for the wider population or of the adequacy of the infrastructure to accommodate additional cycling demand generated by the proposed development.
- 3.13 The Appellant's reliance on Strava data does not address that distinction. In particular:
- there is no information as to the period over which the data were collected;
 - there is no information demonstrating the number of individual cyclists represented by the recorded journeys. For example, 1,000 recorded journeys could represent 1,000 individuals or a single individual making the same journey repeatedly; and
 - Strava is a platform used by cyclists and other athletes to record their activities. It cannot therefore be assumed that its users are representative of the full range of people who might reasonably be expected to cycle from a new residential development.
- 3.14 The Strava data may demonstrate that some cyclists are prepared to use the roads. They do not demonstrate that the routes are suitable for less confident cyclists or that the infrastructure would encourage the wider population to cycle.
- 3.15 This is an important distinction when considering the sustainability of the proposed development because assessing the future sustainability of the Appeal Site needs to consider if the existing and proposed cycling infrastructure would provide sufficiently safe, comfortable and attractive routes for a sufficiently wide range of potential cyclists to make cycling a realistic alternative to the private car, rather than simply stating that some people cycle currently.
- 3.16 This is particularly important because a number of the everyday destinations relied upon in assessing the sustainability of the Appeal Site are beyond reasonable walking distances. Cycling therefore has an important role to play in providing access to those destinations without reliance upon the private car.
- 3.17 Where cycling is necessary to provide a meaningful sustainable transport option, the adequacy of the cycling infrastructure cannot be demonstrated simply by showing that some experienced cyclists currently use the existing highway network.
- 3.18 The Appellant has simply failed to undertake an adequate assessment of the level of cycling infrastructure required to accommodate the proposed development in accordance with recognised guidance.

- 3.19 As a consequence, the Appellant has failed to demonstrate that the existing highway network would provide suitable cycling conditions for the future residents of the development. It has also failed to identify and provide appropriate mitigation where the existing infrastructure would not provide the level of protection required to enable cycling to be a realistic option for the wider population.
- 3.20 At paragraph 5.26, the Appellant refers to Active Travel England's *Rural Design Guide* ("RDG")¹. The RDG was issued in July 2026. Accordingly, the assessment of the Appeal Site and the relevant decision-making process pre-dates its publication. The RDG could not therefore have formed part of the evidence base informing the Appellant's original assessment or the decision under appeal.
- 3.21 The Appellant has simply failed to assess the level of infrastructure needed in the future and so failed to identify that the majority of potential cyclists will be deterred from cycling.
- 3.22 In any event, the RDG does not provide a precise definition of "rural". It expressly states:
- 'The guidance does not seek to make a precise definition of rural areas. People involved in planning and designing active travel routes can use the parts of this guidance that are relevant to them.*
- It may also be applied to locations within urban areas that are similar in character to the countryside, such as country parks, canal towpaths, disused railway lines and the urban fringe.'*
- 3.23 The RDG therefore does not establish that the routes in question should be treated as rural simply because they are outside a major urban centre or because the Appeal Site is located at the edge of the settlement.
- 3.24 The roads between the Appeal Site and the relevant everyday destinations have characteristics which are more appropriately described as urban or built-up in character. These include:
- continuous built-up frontage;
 - residential, commercial, educational and other development directly adjoining the highway;
 - frequent side roads, junctions and accesses;
 - kerbs and footways;
 - street lighting;
 - bus stops and public transport activity, albeit limited; and
 - on-street parking and loading, both controlled and uncontrolled.
- 3.25 Nevertheless, even if it were concluded that the existing road network between the Appeal Site and destinations within Albrighton should properly be treated as rural in character, the conclusion reached would not materially assist the Appellant.

¹ CD2.25

- 3.26 The RDG provides guidance on the appropriate level of protection for cyclists in rural environments, including the circumstances in which cycling in mixed traffic may be appropriate.

Table 4-3: Appropriate protection from motor traffic on highways

Table legend: **Green** – Provision suitable for most people. **Amber** – Provision not suitable for all people and will exclude some potential users and/or have safety concerns. **Pink** – Provision suitable for few people and will exclude most potential users and/or have safety concerns.

Speed limit ¹	Total motor traffic flow (pcu/24 hour) ^{2,3}	Protected space for walking/ wheeling ⁴ – fully protected footway	Protected space for walking/ wheeling ⁴ – virtual footway	Walking/ wheeling in mixed traffic	Protected space for cycling ⁴ – fully protected cycle track	Protected space for cycling ⁴ – stepped cycle track	Protected space for cycling ⁴ – light segregation	Cycle lane (mandatory/ advisory)	Cycling in mixed traffic ⁵
20mph ³	0–999	Suitable for most	Suitable for most	Suitable for most	Suitable for most	Suitable for most	Suitable for most	Suitable for most	Suitable for most
	1,000–1,999	Suitable for most	Suitable for most	Suitable for most to not suitable for all	Suitable for most	Suitable for most	Suitable for most	Suitable for most	Suitable for most
	2,000–3,999	Suitable for most	Suitable for most to not suitable for all	Not suitable for all to suitable for few	Suitable for most	Suitable for most	Suitable for most	Suitable for most	Suitable for most to not suitable for all
	4,000–5,999	Suitable for most	Not suitable for all	Suitable for few	Suitable for most	Suitable for most	Suitable for most	Suitable for most to not suitable for all	Not suitable for all
	>6,000	Suitable for most	Not suitable for all	Suitable for few	Suitable for most	Suitable for most	Suitable for most	Not suitable for all	Not suitable for all to suitable for few
30mph	0–1,999	Suitable for most	Not suitable for all	Suitable for few	Suitable for most	Suitable for most	Suitable for most	Not suitable for all	Not suitable for all
	2,000–3,999	Suitable for most	Not suitable for all	Suitable for few	Suitable for most	Suitable for most	Suitable for most	Not suitable for all	Not suitable for all to suitable for few
	4,000–5,999	Suitable for most	Not suitable for all	Suitable for few	Suitable for most	Suitable for most	Suitable for most	Not suitable for all to suitable for few	Suitable for few
	>6,000	Suitable for most	Not suitable for all	Suitable for few	Suitable for most	Suitable for most	Suitable for most	Suitable for few	Suitable for few
40mph	Any	Suitable for most	Suitable for few	Suitable for few	Suitable for most	Not suitable for all	Not suitable for all	Suitable for few	Suitable for few
50mph	Any	Suitable for most	Suitable for few	Suitable for few	Suitable for most	Suitable for few	Suitable for few	Suitable for few	Suitable for few

- 3.27 When the relevant provisions of the RDG are compared with the corresponding guidance in LTN 1/20, as set out at Plate 4.1 of my evidence, there is little material difference in the ranges of traffic speed and daily traffic volume within which cycling in mixed traffic may be considered suitable for most or all cyclists.
- 3.28 Accordingly, whether the routes are characterised as urban/built-up or rural does not remove the need to consider the speed and volume of motor traffic and the level of protection required for the intended users. On either approach, the Appellant has not demonstrated that the existing highway network would provide an appropriate level of cycling provision for the future residents of the proposed development.

4.0 PUBLIC TRANSPORT STRATEGY AND DELIVERABILITY

4.1 Paragraph 5.36 of the Appellant's evidence states:

"I remain in agreement with both the LHA and ATE that the provision of a bus service through the site would further enhance the sustainability credentials of the site."

4.2 I disagree with this characterisation for two reasons. First, I do not consider that the provision of a bus service would merely "further enhance" the sustainability credentials of the Appeal Site. Given the scale and location of the Proposed Development, the provision of an effective public transport service is a fundamental component of any strategy to achieve sustainable patterns of movement. In the absence of such a service, the sustainability credentials of the Appeal Site would be materially diminished.

4.3 Second, I do not consider that the evidence cited demonstrates that either the Local Highway Authority ("LHA") or Active Travel England ("ATE") considers the bus service to be merely an additional enhancement. The quotation from ATE relied upon at paragraph 5.35 of the Appellant's evidence states:

"a suitable Public Transport Strategy should be brought forward at the earliest opportunity, and conditioned as appropriate, as it will influence travel patterns from the development and dictate how ambitious travel plan targets might be met."

4.4 There are three important points arising from this advice.

1. ATE describes the Travel Plan targets as "ambitious". This does not amount to an endorsement that the targets are realistic or likely to be achieved. Rather, it indicates that their achievement will depend upon the successful implementation of measures capable of influencing travel behaviour.
2. ATE expressly identifies the Public Transport Strategy as a measure which will "influence travel patterns from the development". This supports the position that the availability and quality of public transport will be material to the manner in which residents choose to travel.
3. ATE states that a suitable Public Transport Strategy should be brought forward "at the earliest opportunity". This indicates the importance of establishing public transport provision at an early stage if sustainable travel patterns are to be achieved, rather than seeking to alter established travel behaviour at a later stage.

4.5 At the time that the planning application was determined, the timing and status of the public transport proposals had not been resolved. The Local Planning Authority was required to determine the application on the basis of the evidence available at the time of its decision which was that public transport proposals remained unresolved.

4.6 I understand from the Appellant's evidence that the Highways Statement of Common Ground, to which I am not a party, recorded that the LHA would provide feedback before the commencement of the Public

Inquiry regarding the public transport proposals in order to resolve this matter. Paragraph 5.36 of the Appellant's evidence indicates that the position regarding public transport proposals remains unresolved.

- 4.7 In the absence of a final response from the LHA, the Appellant has nevertheless presented its own proposed two phase approach to the provision of public transport comprising:
1. Phase 1 - up to 250 occupations. Provision of a Shuttle Bus service between the Appeal Site, Albrighton High Street and Albrighton Railway Station; and
 2. Phase 2 - after occupation of 250th dwelling. Provision of a new bus route operating once per hour, connecting to Albrighton Railway Station, Cosford, Shifnal, Telford and Wolverhampton. This would supplement the existing 891 bus service.
- 4.8 I consider that the broad approach proposed is, in principle, reasonable. However, neither of the proposed services would provide an evening service after 7.00 pm and no Sunday service. For a development ultimately proposed to accommodate approximately 2,000 residents, these limitations are significant.
- 4.9 A service which is unavailable during the evening and on Sundays will not provide a realistic alternative to the private car for a substantial range of journeys and journey purposes. Many residents will therefore choose to own a car as well to undertake journeys for the periods when an hourly service is not sufficiently convenient or no busses operate at all. As residents become used to the convenience and flexibility of using the private car, demand for public transport services will diminish
- 4.10 The proposed Phase 1 minibuss section 106 requirement appears to require Boningale to provide the service annually up to the occupation of the 250th dwelling.
- 4.11 Turning to the Phase 2, it is unclear from the proposed section 106 requirement whether the bus subsidy is intended to be paid annually in perpetuity or if it is intended to be a one-off payment. Appendix AM.3 of Miss Meers' evidence refers in column 3 to the cost of £372,538 as being an annual cost (index linked) but the delivery mechanism being a fixed payment per dwelling or retail unit. The section 106 requirement should expressly and unambiguously make clear if the payment is a one off or an on-going subsidy arrangement. Importantly, as presently understood, the section 106 requirement appears to provide for the payment of a financial contribution rather than directly securing the provision of the service.
- 4.12 In the case of both Phases, it is unclear if they are intended to be on-going commitments by the Appellant. If they are intended to be on-going commitments then, in the event that Boningale Developments Limited were to cease trading, enter insolvency proceedings or otherwise cease to exist, the mechanism by which the section 106 requirement would continue to be secured would need to be

clear. The section 106 requirement should therefore include appropriate provisions to ensure that responsibility for the provision of the service is capable of transferring to a successor landowner or other appropriate party.

- 4.13 A financial contribution, without a sufficiently clear and enforceable mechanism requiring the continuing provision of the bus service for the period necessary to mitigate the transport impacts of the Proposed Development, does not necessarily secure the outcome upon which the Appellant's transport case relies.
- 4.14 The section 106 requirement should therefore clearly identify:
1. the nature and duration of the public transport commitment;
 2. the party responsible for providing or funding the service; and
 3. the mechanism by which the section 106 requirement will remain enforceable following the disposal of the Appeal Site by the Appellant.
- 4.15 In particular, the section 106 requirement should address the position following completion of the development and disposal of the individual dwellings. If the developer no longer retains an interest in the land, the mechanism for securing the continuing financial contribution and/or service provision must remain effective without requiring enforcement against a potentially large number of individual residential freeholders.

Affordability and Financial Viability of the Proposed Bus Service

- 4.16 Paragraph 5.51 of the Appellant's evidence assumes that passengers travelling by bus would pay £2 for each journey. Accordingly, a return journey to and from the railway station would cost £4.
- 4.17 For a person who already owns and has access to a car, this compares unfavourably with the availability of free on-street parking within a few hundred metres of the railway station. The £4 return bus fare therefore presents a financial barrier for existing car owners to transfer from private car to bus, whether using the Phase 1 shuttle service or Phase 2 bus service.
- 4.18 This is particularly significant given that the proposed bus service would end at 7.00 pm on weekdays. It would therefore not be available to residents returning from work after that time and would not operate on Sundays.
- 4.19 Paragraph 5.51 seeks to demonstrate that the Phase 2 proposed single-deck bus service, which would replace the shuttle bus, could in time become self-financing. However, the figures presented do not demonstrate this.

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- 4.20 Paragraph 5.50 identifies an annual subsidy requirement of £372,538 to operate the bus service. Paragraph 5.51 estimates annual fare revenue of £223,146, based upon 441 new two-way trips per day (excluding trips to and from the secondary school) and a fare of £2 per trip.
- 4.21 On those figures, and absent an annual subsidy, the service would have an annual shortfall in funding of £149,392. It would therefore not be self-financing on the basis of the fare revenue attributed to the Proposed Development.
- 4.22 The Appellant implies at paragraph 5.51 that additional fare revenue from passengers already living along the proposed bus route would address this shortfall. However, as the Phase 2 bus route is simply a minor modification to the existing 891 bus route, those passengers may already be using existing bus services because they live on the existing 891 bus route. To the extent that existing bus passengers transfer from an existing service to the proposed service, their fares would not represent wholly new revenue generated by the Proposed Development. Instead, there may simply be a redistribution of existing passengers and fare income between the two services. In short, any fares collected by the Phase 2 proposed route would represent an equivalent loss of fare revenue for the existing 891 route thereby reducing the viability of the existing route.
- 4.23 For the Appellant's proposition to demonstrate that the proposed phase 2 bus service could become commercially self-financing, there would therefore need to be a substantial net increase in bus patronage from existing residents living along the 891 route or other additional revenue beyond that which would merely be transferred from existing services. The Appellant has provided no evidence that such an uplift in patronage from the existing community is realistic.
- 4.24 Moreover paragraph 5.52 claims that there would be 441 bus trips each day, with each passenger paying £2 per trip, equivalent to £4 for a return journey. The figure of 441 trips is derived from Table 3 of CD7.8.
- 4.25 A closer look at Table 3 of CD7.8 reveals a prediction that 340 of the 441 daily bus trips relied on would be made by people travelling for the sole purpose of utilising the proposed "supermarket" within the Appeal Site. It is unlikely that a substantial, if any, proportion of those travelling by bus to the proposed supermarket would be residents of the Appeal Site itself. Residents living within reasonable walking distance of the supermarket within the Appeal Site would have limited reason to make a bus journey for that purpose. The Appellant's assumption on fare revenue therefore relies on an average of approximately 170 people wanting to travel to the supermarket from outside the Appeal Site by bus on each operating day.
- 4.26 This represents a substantial level of bus patronage generated solely by trips to the proposed supermarket. The evidence does not adequately explain the basis for this level of assumed demand. I
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consider it very unlikely that this many people from outside of the Appeal Site, would choose to travel to a supermarket within the Appeal Site by bus every day.

- 4.27 Importantly, people from outside the Appeal Site travelling to the supermarket by bus cannot automatically be assumed to represent “new” fares. If they have the propensity to travel for food shopping by bus, then they are likely already to be travelling for food shopping by bus to an existing location. The proposed supermarket would therefore divert their destination for food shopping to the Appeal Site from their current destination but this does not represent an overall increase in fare revenue. Again any fares collected on the Phase 2 proposed route from people travelling to the new supermarket would represent an equivalent loss of fare revenue for the existing 891 route thereby reducing the viability of the existing route.

Conclusion

- 4.28 The evidence does not demonstrate that the proposed public transport arrangements would provide a sufficiently effective, reliable and long-lasting alternative to private car travel for the scale of development proposed. While the broad principle of providing a phased bus service is reasonable, the absence of evening and Sunday services throughout materially limits its usefulness and consequently its ability to influence travel behaviour and secure sustainable travel patterns.
- 4.29 The long-term delivery and financial viability of the proposed services is also unclear. The figures relied upon by the Appellant do not demonstrate that the Phase 2 service would become self-financing, with a significant annual funding shortfall remaining even before the assumptions regarding additional passengers using the proposed route are considered. In particular, the reliance upon substantial patronage associated with the proposed supermarket does not, in itself, establish that there would be a corresponding net increase in bus trips or fare revenue generated by the Proposed Development, even the forecast patronage is considered to be realistic.
- 4.30 The section 106 requirement should provide a clear, enforceable and durable mechanism for securing the required public transport provision. It should unambiguously establish the nature and duration of the commitment, the party responsible for its delivery and funding, and how the section 106 requirement will continue to operate following disposal of the development and any subsequent change in ownership. In the absence of such safeguards, there is insufficient certainty that the public transport measures relied upon by the Appellant would be delivered and maintained at the level necessary to mitigate the transport impacts arising from the Proposed Development.
- 4.31 Accordingly, whilst public transport provision could make an important contribution to the sustainability of the Appeal Site, the evidence presently before the Inquiry does not demonstrate that the proposed arrangements would provide a sufficiently comprehensive, financially robust, enduring and enforceable alternative to private car travel.

5.0 MATTERS ARISING FROM 2026NPPF

Locating Development in Sustainable Locations and Designing for Sustainable Travel

- 5.1 Policy TR3 is the principal new national decision-making policy on locating development in sustainable locations. It carries forward, and makes more explicit, the substance of former NPPF paragraph 110. Development generating a significant amount of movement should be in a location which is sustainable or can be made so, limiting the need to travel particularly by private car and offering a genuine choice of transport modes.
- 5.2 Moving on to requirement GB7(1)(g)(iii), this ties in Policy TR3 to the decision making process for Grey Belt sites and reinforces ADAG's case made on the transport and locational evidence at paragraphs 4.17-4.22 and 5.5-5.6 of the Planning Proof of Evidence. For the reasons in that evidence, the Appeal Site has not been demonstrated to be a sustainable location in transport terms and does not offer a genuine choice of transport modes.
- 5.3 The Rule 6 Party's evidence is directly responsive to TR3. In summary:
1. Walking: from the approximate centre of the Site there are no existing principal services or facilities within the recognised 800 metre walkable neighbourhood.
 2. Cycling: there is no existing cycle infrastructure connecting the Site to the centre of Albrighton, and the Highways evidence concludes that cycling is unlikely to represent an attractive and realistic choice for most residents.
 3. Public transport: existing bus stops are beyond reasonable walking distance, services are limited, a development bus service is not presently secured from first occupation throughout the life of the development, and the railway station is remote from the Site with only an hourly service.
- 5.4 Policy CC2 provides further support for this approach by requiring, where relevant, development to accord with TR3 and TR4 so that sustainable patterns of movement are prioritised, and to support good access to facilities in order to limit the need to travel. The new Framework therefore retains a clear policy thread linking the location of development, access to day-to-day facilities and the reduction of private-car dependence.
- 5.5 Policy HO9 relates to specialist forms of accommodation and states that specialist housing for older or disabled people should be located where residents can access frequently used services easily and safely by walking, wheeling (including by mobility scooter), and by public or on-site transport services, including through facilities provided as part of the scheme.
- 5.6 My overall conclusion is that the Appeal Site does not provide a genuine choice of sustainable transport modes for future residents. In particular, the NPPF expressly identifies walking, wheeling and public

transport as sustainable transport modes. The location of the Appeal Site therefore fails to provide the level of accessibility required by Policy HO9 for specialist accommodation.

- 5.7 Accordingly, the Proposed Development is contrary to Policy HO9 in respect of the suitability of the Appeal Site as a location for an 80-unit care home.

Assessing Transport Impacts

- 5.8 Policy TR6 sets out the policy requirements for assessing transport impacts. The sections relevant to the Appeal Site are as follows:

TR6(2)

- 5.9 TR6(2) requires the following:

'Transport assessments and statements, and travel plans, should reflect the transport vision for the development and the transport strategy for the area in which it is located, and how these are intended to be achieved (including, in the case of travel plans, identifying fallback options if initial measures do not deliver the expected outcomes).'

- 5.10 I have reviewed the Travel Plan in the context of the TR6(2) requirement that Travel Plans should identify "fallback options if initial measures do not deliver the expected outcomes" and have been unable to find a section which deals with fallback options.

- 5.11 Indeed, the final actions of the Action Plans presented in Tables 13 and 14 of the Travel Plan, which are scheduled to be undertaken after 5 years of Travel Plan implementation, are identical and state:

Review of TP performance as a whole and effectiveness measured against set targets.

Prepare handover TP summary to submit to SC.

- 5.12 In short, the Appellant's Travel Plan, as drafted, appears to be a "reasonable endeavours" commitment to meeting the targets, but provides no fallback options for the scenario in which the initial measures do not deliver the expected outcomes. Instead, it simply measures the final outcomes, hands the summary report to Shropshire Council and then closes down, irrespective of the outcomes achieved.

- 5.13 This is clearly contrary to Policy TR6(2).

TR6(3)

- 5.14 TR6(3) requires the following:

'In assessing movement patterns and potential impacts, including whether they are considered to be severe, reasonable future scenarios should be considered, taking into account impacts at relevant times

of the day, potential cumulative impacts, multimodal trip generation and the promotion of sustainable modes of travel, and realising the transport vision for the development itself. Development proposals should be considered having regard to these potential impacts and the other policies in this Framework which are relevant (including TR3, TR4 and DP3(2)(d)).'

- 5.15 I have raised my concerns at paragraphs 3.20 to 3.26 that the Appellant has only considered the future scenario in which all the potential facilities, including a secondary school, are provided within the Appeal Site.
- 5.16 In the previous version of the NPPF the requirement to assess "all reasonable future scenarios" was included in paragraph 116 and so linked directly with tests on which to prevent or refuse development on highways grounds.
- 5.17 In contrast, at TR6(3), the 2026NPPF has decoupled the need to consider "reasonable future scenarios" from the limited application in paragraph 116 of the 2024NPPF. It is now also a material planning consideration in a sustainability context rather than limited only to the issue if residual cumulative impacts and highway safety.
- 5.18 The Appellant's transport evidence relies on the provision of facilities with the Appeal Site both in terms of providing facilities within walking distance² and to justify a reduction in overall trip generation of 15%³.
- 5.19 As I have set out in my proof of evidence at paragraphs 3.20 - 3.26 it is not the case that these facilities are being provided by the Appellant. The Appellant has instead safeguarded land within the Appeal Site for the provision of these facilities and is not in a position to guarantee either their delivery or the timing of their provision.
- 5.20 There is therefore a "reasonable" future scenario in which these facilities are not provided.
- 5.21 This is particularly the case in relation to the Secondary School. The Council's own education expert, Rachel Reynolds, has provided evidence to this Inquiry that a secondary school is not justified at the Appeal Site and has identified the Council's preference that the secondary school demand arising from the Appeal Site would instead be accommodated at Idsall School⁴.
- 5.22 There may be an argument as to the reasonableness or otherwise of considering only a scenario in which the supermarket/medical centre/nursery/flexible office space is provided. However, the Appellant has not addressed the Council's response and evidence regarding the likelihood of a secondary school being delivered within the Appeal Site. Instead, it has assessed only a scenario in which all of these

² Various references but particularly note CD1.11 para 5.32 bullets 1 (provision of a secondary school) and 4 (supermarket/medical centre/nursery/flexible office space)

³ Various references but note CD7.5 Table 4 title and note to Table 4.

⁴ Rachel Reynolds Proof of Evidence, paragraph 7.6

facilities, including the Secondary School, are delivered in full. It is also noteworthy that at paragraph 3.176 of her evidence⁵, Megan Wilson presents the scenario that should a secondary school prove not to be necessary, then the land identified for secondary school use would remain in agricultural use. The scenario that the secondary school is not delivered is clearly one which the Appellant has given thought to.

5.23 Given the evidence presented by the Council to this Inquiry regarding the provision of a secondary school within the Appeal Site, and the fact that the Council is also the Local Education Authority with statutory responsibility for forecasting and planning for educational provision, it is my opinion that a scenario in which there is no secondary school within the Appeal Site is, at the very least, a “reasonable future scenario” for the purposes of TR6(3). Indeed, in light of the Council’s evidence, I consider that it is the more reasonable of the two scenarios.

5.24 At the very least, the two scenarios cannot properly be said to be anything other than of sufficient weight to require consideration. In those circumstances, TR6(3) is clear that both reasonable future scenarios should have been assessed. The Appellant’s failure to assess a scenario in which the Secondary School is not provided means that the Proposed Development has not been assessed in accordance with the requirements of Policy TR6(3) and is therefore contrary to that policy in this regard.

TR6(4)

5.25 TR6(4) requires the following:

‘Development proposals should be refused if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety; taking into account any mitigation measures proposed as well as any wider network improvements, including measures to support sustainable patterns of movement. This applies both during the construction phase and following completion.’

5.26 TR6(4) is similar to paragraph 116 of the 2024NPPF. However, it differs in two very distinct respects:

1. the policy directs that development “should be refused” if it would result in a severe adverse impact on the transport network or an unacceptable impact on highway safety; and
2. this direction applies both to the construction phase and to the completed development.

5.27 I have reviewed the transport assessment documents submitted by the Appellant in support of the planning application for the Appeal Site together with documents submitted following refusal including the proof of evidence of Miss Meers. These include:

⁵ CD1.10

1. The Transport Assessment⁶;
2. The Travel Plan⁷; and
3. The Appellant's Highways Proof of Evidence⁸

- 5.28 My review has identified no assessment of construction-phase transport impacts in any of these documents. Indeed, there is no consideration of the construction phase at all.
- 5.29 The Appellant has therefore failed to demonstrate that the Proposed Development would not result in a severe adverse impact on the transport network, in terms of capacity and congestion, including cumulative impacts, or an unacceptable impact on highway safety during the construction phase.
- 5.30 Whilst it may historically have been considered acceptable to defer the assessment of construction impacts to the post-permission stage, through the imposition of a condition requiring those impacts to be assessed and mitigation identified prior to commencement on site, that approach is no longer consistent with the requirements of TR6(4).
- 5.31 The 2026 NPPF is clear that impacts on the transport network in terms of capacity and congestion, and impacts on highway safety during the construction period, are matters to be considered before planning permission is granted.
- 5.32 In the absence of any assessment of construction-stage transport impacts, it cannot be concluded that the Proposed Development would not result in a severe adverse impact on the transport network, in terms of capacity and congestion, including cumulative impacts, or an unacceptable impact on highway safety during the construction phase.
- 5.33 In these circumstances, and given the express terms of TR6(4), planning permission should be refused.

⁶ CD7.1 – 7.4

⁷ CD7.5

⁸ CD1.11

6.0 CONCLUSION

- 6.1 My review of Miss Meer's evidence has not led me to change my conclusion set out in Section 6 of my evidence with regard to the accessibility of the Appeal Site which is that the Proposed Development would not provide a genuine choice of transport modes meaning that future residents and visitors would remain heavily reliant on private car travel, and the development would not achieve the sustainable patterns of movement sought by national planning policy, which are now established in policy TR3 of the 2026NPPF.
- 6.2 Having regard to the 2026NPPF, I would now also conclude that the Proposed Development is contrary to:
1. Policy TR6(2) because the Travel Plan provides no fallback options for the scenario in which the initial measures do not deliver the expected outcomes, The Travel Plan just ends five years after implementation irrespective of outcomes.
 2. Policy TR6(3) because the Appellant has not assessed all reasonable future scenarios. It is the evidence of the statutory education provider that there is no requirement for a secondary school within the Appeal Site and that furthermore, the preference is to utilise an existing secondary school. The scenario in which there is no secondary school located within the Appeal Site has not been considered by the Appellant.
 3. Policy TR6(4) because the Appellant provides no assessment of transport impacts during the construction phase of development and indeed makes no reference at all to the construction phase in the transport assessment evidence. It cannot therefore be concluded that the Proposed Development would not result in a severe adverse impact on the transport network, in terms of capacity and congestion, including cumulative impacts, or an unacceptable impact on highway safety during the construction phase. In these circumstances, and given the express terms of TR6(4), planning permission should be refused.