



# **Community Objections submitted on behalf of Albrighton Village Action Group**

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

28<sup>th</sup> August 2024

## Contents

1. Executive Summary	3
2. Introduction	6
3. Conflict with the plan-led system and the Local Plan	7
4. Effect on Green Belt	11
5. Effect on landscape and character of the area	21
6. Effect on the Historic Environment	23
7. Loss of best and most versatile agricultural land	30
8. Highway matters	32
9. Impacts on infrastructure	36
10. Biodiversity	40
11. Other issues	43
12. Conclusion	47

Appendix A: SLAA (2018) Appendix A – Assessment summary in and around Strategic, Principal and Key Centres

Appendix B: Relevant Policies

**Prepared by Stuart Crossen BA (Hons) PgCert PgDip MA MRTPI – July 2024**

**SUTTON COLDFIELD | CASTLE DONINGTON**

Cerda Planning Limited Registered in England No 06519953

## 1. Executive Summary

1.1 A major housing development is currently proposed near to the settlement of Albrighton.

1.2 Our clients are a Community Action Group who wish to make known their strong objections to the above planning application which propose significant development near to Albrighton of an era defining scale. Our principal areas of concern in relation to the proposed developments relate to the following:

- Conflict with the plan-led system and the Local Plan;
- Green Belt;
- Landscape and character impacts;
- Heritage impacts;
- Loss of best and most versatile agricultural land;
- Highway matters;
- Impacts on infrastructure and;
- Biodiversity considerations;

1.3 The Development Plan is the starting point for decision making and development proposal. Where there is conflict with it, applications should be refused unless other material considerations indicate otherwise. The Council concludes in their 2023 five-year housing supply statement that they can demonstrate “*sufficient deliverable dwellings for 5.91 years supply of deliverable housing land against the housing requirement within the adopted Development Plan and 7.63 years supply of deliverable housing land against local housing need calculated using Governments standard methodology (2023 base date).*”<sup>1</sup>

---

<sup>1</sup> Shropshire Council – Five Year Housing Land Supply Statement (2023)

- 1.4 The proposed site is located outside the defined built-up area boundary of the existing settlements of Albrighton. No special circumstances have been demonstrated that would presently warrant support in principle for the development of the site and the resultant encroachment of built development in the countryside, contrary to the plan led system and the sustainable spatial strategy of the Local Plan. This conflict with the plan led system indicates an unsustainable development from the outset. In considering the three dimensions of sustainable development and whether there is a mutual balance reached under the proposals, it is evident that there are some limited social and economic benefits of the scheme through the provision of new housing and infrastructure development. However, these benefits could easily be replicated on other sites which are less harmful and more sustainable coming forward under the plan-led approach and thus add little weight to the overall planning balance which is tipped heavily towards the harmful effects of the scheme.
- 1.5 The application proposes development which would cause significant environmental harm. The proposed development is considered to have a detrimental impact on the landscape and character of the area by virtue of introducing new development and supporting highway infrastructure on a prominent site which form a key component of the historic character and appearance of the area.
- 1.6 Harm to heritage assets is also of significance, the scale of the development and its individual and cumulative impacts on the historic environment would result in irreversible harm to the significance of a number of conservation areas, listed buildings and archaeology (which has yet to be adequately explored) which are not outweighed by the public benefits.
- 1.7 The following issues weigh significantly against the development:
- transportation,
  - detachment from the District Centre,
  - effect of the development on the local area and resultant impacts on the landscape, agriculture land provision,
  - ecology
  - historic environment.

- 1.8 The benefits of the development are not sufficient to outweigh the harm identified, with the environmental harm instead considerably outweighing the benefits of the scheme. These proposals are unplanned and contrary to the emerging strategy of the Development Plan to provide the sustainable delivery of housing across the Borough advocated by the plan led system. With the site not featuring in the plan and having been discounted by the Council in its preparation of the Local Plan Review, this is a further indication that the development is not sustainable in principle, and the specific environmental harm which arises from the development confirms this. Consequently, it is not considered that there are other material considerations which outweigh strong direction in the National Planning Policy Framework (NPPF) to refuse development which gives rise to such wide-ranging negative impacts on areas and interests that it seeks to preserve and enhance – especially when there are no overriding public benefits to the development and because the housing need evidence already demonstrates that Shropshire can meet its own needs and some of those emerging needs of the Black Country.
- 1.9 ET Planning have provided a sustainability statement and a thorough assessment of the current plan position which developments at Albrighton sits within. This document supports the findings of our representations and demonstrates why the proposed development should be refused.

## **2. Introduction**

- 2.1. This representation has been prepared by Cerda Planning on behalf of our client Albrighton Village Action Group, in objection to the planning applications described above.
  
- 2.2. Albrighton Village Action Group is a community group formed by and for the residents of Albrighton Village in response to Boningale Homes over-development proposals to build over 800 houses, a District Centre and Secondary School on 48 hectares of Green Belt south of Albrighton, on land, which is not allocated for, and which has already been assessed and rejected for any development in the Shropshire Local Plan.
  
- 2.3. This representation is divided into sections in order to cover our clients' main areas of concern.

### **3. Conflict with the plan-led system and the Local Plan**

- 3.1. The Strategic Land Availability Assessment (SLAA) evaluated the suitability, availability, and achievability (including viability) of land for housing and employment development. It encompassed the process previously known as the Strategic Housing Land Availability Assessment (SHLAA). The SLAA serves as a crucial component of the evidence base supporting the Shropshire Council Local Plan Review. Additionally, it informs Shropshire Council's approach to development delivery, with a focus on housing and employment across the region (excluding the Telford and Wrekin Council area). While the SLAA is an essential technical document, it does not directly allocate land for development or cover all locations where future growth will occur. Instead, it provides information that have determined appropriate sites for development during the plan-making process and which also provides evidence relevant to the determination of this planning application.
- 3.2. The 2018 SLAA considered the application site under two parcel references P36a and P36b. The respective assessment concluded that this site has no potential for residential use. Appendix A provides an extract which includes these relevant assessments.
- 3.3. This application is an attempt to circumvent the local plan process by forcing the Council to consider an application of such a scale that it would effectively shape the strategy for development within and around Albrighton for years to come – the plan and strategy for the area being led by a speculative planning application rather than the plan leading the strategy for development based on the true and appropriately considered needs of the area.
- 3.4. Whilst it is accepted that the Local Plan Review cannot be given full weight in the decision-taking arena of the spatial strategy for development within the Borough, the strategy as set out in the current adopted local plan can be given such weight and this document is what needs to guide new development proposals within the Borough. The Local Plan identifies sufficient housing sites in order to meet the long-term needs of the area and its residents.

- 3.5. The Shropshire Council Site Allocations and Management of Development (SAMDev) Plan was adopted in December 2015 – is still relevant and sets out sufficient sites to meet the needs of the Borough including the infrastructure required to support that development.
- 3.6. The proposed development is not included within the SAMdev Plan, nor the Draft Local Plan. Neither plan supports the significant proposed scale of development at the application site. The scale and infrastructure requirements of the proposed development would undermine the plan led mechanism to delivering the housing that the Council needs.
- 3.7. The proposals overall are considered to represent substantial harm by directly conflicting with the strategy of the Development Plan. The Core Principles of the NPPF include a plan-led approach and this reflects the statute. The strategic policies of the Core Strategy (Policies CS1 – CS9) reflect these core principles down to a local level. To approve development which is contrary to the Plan significantly undermines the confidence in the planning system and effectively makes the predictability of application proposals very uncertain on each and every case. This is clearly not the intention of the NPPF, nor could it override the legal duty in section 38(6) of the 2004 Act. In this sense, the harm to the plan-led system is very real and as such the proposals do not represent the type of sustainable development as is envisaged by the Local Plan and the NPPF.
- 3.8. The NPPF is a material consideration which does not have the same ‘status’ as the Development Plan as outlined within case law. In any case, whilst setting out the presumption in favour of sustainable development, the NPPF core principles make it clear that decisions should be genuinely plan-led, with such plans providing a predictable and efficient basis for ascertaining the outcome of development proposals. With this in mind, the Development Plan acts as the practitioners’ guide for what constitutes sustainable development within the District, particularly in terms of whether the development concerned accords with its strategic ‘direction’.
- 3.9. A grant of permission without clear and convincing material considerations of such importance so as to outweigh the very significant harms identified as a consequence of the development would undermine the very basis of the planning system in England, enshrined in statute.

- 3.10. Notwithstanding the recent Inspector decision which agreed that the Council can demonstrate a 5 year housing land supply (APP/L3245/Q/24/3344165), the applicant has undertaken a review of the Council's 5-year Housing Land supply and have concluded that the Council figure of 5.91 years should be reduced to 3.94.
- 3.11. According to the Shropshire Planning Policy Team, Shropshire Council annually prepares Five Year Housing Land Supply Statements to summarize the county's five-year land supply and housing delivery test position. The latest statement, with a base date of 31st March 2023, concludes the following:
  - 3.12. Shropshire currently has a 5.91-year supply of deliverable housing land against the housing requirement identified in the adopted Core Strategy (2011).
  - 3.13. There is a 7.63-year supply of deliverable housing land against the local housing need, calculated using the Government's standard methodology (2023 base date).
  - 3.14. Over the past three years, housing delivery in Shropshire has exceeded the required amount, achieving 152% of the national housing delivery test target. Consequently, there is a five-year supply of housing land across Shropshire, and the national housing delivery test has been met. Therefore, the relevant adopted plan policies remain up to date.
- 3.15. The applicant has not provided any evidence for which it can be concluded that Shropshire is not meeting their delivery targets for housing, and paragraph 11d of the NPPF is not therefore engaged.

- 3.16. The application for this development is ‘premature’ in accordance with NPPF paragraph 49 and granting permission for the development concerned would prejudice the outcome of the plan-making process. The developments proposed are so substantial and its impact would be so significant that the granting of permission would in effect predetermine the whole strategy for development in Albrighton. Approval of the application would impose development which would in effect shape the strategy for the location and scale of development in Albrighton and for Shropshire for many years to come, which is contrary to the strategy set out in the adopted Core Strategy and Local Plan, and fails to appropriately consider the wider needs of the Borough that can only be realised through the evidence gathering which support the plan-led approach for allocating development.

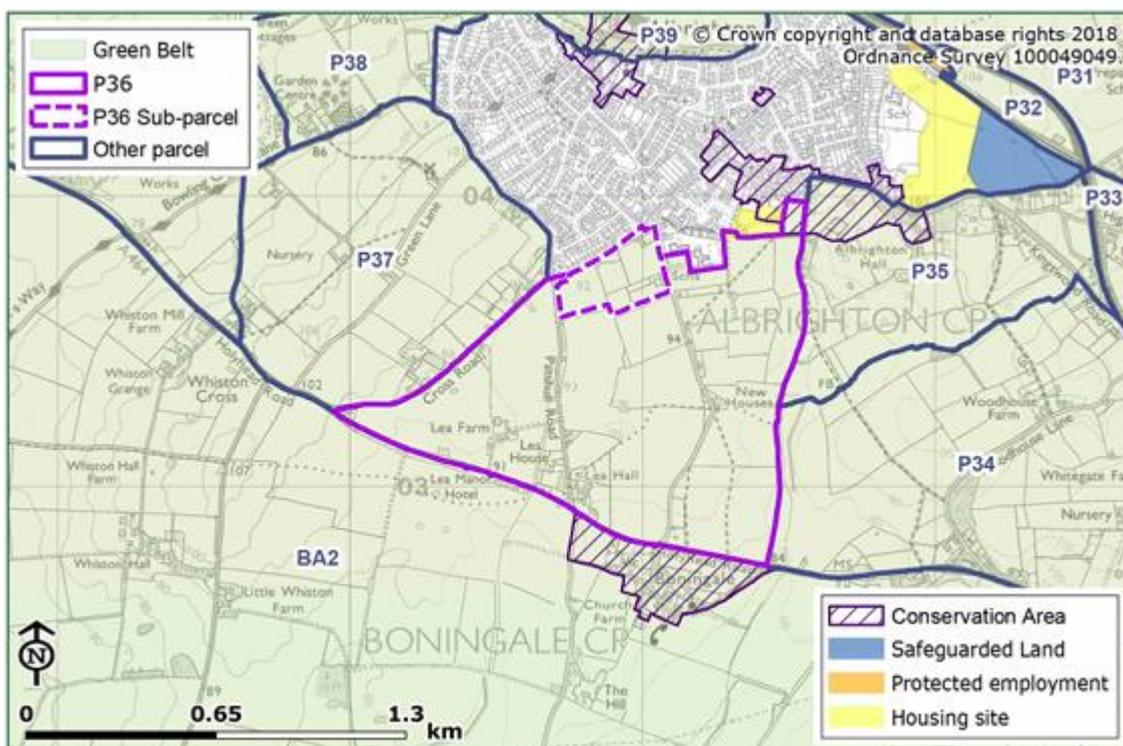
#### 4. Effect on Green Belt

##### Emerging Plan and Exceptional Circumstances

- 4.1. The National Planning Policy Framework paragraph 144 states that: *Once established, there is no requirement for Green Belt boundaries to be reviewed or changed when plans are being prepared or updated. Authorities may choose to review and alter Green Belt boundaries where exceptional circumstances are fully evidenced and justified, in which case proposals for changes should be made only through the plan-making process. Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period. Where a need for changes to Green Belt boundaries has been established through strategic policies, detailed amendments to those boundaries may be made through non- strategic policies, including neighbourhood plans.*
- 4.2. The application site is Green Belt and has recently been reviewed as part of the Evidence for the Shropshire Local Plan Review. LUC conducted a Green Belt Study commissioned by Shropshire Council. The study aimed to assess the potential harm associated with releasing areas designated as ‘Opportunity Areas’ from the Green Belt.
- 4.3. In the Stage 1 Assessment, Shropshire’s entire Green Belt was divided into 85 distinct land areas. These areas were evaluated based on their alignment with the Green Belt purposes outlined in paragraph 134 of the National Planning Policy Framework (NPPF). The primary goal was to assess the overall effectiveness of the Green Belt across the entirety of Shropshire.
- 4.4. The Stage 2 Green Belt Study builds upon the Stage 1 Assessment by incorporating the findings related to the contribution of parcels to the Green Belt purposes. Additionally, it evaluates the potential harm associated with removing parcels and Opportunity Areas from the Green Belt. This assessment considers both the impact on the integrity of the remaining Green Belt land and the strength of the remaining Green Belt boundaries.
- 4.5. The assessment for the application site in Albrighton was made under reference P36 and made the following conclusions:

*This parcel contains a limited amount of built development and is strongly associated with the wider area of open countryside to the south of Albrighton. Releasing this parcel from the Green Belt would lead to a significant level of encroachment on the countryside and a weakening of the neighbouring areas of Green Belt land. The openness of the land within the east of the parcel plays an important role in preserving the setting of the historical settlement area within Albrighton. Releasing Parcel P36 would compromise the role this Green Belt land is playing with regard to Purpose 4. It is considered that the release of this parcel as a whole from the Green Belt would lead to a High level of harm to the Green Belt in this local area.*

*A sub-parcel has been identified within Parcel P36 that would lead to a lower level of overall harm to the Green Belt if it was to be released. Sub-parcel P36 comprises a series of small fields in the north-western extent of the parcel, adjacent to the settlement edge of Albrighton. The sub-parcel is contained on two sides by the settlement edge. The sub-parcel is more closely associated with the settlement edge than land within the wider countryside to the south. Releasing this parcel from the Green Belt would be unlikely to significantly weaken the role neighbouring areas of land are playing as Green Belt with regard to Purpose 3. The Sub-parcel also does not play a significant role in contributing to the setting of the historic settlement. It is considered that the release of this sub-parcel from the Green Belt would lead to a Moderate level of harm to the Green Belt within this area.*



**Figure A1.8: Parcel P36**

- 4.6. The sub parcel referred to is seen in the plan above. It is the safeguarded land which adjoins the settlement boundary and does not include any land in the application site, therefore the application is referencing the wrong LUC assessment. The Council’s Planning Policy Team accepted the findings of the LUC Green Belt Study, safeguarded the sub parcel and concluded that the high harm found meant that a wider allocation was not suitable.
- 4.7. The Council did accept that Exception Circumstances existed to justify some Green Belt release as part of the recent and ongoing plan review. The emerging plan retains the application site as Green Belt.

Green Belt Assessment

- 4.8. Paragraph 142 of The NPPF states that *“the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence”*.
- 4.9. In the case of *Turner v SSCLG & East Dorset Council* [2016] EWCA Civ 466, the Court of Appeal affirmed that the Green Belt’s openness has both a spatial and a visual

dimension. Therefore, the lack of visual intrusion does not necessarily imply no impact on the Green Belt's openness. However, this also doesn't negate the existence of a visual aspect to the Green Belt's openness.

- 4.10. In the case of *R (on the application of Samuel Smith Old Brewery (Tadcaster) and others) (Respondents) v North Yorkshire County Council (Appellant)* [2020] UKSC 3, the Supreme Court endorsed paragraph 14 of *Turner*, emphasising that the term 'openness' is open-textured and considers various relevant factors specific to each case. However, determining how to account for visual effects falls within the realm of planning judgment rather than legal principle (as stated in paragraph 26). Notably, the absence of an express or implied requirement to address visual impact in the officer report led the court to conclude that there was no legal error. The Supreme Court also clarified that openness, as a concept, stands in contrast to urban sprawl and does not necessarily imply freedom from any form of development. Additionally, the visual characteristics of the land may factor into planning decisions related to this broad policy concept (as discussed in paragraph 22).
- 4.11. Paragraph 152 of the NPPF states that *"Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances."*
- 4.12. The NPPF lists 7 exceptions of development not considered inappropriate:
- a) buildings for agriculture and forestry;*
  - b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*
  - c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
  - d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
  - e) limited infilling in villages;*

*f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*

*g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: – not have a greater impact on the openness of the Green Belt than the existing development; or – not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.*

4.13. As the application is for new houses, not replacing any existing structures of similar size, is not infilling, limited affordable housing or previously developed land the scheme represents inappropriate development.

4.14. Other forms of development are also listed in the NPPF as being not inappropriate:

*a) mineral extraction;*

*b) engineering operations;*

*c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;*

*d) the re-use of buildings provided that the buildings are of permanent and substantial construction;*

*e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and*

*f) development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.*

4.15. Again, none of these exceptions apply to the development scheme.

4.16. The applicant must therefore demonstrate that Very Special Circumstances exist. The NPPF in paragraph 153 states: “When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”

- 4.17. In *Sefton Metropolitan Borough Council v SSHCLG & Jerry Doherty* [2021] EWHC1082 (Admin) the Judge Stated:

*“When paragraphs 143 and 144 are read together they can be seen as explaining that very special circumstances are needed before inappropriate development in the Green Belt can be permitted. In setting out that explanation they emphasise the seriousness of harm to the Green Belt in order to ensure that the decision maker understands and has in mind the nature of the very special circumstances requirement. They require the decision maker to have real regard to the importance of the Green Belt and the seriousness of any harm to it. They do not, however, require a particular mathematical exercise nor do they require substantial weight to be allocated to each element of harm as a mathematical exercise with each tranche of substantial weight then to be added to a balance. The exercise of planning judgement is not to be an artificially sequenced two stage process but a single exercise of judgement to assess whether there are very special circumstances which justify the grant of permission notwithstanding the particular importance of the Green Belt”.*

- 4.18. The evidence in the LUC Green Belt review and plan review is not challenged by the applicant. The issues of the Black Country unmet housing needs have been raised before during the examination, and are known by all parties, including both the Inspectorate and the Council. There has been a further regulation 19 consultation which addressed a need to find additional sites to meet the Duty Co-operate requirements agreed between Shropshire and Black Country Authorities. There is no new evidence to suggest that their approach is wrong, or that Shropshire must find any additional land. The Examination is due to continue in October.
- 4.19. The 2024 General Election also means a proposed reversal of the recent December 2023 NPPF changes which did not require Green Belt reviews. This means that Black Country Authorities and any Authority not currently at regulation 18 stage will now need to review their Green Belt as part of their strategic plan making and means that there are other authorities with Green Belt who are sequentially better placed to deliver housing to meet the Black Country and Birmingham strategic housing needs.

- 4.20. The NPPF makes clear that most development in the Green Belt is inappropriate and should be approved only in very special circumstances. The applicant has provided a list of claimed Very Special Circumstances which are individually considered below.

*Very Special Circumstances: The National Housing Crisis and the need for housing*

- 4.21. We acknowledge that the proposal would provide additional housing within the context of the Framework's aim of boosting housing supply as any development for housing in England would have. In the national context this scheme would make a minimal contribution to the housing supply and great weight should be given to the Green Belt harm that this development would result in, through its inappropriateness. It should also be noted that Shropshire are delivering in excess what the Standard method requires for per annum housing delivery.

*Very Special Circumstances: Time Expired Development Plan*

- 4.22. The Council has a five year housing land supply which was recently confirmed in appeal decision APP/L3245/Q/24/3344165, and the emerging plan would significantly boost the number of houses for Shropshire allocated in a plan. We recognise that it is possible that should the draft plan be adopted that an early plan review might be required, but whatever the outcome the emerging plan will deliver homes for at least 5 years and an early plan review would identify more suitable land for housing. For these reasons very little weight could be given to this proposed Very Special Circumstance.

- 4.23. At this point in the applicants Very Special Circumstances assessment, they move to a paragraph 11d assessment, having assessed the most important plan policies are out of date. As Very Special Circumstances do not exist, paragraph 11d is not relevant.

*Very Special Circumstances: Five-Year Housing Land Supply*

- 4.24. Evidence that the sites in the Councils 5 year housing supply cannot be delivered is not proven in the applicants submission. Allegations to the contrary are merely speculative so should not be given any weight in decision making. Even if weight could be given, the significant harm to the Green Belt this development would have on Green Belt purposes substantially exceeds the benefits of providing housing in this Authority Area, which in addition has an emerging plan with tested proposed allocations.

Very Special Circumstances: Crisis of Affordability in the Local Housing Market

- 4.25. The proposal would provide affordable housing provision in accordance with the current and emerging policy requirements, as would be required by any similar development proposal in Shropshire. The proposal does not therefore make any provision towards any historic shortfall in affordable housing, it merely provides the percentage of affordable housing it needs to provide to be policy compliant. As the scheme does not contribute to addressing any affordable housing shortfall there is no Very Special Circumstance.

Very Special Circumstances: Economic & Social Benefits from New Housing Developments

- 4.26. The limited benefits to the construction industry through the delivery of houses is noted but do not amount to very special circumstances and would be realised through any development scheme. The application site is the wrong location for elderly accommodation which would be better suited near to the centre of Albrighton.

Very Special Circumstances: Benefits arising from the provision of new housing in rural areas

- 4.27. Although the applicant can list general benefits that can be afforded through the provision of new housing in rural areas, there is no specific benefits identified for Albrighton. On the contrary, our representations set out why this scheme would result in harm to the existing centre and why it does not deliver the right infrastructure in the right place.

Very Special Circumstances: The provision of education facilities

- 4.28. The application does not demonstrate the need for a Secondary school and does not address the significant lack of Primary school places to serve the development. There is no Very Special Circumstance in this regard.

Very Special Circumstances: The provision of local shopping facilities / retail

- 4.29. There are three shops in the existing District Centre which serves the needs of the community and should be the focus for any new retail. The proposed site would be disassociated with the existing District Centre so would require some level of retail to deter future residents driving to the shops. 800 houses cannot sustain the level of retail proposed at the site, so it is clear that to succeed the applicant expects passing trade to sustain it. Consequently, the scheme will have a detrimental effect on the existing District

Centre and no Very Special Circumstances in this regard exist to justify a retail need at the application site.

Very Special Circumstances: The provision of Older Persons Specialist Accommodation

- 4.30. The application relies on national statistics and the wider area, there is no justification or demonstration of need in Albrighton which is already well served with accommodation closer to the centre. No Very Special Circumstances are justified for older person accommodation at the application site.

Very Special Circumstances: The provision of affordable housing

- 4.31. As explained against the housing affordability section, a large scheme providing a policy compliant proportion of affordable housing does not demonstrate that it is meeting any specific local issue to justify Green Belt release here and does not contribute proportionately to any existing shortfall.

Very Special Circumstances: The provision of flexible workspace / employment need

- 4.32. The argument made is general and can apply to such provision anywhere in the Country. No evidence is provided that demonstrates a local need to justify Very Special Circumstances.

Very Special Circumstances: The provision of improvement to local highway network

- 4.33. There is no existing traffic issue which requires changes to the Highway network, the proposed changes are an attempt to address the highway issues which are likely to occur as a result of this development. As there is currently no existing need for Highway changes the proposal does not justify Very Special Circumstances.

- 4.34. The planning statement provides a long list of purported Very Special Circumstances, many of which can be applied to any development in the Country and only serve to address a harm that the development itself causes. An assessment of whether the Very Special Circumstances outweigh the harm to the Green Belt from the inappropriateness of the development is not a quantitative exercise. The 12 Very Special Circumstances amount to very little and certainly have not justified that Very Special Circumstances exist.

- 4.35. For these reasons the development is contrary to the Development Plan adopted Core Strategy<sup>2</sup> Policy CS5: Countryside and Green Belt. It is also contrary to the Site Allocations and Management of Development Adopted Plan<sup>3</sup> policy MD6 and the National Planning Policy Framework paragraphs 152 to 156.

---

<sup>2</sup> Shropshire Local Development Framework: Adopted Core Strategy, March 2011

<sup>3</sup> Shropshire Council Site Allocations and Management of Development (SAMDev) Plan Adopted Plan 17/12/15

## 5. Effect on landscape and character of the area

- 5.1. The character of the application site was assessed in the Shropshire Landscape & Visual Sensitivity Assessment which forms part of the evidence supporting the Local Plan Review.
- 5.2. Assessment parcel C covers the application site which was described as being *“characterised by arable and pastoral fields with a large network of roads, ranging from the A464 to local roads crisscrossing across the parcel, as well as PRow.”*
- 5.3. The assessment states that the application site is within a rural landscape of moderate strength and condition with relatively good historic value due to the presence of two listed buildings (II and II\*) which are considered in the chapter below. The assessment identifies the presence of the nearby conservation area and TPO trees.
- 5.4. In considering the value and susceptibility of the landscape to new development the following comments are particularly relevant, *“This is an unvaried landscape of regular and irregular, small to medium scale arable and pastoral fields.....The parkland setting of Albrighton Hall on the outskirts of the settlement and two Conservation Areas would be vulnerable to change as a result of any development”*
- 5.5. The proposed development would clearly be at odds with the landscape assessment and cause significant visual harm to the landscape and character of not just the application site, but the wider area of Albrighton and Boningale.
- 5.6. It is also important to consider why the Council had commissioned this study. Any new development is harmful, and the Council must identify sustainable sites which are sequentially the least harmful. This Landscape Study contributes to the evidence which informed the Council that the site was not suitable for development when assessed against other sites across Shropshire. The same recently prepared evidence can inform decision making as part of this application and nothing has changed to indicate the conclusions should be any different.
- 5.7. The applicants Landscape and Visual Impact Assessment also concludes that “It is assessed that there would be a high magnitude of change and a major adverse effect

upon the baseline landscape character of the Site” We do not agree with the conclusions that the proposal would comply with the relevant policies and the assessment of the sensitivity of landscape change on heritage assets is not fully considered because site visits are needed as a minimum to take place in the winter months so that a full assessment of the impact over all of the seasons can be made.

- 5.8. Policy MD2 of the SAMdev lists Landscape Character as a feature which should be protected if it forms part of the context and character of the area. Policy MD7a of the SAMdev directs housing development only within key centres in order protect local landscape character. In addition, Policy MD8 of the SAMdev takes account of the effect of Infrastructure Provision on Landscape Character and seeks to prevent adverse impacts. As such the proposed development is at odds with these policies.
- 5.9. Although the design is a Reserved Matter, there are clear potential impacts which can be ascertained from the description of the development which seeks permission for development which would not be in character with its surrounding.
- 5.10. The character of the area transition from the higher density urban housing nearer to the centre of Albrighton to much larger, lower density houses as you travel along Newhouse Lane, Patshull Road, Cross Road and Holyhead Road.
- 5.11. The house designs along these roads are predominantly traditional with pitched roofs and gable features and are typical isolated homes in the Countryside. When travelling to Albrighton these houses set the scheme and character of the area, they form the transition from the rural to the urban and help to define the overall quality of development at Albrighton.
- 5.12. The presence of high-density housing, a multistorey Secondary School and Local Centre will completely remove the existing transition and would be at odds with the character and quality of the area. It would disregard the form and existing layout of development, the way it functions, building heights, density, plot sizes and the local pattern of development and for these reasons is contrary to policy MD2 of the SAMdev.

## 6. Effect on the historic environment

- 6.1. In Statutory Requirements: Section 66(1) - *"In considering whether to grant planning permission [or permission in principle] for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."*
- 6.2. Section 72(1) - *"In the exercise, with respect to any buildings or other land in a conservation area, of any [functions under or by virtue of] any of the provisions mentioned in subsection (2)3, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."*
- 6.3. Relevant Case Law: High Court Judgement [2013] EWHC 473 (Admin), 8 March 2013, held that *"a decision maker, having found harm to a heritage asset, must give that harm considerable importance and weight"* to do this decision makers must assess whether or not there is harm to a listed building or its setting (or to the character or appearance of a conservation area) and if there, the degree of such harm.
- 6.4. National Planning Policy Framework (NPPF): Paragraph 199 of the NPPF sets out three degrees of Harm: *199. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*
- 6.5. Old Cottage is a Grade II listed building on the official list and is described as follows, *"Cottage. C17 with later additions and alterations. Half timbered with painted brick infilling on sandstone plinth, machine tiled roof. One storey and dormer slit attic; 3 structural bays and blocked cross passage, square panelling, one short tension brace; C19 and C20 casements and small window lighting staircase, 2 C20 gabled dormers in roof slope, entrance to rear through C20 addition, 2 C20 brick end stacks. Interior retains cross passage with traces of former staircase; timber framing substantially intact."* The

building is within the Boningale Conservation Area, which is South of the application site, and within a rural parish surrounded by countryside.

- 6.6. Old Farmhouse and Malthouse Attached to Rear is a Grade II listed building on the official list next to Old Cottage and is described as follows, *“Farmhouse and malthouse. Farmhouse. C16 or C17 with later additions and alterations. Cement rendering on painted stone plinth masking timber frame (partly visible to rear) and painted brick to ground floor, machine tiled roofs, 2 red brick ridge stacks. T shaped plan. 2 storeys; gable fronted north-south range at right angles to street probably of 4 structural bays; jetty to first floor at gable end supported by carved corner brackets, exposed joist ends; C20 doorway in angle with 2 bay cross wing to east, C20 additions to west; C20 metal casements, one to cross wing, one in angle above doorway and one to gable end. C17 malthouse, now part of the house, attached to rear; timber framed on sandstone base, 2 storeys above cellar, gabled to east; 2 light Stone mullioned windows on ground floor.”* The building is within the Boningale Conservation Area, which is South of the application site, a rural parish surrounded by countryside.
- 6.7. Lea Hall is a Grade II listed building on the official list and is described as follows, *“Manor house, now farmhouse. C16 with later additions and alterations. Pebbledash rendered, red brick (English bond) to rear, plain tiled roofs. 2 storeys and attics; 2:1:1 front with projecting gable to right and lower roof pitch on left, 4 and 8 light mullioned and transomed stone windows; entrance through C20 door in angle between projecting gable and main range; prominent external gable end stack with multiple brick shafts to right, integral ridge stack to left at junction between different roof pitches.”* It is located near to the Southern boundary of the application site. It is a farmhouse surrounded by buildings associated with that use and within the setting of agricultural fields.
- 6.8. Attached to the Northern section of Lea Hall Farmhouse is a Grade II listed barn on the official list and described as *“Barn. Probably C17. Timber framed with painted brick infilling on brick base, corrugated iron roof. 4 bays, square panelling and one long tension brace, wide entrance to right; jowelled wall post and weatherboarding to first floor at left hand gable end.”*

- 6.9. Their significance is their age and their setting is amongst other buildings connected to agriculture surrounded by agricultural fields.
- 6.10. The development would neither preserve or enhance the character of the setting of these two buildings and would lead to the loss of their agricultural setting. Paragraph 207 of the NPPF directs decision makers to refuse such applications.
- 6.11. Boningale Conservation Area is the nearest designation to the application site and the setting of the Conservation Area would be affected by the development.
- 6.12. The Conservation Area was designated in March 1981 and is to the South of the application site. It encompasses a number of listed buildings and is a rural village. The most effected buildings are considered above.
- 6.13. The Heritage Impact Assessment (HIA) notes that Shropshire have not published a Character Appraisal, so have made their own assessment. However, the Parish Council provides a good description of the village which also provides an assessment of the special character of the Conservation Area *“Boningale is a small village and rural parish on the extreme eastern edge of Shropshire, extending to just over a thousand acres. According to the 2021 electoral register, the population is 253, living in 121 residences. The parish is very peaceful and picturesque and is frequented by walkers, cyclists and horse riders. Much of the population works in Wolverhampton, nine miles to the east or in Telford, twelve miles to the west. Many retirees live in the locality, most being very active within the community. The parish is bisected by the busy A464 Holyhead Road. Within the village centre, in the Conservation Area of Church Lane, there are some fine half-timbered houses close to the twelfth-century red sandstone St. Chad's Church, as well as two manor houses and two halls in the area. Much of the agricultural land was owned by The Crown Estate as it was a part of the Patshull Hall Estate before it was passed to the Crown in lieu of death duties. This has passed into private ownership recently. Patshull Hall, with its modern-day entrance in Boningale, Shropshire, actually sits in the county of Staffordshire. With few new dwellings being built or reconverted, there is a serious lack of affordable housing within the parish. Local employment is available in a new small business park, offering nine individual suites, eight working farms, two substantial pub/restaurants, a large wholesale nursery business and one self-catering*

*accommodation business. The parish has several listed properties and monuments, mostly surrounding St. Chad's and Patshull Hall. Its most famous (or infamous!) son is Jonathan Wild, a notorious 17th/18th century underworld figure in London, born in Boningale around 1682/3."*

- 6.14. The significance of the conservation area is therefore derived by its collection of historic buildings, relatively remote, rural and agricultural setting which is peaceful with passing traffic amounting to walkers and cyclists.
- 6.15. The HIA concludes *"Overall, the proposed development would result in a change in character to the eastern land parcel with which intervisibility exists, albeit this change will be directly visible only in filtered views from the open pasture to the northern boundary, alongside heavily filtered views from small sections of Church Lane. Taking into account the existing baseline, this is considered to result in less than substantial harm at the low end of the spectrum to the Boningale Conservation Area."*
- 6.16. We disagree with this conclusion. The HIA was undertaken in March and many of the photos illustrate vegetation which is just not present for much of the year. Although the village is partially screened by vegetation as suggested, it is its low density which hides its presence. In contrast the application for 800 houses a school and care home would be vastly different, the presence of buildings would be obvious, noise and activity would completely change the peaceful rural character of Boningale resulting in substantial harm to the existing character of the Conservation Area and the very top end of the spectrum of substantial harm.
- 6.17. The setting of the Albrighton Conservation Area would also be affected by the development.
- 6.18. The Conservation Area was designated in May 1981 and is to the North of the application site. It encompasses much of the High Street and includes Albrighton Hall and its grounds.
- 6.19. Bridgnorth District Council published an Albrighton Conservation Area Appraisal in 2008 which is still relevant. The appraisal concludes that *"The Albrighton Conservation Area*

*thus does not have a clearly defined unified character throughout. It comprises very different areas, each with their own distinctive form and appearance, which are in marked contrast to each other. That contrast is in itself a major element of the special interest which designation as a Conservation Area seeks to protect”.*

6.20. The following table provides a summary from the appraisal of the character description for sub areas within the conservation area.

<b>Character Area</b>	<b>Description summary from Conservation Area Appraisal</b>
<i>Historic Core</i>	Pre-20 <sup>th</sup> century Village, greens and long rows of lime trees. Breaks in built frontages allow views beyond to more recent development.
<i>Commercial Centre</i>	Mix of commercial and residential with some former shops converted to fully residential use.
<i>Eastern Part</i>	Historic Park and wooded grounds of Albrighton Hall with open countryside beyond preserve a significant part of the original rural distant glimpses of Albrighton Hall across the Park emphasises the country house and estate character of this part of the Conservation Area.

6.21. By virtue of the scale of the proposed development, the setting of Albrighton Conservation Area would be significantly altered from its current mix of distinct character areas and relationship to the wider historic rural agricultural setting. In particular it would lead to a substantial loss of significance of the original relationship between the hall and rural parklands.

6.22. The Heritage statement provided has excluded Albrighton Conservation Area from the assessment *“It was confirmed during the site walkover that views towards the Site from the southern designation boundary are wholly screened by virtue of spatial separation in combination with intervening vegetation and undulating topography”*. It also makes no reference to the Albrighton Conservation Area Appraisal.

- 6.23. The Topography between the Southern boundary of the Conservation Area near to Albrighton Hall is essentially flat with some rows of trees between. These are not evergreens and at the time of the site visit in March many would have started to bud. It should also be noted that views of the Albrighton Hall and its grounds would themselves only have a limited presence in the landscape, the effect is about what would be seen from the Conservation Area and the presence of 800 houses and school, care home and necessary infrastructure would be apparent and harmful.
- 6.24. As a general observation we consider that the impacts of the development on the historic environment have not been appropriately considered. Indeed, when the scale of the development is so substantial and would result in harm to such a wide range of heritage assets it is considered inappropriate for the application to be considered in outline only. How can the magnitude of harm be appropriately assessed based on the uncertainty of an outline application?
- 6.25. If less than substantial harm is found, the harm identified needs to be weighed against the public benefits of the proposal, which in this instance are not considered to be of sufficient 'calibre' to outweigh the primacy of the Development Plan and the statutory presumption under sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. It is recognised there would be some economic benefits – both short and long term, with construction phase employment, onward investment through the construction sector supply chain, and subsequent occupation of dwellings, but it must be recognised that proposed employment development would not increase revenue to businesses and services in the locality because it is not sustainable and results in development detrimental to the viability of the existing District Centre. Any remaining limited benefits identified could be replicated on any other site which would come forward under the plan-led approach.
- 6.26. The scale of the development and its individual and cumulative impacts on the historic environment would result in irreversible negative impacts on the significance of two conservation areas and a number of listed buildings, of such an extent so to significantly outweighs the very limited public benefits, especially in the context that these could be achieved and more, at other more appropriate sites which comply with the spatial strategy of the Borough.

- 6.27. The impact of the development on archaeological interests is yet to be established to a sufficient degree to allow a decision to be made on the proposals. The application lacks sufficient detail and is inconclusive.
- 6.28. In this instance, in the context of all the other issues our objections raise, the public benefits do not outweigh the substantial harm to heritage assets and so is contrary to Development Plan Core Strategy policy CS16 and SAMdev policy MD13.

## 7. Loss of best and most versatile agricultural land

- 7.1. The NPPF clarifies in the Glossary that Best and most versatile (BMV) agricultural land is land in grades 1, 2 and 3a of the Agricultural Land Classification.
- 7.2. Overall, the site would see the loss of around 48 ha of land, most of which is in current agricultural use – this is a significant area of land. The proposal results in the loss of BMV Grade 1, 2 and 3a agricultural land. The loss of such a large area of land to agricultural use is not something that can be reversed once development begins or mitigated in any way. The application fails to explain how the land is farmed. Is it part of a larger farm? And if so, how will the loss of it affect the larger farms viability, the effect of losing this land cannot be fully understood in this submission.
- 7.3. The farm is part of an estate farmed by the 2022 UK Climate Champion, an award given by Crop Production Magazine (CPM). In respect of productivity of the farms he manages, CPM state “A concerted effort to rely less on synthetic inputs and build soil organic matter (SOM) has reduced fertiliser use by over 30% while yield potential of the sandy loam soils has improved.”<sup>4</sup>
- 7.4. Best and most versatile agricultural land is both finite and non-renewable. It plays an important role in contributing to the nation’s food supply. Paragraph 174 of the Framework indicates that planning decisions should contribute to and enhance the natural environment by, amongst other things, recognising ‘..... the economic and other benefits of the best and most versatile agricultural land .....’. Small losses, in cumulation, contribute to a material loss of this natural resource.
- 7.5. The proposed loss of BMV land is contrary to policy CS6 of the development plan because the site is not allocated for development in the local plan (or emerging local plan). Paragraph 180 of the Framework does not set a sequential test but relevant to plan making is the requirement of footnote 62, derived from paragraph 181 and the qualification of ‘where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.’

---

<sup>4</sup> Tom Allen-Steven CPM magazine Climate Change Champions – The bottom-line benefits of going green, 16th March 2022

Policy CS6 requires that high quality agricultural land is safeguarded. The application fails to accord with this element of policy CS6.

- 7.6. As indicated, details are missing of how the land is currently managed as part of a farm so an assessment of whether what might remain of the farm would be viable or not, cannot be determined, but as the land is high quality and would be lost through development it does not accord with Development Plan policy CS6 and should be refused.

## 8. Highway matters

- 8.1. Planning guidance states that a Planning Statement should *“be tailored to particular local circumstances (other locally-determined factors and information beyond those which are set out in this guidance may need to be considered in these studies provided there is robust evidence for doing so locally)”*<sup>5</sup>
- 8.2. The Transport Statement takes no account of the type of traffic in the area. Albrighton is an isolated settlement surrounded by countryside and agriculture and as a consequence Heavy farm machinery often travels down Cross Road and through the village. Farmers regularly travel through the village from farms going from/to the south A464, to/from the other side of the A41 where there are also lots of farms. The village is a key route for these farmers. There are areas of the village whereby passing wide loads is extremely difficult, such as along Cross Road, Elm Road, The High Street and Bowling Green Lane.
- 8.3. The proposal, if delivered through a plan, would be a strategic allocation which would require highway upgrades outside of the application site.
- 8.4. The conclusions help to demonstrate why this is not a sustainable site. *“Public transport facilities including bus stops will be provided as part of the development as will a shuttle service to transport residents to and from Albrighton village and Rail Station. In addition to this Albrighton Rail Station is within appropriate walking and cycling distance of the site.”* The funnelling of traffic to the spine road of the development and the addition of bus services is also likely to cause congestion.
- 8.5. The site, although on the edge of Albrighton, is at the furthest point from the train station and the Transport Consultant recognises that a bus service will be required to connect the site to the main village. In reality a bus service is not likely to be sustainable here and demonstrates that the rail station is not accessible.
- 8.6. Fareham Borough Council created a Background Paper: Accessibility Study (2018) to establish the accessibility standards applied during the Sustainability Appraisal within the site allocation process. This paper also outlines the evidence base that informed

---

<sup>5</sup> Paragraph: 007 Reference ID: 42-007-20140306, Revision date: 06 03 2014

these standards, drawing from guidance by organizations such as CIHT, DfT, and WYG, as well as analysing research published by the RTPi. Additionally, it considered planning precedents set by The London Plan and Eastbourne Borough Council. For walking distance to a train station, the accessibility standard is 1600 metres. Although the edge of the application site might meet this requirement, the areas for residential development would not, all being at least 1750 metres away. The site is also too far from the doctor's surgery, dentists and local shops which would prevent the application site from integrating with or benefiting from any existing services and facilities, negating any benefit derived from being near the edge of the settlement.

- 8.7. The importance of early and strategic consideration of transport issues is at the forefront of the NPPF as outlined at paragraph 104:

*Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:*

- (a) the potential impacts of development on transport networks can be addressed;*
- (b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;*
- (c) opportunities to promote walking, cycling and public transport use are identified and pursued;*
- (d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and*
- (e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.*

- 8.8. The Transport Assessment conclusion states that there are no insurmountable highways and transport related reasons to object to the application. However, for this to be true the proposal clearly needs to rely on additional infrastructure improvements outside of the site, because it is clear that the site is not accessible and cannot rely on some of the mitigation measures currently proposed.

- 8.9. Proposed upgrades to Cross Road to include a footpath are not clearly shown on the masterplan. This plan appears to show that the developer will rely on pedestrians

crossing the site. Cross Road is narrow and lacks footpaths, it is likely that activity along this road will increase as a result of the development and in particular the 80-bed care home which is accessed from it. If strategically planned it would likely be upgraded. In the absence of any improvement the development would have a significant effect on highway safety for the users of Cross Road, who would need to rely on the car for access to the care home in particular employees and visitors, even if they live close by.

- 8.10. The proposal to stop up 3 roads will also concentrate this traffic to roads which are already heavily relied upon by existing residents and farm vehicles, and these limited roads will be required to accommodate the additional traffic movements of the proposal. The effect on highway safety and potential conflict between highway users would be severe.
- 8.11. The NPPF paragraph 115 confirms that:  
*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*
- 8.12. The submissions are of such scale and lacking in sufficient evidence of wider needs or issues that it is not possible to draw an informed conclusion as to whether the residual cumulative impacts of the development would be severe or that there would not be an unacceptable impact on highway safety, and as such the submission is inconclusive so the development cannot be approved.
- 8.13. The road layout also has significant effects on the existing residents and employees working in Albrighton.
- 8.14. Existing employees occupying units on Cross Road would likely be directed in and out from one direction which intensify movement of large vehicles at local junctions. Likewise, any existing residents would need to rely on access to and from their homes from one junction instead of two.
- 8.15. The proposed traffic island would mean that drivers on Holyhead Road would not only need to brake and accelerate here but that many cars would rotate around the island in close proximity to a row of houses which back onto Holyhead Road, which would not only

result in more prolonged noise and disturbance to existing occupiers, but would likely subject them to increased air pollution from combustion engines and brake pads, and cause occupiers to suffer light disturbance at night from car headlamps as they use the traffic island.

- 8.16. For these reasons the development is contrary to the Development Plan, Core Strategy policy CS7 and SAMdev policy MD8

## 9. Impacts on infrastructure.

- 9.1. Albrighton Primary School has capacity for 315 pupils but is currently oversubscribed. St Mary's is further away from the application site but does currently have 23 pupil spaces.
- 9.2. Department for Education provides a recommended methodology for estimating pupil yield from housing development, to assist local authorities demonstrating the need for education facilities during local plan preparation and the consideration of planning applications. Pupil yield factors are the number of pupils living in the properties divided by the number of completed properties. The Pupil Yield Data Dashboard are provided for local authorities with a responsibility for providing sufficient school places under the Education Act 1996 – principally analysts/data scientists involved in pupil forecasting and other population modelling.
- 9.3. This shows that, across England, the average number of school age children per home is 0.13 secondary school pupils. Based on DfE's national average pupil yields:
- 100 homes typically include 25 primary and 13 secondary school pupils
  - 500 homes typically include 125 primary and 65 secondary school pupils
  - 1,000 homes typically include 250 primary and 130 secondary school pupils
- 9.4. A development of 800 houses would, based on the Department for Education's National Average yields, require a minimum 200 additional Primary School places. Albrighton Primary, the nearest school, is already significantly larger than the average Primary school in England and suffers with access and parking issues. Not only would open space need to be built upon to deliver the extensions required but further highway infrastructure along Newhouse Lane would be needed with possible provision necessary for additional parking. St Mary's school is a much more constrained site with even more limited, if any, opportunities for expansion at their current site.

- 9.5. The application proposes a Secondary School on land which would not normally be large enough to provide a Secondary School with required provision of outdoor amenity. The DfE yield suggest that 104 places would be required to meet the needs of 800 houses. Clearly this is insufficient to justify a Secondary School. Idsall in Shifnal is the nearest Secondary School and has capacity for 1266 pupils and has reported to the Action Group that they are not oversubscribed.
- 9.6. Clearly the developers cannot expect the new Secondary school to only accommodate the needs of Albrighton and must recognise that the sustainability of the school will require pupils to travel in from other areas. This arrangement is fully considered in the Transport Assessment.
- 9.7. Whether there is a need for more Secondary Schools in the wider area is not clear in the applicant's submission. However, Shropshire Schools Forum published their Growth Fund Criteria and Allocations 2022-23 and 23-24 in June 2023 which indicated that only two Secondary Schools in the area required growth funding and there was no report of any future funding requirements for a new Secondary School. It should also be noted that the Head Teacher of Idsall School has also objected to the scheme, raising concern that an additional Secondary School would affect financial stability and education standards due to the effect it would have on enrolment at Idsall.
- 9.8. According to government statistics the average person per Household in the UK is 2.2, this means that the development, including the occupiers of the care would bring in an additional 1840 people who will need to rely on local services.
- 9.9. Government Guidance Fact Sheet 4: New homes and healthcare facilities was published in November 2023 and states that *"1,800 people per one full-time General Practitioner (GP) is considered standard by the NHS London Healthy Urban Development Unit (HUDU), based on guidance by the Royal College of GPs, and is applicable nationwide"*.
- 9.10. The application makes no assessment of the Health Impact of the proposal and does not demonstrate that new residents would have access to a GP. Albrighton Medical practice is located some distance away from the site and funding would be required to recruit an additional practitioner. It is also unclear whether the existing surgery would have space to accommodate an additional practitioner.

- 9.11. Whilst the submission includes reference to the delivery of a new school and local facilities, there is no information about the need or its delivery, and no consideration has been given to the timing of the delivery of these services. It is considered necessary that the services needed to support the development must be delivered in the early phases of the development in order to ensure that the necessary facilities are available to support both the existing and new population.
- 9.12. A plan led delivery of large-scale development can properly deliver and phase necessary services and facilities to serve communities.
- 9.13. The NPPF seeks that planning decisions guard against the loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.
- 9.14. Albrighton High Street is part of the District Centre as designated in Policy CS15 Town and Rural Centres in Shropshire's Core Strategy.
- 9.15. Policy MD10b: Town and Rural Centre Impact Assessments, is a SAMdev policy which requires applicants to prepare an Impact Assessment for new retail proposals where they are located outside a defined town centre, or are more than 300 meters from a locally recognised high street or village centre; and are not in accordance with the area's settlement strategy; and have a gross floor space of over 200sqm where there might be an effect on a district centre.
- 9.16. The proposed Local Centre would be over 10,000sqm. Although no details are provided about what services and facilities would be needed, the distance of the scheme to the District Centre means that to support the principle of the scheme there would need to be access to the full range of services and facilities such a large development would require. Because of the distance to the local centre, a shop would be required and 200m<sup>2</sup> would not be sufficient in size to deliver the range of day-to-day shopping needs without residents needing to rely on their cars.

- 9.17. This issue cannot be deferred to the Reserved Matters application because it runs to the heart of the principle of the development. Without further details of the level of retail provision at outline stage, it is not clear if the proposal would minimise the need for occupiers of houses to rely on their car for basic shopping needs. If the level of provision would be sufficient to meet these needs, then the application requires a Town and Rural Centre Impact Assessment.
- 9.18. On the basis that the retail provision would need to be above 200sqm, we have significant concern that any retail here would be detrimental to the existing District Centre, and would reduce the existing provision existing residents benefit from.
- 9.19. The masterplan road layout would direct traffic past the Local Centre, closing off all other nearby routes to Albrighton. The effect of this would be that not only would the new residents rely on the retail provision here, but existing residents who travel from the West would also likely stop on their way back home to use this retail provision. The effect of this would be to reduce the footfall in the existing local stores in the District Centre, the long-term implications of which might mean that existing local stores would close, and existing residents would need to drive to the new retail development proposed.
- 9.20. For these reasons the proposal is contrary to the Development Plan Core Strategy Policies CS7, CS8 CS9 and CS15 and SAMdev policies MD8 and MD10b.

## 10. Biodiversity

10.1. The scale of the development, and the fact that the site is almost entirely greenfield leads to the inevitable conclusion that the development will have a significant impact on local wildlife and biodiversity interests. The NPPF at paragraph 186 confirms that the following principles should be applied in the determination of planning applications [extract only]:

- a) *if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
- b) *development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists;*

10.2. It should also be noted that the land is being farmed in a way which significantly enhances biodiversity, “We’ll only trade our excess carbon, but the biodiversity is the more exciting part of the market. I’m quite proud that we’ve never used an insecticide here, and we reap the benefits of balanced predator numbers alongside a thriving bird life. 89 skylarks have been caught and ringed in the last two years on 60ha that we’ve monitored,”<sup>6</sup>

10.3. The applicant has provided a Preliminary Ecological Appraisal Report which considers the impact on a range of species. The conclusions relevant to this application are as follows:

**Bats:** *it is recommended that bat activity surveys are undertaken to further determine the value of the Site to bats and determine how bats are using the Site. These surveys will inform any mitigation or compensation measures required.*

**Amphibians:** *Further assessment of the onsite ponds and all ponds within 250m of the Site (where access is possible) should be undertaken to determine whether they offer suitability for breeding amphibians.*

---

<sup>6</sup> Tom Allen-Steven CPM magazine Climate Change Champions – The bottom-line benefits of going green, 16<sup>th</sup> March 2022

**Badger:** *Given the presence and habitat suitability for breeding species of conservation concern (such as skylark), a breeding bird survey is recommended to determine the likely effect of the development proposals on birds.*

**Reptiles:** *Given the presence of suitable habitats for reptiles on Site, further surveys are recommended to determine whether reptiles are present on Site and inform mitigation design.*

**White Clawed Crayfish:** *It is recommended that further surveys should be undertaken to determine presence / likely absence onsite.*

- 10.4. Paragraph 99 of the Circular is relevant to the determination of the application and states: *It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted.*<sup>7</sup>
- 10.5. The preliminary survey is inconclusive, it provides evidence of opportunities for protected species to inhabit the site but provides no information and recommends a series of surveys.
- 10.6. In the absence of a conclusive survey the Council is unable to determine what mitigation would be required.
- 10.7. BS 42020:2013, section 109, emphasises that assessing the presence or absence of protected species and understanding their potential impact on a proposed development is crucial before granting planning permission. Failing to consider this information would exclude it from your decision-making process. The guidance also outlines exceptional circumstances that may apply:

---

<sup>7</sup> Paragraph 99, Circular 06/05 - Biodiversity and Geological Conservation

- a) Where original survey work will need to be repeated because the survey data might be out of date before commencement of development;
- b) To inform the detailed ecological requirements for later phases of development that might occur over a long period and/or in multiple phases;
- c) Where adequate information is already available and further surveys would not make any material difference to the information provided to the decision-maker but where further survey is required to satisfy other consent regimes, for example, an EPS licence;
- d) To confirm the continued absence of a protected species or to establish the status of a mobile protected species that might have moved, increased or decreased in abundance; and
- e) To provide more detailed baseline survey information to inform detailed post development monitoring<sup>8</sup>

10.8. For these reasons a planning permission, which is not legally challengeable, cannot be issued for this application which in any case is contrary to the Development Plan Core Strategy policies CS17 and SAMdev policy MD12.

---

<sup>8</sup> Paragraph 9.2.4, BS 42020:2013 Biodiversity in Planning and Development

## 11. Other issues:

### Drainage and flooding

- 11.1 Residents are fully aware that road around the site, Cross Road in particular are subject to frequent flooding which has meant access along these roads has been cut off. The submitted details do not provide an acceptable strategy for drainage and proposes a scheme to pump surface water which is not usually accepted by the Council. The application lacks justification for this solution and further investigation is required into alternative methods.

### Noise and Air Quality

- 11.2 As indicated above, the design of the scheme does not take account of the existing surrounding context. Many of the nearby housing stock was developed using traditional methods and does not have the noise suppressing measures or any air pollution mitigation that might be required in new properties. The road junctions and islands are likely to result in unacceptable levels of noise and pollution to existing houses. In addition, the layout suggests residential development near to an existing employment site. Paragraph 193 of the NPPF states that planning decisions should ensure that new development can be integrated effectively with existing businesses, *“Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or ‘agent of change’) should be required to provide suitable mitigation before the development has been completed.”*<sup>9</sup> In this instance mitigation cannot be determined because the application has failed to provide the evidence or information about noise and air quality.

### Response to Marrons Letter dated 2<sup>nd</sup> August 2024.

- 11.4 The applicant is prematurely citing the NPPF changes which are currently subject to consultation. Taking account of the previous NPPF consultation for the December 2023 changes and the significant difference between the consultation document and the final published version, we believe that the consultation document holds no material weight in decision making currently. Nevertheless, we respond to the applicants’ key points which are considered below.

---

<sup>9</sup> NPPF paragraph 193

*The Labour Party have committed to the delivery of 1.5 million houses over the next Parliament.*

- 11.5 The Shropshire Plan was developed during the previous parliament and under the NPPF prior to the December 2023 changes. The Boris Johnson Parliament pledged to get housing to 300,000 homes a year by the mid 2020's. 1.5 million homes over a 5-year period adds up to 300,000 homes a year. Consequently, the Shropshire plan has already been developed in the context of an ambitious housing delivery climate and the Shropshire Plan is completely in accordance with the direction the Labour Party is taking housing delivery which effectively rolls back to the pre-December 2023 version of the NPPF.

*The weight which can be afforded to the NPPF Consultation document as a material consideration.*

- 11.6 The applicant has cited the changes proposed to the standard method requires Shropshire to plan for the delivery of an additional 989 dwellings per year. However, The Shropshire Plan Review has reached regulation 22 stage before the revised NPPF has been published and the draft consultation version under paragraph 226 c) provides transitional arrangement for such plans at this stage allowing them to proceed under the previous relevant version of the Framework. This means that Shropshire will need to deliver around 1,400 units a year, a figure which is currently being exceeded.
- 11.7 The applicant also cites the transitional arrangement paragraph in their response and believe that the Shropshire Local Plan Review would not benefit from the transitional arrangements in paragraph 226 a). Until the revised NPPF is adopted and a new standard method confirmed we cannot determine if paragraph 226 a) applies or not, however paragraph 226 c) would apply as confirmed above.
- 11.8 The applicant believed that if adopted the revised NPPF definition of Grey Belt which might include areas of Green Belt land that makes a limited contribution to the five Green Belt purposes is relevant to the application site. The applicant refers to the Councils Green Belt Assessment and considers that there would only be harm to Purpose 3. The

application site is within parcel 36 of the LUC Green Belt Study which concludes, *“Releasing Parcel P36 would compromise the role this Green Belt land is playing with regard to Purpose 4. It is considered that the release of this parcel as a whole from the Green Belt would lead to a high level of harm to the Green Belt in this local area.”* The claims of the applicant appear to relate to the sub parcel assessment within parcel 36 which is a separate parcel of land in the Northern corner, and which was safeguarded for development as part of the plan.

- 11.9 Duty to Co-operate changes are likely, but this is not subject to the consultation. If the new NPPF is adopted it is likely to have a more significant effect on Birmingham and Black Country Authorities and will reduce their unmet need.
- 11.10 Consequently, the NPPF changes would not significantly change the existing material policy considerations of this application in the context of an emerging plan.
- 11.11 With regard to the key Development Management policies of the proposed NPPF changes, if it were considered that the site was Grey Belt (as explained above it would not meet the definition) all grey belt and green belt releases should in any case provide at least 50% affordable housing. The current application only proposes 20%. The proposed NPPF draft also significantly tightens the scope for viability arguments on green belt sites so it would be difficult to justify the applicant’s lower figure.
- 11.11 There is also no certainty that the NPPF will be published in its current form. Since 2012 there have been many NPPF consultations, and the final versions are often significantly amended. Green Belt is highly controversial, and many members of parliament are likely to oppose the changes, therefore we can reasonably expect some of the requirements, especially regarding changes to Green Belt policy to be reduced.
- 11.12 We also note the quoted Ministerial Statements which relate to plan making and not necessarily decision making. We fully support the plan led approach and oppose speculative development. The delays to the Shropshire Plan are largely due to previous National plan making policies and do not necessarily indicate that there is anything fundamentally wrong with the Shropshire Plan. On the contrary Shropshire have progressed a plan where other neighbouring authorities have not. It is the delays and

missteps of these other Authorities which have had a knock-on effect to the progress of the Shropshire Plan, because other plans such as those being prepared in the Black Country, South Staffordshire and Birmingham have not progressed as planned, the unmet need figure for other Authorities has been in flux for at least 5 years now.

## 12. Conclusion

- 12.1 The site is located outside the defined built-up area boundaries, with no special circumstances that would presently warrant support in principle for the development of the site and the resultant encroachment of built development into the countryside, contrary to the plan led system and the sustainable spatial strategy of the Local Plan. This conflict with the plan led system indicates an unsustainable development from the outset. In considering the three dimensions of sustainable development and whether there is a mutual balance reached under the proposals, it is evident that there are only minimal social and economic benefits of the scheme through the provision of new housing and infrastructure. Because The Shropshire Local Plan Review is nearly concluded, these perceived benefits add little weight to the overall planning balance.
- 12.2 The other considerations in this application, as listed by the applicant, do not clearly outweigh the significant harm we have identified. Consequently, Very Special Circumstances do not exist which justify the development.
- 12.3 The application will lead to the following significant effects:
- Loss of Green Belt resulting in Urban Sprawl
  - Landscape and character harm
  - Loss of BMV land
  - Substantial harm to the setting of a conservation area and listed buildings
  - Insufficient mitigation for transport impacts
  - Significant impact on biodiversity and potential loss of European Protected Species.
  - Insufficient Primary School Provision
  - Unnecessary Secondary School Provision which would lead to further negative traffic and air quality effects.
  - Loss of business to the District Centre resulting in existing residents needing to undertake more car journeys.
- 12.3 These harmful effects significantly outweigh any benefits the application has regarding housing delivery, especially in the context that none are required here.

- 12.4 The NPPF confirms that planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise, which in this instance they do not. The above factors conclude that there is a conflict with Development Plan for which material consideration do not indicate otherwise and the application conflicts with relevant Development Plan Core Strategy policies CS5, CS7, CS8, CS9, CS16, CS17 and SAMdev Policies MD2, MD6, MD7a, MD8, MD10b, MD12 and MD13.
- 12.5 The Council is kindly requested to carefully consider the points raised within this objection. These matters are deemed crucial material considerations that should significantly inform the decision-making process regarding this planning application.

**Appendix A – SLAA (2018) Appendix A – Assessment summary in and around Strategic, Principal and Key Centres**

<b>Site Reference</b>	<b>Site Location</b>	<b>Residential Suitability</b>	<b>Residential Suitability Conclusion</b>
P36a	Land located between Cross Road, Patshull Road and Holyhead Road, south west of Albrighton	The sites is outside the Albrighton development boundary. The site is also located within the Green Belt, as such open market residential development on the site would be contrary to policy. Furthermore, whilst the north western corner of the site is adjacent to the settlement boundary, the site appears disconnected from the existing built form. The site also projects into the countryside. The ability to provide an appropriate access to and into the site is subject to highway approval. The site is also in proximity of a conservation area and a number of listed buildings, therefore development is subject to an assessment of impact on the significance of the setting of these heritage assets. Where this shows that substantial harm or a total loss of significance is likely then development must meet a number of tests set out in national policy. If less than substantial harm is likely, then this should be weighed against the public benefits of development. The site is also in proximity of a number of trees subject to TPO protection, therefore development is subject to an assessment of impact on his/these protected tree(s) in order to demonstrate how it/they can be safeguarded.	Not Suitable
P36b	Land at Lea Hall, South of Albrighton	The sites is outside and separated from the Albrighton development boundary. The site is also located within the Green Belt, as such open market residential development on the site would be contrary to policy. Furthermore, the site is detached from the built form of the settlement. The sites scale and relationship to the settlement of Albrighton will require due consideration. The ability to provide an appropriate access to and into the site is subject to highway approval. The site is also in proximity of a conservation area, scheduled monument and a number of listed buildings, therefore development is subject to an assessment of impact on the significance of the setting of these heritage assets. Where this shows that substantial harm or a total loss of significance is likely then development must meet a number of tests set out in national policy. If less than substantial harm is likely, then this should be weighed against the public benefits of development.	Not Suitable

## Appendix B – Relevant Policies

### Development Plan Policies

The Development Plan forms the primary policy consideration for this application, with the National Planning Policy Framework (NPPF) being material considerations in considering the suitability of the site for mixed use residential and employment development.

Shropshire Local Development Framework: Adopted Core Strategy Policies

### ▶ CS1 : Strategic Approach

Shropshire will flourish, accommodating investment and new development to contribute to meeting its needs and to make its settlements more sustainable, delivering over the plan period 2006-2026, around 27,500 new homes, of which 9,000 will be “affordable housing”, around 290 hectares of employment land, and accompanying infrastructure across Shropshire in the following places:

- Shrewsbury, as a sub-regional centre and Shropshire’s growth point, will be the focus for significant retail, office and employment development, and accommodate approximately 25% of Shropshire’s residential development over the plan period;
- The Market Towns and other Key Centres will maintain and enhance their traditional roles in providing services and employment, accommodating around 40% of Shropshire’s residential development over the plan period;
- The rural areas will become more sustainable through a “rural rebalance” approach, accommodating around 35% of Shropshire’s residential development over the plan period. Development and investment will be located predominantly in community hubs and community clusters, and will contribute to social and economic vitality. Outside these settlements, development will primarily be for economic diversification and to meet the needs of the local communities for affordable housing.

The Site Allocations and Management of Development (SAMDev) DPD will make provision for housing and employment needs in the towns, Key Centres and rural areas having regard to the differing pressures, opportunities and constraints in the spatial zones. Broadly this means:

- In Central Shropshire, 8,250 – 8,800 dwellings and 95 - 105 hectares employment land, of which 85 – 95 hectares will be in Shrewsbury;
- In North West Shropshire, 5,775 – 6,325 dwellings and 55 - 65 hectares employment land;
- In North East Shropshire, 5,500 – 6,050 dwellings and 50 - 60 hectares employment land;
- In South Shropshire, 3,575 – 4,125 dwellings and 35 - 45 hectares employment land;
- In East Shropshire, 3,025 – 3,575 dwellings and 30 - 40 hectares employment land, together with additional housing provision of up to 1,000 dwellings, if required, for returning military personnel.

## ▶ CS2 : Shrewsbury – Development Strategy

A comprehensive and co-ordinated approach will be pursued to the planning and development of Shrewsbury. The approach, encapsulated by the Shrewsbury Vision, integrates elements of housing, economic, transport, community and environmental policy, and will enable the town to achieve a significant level of housing and economic growth linked with infrastructure improvements, whilst protecting and enhancing the town's role, character and the unique qualities of its historic built and natural environment.

- Shrewsbury will provide the primary focus for development for Shropshire, providing approximately 25% of its additional housing for the period 2006-2026 (approximately 6,500 dwellings - 325 dwellings per annum) and 90 hectares of employment land;
- Shrewsbury will develop its role as Shropshire's primary retail, office and commercial centre, and the vitality and viability of the town centre will be promoted, protected and enhanced. The Riverside and West End areas of the town centre will be redevelopment priorities;
- The Shrewsbury Northern Corridor will be improved in accordance with the aims of the Northern Corridor Regeneration Framework, with the restoration and redevelopment of the Ditherington Flaxmill site and the enhancement of major existing commercial, employment and mixed use areas a priority;
- Shrewsbury's strategy will recognise the need for the continuing development of high quality business parks on the edge of the town centre and the periphery of the town, including the Battlefield Enterprise Park and Shrewsbury and Oxon Business Parks, and the importance of the Meole Brace and Sundorne retail parks, both of which have scope for enhancement and expansion, if required;
- Shrewsbury will be a major focus within Shropshire for the provision of infrastructure and services to meet the needs of the town and its wider catchment area, with current priorities set out in the LDF Implementation Plan;
- Shrewsbury's priorities for the allocation/release of land for development will be:
  - Making best use of previously developed land and buildings for housing and other uses within the built up area, especially sites contributing to the enhancement of the town centre, the redevelopment of edge-of-centre areas, and the regeneration of the Shrewsbury Northern Corridor;
  - Bringing forward, on a phased and planned basis, two sustainable urban extensions providing 25% of Shrewsbury's housing growth and 50% of its employment growth:
    - Shrewsbury South – land off Thieves Lane/Oteley Road/Hereford Road as illustrated on the Key Diagram, to incorporate the expansion of Shrewsbury Business Park (approximately 4 hectares of employment land), the development of a new strategic employment site (approximately 22 hectares) on land adjoining the Shrewsbury Town Football Club, scope for the expansion of Meole Brace Retail Park, if required, and other commercial uses, A5 junction improvements, if needed, and sustainable transport measures, major housing development (approximately 900 dwellings to the north and south of Oteley Road) and green infrastructure improvements (including the Rea Brook Valley);

- Shrewsbury West – land at Bicton Heath and off Welshpool Road as illustrated on the Key Diagram, to incorporate major housing development (approximately 700 dwellings to the north of Welshpool Road), additional employment land (approximately 9-12 hectares), the provision of a new link road connecting Churncote Island on the A5 to Holyhead Road, enhancement of Park and Ride facilities and other sustainable transport improvements, scope for additional health and care facility development, and the provision of new community facilities.
- Other sustainable housing land releases on the edges of Shrewsbury, identified in the SAMDev DPD, to provide the balance of housing land required;
- In recognition of the special character of the town and its particular environmental challenges, the development of the town will have regard to:
  - the Shrewsbury Integrated Transport Strategy as advanced through the Shropshire Local Transport Plan, and the proposed Shrewsbury North West Relief Road;
  - flood risk management, based on the Shropshire Strategic Flood Risk Assessment, that protects and enhances the corridor of the River Severn and its tributaries and enables development appropriate to the flood risk;
  - the promotion, conservation and enhancement of the town's natural and historic features, heritage assets, green corridors and spaces, and environmental quality, including the corridors of the River Severn and its tributaries, the town centre and the registered battlefield.

## ▶ CS3 : The Market Towns and Other Key Centres

The 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.

### North West Shropshire

**Oswestry** will provide a focus for major development. To accommodate growth, land allocations will include a comprehensively planned, integrated and sustainable urban extension to the south east of Oswestry, on land between Shrewsbury Road, Middleton Road and the A5/A483 Oswestry bypass, as illustrated on the Key Diagram. This strategic location will accommodate a mix of new housing (750+ dwellings), employment land (4-6 hectare Business Park), a local centre, a network of open space and green infrastructure, and a new link Road between Shrewsbury Road and Middleton Road, together with sustainable transport improvements.

**Ellesmere** will have development to support local business development, recognising its high quality landscape particularly the environmental and historic assets of the meres and the canal.

### North East Shropshire

**Market Drayton** will have substantial development that balances business development with housing development and enhances the town's infrastructure and facilities and its role as a centre for food production.

**Whitchurch** will have substantial development, recognising its accessible location on the highway and rail network, maintaining and enhancing its vibrant town centre and balancing business and housing development.

**Wem** will have development to strengthen its economic role and support and enhance its important community assets and to maintain its role as a sustainable place.

## Central Shropshire

**Minsterley** and **Pontesbury** as a combined key centre will accommodate development to enhance their linked roles providing employment and services in the local area, whilst retaining their distinctive and separate identities.

## Southern Shropshire

**Ludlow** will provide a focus for development, whilst respecting its historic character.

**Craven Arms** will have development as a local growth point in the A49 corridor, growing its role in providing services and employment opportunities for the local area.

**Church Stretton**, **Bishop's Castle** and **Cleobury Mortimer** will have development that balances environmental constraints with meeting local needs.

## Eastern Shropshire

**Bridgnorth** will provide a focus for development within the constraints of its location on the edge of the Green Belt and on the River Severn.

**Shifnal** and **Albrighton** will have development to meet local needs, respecting their location in the Green Belt. No changes will be made to Green Belt boundaries. Some of the development to meet the needs of returning military personnel will be accommodated in Shifnal and Albrighton, if required.

**Broseley** and **Highley** will have development that balances environmental constraints with meeting local needs.

**Much Wenlock** will have limited development that reflects its important service and employment centre role whilst retaining its historic character.

## Cross-boundary proposals

Shropshire will work with adjoining local authorities where settlements adjoining Shropshire require cross-boundary opportunities to meet their needs for sustainable development, including, but not limited to, sites around Burford in relation to the growth of Tenbury Wells, sites in Shropshire in relation to growth in adjoining Knighton and the Ironbridge power station site in relation to proposals for Ironbridge and Telford.

**Table 2: Policy CS3 and Indicative Scale of Development**

Market Towns & Other Key Centres	Policy CS15 Centres		Indicative relative levels of housing development 2006 - 2026		
	Principal centre	District centre	>1,000 homes	500 - 1,000 homes	<500 homes
<b>North West Shropshire</b>					
Oswestry	■		■		
Ellesmere		■		■	
<b>North East Shropshire</b>					
Whitchurch	■		■		
Market Drayton	■		■		
Wem		■		■	
<b>Central Shropshire</b>					
Minsterley / Pontesbury		■			■
<b>Southern Shropshire</b>					
Ludlow	■			■	
Craven Arms		■			■
Church Stretton		■			■
Bishop's Castle		■			■
Cleobury Mortimer		■			■
<b>Eastern Shropshire</b>					
Bridgnorth	■			■	
Shifnal*		■		■	
Much Wenlock		■			■
Broseley		■			■
Highley		■			■
Albrighton*		■			■

\* not including military needs

## ▶ CS4 : Community Hubs and Community Clusters

In the rural area, communities will become more sustainable by:

- Focusing private and public investment in the rural area into Community Hubs and Community Clusters, and not allowing development outside these settlements unless it meets policy CS5;
- Allowing development in Community Hubs and Community Clusters that helps rebalance rural communities by providing facilities, economic development or housing for local needs, and is of a scale that is appropriate to the settlement;
- Ensuring that market housing development makes sufficient contribution to improving local sustainability through a suitable mix of housing that caters for local needs and by delivering community benefits in the form of contributions to affordable housing for local people and contributions to identified requirements for facilities, services and infrastructure. The priorities for community benefit will be identified in partnership with the community;
- Ensuring that all development in Community Hubs and Community Clusters is of a scale and design that is sympathetic to the character of the settlement and its environs, and satisfies policy CS6.

Community Hubs and Community Clusters are identified in the SAMDev DPD.

## ▶ CS5 : Countryside and Green Belt

New development will be strictly controlled in accordance with national planning policies protecting the countryside and Green Belt.

Subject to the further controls over development that apply to the Green Belt, development proposals on appropriate sites which maintain and enhance countryside vitality and character will be permitted where they improve the sustainability of rural communities by bringing local economic and community benefits, particularly where they relate to:

- Small-scale new economic development diversifying the rural economy, including farm diversification schemes;
- dwellings to house agricultural, forestry or other essential countryside workers and other affordable housing / accommodation to meet a local need in accordance with national planning policies and Policies CS11 and CS12;
  - With regard to the above two types of development, applicants will be required to demonstrate the need and benefit for the development proposed. Development will be expected to take place primarily in recognisable named settlements or be linked to other existing development and business activity where this is appropriate.
- Agricultural/horticultural/forestry/mineral related development, although proposals for large scale new development will be required to demonstrate that there are no unacceptable adverse environmental impacts;
- The retention and appropriate expansion of an existing established business, unless relocation to a suitable site within a settlement would be more appropriate;
- The conversion or replacement of suitably located buildings for small scale economic development / employment generating use;
- Sustainable rural tourism and leisure and recreation proposals which require a countryside location, in accordance with Policies CS16 and CS17;
- Required community uses and infrastructure which cannot be accommodated within settlements;
- Conversion of rural buildings which take account of and make a positive contribution to the character of the buildings and the countryside. Proposals for conversions will be considered with regard to the principles of PPS4, giving equal priority to the following uses:
  - small scale economic development/employment generating use, including live-work proposals and tourism uses;
  - affordable housing to meet local need (including agricultural workers dwellings);
  - other uses appropriate to a countryside location.

Open market residential conversions will only be considered where respect for the heritage asset (as also required by Policy CS17) and high standards of sustainability are achieved; a contribution to infrastructure requirements is made in accordance with Policy CS9; and, except where the buildings are listed, a financial contribution for the provision of affordable housing to be delivered off site is provided in accordance with Policy CS11. In all cases, development proposals should be consistent with the requirements of Policies CS6 and CS17.

### Green Belt

Within the designated Green Belt in south-eastern Shropshire, there will be additional control of new development in line with government guidance in PPG2. Land within development boundaries in the settlements of Shifnal, Albrighton, Alveley, Beckbury, Claverley, and Worfield, and at the Alveley and Stanmore Industrial Estates is excluded from the Green Belt. In addition to appropriate development in these areas, limited infilling will be permitted in any other Community Hubs and Community Clusters listed in the SAMDev DPD, subject to the requirements of Policies CS4, CS6 and CS11. Also, limited local needs affordable housing on exceptions sites which accords with the requirements of Policy CS11 will be permitted in the Green Belt. Areas of safeguarded land are reserved for potential future development at Albrighton and Shifnal, while the military base and Royal Air Force Museum at Cosford is recognised as a major existing developed site within the Green Belt where limited defence related development will be permitted. The Green Belt boundary and all relevant policy areas are identified on the Proposals Map for the SAMDev DPD, which sets out the detailed approach to development in the Green Belt and any new site allocations required within the safeguarded land.

## ▶ CS6 : Sustainable Design and Development Principles

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

- Requiring all development proposals, including changes to existing buildings, to achieve applicable national standards, or for water use, evidence based local standards as reflected in the minimum criteria set out in the sustainability checklist. This will ensure that sustainable design and construction principles are incorporated within new development, and that resource and energy efficiency and renewable energy generation are adequately addressed and improved where possible. The checklist will be developed as part of a Sustainable Design SPD;
- Requiring proposals likely to generate significant levels of traffic to be located in accessible locations where opportunities for walking, cycling and use of public transport can be maximised and the need for car based travel to be reduced;

And ensuring that all development:

- Is designed to be adaptable, safe and accessible to all, to respond to the challenge of climate change and, in relation to housing, adapt to changing lifestyle needs over the lifetime of the development in accordance with the objectives of Policy CS11;
- Protects, restores, conserves and enhances the natural, built and historic environment and is appropriate in scale, density, pattern and design taking into account the local context and character, and those features which contribute to local character, having regard to national and local design guidance, landscape character assessments and ecological strategies where appropriate;
- Contributes to the health and wellbeing of communities, including safeguarding residential and local amenity and the achievement of local standards for the provision and quality of open space, sport and recreational facilities.
- Is designed to a high quality, consistent with national good practice standards, including appropriate landscaping and car parking provision and taking account of site characteristics such as land stability and ground contamination;
- Makes the most effective use of land and safeguards natural resources including high quality agricultural land, geology, minerals, air, soil and water;
- Ensures that there is capacity and availability of infrastructure to serve any new development in accordance with the objectives of Policy CS8.

Proposals resulting in the loss of existing facilities, services or amenities will be resisted unless provision is made for equivalent or improved provision, or it can be clearly demonstrated that the existing facility, service or amenity is not viable over the long term.

## ► CS7 : Communications and Transport

A sustainable pattern of development requires the maintenance and improvement of integrated, accessible, attractive, safe and reliable communication and transport infrastructure and services. These need to provide a range of opportunities for communication and transport which meet social, economic and environmental objectives by improving accessibility, managing the need to travel, offering options for different travel needs and reducing the impacts of transport. This will be achieved by:

- Promoting greater awareness of travel behaviour to encourage more informed choices about communication, the need to travel and alternative travel options;
- Promoting the use of information and communication technologies (ICT) to reduce the impacts of individual travel decisions at work, at home and for leisure;
- Facilitating enterprise and improved access to services and information using ICT/broadband technologies especially by managing the development of fixed and mobile ICT infrastructure and enabling local access to ICT facilities;
- Protecting and enhancing strategic and local cycling, footpath, bridleway and canal networks as local transport routes and for recreation and leisure use;
- Enabling the provision of accessible, affordable and demand responsive passenger transport services including bus, Park & Ride, rail, coach, taxi, community transport services and car sharing initiatives;
- Promoting rail related developments to support the sub-regional role of Shrewsbury and the role of Market Towns and other rail linked centres and increasing choice of destinations and service frequency and travel times. This will require rail infrastructure and service improvements especially along the A5/M54 rail corridor including the possible development of a Parkway Station for Shrewsbury;
- Promoting and enabling improvements to the strategic and local highway network including improvements to the A5 Shrewsbury and Oswestry bypasses and promotion of the Shrewsbury North West Relief Road;
- Facilitating freight movements through the County road and rail networks especially along the A5 and the A49 and to encourage greater freight movements by rail.

## ▶ **CS8** : Facilities, Services and Infrastructure Provision

The development of sustainable places in Shropshire with safe and healthy communities where residents enjoy a high quality of life will be assisted by:

- Protecting and enhancing existing facilities, services and amenities that contribute to the quality of life of residents and visitors;
- Preserving and improving access to facilities and services wherever possible, including access to information and communication technologies (ICT), throughout Shropshire;
- Facilitating the timely provision of additional facilities, services and infrastructure to meet identified needs, as outlined in the LDF Implementation Plan whether arising from new developments or existing community need, in locations that are appropriate and accessible;
- Positively encouraging infrastructure, where this has no significant adverse impact on recognised environmental assets, that mitigates and adapts to climate change, including decentralised, low carbon and renewable energy generation, and working closely with network providers to ensure provision of necessary energy distribution networks.

## ▶ **CS9** : Infrastructure Contributions

Development that provides additional dwellings or employment premises will help deliver more sustainable communities by making contributions to local infrastructure in proportion to its scale and the sustainability of its location, in the following order of priority:

- 1 Critical infrastructure that is necessary to ensure adequate provision of essential utilities, facilities, water management and safe access for the development including that identified in the LDF Implementation Plan;
- 2 Priority infrastructure, as identified in the LDF Implementation Plan, including contributions from residential developments towards affordable housing as required to meet Policy CS11 Type and Affordability of Housing;
- 3 Key infrastructure as identified in the LDF Implementation Plan.

## ► CS15 : Town and Rural Centres

Development and other measures will maintain and enhance the vitality and viability of Shropshire's network of town and rural centres, and, within the context of the strategic approach (Policies CS1-CS5), support the delivery of appropriate comparison and convenience retail; office; leisure; entertainment and cultural facilities.

In accordance with national planning policy, and having taken into account sequential and impact assessments where relevant, town centres will be the preferred location for new retail, office and other town centre uses.

Shrewsbury, the strategic centre, will be the preferred location for major comparison retail, large scale office and other uses attracting large numbers of people. Provision will be made for the following amounts of additional floorspace to be developed:

- 50,000 m2 gross comparison retail floorspace (2006 – 2021);
- 30,000 m2 gross comparison retail floorspace (2021 – 2026);
- 20,000 m2 gross office floorspace provision (2006 – 2026).

In delivering these targets, and in following a sequential approach to site selection, priority will be given to identifying and delivering town centre and edge of centre redevelopment opportunities before less central locations are considered. The Riverside and West End regeneration areas are considered to be the main opportunities for improving the offer for retail and office uses within the town centre.

The Market Towns of Oswestry; Market Drayton; Whitchurch; Ludlow; and Bridgnorth will act as principal centres to serve local needs and the wider service and employment needs of communities within their respective spatial zones. Appropriate convenience and comparison retail, office, and other town centre uses will be permitted to support these roles.

The Key Centres of Albrighton; Bishop's Castle; Broseley; Church Stretton; Cleobury Mortimer; Craven Arms; Ellesmere; Highley; Much Wenlock; Shifnal; and Wem, and the combined key centre of Minsterley and Pontesbury will act as district centres within their respective spatial zones, serving the needs of their immediate rural hinterlands.

Where appropriate to the role and function of each identified centre, development will be encouraged to:

- Support a balanced approach to the planned level of housing and employment growth for each town;
- Support improvements to the accessibility of town centres, including from surrounding rural areas;
- Positively contribute to the delivery of wider investment, regeneration and town centre management strategies;
- Positively contribute to the mix and diversity of uses within town centres, without undermining their primary retail function;
- Support the appropriate re-use or regeneration of land and premises

The provision of neighbourhood based local shopping and other community facilities will be supported where this will help consolidate and improve existing provision or will serve significant new developments, including the proposed sustainable urban extensions in Shrewsbury and Oswestry.

The rebalancing of rural settlements will be supported by the protection and improvement of existing day to day services and facilities within Shropshire's network of villages. Proposals for new services and facilities that make a positive contribution towards the ability of a settlement to act as a Community Hub, or as part of a wider Community Cluster will be encouraged.

## ▶ CS16 : Tourism, Culture and Leisure

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

- Supporting new and extended tourism development, and cultural and leisure facilities, that are appropriate to their location, and enhance and protect the existing offer within Shropshire;
- Promoting connections between visitors and Shropshire's natural, cultural and historic environment, including through active recreation, access to heritage trails and parkland, and an enhanced value of local food, drink and crafts;
- Supporting development that promotes opportunities for accessing, understanding and engaging with Shropshire's landscape, cultural and historic assets including the Shropshire Hills AONB, rights-of-way network, canals, rivers and meres & mosses. Development must also meet the requirements of Policy CS17;
- Supporting appropriate regeneration schemes and tourism development proposals that seek to enhance the economic, social and cultural value of canals and heritage railways including:
  - o Shropshire Union Canal
  - o Shropshire Union Canal - Llangollen branch
  - o Shropshire Union Canal - Montgomery branch
  - o The Severn Valley Railway
  - o The Cambrian Railway
- Promoting and preserving the distinctive historic, heritage brand and values of Shrewsbury, the Market Towns and rural areas;
- Supporting schemes aimed at diversifying the rural economy for tourism, cultural and leisure uses that are appropriate in terms of their location, scale and nature, which retain and enhance existing natural features where possible, and do not harm Shropshire's tranquil nature;
- Development of high quality visitor accommodation in accessible locations served by a range of services and facilities, which enhances the role of Shropshire as a tourist destination to stay. In rural areas, proposals must be of an appropriate scale and character for their surroundings, be close to or within settlements, or an established and viable tourism enterprise where accommodation is required. Where possible, existing buildings should be re-used (development must also accord with Policy CS5).

## **MD2 : Sustainable Design**

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

1. Respond positively to local design aspirations, wherever possible, both in terms of visual appearance and how a place functions, as set out in Community Led Plans, Town or Village Design Statements, Neighbourhood Plans and Place Plans.
2. Contribute to and respect locally distinctive or valued character and existing amenity value by:
  - i. Responding appropriately to the form and layout of existing development and the way it functions, including mixture of uses, streetscape, building heights and lines, scale, density, plot sizes and local patterns of movement; and
  - ii. Reflecting locally characteristic architectural design and details, such as building materials, form, colour and texture of detailing, taking account of their scale and proportion; and
  - iii. Protecting, conserving and enhancing the historic context and character of heritage assets, their significance and setting, in accordance with MD13; and
  - iv. Enhancing, incorporating or recreating natural assets in accordance with MD12.
3. Embrace opportunities for contemporary design solutions, which take reference from and reinforce distinctive local characteristics to create a positive sense of place, but avoid reproducing these characteristics in an incoherent and detrimental style.
4. Incorporate Sustainable Drainage techniques, in accordance with Policy CS18, as an integral part of design and apply the requirements of the SuDS handbook as set out in the Local Flood Risk Management Strategy.
5. Consider design of landscaping and open space holistically as part of the whole development to provide safe, useable and well-connected outdoor spaces which respond to and reinforce the character and context within which it is set, in accordance with Policy CS17 and MD12 and MD13, including.
  - i. Natural and semi-natural features, such as trees, hedges, woodlands, ponds, wetlands, and watercourses, as well as existing landscape character, geological and heritage assets and;
  - ii. providing adequate open space of at least 30sqm per person that meets local needs in terms of function and quality and contributes to wider policy objectives such as surface water drainage and the provision and enhancement of semi natural landscape features. For developments of 20 dwellings or more, this should comprise an area of functional recreational space for play, recreation, formal or informal uses including semi-natural

## MD6 : Green Belt

### Green Belt

1. In addition to meeting the general requirements that apply in the countryside as set out in Policies CS5 and MD7a and MD7b, development proposed in the Green Belt must be able to demonstrate that it does not conflict with the purposes of the Green Belt. Further to these requirements the following development will be supported:
  - i. Limited infill development in identified Community Hubs or Clusters that accords with Policy MD3 and can demonstrate that it is sympathetic to the character of the settlement and the settlement policy, and in all other respects meets the policy tests set out in the Local Plan;
  - ii. Development on previously developed sites, which would not have a greater impact on the openness of the Green Belt than the existing development, providing the development is for employment or economic uses, defence uses, local community use or affordable housing; and the development enhances the site and its contribution to the landscape setting.

### Cosford

2. RAF Cosford and museum are identified on the Policies Map as a major developed site within the Green Belt in which additional development for military uses or redevelopment for economic uses would be appropriate as a major contributor to Shropshire's economy and as part of securing the future of Albrighton as a sustainable settlement.

## MD7a : Managing Housing Development in the Countryside

where occupancy restrictions are agreed to be removed, an affordable housing contribution will be required in accordance with Policy CS11 at the current prevailing target rate and related to the floorspace of the dwelling.

3. In addition to the general criteria above, replacement dwelling houses will only be permitted where the dwelling to be replaced is a permanent structure with an established continuing residential use. Replacement dwellings should not be materially larger and must occupy the same footprint unless it can be demonstrated why this should not be the case. Where the original dwelling had been previously extended or a larger replacement is approved, permitted development rights will normally be removed.
4. The use of existing holiday let properties as permanently occupied residential dwellings will only be supported if:
  - a. the buildings are of permanent construction and have acceptable residential amenity standards for full time occupation; and,
  - b. the dwellings are restricted as affordable housing for local people; or,
  - c. the use will preserve heritage assets that meet the criteria in Policy CS5 in relation to conversions and an affordable housing contribution is made in line with the requirements set out in Core Strategy Policy CS11.

## MD8 : Infrastructure Provision

### Existing Infrastructure

1. Development should only take place where there is sufficient existing infrastructure capacity or where the development includes measures to address a specific capacity shortfall which it has created or which is identified in the LDF Implementation Plan or Place Plans. Where a critical infrastructure shortfall is identified, appropriate phasing will be considered in order to make development acceptable.
2. Development will be expected to demonstrate that existing operational infrastructure will be safeguarded so that its continued operation and potential expansion would not be undermined by the encroachment of incompatible uses on adjacent land.

### New Strategic Infrastructure

3. Applications for new strategic energy, transport, water management and telecommunications infrastructure will be supported in order to help deliver national priorities and locally identified requirements, where its contribution to agreed objectives outweighs the potential for adverse impacts. Particular consideration will be given to the potential for adverse impacts on:
  - i. Residential and other sensitive neighbouring land uses;
  - ii. Visual amenity;
  - iii. Landscape character and sensitivity, including impacts on sensitive skylines;
  - iv. Natural and heritage assets, including the Shropshire Hills AONB (Policies MD12 and MD13);
  - v. The visitor and tourism economy including long distance footpaths, cycle tracks and bridleways (Policy MD11);
  - vi. Noise, air quality, dust, odour and vibration;
  - vii. Water quality and resources;
  - viii. Impacts from traffic and transport during the construction and operation of the infrastructure development;
  - ix. Cumulative impacts.

Development proposals should clearly describe the extent and outcomes of community engagement and any community benefit package.

4. The following infrastructure specific criteria will also apply:

#### *Renewable Energy Infrastructure*

- i. In the case of wind energy proposals, proposals will be assessed against national policy guidance; pending the development of new local policy as part of the proposed Plan Review;
- ii. In the case of biomass, anaerobic digestion and geothermal energy proposals, particular attention will be also be paid to the potential for opportunities to recover heat and power;

## MD8 : Infrastructure Provision

- iii. In the case of hydro-electric energy schemes, particular attention will also be paid to impacts on flood risk, ecology, water quality and fish stocks;

### *Other New Infrastructure*

- iv. In the case of water treatment infrastructure, particular attention will also be paid to impacts on water quality in the local river catchment and impacts on the sewerage network;

### *Monitoring and Decommissioning*

- v. Where planning permission establishes performance standards, applicants will be expected to demonstrate compliance through the submission of regular monitoring reports;
- vi. Proposals for temporary infrastructure will be expected to include measures for satisfactory restoration, including progressive restoration, of the site at the earliest practicable opportunity to an agreed after-use or to a state capable of beneficial after-use;
- vii. Where appropriate, a planning obligation will be sought in order to secure the after-use, long term management and maintenance of the site.

## MD10b : Town and Rural Centre Impact Assessments

1. To ensure development does not cause significant adverse impacts on the vitality and vibrancy of Shropshire's town and rural centres, applicants will be required to prepare Impact Assessments for new retail, leisure and office proposals where they:
  - i. Are located outside a defined town centre, or are more than 300 meters from a locally recognised high street or village centre; and
  - ii. Are not in accordance with the area's settlement strategy; and
  - iii. Have a gross floorspace above the following thresholds:
    - a) Shrewsbury – 500sqm;
    - b) Principal Centres (identified in CS15) – 300 sqm;
    - c) District Centres (identified in CS15) and other rural centres – 200 sqm.
2. The Council will not permit proposals which have a significant adverse impact on town centres, or where it is considered the scope of the Impact Assessment is insufficient.

## MD12: The Natural Environment

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

1. Requiring a project-level Habitats Regulations Assessment for all proposals where the Local Planning Authority identifies a likely significant effect on an internationally designated site. Permission will be refused where a HRA indicates an adverse effect on the integrity of a designated site which cannot be avoided or fully mitigated. Where mitigation can remove an adverse effect, including that identified by the HRA for the Plan or the Minerals HRA, measures will be required in accordance with; CS6, CS8, CS9, CS17, CS18, MD2; remedial actions identified in the management plan for the designated site and the priorities in the Place Plans, where appropriate.
2. Ensuring that proposals which are likely to have a significant adverse effect, directly, indirectly or cumulatively, on any of the following:
  - i. the special qualities of the Shropshire Hills AONB;
  - ii. locally designated biodiversity and geological sites;
  - iii. priority species;
  - iv. priority habitats
  - v. important woodlands, trees and hedges;
  - vi. ecological networks
  - vii. geological assets;
  - viii. visual amenity;
  - ix. landscape character and local distinctiveness.

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

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

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

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

## MD13: The Historic Environment

In accordance with Policies CS6 and CS17 and through applying the guidance in the Historic Environment SPD, Shropshire's heritage assets will be protected, conserved, sympathetically enhanced and restored by:

1. Ensuring that wherever possible, proposals avoid harm or loss of significance to designated or non-designated heritage assets, including their settings.
2. Ensuring that proposals which are likely to affect the significance of a designated or non-designated heritage asset, including its setting, are accompanied by a Heritage Assessment, including a qualitative visual assessment where appropriate.
3. Ensuring that proposals which are likely to have an adverse effect on the significance of a non-designated heritage asset, including its setting, will only be permitted if it can be clearly demonstrated that the public benefits of the proposal outweigh the adverse effect. In making this assessment, the degree of harm or loss of significance to the asset including its setting, the importance of the asset and any potential beneficial use will be taken into account. Where such proposals are permitted, measures to mitigate and record the loss of significance to the asset including its setting and to advance understanding in a manner proportionate to the asset's importance and the level of impact, will be required.
4. Encouraging development which delivers positive benefits to heritage assets, as identified within the Place Plans. Support will be given in particular, to proposals which appropriately conserve, manage or enhance the significance of a heritage asset including its setting, especially where these improve the condition of those assets which are recognised as being at risk or in poor condition.