

**TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (INQUIRIES PROCEDURES)
(ENGLAND) RULES 2000**

Appeal by: Boningale Developments Ltd

Appeal Site: Patshull Road, Albrighton, Shropshire, WV7 3BH, United Kingdom

Against: The decision by Shropshire Council to refuse planning permission for:

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.

**SHROPSHIRE COUNCIL
PROOF OF EVIDENCE ON PLANNING MATTERS**

LYNN PARKER BA (Hons) MA

Planning Inspectorate Appeal Reference:	6007402
Shropshire Council Planning Application Reference:	24/02108/OUT
Shropshire Council Appeal Reference:	26/03479/REF

Date: 17th August 2026



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CORE DOCUMENTS REFERRED TO IN THE PROOF:

CD1.3	24/02108/OUT Decision Notice (16 th December 2025).
CD1.9	Inspector’s Post CMC Note.
CD1.20	Mr West’s Proof of Evidence.
CD1.21	Mr Hossack’s Proof of Evidence.
CD1.22	Mr Kirkpatrick’s Proof of Evidence.
CD2.1	National Planning Policy Framework (December 2024)
CD2.2	Shropshire Council Core Strategy Development Plan Document (Adopted February 2011).
CD2.3	Shropshire Council Site Allocations and Management of Development (SAMDev) Plan (Adopted December 2015).
CD2.14	CIHT Planning For Walking Guidance Document (2015).
CD2.24	Shropshire Council Five Year Housing Land Supply Statement (Published March 2026).
CD2.27	Albrighton Neighbourhood Plan ‘Light’ (June 2013)
CD2.28	Shropshire Council Notice to Commence Preparation of the Shropshire Local Plan (May 2026).
CD2.29	Shropshire Council Plan-Making Timetable Version 1 (May 2026).

CD2.30	Shropshire Council Draft Shropshire Community Hierarchy.
CD2.31	Shropshire Council Playing Pitch and Outdoor Sports Strategy (PPOSS) (March 2024).
CD3.2	Council's Statement of Case (SoC) dated 18 th May 2026.
CD4.1	Planning Statement of Common Ground
CD4.5	Planning Addendum V2
CD4.13	Accessibility SoCG
CD4.15	Obligations Statement of Common Ground
CD4.16	Planning Addendum V2 Appendix 1 - 5YHLS
CD4.17	Planning Addendum V2 Appendix 1 - 5YHLS Update
CD4.18	Accessibility SoCG Appendix A
CD5.1	Planning Statement (June 2024)
CD5.6	Planning Addendum (Implications of revised national policy) (March 2025)
CD5.11	LUC Green Belt Assessment 2025
CD7.1	Transport Assessment (May 2024)
CD9.29	Biodiversity Net Gain Assessment (August 2026)
CD9.30	Statutory Biodiversity Metric Condition Assessment (August 2026)
CD11.1	Landscape and Visual Impact Assessment (LVIA) (July 2024)
CD11.30	Agricultural Land Classification Map – West Midlands
CD16.32	Appeal Decision Ref: APP/B1930/W/24/3338501
CD16.33	Appeal Decision Ref: APP/M1520/W/24/3338797
CD16.34	Appeal Decision Ref: APP/M1595/W/25/3358576
CD16.35	Appeal Decision Ref: APP/A1910/W/25/3373146

1.0 INTRODUCTION

Qualifications and Relevant Experience

- 1.1 This proof has been prepared by Lynn Parker BA (Hons) MA, Principal Planning Officer (Southern Planning Team, Development Management) on behalf of Shropshire Council. I hold a Master of Arts Degree in Town and Country Planning from University of West England/Leeds Metropolitan University (JDL) and a Bachelor of Arts degree in Graphic Design from Exeter College of Art and Design.
- 1.2 I have worked in a Development Management Role for Shropshire Council since its formation in April 2009, and previously for its predecessor authority Shrewsbury and Atcham Borough Council since 2001. I have 20 years of professional experience in determining a wide range of planning applications.

Involvement in the Proposed Scheme

- 1.3 The proposed scheme was submitted to the LPA on 31st May 2024 under Planning Application Ref: 24/02108/OUT and allocated to me as case officer after it was made valid on 8th July 2024. I presented the planning application for determination at the Shropshire Council Southern Planning Committee of 16th December 2025, which included a site visit with Members prior to the meeting. I am therefore fully aware of and understand the planning related issues involved in the Appeal. I was the author of the Council's Statement of Case (CD3.2) and attended the Case Management Conference on the 5th June 2026.

Scope of Evidence

- 1.4 Within the Council's Statement of Case (CD3.2) submitted to the Planning Inspectorate on 18th May 2026, it was advised that the Council's case will defend the decision of its Southern Planning Committee to refuse planning permission for the proposed scheme.
- 1.5 Separate Proofs of Evidence are being provided by my colleagues Mr West, Planning Policy and Strategy Manager, and Mrs Reynolds, Shropshire Council School Admissions and School Governance Manage, and two further expert witnesses, Mr Hossack, Principal Planner LUC, and Mr Kirkpatrick, Scarp

Landscape Architecture Environmental Planning. I defer on matters of Planning Policy (Main Issue 3) to Mr West, Green Belt (Main Issues 1 and 2) to Mr Hossack, the effect of the proposed development on the character and appearance of the area (Main Issue 4) to Mr Kirkpatrick, and in relation to the land proposed for the Secondary School to Mrs Reynolds (Main Issue 8). Mr Corden, Principal Planning Policy Officer will represent the Council on Housing Land Supply matters through round table discussion. I will rely on their evidence, and it will be clearly signposted where I defer to other colleagues for matters of technical consideration.

- 1.6 My proof of evidence relates principally to matters of planning judgement, harm and benefits, and the overall planning balance in respect of the Appeal proposal. This Proof of Evidence should be read in conjunction with the Council's Statement of Case (CD3.2), the Statements of Common Ground (SoCG) (CD4.1 to 4.19) and the evidence prepared by other Council witnesses. I will be considering the Main Issues as set out in the CMC Summary Note (CD1.9), taking conclusions from the other Council expert witnesses in relation to Planning Policy, Landscape, Green Belt, and Education in consideration of the planning balance.
- 1.7 A draft S106 Agreement (CD14.1) and proposed planning conditions in relation to the proposed development have been drawn up and negotiated on (in the event that the Appeal is Allowed) and are to be agreed upon with the Appellant prior to the Inquiry.

Defining Terms

- 1.8 A key function of the planning system is to exercise planning judgement when weighing up competing material planning considerations. This judgement of the planning balance is for the decision-maker. There is not a standard set of terms that is consistently used in order to make this assessment, therefore I provide the scale of terms and definitions I will use below:
- No weight: the matter is not a material planning consideration or carries no relevance to the decision.

- Neutral weight: a matter that does not represent a benefit or disbenefit.
- Limited weight: a minor consideration that contributes to the balance but has little influence on the overall decision.
- Moderate weight: a consideration which has noticeable import or impact and should be given meaningful regard.
- Considerable weight: a factor worthy of consideration by reason of its magnitude.
- Significant weight: a key factor in the decision and has a strong influence on the planning balance.
- Substantial weight: a consideration that carries particularly strong importance and likely to have decisive influence, therefore requires clear and convincing justification before being outweighed.

Declaration

- 1.9 The evidence which I have prepared and provide for this Planning Appeal Inquiry in this Proof of Evidence is true and accurate. I confirm that the opinions expressed are my true and professional opinions. I have considered matters both for and against the grant of planning permission in this case.

2.0 DESCRIPTION OF DEVELOPMENT AND SITE

Description of Development (signpost)

- 2.1 A description of the proposed development is provided at paragraph 1.1 of both the Council's Statement of Case (CD3.2) and the SoCG (CD4.1) pages 3 and 4 respectively.

Description of Site (signpost)

- 2.2 An expanded description of the Appeal site and its environs is provided in section 3.0 of the Council's Statement of Case (CD3.2, page 3)

3.0 REASONS FOR REFUSAL

Reasons for Refusal (signpost)

- 3.1 The Reasons for Refusal are set out on the Decision Notice dated 16th December 2025, which was included with the Council's Statement of Case at Appendix A (CD3.2)

4.0 MAIN ISSUES

Main Issues

- 4.1 The main issues were identified as a result of discussions at the CMC and are replicated from the Post CMC Note (CD1.9) below:

4.2 Main Issues List

- 1) whether the proposed development would be inappropriate development in the Green Belt having regard to the Development Plan and the National Planning Policy Framework (the Framework);
- 2) if the proposal is inappropriate development in the Green Belt, it's effect on the openness of the Green Belt;
- 3) whether the proposed development would account with the spatial strategy in the Development Plan;
- 4) the effect of the proposed development on the character and appearance of the area;
- 5) whether the future occupiers of the proposed development would have adequate access to a range of facilities and services;
- 6) the effect of the proposal on best and most versatile (BMV) land;
- 7) the effect of the proposal on the Boningale Conservation Area (CA) and the Grade II Listed Buildings of Lea Hall and Barn;
- 8) whether the proposal would make adequate provision for affordable housing, sports and playing pitch facilities, highway improvement works, sustainable transport, education, healthcare, open space, ecology, sustainable drainage systems and biodiversity net gain (BNG); and
- 9) if the proposal is inappropriate development in the Green Belt, whether the harm by reason of inappropriateness and any other harm is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

5.0 DEVELOPMENT PLAN POSITION

5.1 The Adopted Development Plan

- 5.1.1 The adopted Development Plan for Shropshire consists of the Core Strategy (2011) (CD2.2) and Site Allocations and Management of Development (SAMDev) Plan (2015) (CD2.3), collectively covering the period from 2006 up to 2026. It is therefore time-expired in so far as the requirements and allocations identified within it were to meet needs within the timeframe up to 2026.
- 5.1.2 Furthermore, the Development Plan policies most important for the determination of the application, which involves the provision of housing, are also deemed out-of-date by virtue of footnote 8 of the Framework as the LPA cannot demonstrate a five-year supply of deliverable housing sites.
- 5.1.3 Nevertheless, paragraph 232 of the Framework notes that weight can still be given to policies which are considered to be out-of-date according to their degree of consistency with the Framework.
- 5.1.4 The most important Development Plan policies for determining the application were those cited within the refusal reasons: CS1, CS3, CS5, CS6, CS17, MD1, MD3, MD6, MD7a and S1, summaries of which are provided in Section 6.0 of the Planning SoCG (CD4.1). In addition to these, Development Plan policies relevant for determining the Appeal are: CS8, CS9, CS11, CS13, CS18, MD8, MD12 and MD13

5.2 Adopted Development Plan Compliance with the NPPF

- 5.2.1 A table setting out the position of the parties in relation to whether each of the policies most relevant to the Appeal are out-of-date is set out at paragraph 12.3 of the Planning Addendum V2 (CD4.5). The Council's position is that Policies CS1, CS3, CS5, CS6, MD1, MD2, MD3, MD6, MD7a and S1 remain in conformity with the Framework, however are out-of-date by virtue of being one of the most important policies for determining the Appeal, due to the Council's lack of five-year housing land supply (as per footnote 8 and paragraph 11(d) of the Framework). These are the Policies which manage strategic approach, the

sustainable location and proportionate scale of development, housing guidelines numbers, efficient use of land and safeguard natural resources.

5.2.2 Those which remain in date and consistent with the Framework are Policies CS7, CS8, CS9, CS11, CS13, CS17, CS18, MD8, MD12 and MD13. These Policies manage infrastructure provision, affordable housing, sustainable water management, and the protection of the natural, built and historic environment.

5.2.3 Development Plan Policy CS5 is common to both refusal reasons, and therefore significant in determining the acceptability of the proposed development. It is one of the Policies considered to be out-of-date, however remains strongly in conformity with the Framework for the reasons set out by Mr West in his Proof.

5.3 The Next Local Plan

5.3.1 Following the Withdrawal of the Draft Local Plan, and in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2026, Part 4, Regulation 19, and Section 3 of the Framework, the Council gave notice of its intention to commence the preparation of the next Shropshire Local Plan on 8th May 2026 (CD2.28). The Council published a Plan-Making Timetable in May 2026 (CD2.29) (the Town and County Planning (Local Planning) (England) Regulations 2026, Part 2, Regulation 4). The Timetable covers the 3-year period from April 2026 to March 2029 for the preparation and adoption of new planning policy documents for the area. A ‘call for sites’ exercise was carried out between 10th July 2025 and 2nd October 2025. To date, Strategic Environmental Assessment – screening, an Equality Social Inclusion and Health Impact Assessment, and Public Consultation – scoping, have taken place. Strategic Environmental Assessment – scoping and Habitats Regulations – scoping are currently in progress.

5.4 Hierarchy Position of Albrighton

5.4.1 Core Strategy Policy CS1 sets out the overall strategic approach for the County, including establishing the broad strategic distribution of growth between Shrewsbury, the Market Towns and Key Centres, and the rural area. It specifies that around 40% of the total growth will occur within the Market Towns and Key

Centres, which includes the town of Albrighton, as detailed in Table 1 of the explanation to this policy. With specific regard to Albrighton, Policy CS3 of the Core Strategy and Policy S1.1 of the SAMDev Plan expand on the strategic approach, providing further details of the role of Albrighton as a Key Centre and outlining the Albrighton town development strategy respectively.

5.4.2 Policy CS3 explains that, *'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.'*

5.4.3 SAMDev Plan Policy S1.1 specifies that, *'Albrighton will provide for local needs, delivering around 250 dwellings over the Plan period. Local needs will predominantly be met on two allocated sites, with small-scale windfall development within the development boundary making up the balance.'* This housing guideline equates to 0.91% of the total housing requirement for Shropshire.

5.4.4 As part of the preparation of the next Local Plan, a 'scoping' consultation was undertaken and views were sought by the Council on the methodology and conclusions of a Draft Community Hierarchy (CD2.3) within which Albrighton is proposed to continue its role as a Key Centre, with the category consisting of smaller urban communities (in terms of resident population and dwellings) with high levels of connectivity to employment, services and social engagements.

5.4.5 Within the 'scoping' consultation document, the Council has proposed that the final Community Hierarchy will form the starting point for the development of reasonable options and the selection of the preferred option for the distribution of growth within the spatial strategy. However, as responses to the 'scoping' consultation are currently being considered, the Council's approach has not been formalised. Furthermore, subsequent processes have not been undertaken and

so the Council cannot indicate the level of development that will be proposed for Albrighton within the next Local Plan.

- 5.4.6 If this future spatial strategy were to constitute a continuation of that within the adopted Development Plan, then based on the latest Local Housing Need calculation (which identified an annual need for 2,046, equating over a 20 year period to 2046 as 40,911) the housing guideline for Albrighton would be around 372 dwellings (0.91% of the total local housing need). This is for illustrative purposes only (to illustrate the level of the housing requirement at Albrighton if the current spatial strategy were to be carried forward) as the Council has not yet developed reasonable options or selected the preferred option for the distribution of growth in Shropshire and cannot pre-determine the outcome of this process.
- 5.4.7 For further details on the position of Albrighton within the adopted Development Plan and next Local Plan, I defer to Mr West and Mr Corden.

6.0 OTHER MATERIAL CONSIDERATIONS

6.1 Framework Paragraph 11d)

- 6.1.1 Paragraph 11 of the Framework sets out the presumption in favour of sustainable development with paragraph 11c) stating that for decision-taking this means approving development proposals that accord with an up-to-date development without delay.
- 6.1.2 The policies most important for determining the Appeal in the adopted Development Plan are out-of-date and the Council does not have a five-year supply of deliverable housing. The effect of this is that the presumption in favour of sustainable development as set out in paragraph 11d)i. and ii. of the Framework and associated principle of the 'tilted balance' is engaged.
- 6.1.3 With regards to the requirements of paragraph 11d)i, this requires planning permission be granted unless the application of policies in the Framework that protect areas or assets of particular importance, as set out in footnote 7, provides a strong reason for refusing the development proposed. For the proposed development site, the relevant footnote 7 areas or assets of particular

importance are Green Belt and Designated Heritage Assets. The impact of the proposed development on areas at risk of flooding could be appropriately mitigated.

6.2 Heritage Assets

6.2.1 The impact of the proposed development on the significance of the Grade II Listed Lea Hall and Barn adjacent to the proposed development site, and Boningale Conservation Area opposite to the south-east has been considered in accordance with paragraph 212 of the Framework. That the proposed development would result in 'less than substantial harm' to the identified Designated Heritage Assets is agreed at paragraph 6.22 of the Planning SoCG (CD4.1) and paragraphs 21(ii) and (iii) of the Heritage SoCG (4.10). Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires considerable weight to be given by decision-makers to the desirability of preserving the setting of all Listed Buildings. I consider that physical and visual negative impacts on the Assets' significance from the proposed development contributing to the 'less than substantial harm' identified could be appropriately mitigated for through the proposed development to preserve their setting.

6.2.2 In respect of Framework paragraph 215 which requires identified 'less than substantial harm' to be weighed against the public benefits of a proposed development, I present under the consideration of Main Reason 7. below that not all of the public benefits put forward by the Appellant in Chapter 7 of the Applicant's Planning Statement (CD5.1) to overcome this harm respond to an identified need, nor would they be unique to the site and would mitigate the needs of the proposed development itself. Nevertheless, as above, I acknowledge that the physical and visual impacts on the Assets from the proposed development could be appropriately mitigated sufficiently to avoid a strong reason for refusal in relation to Framework paragraph 11d)i.

6.3 Green Belt

6.3.1 It is concluded within the Shropshire Council Green Belt Assessment (SCGBA) (CD5.11) specifically relating to the proposed development site, that it does not constitute grey belt land, and the land is therefore Green Belt. I also rely on the

evidence of Mr Hossack, Principal Planner at LUC. Paragraph 153 of the Framework states that LPAs should ensure substantial weight is given to any harm to the Green Belt, including harm to its openness. '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. Framework paragraph 155a) advises that the development of homes, commercial and other development in the Green Belt should not be regarded as inappropriate if it would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. However, as the proposed development site is for homes and commercial and would not utilise grey belt land, nor does it constitute any of the other exceptions to inappropriate development in the Green Belt identified in paragraphs 154 and 155 of the Framework, it is inappropriate development in the Green Belt and 'very special circumstances' would need to be demonstrated to outweigh the harm to the Green Belt resulting from the proposed development.

6.3.2 The Appellant has provided a list of matters it relies on to demonstrate 'very special circumstances' at paragraph 0.3 of the Executive Summary of the Planning Statement (CD5.1) which are proposed to outweigh the harm to the Green Belt resulting from the proposed development. I do not agree that these 'other considerations' amount to the 'very special circumstances' required to grant planning permission in the Green Belt. Therefore, I conclude that the proposed development remains inappropriate and harmful to the Green Belt providing a strong reason for refusal in relation to Framework paragraph 11d)i. A detailed examination of the 'other considerations' put forward by the Appellant is provided at Table 1 in relation to Main Issue 9.

6.4 Tilted Balance

6.4.1 The requirement of Framework paragraph 11d)ii. need only be considered in the event that the land which forms the proposed development site is to be regarded as grey belt and there is no strong reason for refusing the proposed development in relation to Framework paragraph 11d)i, neither of which is the case in my opinion. However, if the Appellant's premise that the proposed development site

is grey belt is subsequently accepted by the Inspector, then consideration of whether the adverse impacts of the development would significantly and demonstrably outweigh its benefits is required, including whether the 'Golden Rules' set out at paragraph 156 of the Framework will be fulfilled. For completeness, I will explore this matter within the planning balance consideration.

6.5 Housing Land Supply (HLS)

6.5.1 Appendix 1 of the SoCG Addendum V2 (CD4.16) provides information in relation to the Council's HLS position and the sites disputed by the Appellant as deliverable in the five-year period. Further revision and review of the disputed sites is presented within the 5YHLS SoCG Addendum Appendix 1 Update (CD4.17).

6.5.2 The published Five Year Housing Land Supply Statement for data up to 31st March 2025 (CD2.24) concludes that during the five-year period from 2025/26 to 2029/30 this equates to a local housing need of 10,150 dwellings, which together with the required 5% buffer equates to a total of 10,658 dwellings. The Council's assessment of housing land supply includes only the dwellings on a deliverable site that are themselves deliverable within the relevant five-year period. In determining whether dwellings on a site are deliverable, the Council has applied the definition of deliverable provided within the Framework: *'sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. . .'* The summary of housing land supply in Shropshire deliverable within the next five years (at 1st April 2025) is **9,830 dwellings**. An under provision of 828 dwellings is therefore identified resulting in a **4.61 years'** supply of deliverable housing land existing in Shropshire.

6.5.3 The Appellant considers that the Council's figures of 8,830 dwelling includes sites that were not 'deliverable' at the base date of 1st April 2025 and these should not be included in the figures. Mr Corden had reviewed the information provided by the Appellant and through the position comparison exercise carried out in the SoCG Addendum (CD4.16), a reduced figure of 9,770 dwellings was

reached resulting in a 5YHLS of **4.55 years**. The Appellant's position is that the Council have a 3.25 supply of deliverable housing land.

6.5.4 Further review work carried between Mr Corden and the Appellant in the Update (5th August 2026) (CD4.17) resulted in a minor reduction on the Council's part removing 154 dwelling from being 'deliverable'. This places the Council's supply of deliverable housing land at **4.48 years**. The Appellant maintains their position figure of 3.25 years. Otherwise, the Council considers there is clear evidence that the sites included in the figures are deliverable and that assumptions on timescales and build rates are appropriate. I rely on the evidence of Mr Corden in this matter.

6.6 Access

6.6.1 Access into the site is included for consideration as it is not to be a Reserved Matter. The overall access strategy for the site is to remove vehicle through movements from Patshull Road and Newhouse Lane and improve existing vehicle routes on Cross Road including to the Cross Road/Patshull Road/Elm road roundabout, whilst providing a roundabout for a south-western site access and a Ghost Island for south-eastern site access off the A464. This would be supported by speed limit reduction measures along the A464 and stopping up of sections of Patshull Road, Cross Road and Newhouse Lane. Four key roads that would be affected by the proposed development: the A464; Cross Road; Patshull Road; Newhouse Lane.

6.6.2 Updated information was provided prior to the determination of the application, and in agreement with the LHA, I have no principle objection to the proposed access strategy.

7.0 CONSIDERATION OF THE MAIN ISSUES

7.1 Main Issue 1: whether the proposed development would be inappropriate development in the Green Belt having regard to the development plan and the Framework.

- 7.1.1 Mr Hossack's evidence focuses on the inappropriateness of the proposed development in the Green Belt having concluded that the proposed development site is not regarded as grey belt land as set out in the Framework. His conclusion is informed by the independent site specific SCGBA (CD5.11) commissioned by the Council prior to the determination of the planning application, and which used a methodology consistent with the current December 2024 version of the Framework and the latest updates to the NPPF on Green Belt.
- 7.1.2 The SCGBA (CD5.11) affirmation that Albrighton is a Town, detailed in Chapter 4 of the Assessment, is entirely consistent with the adopted Development Plan, where it is identified as a Market Town/Key Centre within the spatial strategy, is allocated levels of growth commensurate with this role as a Market Town/Key Centre, and the settlement is referred to as a Town within both its policies and associated explanation. Policy S1 presents the 'Albrighton Town Development Strategy' and Policy MD10a identifies Albrighton as a settlement with a town centre and primary shopping area. There is a clear distinction in policy terms between a Market Town/Key Centre and a Community Hub or Community Cluster settlement identified by Policy CS4, which are the other main service villages and rural communities with growth aspirations.
- 7.1.3 The Framework does not provide a definition of a 'Town', consideration and interpretation of what is a 'Town' should be carried out at local level through settlement hierarchies. Due to the role of the settlement within the adopted Development Plan, its size, character and function, and the levels of services and facilities available, Albrighton is a 'Town' within the Shropshire Council jurisdiction for the purposes of Green Policy in the Framework. Furthermore, as noted in paragraph 5.4.4 above, within the Draft Community Hierarchy (CD2.30) Albrighton is proposed to continue its role as a Key Centre.
- 7.1.4 With this clarification of Albrighton as a Town, the SCGBA (CD5.11) concludes that the proposed development site makes a strong contribution to two of the five Green Belt purposes listed in paragraph 143 of the Framework, one of these being purpose a) to check the unrestricted sprawl of large built-up areas. The development of the proposed site would constitute a substantial and incongruous

extension to Albrighton, disrupting its nucleated settlement pattern and introducing an uncontained, urbanising influence into currently undeveloped countryside. In terms of paragraph 155 and Annex 2 of the Framework this strong contribution to purpose a) indicates that it would not be considered to fall within the definition of grey belt. Therefore, as I have concluded above in paragraph 6.3, the proposal is inappropriate development in the Green Belt providing a strong reason for refusal in relation to Framework paragraph 11d)i.

7.1.5 In line with Mr Hossack's evidence I consider that due to the high level of harm from the inappropriateness of the proposed development in the Green Belt, the proposal is contrary to Policy CS5, MD6 and Section 13 of the Framework. I assign **substantial weight** to this harm as this matter carries strong importance in the decision-making which will have a decisive influence.

7.2 Main Issue 2: if the proposal is inappropriate development in the Green Belt, it's effect on the openness of the Green Belt.

7.2.1 Mr Hossack addresses the effect of the proposed development on the openness of the Green Belt within his Proof and confirming that the SCGBA (CD5.11) additionally identified that the proposed development site makes a strong contribution to Green Belt purpose c) to assist in safeguarding the countryside from encroachment.

7.2.2 Paragraph 142 of the Framework identifies the fundamental aim of the Green Belt as, '*to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence*'. The openness of the Green Belt has both a visual and spatial dimension.

7.2.3 In the consideration of purpose c), the SCGBA (CD5.11) identifies that the proposed development site retains a countryside character due to its agricultural use, tree lines and cover, where urbanising influences are minimal and localised, with the main settlement's impact not applying to the proposed development site.

7.2.4 Appeal Ref: APP/A1910/W/25/3373146 (CD16.35) Dismissed in March 2026 relating to Refused Outline Planning Application Ref: 24/01424/MOA for 30 dwellings, and a 70 bed care in the Green Belt at Nash Mills, Hemel Hempstead was considered by the Inspector to *'introduce a substantial amount of built form into the site'* (paragraph 26), even though, *'the Grand Union Canal and Lower Road are strong physical features that provide bulwarks against further development, the boundary between the site and the adjacent open field is a weak feature, consisting of a simple post and wire fence'* (paragraph 23, description in relation to the site's strong contribution to Green Belt purpose a)). The boundary of the site at Nash Mills is shared with commercial and residential built environment to the south, Lower Road to the east, the canal and towpath to the west, and an open field to the north beyond which is Nash Mills Village Hall and car park, and further built environment off Red Lion Lane. The Inspector notes that, *'the proposal would be apparent and therefore obvious to observers and there would be a considerable reduction in both visual and spatial openness of the Green Belt resulting from the proposal'* (paragraph 27). Having acknowledged that there is potential to increase screening of the development through reserved matters, the Inspector considered that that this would be *'limited by the layout of the site'* and that *'the spatial reduction of openness would remain'* (paragraph 28). The Inspector concluded that, *'Given the degree to which the proposal would be visible from outside and within the site, and the bulk of the proposed built form, the level of both visual and spatial harm to openness would be substantial'*.

7.2.5 I consider that the visual and spatial harm to the Green Belt from the proposed development site would certainly not be less than the harm identified by the Inspector for the Nash Mills site, due to its larger scale and minimal urbanising influences. The introduction of the proposed development to 48 hectares of land which is currently undeveloped countryside, would have a clear and demonstrable effect on the openness of the Green Belt in spatial terms, and the land not being free from built development would provide a visual intrusion that is contrary to visual openness. The proposed development would represent a permanent change to the openness of the Green Belt both spatially and visually. The Government attaches great importance to Green Belts, therefore I consider

that the projection from the existing settlement edge created by the proposed development would not prevent urban sprawl into the openness and permanence of the Green Belt and is contrary to paragraph 142 of the Framework.

- 7.2.6 In Mr Hossack's evidence when considering visual aspects, spatial aspects, permanence and increase in activity he has concluded there to be substantial harm in relation to the openness of the Green Belt arising from the proposed development of the site. I concur with his conclusion as the strong contribution of the site to Green Belt purposes a) and c) would be permanently undermined by the large settlement extension which constitutes the proposed development. I attribute **substantial weight** to the overall harm to the openness of the Green Belt from the proposed development.
- 7.3 Main Issue 3: whether the proposal would accord with the spatial strategy in the development plan.
- 7.3.1 This aspect is addressed in depth by Mr West in his Proof in which he confirms that the proposed development is a departure from the adopted Development Plan spatial strategy, which does not support new residential development in the countryside under Policies CS5 and MD7a, the Council's current strategy for Albrighton set out in Policies CS1, CS3, MD1, MD3 and S1, nor the aspirations of the local community for residential development set out in the Albrighton Neighbourhood Plan (CD2.27)
- 7.3.2 A further locational based conflict with the adopted Development Plan and informs the spatial strategy is that the proposed development site constitutes land within the Green Belt and which has been assessed as providing a strong contribution to Green Belt purposes a) and c).
- 7.3.3 Whilst the weight given to out-of-date policies is reduced, those cited in paragraph 7.3.1 relating to spatial strategy remain in conformity with the Framework as set out in the paragraphs at 5.2. Conflict with the adopted Development Plan policies remains the starting point for decision-making. Therefore, I apportion **considerable weight** to this factor as it is worthy of consideration through the magnitude of

conflict with the spatial strategy resulting from this proposed speculative major development on land which is outside, and not adjacent to the development boundary of Albrighton.

7.4 Main Issue 4: the effect of the proposed development on the character and appearance of the area.

7.4.1 Mr Kirkpatrick details the effect of the proposed development on the character and appearance of the area within his Proof including through annotations of the Appellant's LVIA photosheets. He sets out that the proposed development would materially change the compact form of Albrighton creating a significant protrusion of built form into open agricultural countryside. That the proposed development would have a poor relationship with the existing urban edge of Albrighton and would be perceived as a separate settlement with an incongruous settlement pattern. He describes that the proposed development would erode rural character, green infrastructure, historic route patterns, agricultural setting, public views, the well-treed skyline and the sense of separation between Albrighton and Boningale. The long lines of housing on the Illustrative Masterplan formed along the outer edges of the proposed development site are considered to poorly relate to the surrounding countryside along with the Care Home and Local Centre as a visually prominent built form.

7.4.2 When considering the landscape impact for Appeal Ref:

APP/B1930/W/24/3338501 (CD16.32) Dismissed in June 2026 relating to Refused Outline Planning Application Ref: 5/2022/2443 for up to 115 dwellings in the Green Belt at Lye Lane, St Albans the Inspector identified the site to '*have an intrinsically rural character*' due to its '*feel*' and '*the relative lack of high-density development in the locality*' (paragraph 55). The site at Lye Lane is positioned such that the M25 runs along its southern boundary with the built form of Bricket Wood beyond and the built form of How Wood adjacent to the north. The Inspector concludes that, '*The proposal would introduce a large housing development of over 100 homes to the area with a relatively high density in comparison to what is currently there. As such I consider that the magnitude of change that the proposal would bring about to the appeal site and to Lye Lane to*

be significant. As a result, I also consider that it would have a clear adverse impact on the intrinsic rural character of the appeal site and local landscape’.

7.4.3 In comparison, it is my observation that the proposed development site actually has an intrinsically rural character as it is open agricultural countryside with minimal urbanising influences, whereas the site at Lye Lane is described only to have, ‘a rural look, feel and character’ (paragraph 55, CD16.32). Therefore, the magnitude of change that the proposal, including 800 dwellings, would bring about to the proposed development site would be significant. In concurrence with Mr Kirkpatrick, I agree that development of the proposed site would result in significant harm to the character and appearance of the landscape which conflicts with the objectives of Policy MD12 and paragraph 187 of the Framework. **Significant weight** is afforded to this harm as it has a strong influence in the planning balance.

7.5 Main Issue 5: whether future occupiers of the proposed development would have adequate access to a range of facilities and services.

7.5.1 Policy CS6 specifies that development will be designed to a high quality using sustainable design principles to create sustainable places. It requires that proposals likely to generate significant levels of traffic 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. This aligns with the aims of the Framework in which paragraphs 110, 115 and 117 promote development in sustainable locations with good transport access to existing community facilities and services together with an acceptable level of mitigation on the transport network and appropriate facilities that encourage public transport use.

7.5.2 It is common ground that a formal highway objection was not raised at the application stage for the proposed development and that in order to fully understand the likely impact of the development, further information was identified for submission. In agreement with the LHA, I consider that the proposed development has not demonstrated in terms of active travel that the significant impacts of the proposed development can be acceptably mitigated as the full impacts have not been wholly assessed.

- 7.5.3 There are 57 facilities/services in Albrighton that are accessible within 2,000m from the approximate centre of the proposed development site, including two primary schools, a medical centre, train station, churches, public houses, and shops, cafes, restaurants and fast-food takeaway along the High Street. Table 1 of the Accessibility SoCG (CD4.13) sets out indicative walking distances and journey times to 14 of these facilities/services from the centre of the proposed development site, and the closest and furthest parcels. All of the listed facilities/services are shown to be within 2,000m/17 mins from the site's centre, however St Mary's C of E Primary School, Albrighton Medical Practice and Albrighton Railway Station are over 2,400m/27 mins away from the furthest parcel. The nearest bus stops in Albrighton High Street are 810m/9 mins from the closest parcel, 1,140m/13 mins from the site's centre and 1,790m/20 mins from the furthest parcel. The existing 891 Bus Service between Wolverhampton and Telford currently travels via Albrighton High Street bus stops every 60 mins in each direction on weekdays, every 120 mins on Saturdays, and there is no service on Sundays.
- 7.5.4 There are three Public Rights of Way adjacent to the east of the site including 0102/9/1 where a footpath extends from Newhouse Lane across fields to Albrighton Town Centre. It is a matter of agreement that the preferred walking distance of 800m to town centres and 1,200m elsewhere as set out in the CIHT Guidance is not achievable for all of the facilities/services in Albrighton.
- 7.5.6 The Accessibility SoCG (CD4.13) also includes indicative cycling distances and journey times to facilities/services at Table 2 which demonstrates that Albrighton, Cosford, Codsall and Pattingham are within an 8km cycle distance from the centre of the proposed development site. National Cycle Network Route 81 passes through Albrighton as a loop of the A41 including the High Street. Albrighton Railway Station is an approximate 4 minute cycle journey from site's centre. Currently, the weekday train service east to Birmingham New Street and west to Shrewsbury stopping in Albrighton operates hourly.
- 7.5.7 In support of the opinion of the LHA, in that the benefits of the transport and active routes for the proposed development are yet to be fully formed sufficiently to result

in a credible prospect of future residents accessing the range of facilities/services in Albrighton and are offered a genuine choice of transport modes, I agree that a development of this scale, in this location is not sustainable. The proposed development site is not well-related to the existing built-up area of Albrighton and acceptable travel distances to the range of facilities/services in Albrighton cannot be suitably achieved from the whole site. Nor are improvements to existing public transport services, including bus routes and bus infrastructure and the ability for new or re-routed bus services to travel through the proposed development site and link with Albrighton, advanced beyond being acceptable in principle to the LHA.

7.5.8 It would be possible for some future occupiers of the proposed development to walk and cycle to access facilities/services in Albrighton and vice versa, from Albrighton into the proposed development. However, there is no evidence to suggest that a service operator would be willing to divert or add bus routes, and the distances set out in Table 1 of the Accessibility SoCG (CD4.13) are all above the 400 metres typical neighbourhood walking distances for bus stops and 800 metres typical walking distance for train stations set out in the CIHT Guidance (CD2.14).

7.5.9 I conclude that the proposed development would not, overall, support active and sustainable modes of travel to a range of facilities/services, and for very many of its future occupants, the private car would be the likely mode of transport choice or reliance for the majority of journeys. This would amount to a significant number of trips from a development of the scale proposed. Therefore, the proposal is not in accordance with paragraph 110 of the Framework which requires significant development to be focussed on locations which are or can be made sustainable. I attach **considerable weight** to this harm as it adversely contributes to the potential sustainability of the proposed development site.

7.6 Main Issue 6: the effect of the proposal on best and most versatile (BMV) land.

7.6.1 Best and most versatile (BMV) agricultural land consists of land graded at 1 to 3a. The proposed development site is located across both Grade 2 and Grade 3 agricultural land (as ascertained from the Natural England/DEFRA provisional Agricultural Land Classification (ALC) Map – West Midlands (CD11.30)) and

therefore it contains some BMV land. However, the Appellant has not provided an ALC Report to confirm the percentage of land which is Grade 2 or 3a, and the ALC Map does not break-down the Grade 3 agricultural land further into the a, b, and c subcategories.

- 7.6.2 Whilst Policy CS6 does not prevent the loss of high-quality agricultural land, it seeks to ensure that it is put to its most effective use. Paragraph 187 of the NPPF requires that planning policies and decisions should contribute to and enhance the natural and local environment by b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystems services - including the economic and other benefits of the best and most versatile (BMV) agricultural land, and of trees and woodland. Footnote 65 points out that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred.
- 7.6.3 It is clear that the proposal would amount to a significant development of agricultural land over its 48 hectare site, however this is not supported by an assessment to demonstrate that no suitable lower-grade agricultural land is available, nor have the economic and other benefits of the BMV land present been acknowledged. I would argue that there will be sites of lower grade agricultural land available (and outside the Green Belt) which are better able to accommodate the scale of development proposed within the Shropshire Council jurisdiction. The Appellant's Landscape & Visual Impact Assessment (LVIA) (CD11.1)) confirms at paragraph 8.2, that the proposed development site is predominantly cultivated for arable crops. BMV agricultural land is a finite resource of national importance which the proposed development would permanently remove from food production, irrespective of whether it is currently being used as such.
- 7.6.4 It is my opinion that the proposed development would not fulfil the requirements of Policy CS6 and paragraph 187b) and Section 11 of the Framework in that it fails to recognise the wider benefits of BMV land, nor is the development proposed on previously-developed or 'brownfield' land, or on under-utilised land and buildings rather than in the countryside. However, I accept that in order to

deliver significant growth, an amount of BMV agricultural land will be lost and that there is a prevalence of BMV land within Shropshire. Nevertheless, I attribute **moderate weight** to this harm as I do not consider that the proposed development makes effective use of land.

7.7 Main Issue 7: the effect of the proposal on the Boningale Conservation Area (CA) and the Grade II listed buildings of Lea Hall and Barn.

7.7.1 For the proposed development 'less than substantial harm' to the significance of Grade II Listed Lea Hall and Barn and Boningale Conservation Area has been identified. I have acknowledged that physical and visual negative impacts on the Assets' significance from the proposed development contributing to the 'less than substantial harm' identified could be appropriately mitigated for through the proposed development to preserve their setting at paragraph 6.2.1 above.

7.7.2 Paragraph 212 of the Framework states that great weight is given to preserving the setting of Designated Heritage Assets, and paragraph 215 specifies that 'less than substantial harm' to a Designated Heritage Asset should be weighed against the public benefits of the proposal. Public benefits include anything that may deliver an economic, social or environmental objective as described within paragraph 8 of the Framework. The public benefits put forward for the proposed development are the delivery of new housing with a policy compliant percentage of affordable homes, a care facility, a Local Centre, land for a Secondary School, land for a GP surgery, POS, BNG, highway improvements and active travel routes. Of these I consider that the genuine social benefits amount to the provision of a significant number of market and affordable homes and a care facility, POS with a neighbourhood play area, and the CIL contributions which would be generated by the proposed development. Additionally, there would be economic benefits from job creation during construction and operation, and increased expenditure in local centres. I have apportioned **significant weight** to these benefits.

7.7.3 However, both the Integrated Care Board (ICB) and the Council's Learning & Skills officers have indicated that land is not required for a GP surgery or

Secondary School respectively. The ICB have emphasized that the preferred option is an extension to Albrighton Medical Practice supported by a financial contribution from the Developer. There is no clear intention by the Practice to move site or to occupy a new Local Centre and a lapsed planning permission for extension to the Practice granted in 2022 that could be reconsidered. Mrs Reynolds has confirmed in her Proof that the projected pupil yield from the proposed development together with recently consented developments in the secondary school catchment area which includes the development site, does not justify the provision of a new Secondary School. A financial contribution has been identified to support the increase in pupil numbers at Idsall School. Therefore, there is no in-principle support or local need for these two proposed public benefits.

7.7.4 An overall gain of BNG is proposed in the Appellant's Biodiversity Net Gain Assessment (CD9.29) and most up-to-date BNG metric (CD9.30) at 15.50% area habitat units, 10.92% linear habitat units and 23.06% watercourse habitat units. This is greater than the mandatory 10% BNG, however not a significant overprovision. I consider that the proposed provision of a Local Centre and active travel routes would be to meet the needs of and mitigate the impacts of the development rather than an identified need for Albrighton, and would not be unique to the proposed development site. It has not been demonstrated that the provision of highway improvements would deliver more than a local impact such as improving vehicular access to Albrighton from Telford and Wolverhampton. I have given **limited weight** to each of these restricted benefits as they have a minor contribution to the balance.

7.7.5 As paragraph 212 of the Framework requires great weight be given to the conservation of designated heritage assets, even low levels of harm must still be afforded considerable importance in the balance. Whilst the gains included in the proposed development, which together with the required financial contributions specified by consultees, would be worthy of consideration as public benefits, I have identified restricted benefits from those which are not required to meet a local need or would mitigate the impact of the proposed development itself. Therefore, on balance I afford **moderate weight** to the public benefits put

forward by the Appellant to overcome the 'less than substantial harm' to the Designated Heritage Assets, as I do not consider that these public benefits outweigh the great weight required by paragraph 212 of the Framework to be given to Assets' conservation.

7.8 Main Issue 8: whether the proposal would make adequate provision for affordable housing, sports and playing pitch facilities, highway improvement works, sustainable transport, education, healthcare, open space, ecology, sustainable drainage systems and biodiversity net gain (BNG).

7.8.1 The Council and Appellant have together produced an Obligations SoCG (CD4.15) which identifies which unacceptable impacts of the proposed development would be addressed through a S106 Agreement rather than by planning condition.

7.8.2 The agreed matters are set out in section 3.0 of the Obligations SoCG (CD4.15), confirming that adequate provision can be made for:

- Affordable housing at 35% to the Council's specified split between Social Rent and Rent to Buy/Shared Ownership through phased delivery.
- Sports facilities through a financial contribution to be spent in accordance with the PPOSS.
- Securing a Community Use Agreement for sports facilities if these facilities are to be provided in conjunction with Secondary School provision.
- Off-site highway improvement works as set out in the proposed development.
- Active travel through a financial contribution for upgrading the travel between the proposed development site and Albrighton.
- Education provision in the Albrighton area through a financial contribution to include primary, secondary, post 16 and SEND places at existing establishments which would be covered by CIL.
- SEND transport secured through a financial contribution.
- The potential safeguarding of land on the proposed development site for

education purposes on the proposed development site.

- Healthcare through securing a financial contribution for both the housing element and care home element of the proposed development in respect of improvement to the healthcare provision in the Albrighton area.
- The potential safeguarding of land on the proposed development site for a new GP practice.
- POS through obligations to secure specification, provision, maintenance and transfer through agreed triggers
- BNG through the submission and implementation of a Habitat Management and Monitoring Plan and a financial contribution for monitoring of its delivery over a 30 year period.

There are no reservations that adequate provision of sustainable drainage systems can be made through the proposed development.

7.8.3 Whilst financial contributions have been identified by the LHA for active travel, including for a bus strategy in respect of improvement to passenger transport provision, I consider that there is insufficient information to be confident that adequate provision could be made in this regard. Furthermore, if as already confirmed by SC Learning & Skills, a new Secondary School is not required within the proposed development site, then sport facilities associated with it may also not be available in that location, albeit it is noted that the requested financial contribution for sports facilities would be spent in accordance with the PPOSS (CD2.31) which for the Albrighton Area consists mainly of protect and enhance actions on existing facilities (page 44). Outstanding ecological surveys were provided on 11th August 2026 apart from static monitoring bat surveys due to take place at the beginning of September. As the seasonal dataset is not quite complete, adequate provision cannot yet be wholly established.

7.8.4 Whether the proposal would make adequate provision for education and healthcare through the Appellant's master planning to include land both for a Secondary School and a GP practice within the proposed development site remains a point of disagreement.

- 7.8.4 For those matters where further information has been identified to provide reassurance that adequate provision can be achieved for the aspects specified in this Main Issue, conditions are proposed for the submission of additional details in relation to a Phasing Strategy, Drainage Strategy, Construction Environmental Management and Ecological Enhancements.
- 7.9 Main Issue 9: if the proposal is inappropriate development in the Green Belt, whether the harm by reason of inappropriateness and any other harm is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.
- 7.9.1 I have previously concluded in paragraph 4.1.3 in concurrence with Mr Hossack that the proposal is inappropriate development in the Green Belt. The ‘very special circumstances’ put forward by the Appellant are set out in paragraph 0.3 of the Executive Summary of the Planning Statement dated June 2024 (CD5.1) and therefore pre-publication of the current December 2024 Framework. The table below provides my consideration against each of the Appellant’s ‘very special circumstances’:

7.9.2 Table 1: Consideration of 'very special circumstances'.

	Appellant's 'Very Special Circumstances'	Council's Considerations
a	The Site has recently been considered suitable for safeguarding by the Council as detailed within the Additional Updated Sustainability Appraisal.	The majority of land parcels associated with Albrighton were considered for release within the Evidence Base associated with the Withdrawn Local Plan. Ultimately the assessment concluded that the parcel should remain in the Green Belt.
b	The Council has agreed to accommodate unmet housing and employment needs from the Black Country and the subject Site is the single most appropriate location to meet said need and Boningale Homes have adduced evidence which demonstrates that the emerging Local Plan Review, as drafted is not, in our assessment, capable of being found sound;	Due to the Withdrawal of the Draft Local Plan the proposed contribution of 1,500 dwellings towards unmet needs forecast to arise in the Black Country was withdrawn as there was no mechanism available to secure any such contribution and of course circumstances had significantly changed. Whether a contribution is appropriate in the future is a matter for the 'cross boundary' process associated with the next Shropshire Local Plan.
c	We consider that the Council cannot currently demonstrate a sufficient supply of deliverable housing.	It is accepted that the Council cannot currently demonstrate a five year housing land supply, although the Council disagrees with the Applicants views on the extent of the under-supply. The Council is undertaking constructive process to address this shortfall including the positive approach to proposed allocations associated with the Withdrawn Draft Local Plan, early engagement with potential applicants including through the pre-app process, and an intention to expedite progression of the next Local Plan for Shropshire.
d	This shortfall is significant and worsening.	
e	The Site is suitable for residential development in terms of location and characteristics and it is not of high environmental or landscape value.	The site is classified as high performing Green Belt, and the Council's recent site specific SCGBA evidences that the release of this site from the Green Belt would have a high impact. This weighs against this point that the site is suitable in principle in terms of location and characteristics for residential development.
f	The provision of affordable housing, without subsidy, is a significant benefit in circumstances where the Council is not delivering sufficient affordable homes to meet pressing need.	The provision of affordable housing for this development has been indicated to be policy compliant (having regard to the 'Golden Rules' in NPPF paragraph 156), and the benefit of providing this level of affordable housing is acknowledged.
g	The provision of market housing that will provide new, quality homes, in a community where people wish to live.	The provision of market housing that will provide new, quality homes, in a community where people wish to live, and assist in curtailing the exceptional

		growth in house prices is acknowledged but is not specific to this site.
h	The supply of housing in an area of acute affordability challenges will assist in curtailing the exceptional growth in house prices.	
i	Alongside the housing provision, the proposed development includes land for a Secondary School, meeting an identified need, and ensuring that pupils of Albrighton have a new modern educational facility within walking and cycling distance of their homes.	Mrs Reynolds on behalf of SC Learning & Skills has confirmed that the projected pupil yield from the proposed development together with recently consented developments in the secondary school catchment area which includes the development site, does not justify the provision of a new Secondary School.
j	A modern Care Home facility is proposed, and meets some of the increasing needs of an aging population in Shropshire and indeed Albrighton.	A care home facility could be accommodated in non-Green Belt land, and the benefits set out would not be unique to this site.
k	The provision of such a care facility will provide jobs and boost the local economy, but will further ensure that houses currently under occupied by older residents can be freed up and returned to the housing market.	
l	The provision of Local Centre comprising, a supermarket, GP Surgery and Pharmacy along with flexible workspace, will ensure the ongoing vitality of Albrighton and provide amenities and facilities that complement the existing provision within the settlement.	It is understood that provision of a Local Centre is to meet the needs of and mitigate the impacts of the development rather than in response to a Council identified need for Albrighton. The ICB have emphasized that the preferred option is an extension to Albrighton Medical Practice supported by a financial contribution from the Developer.
m	The provision of highway improvements, including a new gateway spine road will improve vehicular access to Albrighton from Telford and Wolverhampton.	It has not been demonstrated that the provision of highway improvements would deliver more than a local impact such as improving vehicular access to Albrighton from Telford and Wolverhampton.
n	The creation of an Active (Green) Travel route, and the provision of off-site cycleway improvements will encourage existing and future residents of the settlement to travel sustainably, reducing unsustainable transport movements and encouraging mental and physical well-being.	The creation of an Active Travel Route is part of the development and would not be unique to this site.

7.9.3 As with my assessment of the public benefits put forward against the 'less than substantial harm' to the Designated Heritage Assets, the 'very special circumstances' proposed to overcome the inappropriateness of the proposed development in the Green Belt are similar in that they constitute the delivery of new housing with a policy compliant percentage of affordable homes, a care facility, a Local Centre, land for a Secondary School, land for a GP surgery, highway improvements and active travel routes.

7.9.4 I agree that 800 homes, of which 35% would be affordable in line with the 'Golden Rules' (as required should the proposed development site be regarded as grey belt) would contribute to addressing the Council's housing land supply shortfall, however not that the shortfall is 'significant and worsening'. There have been numerous recent Appeal Dismissals for proposed development in the Green Belt where the local authorities' five-year housing land supply has a severe shortfall, two examples of which follow. For Appeal Ref: APP/M1520/W/24/3338797 (CD16.33) on Land east of Rayleigh Road, Thundersley, which proposed 455 new homes in the Green Belt, the Inspector commented that, *'Such provision of new housing would be a substantial benefit, particularly given that the Council is unable to demonstrate a five-year supply of deliverable housing sites (5-year HLS) and the significant extent of the shortfall, the existing supply being 1.86 years' worth'* (paragraph 44). There was additionally, *'No substantive evidence to indicate improvement in the near future'* (paragraph 45). Appeal Ref: APP/M1595/W/25/3358576 (CD16.34) including for 750 no. residential dwellings at Parkers Farm Road, Orsett Sussex was Dismissed by the Secretary of State on 15th April 2026. For this Appeal, the Inspector commented and the Secretary of State agreed that, *'The agreed housing land supply is between 0.72 and 0.91 years, equating to an agreed shortfall of between 5,719 and 5,989 homes. The Housing Delivery Test measuring past performance is very low, at 35%. The Council's housing delivery situation is woeful. It is the worst I have ever seen and likely one of the worst in the country'* (paragraph 12.99 of the Inspector's Decision). Nevertheless, both of these Appeals were dismissed due to the potential harm that would be caused by the proposal to the Green Belt by reason of inappropriateness, in combination

with other harms, where the benefits put forward did not outweigh the harms and as such the ‘very special circumstances’ did not exist.

7.9.5 Whilst positive weight can be afforded to the combined benefits of the proposed development as in paragraph 8.7.2 above, I do not agree that they amount to the ‘very special circumstances’ required to overcome the inappropriateness of the proposed development and to release the site from the Green Belt. As I set out in paragraphs 8.7.3 and 8.7.4, these benefits are not unique to the proposed development site, nor fulfil an identified need (other than housing land supply), or are only required to mitigate the needs of proposed development itself. The high level of harm I consider to occur from the loss of this Green Belt land is significant and weighs heavily in favour of maintaining this land as Green Belt. The vast majority of Shropshire is non-Green Belt, and therefore it is not the case that Shropshire is devoid of alternative site options which, whilst also representing potential departures from the adopted Development Plan, would not be required to demonstrate ‘very special circumstances’ in order for them to be granted approval. The high level of harm to the local area that would result from the loss to the proposed development of this 48 hectares of Green Belt countryside contrary to Policies CS5, MD6 and the guidance set out in Section of the Framework I assign **substantial weight**.

8.0 PLANNING BALANCE

8.0.1 It is common ground that the Council cannot demonstrate a deliverable five-year housing land supply and in this context it is agreed that the ‘titled balance’ in paragraph 11 of the Framework is engaged. However paragraph 232 of the Framework sets out that due weight should be given to out-of-date policies according to their degree of consistency with the Framework. For those adopted Development Plan policies which I have identified in paragraph 5.2.1 as being out-of-date by virtue of being the most important policies for determining the Appeal (Policies CS1, CS3, CS5, CS6, MD1, MD2, MD3, MD6, MD7a and S1), the table at paragraph 12.3 of the SoCG Addendum V2 (CD4.16) sets out that they remain in conformity with the Framework. I am therefore of the opinion that weight should still be applied in the planning balance to these adopted Development Plan policies.

8.0.2 My Proof of Evidence (together with those of Mr West, Mr Hossack, Mr Kirkpatrick, and Mrs Reynolds) has demonstrated clear and substantial conflict with adopted Development Plan policies, particularly those most import to the determination of this Appeal. I contend that it is wholly acceptable to attach weight to this conflict despite certain policies being ‘out of date’ as the ‘tilted balance’ does not override Section 38(6) of the Planning and Compulsory Purchase Act 2004, rather it influences the weight given to Development Plan policies. I consider that conflict with the development plan policies should be attached **considerable weight**.

8.0.3 Whilst it is acknowledged that the ‘tilted balance’ is engaged, there remains disagreement regarding deliverable five-year housing land supply. Should the Council’s undersupply be considered to align with the Appellant’s position, the weight afforded to the provision of homes could change to be more favourable within the planning balance. Notwithstanding this, given my findings concerning non-compliance with the adopted Development Plan and with the Framework, the identified harms are of a magnitude that even adopting the Appellant’s assessed level of housing undersupply would not alter the overall planning balance conclusion.

8.0.4 If the Appellant’s premise that the proposed development site is grey belt is subsequently accepted, the ‘Golden Rules’ contributions set out at paragraph 156 of the Framework for major development involving the provision of housing on land released from the Green Belt for sites in the Gren Belt subject to a planning application should be applied. I concur with the Appellant’s Golden Rules Statement supplied at Section 6 of the Planning Addendum (CD5.6) stating that 35% affordable housing will be delivered, and that necessary improvements to local infrastructure and new green spaces accessible to the public could be achieved.

8.1 Assessment of Benefits

8.1.1 I acknowledge that the proposed development would deliver a range of benefits as follows:

- Boosting housing supply: the proposal would provide 800 new dwellings, of which 35% would be affordable homes. This is policy compliant if the proposed development site were to be regarded as grey belt land.

I attach **significant weight** to both of these benefits.

- Other Social Benefits: provision of a care facility, POS with a neighbourhood play area, and the CIL contributions generated from the proposed development.

I attach **significant weight** to these benefits.

Biodiversity Net Gain: For the proposed development a gain of 15.50% area habitat units, 10.92% linear habitat units and 13% watercourse habitat units is proposed. This is greater than the mandatory 10% BNG, however not a significant overprovision.

I attach **limited weight** to this benefit

- Economic contributions: the development would generate economic activity during the construction phase and contribute to local revenue through public expenditure and council tax. For a development of the scale proposed these contributions would impact.

I attach **significant weight** to this benefit

8.2 Assessment of Harms

8.2.1 It is my opinion that the proposed development would result in the following harms:

- Inappropriate development in the Green Belt: the proposed development site makes a strong contribution to purpose a) of the Green Belt and is therefore not regarded as grey belt land.

I attach **substantial weight** to this harm

- Effect on the openness of the Green Belt: the proposed development would represent a permanent change to this undeveloped countryside parcel of the Green Belt both spatially and visually.

I attach **substantial weight** to this harm.

- Effect on character and appearance: the magnitude of change to the compact form of Albrighton and the protrusion of the built form into open agricultural countryside from the proposed development would amount to a significant harm to the character and appearance of the landscape.

I attach **significant weight** to this harm.

- Accordance with the spatial strategy in the adopted Development Plan: the out-of-date policies which are most important for the determination of the Appeal remain in conformity with the Framework. In my opinion the magnitude of conflict with the spatial strategy resulting from this proposed speculative major development on land which is outside, and not adjacent to the development boundary of Albrighton is worthy of consideration.

I attach **considerable weight** to this harm.

- Accessibility: there is no evidence to suggest that a service operator would be willing to divert or add bus routes, and the walking distances provided are all above the 400 metres typical neighbourhood distances for bus stops and 800 metres typical distance for train stations. I have particular concern in relation to walking distances from the southern extent of the proposed development site to Albrighton which are over 2,000m. The proposed development would not support active and sustainable modes of travel to a range of facilities/services, and for its future occupants, the private car would be the likely mode of transport choice or reliance for the majority of journeys.

I attach **considerable weight** to this harm

- Effect on BMV land: the proposed development site includes Grade 2 and Grade 3 agricultural land. No Agricultural Land Classification Report has been submitted, therefore the proposed development fails to recognise the wider benefits of BMV land. The proposed development site is not PDL, 'brownfield' or under-utilised.

I attach **moderate weight** to this harm.

- Effect on Designated Heritage Assets: I do not consider that the public benefits

put forward by the Appellant to overcome the 'less than substantial harm' identified to the Designated Heritage Assets from the proposed development outweigh the harm.

I attach **moderate weight** to this harm.

9.0 CONCLUSION

9.1 The table below provides a summarised assessment of the proposed development, setting out the various benefits and harms, and the weighting to be applied.

9.2 Table 2: Planning Balance Assessment Table

Category	Description	Weight	Positive/Negative/Flat
Housing Supply	Delivery of 800 dwellings	Significant	Positive
Affordable Housing	35%, policy compliant	Significant	Positive
Other Social Benefits	Care facility, POS, CIL Contributions.	Significant	Positive
Economic Contributions	Construction phase activity, Council Tax revenue, local expenditure.	Significant	Positive
Biodiversity Net Gain	Gain of 15.50% area habitat units, 10.92% linear habitat units and 23.06% watercourse habitat units.	Limited	Positive
Inappropriate Development in the Green Belt	Makes a strong contribution to purpose a) and is therefore not grey belt.	Substantial	Negative
Effect on the openness of the Green Belt	Permanent visual and spatial change to this undeveloped countryside parcel.	Substantial	Negative
Effect on the character and	Protrusion of the built form into agricultural	Significant	Negative

appearance of the area.	countryside. Change to compact form of Albrighton		
Accordance with the Development Plan spatial strategy.	Out-of-date policies remain in conformity with the Framework. Speculative site in the countryside outside of the development boundaries.	Considerable	Negative
Accessibility	Provision of bus service not evidenced. Walking distances from the site to Albrighton not within CIHT guidance. Future occupiers would be car reliant.	Considerable	Negative
Effect on BMV land	Grade 2 and 3 Agricultural land present. No ACL Report submitted. Not PDL, 'brownfield' or under-utilised land.	Moderate	Negative
Effect on Designated Heritage Assets	I consider the public benefits put forward do not outweigh the 'less than substantial harm' identified.	Moderate	Negative

8.4 In my opinion the harm to the Green Belt by reason of inappropriateness, and the other harm resulting from the proposal, is not clearly outweighed by other considerations and so the necessary 'very special circumstances' to justify development in the Green Belt have not been demonstrated.

8.5 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, this Appeal must be determined in accordance with the development plan unless material considerations indicate otherwise. While the Council cannot demonstrate a five-year supply of deliverable housing land and the presumption in favour of sustainable development is engaged (Framework paragraph 11 d)),

the identified adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. The proposal is in clear conflict with the most important policies of the adopted Development Plan, and there are no material considerations of sufficient weight to justify a decision other than in accordance with the Plan. Accordingly, I respectfully recommend that the Appeal be Dismissed.