

Appeal reference number: 6007402

Appellant: Boningale Developments Ltd (Megan Wilson, Marrons)

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

Inspector, Mr Andrew McGlone BSc, MCD, MRTPI.

Planning application reference: 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.

OPENING STATEMENT OF THE LOCAL PLANNING AUTHORITY

1. The appeal site is large piece of land (48ha) south of Albrighton. The application for up to 800 dwellings, a care home of up to 80 units, a secondary school and a local centre was submitted on 8 July 2024 and refused planning permission by resolution of the Shropshire Council's Southern Planning Committee of 16 December 2025 with two reasons cited.
2. The decision-taking framework of course starts with the development plan. But the adopted Core Strategy ("CS") and Site Allocations and Management of Development ("SAMDev") DPDs have an end-date of 2026. They thus became 'time expired' on 1 April this year. Plainly, they do not allocate land or even plan to meet the needs of the period of time we ware now in. But they do still contain the adopted spatial strategy – a settlement hierarchy, areas where growth is supported or will be resisted, areas which should be protected – against which the appeal scheme can be tested.
3. The NPPF (2026) is also obviously a very important material consideration. Policy S5.5 is the starting point which tells us, in the first instance, to apply the

Green Belt (“GB”) policies at GB6, 7 and 8. The Council’s case is that the development is ‘inappropriate’ in GB policy terms. The Appellant concludes the opposite because, it says, the site is ‘grey belt’. That issue largely turns on whether Albrighton is a large built up area (“LBUA”) and whether the appeal scheme amounts to sprawl. The Council says ‘yes’ to both; the Appellant says “no”.

4. If the Council is right, the Appellant needs to demonstrate ‘very special circumstances’ – that the harm to the GB and any other harm is clearly outweighed by other considerations.
5. If the Appellant is correct, then NPPF policy S5.5 advises that permission should be granted unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework, except where an NPPF policy indicates that development should be refused.
6. The inspector has identified ‘main issues’ for the inquiry to consider. By-and-large, they are matters which go to the various benefits or harms / adverse impacts that are the components of the potential planning balances ‘in play’ in this appeal.
7. The inquiry benefits from a number of Statements of Common Ground between the Council and Appellant and the r6 Party. As at the opening of the inquiry, the Council has not identified anything that needs to be resiled from.
8. The inquiry will also consider planning conditions and a legal planning obligation on a ‘without prejudice’ basis – the Council and Appellant have been cooperating in their production.
9. The proposed development would deliver some benefits: residential development, including affordable housing and a care home which are needed in Shropshire. There is a dispute as to whether land for a new school and a medical facility is needed. However, the real problem with this development is

it's size; its adverse impacts / harmful effects arise because it is just too big for the location proposed.

10. The Council continues to maintain that planning permission should be refused.

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