

**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
SUMMARY 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: 18th August 2026



1.0 INTRODUCTION

- 1.1 This is a summary of my Proof of Evidence. My name is Lynn Parker, I am a Senior Planning Officer at Shropshire Council.
- 1.2 I hold a Master of Arts Degree in Town and Country Planning and a Bachelor of Arts degree in Graphic Design.
- 1.3 My Proof of Evidence has been prepared with consideration given to the development proposed in the planning application submission, relevant local and national policies and the main issues identified during the CMC meeting discussion.
- 1.4 The Proof relates principally to matters of planning judgement, harm and benefits and overall planning balance in respect of the Appeal proposal.

2.0 RELEVANT PLANNING POLICY

- 2.1 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. In addition to these, Development Plan policies relevant for determining the Appeal are: CS8, CS9, CS11, CS13, CS18, MD8, MD12 and MD13.
- 2.2 The Development Plan is time-expired as its requirements and allocations were to meet needs up to 2026. The policies most important for determination, including for housing, are out-of-date by virtue of footnote 8 of the Framework as the LPA cannot demonstrate a deliverable five-year housing land supply. Nevertheless, the Framework notes that weight can still be given to out-of-date policies according to their degree of consistency with the Framework.
- 2.3 The Council's position is that the most important Development Plan policies for determining the application, whilst out-of-date, remain in conformity with the Framework. However, the presumption in favour of sustainable development and the "tilted balance" in paragraph 11(d) of the Framework is engaged. The Council's case is that the application of Framework policies protecting areas or

assets of particular importance provides a strong reason for refusal, principally because the proposed development site lies within the Green Belt and does not constitute grey belt land.

3.0 CONSIDERATION OF THE MAIN ISSUES

- 3.1 The Council's position is that the proposed development would be inappropriate development in the Green Belt. The Shropshire Council Green Belt Assessment (SCGBA) concludes that the site is not grey belt and makes a strong contribution to two Green Belt purposes: checking unrestricted sprawl and safeguarding the countryside from encroachment. In relation to Green Belt purpose a), Albrighton is regarded as a town in local policy terms. The proposed development would represent a substantial and incongruous extension to Albrighton, disrupting its compact settlement form and projecting built environment into open countryside. Substantial weight is attached to the harm arising from inappropriate development in the Green Belt.
- 3.2 The proposal would also cause substantial harm to Green Belt openness. The proposed development site is currently undeveloped agricultural land, and the introduction of built form over approximately 48 hectares would produce a permanent visual and spatial change. The Council's evidence is that the scale and form of the proposal would undermine the openness and permanence of the Green Belt, significantly eroding its countryside character. Substantial weight is attached to this harm.
- 3.3 In relation to the spatial strategy, the proposal conflicts with the adopted Development Plan. It would introduce speculative major development outside Albrighton's development boundary contrary to the planned distribution of growth. While relevant policies are out of date for housing land supply purposes, they remain consistent with the Framework in seeking to direct growth to sustainable locations and protect the countryside. Considerable weight is attached to this conflict.
- 3.4 The proposed development would also cause significant harm to the character

and appearance of the area. The Council's landscape evidence identifies that the development would materially alter the compact form of Albrighton, create a prominent protrusion of built form into open agricultural countryside, and erode rural character, historic route patterns, green infrastructure, public views and the sense of separation between Albrighton and Boningale. Significant weight is attached to this harm.

- 3.5 In terms of accessibility, I do not consider that the proposal has demonstrated that future occupiers would have adequate access to a range of facilities/services by sustainable modes. Although Albrighton contains a range of facilities/services within 2,000 metres of the site centre, some key facilities/services are considerably further from the southern parts of the site. Existing bus services are limited, and there is no evidence that a service operator would deliver new or diverted routes. Walking distances to bus stops and the railway station exceed typical guidance distances, and I consider that many future residents would be reliant on the private car. Considerable weight is attached to this harm.
- 3.6 The site includes Grade 2 and Grade 3 agricultural land, and no Agricultural Land Classification Report has been provided to establish the extent of best and most versatile agricultural land (BMV). The proposal would result in the permanent loss of agricultural land and has not demonstrated that poorer quality land or previously developed land could not accommodate the development. Moderate weight is attached to this harm.
- 3.7 The proposed development would result in less than substantial harm to the significance of Designated Heritage Assets, namely the Grade II Listed Lea Hall and Barn and Boningale Conservation Area. I acknowledge that some physical and visual impacts could be mitigated. However, the Framework requires great weight to be given to the conservation of Designated Heritage Assets. I consider that the public benefits relied upon do not outweigh the heritage harm. Moderate weight is attached to this harm.

4.0 PLANNING BALANCE

- 4.1 The proposal would deliver a number of benefits. These include up to 800 dwellings, 35% affordable housing, a care facility, public open space, CIL contributions, biodiversity net gain, and economic activity during construction and occupation. Significant weight is attached to the delivery of housing, affordable housing, other social benefits and economic benefits. Limited weight is attached to biodiversity net gain, as the proposed gains exceed the mandatory requirement but are not a substantial overprovision.
- 4.2 I acknowledge that adequate provision can be secured for a number of matters through a Section 106 Agreement and planning conditions, including affordable housing, sports contributions, highway works, education contributions, healthcare contributions, public open space, biodiversity net gain monitoring and sustainable drainage. However, there remain concerns regarding the certainty of active travel and public transport provision, and ecology information is not yet complete because further bat survey work remains outstanding. The Council also disagrees that land is required on site for a secondary school or GP surgery; the relevant education and health bodies favour financial contributions to existing provision rather than new facilities on the appeal site.
- 4.3 The Appellant relies on a package of “very special circumstances”, including housing delivery, affordable housing, a care home, local centre, education and healthcare land, highway improvements and active travel routes to outweigh the inappropriateness of the proposed development in the Green Belt. The Council’s position is that these considerations do not clearly outweigh the harm to the Green Belt and other identified harms. Several benefits are not unique to the appeal site, are required to mitigate the proposed development itself, or do not respond to an identified local need. I note that most of Shropshire is not Green Belt and that alternative options for growth are not constrained in the same way.
- 4.4 Overall, I set out in the planning balance exercise that the benefits of the proposal, while significant for some factors, are outweighed by the cumulative harms. In particular, the harm to the Green Belt by reason of inappropriateness,

the harm to openness, conflict with the spatial strategy, harm to landscape character, accessibility concerns, loss of agricultural land and heritage harm collectively carry decisive weight.

5.0 CONCLUSION

5.1 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.

5.2 While the Council cannot demonstrate a five-year supply of deliverable housing land and the presumption in favour of sustainable development is engaged, 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 strategic 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.

5.3 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.

5.4 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 appearance of the area.	Protrusion of the built form into agricultural countryside. Change to compact form of Albrighton	Significant	Negative
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