



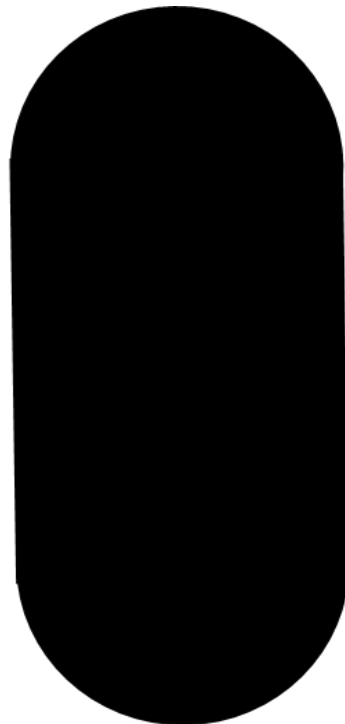
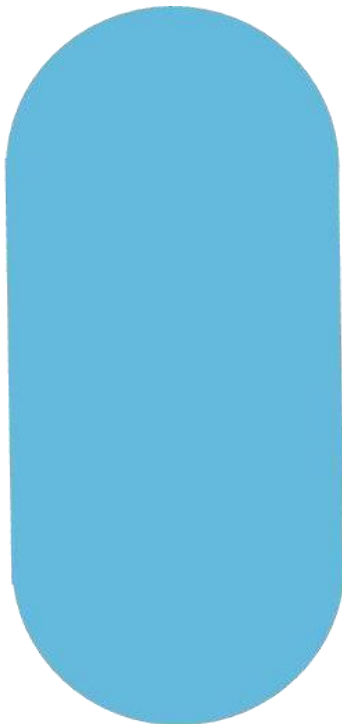
 Part of Shakespeare Martineau

Planning Statement

Albrighton South

Boningale Homes Limited

June 2024



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0. Executive Summary

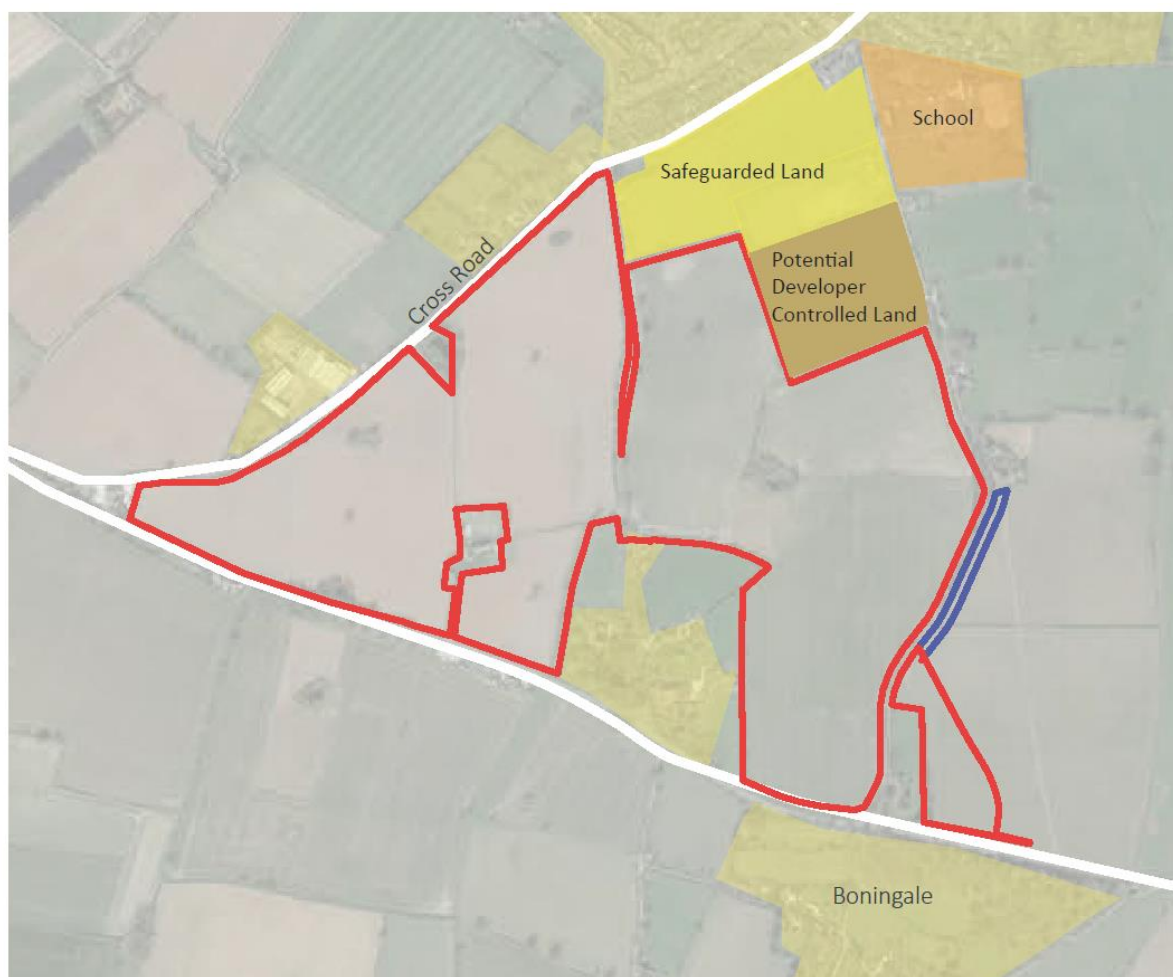
- 0.1. This outline application is for up to 800no. residential dwellings, land for a Care Home of up to 80no. units, land for a Secondary School and a Local Centre, with associated access, infrastructure, landscaping, and drainage.
- 0.2. The Site, through the emerging Local Plan Review Updated Sustainability Appraisal was determined by the Council to be suitable for residential development at the scale proposed in this application, as confirmed through reference to the Site potentially being suitable for safeguarding.
- 0.3. It is acknowledged that at the present time the application Site remains in the Green Belt and that to justify its development for residential purposes, Very Special Circumstances are required to be demonstrated which in the case of this application are as follows:
 - a. The Site has recently been considered suitable for safeguarding by the Council as detailed within the Additional Updated Sustainability Appraisal;
 - 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;
 - c. We consider that the Council cannot currently demonstrate a sufficient supply of deliverable housing.
 - 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;
 - 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;
 - g. The provision of market housing that will provide new, quality homes, in a community where people wish to live;
 - 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;
 - j. A modern Care Home facility is proposed, and meets some of the increasing needs of an aging population in Shropshire and indeed Albrighton;
 - k. The provision of such a care facility will provide jobs and boost the local economy, but will further ensure that houses currently underoccupied 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;

- m. The provision of highway improvements, including a new gateway spine road will improve vehicular access to Albrighton from Telford and Wolverhampton;
 - n. The creation of an Active (Green) Travel route, and the provision of offsite 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.
- 0.4. In summary therefore this application would increase the supply and choice of housing in Albrighton and the wider local area. It would provide economic growth and have wider social benefits to the local community, meeting a range of housing requirements and mix, including a significant supply of affordable and market housing, in line with the objectives in the Draft submission Local Plan Review. The principles of design and access outlined within the DAS would secure a high-quality scheme.
- 0.5. The supporting material, assessments and expert reports demonstrate that there are no technical, physical, or environmental constraints that would preclude the development of this site, subject to planning conditions and/or obligations.
- 0.6. The Applicant is willing and able to enter into a constructive dialogue with the Council to agree a list of conditions and to complete a Section 106 Agreement and/or Section 278 agreements with the Council to deliver and/or make financial contributions to meet planning and highway obligations or to mitigate the impacts of the development as required. These contributions can be identified and assessed before the planning application is determined and the applicant invites the Council to engage in that process immediately.
- 0.7. As is demonstrated by this Planning Statement, Very Special Circumstances exist that justify development of the highly sustainable application Site for residential purposes and, as with, other recent decisions, the Council is requested to support this application and approve it in a timely manner in accordance with paragraph 11 of the National Planning Policy Framework (2023).

1. Introduction

- 1.1. This Planning Statement has been prepared by Marrons on behalf of Boningale Homes ('the Applicant') in support of an outline planning application at Albrighton South ('the Site'). The proposed development comprises up to 800no. residential dwellings, land for a Care Home of up to 80no. units, land for a Secondary School and a Local Centre, with associated access, infrastructure, landscaping and drainage.
- 1.2. The Site location plan is set out below at Figure 1.

Figure 1: Site Location Plan



- 1.3. Section 2 describes the Site's physical features as well as considering the planning background of relevance. Section 3 provides a high-level description of the proposed development, with Section 4 summarising the planning policy context. Section 7

considers the principle of development and the Very Special Circumstances that exist to justify the development. Section 8 summarises the technical reports prepared in support of this application and demonstrates that there are no insurmountable constraints to the development, and Section 9 provides a summary and conclusion of this report.

- 1.4. Due regard has been had to the Council's checklist for validation of major applications in the preparation of this application. This Statement should be read in conjunction with the following documentation submitted with the application:

- Design and Access Statement;
- Illustrative Framework Plan;
- Transport Assessment;
- Travel Plan;
- Heritage Statement;
- Preliminary Ecological Appraisal;
- Biodiversity Net Gain Baseline Assessment;
- Landscape and Visual Impact Assessment;
- Green Belt Assessment;
- Housing Mix Statement;
- Affordable Housing Statement;
- Arboricultural Assessment;
- Flood Risk Assessment;
- Drainage Strategy;
- Phase I Site Investigation; and
- Statement of Community Involvement.

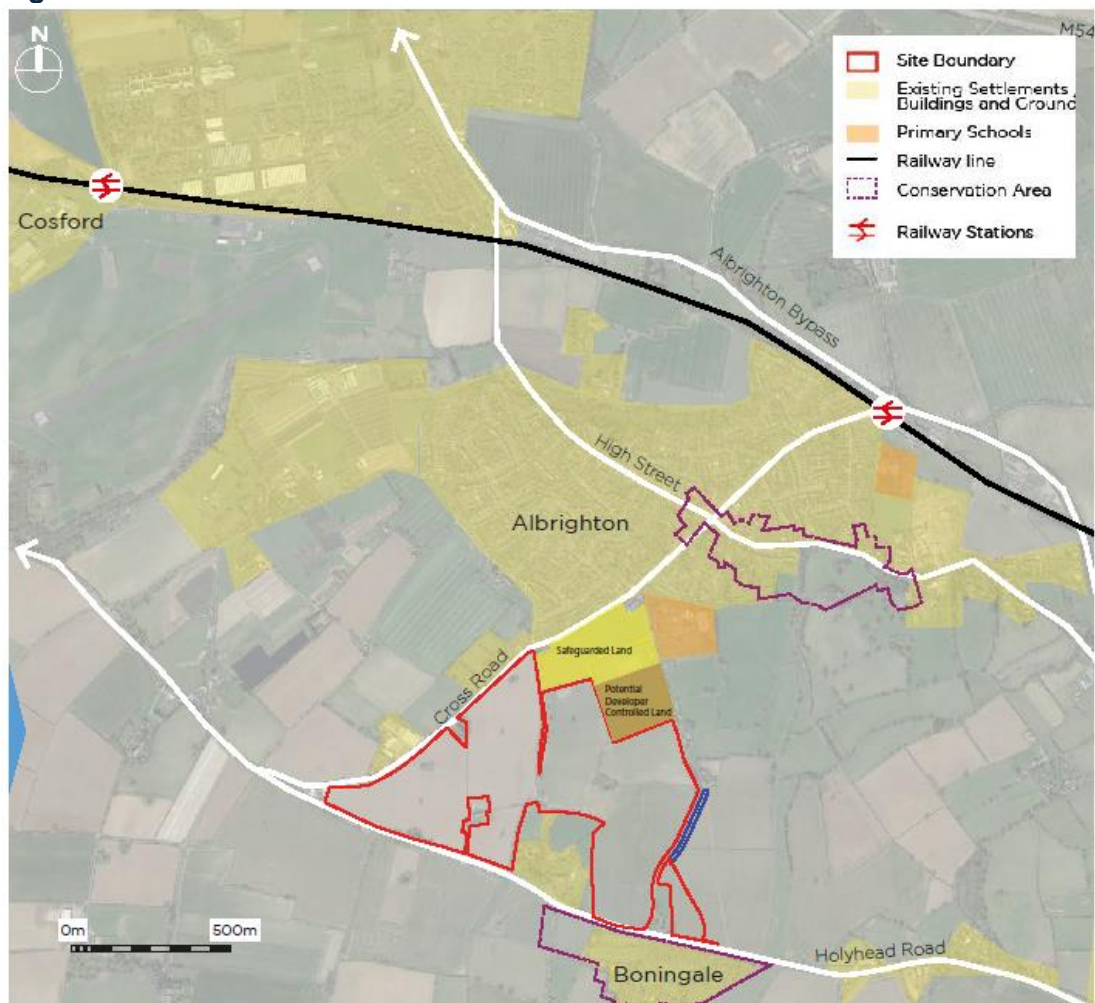
- 1.5. The applicant is committed to engaging proactively with Shropshire Council to bring the application to determination.

2. Site Description and Planning Background

Locational Context

- 2.1. The application Site forms approximately 48.04 hectares of agricultural land to the south of Albrighton (see Figure 2 below). The Site is accessed from the south via A464 (Holyhead Road) which provides wider strategic highway connections to the M54 to the north and Wolverhampton and the wider Black Country to the east.
- 2.2. The site is linked to the existing settlement by Safeguarded Land identified in the Draft Shropshire Local Plan 2016-38, S1 Albrighton Place Plan Area.
- 2.3. Albrighton Primary School is close to the site and the centre of Albrighton is located to the north-east. The High Street provides a number of local facilities and services. There are also two primary schools within the settlement. For secondary education, pupils must travel to Telford, Shifnal or Wolverhampton at present.

Figure 2: Immediate Context Plan



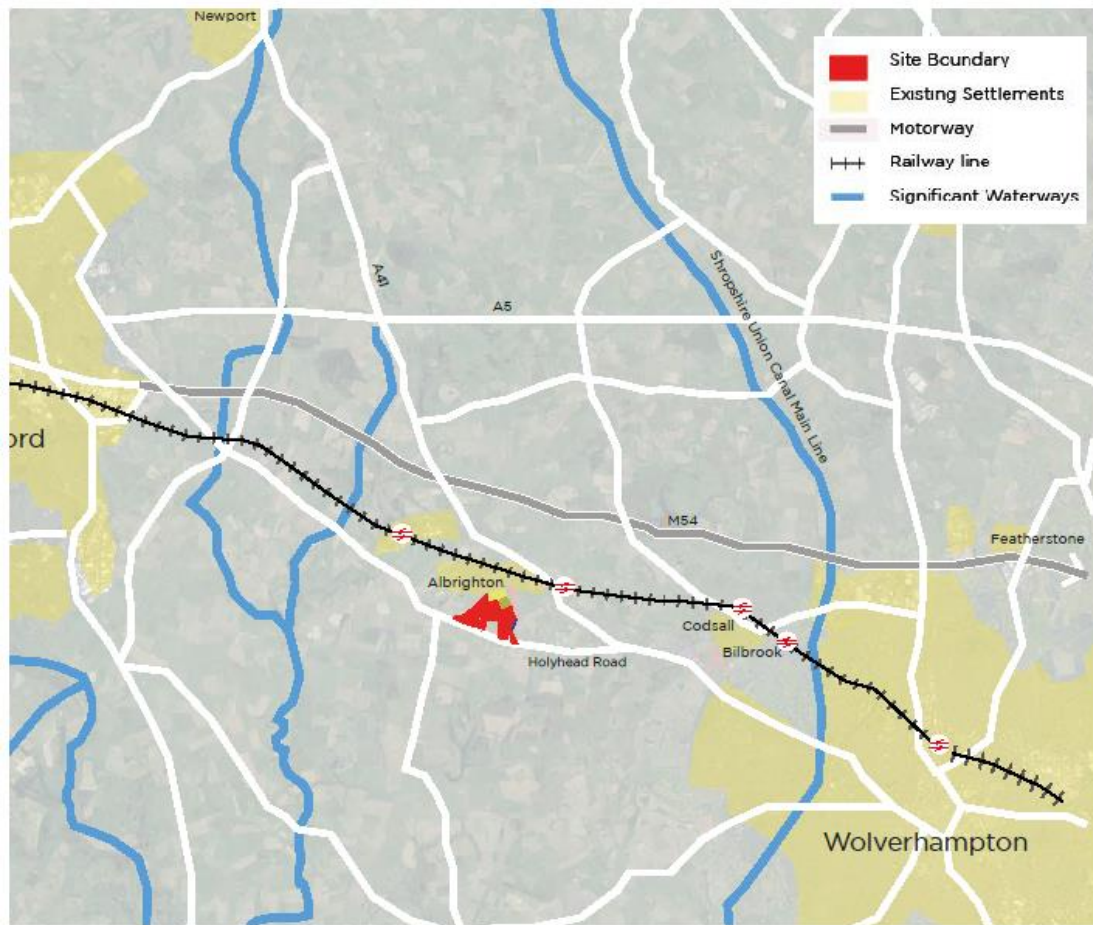
- 2.4. The application Site is largely surrounded by agricultural land, with land identified within the emerging Shropshire Local Plan as being safeguarded for future residential development being located directly to the north of the subject Site. Residential dwellings lie directly north of the Site along Cross Road, with Albrighton Primary School being located to the northeast. Newhouse Lane borders the Site to the east, with a dwellings interspersed along this. To the south lies Lea Hall Farm and the A464 / Holyhead Road, with the village of Boningale beyond. Cross Road and an animal feed outlet are located to the west of the subject Site.
- 2.5. In terms of topography, the Site undulates gently with no one point being of particular prominence. Established hedgerows surround the Site, with existing infrastructure, specifically the A464, defining the southern boundary. Cross Road defines the site's western boundary, while Patshull Road divides the western and eastern portions of the site. Newhouse Lane forms the eastern boundary.
- 2.6. Albrighton benefits from a variety of amenities and facilities, including three public houses, restaurants, local shops, and a Primary School, all located within a 1-mile radius of the site's northern edge. These amenities provide residents with convenient access to social and educational resources.
- 2.7. RAF Cosford is located approximately 1.3 miles northwest of the site, with two business parks, namely Cosford Business Park and R&P Wood, situated within 2 miles of the site's northern edge. This proximity offers employment opportunities for potential occupants of the Site.
- 2.8. Albrighton, and therefore the Site, benefit from accessibility to wider road networks, with the A41 lying approximately 1 mile north east of the site. This allows for access to the wider strategic road network via the M54, which in turn enable onward travel to the main regional employment, retail and leisure centres of Wolverhampton, Birmingham and Dudley.
- 2.9. The Site benefits from its proximity to Albrighton station, situated within 1 mile of the proposed development. Albrighton station offers extensive transportation links to various destinations, including Shrewsbury, Wellington, Oakengates, Telford Central, Shifnal, Cosford, Codsall, Bilbrook, Wolverhampton, Smethwick Galton Bridge, and Birmingham New Street. This network provides residents with convenient access to regional employment centres, educational institutions, retail facilities, and leisure destinations.
- 2.10. The closest bus stop to the Site is situated approximately 600 meters northeast of the northern edge of the proposed development. This bus stop supports service 891, a

frequent service with buses running approximately every 10 minutes. The route covers destinations including Wolverhampton, Tettenhall, Cosford, Shifnal, Stafford Park, and Telford Centre, providing residents with convenient access to various amenities, employment hubs, and transportation connections within the region.

Wider Locational Context

- 2.11. Albrighton is located in Shropshire, approximately mid-way between Wolverhampton, to the east and Telford to the west.
- 2.12. As is demonstrated on the below wider context plan, the site is strategically located on principle A roads connecting the site to Wolverhampton and the wider Black Country beyond.
- 2.13. Albrighton Train Station further provides easy access to Telford and Wolverhampton and Birmingham.
- 2.14. Given the proximity to Wolverhampton, as is demonstrated within Census data and the Council's Local Plan evidence base, there is a strong relationship between Wolverhampton and Albrighton, with residents moving between Albrighton and Wolverhampton on a regular basis for employment opportunities, high-order education provision and access to health care and retail opportunities.
- 2.15. As is detailed further in this Statement, the opportunity to meet unmet need arising from Wolverhampton and the wider Black Country in Albrighton, the single closest sustainable settlement in Shropshire should be given considerable weight in the planning balance.
- 2.16. The above mentioned strategic transport connections ensure easy and sustainable commuting opportunities between Albrighton South and Wolverhampton and the Black Country and further, as is well documented in national and local research, the importance of delivery housing to meet unmet needs should be located as close to the area from which it is arising, not just because of sustainable transport connections, but also so as to ensure social connections can be maintained. Those being 'displaced' from Wolverhampton, on the basis of insufficient housing opportunities, will continue to require and benefit from the support of family and friends and wider social circles within Wolverhampton, thus making Albrighton the most appropriate location to accommodate any unmet need.

Figure 3: Wider Context Plan



Opportunities & Constraints

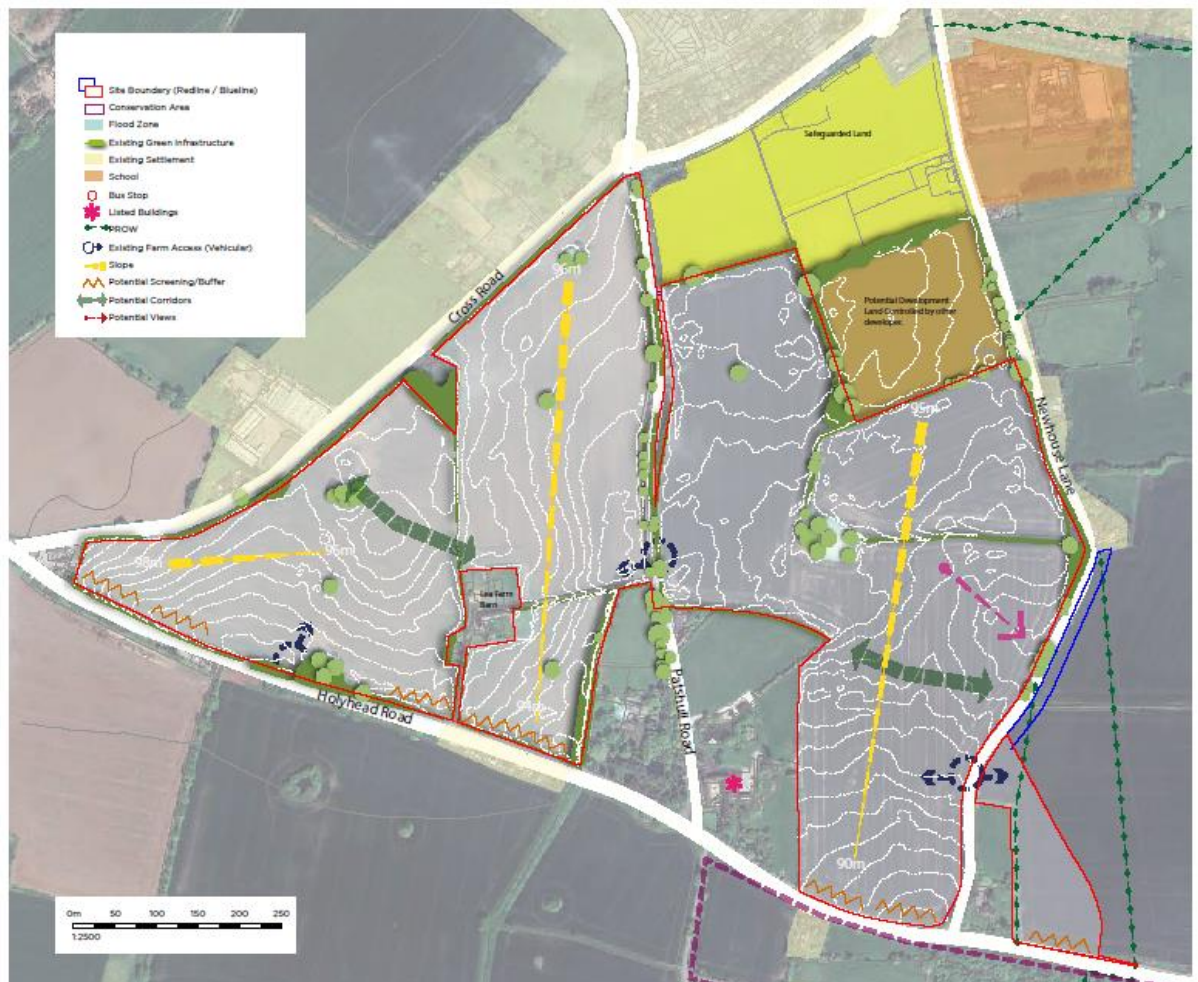
- 2.17. As is detailed within the design and Access Statement, care has been taken to review the opportunities and constraints associated with the Site. The identification of these features has been fundamental to the proposed design principles employed throughout the preparation of this application.
- 2.18. The identified opportunities, that have informed the design comprise;
- The Site is relatively level with a gentle slope down towards the east.
 - The Site includes land adjacent to three existing roads connecting the settlement to Holyhead Road. These roads create opportunities to access the Site.
 - Existing trees and hedgerows can be utilised to provide established green infrastructure to support recreation and habitat.
 - To the east of the Site are a number of public rights of way which provide pedestrian connections into the settlement centre, its facilities and services, and out into the countryside via Boningale.
 - There are no significant views from or to the Site. However, the topography allows views across the Site and from the southern edge, looking south-east.

- Cross Road provides a direct route to Albrighton Railway Station.

2.19. The identified constraints, that have informed the design comprise;

- To the east of the Site the topography drops more steeply to the floodplain of the brook.
- There are a number of established trees and hedgerows within and on the edges of the Site. These should be maintained where practicable.
- Boningale Conservation Area and the listed buildings within and next to it are located adjacent to Holyhead Road and the southern edge of the Site. A buffer can be accommodated on the southern edge to mitigate potential impacts on the conservation area.
- The junction of Cross Road and Holyhead Road is unsafe for increased traffic.
- Holyhead Road is a fast country road with overgrown footways.
- Patshull Road and Newhouse Lane are narrow country lanes unsuited to increased traffic.

Figure 4: Opportunities and Constraints Plan



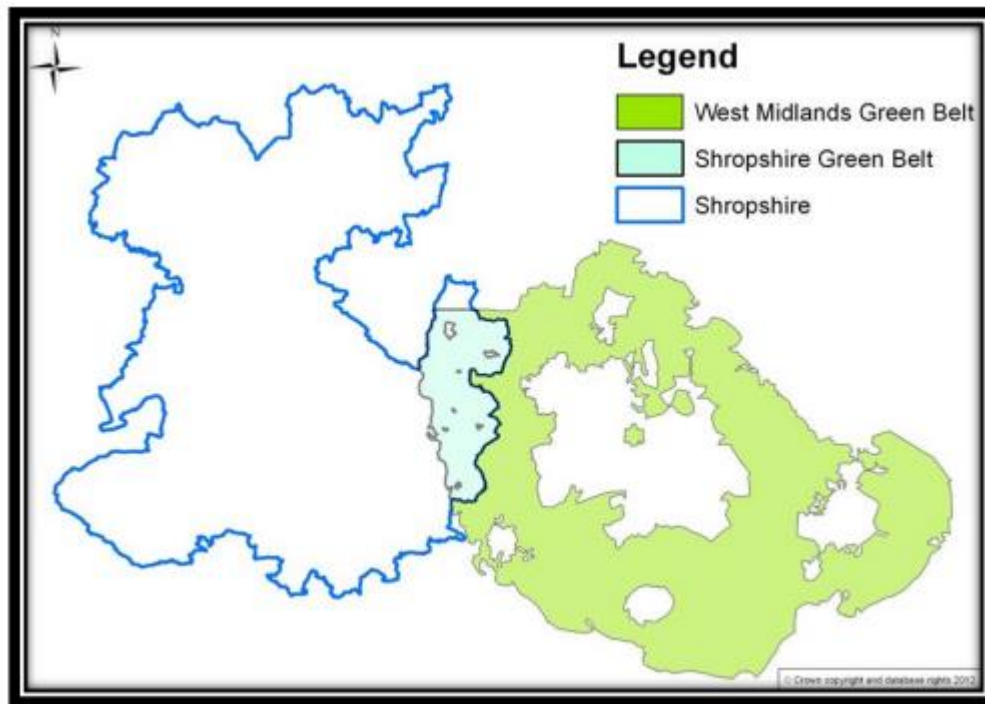
2.20. The entirety of the subject Site is located within the Green Belt.

2.21. According to the Green Belt statistics published by the then DCLG, in 2015/16 Shropshire contained around 24,480 hectares of Green Belt land. This represents

approximately 8% of the total area of Shropshire, which is 319,728 hectares, and approximately 1.5% of the total Green Belt Land in England.

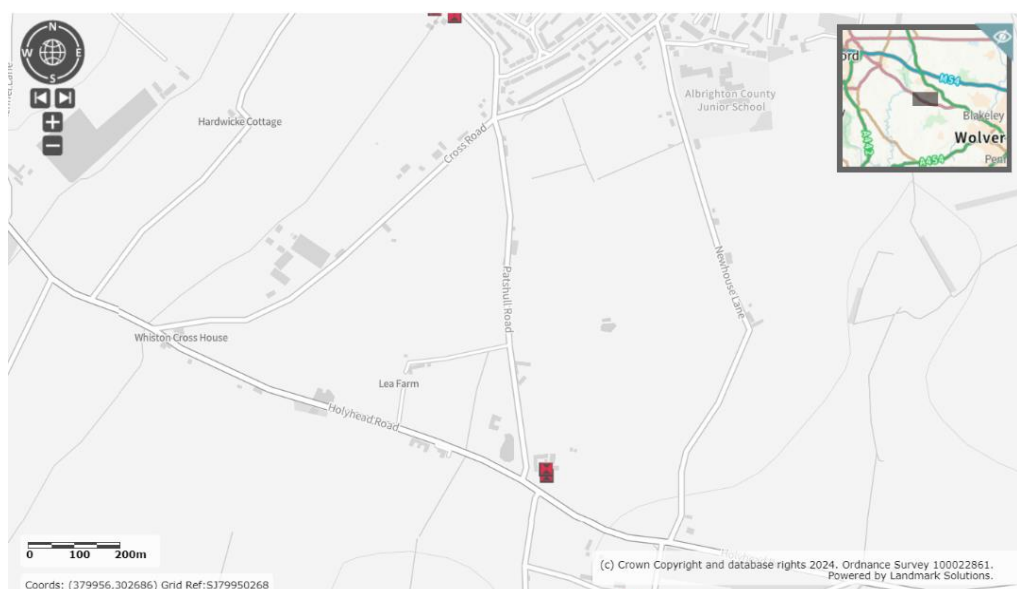
- 2.22. Whilst therefore there is land within Shropshire that is located outside of the Green Belt, as is demonstrated on the below plan, the area directly adjacent to Wolverhampton and the Black Country is washed over by Green Belt.

Figure 5: Shropshire Green Belt Plan



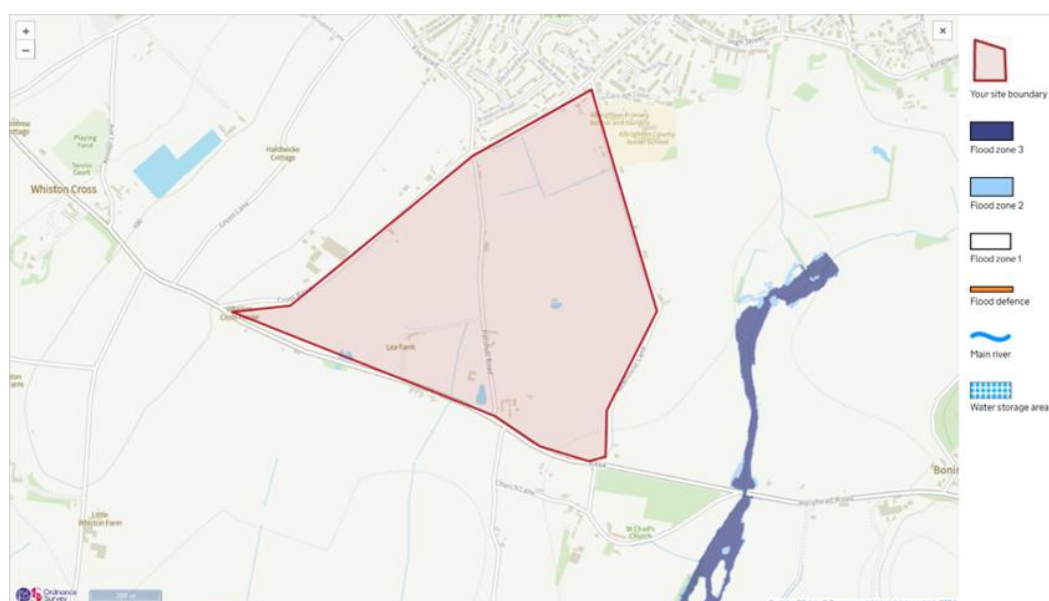
- 2.23. In terms of heritage constraints, there are two no. Grade II listed buildings located approximately 180 meters from the red line boundary to the south of the Site: Lea Hall and the separately listed Barn attached to North End of Lea Hall (see figure 2 for the location of these properties).
- 2.24. Additionally, the Boningale Conservation Area lies on the southern side of Holyhead Road to the south of the Site. The Site boundary does not directly border the boundary of the Conservation Area, but it is in close proximity.

Figure 6: MAGIC Map showing heritage constraints



- 2.25. The Site is not subject to any statutory ecological constraints, and it contains no protected habitats. The nearest protected habitat is the Donnington & Albrighton Local Nature Reserve, which is located roughly 800 metres northeast of the Site with significant intervening-built form separating it from the Site.
- 2.26. The Environment Agency's Flood Map for Planning identifies that the entire Site is located in Flood Zone 1, meaning that the risk of flooding by fluvial source in any given year is less than 0.1%. An extract of the Environment Agency's Flood Map for Planning is shown in Figure 7 below.

Figure 7: Environment Agency's Flood Map for Planning



Planning History

2.27. A search of the existing council records indicates that there is no recent relevant planning permission for the proposed Site. However, as part of the application process, a pre-application was submitted, the recommendations of which are outlined below:

- The pre-application advice emphasises the necessity to adhere to existing and emerging housing policies, particularly in relation to the allocation strategy for Albrighton and the protection of the Green Belt.
- It underscores the importance of providing policy-compliant levels of public open space and private amenity space, ensuring suitable separation between properties, and accommodating refuse collection vehicles effectively.
- Recommendations include the provision of a diverse mix of housing types, with a focus on intermediate homes, and the appropriate distribution of affordable housing within the development.
- Furthermore, the advice highlights the need to address objections from SC Highways regarding proposed access and to provide adequate parking provisions, including consideration of electric vehicle charging points.
- Environmental considerations are emphasised, with recommendations for ecological surveys, biodiversity assessments, and tree preservation measures to be incorporated into the planning application.
- Finally, the advice stresses the importance of implementing Sustainable Urban Drainage System (SUDS) techniques for managing surface water drainage effectively.

3. Proposed Development

- 3.1. This planning application seeks outline planning permission (with all matters reserve except for access) for a development of up to 800 no. dwellings, a Care Home of up to 80 beds, a Secondary School and a Local Centre, with associated access, infrastructure, landscaping and drainage.
- 3.2. Vehicular access to the Site is proposed from three locations, as shown below. The first is from Holyhead road to the south of the Site, where access will be achieved via two points, a new three arm roundabout at the western end of the Site and a simple priority junction at the eastern end. To the north, access will be on to Cross Road, achieved by the alteration of the existing alignment of Cross Road.
- 3.3. The below illustrative framework plan has been prepared to demonstrate on way in which the proposed development could be delivered within the subject Site.

Figure 8: Illustrative Framework Plan



- 3.4. Patshull Road and Newhouse Lane are to be modified so that they provide access to the existing dwellings along these roads but do not provide vehicular access to the

internal road network of the Site. They will remain open to pedestrian and non-motorised traffic to create permeability and connectivity without compromising safety, vehicle numbers and speeds within the Site.

- 3.5. In addition, Cross Road will be stopped up for vehicle traffic along a stretch of its southern extent in order to ensure that the amenity and safety of existing properties along this road are not compromised by the development.
- 3.6. The submitted illustrative masterplan demonstrates how the Site could be sensitively developed to accommodate the proposed development. The proposal would be developed at a density of approximately 20dph, which would be in keeping with the existing character of Albrighton. This density would also allow for large areas of open space throughout the Site that would enhance the amenity of the Site.
- 3.7. The proposed dwellings will comprise a mix of sizes and tenures, including a full policy compliant affordable housing provision, and will benefit from generous private amenity space and off-street car parking provision in accordance with Shropshire Council's requirements.
- 3.8. The care home will consist of 80 bedrooms and will be designed so as to ensure that there is adequate parking for staff and visitors amidst high quality landscaping and communal open areas.
- 3.9. The secondary school will benefit from generous grounds allowing playing pitches to be accommodated, this will include the provision of a lit MUGA that can be used outside of school time and term by local community and sports groups.
- 3.10. The local centre will comprise a supermarket, a GP Surgery and Pharmacy, and flexible employment in the form of rentable desk space and will be positioned in the centre of the Site. Subject to discussions with the Local Highways Authority, a shuttle service, providing access to and from the High Street is proposed.
- 3.11. Care has been taken when considering the composition of the local centre, to ensure that priority is given to ensuring the ongoing need for the existing services and facilities in Albrighton. The proposed supermarket element is considered materially different to the existing retail provision in the settlement, and it is not expected that there will be displacement in terms of customers accessing the local facilities in the core of Albrighton. Initial contact has been made with potential end users who have confirmed interest in the supermarket element of the Local Centre.
- 3.12. Noting the comments received during the consultation process, an additional GP Surgery and Pharmacy is proposed as part of the Local Centre. It is expected that this will run alongside existing provision and will simply ease pressure on the existing services and facilities. Local residents have in particular raised concerns relating to the capacity at the existing pharmacy in Albrighton. Again, initial discussions have

taken place with regard to an end-user of this element of the Local Centre. A local practice have confirmed that they would want to operate in this area.

- 3.13. The proposed secondary school, care home and local centre may be located to gain access from the proposed spine road. These new facilities will also overlook a ribbon of green spaces which link east-west and north south through the Site.
- 3.14. The green infrastructure has been indicated to accommodate the required public open space, drainage attenuation and habitat whilst seeking to maintain and reinforce existing trees and hedgerows.
- 3.15. Existing trees and hedgerows will be incorporated into the proposals wherever possible. The landscaping scheme will also include landscape buffers along the Site boundaries which will create strong defensible boundaries to the Green Belt, as well as to the Grade II listed Lea Hall and Boningale Conservation Area to the south.
- 3.16. Whilst reserved for determination at a later stage, the drainage strategy for the Site consists of a number of surface water drainage basins that will be positioned so as to ensure that the area of the Site is appropriately drained. In addition there will also be a range of other features, such as swales and permeable paving, to reduce the impact of the scheme on the surface water runoff rates from the site.

4. National Planning Policy & Guidance

National Planning Policy Framework

- 4.1. The Department for Levelling Up, Housing & Communities published the revised National Planning Policy Framework (NPPF) in December 2023. This contained updates following from the Levelling-up and Regeneration Bill: reforms to national planning policy consultation.
- 4.2. The NPPF emphasises the role of the Development Plan in decision making (paras 2, 12 and 47) but also states that the NPPF itself is a material consideration in the determination of planning applications. The NPPF is underpinned by a presumption in favour of sustainable development and those provisions that are relevant to this proposal are identified below.

Achieving sustainable development

- 4.3. Paragraph 7 describes that the purpose of planning is to contribute to the achievement of sustainable development. Paragraph 8 proceeds that the planning system, in the context of sustainable development, has 3 overarching interdependent objectives:
- An economic objective;
 - A social objective; and,
 - An environmental objective.
- 4.4. Paragraph 10 states that to ensure sustainable development is pursued in a positive way, there is a presumption in favour of sustainable development at the heart of the Framework. Paragraph 11 confirms that, for plan making, this means:
- a. all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;
 - b. strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas (as established through statements of common ground), unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area⁷; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 4.5. For decision-taking this means:

- a. Approving development proposals that accord with an up-to-date development plan without delay; or
- b. where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Decision-making

- 4.6. Paragraph 38 states that local planning authorities should approach decisions on proposed development in a positive and creative way, working proactively with applicants and seek to approve applications for sustainable development where possible.
- 4.7. Paragraphs 39 to 45 promotes early engagement and pre-application discussions, whilst paragraph 46 advocates consideration of voluntary planning performance agreements, particularly for large or complex applications.
- 4.8. Paragraph 47 requires decisions on applications to be made as quickly as possible and within the statutory timeframes unless a longer period has been agreed.
- 4.9. Paragraph 48 proceeds that weight may be given to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency of the emerging policies to those in the Framework (being minded of the transitional arrangements set out at footnote 22).
- 4.10. Paragraph 49 states that in the context of the Framework – and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than in the limited circumstances where both:
 - a. the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and
 - b. the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.
- 4.11. Paragraphs 55 to 58 require local planning authorities to consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations, subject to compliance with the relevant tests.

Delivering a sufficient supply of homes

- 4.12. Paragraph 60 states that it is important a sufficient amount and variety of land can come forward where it is needed, that needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay to support the Government's objective of significantly boosting the supply of homes.
- 4.13. Paragraph 61 sets out that when establishing the minimum number of homes needed within a given area, in addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.
- 4.14. Paragraph 66 highlights that housing developments, decisions and policies should expect at least 10% of the total number of homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups.
- 4.15. Paragraph 74 highlights that the supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities (including a genuine choice of transport modes).

Promoting healthy and safe communities

- 4.16. Paragraph 96 describes the importance of creating healthy, inclusive and safe places. Planning policies and decisions should therefore promote social interaction, safe and accessible environments which reduce the potential for crime and disorder (including fear of crime), and enable / support healthy lifestyles.
- 4.17. Paragraph 99 states that it is important that a sufficient choice of school places is available to meet the needs of existing and new communities.
- 4.18. Paragraph 102 highlights that Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change.

Promoting sustainable transport

- 4.19. Paragraph 109 states that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering

- a genuine choice of transport modes, as this can help to reduce congestion and emissions, and improve air quality and public health.
- 4.20. Paragraph 111 highlights that the accessibility of the development, the availability of and opportunities for public transport, and the type, mix and use of the development should be taken into account when setting local parking standards.
- 4.21. Paragraph 115 states that development proposals should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be 'severe'.
- 4.22. Paragraph 116 considers that development proposals should give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second - so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use. Further to this, the needs of people with disabilities and reduced mobility should be addressed, and places should be created that are safe, secure and attractive.
- 4.23. Paragraph 117 confirms that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

Making effective use of land

- 4.24. Paragraph 123 requires that policies and decisions promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 4.25. Planning policies and decisions should support development that makes efficient use of land, as is considered in Paragraph 128, taking into account:
- a. the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
 - b. local market conditions and viability;
 - c. the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
 - d. the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
 - e. the importance of securing well-designed, attractive and healthy places.
- 4.26. Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site, in accordance with paragraph 129.

Achieving well-designed and beautiful places

- 4.27. As is stated in paragraph 131, the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Further to this, the paragraph considers that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 4.28. Paragraph 137 considers that design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.

Protecting Green Belt Land

- 4.29. Paragraph 142 identifies that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Paragraph 143 elaborates on this, specifying that Green Belt serves five purposes:
- a. to check the unrestricted sprawl of large built-up areas;
 - b. to prevent neighbouring towns merging into one another;
 - c. to assist in safeguarding the countryside from encroachment;
 - d. to preserve the setting and special character of historic towns; and
 - e. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 4.30. Paragraph 145 sets out that whilst there is no requirement for Green Belt boundaries to be reviewed or changed when plans are being prepared or updated, authorities may choose to review and alter Green Belt boundaries where exceptional circumstances are fully evidenced and justified, in which case proposals for changes should be made only through the plan-making process.
- 4.31. Paragraph 152 sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in Very Special Circumstances.
- 4.32. Paragraph 153 confirms that Local Planning Authorities should give substantial weight to any harm to the Green Belt when considering planning applications. 'Very Special Circumstances' will not exist unless the potential harm to the Green Belt by

reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

4.33. Paragraph 154 states that Local Planning Authorities should regard the construction of new buildings as inappropriate in the Green Belt. However, a number of exceptions to this rule are set out including:

- a. buildings for agriculture and forestry;
- b. the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c. the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d. the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e. limited infilling in villages;
- f. limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g. limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

4.34. Paragraph 150 sets out other forms of development which are not deemed to be inappropriate in the Green Belt, provided they preserve its openness and do not conflict with the purposes of including land within it. These include:

- a. Mineral extraction;
- b. Engineering operations;
- c. The re-use of buildings provide that the buildings are of permanent and substantial construction;
- d. Material changes in the use of land; and
- e. Development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

Meeting the challenge of climate change, flooding and coastal change

4.35. Paragraph 173 sets out that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.

- 4.36. Paragraph 175 identifies that Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:
- a. take account of advice from the lead local flood authority;
 - b. have appropriate proposed minimum operational standards;
 - c. have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
 - d. where possible, provide multifunctional benefits.

Conserving and enhancing the natural environment

- 4.37. Paragraph 180 describes how policies and decisions should contribute to and enhance the natural and local environment by:
- a. protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
 - b. recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
 - c. maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
 - d. minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
 - e. preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
 - f. remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.
- 4.38. Paragraph 186 states that when determining planning applications, local planning authorities should apply a number of principles relating to biodiversity. This includes if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

Conserving and enhancing the historic environment

- 4.39. Paragraph 200 highlights when determining applications, the applicant should describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets'

importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

4.40. Paragraph 202 sets out in determining applications, local planning authorities should take account of:

- a. the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b. the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c. the desirability of new development making a positive contribution to local character and distinctiveness.

4.41. Paragraph 205 confirms when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

4.42. As per paragraph 206, any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

4.43. Paragraph 207 sets out that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a. the nature of the heritage asset prevents all reasonable uses of the site; and
- b. no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c. conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d. the harm or loss is outweighed by the benefit of bringing the site back into use.

4.44. Paragraph 208 confirms where a development proposal will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal.

Planning Practice Guidance

4.45. In addition to the provisions of the NPPF, when preparing and determining planning applications, regard should be had to National Planning Practice Guidance (PPG). The below summarises some key areas of the PPG relevant to the application before the Council.

- 4.46. When making a planning decision, a material planning consideration is one that is pertinent to the decision (e.g whether to grant or refuse an application for planning approval).
- 4.47. The courts frequently fail to specify what is not a material consideration since the definition of what can be considered a material consideration is so broad. But generally speaking, they have adopted the stance that planning is about using land in the public interest, meaning that protecting exclusively private interests—like how a development would affect the value of a nearby property or take away a private person's right to light—could not be taken into account as material factors (Paragraph: 008 Reference ID: 21b-008-20140306).
- 4.48. Subject to any requirements imposed by a Secretary of State directive, the local planning authority may deviate from the Development Plan when material considerations suggest that the relevant policies should not be followed. According to article 32 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, there is authority to deviate from Development Plan policies (Paragraph: 013 Reference ID: 21b-013-20150327).

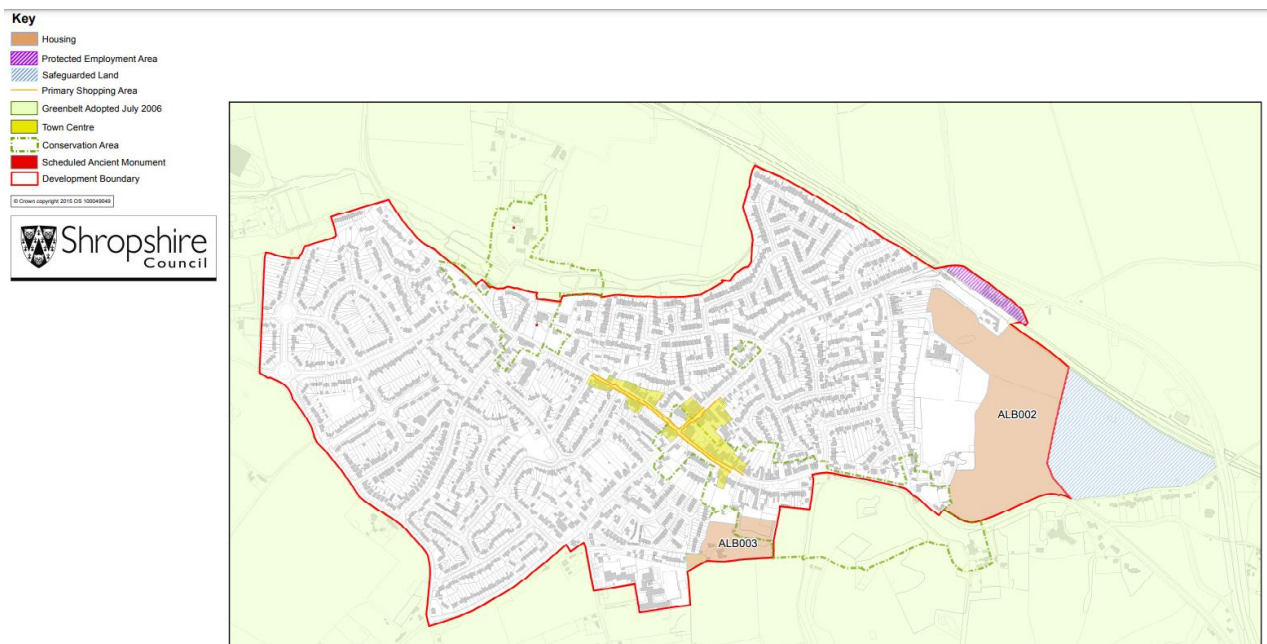
5. Local Planning Policy Context

- 5.1. This section considers the relevant planning policy framework for the Site having regard to the development proposed. It considers relevant policies contained within the statutory development plan and other local planning policy guidance.

Adopted Development Plan

- 5.2. Section 38(6) of The Planning and Compulsory Purchase Act 2004 requires that decisions must be made in accordance with the development plan unless material considerations indicate otherwise. This considered, the development plan for Shropshire Council comprises the Core Strategy Development Plan Document, adopted in February 2011, and the Site Allocations and Management of Development Plan, adopted in December 2015.

Figure 9: Adopted Policy Map



- 5.3. The Site is identified as lying with the Green Belt on the adopted Local Plan policies map, as shown on the above extract of the interactive policies map. In light of this, the relevant policies are identified below.
- 5.4. Given the date of adoption of both the Core Strategy Development Plan Document and the Site Allocations and Management of Development Plan, as detailed above, the Development Plan is considered time expired. Each of the relevant policies have

been reviewed in the context of the provisions of the 2023 NPPF and the weight to be afforded to each policy is set out below.

Core Strategy; adopted February 2011

- 5.5. **Policy CS1: Strategic Approach** outlines Shropshire's strategic strategy for development from 2006 to 2026. It proposes to build around 27,500 new dwellings, including 9,000 affordable houses, as well as 290 hectares of employment land and related infrastructure. Market towns and major centres will accommodate approximately 40% of residential development over the plan period. Geographically, East Shropshire is earmarked for the provision of 3,025 – 3,575 dwellings and 30 – 40 hectares employment land, together with additional housing provision of up to 1,000 dwellings, if required, for returning military personnel. This policy is considered out-of-date and no weight should be afforded to the provisions of this policy on the basis that the calculation of housing need, that informed the policy has been superseded by the introduction of the standard method for calculating Local Housing Need.
- 5.6. **Policy CS3: The Market Towns and Other Key Centres** emphasises the preservation and enhancement of the functions of Market Towns and Key Centres, with a focus on balanced housing and employment development within their borders. This policy confirms that no changes will be made to the Green Belt boundaries around Albrighton, and states that Albrighton will have development to meet local needs, respecting its location in the Green Belt. This policy also confirms that some of the development to meet the needs of returning military personnel will be accommodated in Albrighton, if required. Notwithstanding the recognition of Albrighton being an inherently sustainable settlement, this policy is considered out-of-date and very limited weight should be afforded to the provisions of this policy on the basis that development outside of the parameters contained within, have been granted planning permission and have been relied upon by the Council for the purpose of maintaining a sufficient supply of housing.
- 5.7. **Policy CS5: Countryside and Green Belt** confirms that, within the designated Green Belt in south-eastern Shropshire, there will be additional control of new development in line with government guidance, albeit due to the age of the Core Strategy the guidance referred to has since been superseded and as such the policy is considered out-of-date and very limited weight should be afforded to the provisions of this policy
- 5.8. **Policy CS6: Sustainable Design and Development Principles** outlines the principles of sustainable design and development. Development proposals must

meet national or local sustainability criteria, including resource and energy efficiency. Proposals likely to generate significant levels of traffic to be located in accessible locations where opportunities for walking, cycling and use of public transport can be maximised and the need for car based travel to be reduced. All development must be adaptable, safe, and accessible while addressing climate change problems. Development should safeguard and improve the natural, built, and historic environments while also promoting community health and well-being. Development should meet national quality standards, optimise land use, and protect natural resources. Infrastructure capacity must be aligned with development goals, and proposals affecting current facilities will be reviewed to ensure equivalent or better alternatives. Broadly, this policy is considered to contain sufficient flexibility so as to ensure that it is consistent with the 2023 NPPF. The proposed development is considered to be consistent with the provision of this policy.

5.9. **Policy CS7: Communications and Transport** requires the maintenance and improvement of integrated, accessible, attractive, safe and reliable communication and transport infrastructure and services. It promotes diverse travel options, including information technologies and public transport services. It emphasises enhancing cycling and walking networks, supporting rail-related developments, improving highways, and facilitating freight movements. Consideration of this policy is provided in the submitted Transport Assessment.

5.10. **Policy CS8: Facilities, Services and Infrastructure Provision** supports the development of sustainable places in Shropshire with safe and healthy communities where residents enjoy a high quality of life will be assisted by;

- Protecting and enhancing existing facilities, services, and amenities;
- Preserving and improving access to facilities and services, including ICT;
- Facilitating the timely provision of additional facilities and infrastructure to meet identified needs in appropriate and accessible locations;
- Encouraging infrastructure that mitigates and adapts to climate change, including low-carbon and renewable energy generation, with minimal impact on the environment.

5.11. Notwithstanding some inconsistencies with the NPPF, we consider that the proposals before the Council conform with the provision of this policy.

5.12. **Policy CS9: Infrastructure Contributions** outlines the order of priority for infrastructure contributions from development as follows:

- Critical infrastructure that is necessary to ensure adequate provision of essential utilities, facilities, water management and safe access for the development including that identified in the LDF Implementation Plan;

- Priority infrastructure, as identified in the LDF Implementation Plan, including contributions from residential developments towards affordable housing as required to meet Policy CS11 Type and Affordability of Housing;
 - Key infrastructure as identified in the LDF Implementation Plan.
- 5.13. Both the evidence base supporting this policy and the overall compliance with the requirements of the NPPF render the application out-of-date and accordingly, no weight can be afforded to the provisions within. Notwithstanding this, we consider that the application proposals are fully in compliance with the policy.
- 5.14. **Policy CS11: Type and Affordability of Housing** addresses the housing needs of Shropshire residents by promoting mixed, balanced, and inclusive communities. It advocates for diverse housing developments in terms of type, size, tenure, and affordability. The plan targets an overall provision of 33% of local needs affordable housing, including 20% social-rented and 13% intermediate affordable housing, with specific targets set by the Housing Strategy. Housing developments are expected to accommodate lifestyle changes, adhere to the Lifetime Homes standard, and support vulnerable populations. Additionally, open-market housing developments are required to contribute to local needs for affordable housing, with on-site provision expected for larger developments.
- 5.15. The provisions of this policy have been superseded by updated evidence base, new NPPF provisions and guidance. This policy is out-of-date and is considered to carry no weight.
- 5.16. **Policy CS13: Economic Development, Enterprise and Employment** focuses on the commitment to promoting economic development, enterprise, and employment for sustainable growth and prosperous communities. This involves promoting Shropshire as an attractive business investment location, particularly emphasising its environment and quality of life. The council aims to revitalise Market Towns. It supports key business sectors such as environmental technologies, creative industries, tourism, and agriculture. Additionally, the policy emphasises providing flexible employment sites, improving education and training opportunities, enhancing transport and ICT infrastructure, and encouraging home-based enterprise and rural diversification. All development proposals must align with these objectives. This policy, along with the Core Strategy was prepared in a different planning era, pre-NPPF, and does not conform with the requirements of the NPPF with regard to the economic purpose of development. The policy is considered out-of-date and can be afforded no weight. Notwithstanding this, the proposals before the Council accord with the general thrust of the policy.

- 5.17. **Policy CS15: Town and Rural Centres** aims to enhance the vitality of Shropshire's network of town and rural centres in line with strategic policies CS1-CS5. It promotes the development of retail, office, leisure, and cultural facilities, prioritising town centres and Shrewsbury for major retail and office projects. Market towns and key centres will also see development to meet local needs and the wider service and employment needs of communities within their respective spatial zones, with a focus on balanced growth and improved accessibility. The policy supports the provision of neighbourhood shopping and community facilities and encourages the protection and enhancement of services in rural villages. This policy, by virtue of supporting and encouraging growth in the most sustainable locations, is considered to be consistent with the provisions of the NPPF. Full weight is therefore afforded to this policy. The development proposals, by virtue of supporting the vitality of existing services and facilities in Albrighton, whilst also providing new amenities, is considered to comply with the provisions of the policy.
- 5.18. **Policy CS17: Environmental Networks** ensures the identification, protection, enhancement, and connection of Shropshire's environmental assets to create a multifunctional network. Development must protect and enhance the diversity and character of natural, built, and historic environments without adversely affecting their values and functions. It should contribute to local distinctiveness and avoid significant adverse impacts or barriers between sites. Financial contributions are to be secured for creating and improving environmental sites and corridors, in line with policies CS8 and CS9, with ongoing monitoring and updates. This policy has been superseded by the provisions of the NPPF and the Environment Bill and is accordingly considered to be out-of-date and carries no weight.
- 5.19. **Policy CS18: Sustainable Water Management** ensures sustainable water management in developments, aiming to reduce flood risk, protect water quality and quantity, and enhance biodiversity. It requires compliance with PPS25 tests, climate change adaptation in design, and sustainable surface water management. Developments must include sustainable drainage systems, improve drainage infrastructure, and incorporate water efficiency measures to protect resources and reduce pressure on wastewater treatment infrastructure. This policy is considered out-of-date and should be afforded no weight in the planning balance on the basis of inconsistency with the provisions of the NPPF.

Site Allocations and Management of Development Plan; adopted December 2015

- 5.20. **Policy MD1: Scale and Distribution of Development** seeks to ensure sufficient land availability to meet Core Strategy development targets, including housing and

employment land. Sustainable development is supported in designated areas such as Shrewsbury, Market Towns, Key Centres, and identified Community Hubs and Clusters. Additional Community Hubs and Clusters may be proposed and designated through formal processes led by Parish Councils and agreed upon by Shropshire Council during Local Plan reviews.

- 5.21. **Policy MD2: Sustainable Design** outlines criteria for acceptable development proposals, building on Policy CS6. It mandates adherence to local design aspirations, preservation of distinctive character, and integration of sustainable drainage techniques. Development must respect existing amenities, incorporate contemporary design elements cohesively, and provide holistic landscaping for safe outdoor spaces. Adequate infrastructure capacity and adherence to sustainable design standards are essential, demonstrating consideration for local needs and long-term maintenance.
- 5.22. **Policy MD3: Delivery of Housing Development** focuses on the delivery of housing development, supporting allocated sites and sustainable development in line with Local Plan policies. Residential proposals must meet design requirements and include a mix of housing types, especially on larger sites. Settlement housing guidelines are crucial, with decisions considering the increase in dwellings, the likelihood of delivery, benefits, impacts, and sustainability. If guidelines are unlikely to be met, additional sites may be acceptable outside settlement boundaries, subject to the same considerations.
- 5.23. **Policy MD6: Green Belt** states that development proposed in the Green Belt must be able to demonstrate that it does not conflict with the purposes of the Green Belt.
- 5.24. **Policy MD8: Infrastructure Provision** ensures infrastructure provision aligns with existing capacity and addresses any shortfalls identified in the LDF Implementation Plan or Place Plans. It safeguards operational infrastructure and supports new strategic infrastructure where benefits outweigh potential adverse impacts, considering factors like visual amenities, landscape character, and community engagement. Specific criteria apply to renewable energy and other infrastructure, with a focus on environmental and community considerations. Monitoring and decommissioning standards are also established to ensure compliance and site restoration.
- 5.25. **Policy MD12: Natural Environment** aims to conserve, enhance, and restore Shropshire's natural assets, aligning with Policies CS6 and CS17 and guided by the Natural Environment SPD. It mandates Habitat Regulations Assessment for projects affecting designated sites and requires mitigation for adverse effects on biodiversity, geology, and visual amenities. Development impacting special qualities or priority

areas must demonstrate no viable alternative and outweigh harm with social or economic benefits. Encouragement is given for development conserving or enhancing natural assets, particularly those in poor condition, and contributing positively to local distinctiveness, especially in priority areas.

- 5.26. **Policy MD13: Historic Environment** focuses on protecting and enhancing Shropshire's heritage assets. It requires proposals to avoid harm to designated or non-designated heritage assets and their settings. When proposals may affect these assets, a Heritage Assessment is required. Proposals impacting non-designated assets may be permitted if public benefits outweigh adverse effects, with mitigation measures required. The policy also encourages development that positively benefits heritage assets, particularly those at risk or in poor condition.
- 5.27. **Policy S1: Albrighton** outlines the development strategy for Albrighton, aiming to provide around 250 dwellings for local needs over the plan period. It allocates land for housing development, safeguards land for future needs, directs retail development to the village centre, and emphasises compliance with the Albrighton Plan. Albrighton had two allocations (ALB003 and ALB002). The progress of which are noted below.

Table 1: Allocated Site Progress

Allocation ref	Planning Application ref	Number of Dwellings	Progress
ALB003 - Land at White Acres	20/03508/FUL	18	Application Refused
	21/05665/FUL	24	Application Withdrawn
ALB002 - Land east of Shaw Lane	BR/APP/OUT/08/0907	N/A	Original application
	14/05456/REM	56	Complete
	15/02448/FUL	65	Complete

Development Plan Conclusion

- 5.28. As is detailed above, the adopted Development Plan is time expired, with the Core Strategy having been prepared in a different era of planning, pre -NPPF.
- 5.29. The above confirms that the basket of most important policies for determining this application are out-of-date and carry no or very limited weight. We invite the Council to confirm the datedness of the Development Plan and consider the basket of most important policies in the same context.

Supplementary Planning Documents

Sustainable Design SPD (Part 1)

- 5.30. The SPD provides comprehensive guidance on sustainable design, including waste management standards and strategies in Shropshire. It emphasizes alignment with national policies and frameworks to promote sustainable practices.
- 5.31. It mandates waste management plans in all development proposals, in line with national policies, and emphasises recycling, energy recovery, and the waste hierarchy framework to guide sustainable waste management practices.
- 5.32. The document also outlines targets and regulations for reducing construction waste and increasing recycling efforts, requiring waste assessments and audits in development proposals to focus on waste reduction and sustainable disposal methods. Furthermore, it encourages the reuse and recycling of materials to minimise waste generation during construction and urges developments to exceed minimum standards and incorporate sustainable construction frameworks for higher performance.
- 5.33. Additionally, the SPD highlights government targets for reducing household and commercial waste sent to landfill, with a focus on recycling initiatives, and sets standards for waste storage facilities in both residential and non-residential developments, aiming to facilitate efficient waste management. It also emphasizes the integration of waste management considerations into the early design phases of developments and underscores the importance of energy efficiency and renewable energy integration to mitigate carbon emissions alongside waste management efforts.
- 5.34. In summary, the SPD provides a comprehensive framework for promoting sustainable waste management practices in Shropshire's development projects, aiming to achieve environmental objectives while meeting regulatory requirements.

Type and Affordability of Housing SPD

- 5.35. The SPD addresses key aspects of housing development, including type, mix, design, farm workers, affordable housing, and accommodation for gypsy and traveller sites.
- 5.36. It aligns with the Shropshire Core Strategy's goal of delivering 9,000 affordable homes by 2026, primarily through developer contributions from open market developments and affordable housing exception sites.
- 5.37. Developer contributions are determined annually based on factors such as house prices, construction costs, and land use values, with financial contributions sometimes made instead of on-site provision. Contributions for fractions of affordable

dwellings are calculated using a formula considering both on-site and off-site provision. Off-site contributions are pooled to increase affordable housing delivery, with priorities managed in collaboration with Town and Parish Councils.

- 5.38. Certain developments are exempt from affordable housing contributions, including replacement dwellings and non-market housing. The scheme for exception sites aims to provide affordable housing for local residents with strong connections to the area, ensuring that properties remain affordable and prioritizing local occupancy through various conditions and legal agreements.

Developer Contributions SPD

- 5.39. The SPD highlights the commitment to development contributions is implemented through mechanisms like the LDF Implementation Plan, Supplementary Planning Documents, Planning Obligations, and the CIL. Small-scale developments, which constitute the majority in Shropshire, have a significant impact on infrastructure, necessitating fair burden sharing.
- 5.40. Policy CS9 mandates all developments to contribute to local infrastructure proportionate to their scale and location sustainability. Prioritisation of infrastructure contributions follows a framework outlined in CS9, with critical infrastructure taking precedence, followed by priority and key infrastructure identified in the LDF Implementation Plan. Viability of development, considering design standards, infrastructure provision, and affordable housing contributions, is essential and subject to regular review.
- 5.41. Mechanisms for infrastructure provision include planning conditions, planning obligations, and the CIL. The Place Plans and LDF Implementation Plan guide infrastructure requirements for each locality, ensuring community input and alignment with development goals. Planning obligations are tailored to specific developments, ensuring compliance with the requirements of the Community Infrastructure Levy Regulations. The Community Infrastructure Levy provides a consistent mechanism for funding infrastructure, with rates set to ensure viability for most developments. The Levy operation is subject to annual review, reflecting changing market conditions and development viability. The governance of Levy funds is outlined in the Code of Practice, with consultation and reporting mechanisms in place to ensure transparency and accountability.

Emerging Local Plan

Shropshire Local Plan Review (2016-2038)

- 5.42. Paragraph 48 of the NPPF states that local planning authorities may give weight to relevant policies in emerging plans according to:
- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
 - the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given);
 - the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
- 5.43. The Council began a review of the adopted Development Plan / preparation of a new Local Plan Review in 2017.
- Issues and Options Consultation (January 2017)
 - Preferred Options Consultation (October 2017)
 - Regulation 19 Consultation (December 2020)
 - Date for Submission to Secretary of State (September 2021)
- 5.44. Clearly in line with the above, the preparation of and Examination of the Local Plan Review has been an elongated and drawn out process and arguably the delay in adopting a Plan has left something of a policy vacuum in Shropshire.
- 5.45. Upon adoption the policies of the Shropshire Local Plan Reviews 2016 to 2038 will replace the policies of the Core Strategy and SAMDev Plan, except for the SAMDev site allocations which have yet to be delivered, which will be 'saved' and therefore continue to form part of the Development Plan. The policies and proposals within adopted formal Neighbourhood Plans which conform with the Shropshire Local Plan 2016 to 2038 will also continue to apply.
- 5.46. The Shropshire Local Plan does not sit in isolation; it is supported by and has regard to a number of other strategies produced by the Council and other bodies, including: The draft Housing Strategy 2020 to 2025; The draft Climate Change Strategy; the Economic Growth Strategy 2017 to 2021; the emerging Local Transport Plan; and AONB Management Plan.
- 5.47. In relation to vision and objectives for Shropshire, the Draft Local Plan's vision statement is as follows:

"In 2038, communities will be safe and healthy as Shropshire moves positively towards a zero carbon economy; all residents will be able to access well-designed, decent and affordable homes in the right location; economic

productivity will be maximised through greater investment; and the County's historic and natural environmental assets will be protected and enhanced”.

- 5.48. The draft Shropshire Local Plan Review (2016 – 2038) was submitted to the Secretary of State for examination on 3 September 2021.
- 5.49. The Planning Inspectors Examining the draft Shropshire Local Plan released their Interim Findings paper (ID28) on February 15, 2023. This came after the first round of hearings, which covered legal and strategic matters (including strategic policies). The main Hearing Sessions took place in July 2022, and in January 2023, there was an additional session dedicated to the Duty to Cooperate.
- 5.50. Principally the Inspectors' interim findings related to unmet housing and employment land needs relating to the Black Country. The Council have through the Local Plan Review process agreed to accommodate 1,500 new homes and 30ha of employment land over the Plan period in order to help address need that would otherwise not be met.
- 5.51. At paragraph 4.68 the draft Plan talks about the Polic DP2 single plot extension is about meeting the unmet needs of local affordable housing, which effectively is the Council acknowledging there is a shortfall in this area.
- 5.52. At paragraph 5.10b of the draft Local Plan, 57% of individuals surveyed identified an unmet need for one- or two-bedroom homes in Albrighton.
- 5.53. Additionally, in accordance with the NPPF Paragraph 35b, plans are deemed 'sound' if they aim to meet objectively assessed needs and accommodate unmet needs from neighbouring areas. Wolverhampton's Local Plan identifies an unmet need for 11,998 homes, suggesting Shropshire should consider accommodating this demand within its Plan.
- 5.54. Whilst not relevant directly to the application before the Council, as is detailed in the representations to consultations on the emerging Local Plan Review, Boningale Homes are supportive of the Council's decision, in line with the Duty to Cooperate, to accommodate unmet housing and employment land needs. We do however consider that there is evidence, as demonstrated in the forthcoming consultation on the Wolverhampton Local Plan, that the unmet need is significantly higher than previously recognised and as such, consider that the Council should look to accommodate additional growth to support the wider regional need.
- 5.55. With regard to the approach taken by the Council to unmet needs the Inspectors' interim findings states;

11. At the hearings, the Council suggested that these 1,500 new homes and 30ha of employment land is accounted for within the aforementioned housing

and employment land requirement in policy SP2. We cannot see how. They are not mentioned in the SA and form no part of the growth scenarios considered therein. Consequently, we are concerned that there has been a conflation of housing need and housing requirement and also employment land need and employment land requirement – but these are two distinctly different things.

12. You will appreciate that we need clarity on this point, and the Plan itself must also be equally clear. We therefore ask that the Council provides us with a Topic Paper that unambiguously sets out the need for housing over the plan period and the local plan's housing requirement and the same for employment land. On the face of it, it seems to us that the latter is likely to be the sum of Shropshire's housing/employment need plus the 1,500/30ha homes/employment land relating to unmet need in the Black Country – whatever the case may be, these requirement figures should be made clear in the Plan, through a main modification to policy SP2".

- 5.56. Ultimately the Planning Inspectors came to the conclusion that further SA work should be done in relation to Policy SP2 and the Association of Black Country Authorities' (ABCA) Unmet Housing and Employment Land Needs. This was required for the evaluation of the draft Shropshire Local Plan, guarantee adherence to Regulation 12 of The Environmental Assessment of Plans and Programmes Regulations (2004) and ensure the draft Shropshire Local Plan's legal compliance.
- 5.57. The Planning Inspectors' further to the issue of their interim findings received a CPR Part 54 and Pre-Action Protocol letter dated, 15 August 2023, from Aardvark Planning Law.
- 5.58. The pre-action protocol letter, sets out three grounds of challenge. The first ground related to Jurisdictional Issues, which can effectively be summarised as significant procedural concerns relating to the Council's proposed approach to utilise modification to reduce the level of Shropshire's housing requirement within the Plan.
- 5.59. Ground 2 related to an error of approach in the Council's analysis and failure to take steps to consider additional land to accommodate the unmet housing and employment land needs. It was suggested that the Council's approach and purpose was to avoid releasing further Green Belt land to accommodate the need that the Council have agreed to accommodate.
- 5.60. Ground 3 related to the Sustainability Appraisal and a number of shortcomings, principally related to consistency with the above listed issues and identification of land to specifically meet unmet needs, noting that the tests for accommodating unmet need may differ from those relating to need arising from Shropshire.

- 5.61. The Inspectors in response to the pre-action protocol further wrote to the Council and expressed a number of significant soundness concerns and advised that considerable additional work would be required in order for the Plan to be found sound.
- 5.62. Over the intervening period, the Council have prepared additional material to support the preparation of the Local Plan Review.
- 5.63. Marrons, on behalf of Boningale Homes submitted representation to the public consultation on the below listed documents. The submitted representations are provided at Appendix A.
- GC25: The newly proposed draft policy on Housing Provision for Older People and those with Disabilities and Special Needs;
 - GC44: Shropshire Local Plan Updated Sustainability Appraisal Report 2024;
 - GC45: Updated Housing and Employment Topic Paper; and
 - GC46: Updated Green Belt Topic Paper.
- 5.64. As is detailed within these representations, we consider that the approach being taken by the Council with regard to the quantum of development being planned for is appropriate and justified, however we have notable concerns relating to the identification of suitable land to meet the identified and justified minimum housing
- 5.65. We are concerned with the approach being taken to meeting the 1,500 dwellings unmet housing needs from the Black Country.

Shropshire Local Plan Updated Sustainability Appraisal Report

- 5.66. Within paragraph 13 of ID28 the Planning Inspectors conclude:

“In principle, the Council’s intention to address some of the Association of Black Country Authorities (ABCA) unmet needs (1500 homes and 30ha of employment land), aligns with the spirit of the DtC. It is clear that the Council and the ABCA authorities are all content with this contribution and this is set out in a Statement of Common Ground (SoCG), signed prior to the submission of the Plan for examination. We recognise that there is a lack of any prescribed formula in national planning policy for calculating any uplift to Shropshire’s housing need to meet some of this externally derived unmet need.”

- 5.67. In paragraphs 17-20 of ID28, the Planning Inspectors express their worry that the choice to meet part of the Black Country's land needs for employment and housing may have altered the objectives and parameters of the draft Shropshire Plan. These contributions were not taken into consideration by the SA, which tested options

based solely on meeting Shropshire's needs, because this decision was made between the Regulation 18 and Regulation 19 stages of plan making, after much of the evidence base, including the SA, had been completed

- 5.68. Within Paragraph 21 of ID28, the Planning Inspectors explain that if the intention remains to include proposed contributions to the unmet housing and employment land needs of the Black Country, then *“the Council will also need to consider which site or sites in the Plan will be identified to meet that need. This also needs to be subject to sustainability appraisal to reflect the objectives and geographical scope of the Plan.”*
- 5.69. It is reasonable to assume that without undertaking the necessary work, set out within ID28, the draft Shropshire Local Plan would not be capable of being found sound and the Council would in all likelihood, given the elongated Examination process to date, be asked to consider withdrawing the Plan or risk the Plan being found unsound by the Planning Inspectors.
- 5.70. As such, the Council have undertaken additional SA testing, as set out in the Updated Additional SA (GC44).
- 5.71. The UASA confirms that, overall, the High Growth Plus 1,500 Dwelling Contribution to the Black Country Authorities Unmet Housing Needs is considered to be the most sustainable of the reasonable options (page 105) (the subsequent Updated Housing and Employment Topic Paper confirms that the planning judgement exercise that was informed by the UASA also concluded that this was the most appropriate option for inclusion in the draft Shropshire Local Plan, see page 7). The UASA goes on to consider options by which this strategy might be achieved, and confirms that potential strategic settlements / sites within the Albrighton Place Plan Area are reasonable options to accommodate the unmet need. The UASA then assess a number of sites across the district to understand if they might be appropriate for allocation in this regard, including the site subject to this application.
- 5.72. The application Site is assessed as site P36b within the revised SA. The following points from the assessment are particularly worth noting:
- The highways authority confirm that, assuming appropriate improvements are made, the Site could accommodate a development of up to 1688 homes.
 - The Site is “suitably located to accommodate some of the proposed contribution to the unmet development needs forecast to arise within the Black Country.”
 - The Site was considered to “have potential for future safeguarding” on account of the Site’s availability not being known at the time of the call for sites upon which this exercise is based.
 - The Site is “of a sufficient scale to accommodate a meaningful proportion of the proposed contribution to the unmet need of the Black Country”.

5.73. Despite these positive comments, the UASA does not suggest that the Site should be considered for allocation. The following reasons are given in this regard:

- Safeguarded land available to meet settlement development requirements along with infill and exception site opportunities.
- The Sites availability is currently unknown.
- Development could impact on settings of Grade II listed Lea Hall and Boningale Conservation Area. Site would substantially reduce spatial separation between Albrighton and Boningale.
- The Site is considered to be located within a sensitive Green Belt parcel, the release of which would have high harm.
- The Site is poorly related to the built form of the settlement.
- Whilst the Site's size and location (proximity and connectivity to the Black Country) could mean that it is an appropriate location to meet cross-boundary needs arising in the Black Country, it is considered that there are other more appropriate sites upon which to accommodate these proposed contributions.
- Development of the alternative sites identified to accommodate the proposed contributions to the unmet needs forecast to arise within the Black Country is considered to constitute sustainable development and accommodating parts of these proposed contributions on them would contribute to the achievement of the wider spatial strategy for Shropshire.

5.74. Rather than allocating the Site, or any additional sites for that matter, the UASA instead sets out that the contribution towards the unmet housing needs of the Black Country Authorities by specifically designating a proportion of the dwellings to be provided on three very large sites which are already included in the emerging local plan as draft allocations is considered to be the most sustainable proposed strategy.

5.75. In addition to this, the UASA also sets out that in order to achieve the “high growth” strategy which the Council prefer, there is a need to apply an additional 500 dwelling uplift to the housing requirement as originally assessed. The UASA goes on to set out that accommodating this need through the increase in the housing growth guidelines (i.e., the “settlement guidelines”) and the associated windfall allowances within the settlement boundaries of Whitchurch, Shrewsbury and the Former Ironbridge Power Station Proposed Strategic Settlement is considered to be the most sustainable option. Again, the subsequent Updated Housing and Employment Topic Paper confirms that the planning judgement exercise that was informed by the UASA also concluded that this was the most appropriate option for inclusion in the draft Shropshire Local Plan, see page 7.

5.76. There are numerous issues with this proposed approach which call into question the soundness of the Plan and the proposed strategy. Firstly, one of the three sites which are to have a proportion of their dwelling numbers specifically allocated for delivering the housing in the Black Country received a notably worse score in its assessment than the application Site does. Site IRN001 Former Ironbridge Power Station is

described as “poor” with regards to both its Overall Settlement Sustainability Conclusion and its Overall Black Country Contribution Sustainability Conclusion (see page 269). The application Site, by contrast, is described as Good in relation to both of these criteria (see Appendix 3 page 82). Bar its Green Belt designation, the application Site is significantly less constrained than this proposed allocation. It is also better related to the Black Country, being much closer geographically and very well connected in terms of transport links. The Council have failed to take a consistent and proactive approach to the testing and allocating of sites under the SA by preferring sites with a lower score to those with a higher score, and this has very serious implications for the reasonableness of the Plan.

- 5.77. In addition to this, the Council’s proposed method of accommodating the 500 dwelling uplift in the overall housing requirement is to rely on simply increasing the guidelines for the amount of windfall development anticipated over the plan period. This fundamentally has not been positively prepared, with no evidence having been provided to indicate that this additional windfall development would occur and is not justified as it has failed to appropriately weigh the achievability of reasonable alternatives (such as allocating additional sites) appropriately. This approach is also not effective as, by failing to identify specific sites, it fails to demonstrate that it is deliverable within the plan period.
- 5.78. With specific reference to the subject Site the SA proposes to retain the land as Green Belt and concludes the following;

“Safeguarded land available to meet settlement development requirements along with infill and exception site opportunities. The sites availability is currently unknown. The site is considered to be located within a sensitive Green Belt parcel, the release of which would have high harm. The site is poorly related to the built form of the settlement.

Whilst the site's size and location (proximity and connectivity to the Black Country) could mean that it is an appropriate location to meet cross boundary needs arising in the Black Country, it is considered that there are other more appropriate sites upon which to accommodate these proposed contributions”.

- 5.79. With regard to the proposed approach being taken to meeting the agreed unmet housing needs, it is incredibly pertinent to note the strategic considerations set out within the additional updated SA;

“There is safeguarded land to the east of Albrighton intended to make provision for settlement development needs. This site is in Green Belt to the

south of the settlement. As the sites availability is currently unknown, the site is not considered suitable for allocation. However it may have potential for future safeguarding.

The Green Belt Assessment undertaken for Shropshire indicates that this site is located within a Green Belt parcel which performs weakly against purpose 2; moderately against purpose 3; and strongly against purpose 4. The Green Belt Review undertaken for Shropshire indicates that the release of the parcel containing this site would have a high level of harm on the Green Belt”.

- 5.80. As is summarised below and in greater detail in the supporting Green Belt Assessment, Boningale Homes challenge the assessment of Green Belt Harm identified by the Council’s evidence base.
- 5.81. Additionally, with the mitigation proposed through the retention and enhancement of existing boundary features, the use of strategic buffers and a significant overprovision of green infrastructure, release of land from the Green Belt in this location, along with development of the Site, would have materially lower Green Belt impacts than the sites identified by the Council for allocation.
- 5.82. With regard to the assessment of Albrighton as a location for growth, and specifically for growth to accommodate the unmet housing needs of the Black Country, the Additional Updated SA recognises that *“The site is situated in Albrighton, which benefits from proximity to the Black Country and strong transport links via the M54/A5 corridor, A41 corridor and a railway station on the Shrewsbury to Wolverhampton line.*
- The site is also of a sufficient scale to accommodate a meaningful proportion of the proposed contribution to the unmet need of the Black Country, should it be identified as a proposed allocation”.*
- 5.83. As such, it can be concluded that the SA concludes that the Site is strategically located adjacent to the Black Country from where the unmet housing needs are arising and has excellent transport links, including sustainable transport connections whereby residents could freely move to and from the Black Country without giving rise to unsustainable transport/commuting movements.
- 5.84. The SA further indicates that the Site is suitable for safeguarding. Boningale Homes do not consider it appropriate to safeguard the Site, but consider that the Site should be allocated as part of this Plan, but note that in stating that the Site is suitable for safeguarding, the Council clearly consider that the Site is suitable for Green Belt release and allocation for development at some point.

- 5.85. Whilst it is noted that the SA fails to note that the Site is owned and is actively being promoted for residential-led development, and states that it is unclear if the Site is available, the Site is controlled by a well-respected and known housebuilder developer, who is actively in the process of building out a site within Albrighton at present. Boningale Homes are committed to seeing the Site come forward for residential development and are further committed to delivering the wider infrastructure and improvements needed, not just to support development of the Site in question, but to support the continued growth and long-term vitality and vibrancy of Albrighton for current and future developments.
- 5.86. Allocation and the granting of planning permission for up to 800 dwellings would make a significant contribution to meeting the 1,500 dwellings unmet need from the Black Country in the single most sustainable location to do so.

Emerging Local Plan Policies

- 5.87. The below considers the draft Policies, as set out in the submission version of the Local Plan Review, relevant to the application proposals. It is noted that there will likely be significant modifications to the draft Policies required, if the Local Plan Review process is to continue.
- 5.88. With regard to the housing requirement, the Updated Housing and Employment Topic Paper sets out an updated position that will be considered through the remainder of the Examination process.
- 5.89. The proposed housing requirement is therefore a minimum of 31,300 dwellings between 2016 and 2038, which equates to an annual average of around 1,423 dwellings.
- 5.90. This represents:
- a. A continuation of the 'High Growth' option for the housing requirement previously identified and contained in the submission version of the draft Shropshire Local Plan (15% uplift to local housing need);
 - b. An uplift of 500 dwellings on the housing requirement proposed in the submission version of the Plan; and
 - c. A continuation of the specific contribution of 1,500 dwellings towards the unmet housing need forecast to arise in the Black Country proposed within the submission version of the draft Shropshire Local Plan. This is however now achieved through a further specific uplift of 1,500 dwellings, rather than having these dwellings 'blended' into the housing requirement as proposed in the submission version of the Local Plan.
- 5.91. **Policy SP1: The Shropshire Test** ensures that development contributes to local needs and sustainability by promoting community health, cohesion, and climate change mitigation. It emphasises conserving the natural environment, enhancing

design standards, and efficient land use. Additionally, it prioritises providing adequate infrastructure and aligning with other relevant strategies, such as Community Led Plans and Economic Growth Strategies.

- 5.92. **Policy SP2: Strategic Approach** outlines Shropshire's strategic approach for flourishing and sustainable development. It aims to accommodate growth while ensuring high-quality development that meets local needs and addresses climate change. Key points include delivering around 30,800 new dwellings and 300 hectares of employment land over the plan period, with a focus on affordable housing and vibrant town centres. Urban areas will be prioritised for development, with emphasis on Shrewsbury as a strategic centre, followed by principal and key centres and strategic settlements. Rural sustainability will be supported through development in community hubs and clusters, with an additional focus on affordable housing and economic diversification. The policy also encourages the production of Neighbourhood Plans to complement the Local Plan's objectives. Albrighton is identified as a 'Key Centre', third in the settlement hierarchy.
- 5.93. **Policy SP3: Climate Change** focuses on climate change mitigation and adaptation in Shropshire's development. It aims to reduce carbon emissions through sustainable modes of transport, waste reduction, and energy efficiency measures. It promotes the integration of renewable and low carbon energy systems, district heating and cooling networks, and community energy schemes. Additionally, the policy encourages carbon sequestration through carbon offsetting, wetland restoration, and increased tree planting. It also emphasises flood risk management, heat reduction strategies, wildlife habitat enhancement, and water efficiency measures to mitigate drought impacts.
- 5.94. **Policy SP4: Sustainable Development** emphasises Shropshire Council's positive approach to sustainable development, aligning with the NPPF. It prioritises development proposals that comply with the development plan, aiming for approval without delay unless material considerations suggest otherwise. Development conflicting with the plan will be refused unless overridden by other material considerations. When no relevant policies exist or are outdated, planning permission will be granted unless clear reasons for refusal are provided, ensuring the balance between adverse impacts and overall benefits in accordance with the NPPF.
- 5.95. **Policy SP5: High-Quality Design** emphasises high-quality design in new development to create better living and working environments, enhance sustainability, and support well-being. It requires consideration of context, local distinctiveness, and climate responsiveness, ensuring designs maintain or enhance character, scale, and materials. The policy outlines criteria for building design,

fenestration, extensions, and features, with a focus on consistency, sensitivity, and appropriateness. Planning applications must include proportionate information reflecting the development's size and complexity. Poorly designed developments may be refused permission if they fail to improve the area's quality, function, or well-being and lack adequate supporting information.

- 5.96. **Policy SP6: Health and Wellbeing** focuses on ensuring the health and well-being of individuals, communities, and places through new development. It emphasises creating a high-quality living and working environment, appropriate housing types and locations, and promoting active lifestyles through accessible open spaces and safe walking and cycling routes. The policy also prioritizes creating sustainable communities with access to health facilities, community infrastructure, and healthy food options, while safeguarding against pollution and environmental impacts. Development proposals must incorporate health and well-being objectives, and major developments require Health Impact Assessments.
- 5.97. **Policy SP7: Managing Housing Development** aims to manage housing development by supporting sustainable housing initiatives beyond allocated areas, prioritising disused land reuse and town centre regeneration. It ensures compliance with residential development guidelines, with exceptions considered based on benefits, outstanding commitments, and infrastructure impacts. Market housing outside settlement boundaries is strictly controlled and permitted only under specific conditions or if settlement guidelines are unlikely to be met.
- 5.98. **Policy SP11: Green Belt and Safeguarded Land** aims to ensure the protection and appropriate use of the Green Belt and safeguarded land in Shropshire. It defines the Green Belt boundaries, excluding certain areas for development while safeguarding others for future needs. Development within the Green Belt must adhere to national policy and demonstrate Very Special Circumstances. Specific criteria govern housing development within the Green Belt, focusing on reuse, replacement, or limited affordable housing to meet local needs. Additionally, proposals enhancing green infrastructure, biodiversity, and landscapes will be supported if they align with policy objectives.
- 5.99. **Policy DP1: Residential Mix** requires residential developments to offer a mix of dwelling sizes, types, and tenures to meet local community needs, including families, older people, those with disabilities, and special needs, based on the SHMA (2020). On sites of 5 or more dwellings, specific proportions of open market dwellings must reflect local housing needs or include a variety of sizes. Affordable dwellings must meet national space standards, and those for older people or with disabilities must

comply with specified accessibility standards. Larger developments must provide specialist housing for older people and those with disabilities or special needs.

- 5.100. **Policy DP3: Affordable Housing Provision** mandates affordable housing provision in new developments. For sites of 0.5 ha or more in the south of the county 10% affordable housing is required in the north and 20% in the south. Off-site provision or financial contributions are allowed only in exceptional cases. Affordable housing must be indistinguishable from market housing and include a mix of social and intermediate tenures. Rents are capped at 80% of market rates, and shared ownership at 80% equity share. Allocation follows Shropshire Council's policy. Reduced rates may be considered for viable projects, with an overage clause for future contributions.
- 5.101. **Policy DP9: Managing and Supporting Town Centres** aims to maintain and enhance the vitality of Shropshire's town centres and high streets. It prioritises main town centre uses within defined town centres and principal centres, with support for main uses in key centres and recognised high streets. Proposals outside these areas require a sequential site assessment. Retail and leisure proposals exceeding specific thresholds are subject to impact assessments. Non-retail uses within town centres are acceptable if they contribute to vitality. Health impacts are considered for hot food takeaways. Neighbourhood shopping facilities are supported for existing or new developments. Additional main town centre uses in community hubs should be accessible and aligned with settlement strategy policies.
- 5.102. **Policy DP11: Minimising Carbon Emissions** aims to minimise carbon emissions in new developments. It mandates residential projects to achieve a minimum 19% improvement in energy performance over Part L of the 2013 Building Regulations. Additionally, they must provide at least 10% of predicted energy needs from on-site renewable sources. Larger residential developments, especially those with 50 or more dwellings, are strongly encouraged to achieve zero net carbon emissions and maximise on-site renewable energy usage. Non-residential developments over 1,000m² or 1ha must attain a BREEAM Excellent rating. Existing buildings undergoing changes should focus on improving energy efficiency and integrating renewable energy technologies. These requirements apply unless demonstrated to render the development economically unviable, considering local plan policies and affordable housing delivery.
- 5.103. **Policy DP12: The Natural Environment** aims to protect and enhance Shropshire's natural assets through various measures. This includes conducting assessments for projects impacting designated sites and habitats, ensuring compliance with national policy for sensitive developments, and delivering a net gain of at least 10% for

biodiversity. Proposals affecting natural assets require ecological or geological impact assessments, with mitigation sought first before considering compensation.

Additionally, the policy promotes the retention and expansion of trees, woodlands, and hedgerows, with specific guidelines for their protection and replacement.

- 5.104. **Policy DP14: Green Infrastructure** aims to ensure that new development in Shropshire integrates and expands the green infrastructure network. It mandates avoidance of harm to existing green assets and requires enhancement and extension of the network. Developments must include quality green spaces accessible to all, providing benefits such as biodiversity conservation, climate change adaptation, improved air quality, and promoting health and wellbeing. Where on-site green infrastructure is not feasible, quality open space provision is required. A masterplan must integrate green infrastructure for significant developments to maximise benefits and connectivity. Management and maintenance of green spaces must be secured. Fragmentation or loss of the green infrastructure network is resisted, with mitigation measures for net gain.
- 5.105. **Policy DP15: Open Space and Recreation** emphasises the importance of providing accessible and well-maintained open space in new developments for recreation and health. It outlines criteria for building on existing open spaces and mandates on-site provision of 30sqm per person for housing developments, with considerations for high-quality spaces and impacts on wildlife sites. Preference is given to integrating open space into green infrastructure networks, with off-site provision sought if necessary. Functional play areas must be proportionate to the development scale and accessible to all residents. The policy integrates findings from the Shropshire Playing Pitch and Open Space Strategy and the Leisure Facilities Strategy to meet development needs. Legal agreements ensure the perpetual management and maintenance of open spaces.
- 5.106. **Policy DP16: Landscaping of New Development** mandates landscaping in new developments to create and maintain an attractive environment. It requires detailed surveys to record existing landscape features and heritage assets, conserving and enhancing their value. Landscaping schemes must consider site and vicinity character, constraints like flood risk, and ecological and heritage factors. New tree planting should follow best practices, prioritising native species. Soft landscaping should include specimen trees up to 15-20 meters tall. Trees in adoptable areas must be part of infrastructure planning.
- 5.107. **Policy DP17: Landscape and Visual Amenity** emphasises the importance of respecting, safeguarding, and enhancing landscape character and visual amenity in Shropshire. Major development proposals must undergo an assessment of

landscape and visual impacts, following industry standards, to determine significance. Adverse effects will be considered in planning applications, with measures to prevent or mitigate impacts prioritised. Proposals that safeguard key landscape features or enhance visual amenity will be supported, guided by the Shropshire Landscape and Visual Sensitivity Study.

- 5.108. **Policy DP18: Pollution and Public Amenity** ensures development in Shropshire complies with pollution control regimes and national objectives. It emphasises minimising pollution and maximising improvements in environmental quality and public amenities. Development must be appropriate for its location, consider air quality impacts, avoid sensitive agricultural land, and address noise and lighting concerns. Proposals must also mitigate risks from contamination and instability, adhere to noise and lighting standards, and consider defence requirements in designated areas.
- 5.109. **Policy DP19: Water Resources and Water Quality** aims to ensure that development in Shropshire preserves water quality and quantity, with adequate water infrastructure in place. It prohibits proposals that compromise water bodies covered by the Water Framework Directive and encourages the avoidance of hazardous substance discharge to groundwater. Development in groundwater Source Protection Zones must consider shallow groundwater and historic contamination, restricting certain construction methods if necessary. Adequate water infrastructure is required for development, including phased construction to accommodate necessary capacity improvements. Proposals must also address foul drainage management, ensuring separate drainage systems and assessing impacts on water quality. Additionally, development should conserve and enhance watercourses and riverside habitats, with consideration for river restoration and enhancement opportunities.
- 5.110. **Policy DP20: Water Efficiency** states water efficiency in new development to mitigate climate change effects. It requires new housing to meet the Building Regulations' standard of 110 litres per person per day for water usage, as recommended by the Shropshire Water Cycle Study. Non-domestic buildings must achieve 'Good' BREEAM status or equivalent unless it affects viability. Major developments must include water efficiency promotion and consumer education programs.
- 5.111. **Policy DP21: Flood Risk** focuses on mitigating flood risk and directing development away from flood-prone areas in Shropshire. It requires applying Sequential and Exception Tests to identify suitable development locations and ensure safety and sustainability. Development proposals must demonstrate their ability to manage flood risk effectively through design measures, including sustainable drainage systems. A

site-specific Flood Risk Assessment is required for all development proposals in flood-prone areas, ensuring resilience to both current and future flood risks.

Measures to enhance natural flood management, river restoration, and community flood defences are encouraged while maintaining access to watercourses and flood defences. Additionally, development should aim to enhance natural habitats to reduce flood risk and conserve watercourses and riverside environments.

- 5.112. **Policy DP22: Sustainable Drainage Systems** mandates sustainable water management in Shropshire's developments to reduce flood risk and preserve water quality and quantity, including groundwater resources. Major developments must integrate Sustainable Drainage Systems (SuDS) in line with council guidance and construction standards. SuDS should prioritise multiple benefits, such as green infrastructure and biodiversity enhancements. Surface water management follows a hierarchy, emphasising infiltration and avoiding increased flood risk elsewhere. All proposals require a surface water management plan and must not exceed pre-development runoff rates. Urban creep must be addressed by designing SuDS to accommodate future changes, and climate change allowances are considered in flood risk assessments.
- 5.113. **Policy DP23: Conserving and Enhancing the Historic Environment** aims to protect, enhance, and restore Shropshire's heritage assets. It mandates avoiding harm to designated or non-designated heritage assets and their settings, requiring Heritage Assessments for proposals likely to impact significance. Proposals causing harm to designated assets are permitted only if the benefits outweigh the loss. Measures to mitigate harm and advance understanding are required for permitted proposals. Development positively benefiting heritage assets is encouraged, particularly for assets at risk. Detailed supplementary planning documents guide development affecting heritage assets where applicable.
- 5.114. **Policy DP25: Infrastructure Provision** aims to ensure that new development occurs only where there's sufficient existing infrastructure capacity. Any shortfall in infrastructure provision must be addressed through developer contributions unless alternative solutions are in place. Priority for critical or statutory infrastructure requirements will be given to CIL funds for applicable developments. CIL funds not essential for planning acceptance will support infrastructure needs outlined in Shropshire Place Plans and the Local Infrastructure Plan. If CIL funds are insufficient, additional Section 106 contributions may be required to meet specific infrastructure needs. For developments not subject to CIL, necessary infrastructure improvements will be secured through planning obligations, meeting national requirements.

- 5.115. **Policy DP28: Communications and Transport** aims to offer sustainable travel options to manage environmental impacts while addressing climate change, air quality, and community well-being. Achieving these goals involves investing in broadband and mobile networks for remote access to services and employment, enhancing active travel infrastructure like footways and cycleways, and promoting accessible and affordable public transport services. Additionally, it entails embracing sustainable transport technologies such as ultra-low emissions vehicles and investing in highway and rail networks like the Shrewsbury North West Relief Road to drive economic growth. Furthermore, the policy supports freight movements through rail and road, encouraging a shift towards commercial rail freight transport for sustainable transportation solutions.
- 5.116. **Policy S1: Albrighton Place Plan Area** designates Albrighton as a Key Centre in Shropshire's east, aiming to deliver approximately 500 dwellings and 5 hectares of employment development. Development within the Green Belt or safeguarded land must adhere to national and local policies, with residential development primarily allocated through SAMDev and Local Plan allocations. Employment development is focused on RAF Cosford, with retail development directed to the village centre to enhance its historic character and sustainability. Specific site allocations are outlined in the document's appendices and schedules. Proposals should align with Albrighton's Plan, community-led plans, and relevant master plans approved by Shropshire Council. Additionally, areas beyond the development boundary are safeguarded for future growth, as detailed in the schedule.
- 5.117. Given the ongoing uncertainty around the progress of the Shropshire Local Plan Review and the continued and significant number of outstanding objections to the draft Plan, we consider that the Council should afford limited weight to the policies listed above.
- 5.118. This notwithstanding, the proposal provides for an emerging policy compliant level of affordable housing and the applicant is committed to ensuring a policy compliant housing mix, along with the provision of infrastructure to support the scheme.

6. Shropshire Housing Land Supply

- 6.1. Paragraph 69 of the Framework requires that planning policies identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability. Planning policies should identify a supply of:
- a. specific, deliverable sites for five years following the intended date of adoption (with an appropriate buffer, as set out in paragraph 77 of the Framework); and
 - b. specific, developable sites or broad locations for growth, for the subsequent years 6- 10 and, where possible, for years 11-15 of the remaining plan period.
- 6.2. The supply should be demonstrated against either the housing requirement set out in adopted strategic policies, or against the local housing need where the strategic policies are more than five years old. Paragraph 226 states this policy applies to those authorities which have an emerging Local Plan that has either been submitted for Examination or has reached Regulation 18 or Regulation 19 (Town and Country Planning (Local Planning) (England) Regulations 2012) stage, including both a policies map and proposed allocations towards meeting housing need. These arrangements will apply for a period of two years from the publication date of this revision of the Framework.
- 6.3. It is important to note, that in the context of assessing what constitutes a “deliverable” site, the 2023 Framework defines “deliverable” in the Glossary as follows (page 69) (emphasis added):

“To be considered deliverable, 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. In particular:

- a. sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable **until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).***
- b. where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable **where there is clear evidence that housing completions will begin on site within five years.**”*

6.4. Planning Practice Guidance Paragraph 007 (Ref ID: 68-007-20190722) states that:

*“In order to demonstrate 5 years’ worth of deliverable housing sites, robust, up to date evidence needs to be available to support the preparation of strategic policies **and planning decisions**.” (emphasis added).*

6.5. The onus is therefore placed on the Council to provide clear evidence for those sites which fall within part b), rather than for interested parties to establish whether clear evidence exists.

6.6. Paragraph 007 (Ref ID: 68-007-20190722) states that clear evidence needed to demonstrate that housing completions will begin on site within five years includes:

- current planning status – for example, on larger scale sites with outline or hybrid permission how much progress has been made towards approving reserved matters, or whether these link to a planning performance agreement that sets out the timescale for approval of reserved matters applications and discharge of conditions;
- firm progress being made towards the submission of an application – for example, a written agreement between the local planning authority and the site developer(s) which confirms the developers’ delivery intentions and anticipated start and build-out rates;
- firm progress with site assessment work; or
- clear relevant information about site viability, ownership constraints or infrastructure provision, such as successful participation in bids for large-scale infrastructure funding or other similar projects.”

Council's Claimed Supply

6.7. Shropshire’s most recent Five Year Housing Land Supply Statement, published in March 2024 to cover the period 1st April 2023 to 31st March 2028, claims that the authority has a 5.91 Year Supply.

6.8. As is detailed within the Council’s Statement, the supply has been calculated utilising the following elements;

- a. Sites with extant Planning Permission: 31st March 2023
- b. Sites with extant Prior Approval: 31st March 2023
- c. Selected Sites with ‘resolution to grant’ Planning Permission: 31st March 2023 which are likely to be deliverable within five years
- d. Selected site allocations in the adopted Development Plan likely to be deliverable in five years
- e. Selected sites proposes for allocation for development within the draft Shropshire Development Plan likely to be deliverable within five years
- f. Selected sites from the Strategic Land Availability Assessment (SLAA) likely to be deliverable within five years
- g. Selected affordable housing sites including Homs England (HE) funded sites which are likely to be deliverable within five years
- h. Windfall Sites

- 6.9. In determining the housing requirement, against which supply is measured, the Council's assessment sets out two separate calculations. The first calculation notes that the housing requirement in the adopted Development Plan is 27,500 dwellings over the period from 2006 to 2026. The adopted Development Plan outlines a phasing strategy to support the achievement of this housing requirement. During the period from 2023/24 – 2025/26 addressed within the Council's assessment indicates an annual housing requirement of 1,530.
- 6.10. The remainder of the assessment period from 2026/27- 2027/28 is beyond the plan period within the adopted Development Plan. As such, local housing need is utilised to assess housing land supply over this period. The annual local housing need calculated within the local housing need assessment (2023 base date to align with the base date for this assessment of housing land supply) is 1,085 dwellings.
- 6.11. Undersupply, amounting to 247 dwellings is to be addressed within the next 5-year period, commonly referred to as the Sedgefield approach.
- 6.12. On the basis that the Council have passed the Housing Delivery Test, it is not necessary to apply a buffer.
- 6.13. The second calculation utilises the Local Housing Need as derived from the Standard Method for the entirety of the 5-year calculation period.
- 6.14. The requirements, derived from both of these calculations are set out in the table below;

Table 2: Shropshire Housing Requirement Calculations

Category		Calculation 1	Calculation 2
5-year Requirement	2023/2024	1,530	1,085
	2024/2025	1,530	1,085
	2025/2026	1,530	1,085
	2026/2027	1,085	1,085
	2027/2028	1,085	1,085
	Total	6,760	5,425
Under-Delivery		247	0
Buffer		0	0
Total Requirement		7,007	5,425

- 6.15. As is detailed within the Housing Land Supply Assessment, the Council have progressed a supply calculation against calculation 1, a combination of the adopted housing requirement and Local Housing Need.

- 6.16. Boningale Homes support this approach and note that the emerging Local Plan Review sets out a minimum housing requirement of 31,300 dwellings between 2016 and 2038, which equates to an annual average of around 1,423 dwellings.
- 6.17. As is detailed in Table 10 of the Council's assessment, the identified components of supply are as follows;

Table 3: Shropshire Components of Supply

Category	Number of Dwellings
Dwellings on sites with Planning Permission	5,958
Dwellings on sites with Prior Approval	72
Dwellings on selected sites with a 'resolution to grant' Planning Permission	10
Dwellings on allocated sites estimate to be completed with 5-years	1,274
Dwellings on selected proposed allocated sites estimate to be completed within 5-years	0
Dwellings on SLAA Sites deliverable within 5-years	124
Dwellings on emerging affordable housing sites deliverable within 5-years	247
Dwellings on windfall sites	598
Total	8,283

- 6.18. On the basis of above, against a requirement of 7,007 dwellings, the Council are claiming a supply of 5.91 years. This amounts to an oversupply of 1,276

Marrons Assessment of Supply

- 6.19. Marrons have reviewed the evidence provided by the Council within the Five-Year Housing Land Supply Report and have had due regard to the tests of deliverability, set out above, and detailed comprehensively in the NPPF Annex.
- 6.20. The below supply calculation carries forward the Council identified requirement of 7,007 dwellings over the 5-year period, but further to a detailed analysis, we have updated the components set out in Table 3 above.

Table 4: Marrons Components of Supply

Category	Number of Dwellings
Dwellings on sites with Planning Permission	4,896
Dwellings on sites with Prior Approval	72
Dwellings on selected sites with a 'resolution to grant' Planning Permission	0
Dwellings on allocated sites estimate to be completed with 5-years	58
Dwellings on selected proposed allocated sites estimate to be completed within 5-years	0
Dwellings on SLAA Sites deliverable within 5-years	0
Dwellings on emerging affordable housing sites deliverable within 5-years	0
Dwellings on windfall sites	500
Total	5,526

- 6.21. The rationale for the changes set out within the above, are set out below for each category;

Table 5: Marrons Reasons for Adjustment

Category	Reason for adjustment
Dwellings on sites with Planning Permission	It is noted that a number of the listed planning permissions have or are imminently set to lapse with no evidence of a material start being made on site. The Councils build out rates, particularly on site involving multiple developers appears far too optimistic and is not evidenced. The build out rate on a number of major applications has been amended to reflect regional averages. The lead in rate on a number of identified sites is considered optimistic and where there is evidence of additional work being required, such as through the submission of pre-commencement Discharge of Conditions applications, development has been pushed back in line with average regional lead in rates.
Dwellings on sites with Prior Approval	No amendments made.
Dwellings on selected sites with a 'resolution to grant' Planning Permission	The Council have not, within the Five-Year Housing Land Supply Statement, provided evidence that the component sites will come forward for development within the 5-year period.

	In line with the provisions of the Framework, given that these sites are Category B sites, the Council have failed the test of deliverability.
Dwellings on allocated sites estimate to be completed with 5-years	The Council have not, within the Five-Year Housing Land Supply Statement, provided evidence that the majority of component sites will come forward for development within the 5-year period. In line with the provisions of the Framework, given that these sites are Category B sites, the Council have failed the test of deliverability. There are limited examples where sufficient evidence has been provided, but arguably these sites should sit within the 'Dwellings with Planning Permission' category.
Dwellings on selected proposed allocated sites estimate to be completed within 5-years	N/A
Dwellings on SLAA Sites deliverable within 5-years	The Council have not, within the Five-Year Housing Land Supply Statement, provided evidence that the component sites will come forward for development within the 5-year period. In line with the provisions of the Framework, given that these sites are Category B sites, the Council have failed the test of deliverability.
Dwellings on emerging affordable housing sites deliverable within 5-years	The sites contained within this category did not benefit from the grant of Planning Permission at the base date of the supply calculation. The Council should only seek to include sites that had Planning Permission at the base date of the assessment, unless sufficient evidence is provided to support the inclusion of Category B sites.
Dwellings on windfall sites	A minor adjustment has been made to the windfall rate for years 4 and 5 of the calculation period to ensure a suitable degree of flexibility is included within the windfall calculation

- 6.22. Against a 5-year requirement of 7,007 dwellings, a provision of 5,526 dwellings, results in a supply of **3.94 years** of deliverable housing. This amounts to a shortfall of 1,481 dwellings.
- 6.23. In the absence of a demonstrable housing land supply, irrespective of compliance with National Policy and Guidance, policies relating to the provision of housing are considered out-of-date.

7. Principle of Development & Very Special Circumstances

- 7.1. In policy terms, the primary issue in considering the principle of development is that the site is currently designated as Green Belt. Most forms of development in the Green Belt (other than for specified exceptions) are considered under policy to be inappropriate, as set out in Policies CS5 and MD6 of the Local Plan and Paragraphs 152, 153 and 154 of the NPPF. Development can only be approved where Very Special Circumstances can be demonstrated to exist.
- 7.2. There is no set definition for “Very Special Circumstances” in the NPPF, nor is there an exhaustive list (or any list) of what constitutes Very Special Circumstances. It is for the decision-maker to determine - based on the information provided to them as part of the application about the development proposals and the planning benefits the proposals will deliver, and based on a robust understanding of prevalent appeal decisions / case law and the local authority’s relevant evidence base documentation - whether Very Special Circumstances exist on a case-by-case basis. A review of relevant appeal decisions is set out below, followed by a discussion of the Very Special Circumstances relating to this proposal.
- 7.3. Notwithstanding this, the test of “Very Special Circumstances” for planning applications as is set out in *R (Luton BC) v Central Bedfordshire Council* [2015] EWCA Civ 537 at [56] on the application of *Luton Borough Council v Central Bedfordshire Council & Houghton Regis Development Consortium and Others* [2015] EWCA Civ 537. This point was addressed Ouseley J in *Compton Parish Council v Guildford Borough Council and Others* [2019] 3242 (Admin) case (at para 70):

“70. “Exceptional circumstances” is a less demanding test than the development control test for permitting inappropriate development in the Green Belt, which requires “very special circumstances.” That difference is clear enough from the language itself and the different contexts in which they appear, but if authority were necessary, it can be found in R(Luton BC) v Central Bedfordshire Council [2015] EWCA Civ 537 at [56], Sales LJ. As Patterson J pointed out in IM Properties Development Ltd v Lichfield DC [2014] EWHC 2240 at [90-91 and 95-96], there is no requirement that Green Belt land be released as a last resort, nor was it necessary to show that assumptions upon which the Green Belt boundary had been drawn, had been falsified by subsequent events.”

- 7.4. Also in *Compton PC v Guildford BC*, the High Court made clear in 2019 that unmet housing need, on its own, is potentially capable to amount to Exceptional Circumstances as is set out by Ouseley J at paragraphs 72 and 73.

*“72. General planning needs, such as ordinary housing, are not precluded from its scope; indeed, meeting such needs is often part of the judgment that “exceptional circumstances” exist; the phrase is not limited to some unusual form of housing, nor to a particular intensity of need. I accept that it is clearly implicit in the stage 2 process that restraint may mean that the OAN is not met. But that is not the same as saying that the unmet need is irrelevant to the existence of “exceptional circumstances”, or that it cannot weigh heavily or decisively; it is simply not necessarily sufficient of itself. These factors do not exist in a vacuum or by themselves: there will almost inevitably be an analysis of the nature and degree of the need, allied to consideration of why the need cannot be met in locations which are sequentially preferable for such developments, an analysis of the impact on the functioning of the Green Belt and its purpose, and what other advantages the proposed locations, released from the Green Belt, might bring, for example, in terms of a sound spatial distribution strategy. The analysis in *Calverton PC* of how the issue should be approached was described by Jay J as perhaps a counsel of perfection; but it is not exhaustive or a checklist. The points may not all matter in any particular case, and others may be important especially the overall distribution of development, and the scope for other uses to be provided for along with sustainable infrastructure.*

73. Mr Kimblin put forward Mr Cranwell's contention that the supply of land for ordinary housing, even with the combination of circumstances found here to constitute exceptional circumstances by the Inspector, could not in law amount to “exceptional circumstances.” I cannot accept that, and I regard it as obviously wrong. These judgments were very much on the planning judgment side of the line; I do not see how they could be excluded from the scope of that phrase as a matter of law. This contention involves considerably erroneous appreciation of the whole concept of “exceptional circumstances” and the role of the Inspector's planning judgment.”

Relevant Appeal Decisions

- 7.5. Recent appeal decisions have addressed the inherent tensions between the Government's strategic planning objectives regarding housing and Green Belt in

locations where the development plan is not up to date. As confirmed in recent appeal decisions, unmet housing need is an important consideration in determining if Very Special Circumstances exist to justify granting permission for a planning application in the Green Belt. These relevant appeals are set out below.

Fourells Paddocks, Iver (APP/N0410/W/23/3328366)

- 7.6. The appeal was for up to 30 dwellings (40% of which would be affordable), up to 2 self-build plots, public open space and associated infrastructure. The Inspector found that the proposal would lead to a harmful loss (albeit a limited amount) of spatial and visual openness of the Green Belt, and that it would create less than substantial harm to the significance of a nearby listed building. The Inspector also considered that the impact on the character and appearance of the landscape area would be minor harm. Notwithstanding this, the authority could only demonstrate a 1.3 year supply of land, and the Inspector described the situation as “chronic and deteriorating”. Also, whilst there is a requirement for the authority to bring forward a joint Local Plan for the joint authorities in Buckinghamshire by April 2025, the evidence suggests that achieving that aim is going to be slower than anticipated and thus potentially not achievable. Therefore, the Inspector stated that “the plan-led approach to resolving the urgent situation is unlikely to present itself in the short term”. Ultimately, the Inspector found that Very Special Circumstances existed because the public benefits outweighed the numerous elements of harm, and the appeal was allowed.

West Malling Retirement Village (APP/H2265/W/18/3202040)

- 7.7. In response to proposals for a retirement village, which was a draft allocation in the emerging Local Plan, Inspector Robert Mellor attached substantial weight to the harm to the Green Belt by way of inappropriateness, visual and spatial harm to the openness and harm from encroachment into the countryside. The proposed allocation of the subject Site was only given limited weight in the Inspectors decision on the basis that its inclusion was still subject to unresolved objections. It was concluded that the visual containment of the site would mitigate somewhat against the identified harm to openness and encroachment. The Inspector placed substantial weight on the lack of a five-year housing land supply in the context of an out-of-date Local Plan and determined that Very Special Circumstances did exist as a result of the housing land supply position.

North of Boroughbridge Road, South of Millfield Lane, York
(APP/C2741/W/19/3227359)

- 7.8. In determining an appeal for 266 new dwellings, Inspector Y Wright treated the subject site as being located within the Green Belt. The site was a proposed allocation in the draft neighbourhood plan, but this proposed allocation was subsequently deleted. However, no weight was attached in this regard. The Inspector concluded that development of the scale proposed would result in considerable loss of openness but concluded that the development would not cause harm to any of the five purposes of the Green Belt.
- 7.9. The Inspector found also that there was no five-year land supply (DL Paragraph 38) and that the provision of housing was a significant consideration in favour of the proposal. The Inspector goes on to state:
- 7.10. “Whilst I am mindful of the Written Ministerial Statement of December 2015 (WMS) which indicates that unmet need is unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish Very Special Circumstances, this pre-dates the revised Framework. As this provision has not been translated into the Framework and the associated guidance has been removed from the Planning Practice Guidance, I give this WMS little weight as a material consideration.”
- 7.11. The status of this ministerial statement is also reviewed in some of the later appeals discussed below.

Burley-in-Wharfedale, Bradford (APP/W4705/V/18/3208020)

- 7.12. In relation to an appeal relating to an application for 500 dwellings, it was considered by Inspector David Wildsmith that a lack of a five-year housing land supply and the sustainable location of the development was sufficient to warrant a recommendation for approval. This was a significant endorsement of Green Belt release, given that the Inspector accepted that Green Belt release was required to accommodate around 11,000 new homes.
- 7.13. The appeal was however called in by the then Secretary of State Robert Jenrick, who proceeded to dismiss this appeal. The Appellant, CEG, challenged the decision in the High Court. It was quashed and redetermined by Robert Jenrick on 3 March 2021. The appeal was subsequently allowed, with significant weight being given to the shortfall in the five-year housing land supply.

Oxford Brookes University, South Oxfordshire (APP/Q3115/W/19/3230827)

- 7.14. Oxford Brookes University was granted planning permission by the Secretary of State for a 10-storey, 500-unit block within the Green Belt. South Oxfordshire District

Council had determined to allocate up to 300 dwellings in their then emerging Local Plan. The application was refused on Green Belt and landscape grounds.

- 7.15. In determining the appeal, the Secretary of State gave housing need and affordable housing need very substantial weight, despite the Council being able to demonstrate a five-year housing land supply. The provision of 173 affordable homes against an acute need (as is the case in Welwyn Hatfield) was given very substantial weight, whilst the provision of market housing also attracted very substantial weight.

Heath Lane, Codicote (APP/X1925/W/21/3273701)

- 7.16. An Appeal Decision for 167 residential dwellings at Heath Lane, Codicote on 28 September 2021 was allowed by Inspector Peter Rose, after concluding that the Very Special Circumstances required to justify development in the Green Belt had been demonstrated.
- 7.17. The Inspector concluded that the scale and form of the proposed development would incur moderate to significant harm to the openness of the Green Belt (DL paragraph 104), and moderate harm through encroachment, but ‘extreme circumstances’ in the form of a critically inadequate and deteriorating five-year housing land supply, along with the associated economic and social benefits of the proposed development were ‘compelling’.
- 7.18. The Inspector stated that the Green Belt policies in the NPPF postdate the ministerial statement (CD7.3 paragraph 102 and footnote 15) and that with regards the judgement of Very Special Circumstances:

“... a single exercise of judgement is necessary to assess whether there are very special circumstances which justify the grant of permission notwithstanding the particular importance of the Green Belt and the seriousness of any harm to it”.

- 7.19. The Inspector attached very substantial weight to the critically needed housing benefits of the scheme, and significant weight to addressing the urgency for school expansion (CD7.3 Paragraph 106).
- 7.20. Importantly the Inspector found that these represented Very Special Circumstances irrespective of the further support in favour of the proposal in advanced status of the emerging Local Plan itself and from the Council’s affirmation of it.
- 7.21. From this appeal it is clear that the lack of a five-year land supply and the paucity of provision for affordable and self-build housing are all capable of being part of the Very Special Circumstances that would justify inappropriate development in the Green Belt.

Roundhouse Farm, Colney Heath (APP/B1930/W/20/3265925)

- 7.22. Inspector Christa Masters allowed the above appeal and granted planning permission for 100 dwellings in the Green Belt in Welwyn Hatfield. In her report, the Inspector noted that the Written Ministerial Statement of December 2015 indicated that unmet housing need is unlikely to clearly outweigh harm to the Green Belt (DL paragraph 47) but acknowledged the ‘bleak’ housing land supply position in Welwyn Hatfield, which at the time was considered to be between 2.4 and 2.58 years. The shortfall was noted as being considerable and significant.
- 7.23. The Inspector attached very substantial weight to the provision of housing (CD7.5 DL 49) in light of a lack of a five-year land supply (CD7.5 DL paragraph 48).
- 7.24. In respect of affordable housing, the Inspector accepted evidence which demonstrated that since 2015 / 2016, affordable housing delivery in the Welwyn Hatfield Borough was equivalent to just 23 dwellings per annum. Shortfall at the time was considered to be in the region of 4,000 net dwellings, which if it were to be addressed in the five-years following the appeal, would require the delivery of 1,397 affordable dwellings.
- 7.25. The Inspector also found the persistent under delivery of affordable housing presented a critical situation and she therefore attached very substantial weight to the delivery of affordable homes (Paragraph 54).
- 7.26. In this case the Inspector also noted that the government attaches great weight to the provision of Self Build properties (DL paragraph 50) and noting that the development plans contained no policies resulting to the provision of Self Build (DL paragraph 51) attached substantial weight to the provision of Self Build.
- 7.27. Accordingly, the Inspector attached very significant weight to the provision of market and affordable dwellings, and, in combination, this was considered sufficient to demonstrate that Very Special Circumstances existed in the Welwyn Hatfield Borough to justify the Appeal and the Appeal was therefore allowed.

Very Special Circumstances Relating to this Application.

- 7.28. This next section sets out the Very Special Circumstances that exist to justify the granting of planning permission in the case of this application.

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

- 7.29. It is widely acknowledged at all levels and across all political divides that there is a housing crisis in this country, which has arisen as a direct consequence of too few houses being built to keep pace with a growing population and a change in household formation.
- 7.30. In recognition of the national housing crisis, the government responded in the 2017 Autumn budget with a commitment to deliver 300,000 new homes a year. To date, this target has not once been realised, but it remains a key national policy objective, with the government reiterating in March 2023 that it remained the government's target to achieve this number by the "mid 2020s".
- 7.31. The government's August 2020 White Paper: Planning for the Future, examines the effects of this under-delivery; "The result of long-term and persisting undersupply is that housing is becoming increasingly expensive, including relative to our European neighbours... We need to address the inequalities this has entrenched".
- 7.32. The situation in this regard has not improved in recent years. The Government's "New Homes fact sheet 1: the need for homes" (last updated on 16th January 2024) stipulates that the Government estimates that 300,000 new homes are needed per year, but that this goal is not being met, with the year 2022-23 seeing the delivery of some 234,000 net additional dwellings – significantly below the stated need. The need for more homes in England has arisen from population growth, increased life expectancies and changing lifestyles, and not building enough homes has the following consequences:
- purchasing a home has become more unaffordable;
 - more adults are living with their parents for longer; and
 - people are living in sub-standard and unsuitable homes.
- 7.33. This fact sheet clearly states that all types of areas across England need new homes to help local people stay in the areas where they want to live, as well as provide for people moving to an area.
- 7.34. In this context, the development of the Site would make an important contribution to meeting this nationally significant need for housing.

Very Special Circumstances: Time Expired Development Plan

- 7.35. The Development Plan, in this case consisting of the Core Strategy Development Plan Document and the Site Allocations and Management of Development Plan (SAMDev) is by law the starting point for considering the principle of development. However, the plan is significantly dated, the Core Strategy having been adopted in

2011 before the publication of any iteration of the NPPF and the SAMDev having been adopted in 2015. It has not been subject to review in accordance with the timescales set out in the NPPF and required under law (see paragraph 33 and footnote 18 of the NPPF), and as the plan period only runs until 2026 there are less than two years remaining in the plan period, with the majority of the development accounted for in the plan having been delivered already.

7.36. In light of this it is considered that the plan is time-expired, although it is acknowledged that this alone is not sufficient to warrant considering the plan out of date as a matter of course (albeit an assessment of the policies contained within is set out above). In accordance with established case law, whether the plan is out-of-date depends upon the degree of consistency which the policies most relevant to the proposal have with the NPPF. Building upon the brief assessment set out above, the most relevant policies in this regard are therefore considered below:

- Policy CS1, which sets out the Council's intention to deliver around 27,500 new homes over the plan period (i.e., to 2026), with 40% of these being provided in Market Towns and major centres (including Albrighton).
 - The overall spatial strategy identified by this policy is based on evidence base documents that are now of some considerable age and should not be relied upon to inform planning decisions at this point. The provisions of the policy for development have largely been fulfilled and so there is no more capacity under this plan to accommodate the ongoing development needs of the district. The terms of this policy are not in themselves out of keeping with the NPPF, but they cannot be considered to be in date given their age and the forthcoming end of the plan period.
- Policy CS3, which confirms that no changes will be made to the Green Belt boundaries around Albrighton, and states that Albrighton will have development to meet local needs, respecting its location in the Green Belt.
 - The lack of adjustment to Albrighton's Green Belt boundaries and the view that housing provision should only be of a level to meet local needs fails to make any provision for ongoing housing need in the district, as well as the requirement to address unmet need in neighbouring authorities (see below for further information on this). As such this policy is clearly out of date.
- Policy CS5, which confirms that within the designated Green Belt in south-eastern Shropshire, there will be additional control of new development in line with government guidance in PPG2.
 - PPG2 was replaced by the NPPF over a decade ago and so is no longer relevant. The NPPF has retained similar restrictions to development within the Green Belt as those contained in PPG2, but this goes to show the significant extent to which the plan is time-expired. Additionally, this policy is effective on the basis of the Green Belt boundaries as set at the time of the core strategy. These boundaries have made no attempt to account for the development needs of the district beyond 2026. As such this policy is clearly out of date.
- Policy MD3, which sets out that settlement housing guidelines are a significant policy consideration and that where development would result in the number of completions plus outstanding permissions providing more dwellings than the

guideline, decisions should have due regard to inter alia the proportion by which the guideline would be exceeded.

- Whilst this policy indicates that decisions on applications which would exceed the development guidelines should also have regard to the benefits arising from the development and the presumption in favour of sustainable development, fundamentally the settlement guidelines protected by this policy are predicated on the distribution of the quantum of development identified under Policy CS1. as such this policy is out of date.
- Policy MD6, which states that development proposed in the Green Belt must be able to demonstrate that it does not conflict with the purposes of the Green Belt.
 - This policy is based on the green belt boundaries as they stood at the time of the adoption of the plan, which as discussed do not take in to account the ongoing need for development in the area. As such this policy is out of date.
- Policy S1, which indicates that Albrighton will provide for local needs, delivering around 250 dwellings over the plan period.
 - This policy is based on the spatial strategy set out in policy CS1 and does not have regard to the ongoing development needs of the district or other authorities in the area. As such the strategy proposed for Albrighton is insufficient to meet future development needs, and this policy is clearly out of date.

7.37. The basket of most important policies, as stated above, can therefore be considered to be out-of-date. As such the presumption in favour of sustainable development set out at paragraph 11(d) of the NPPF applies. Whilst the Site is in the Green Belt and so is protected by policies under the NPPF, the lack of an up-to-date development plan is a clear indication that a review of Green Belt boundaries and consideration of whether it is necessary to alter these in order to accommodate the ongoing development needs of the area is required. This is therefore a significant material consideration that warrants the existence of Very Special Circumstances relating to this application.

Very Special Circumstances: Five-Year Housing Land Supply

7.38. As is detailed above in Section 6 of this Planning Statement, further to a review of the Council's claimed Housing Land Supply, we consider that the Council are unable to demonstrate a sufficient supply of deliverable housing, and significantly, against their own identified housing requirement, fall short of both a five and four year housing land supply.

7.39. In the context of an authority that have a shortfall both in the delivery of market and affordable housing, the provision of 800 dwellings, including a policy compliant level of affordable housing is a significant benefit. The contribution therefore that the proposed development would make, is considered to amount to a Very Special

Circumstance that would allow otherwise inappropriate development (by virtue only of the location within the Green Belt), to come forward.

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

- 7.40. As set out in detail in the Affordable Housing Statement that accompanies this application, there is an emerging crisis of affordability in the local housing market in Shropshire. Lower Quartile and Median house prices are rising faster than wages, such that the affordability ratio at 7.75 (i.e., how many times the average salary a property costs). In addition, the provision of affordable dwellings has fallen short of the Council's stated need.
- 7.41. The proposed development will contribute to the affordability of the wider housing market by ensuring that there is an increase in supply to match the increase in demand and will also provide much needed affordable homes as part of the development, as discussed below.
- 7.42. This crisis of affordability in the local housing market and the requirement for development such as the proposal to address this crisis forms part of the Very Special Circumstances which justify the release of the Site from the Green Belt and the granting of planning permission for the proposed development.

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

- 7.43. The Government's "New Homes Fact Sheet 8: Economic, Social and Environmental Benefits" (published 2nd November 2023) firstly sets out that new homes can deliver a range of additional benefits to local economies and communities, whilst also reducing impacts on the environment. New homes can support the economy in a number of ways including:
- **Employment:** Jobs in the construction sector include those involved in building the supporting infrastructure as well as those building the homes. Depending on the location and scale of new homes, a proportion of the jobs will likely be taken up by people living in the local area including school leavers and people that were previously unemployed. Based on national averages, using the Home Builders Federation's 'Housing Calculator', the construction of 100 new homes is estimated to support 310 jobs in construction and the supply chain.
 - **Spending:** New residents can lead to an increase in spending in the local economy. Based on ONS data on household spending in England for 2022, 100 new homes could generate £1.2 million in annual spending by residents in the retail and leisure sectors.
- 7.44. The Fact Sheet also explains that new housing can create social benefits, including:

- Supporting social networks. Older people can downsize, first time buyers can afford to buy where they grew up, and growing families can move into larger homes.
- Creating opportunities for social interaction, and recreation which has been shown to have health and wellbeing benefits.

7.45. In addition to this, the proposed care home would make an important contribution to the local economy. Similar proposals have also identified an increase in local spending and a boost to the local economy as residents tend to stay and shop local. There are also significant benefits in new homes bonus and council tax payable on properties.

7.46. These benefits are a significant material consideration which forms a Very Special Circumstance justifying the removal of the Site from the Green Belt and the granting of planning permission for the proposed development.

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

7.47. The Government's "New Homes Fact Sheet 10: New Homes in Rural Areas" (last updated on 15th January 2024) firstly describes urban areas as settlements with at least 10,000 residents, and rural areas as 'everywhere else' which includes towns, villages, hamlets and all types of open countryside. It then asks the question "How can new housing in rural areas can support shops, services and amenities". The below quotes are from the answer to that question:

- New housing can enable workers, who help to sustain local services, to move to, or stay in, an area. Evidence shows that new housing tends to attract more young families, which can help to increase the number of working age residents.
- It can be harder to recruit GPs to rural areas and new housing could be a powerful incentive to relocate.
- In England, schools in rural areas have more spare places than pupils in urban areas. Without enough students, rural schools may be more vulnerable to school closures.
- Rural areas have higher proportions of elderly people who require care and support services later in life. Without enough workers in the health and social care sector in rural areas, older people may need to relocate to urban areas to access support services. This can sever long-held community ties.
- Working-age people can support local economies in rural areas by spending in shops and pubs and by joining sports clubs.
- Housing developments can deliver new social infrastructure in rural areas, such as schools and GP practices.

7.48. In light of the rural character of Albrighton, it is considered that the proposed development will make a very important contribution to the sustainability of the local area through the delivery of all of these benefits. This is a very important material

consideration and forms part of the Very Special Circumstances justifying the release of the Site from the Green Belt and the granting of planning permission for the proposed development.

Very Special Circumstances: The provision of education facilities

- 7.49. The proposed development of the Site would make a very important contribution to the need for education facilities in the area, particularly through the provision of a secondary education facility. Albrighton, a settlement of 6,988 residents, has no secondary school, with pupils required to travel a significant distance to school in Shifnal to the north in order to access secondary school provision. The provision of a secondary school in this sustainable location would bring a significant benefit to the wider community.
- 7.50. In addition, a primary school would also be provided / existing expanded to accommodate the additional need produced by the development to ensure the ongoing sustainability of Albrighton.

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

- 7.51. At present, despite its population, Albrighton lacks a drive to supermarket such that residents have to travel longer distances to access such a service. This has a negative impact on the sustainability of the settlement for current residents. The proposal seeks to include the development of a local centre shopping facility, including the provision of a drive-to supermarket and a pharmacy. This presents an important opportunity to improve the sustainability of the settlement for existing residents as well as future residents and would support the long term future of Albrighton.

Very Special Circumstances: The provision of Older Persons Specialist

Accommodation

- 7.52. It is widely acknowledged that there is a national need for an increase in provision of accommodation specifically designed around the needs of older people. The wider housing market does not generally provide appropriate housing for an ageing population, and this in turn has had a series of consequences, principally creating an inter-generational imbalance. This, often, is typified by older people living in houses that are either too large for their current needs (under occupation) or are unsuitable for a range of other reasons, such as the mix of accommodation or the inflexibility and/or lack of facilities. Very often, their desire to move to smaller fit for purpose

accommodation (right sizing) is frustrated by a shortage of suitable housing, and in particular, housing that can also accommodate future care requirements.

- 7.53. In December 2021, the Government published the Social Care White Paper ‘People at the Heart of Care’. The White Paper emphasised the very clear need to expand the choice of housing options available, stating that “today, too many people with care and support needs live in homes that do not provide a safe or stable environment within which care, and support can be effective”.
- 7.54. The shortage of supply against the increasing need is acknowledged in planning policy as being critical (PPG Paragraph: 001 Reference ID: 61-001-20190626), a definition that is not applied to any other form of housing, notwithstanding the national housing position.
- 7.55. The proposed development includes the provision of a care home with up to 80 bedrooms. Whilst the specific details of the scheme are reserved for approval at a later date, this would nonetheless make a very important contribution to the provision of older peoples housing in Shropshire. This therefore forms a Very Special Circumstance which justifies the release of Green Belt land and the granting of planning permission.

Very Special Circumstances: The provision of affordable housing

- 7.56. In accordance with the Council’s emerging position as set out in policy DP3 of the emerging Local Plan, 20% of the homes proposed as part of this application are to be affordable, their delivery being secured by a planning obligation. The exact mix of tenures will be determined in discussion with the Local Authority during the course of the application.
- 7.57. This provision of affordable housing is a very significant material benefit of the scheme and, as shown in the appeal examples highlighted above, forms a Very Special Circumstance that justifies the release of the land from the Green Belt and the granting of planning permission.

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

- 7.58. It is proposed that the Local Centre will include flexible workspace that meets the needs of local residents based on modern working formats and conditions. It is envisaged that the flexible workspace will include desks and meeting rooms that can be booked/hired by companies or individuals as required.
- 7.59. One of the largest impacts of COVID-19 and workplace behaviour in the course of the subsequent recovery has been the sustained numbers of people working from home or opting work ‘flexibly’.

- 7.60. The rapid growth of flexible working and self-employment through the 'gig economy' creates opportunities to somewhat unplanned economic growth in Shropshire, and provision of modern, well equipped space on the subject Site, will ensure that new and indeed existing residents have options for working within Albrighton, without the need to commute further afield, should they require facilities beyond those available working from home.

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

- 7.61. As is detailed within the submitted Transport Assessment, the proposed development includes a raft of highway improvements, including the provision of a gateway spine road, connecting the Site and Albrighton to the A464 Holyhead Road.
- 7.62. The new spine road will provide enhanced and safe vehicular access to the settlement and will elevate existing pressures on Newhouse Lane, Patshull Road and Cross Road.
- 7.63. The provision of a roundabout off the A464 will act not just as the primary route into the Site and Albrighton but will further act as a natural traffic calming measure, with recorded speeds on the road being significantly above the speed limit at present.
- 7.64. It is proposed that the bus service operating in Albrighton is supported, through Section 106 monies, with additional services running through the Site and providing access to the wider area.
- 7.65. The provision of an Active (Green) Route, along Patshull Road will act to encourage sustainable movements and will encourage residents to walk and cycle, benefiting the environment and personal mental and physical wellbeing.

Conclusion on Very Special Circumstances

- 7.66. As is set out within the section, the proposed development provides a range of material benefits including the provision of much needed market and affordable housing, whilst also providing much needed infrastructure, including a Secondary School, a Care Home and Local Centre comprising a supermarket, GP Surgery, pharmacy, and flexible workspace.
- 7.67. The proposals, as detailed in this Statement include an over provision of Public Open Space and significant landscaping features and woodland buffers.
- 7.68. The reports supporting this application and in particular the Green Belt Assessment, consider the harm associated with the proposed development and release from the Green Belt. The assessment confirms that with appropriate mitigation the harm arising from release of the Site from the Green Belt is negligible, and when

considered against the extensive list of benefits set out above, we consider that the Very Special Circumstances test has been very comfortably met.

8. Supporting & Technical Reports

- 8.1. To support the planning application, a range of technical expert reports have been produced which demonstrate that there are no reasons that would prevent this sustainable development from coming forward or reasons that would justify the refusal of planning permission. The opposite is true, with the Site performing well against all planning and sustainable considerations.
- 8.2. The findings set out in the expert reports are summarised below.

Green Belt Assessment

- 8.3. A detailed Green Belt Assessment has been prepared by Pegasus and accompanies the application submitted to the Council for consideration.
- 8.4. The Assessment confirms that the spatial aspect as it relates to the sense of openness with regard to the Site is informed by several factors including the relationship of the Site to the existing settlement and the robustness of any revised boundaries to the Green Belt, following removal of the Site from the designation.
- 8.5. The removal of the Site from the Green Belt would have a modest and localised effect on the spatial aspect of Green Belt openness, given that the proposed development would:
- comprise only 0.2% of the Green Belt within Shropshire;
 - be physically well related and connected to the existing adjoining village edge to the north including safeguarded land and potential development land controlled by another developer;
 - comprise a notable extension of Albrighton that takes into account existing densities and building heights and would be in keeping with the historical pattern of substantial outward village growth. The expansion occurred relatively recently during the latter part of the 20th century with extensive development of modern housing estates west and southwest of the historic core;
 - Include notable areas of undeveloped land as public open space, incorporating existing planting and enhancing green infrastructure including public access; and
 - the new Green Belt boundaries would follow existing features on the ground including established road corridors where existing hedgerows and tree planting would be predominantly retained. The Site boundaries including the new access road at the southeast corner of the Site will be reinforced by new planting, typically comprising woodland belts.
- 8.6. The Site has very limited public access, restricted to the southeast corner where a public footpath crosses the proposed access road. The mature hedgerow and tree planting along the majority of the site perimeter combined with the relatively flat landform and limited public access limits views of the Site.

- 8.7. The opportunities to appreciate the visual aspects of openness associated with the Site are limited due to the relatively flat landform of the Site and mature planting to the site perimeter. From the relatively few locations where the Site is visible, the sense of openness associated with the Site is only fleetingly experienced from localised parts of the highway and public rights of way network.
- 8.8. The introduction of the proposed development on the Site would inevitably reduce the sense of openness associated with the Site, however this perception would be typically highly localised to the immediate context of the Site.
- 8.9. The vehicle movements associated with the main Site access on the A464 would be restricted to a short section of the route and perceived within the context of existing traffic movement on this main route. Perception of activity within the Site, including vehicle movements, would be largely restricted by the retained perimeter vegetation, reinforced with extensive new planting including woodland belts.
- 8.10. The sense of visual openness associated with the wider Green Belt landscape would remain materially unchanged with the Site developed and removed from the designation.
- 8.11. In overall terms, the removal of the Site from the Green Belt would have a negligible effect upon the appreciation of the openness of the remaining Green Belt, due to a combination of local landform, intervening built development and mature vegetation. Even in close proximity to the Site, the perception of the loss of openness whilst moderate and in some cases notable, would be highly localised.
- 8.12. In relation to Purpose 1 it is considered that the Site has no contribution to checking the unrestricted sprawl of large built-up areas as the Site does not lie next to a large built-up area, consistent with the SGBR conclusion for the wider Parcel P36.
- 8.13. In relation to Purpose 2 of preventing the merging of neighbouring towns, the SGBR concludes that Parcel P36 has a weak contribution, however it also states that 'loss of openness would not be perceived as reducing the gap between settlements' It is judged that the Site itself would have no contribution to the merging of towns as there would be no reduction of the gap between the towns of Telford and Wolverhampton.
- 8.14. In relation to Purpose 3: To assist in the safeguarding of the countryside from encroachment, it is agreed with the SGBR that the Site, like the wider Parcel P36, would have a moderate contribution to this purpose given that it has the characteristics of countryside. However, it should be acknowledged that the most sustainable locations for development will invariably be adjacent to existing settlements that typically comprise countryside. Therefore, in the interests of promoting sustainability, there is an almost inevitable conflict with this Green Belt purpose.

- 8.15. In relation to Purpose 4: to preserve the setting and special character of historic towns, contrary to the conclusions of the SGBR for the wider Parcel P36, it is assessed that the Site has no contribution to this purpose. The principal reasons for the difference in assessment is the lack of intervisibility between the Site and the Albrighton Conservation Area that partly lies within the eastern part of the wider Parcel P36, well beyond the Site boundary.
- 8.16. In relation to Purpose 5: To assist in urban regeneration by encouraging the recycling of derelict and other urban land, whilst it is agreed with the SGBR that all parcels (and the Site) make an equally significant contribution to this purpose it should be noted that brownfield land in Shropshire is limited and does not make a substantial contribution to meeting housing need.
- 8.17. A woodland belt proposed along the southern and eastern boundary of the Site will maximise consistency over a longer distance where currently the Green Belt boundary is formed by the built-up southern edge of the village and roadside hedgerow. In addition, the mitigation would reduce the perception of urbanisation from most locations in the wider Green Belt.
- 8.18. All strategic landscaping including woodland belt, community orchard and tree planting beyond the development plots would be within public open space and not under private control.
- 8.19. SUDs features have been used close to the new Green Belt boundaries to the south of the Site to enhance separation between the settlement and associated public open space and the wider countryside and Green Belt.
- 8.20. The Pegasus assessment, using the methodology in the Shropshire Green Belt Review (SGBR) concludes that the release of the Site from the Green Belt would result in 'Moderate' harm to the Green Belt, taking into account site specific mitigation measures. This harm predominantly relates to Purpose 3: To assist in the safeguarding of the countryside from encroachment. When undertaking an assessment against this purpose it should be acknowledged that the most sustainable locations for development will invariably be countryside adjacent to existing settlements. Therefore, in the interests of promoting sustainability, there is an almost inevitable conflict with this Green Belt purpose.

[Landscape & Visual Impact Assessment](#)

- 8.21. Pegasus were appointed to prepare a detailed LVIA to support the wider planning application.

- 8.22. The Illustrative Landscape Masterplan and Environmental Enhancement Strategy includes several new landscape features comprising woodland belts to the southern and eastern boundaries of the Site, a community orchard, wildflower meadows, sustainable drainage systems and tree planting with public open space.
- 8.23. The iterative design of the scheme has been landscape and heritage led and has considered opportunities within the green infrastructure network for planting that, once established, has the potential to minimise the visibility of built elements from the surrounding area.
- 8.24. The assessment concludes that there would be a major adverse effect on landcover from the loss of arable farmland and a minor adverse effect upon topography where the landform would be largely retained at existing levels. Very few existing trees would be lost, and localised sections of hedgerows would be removed to accommodate pedestrian and vehicular access. They would be a notable quantity of new tree planting comprising belts of native woodland planting, a community orchard and tree lined streets with further tree planting along the perimeter of the Site. There would be a moderate beneficial effect upon the baseline tree resource and the potential for minor beneficial effects upon hedgerows.
- 8.25. In terms of public rights of way, there would be a notable increase in public access across the Site including walking routes (and trim trail) within the public open space and pedestrian links to the proposed play area, local centre, and potential connections to the wider existing public rights of way network
- 8.26. . A section of public footpath at the eastern end of the Site that connects Holyhead Road and Newhouse Lane would be retained on its current alignment with a crossing of the new access road.
- 8.27. The baseline landscape character has been considered with reference to National Character Area 66 and the Shropshire Landscape Typology (2006) that identifies the Site as lying within the 'Sandstone Estatelands' Landscape Character Type (LCT). The Shropshire Landscape and Visual Sensitivity Study (2018) assessed the landscape around settlements identified for growth. The Site falls within one of the four parcels that are located on the edge of Albrighton and concludes the parcel has a medium landscape and visual sensitivity to new housing.
- 8.28. The magnitude of landscape character change within the Site, considers the replacement of the open fields that form the baseline with a new mixed-use development dominated by housing estate, including significant areas of public open space and beneficial changes to landscape elements including new tree and hedgerow planting. It is assessed that there would be a high magnitude of change and a major adverse effect upon the baseline landscape character of the Site.

- 8.29. Beyond the Site, there would be no change to any of the listed key characteristics of the 'Sandstone Estatelands' LCT, Beyond the immediate vicinity of the Site, the opportunity to perceive indirect perceptual effects upon landscape character from lighting or increased traffic movements would be negligible.
- 8.30. A computer-generated Zone of Theoretical Visibility (ZTV) has been used to inform the selection of representative public viewpoints from all directions and distances from the Site, with an emphasis on high sensitivity receptors including settlement edges and public rights of way.
- 8.31. It is an established planning principle that there is 'no private right to a view', and consequently if suitable privacy distances between existing properties and Proposed Development are maintained, any private views of new built development should not be a valid consideration in the determination of the planning application.
- 8.32. The Site has a localised visual envelope due to surrounding hedgerow cover, landform characteristics and the relatively limited number of publicly accessible locations where views towards the Site are available.
- 8.33. The visual impact assessment concludes there would be moderate adverse effects as a result of the proposals from the southern edge of Albrighton in a localised area near the junction of Cross Road and Patshull Road. A negligible adverse visual effect is predicted from the settlement of Boningale where existing tree cover restricts views from the settlement separated from the village by the A464 Holyhead Road corridor.
- 8.34. In terms of public rights of way, major effects upon visual amenity are predicted at Year 1 from public footpaths 0111/4/1 and 0111/3/1 at the southeastern part of Site that includes the new access road, reducing to a moderate adverse effect by year 15 following the growth of the proposed woodland planting. Moderate effects upon visual amenity are predicted further from the Site at Year 1 from public footpaths 0102/9/1 and to the northeast and from public footpath 0111/1/1 which following the growth of mitigation planting would reduce to negligible and minor adverse effects respectively. The visual amenity of other public rights of way users would be typically unaffected or users would experience negligible effects. No views of the proposals are predicted from the promoted Cross Britain Way long distance footpath route.
- 8.35. The visual impact upon road users close to the Site, including localised sections of the A464 Holyhead Road, Patshull Road, Cross Road, and Newhouse Lane would be Moderate adverse at Year 1, typically reducing to a minor adverse level by Year 15 following the growth of mitigation planting. Views from minor roads in the wider landscape including Green Lane, Rushey Lane, and Burnhill Green Road are typically flanked by tall hedgerows that limit views to the surrounding countryside, including the Site. Minor adverse effects are predicted from localised sections of

these routes, reducing to negligible effects at Year 15 following the growth of mitigation planting.

- 8.36. A review of the NPPF and the Shropshire Local Development Framework indicates that the Proposed Development has the potential to comply with the relevant landscape planning policies. This has been achieved by the adoption of a landscape and heritage led approach to the indicative development layout that has minimised adverse effects upon visual amenity and existing landscape features. Furthermore, the proposals would respect the surrounding landscape context and relationship to the existing village edge. The Illustrative Landscape Masterplan and Environmental Enhancement Strategy illustrates the potential landscape benefits of the scheme. Proposed features include a community orchard, public open space, a play area, informal play opportunities and a trim trail. The potential establishment of a Forest School area utilising the different landscape habitats on Site could also provide an educational resource.

Transport Assessment & Travel Plan

- 8.37. A detailed Transport Assessment and Travel Plan was prepared by the Sustainable Delivery and Development team of DLP Planning Limited and were submitted as part of the wider application package.
- 8.38. The proposed development is considered to be in a good location for future residents/staff, pupils and parents to travel by sustainable modes as it is in an appropriate walking and cycling distance of key facilities in Albrighton to the north east. Active travel improvements will also be provided between the Site and the wider Albrighton facilities/residential area as part of the proposals. Public transport facilities including bus stops will be provided as part of the development as will a shuttle service to transport residents to and from Albrighton village and Rail Station. In addition to this Albrighton Rail Station is within appropriate walking and cycling distance of the Site.
- 8.39. An initial review of PIA data records confirms that there are no material safety concerns in the vicinity of the Site within the most recent 5-year period.
- 8.40. The proposals allow for new access points from Cross Road to the north and the A464 Holyhead Road to the south. These junctions have been designed to ensure compliance with both local design guidance and wider national Department for Transport standards. Appropriate visibility splays can be provided at all new access junctions. Vehicle tracking has confirmed that the largest vehicles likely to travel through the junctions can be accommodated.

- 8.41. The proposals allow for new access points from Cross Road to the north and the A464 Holyhead Road to the south. These junctions have been designed to ensure compliance with both local design guidance and wider national Department for Transport standards. Appropriate visibility splays can be provided at all new access junctions. Vehicle tracking has confirmed that the largest vehicles likely to travel through the junctions can be accommodated.
- 8.42. Patshull Road and Newhouse Lane will be stopped up as part of the proposals. This will stop these routes being used for ‘through’ traffic movements with the existing and new vehicle movements routed through the Site which will provide appropriate carriageways to accommodate new and existing traffic. Green routes will be provided on part of the stopped-up carriageways to facilitate and encourage active travel movements. This also alleviates the SC Highways concerns, raised through pre-application engagement, about the immediate road network not being appropriate to accommodate development traffic.
- 8.43. Junction capacity testing has confirmed that all of the Site access junctions will operate well within capacity during the AM and PM road network periods in all future testing scenarios.
- 8.44. A Framework Travel Plan has been submitted as part of this application to encourage sustainable travel to and from the Site. In addition to this, as set out a number of key measures to encourage walking, cycling and public transport use are also put forward to further encourage the use of more sustainable travel modes.
- 8.45. In conclusion, having due regard to the NPPF, the submitted TA has clearly demonstrated that residents, staff, pupils and parents would have opportunities to travel by sustainable modes, a safe and suitable access strategy can be provided, and that the development will only lead to a limited increase in vehicle movements through Albrighton village to the north.
- 8.46. It is therefore considered that the proposed development would comply with national planning policy and best practice guidance and as such, there should be no insurmountable highways or transport related reasons to object to this planning application.

Preliminary Ecological Assessment

- 8.47. A Preliminary Ecological Assessment has been prepared by Cass Design Limited and has been submitted alongside and Biodiversity Net Gain Baseline Assessment relating to the subject Site.

- 8.48. Given the distance from any statutory and non-statutorily protected sites, it is considered the proposals are highly unlikely to have an adverse effect on any designated sites.
- 8.49. The majority of the Site comprises large arable field units which are of limited ecological value and do not represent a constraint to development (notwithstanding the value attributed to it through BNG).
- 8.50. Hedgerow is a priority habitat and should be retained and protected through development where possible. Where not possible, loss should be minimised and mitigated via species rich native hedgerow planting.
- 8.51. The retention and protection of the on-site woodlands, ponds, ditch and individual trees should be explored in the development of the masterplan. Where loss is required to facilitate development, this requirement should be evidenced, and the loss should be suitably mitigated via pond creation (at least 2 for 1 replacement) and planting of native species in available landscaping.
- 8.52. Where habitats are retained, they should be adequately protected throughout the construction phase of the development. These measures can be detailed within a Construction Environmental Management Plan (CEMP) secured by an appropriately worded planning condition.
- 8.53. The project will be required to demonstrate delivery of a minimum 10% net gain in biodiversity under the Environment Act (2021).
- 8.54. The Site supports 112.41 habitat Biodiversity Units (BUs). The majority of this value is attributable to Cereal crop, a habitat of 'Low Distinctiveness'.
- 8.55. The Site supports 79.81 linear BUs as a result of the hedgerows and lines of trees.
- 8.56. The Site supports 0.93 watercourse BUs as a result of the single ditch assessed as likely holding water for more than 4 months of the year.
- 8.57. The proposals should look to avoid, and then minimise losses in biodiversity where viable, and then enhance retained habitat and create new high valuable habitat within the Site boundary as far as is feasible.
- 8.58. If, when the value of the on Site retained or created habitats is maximised, a net loss is still anticipated, then one of or a combination of the below will be required to achieve BNG –
- Management of land local to the Site to generate BUs.
 - Purchase of BUs from a local provider.
 - Purchase of Statutory Credits from the government.
- 8.59. A 'Biodiversity Gain Plan' will be required to be submitted which demonstrates how the development will achieve 10% BNG, including a Habitat Management &

Monitoring Plan (HMMP). The Biodiversity Gain Plan will need to be submitted and approved by the LPA prior to the commencement of development to discharge the statutory condition applied to the approval.

- 8.60. A Biodiversity Enhancement and Management Plan (BEMP) or similar should be produced to detail how the Ecological value of the Site will be maximised. This can be delivered through a condition of planning.

Heritage Assessment

- 8.61. A detailed Heritage Assessment has been prepared by Pegasus and submitted alongside the wider application package.
- 8.62. The paucity of prehistoric activity within the Study Area indicates there is a low potential for evidence of this date to be identified within the Site. Should any evidence of prehistoric activity be identified within the Site it has the potential to be of regional significance as it may be able to address regional research framework objectives.
- 8.63. The absence of Romano-British activity indicates there is a very low potential for evidence of this date to be identified within the Site. Should any evidence of Romano-British activity be identified within the Site it has the potential to be of regional significance as it may be able to address regional research framework objectives.
- 8.64. The presence of ridge and furrow to the north of the Site is indicative of the proposed development Site having been agricultural land during the medieval period.
- 8.65. Should archaeological remains of medieval date be identified within the Site they are likely to be of local significance as they have only limited potential to address the key research objectives set out in the Regional Research Framework.
- 8.66. The potential for archaeological remains of postmedieval or modern date to be identified within the Site is low. Should any archaeological deposits of postmedieval date be identified within the Site they are likely to be of no more than local significance.
- 8.67. It is anticipated that a geophysical survey of the Site will be required to better define the presence of subsurface archaeological remains. Dependent upon the results of the survey intrusive archaeological works may be required although the need for and scope of any such works will be agreed in consultation with the LPA archaeological officer.
- 8.68. An appropriate and proportionate level of settings assessment has been undertaken for designated heritage assets within a 1km radius of the Site.
- 8.69. It is concluded that the proposed development would result in a minor degree of harm to the significance of the Boningale Conservation Area and Grade II Listed Lea Hall

and Barn attached to north end of Lea Hall, via changes to their setting. Such harm is considered to be at the low end of less than substantial harm spectrum with respect to the Conservation Area, and low to moderate with respect to the Grade II Listed Lea Hall and Barn. The proposed development is anticipated to result in no harm to the special interest, and thus significance, of any other heritage assets by way of alterations to their setting.

- 8.70. In accordance with paragraph 208 of the NPPF, less than substantial harm to a designated heritage asset should be weighed against the public benefits of the scheme in determining the application.

Design & Access Statement

- 8.71. A detailed Design & Access Statement has been prepared to support the application by Cass Design Limited.
- 8.72. The DAS confirms that Albrighton South will create a new neighbourhood which can support the long-term sustainability of Albrighton and continue to make it an attractive place to live in Shropshire.
- 8.73. The initial proposals for Albrighton South were prepared October 2023 for a pre-application submission to Shropshire Council. These presented a vision for growth in Albrighton. This proposed making use of the existing highways for connections into the settlement.
- 8.74. In February 2024 the scheme was refined to include only the land controlled by Boningale Homes, with land to the east of Newhouse Lane removed from the application boundary. This also relocated the proposed school, care home and local centre sites. This sought to create a gateway to Albrighton from Holyhead Road to the south by locating the local centre in a visible location, on the edge of the Site. This proposed creating a new spine road through the Site with a roundabout on Holyhead Road. The main vehicular link to the settlement was along Patshull Road.
- 8.75. These plans were presented to the local community at an event at The Red House in Albrighton on 5 March and 10 May 2024. Following feedback from the consultation and input from the landscape, drainage, heritage and ecology professionals the proposals were revised again.
- 8.76. The key changes were a relocation of the care home and school to the north, closer to the existing settlement and at the heart of the proposed development. The aim of this was to support the integration of the proposed development with the existing place by encouraging movement across the Site boundary.

- 8.77. Furthermore, additional green infrastructure is illustrated separating the proposed development from Boningale Conservation Area and the Listed Lea Hall on the southern edge of the Site.
- 8.78. The settlement already contains a large number of existing facilities and services, including a railway station providing connection to Shrewsbury and Birmingham New Street, via Wolverhampton.
- 8.79. The scale of the proposal will provide opportunity to deliver a number of benefits to the settlement including a new secondary school.
- 8.80. The up to 800 new homes will be accompanied by substantial new accessible green spaces and play areas, as well as care home and local centre facilities. The proposed new green infrastructure will provide a robust boundary to the Green Belt and mitigate impact on the nearby heritage assets whilst providing opportunity to maintain the majority of the existing trees and hedgerows.
- 8.81. The outline planning application for the Albrighton South Site will provide attractive new homes in a suitable and sustainable location which will benefit Albrighton and the wider region.
- 8.82. The DAS demonstrates how the proposed scheme responds both to the planning policy requirements, the nature of the Site through its constraints and opportunities, and the Site's wider context, which have been assessed in detail in preparing the masterplan.

Flood Risk Assessment & Drainage Strategy

- 8.83. A comprehensive Flood Risk Assessment and Drainage Strategy has been prepared by Eastwood Consulting Engineers and submitted along with this application.
- 8.84. The Site is within Flood Zone 1 and is not at significant risk of fluvial flooding.
- 8.85. There is a low risk and a low to high risk surface water flow route in the west and east of Zone A respectively. The western flow route leads towards an unnamed watercourse originating south of the Site with an area of low to high risk ponding on the southern boundary of the Site. The eastern flow route corresponds with the route (and surrounding area) of the unnamed watercourse in this part of the Site. There are two areas at low to high risk of surface water ponding in Zone B which are the result of localised topographic depressions in proximity to existing field ditches. There is an additional smaller area at low to medium risk of surface water ponding in Zone B corresponding with the location of an existing pond feature with an outfall.
- 8.86. The western flow route in Zone A should be maintained or routed around proposed buildings towards the existing watercourse south of the Site. The eastern flow route

in Zone A of the Site should be maintained as it corresponds with the location of an existing watercourse and surrounding area. Layout adjustments and re-profiling of the ground may be required to ensure that the flow route is preserved. Open space should be developed around the watercourse to ensure that existing flow capacity is not impeded.

- 8.87. Ground levels will need to be raised if development is proposed where topographic depressions and surface water ponding is present (Zone B). Layout adjustments and ground reprofiling will therefore be needed to ensure that flood storage is available to accommodate any existing surface water ponding on Site that may occur from the nearby field ditches and ensure that flood water is not pushed onto third party land. The reprofiling of Site levels and presence of the Site's surface water drainage infrastructure will remove any surface water ponding within the development area and will lower the modelled flood depth. The existing pond feature with an outfall in the centre of Zone B will need to be maintained.
- 8.88. Building FFLs will be raised above external levels and the Site should be laid out so that vulnerable development is not located within areas at risk of surface water flooding. Surface water from Zone A will discharge via a pumped system to the unnamed watercourse within its eastern boundary. Surface water disposal in Zone B will be to unnamed watercourses located to the south-east and north-west of the Site (a pumped system may be required subject to confirmation of watercourse levels). All proposed connections to existing watercourses are subject to approval from the Lead Local Flood Authority and ordinary watercourse consent will be required.
- 8.89. Zones A and B have been split into four smaller parcels for the purpose of draining the Site, resulting in a total of eight drainage parcels. Surface water discharge for each parcel will likely be restricted to 1.4 l/s/ha for the development area, or 3.5 l/s as a minimum practical rate if the rate is lower than this. The total surface water discharge rate equates to 17.7 l/s and 19.7 l/s for Zones A and Zone B respectively, subject to approval from the Lead Local Flood Authority.
- 8.90. Attenuation storage will be provided in a basin/ tank within each of the smaller drainage parcels for rainfall events up to the return period of 1 in 100 year plus 40% climate change. The total estimated storage volumes for Zone A and Zone B are approximately 12,740 m³ and 14,200 m³ respectively, subject to detailed design.
- 8.91. SuDS features such as basins, swales, permeable paving (Type C) and rain gardens may be suitable (depending on Site conditions) to incorporate into the Site to provide water treatment and attenuation as well as biodiversity and amenity value. The suitability of different SuDS features is subject to Site conditions and detailed design.

- 8.92. Foul effluent will discharge via gravity to the Site low points in Zone A and B, before being pumped to the 150 mm public combined sewer in Cross Road north of the Site, subject to approval from Severn Trent Water. Severn Trent Water state that additional investigations/ modelling will be required to better understand the impact of the additional properties on the public sewer network.
- 8.93. Both the surface and foul water drainage systems will be offered for adoption to Severn Trent Water.
- 8.94. The level of risk and safeguards available are considered appropriate to this class of development.

Phase I Site Investigation

- 8.95. Eastwood Consulting Engineers have produced a detailed Phase I Geotechnical and Geo-environmental Site Investigation.
- 8.96. Topsoil is anticipated to be present across the entire Site. Isolated potentially deep areas of made ground are expected within the infilled ponds. The natural ground below the majority of the Site is expected to consist of clay over mudstone bedrock. Sand over sandstone bedrock is expected below around 30% of the Site. Shallow groundwater is expected to be present.
- 8.97. Given the high density of wells, ponds and watercourses shown on the Site and surrounding area, a shallow water table is expected. A possible well was observed to contain water from around 1.5 m depth, and drainage ditches also contained water around 1 m bgl during our walkover which was undertaken in March 2024.
- 8.98. Assuming no significant raising of ground levels, and where no deepening of foundations is required, the most suitable foundations are likely to be strip or trench fill footings taken onto undisturbed nondesiccated natural ground. The minimum footing depth is likely to be 900 mm in clay soils and 600 mm in granular soils.
- 8.99. Footings within clay are dependent on the volume change potential of the soil. This would need to be determined as part of an intrusive investigation.
- 8.100. Where foundations are in clay and within influencing distance of past, present or proposed trees, the footing depth will need to be increased in accordance with the NHBC Standards Chapter 4.2.
- 8.101. Precautions against soil heave due to the influence of past or present trees are likely to be required wherever the footing depth is greater than 1500 mm. Due to the shallow water table, piled foundations should be considered where foundations are to be deepened due to tree influence.

- 8.102. Piled foundations should also be considered for structures overlying infilled ponds.
- 8.103. Two faults are inferred to cross the Site. Where foundations span across different ground types, e.g., clay and rock, they should be taken down to found on the same material, or thickened and reinforced to minimise the effects of differential settlement.
- 8.104. Groundwater control may need to be allowed for in deeper excavations, and time of year considered when planning excavations.

9. Planning Balance & Conclusion

- 9.1. This application is made in the context of the Government's desire to boost significantly the supply and delivery of new housing.
- 9.2. The development of Albrighton South would increase the supply and choice of housing in Albrighton and across the wider area, including that with the strongest relationship with the Black Country. It would provide economic growth and have wider social benefits to the local community, meeting a range of housing requirements and mix, including a significant supply of affordable and market housing, in line with the objectives in the Draft submission Local Plan.
- 9.3. The principles of design and access outlined within the DAS would secure a high-quality scheme.
- 9.4. The supporting material, assessments and expert reports demonstrate that there are no technical, physical or environmental constraints that would preclude the development of this Site, subject to planning conditions and/or Section 106 obligations. The Applicant is willing to enter into constructive dialogue with the Council to agree a list of conditions.
- 9.5. The Applicant is willing and able to complete a Section 106 Agreement with the Council to deliver and make financial contributions to mitigate the impacts of the development as required. These contributions can be identified and assessed before the planning application is determined and the applicant invites the Council to engage in that process immediately.
- 9.6. The applicant is willing and able to enter into a Section 278 Agreement with the Council to deliver highway and pedestrian safety improvements.
- 9.7. Care has been taken to ensure that the perceived impact on Albrighton is minimised and acceptable, through careful design and siting, with the provision of green infrastructure.
- 9.8. The development of the Site, as proposed, would be both suitable and sustainable.
- 9.9. The relevant material considerations in this case are;
 - The Site has recently been considered suitable for safeguarding by the Council as detailed within the Additional Updated Sustainability Appraisal;
 - 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;
 - We consider that the Council cannot currently demonstrate a sufficient supply of deliverable housing.
 - This shortfall is significant and worsening;

- The Site is suitable for residential development in terms of location and characteristics and it is not of high environmental or landscape value;
 - 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 market housing that will provide new, quality homes, in a community where people wish to live;
 - The supply of housing in an area of acute affordability challenges will assist in curtailing the exceptional growth in house prices;
 - 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;
 - A modern Care Home facility is proposed, and meets some of the increasing needs of an aging population in Shropshire and indeed Albrighton;
 - The provision of such a care facility will provide jobs and boost the local economy, but will further ensure that houses currently underoccupied by older residents can be freed up and returned to the housing market;
 - 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 compliment the existing provision within the settlement;
 - The provision of highway improvements, including a new gateway spine road will improve vehicular access to Albrighton from Telford and Wolverhampton;
 - The creation of an Active (Green) Travel route, and the provision of offsite 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.
- 9.10. The grant of planning permission at this Site will therefore enable up to 160 additional affordable homes to be delivered within the first ten years of the emerging Plan period, helping to meet the Council's existing identified need sooner.
- 9.11. The Site can provide wider compensatory improvements, for example, the new spine road, active travel corridors, public footpath and cycleways, local centre, GP Surgery/Pharmacy, Care Home and Secondary School, all of which will increase the sustainability of the settlement providing social and environmental benefits. This can be provided on land within the ownership and control of the applicant.
- 9.12. The new residents will increase demand for and use of local services and businesses. Increased spending will help to protect, maintain and enhance the provision and vitality of services that are available and accessible within Albrighton and surrounding area.
- 9.13. Biodiversity of the Site will be protected, enhanced and improved through new hedgerow and tree planting and delivery of new garden spaces and formal and informal green spaces. Overall, the proposal will achieve a net gain in biodiversity.

- 9.14. As is detailed within Section 7 above, we consider that the tests of Very Special Circumstances have been demonstrated and as such the application before the Council should be approved without delay.
- 9.15. The proposals advanced in this outline planning application are positive and highly sustainable. Evidence to support the suitability, availability and deliverability of Albrighton South is robust and compelling.
- 9.16. The test of Very Special Circumstances has been fully considered and addressed in this submission. That test has been exceeded in the proposals now being advanced. In comparison to most other sites in the Council area, Albrighton South is more suitable and more sustainable.
- 9.17. The applicant respectfully requests the Local Planning Authority to approve the planning application for up to 800 market and affordable dwellings, 80-bed care home, land for a Local Centre and Secondary School and associated community and infrastructure improvements at Albrighton South.



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