

DECISION NOTICE

DETERMINATION OF APPLICATION FOR OUTLINE PLANNING PERMISSION

Town and Country Planning Act 1990

Town and Country Planning (Development Management Procedure) (England) Order 2015

Location:	Proposed Residential Development, Patshull Road, Albrighton, Shropshire
Proposed Development:	Outline application to include access for a mixed-use development comprising up to 800 no dwellings, a care home of up to 80 units, a secondary school and local centre with associated access, infrastructure, landscaping and drainage
Application No.	24/02108/OUT
Date Received:	31st May 2024
Applicant:	Boningale Developments Ltd
Date of Decision:	16th December 2025

Shropshire Council hereby **REFUSE OUTLINE PLANNING PERMISSION** for the reasons outlined below.

REASONS FOR REFUSAL

1. The proposed development site is wholly located in Green Belt countryside outside of any settlement development boundary which is not safeguarded or allocated land, and is not regarded as being grey belt. Development in this location would be incompatible with the principles of sustainable development in that it would undermine the development strategy set out in the adopted Shropshire Council Core Strategy and Site Allocations and Management of Development (SAMDev) Plan which seek to facilitate residential development within a sustainable settlement hierarchy. In addition to the proposal being inappropriate development in the Green Belt, it would result in harm to the character and appearance of the area. The wider benefits of this BMV land have not been recognised, nor has it been demonstrated that development of this site is necessary in preference to poorer quality land or land outside the Green Belt, therefore effective use of the land has not been made in accordance with NPPF paragraph 187b), and Sections 11 and 13. Less than substantial harm to the significance of the



Boningale Conservation Area and Grade II Listed Lea Hall and Barn has been identified, and whilst it is acknowledged that the proposal offers a number of wider local community benefits beyond the site itself, these have not been identified as responding to a local need. The adverse impacts of this unsuitable location would significantly and demonstrably outweigh the benefits of the proposed development contrary to the presumption in favour of sustainable development set out in the NPPF. The proposed development will conflict with Policies CS1, CS3, CS5, CS6 and CS17 of the adopted Shropshire Council Core Strategy, and MD1, MD3, MD6, MD7a and S1 of the SAMDev Plan, in addition to the policies within the NPPF taken as a whole. Even in the context of the presumption in favour of sustainable development and associated tilted balance, it is not considered that the benefits of the scheme warrant a departure from the Development Plan.

2. The Local Planning Authority has accorded substantial weight to the high level of harm which would result from the loss of this 48 hectare section of the West Midlands Metropolitan Green Belt through the proposed development. The proposed development site is within a parcel of Green Belt characterised by agriculture, tree lines and cover, and an absence of urbanising influences which make a strong contribution to checking the unrestricted sprawl of large built-up areas and to assisting in safeguarding the countryside from encroachment. The proposed development site is not regarded as grey belt and consequently the proposed development is inappropriate development in the Green Belt. It is therefore, by definition, harmful to the Green Belt and prejudicial to the reasons for including land within it. It does not constitute any of the exceptions to inappropriate development identified in paragraphs 154 or 155 of the National Planning Policy Framework and the circumstances advanced in the application are not considered to amount to the very special circumstances required to overcome an objection to the high level of harm identified. The proposed development is therefore contrary to Shropshire Council Core Strategy Policy CS5, SAMDev Plan Policy MD6 and the guidance set out in Section 13 of the National Planning Policy Framework.

RELEVANT CONSIDERATION:

In determining the application the Local Planning Authority gave consideration to the following policies:

Central Government Guidance:

National Planning Policy Framework

National Planning Practice Guidance

LDF Core Strategy Policies:

CS1 Strategic Approach

CS3 The Market Towns And Other Key Centres

CS5 Countryside And Green Belt

CS6 Sustainable Design And Development Principles

CS9 Infrastructure Contributions

CS11 Type And Affordability Of Housing

CS17 Environmental Networks

CS18 Sustainable Water Management

Site Allocations & Management Of Development (SAMDev) Plan Policies:

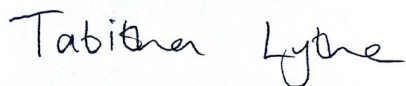
MD1 Scale and Distribution of development
MD2 Sustainable Design
MD3 Delivery Of Housing Development
MD6 Green Belt And Safeguarded Land
MD7a Managing Housing Development In The Countryside
MD7b General Management Of Development In The Countryside
MD8 Infrastructure Provision
MD12 Natural Environment
MD13 Historic Environment
S1 Albrighton

Supplementary Planning Documents (SPDs):
Type And Affordability Of Housing

Albrighton Neighbourhood Plan 'Light' June 2013

Shropshire Council seeks to work proactively with applicants to secure developments that improve the economic, social and environmental conditions of an area in accordance with paragraph 39 of the National Planning Policy Framework. However in this case a positive solution could not be found and the application is not considered in principle to fulfil this objective having regard to relevant development plan policies and material planning considerations.

24/02108/OUT

A handwritten signature in black ink that reads "Tabitha Lythe". The signature is written in a cursive, flowing style.

Tabitha Lythe
Planning and Development Services Manager

Case officer: Lynn Parker, Principal Planning Officer, 01743 258634
Southern Team, planning.southern@shropshire.gov.uk - 01743 258920

NOTES

Appeals to the Secretary of State

If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then the applicant can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990 (as amended).

An appeal must be made within six months of the date of this notice, or 12-weeks if the scheme is for that of "household" development, or minor commercial application, or within 8 weeks in the case of advertisement appeals. The appeal must be made on a form which can be obtained from the Planning Inspectorate at Customs Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at

<https://www.gov.uk/government/organisations/planning-inspectorate>

Where an enforcement notice has been served on the same, or substantially the same, development as in the application within 2 years of the date the application was made, the period for receiving an appeal is 28 days of the date on the decision notice or the date by which the LPA should have decided the application. Where an enforcement notice was served after the decision notice was issued or after the end of the period the LPA has to determine the application, the period for receiving an appeal is within 28 days of the date the enforcement notice was served (unless this extends the normal 12 week deadline).

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority (appeals@shropshire.gov.uk) and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

Purchase Notices

If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council requiring the Council to purchase the interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 (as amended).