
Appeal Decision

Site visit made on 7 April 2026

by **Lewis Condé BSc, MSc, MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13 May 2026

Appeal Ref: 6003667

Land at Weston Lullingfields, Baschurch, Shrewsbury, SY4 2AA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Mr R Lea against the decision of Shropshire Council.
 - The application Ref is 25/02864/OUT.
 - The development proposed is the erection of 4 no. dwellings.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal is for outline planning permission with all matters reserved. Whilst an indicative layout has been provided, I have only considered this as an example of how the proposed development could potentially come forward.

Main Issues

3. The main issues are:
 - Whether the appeal site is a suitable location for residential development having regard to the adopted local development strategy and access to facilities and services;
 - Whether the proposed development would cause harm to the character and appearance of the area, in particular with regards to its effects on trees and hedgerows; and
 - Whether the proposal would affect the integrity of a European Designated Site.

Reasons

Location

4. Policy CS1 of the Shropshire Local Development Framework: Adopted Core Strategy (2011) sets out the overarching spatial strategy for the County. It includes a “rural rebalance” approach, directing around 35% of new housing to rural areas over the plan period. This development is to be focused primarily within Community Hubs and Community Clusters, with development outside these locations generally limited to economic diversification and meeting local affordable housing needs. The supporting text to policy CS1 highlights that the spatial

strategy is intended to accommodate growth in a manner that promotes sustainable places to live and work.

5. Policy CS4 of the Shropshire Local Development Framework Adopted Core Strategy (2011) (the Core Strategy) further sets out the approach to development in rural areas, seeking to support more sustainable communities by directing development to Community Hubs and Community Clusters. Development outside these settlements is resisted unless it accords with other relevant policies.
6. Meanwhile, Policy MD1 of the of the Shropshire Council Site Allocations and Management of Development Plan (adopted 2015) (the SAMDev) identifies those settlements that fall within a Community Hub or Community Cluster. With Policy S16.2(xvi) of the SAMDev identifying Weston Lullingfields, Weston Wharf and Weston Common as a Community Cluster with a housing guideline of 15-20 additional dwellings over the plan period to 2026. It states that these dwellings will be delivered through infilling, conversions, and small groups of up to 5 dwellings on suitable sites within the villages.
7. Whilst the number of dwellings that have been completed or received permission within this community cluster exceed that outlined under Policy S16.2(xvi), the figure is a guideline as opposed to a cap on residential development. Still the proposal does not involve a conversion and so it falls to a consideration of whether the appeal site involves development within the village or infilling.
8. As the development plan does not define a settlement boundary for Weston Lullingfields, whether the appeal site lies within the village is a matter of planning judgment, informed by the evidence before me and my site visit.
9. The appeal site lies at the edge of the settlement and comprises agricultural land enclosed by mature boundary vegetation, with surrounding land largely in agricultural use.
10. Weston Lullingfields exhibits a predominantly linear pattern of development, with residential properties to the north of the site on both sides of the main highway. However, intervening open land separates the appeal site from the established built form, such that it is not contiguous with it. The site also does not form part of a cohesive block of development, nor is it enclosed by built form or perceived as a gap within the settlement.
11. Instead, the site occupies a peripheral position beyond the established built limits of the village, marking the transition to the surrounding countryside. Its development would therefore extend the settlement into land currently experienced as open countryside, rather than represent development within the village or acceptable infill. As such, the proposal conflicts with the spatial objectives of Policy CS4 and Policies MD1 and S16.2(xvi) of the SAMDev.
12. Additionally, Core Strategy Policy CS5 and SAMDev Policy MD7 seek to strictly control developments in the countryside subject to specific exceptions, include for some new dwellings. None of these exceptions have been suitably demonstrated to apply to the appeal scheme.
13. Weston Lullingfields contains a limited range of facilities, including a primary school, village hall, and church. However, these are located a considerable distance from the appeal site. Moreover, the road leading to the appeal site is rural

in character, being unlit and without separate footpath provision within the vicinity of the site. The wider surrounding area is also subject to very limited footpath provision, mainly without streetlighting and often limited surveillance.

14. Given the distances involved and the nature of the surrounding highway network, it is highly likely that most future residents would be deterred from walking or cycling to access local facilities and services. This deterrent would be even greater for the elderly, those with young children, or during adverse weather and hours of darkness.
15. Wider facilities required to meet most day-to-day needs are located further afield. Although the appellant has made reference to bus services within the village, no detailed evidence has been provided concerning their extent or frequency. As such, I cannot verify whether the use of buses would be a realistic and practical option for future residents of the appeal proposal.
16. Based on the available information, including the distances involved and the rural context of the site, future occupiers would be likely to rely heavily on private car use. This would be the least sustainable travel option.
17. The National Planning Policy Framework (the Framework) recognises that opportunities to maximise sustainable transport will vary between urban and rural areas, still, the absence of appropriate infrastructure to support walking, cycling or evidence of suitable public transport options, means that I do not consider the site to be accessible by sustainable travel modes.
18. I therefore find the appeal site is not a suitable location for residential development having regard to the adopted local development strategy and its access to facilities and services. The proposal therefore conflicts with Core Strategy Policies CS4 and CS5 and Policies MD1 and MD7a of the SAMDev.

Character and Appearance

19. The appeal site has a verdant, rural character due to its undeveloped nature and presence of mature vegetation, particularly boundary hedgerows.
20. Although all matters are reserved, the submitted Arboricultural Impact Assessment (AIA) identifies that approximately 10 metres of boundary hedgerow would need to be removed to provide vehicular access. However, the AIA and indicative layout demonstrate that appropriate compensatory planting could be provided, and this could be suitably secured through future reserved matters applications and/or the imposition of conditions.
21. A mature Ash tree is located close to the site boundary. While categorised as a quality 'C' specimen in the AIA, I find that it makes a positive contribution to the rural character of the area due to its size, maturity and prominence within the landscape.
22. The indicative layout shows that the Ash tree would be retained, with no built development proposed in close proximity, while the AIA sets out that no works are required within the root protection areas of retained trees. The AIA also indicates that canopy pruning would not be necessary. Subject to appropriate conditions relating to tree protection and construction practices, I am satisfied that retained trees would not be adversely affected.

23. The Council has provided no substantive evidence to counter the findings of the AIA or to suitably support its assertion that significant reduction in the height of the Ash tree's canopy would be required to accommodate the development.
24. Given that layout, scale, appearance, and landscaping are all reserved matters, I consider it reasonable to conclude that a scheme could come forward that satisfactorily retains the Ash tree and incorporates appropriate soft landscaping. Indeed, there is no clear evidence before me that a scheme could not be designed to complement the character and appearance of the area, including the rural edge of the village and surrounding landscape character.
25. I therefore conclude that the proposal would not cause harm to the character and appearance of the area, in particular with regards to its effects on trees and hedgerows. Accordingly, I find no conflict with Core Strategy Policies CS6 and CS17, and Policies MD2 and MD12 of the adopted SAMDev Plan. Together, amongst other matters, these policies seek to promote high-quality design that protects local character including the natural environment.

European Designated Site

26. The appeal site is within the Zone of Influence (ZOI) of Cole Mere, which forms part of the Midland Meres and Mosses Phase 2 Ramsar site and is a Site of Scientific Interest (herein referred to as the 'designated site').
27. The designated site consists of a diverse range of habitats from open water to raised bog. It also supports several rare species of plants associated with wetlands, whilst it also supports an assemblage of invertebrates including several rare species. Evidence indicates that increased recreational pressures, from additional visitors, is likely to give rise to significant adverse effects upon the structure, function, and integrity of the site, thus impacting upon the aim of bringing it into a favourable condition.
28. The proposed development would increase the residential population within the designated site's ZOI and therefore has the potential to increase visitor numbers to the area and exacerbate existing recreational pressures.
29. The Habitat Regulations require that permission may only be granted after having ascertained that it will not affect the integrity of the relevant protected sites. However, as I am dismissing the appeal on other grounds it has not been necessary for me to consider this further. This includes consideration of whether the appellant's submitted Unilateral Undertaking would suitably secure appropriate mitigation for any potential impacts on the designated site.

Other Matters

30. Various decisions have been presented to me from both the appellant and the Council to support their respective cases. I do not have the full background details of these other decisions. However, from the available evidence it is apparent that there are material differences, for example, the specific site or development context, and/or planning histories of the relevant sites.

Planning Balance & Conclusion

31. The proposal would make a contribution to the supply of housing in an authority area where there is currently a shortfall. It would also deliver socio-economic

benefits associated with the construction and occupation of up to four dwellings. However, given the limited scale of the development, these benefits would be modest.

32. The absence of harm to the character and appearance of the area, together with compliance with other development plan policies, are neutral factors in the planning balance.
33. By reason of its countryside location and limited access to services and facilities, the proposal runs contrary to the Council's adopted spatial strategy and therefore conflicts with the development plan when considered as a whole.
34. Although the Council's development plan is time-expired, it remains the starting point for decision-making under Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended). The evidence indicates that the replacement plan is at an early stage of preparation, having been withdrawn during the examination process in late 2024/early 2025. While the Council's settlement boundaries may be subject to review, the future spatial strategy under a replacement development plan remains to be established.
35. Notwithstanding the above, the Council accepts that it cannot demonstrate a five-year supply of deliverable housing land. Accordingly, paragraph 11(d) of the Framework is engaged.
36. The proposal would support the Framework's objective of significantly boosting the supply of housing and reflects its recognition that small sites can contribute to meeting housing needs. It would also generate some economic benefits during construction. Post-construction there are also likely to be socio-economic benefits associated with future occupiers spending, as well as support for local services in line with paragraph 83 of the Framework. Biodiversity gains are also likely to arise through the need to comply with mandatory net gain requirements¹. Nevertheless, notwithstanding the housing land supply position, the overall benefits associated with up to four dwellings would remain modest.
37. The need to deliver sustainable patterns of growth is an important consideration that is embedded in the Framework. In this case, the site's relatively poor accessibility to everyday services and facilities by sustainable modes of transport results in harm to the social and environmental dimensions of sustainable development. I attach significant weight to this harm.
38. Considered together, I find that the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole. The presumption in favour of sustainable development therefore does not apply.
39. In conclusion, the proposal conflicts with the development plan when taken as a whole. There are no material considerations, including the provisions of the Framework, that indicate that a decision should be made other than in accordance with it. The appeal is therefore dismissed.

Lewis Condé

INSPECTOR

¹ Under Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021)