



Appeal Decision

Site visit made on 30 June 2026

by **A O'Neill BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28 July 2026

Appeal Ref: 6008009

Land Adjacent Ryton Villa Farm, Ryton, Dorrington, Shrewsbury SY5 7LS

- 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 and Mrs Bishton against the decision of Shropshire Council.
 - The application Ref is 26/00264/OUT.
 - The development proposed is the erection of a detached two-storey self-build dwelling (to include access and scale).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal scheme relates to an outline proposal, with access and scale to be considered at this stage, and all other matters reserved for future consideration. I have considered the appeal accordingly.
3. A completed legal agreement dated 1 May 2026 was submitted as part of the appeal. I return to this later in my decision.
4. Whilst the reasons for refusal do not refer to character and appearance, the Council's submission indicates they object to the proposal in this regard. The appellant has also addressed this matter in their submission.

Main Issues

5. Having regard to the above, the main issues are:
 - whether the site is in a suitable location having regard to the Council's strategy for the location of housing and its access to services and facilities; and,
 - the effect of the proposal on the character and appearance of the area.

Reasons

Location

6. The Council's development strategy is set out in the Shropshire Local Development Framework: Adopted Core Strategy 2011 (the CS) and the Shropshire Council Site Allocations and Management of Development 2015 (the SAMDev). Together, CS Policy CS1 and SAMDev Policies MD1 and MD3 set the strategic approach to the location of development in the district. The policies direct development to the most accessible locations, including Shrewsbury, Market

Towns and Key Centres and in community hubs and clusters in the rural areas, which are identified in CS Policy CS4.

7. The appeal site is located in the small settlement of Ryton, which is not identified in the development strategy. The appeal site is therefore in open countryside for the purposes of planning policy. CS Policy CS5 and SAMDev Policy MD7a limit new residential development in the open countryside to a number of exceptions, none of which are applicable to this proposal. As such the site location does not accord with the Council's strategy for the location of housing.
8. Turning to the site's access to services and facilities, CS Policy CS6 requires 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. This is consistent with paragraph 110 of the National Planning Policy Framework (the Framework) which states significant development should be focused on locations which are or can be made sustainable.
9. I acknowledge that a proposal for one dwelling may not constitute significant development, nor is it likely to generate significant levels of traffic. Nevertheless, Policy CS6 also requires development which is safe and accessible to all. Furthermore, paragraph 115 of the Framework seeks for sustainable transport modes to be prioritised and for safe and suitable access to be achieved, regardless of the size of the development.
10. I appreciate that the appeal site is not isolated given its location close to other existing built development. Ryton has some services and facilities including a public house, village hall and church. However, these are unlikely to meet the day to day needs of future occupiers who would need to travel approximately one mile to the settlement of Dorrington which has other services and facilities.
11. There are no dedicated footpaths, cycle lanes or streetlights in the vicinity of the appeal site. Thus, while the distance to Dorrington would not be excessive, the lack of pedestrian and cycling infrastructure means that the route would not be desirable for all future occupiers, particularly during winter months.
12. It is stated that Ryton is on a bus route between Ludlow and Shrewsbury and there is a bus stop 500 metres away from the site. The same bus stop is also used for a school bus service to a secondary school in Church Stretton. However, I have not been provided with the location of the bus stop, timetables or journey times. As such, I am not satisfied that future occupiers would have access to a regular bus service which would provide convenient access to services and facilities.
13. I acknowledge the appellant's commitment to installing electric vehicle charging, however, there is no guarantee that future occupiers would make use of them.
14. The appellant accepts that future occupiers would be more reliant on the use of the private car to meet their day to day needs. I also recognise that sustainable transport solutions will vary between urban and rural areas. However, even considering the site's rural location, for the reasons set out above, I find that the proposal would fall short of prioritising sustainable transport.
15. It is suggested that the lack of pedestrian infrastructure is characteristic of rural areas. Be this as it may, this consideration does not justify the appeal development

in light of the conflict I have found with the Council's strategy for the location of housing and the lack of sustainable transport options.

16. Taking all of the above into account, I find that the appeal site is not in a suitable location having regard to the Council's strategy for the location of housing and its access to services and facilities. As such, the proposal conflicts with CS Policies CS1, CS4, CS5, CS6, SAMDev Policies MD1, MD3 and MD7a, and the sustainable travel aims of the Framework, as set out above.

Character and Appearance

17. The appeal site is part of a larger parcel of open grassland located at the edge of the built-up area of Ryton. To the north of the site are residential properties forming Ryton Villa Court and to the west is the residential property known as Ryton Villa Farm. The boundary between Ryton Villa Farm and the appeal site is defined by dense, mature trees and planting and so there is limited intervisibility between the two. It is possible to see some of the built development to the north of the site above the planting at the northern boundary of the site.
18. The boundary treatments to Ryton Villa Farm and the properties on Ryton Villa Court serve as a clear demarcation between the built-up part of the settlement and the surrounding open countryside. Although there is built development to the north and west of the site, it is otherwise surrounded by open countryside. The site itself has an open and verdant appearance which reflects its countryside setting and I observed it to have a greater visual and physical relationship to the surrounding countryside than the built-up part of the settlement. In its current, undeveloped state it makes a strong positive contribution to the countryside character of the area.
19. It is suggested that the appeal site's southern boundary would line up with the southern boundary of the rear garden of Ryton Villa Farm. However, there is no boundary currently in this location. The plot for the proposed dwelling would therefore project into the open countryside. The appeal development would not appear contained within the built form of the settlement and would instead appear as an incongruous addition to the landscape.
20. Whilst the detailed design and layout of the proposal would be determined at the reserved matters stage, it would result in built development where there is presently none. The proposed residential use would alter the visual appearance of the site with the likely introduction of a driveway, garden area and associated domestic paraphernalia. The resultant development and domestication of the land would erode its open and verdant character. This harm could not, in my judgement, be fully overcome through the layout of the development nor with a landscaping scheme, as suggested.
21. Taking all of the above into account, I find that the proposal would harm the character and appearance of the area. As such, it would conflict with CS Policies CS5 and CS6 as well as SAMDev Policies MD2, MD7a and MD12. Taken together these policies require development proposals to be of high quality design which respects local context and character, including countryside character, and responds appropriately to the form and layout of existing development.

Other Matters

22. I acknowledge the appellant's intention to utilise sustainable construction techniques and onsite renewable energy in line with the Council's Sustainable Design SPD. Other cited benefits include ecological enhancements to the site and that the dwelling would be built to Lifetime Homes standard. I also appreciate that there is the potential for future occupiers to support services in other nearby settlements. However, the scale of the proposed development means it would have limited social and economic benefits. One additional house would make a limited contribution to the supply of housing, as would the support that its construction and future occupancy would provide to construction employment and the local economy.
23. The Council's submission refers to potential harm to neighbour amenity, although its case is not further substantiated in this regard. Based on the evidence before me, including my observations on site, I am satisfied that one dwelling could be accommodated on the site without harm to the living conditions of neighbouring occupiers.
24. I appreciate that the Council raises no objection in relation to highway safety, ecology and trees. I also acknowledge that the site is not subject to any specific landscape or heritage designations. Nevertheless, these are neutral factors that weigh neither in favour of, nor against, the proposal.
25. The appeal proposal is described as a self-build dwelling and would be secured as such by the legal agreement submitted with this appeal. This is a benefit in that it would contribute to meeting the Council's statutory duty in this regard, although there is nothing before me to demonstrate that the Council is not currently meeting this duty. Accordingly, I attribute this limited positive weight in the planning balance.
26. The proposed dwelling would be designed to meet the needs of one of the appellants who has reduced mobility. However, as acknowledged by the appellants, this would be a private benefit. It is a well-founded principle that the planning system does not exist to protect private interests. In any event, the proposed dwelling would be permanent, as would the harm identified, which would not be the case for the needs of the appellant. Therefore, this consideration does not alter my conclusions.
27. Reference is made to a number of other sites which have been granted planning permission for residential development in Ryton. There is limited information provided on most of these examples. Consequently, I cannot make a direct and reasoned comparison between those schemes and the appeal proposal.
28. Extracts have been provided from the Committee Report for the site known as The Fox (Planning Application Ref: 14/00701/FUL). I note that, in that case, the site location conflicted with development plan policies for the location of housing, but the Council determined that was outweighed by other material considerations. In that case, the proposal was found to represent an efficient use of brownfield land with no encroachment into open countryside. However, the appeal site before me now is not brownfield land and I have found that the proposal would result in encroachment into the open countryside. Accordingly, the two are not directly

comparable and as such, this consideration does not alter my conclusions on this case, which I have determined on its own merits.

29. My attention has been drawn to an appeal decision on another site in Shropshire (Appeal Ref: APP/L3245/W/25/3362414) in which the Inspector concluded that the harms arising in that case would be significantly and demonstrably outweighed by the benefits. That case concerned a development of 70 dwellings on a site in a different settlement and is therefore not directly comparable to the appeal proposal before me now. Moreover, the weight to be given to the benefits and harms in the planning balance of this appeal is a matter for me.

Planning Balance

30. The proposal would conflict with the Council's strategy for the location of housing set out in CS Policies CS1, CS4, CS5 and CS6 and SAMDev Policies MD1, MD3 and MD7a. The proposal would also conflict with CS Policies CS5 and CS6 and SAMDev Policies MD2, MD7a and MD12 insofar as they seek development which protects and enhances local character. The proposal would therefore conflict with the development plan as a whole.
31. Paragraph 232 of the Framework makes it clear that due weight should be given to existing policies according to their degree of consistency with the Framework. In this respect the Framework expects development to promote sustainable travel modes. Furthermore, the countryside is not protected for its own sake, but its intrinsic character and beauty is recognised by the Framework which also indicates development should maintain the prevailing setting and character. Therefore, the conflict between the proposal and the aforementioned policies should be given significant weight in this appeal.
32. The Council has confirmed that it cannot currently demonstrate a five year supply of deliverable housing sites. In these circumstances, footnote 8 of the Framework establishes that paragraph 11d) is engaged. There is nothing before me to suggest that the policies identified in footnote 7 of the Framework provide a strong reason for refusing the development proposed under paragraph 11 d) i). Hence, the balance in paragraph 11 d) ii) applies.
33. Paragraph 11 d) ii) states planning permission should be granted unless 'any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations,...'. In addition, measures set out to achieve well designed places in paragraphs 135 and 139 of the Framework constitute key policies for the purposes of paragraph 11 d) ii).
34. The Council has not specified the extent of its shortfall in housing land supply. The appellant refers to several figures, the most recent of which is 4.61 years, dated 30 March 2026 and I have based my reasoning on this. Whilst the Framework does recognise the contribution that small sites can make to meeting the housing requirement for an area, one dwelling would make a minimal contribution to the overall supply of housing and as described above, the benefits associated with one additional dwelling would be limited, even taking into account the Framework's objective of significantly boosting housing land supply. I therefore attribute these benefits limited weight.

35. Consequently, the adverse impacts on the Council's development strategy and of increasing travel by private vehicle, as well as the harm to the character and appearance of the area, would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. As a result, the presumption in favour of sustainable development does not apply.

Conclusion

36. For the reasons given above, the proposal conflicts with the development plan as a whole and there are no material considerations, including the Framework, that indicate that a decision should be made other than in accordance with it. I therefore conclude that the appeal should be dismissed.

A O'Neill

INSPECTOR