



Appeal Decision

Site visit made on 12 September 2025

by T Gethin BA (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 September 2025

Appeal Ref: APP/D0840/W/25/3363171

Land adjacent to Elements car park, Widemouth Bay, Bude, Cornwall EX23 0LZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Mr and Mrs Budge against the decision of Cornwall Council.
 - The application Ref is PA25/01420.
 - The development proposed is Proposed single dwelling in lieu of existing building (minimum 1, maximum 1).
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal is for permission in principle. Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has two stages: the first ('permission in principle') establishes whether a site is suitable in principle and the second ('technical details consent') is when the detailed development proposals are assessed. This appeal relates to the first stage.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent technical details consent application if permission in principle is granted. I have determined the appeal on this basis.

Main Issue

4. The main issue is whether the appeal site is suitable for residential development, having regard to location and land use.

Reasons

5. Forming part of a small cluster of development, including a residential property (Greenacres) and a hotel (Elements) and its car park, the appeal site is not isolated. Containing a stable block and some hard standing, it is also previously developed land. Nevertheless, it is situated in a rural setting where fields and undeveloped coastline predominate and development is relatively limited, sporadic and dispersed. The surrounding area therefore reads as countryside with a sparsely developed appearance and rural character. The modest scale and form of the stable block, the adjoining road physically separating it from Greenacres and Elements, and the distance to other buildings means that the site also has more visually affinity – and positively contributes – to its undeveloped rural context.

6. Given the limited amount of built form in the locality and its scattered, dispersed nature, the site's location meets the definition in the Cornwall Local Plan Strategic Policies 2010 - 2030 (CLP) of open countryside¹ and it cannot reasonably be described as being within or adjoining a settlement. With Upton approximately half a mile away and being described as the nearest settlement, the appellant also appears to concede this. The small cluster of development formed by the site, Greenacres, Elements and its car park does not lead me to a different conclusion. In coming to this view, I have also taken into account the degree of separation to the other properties at Coast View and Phillips Farm.
7. Despite representing development of previously developed land, the proposal would therefore not accord with the second bullet point of part 3 of CLP Policy 3. It is also not alleged that the proposal would meet any of the other elements of that policy or CLP Policy 7². The available evidence does not indicate otherwise.
8. The proposed development would lead to the encroachment of residential development (and additional associated paraphernalia) in the open countryside. Irrespective of how it might be designed at technical details consent stage, a single-storey dwelling on the site would, given the current stable block's limited size and muted nature, also likely be a considerably larger and more visible feature. The proposed development, resulting in a significant transformation in visual terms, would therefore read as a notable suburbanising intrusion in the rural landscape that would erode the character and appearance of the locality.
9. In coming to this view, I have taken into account that the appeal proposal may not extend built form beyond existing development; the appellant's intention to construct a low-profile traditional dwelling following good design principles and using suitable materials, which are indeed considerations for the technical details stage; and that the site is not within any specific landscape designations. The opportunity to secure design, landscaping and boundary treatment at technical details stage does also not lead me to a different conclusion.
10. Future occupiers of the proposed development could theoretically walk or cycle to Upton. Although it has been put to me that it provides a range of basic services, the available evidence and my site visit observations indicate that Upton contains little in the way of services and facilities necessary for daily life. Nevertheless, future occupiers could catch a bus from there to various other settlements with numerous services and facilities. However, getting to the bus stop on foot or by bicycle would involve using the unmade, unlit coast path or negotiating a reasonably long section of unlit highway with no dedicated separation from vehicular traffic for most of the way. The submitted evidence indicates that the bus services are also infrequent.
11. On this basis and given the distances to other settlements, accessing local services and facilities other than by driving from the site would neither be particularly appealing nor safe, especially when carrying anything or during darkness and poor weather. It seems to me that future occupiers would thus inevitably rely on the private vehicle for the majority of their journeys.
12. I accept that this may be the case for rural areas and much of Cornwall in general. Amongst other aspects, the National Planning Policy Framework (Framework) also recognises that opportunities to maximise sustainable transport solutions will vary

¹ 'The area outside of the physical boundaries of existing settlements (where they have a clear form and shape).'

² Which relates to the development of new homes in the open countryside and does not refer to isolated homes.

from urban to rural areas; and sets out that sites to meet local needs in rural areas may have to be found beyond settlements and in locations not well served by public transport. However, the lack of suitable alternative transport options mean that future occupiers would likely be wholly reliant on the private vehicle to serve their daily needs.

13. This indicates that the proposal cannot reasonably be considered as being either accessible and well-connected to nearby settlements with services or, in the words of CLP Policy 21, sustainably located. Location is also one of the attributes listed in CLP Policy 1 in relation to considering whether a proposal is sustainable. As such, and despite the site being previously developed land, the appeal proposal is neither supported by these policies nor could it be described as appropriately increasing building density and making best or efficient use of land. Such reliance on the private vehicle indicates that the proposal would also have an adverse environmental impact and means that the proposed development would not provide suitable access for all people. In coming to this view, I have taken into account that driving to Bude, Widemouth, Bangors, Marhamchurch and other places with services would not involve long journeys; that such distances are said to be appropriate within the rural Cornwall context; and that the Council's Chief Planning Officer Advice Note on Infill and Rounding Off recognises that it is unrealistic for public transport, walking and cycling to meet all transport needs in rural areas.
14. For the above reasons, I conclude that the appeal site is not suitable for residential development, having regard to location and land use. I therefore find that it does not accord with CLP Policies 2, 3, 7, 12, 21, 23 and 27 and Policies C1 and T1 of the Climate Emergency Development Plan Document. Amongst other aspects, these set out the Council's approach to accommodating new housing; seek best use of land by encouraging sustainably located proposals on previously developed land and which increase building density where appropriate, taking into account the area's character and access to services and facilities; expect proposals to provide safe and suitable access for all, be located to minimise the need to travel and support a modal hierarchy, and maximise the ability to make trips by public and active modes of transport; and require development to respect and enhance quality of place and sustain local character and the natural environment.

Other matters

15. My attention has been drawn to a number of other appeal decisions elsewhere in the district that are said to be of relevance. Whilst the cases are noted, the circumstances are sufficiently at variance that I have judged this appeal proposal on its own individual merits. For example, the Quaker House site is described as being a fairly short distance from frequent, regular bus services whilst the appeal decision at Kenilworth found compliance with CLP Policies 3 and 21 and that future occupiers would not be wholly reliant on private motor vehicles. Character and appearance was also not a concern in either appeal.
16. The proposed development would result in various benefits. This includes the provision of a family-sized dwelling which would contribute to the supply of housing in the locality. The windfall development would also make use of previously developed land on a small site which could be built out relatively quickly. In addition, future occupiers would be likely to support the local economy by using existing local services and facilities.

Planning Balance

17. I have found that the site is not suitable for residential development, having regard to location and land use. Based on the submitted evidence and my finding that the proposal would not accord with various policies, this leads me to conclude that it conflicts with the development plan as a whole. However, the available evidence indicates that the Council has a relatively significant shortfall in housing supply, currently only being able to demonstrate a supply of approximately 3.8 years. This means the approach set out in paragraph 11d) of the Framework applies.
18. Given the scale of the proposed development, its benefits (as detailed above) and contribution to housing supply would be relatively modest, even taking account of the objectives in the Framework of significantly boosting housing supply. Nevertheless, its social and economic benefits attract significant weight and align with the objectives of various local and national policies, including the Framework's policies in relation to delivering a sufficient supply of homes and supporting a prosperous rural economy.
19. On the other hand, the proposed development would harm the character and appearance of the surrounding area, whilst future occupiers' reliance on the private vehicle would cause some environmental harm. This would conflict with the Framework provisions that seek to achieve well-designed places, conserve and enhance the natural environment, and promote sustainable transport (including through prioritising sustainable transport modes and achieving suitable access for all users). The appeal proposal would also result in a new dwelling in the countryside, contrary to the various restrictions in local and national planning policy on housing in inaccessible areas. These matters weigh against the development and attract significant weight. In addition, given my findings above, the appeal proposal cannot be regarded as making effective use of land and neither does it represent a suitable opportunity to make use of previously developed land.
20. Consequently, I find that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land and securing well-designed places. The presumption in favour of sustainable development does thus not apply in this instance.

Conclusion

21. Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. I recognise that even one new dwelling would help with the supply of much-needed housing in the district whilst the Council's declared housing crisis clearly requires the delivery of a significant number of new homes. However, the proposed development would result in an unjustified new dwelling in the countryside, harm the area's character and appearance, and cause some environmental harm through future occupiers' reliance on the private vehicle. Consequently, I find that the above matters and benefits outweigh neither the harm I have identified nor the conflict with the development plan.

T Gethin

INSPECTOR