
Appeal Decision

Site visit made on 23 October 2025

by **A J Sutton BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 18 December 2025

Appeal Ref: APP/D0840/W/25/3363133

Contractors Yard, Coppathorne, Poundstock, Bude EX23 0DD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant permission in principle.
 - The appeal is made by Ms. Alison Rowland against the decision of Cornwall Council.
 - The application Ref is PA25/00281.
 - The development proposed is Permission in principle for proposed construction of up to 5 dwellings (minimum of 3, maximum of 5).
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Decision

1. The appeal is allowed and permission in principle is granted for residential development comprising a minimum of three and a maximum of five dwellings at Contractors Yard, Coppathorne, Poundstock, Bude EX23 0DD in accordance with the terms of the application, Ref PA25/00281, dated 8 January 2025.

Procedural Matters

2. The proposal is for permission in principle. This is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has two stages: the first stage (permission in principle) establishes whether a site is suitable in principle, and the second stage (technical details consent (TDC)) is when the detailed development proposals are assessed. This appeal relates to the first of these stages.
3. The scope of the considerations for permission in principle are 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. The proposal is supported by a site location plan which denotes the proposed plot.

Main Issue

4. The main issue is whether the site would be suitable, in terms of location and land use, for residential development, having regard to local policies.

Reasons

5. The appeal site is a plot of land with existing access on to the A39. It is flanked by this busy road and a former stretch of the main road, that now appears to be a local lane [old road] and comes to a dead end just north of the site. There is a farmstead and some other individual dwellings a relatively short distance to the south. These properties are scattered and largely surrounded by fields, such that they have a distinct countryside setting.
6. The nearest settlements to the site are Widemouth Bay, accessed by a country road to the west of the A39 or at Bangors Cross/Poundstock less than a mile south of the site. These

settlements are small, and the nearest settlement with a reasonable range of services is Bude, around 4 miles from the site.

7. The site is understood to be a contractor's yard. It comprises hard standing areas and some sheds and is bounded by vegetation and palisade gates. The surrounding landscape is relatively flat, but the land rises gently near the appeal site such that it appears slightly elevated.
8. The proposal would redevelop the yard to accommodate no more than five dwellings. Policy 3 of the Cornwall Local Plan (Local Plan) guides the delivery of housing in the County, with the focus of delivery at the main towns, which include Bude. This Policy also has criteria for development outside the main towns. This includes rounding of settlements and development of previously developed land within or immediately adjoining that settlement.
9. Addressing this Policy criterion, as already stated the site comprises a yard with buildings. It is therefore previously developed land. However, it is separated from the small settlement of Bangors Cross by relatively undeveloped agricultural land. Also, while there are grass verges along this stretch of the A39, there are no significant pavements connecting the appeal site to that settlement.
10. The existing limited development near to the appeal site is also separated from the nearest settlement by agricultural land. Regarding this existing built form, as already set out, these are scattered in the countryside, and do not appear as a significant cluster of development such that it could be considered a settlement. Given these factors I agree with the Council that the appeal site is located in open countryside. With these site circumstances, the proposed development would not round off a settlement, nor would it adjoin the settlement. This proposal would not accord with Policy 3 of the Local Plan in this regard.
11. There is some support for housing in the countryside in Policy 7 of the Local Plan. However, this will only be permitted in special circumstances, and this proposal fails to qualify as a special circumstance in the terms set out in that Policy.
12. Policy 21 of the Local Plan seeks the best use of land and states encouragement will be given to sustainably located proposals that amongst other matters use previously developed land (PDL) provided that they are not of high environmental or historic value. As indicated the current use of the site is a yard and this supports buildings with a relatively modern commercial aesthetic. The evidence does not point to the site being of high environmental or historic value.
13. The supporting text of Policy 21 indicates that the suitability of a site in terms of accessibility and location must be considered but there is limited guidance on assessing this matter. However, Policy C1 6) of the Climate Emergency Development Plan Document (DPD) seeks to maximise the ability to make trips by public transport and Policy T1 of the DPD requires new development should be designed and located in order to minimise the need to travel by car.
14. With existing dwellings nearby the site is not isolated. However, given this largely rural location it is remote from a reasonable range of services. It is asserted that the local bus service is not easily accessed. I agree the walk along the grass verge of the A39 would be unappealing for future residents, but the old road to the rear of the site is tarmacked. I find nothing preventing a new access onto this road. From this point it would be a short walk to the bus stop along this made 'no through' road that even with the proposed development at the higher scale proposed in this case would likely have very limited traffic.

15. The Council state the bus service is infrequent. Nonetheless, there is bus stop on the south bound carriage way of the A39 that can be accessed with just a short walk along the old road safely. To travel north bound on the bus, future occupants would have to cross the main road. But I saw that this is a straight stretch of carriageway, near the appeal site, with reasonable intervisibility between motorised vehicles and other road users. With these conditions, future occupants could access the bus service to Bude safely when crossing the road with due care.
16. That said, even with this access to a bus service, given the site's remoteness from significant settlements and main towns, future residents would largely be dependent on the car to access a range of services for day to day living and for work. There would be an inconsistency with the aims of the relevant local transport policies.
17. The Council asserts that the proposed land use change would conflict with local policy, with the loss of an existing employment site. Addressing this matter, Policy 2 of the Local Plan provides support for employment schemes in rural areas. Policy 5 of the Local Plan sets out criteria for proposals that would result in the loss of business space. Of the criteria that is relevant in this appeal, this includes demonstrating there is no market demand through active marketing for a least a period of 9 months. While it is stated by the appellant, that the site is no longer suitable for employment purposes, I find limited evidence that this criterion has been satisfied in this case. The proposal fails to accord with this local policy requirement.
18. It is also stated that the site's existing conditions, including its size and layout, render it unsuitable for continued business use, particularly considering the environmental challenges. But limited evidence has been submitted to allow the consideration of potential environmental considerations in this case such that I am unable to establish whether the proposal would satisfy Policy 5 2. iii [iv].
19. In light of the above, I find the site would not be suitable, in terms of location and land use, for residential development, having regard to local policies. In this respect the proposal would fail to accord with Policies 3, 5, 7 and 21 of the Local Plan and Policies C1 6) and T1 of the DPD outlined above.

Other Matters and Planning Balance

20. The appeal site is in the lowland farmland character area type of the Bude Basin landscape character area. The wider character area, just a short distance south, but on the opposite side of the A 39 to the appeal site, comprises an Area of Great Landscape Value and the boundary of the Heritage Coast. Further south than these designations is a National Landscape.
21. As already set out, the appeal site is generally surrounded by gently undulating farmland. This farmland falls to the coast a short distance to the west. I saw in the wider area, that this relatively undeveloped rolling historic farmland contributes positively to the special qualities of the locally valued landscape and provides the setting for the National Landscape.
22. However, the appeal site is already developed and has some anomalous features surrounding it, in particular the old road. Also, even though some of the existing structures in the site may have an agricultural appearance, they are poorly maintained, and the palisade gates appear commercially stark in this otherwise pleasant rural setting. With these existing site features, subject to a sympathetic design being secured at the TDC stage, the site could be reused for some residential development, without harming any special qualities that contribute positively to the local landscape.

23. The above conclusion is drawn assuming that the final design is also sensitive to the positive features that currently characterises the site's immediate setting, and this include the largely traditional and modest scale of the existing built form which is well spaced with verdant surrounds. Five large suburban style dwellings would erode the prevailing rural aesthetic in my view. However, with a thoughtful design approved at the TDC stage, which is sensitive to the factors described above, the amount of development proposed in this case could be made to be in keeping with the existing character of this immediate area. Subject to this outcome at the TDC stage, I find that the proposal could be consistent with the aims of Policies 12 and 23 of the Local Plan, Policy C1 7) of the DPD and Policy ENV1 of the North Cornwall District Local Plan 1999 which collectively seek high quality design and to safeguard the landscape.
24. The Council highlights conflict with Policy 27 of the Local Plan. This Policy seeks safe and suitable access to the site for all development and for it not to cause significant impact on the local and strategic road network. As highlighted by the appellant, safe and suitable access to the new residential units could be formed onto old road. Given the features of the road as already described, I find no reason to dispute this assertion, and this is a matter that could be agreed at the TDC stage.
25. Regarding the impact on the road network, even with five units this is a small development, and in turn this would result in a relatively limited increase of vehicles on the local network. The National Planning Policy Framework (the Framework) states that development should only be prevented on highways grounds if there would be an unacceptable impact on the highway, and for the reasons stated this would not be the case with this proposal.
26. There is concern about contamination in the site. However, if this is so, I find no compelling evidence that this could not be remediated as part of the redevelopment of the site. This is a matter which could be addressed at the TDC stage.
27. The Council is unable to demonstrate a five year housing land supply. Provision of paragraph 11 of the Framework is therefore relevant.
28. Policies 1 and 2 of the Local Plan and Policy C1 of the DPD seek sustainable development and largely reflects provisions of the paragraph 11 of the Framework in this regard. Also, Policies 12 and 23 respectively appear consistent with Framework provisions that seek well-designed places and to conserve the natural environment.
29. Policy 5 seek to ensure the continued supply of appropriate business space and provides support for business in the countryside of a scale appropriate to the location. As already set out, it also sets requirements for proposals that result in the loss of business space. This Policy appears largely consistent with provisions of the Framework for building a strong, competitive economy. However, I agree with the Council's Interim Policy Position Statement, that it seems reasonable that judgement should be applied to the marketing requirements of Policy 5 in light of, amongst other matters, changes to the Use Class Order made since the adoption of the current development plan.
30. Policy 21 reflects provisions of the Framework that seek the effective use of land. The local policy aim for sustainably located proposals also accords with the requirements of the Framework.
31. Policies 3 and 7 support new housing, and while restrictive to development in the countryside, these policies do not preclude it. Policy 7 seeks to meet local need in rural areas, with rural exception sites and affordable housing. Moreover, allowing the 'rounding off' of existing settlements outside the main towns [Policy 3] along with the Policy 2 aim of maintaining the

dispersed development pattern of Cornwall, appears in keeping with provisions of the Framework which encourages housing to be located where it will enhance and maintain the vitality of rural communities. These aspects of the local policies appear generally consistent with relevant sections of the Framework and Planning Practice Guidance. That said, there is a significant shortfall in the supply of housing in this area, with a housing land supply circa 3.8 years. Moreover, as acknowledged in the Council's Interim Policy Position Statement (April 2025) there is a need to deliver 4421 new homes in the County each year.

32. This is a small development but nonetheless has the potential to provide up to five new residential units in the area. This would be a significant contribution to the supply of housing locally, and to the Government's objective to significantly boost the supply of homes. In light of the local housing land supply situation, this is a considerable benefit which attracts substantial weight.
33. The Framework gives substantial weight to the value of using suitable brownfield land, but this is within settlements, which is not relevant in this case. That aside, I have found that the development, subject to a careful design, could be accommodated in the site without harming the special qualities of the landscape. Also, the redevelopment of a somewhat tired commercial site would be visually beneficial if the design is in keeping with the prevailing character. This weighs a small amount in favour of the proposal.
34. As set out, the site is outside of a settlement, and there are limited public transport options close by. Given the site circumstances future residents would likely use the car to access services. But nevertheless, there are some alternative options available for future residents with the bus stop close by and this weighs in favour of this proposal. The Framework, similar to the local plan policies, states that sustainable modes are prioritised. However, it also clarifies that opportunities to maximise sustainable transport solutions will vary between urban and rural areas and this should be taken into account in decision making.
35. Although not in the settlement, it is likely that future occupants would support the few existing local services in the wider area. This small benefit would be in keeping with provisions of the Framework which states that housing should be located where it will maintain the vitality of rural communities.
36. Turning to the disbenefits of this proposal, I have found conflict with the local locational strategy. However, this would be a small development such that the harmful effect that would arise in respect of this policy conflict would be limited.
37. Also, the loss of business space without actively marketing for a least a period of 9 months runs contrary to the requirements of Policy 5. However as set out, it appears reasonable in the current circumstances to apply judgement to this Policy requirement. The evidence shows that the site was issued with a Certificate of Lawfulness for the existing use of land for agricultural, construction, and storage purposes. I appreciate that this factor may constrain the business market interest in the site as would its current condition which I observed was in want of some maintenance. In any event, this is a relatively small site, and this would be a small loss of relatively poorly maintained employment land such that the harm in this regard would be limited.
38. Consequently, the limited adverse effects of the development would not significantly and demonstrably outweigh the considerable benefits of delivering much needed homes, when assessed against the policies of the Framework taken as a whole.
39. Attention is drawn to appeal decision at Newquay, where conflict was also found with the locational policies of the Local Plan. However, in that case harm to the character of the area,

the significance of a heritage asset as well as adverse impacts on a wildlife site were identified. That case was distinctly different to this proposal in those respects.

40. I am also directed to another appeal decision at Swelle Cottages, which is near to the site subject of this appeal. This involved the conversion of an existing building and similar to the case before me, the Inspector found conflict with the locational strategy of the development plan. However, uncertainty with regards living conditions was also identified in that other case. Moreover, that appeal decision was made five years ago, and although the local policy may be the same, it appears that the housing land supply position is now significantly different from that which prevailed at the time that that other appeal decision was made.
41. The Roseland appeal is however very recent and takes account of the current housing position. But in that appeal decision, there was a recently adopted Neighbourhood Plan and not only was there conflict with the local locational strategy, harm to the character of the area was found. Moreover, unlike Coppathorne, there was no indication of a bus stop near to that other site. That proposal was distinctly different in those regards from this case. These other appeal decisions have not altered my findings for these reasons.

Conclusion

42. Material considerations in this case indicate a decision otherwise than in accordance with the development plan. For the reasons set out above, I conclude that the appeal should be allowed.

A J Sutton

INSPECTOR