



Appeal Decision

Hearing held on 19 May 2026

Site visits made on 18 May 2026 and 19 May 2026

by K Williams MTCP (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th June 2026

Appeal Ref: 6006325

Arlecdon Hill Farm, Arlecdon, Frizington, CA26 3UW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by David Horner against the decision of Cumberland Council.
 - The application reference is 4/23/2387/OF1.
 - The development proposed is an essential farm workers dormer bungalow.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council was requested to provide a copy of the Copeland 5-Year Land Supply position (February 2026) document. A copy of Policy H17 from the Cumberland Council – Copeland Local Plan 2021–2039 (adopted November 2024) (the Local Plan), which relates to rural building conversions, was also provided, together with wording for an additional suggested condition relating to the occupancy of the existing farmhouse. These documents were submitted in the interests of clarity and completeness, and I am satisfied that no party has been prejudiced by this.

Main Issue

3. The main issue is whether there is an essential need for a rural worker to live at or near their place of work in the countryside having regard to the Council's development plan policies.

Reasons

Background

4. The appeal site forms part of an established agricultural holding, located to the south-east of the defined settlement boundary of the village of Arlecdon. Accessed via a network of local rural roads, the farm is set within gently undulating land which rises from the road frontage. The site lies within the open countryside, forming part of a wider agricultural landscape characterised by active farming use.
5. The farm includes a mix of traditional and modern agricultural buildings. These include the main farmhouse, and a one-bedroom dwelling. The proposed dormer bungalow would be of a contemporary rural character, providing a family dwelling. It would be sited within a field occupying a position that is physically separate from but closely related to the main group of buildings. Access would be taken from a

track linking to the existing farm access, and the site would be enclosed by new hedgerow planting reflecting existing field boundaries.

6. The holding is a small-scale enterprise centred on sheep, with cattle grazing on additional land. Alongside this, the farm business is supported by grassland and fodder production, together with environmental land management and stewardship schemes. The farm is primarily operated by the appellant, with help from family and occasional support from neighbours. It is evident that the business is adapting to changing agricultural policy, and it is understood that the transition brings operational challenges. However, the appellant is keeping abreast of changes which would improve the profitability of the farm and is making investments in it. The future direction of the holding is expected to place greater emphasis on environmental land management, alongside aspirations for modest expansion of the livestock enterprise.
7. The appellant has also experienced a period of ill health. In that context, the proposed dwelling would initially be occupied by the appellant's son and his family. It is also suggested that the dwelling could, in due course, provide flexibility in living arrangements for the appellant. The evidence indicates that the appellant intends to remain actively involved in the operation of the holding, with the proposed arrangement enabling a gradual sharing of responsibilities rather than a defined point of retirement at this time. The appellant considers that his son's on-site presence would be necessary to provide ongoing support and to enable the continued operation of the holding.

Local and national planning policy

8. Policies DS1 and DS2 of the Local Plan support development within defined settlements such as the nearby Arlecdon and Rowrah local service centre. Although physically close to these settlements, the rural nature of the area means the site is not well related in terms of safe pedestrian access, or non-car modes of transport.
9. Given the site's location within the countryside and the nature of the proposal, its acceptability falls to be considered against the provisions for essential rural workers' dwellings under Local Plan Policy H16. This permits such development only where there is a clearly established existing functional need, rather than one that is aspirational, and where that need relates to a full-time worker or one primarily employed in the enterprise, rather than a part-time role. It also requires the business to be financially sound, with at least one profitable year within the previous three and a clear prospect of remaining so, and that the need cannot reasonably be met by suitable and available existing accommodation on the holding or within the surrounding area.
10. The National Planning Policy Framework (the Framework) supports housing that meets local rural needs and sustains rural communities but resists isolated homes in the countryside unless specific exceptions apply. One such exception is where there is an essential need for a rural worker, including one taking majority control of a farm business, to live permanently at or near their place of work. Local Plan Policy H16 builds on this approach by setting out additional criteria and forms an appropriate basis for applying the approach set out in Planning Practice Guidance

(PPG), which expects clear and robust evidence that any functional need arises from the essential demands of the agricultural enterprise.¹

Functional need

11. The holding supports a breeding flock of sheep, managed through an indoor lambing system each spring. The Council's independent agricultural appraisal confirms that an underlying functional need exists on the holding, arising primarily from the sheep enterprise. In particular, the gestation, lambing and immediate post-lambing periods give rise to time-critical and unpredictable animal welfare demands, requiring close supervision, including overnight attendance. The cattle enterprise is limited to summer grazing of third-party animals, with no calving or overwintering. There is no substantive evidence before me regarding associated welfare risks requiring regular overnight or immediate supervision demands for the relatively small herd. Outside of peak periods, livestock husbandry appears to involve routine monitoring and management, but at a lower level of intensity.
12. It is evident that a significant proportion of work and investment is being undertaken to align with changing agricultural policy, including participation in environmental stewardship schemes, grassland and fodder management, and measures relating to watercourse protection and habitat enhancement. This work requires ongoing management, monitoring and compliance. However, while these activities contribute to the overall labour demands of the holding, they are not shown to be inherently time-critical, unpredictable, or of a nature that would require immediate or continuous on-site attendance. Nor is there clear evidence of specific emergency scenarios arising from these activities with sufficient frequency or severity to justify a requirement for 24-hour on-site occupation.
13. Drawing these matters together, while a functional need is identified in relation to the sheep enterprise, particularly during lambing and associated peak periods, that need is limited in duration and seasonal in nature rather than continuous throughout the year. The evidence indicates that, outside of these periods, the day-to-day management of the holding does not give rise to demands requiring a worker to be present on site at all times and could reasonably be managed through regular attendance or nearby accommodation. As such, the identified functional need does not, of itself, demonstrate an essential requirement for a rural worker to live permanently on the holding on a year-round basis.

Labour requirement

14. The appellant has used calculations derived from the John Nix Farm Management Pocketbook (2016), which applies standardised labour assumptions to estimate the amount of work required to manage different types of farming activity. By contrast, the Council has applied DEFRA² labour coefficients alongside Scottish Agricultural Colleges guidance (2025/2026) to establish labour requirements.
15. Both parties rely on broadly similar baseline data in terms of stock numbers, land area and a 15% allowance for management time. The appellant contends that the enterprise generates a need for between 1.06 and 1.71 full-time equivalent (FTE) workers, depending on whether the current operation or a proposed expanded

¹ Paragraph: 010 Reference ID: 67-010-20190722

² Department for Environment, Food and Rural Affairs.

enterprise is assessed. The Council's approach produces a lower requirement of around 0.70 FTE workers.

16. The use of different methodologies results in materially different calculations of labour requirement. The divergence between the two approaches is particularly evident in the assumptions applied to the sheep enterprise, which forms the principal component of the holding. The more recent DEFRA coefficients applied by the Council allocate fewer labour hours per animal than those reflected in the older Pocketbook data, resulting in a lower overall calculation of labour. It is not clear whether the use of a more recent edition of the John Nix Farm Management Pocketbook, as opposed to the 2016 version relied upon by the appellant, would have also resulted in materially different labour calculations.
17. The parties also apply different assumptions about how the farm operates in practice. I fully acknowledge that the Council's appraisal reflects standard labour inputs rather than a bespoke or intensified flock husbandry regime, despite having been informed by engagement with the appellant. I also accept that if lambs are retained on the holding for a longer period, as suggested, this would result in materially higher labour demands. However, the nature of the appellant's current livestock management has not been clearly evidenced or quantified. The extent to which lambs are retained for longer periods, and the associated implications for labour demand in terms of the frequency, duration and intensity of tasks, has not been documented in sufficient detail, and cannot readily be reconciled with the labour assumptions presented.
18. The appellant strongly contends that standard labour models fail to capture the lived experience and demands of small-scale, environmentally managed holdings. In particular, reference is made to the additional workload associated with participation in environmental stewardship and land management schemes, including monitoring, compliance, record-keeping and habitat management tasks, which it is contended is not readily reflected within standard livestock-based labour coefficients. I accept that such activities can be time-consuming and form an important component of modern farm management.
19. While differing methodologies and assumptions have led to varying estimates of labour requirement, neither approach is underpinned by sufficiently detailed, quantified or reconciled evidence of the time demands arising from the holding as operated in practice for me to be certain. Moreover, the appellant's reliance on the 2016 edition of the John Nix Farm Management Pocketbook is based on benchmark data that is now approaching a decade old, and it is not clear whether more recent editions, or other updated datasets, would yield materially different outcomes, particularly in light of changes in agricultural policy and practice over that period. As such, I am not satisfied that the evidence has demonstrated that the enterprise gives rise to a requirement for a FTE worker.
20. The appellant's higher calculation of future labour requirement is based on a materially intensified future enterprise, including increased livestock numbers and the introduction of an owned, winter-housed cattle system. While I recognise the appellant's intentions to develop and expand the business over time, these elements do not form part of the holding as it is currently operated. They are contingent on future investment, changes in management practice, and the introduction of new enterprises which are not yet in place. In these circumstances,

the associated future labour demands cannot be regarded as a clearly established existing functional need.

Financial viability

21. I recognise that the holding has been established for many years and that the appellant has invested time and money in the business, including improving infrastructure, strengthening resilience and adapting the operation in response to changes in agricultural policy. I also note that overall expenditure was higher in the earlier part of the period, particularly in 2021, with expenditure on repairs and maintenance reducing in subsequent years. While the appellant explains that some investment has been funded through personal capital, the accounts provided do not identify this higher level of expenditure as capital investment or one-off improvement works, and repairs and maintenance continue to be recorded as routine operating costs rather than isolated or exceptional items. In the absence of a clear distinction between investment-related expenditure and day-to-day trading costs, the accounts do not demonstrate that the losses recorded can be attributed principally to investment-led outlay.
22. I also note that the accounts for the year ending 31 March 2024 record a modest improvement compared with 2023, resulting in a small profit. This improvement appears to arise primarily from a reduction in operating costs, including lower expenditure on repairs and maintenance, rather than from an increase in livestock income. Environmental stewardship payments continue to form an important component of overall income. While this represents a positive change, it follows a sustained period of losses and does not, of itself, demonstrate a settled or resilient financial position that would provide confidence the business is likely to remain profitable over the foreseeable future.
23. The appellant has explained that the proposed dwelling would be funded through a combination of personal resources, including the use of personal capital and borrowing, with the appellant's son intending to sell an existing property and secure a mortgage. While this demonstrates a strong personal commitment to the holding and to succession, the key planning consideration is whether the agricultural enterprise itself is capable of sustaining both a full-time worker and the ongoing costs associated with a permanent rural worker's dwelling.
24. If the provision and affordability of the dwelling depend on a particular individual's access to personal assets or borrowing, that justification would not endure were circumstances to change. In this case, the evidence does not demonstrate that the level of income generated by the enterprise would be sufficient to support a full-time agricultural wage while also meeting the long-term costs of a dwelling that would remain tied to the holding. Reliance on personal assets or external borrowing may demonstrate deliverability, but it does not satisfy the requirement for an essential occupational need that would be capable of being sustained over time.

Alternative accommodation

25. Mr Horner's son currently resides several miles from the appeal site. While the local road network is rural and winding, no detailed evidence has been submitted to demonstrate that current journey times are actively detrimental to animal welfare outcomes. The appellant also expresses concerns regarding potential disturbance to neighbouring residents from night-time vehicle movements. However, the

evidence does not demonstrate that practical operational adjustments or mitigation measures could not be explored to manage this. Having regard to the modest scale of the livestock enterprise, and the fact that the identified functional need is heavily concentrated around specific peak husbandry periods, there is little evidence to suggest that an emergency response could not be achieved from a nearby location outside of peak times.

26. The Council has indicated that residential properties are available within nearby settlements. While these may not offer the same convenience as on-site living, the appellant has not provided a detailed assessment of the availability, suitability, or affordability of alternative off-site options to demonstrate they have been thoroughly explored and discounted. Furthermore, while the appellant and his family own other residential properties away from the holding, these are stated to be subject to tenancies. However, no detailed evidence has been provided regarding the nature or duration of those tenancies to prove they could not be made available to meet the needs of the enterprise.
27. In terms of accommodation already on the holding, the appellant occupies the main farmhouse. I acknowledge the constraints regarding Hunger Hill Cottage, notably its single-occupancy layout, long-term tenancy, and its role in providing vital diversified income to the farm business. Because the 24-hour functional need arising from the sheep enterprise is strictly seasonal rather than continuous throughout the year, the on-site presence required during these limited periods can be reasonably met by the existing farmhouse accommodation, and potentially the appellant at this time. To the extent that additional on-site family support is required during peak lambing blocks, the evidence does not demonstrate that this could not be accommodated through multi-roomed temporary accommodation, such as a residential caravan.
28. Finally, the Council has advised that existing traditional buildings within the holding may be suitable for conversion. I note that the traditional stone barn is currently subject to a Higher Level Stewardship agreement which restricts its use. However, no detailed evidence has been submitted regarding the exact terms or duration of that agreement to prove it precludes conversion in perpetuity, nor has the financial impact of altering the stewardship arrangement been quantified. While I lack the specific parameters to fully assess the deliverability of a barn conversion, either through the planning application process or utilising permitted development rights³ having regard to its size and scale, such an option cannot be entirely ruled out as an alternative to a completely new permanent dwelling.

Overall conclusion

29. Drawing the evidence together, the proposal fails to demonstrate a clearly established, year-round essential need for an additional permanent dwelling on the holding. While a limited and seasonal functional need is identified during the spring lambing period, this temporary requirement does not justify the introduction of a new, permanent dwelling in the open countryside. Furthermore, the evidence falls short of demonstrating that the enterprise currently generates a full-time labour requirement, that the business has a resilient financial baseline capable of sustaining an additional permanent agricultural wage and dwelling costs, or that the seasonal operational needs cannot be reasonably met through existing on or off-

³ The Town and Country Planning (General Permitted Development) (England) Order 2015 Schedule 2 Part 3 Class Q

site accommodation or temporary seasonal measures.

30. In these circumstances, having regard to the Council's development plan policies I conclude that an essential occupational need to live permanently at the site has not been demonstrated. The proposal fails to satisfy the necessary cumulative criteria of Policy H16. Consequently, the development is contrary to Policies DS1, DS2, and H16 of the adopted Local Plan. Together these seek, amongst other matters, to restrict new housing in the open countryside to exceptional circumstances where a clearly established essential rural worker need has been demonstrated.

Other considerations

31. The Council's considers itself to have a 5.67-year supply of housing as set out in the housing land supply document. As such, in those circumstances the Framework planning decisions must be taken in accordance with the development plan unless other material considerations indicate otherwise.
32. The evidence indicates that the holding has historically operated on a combined income basis, with the appellant managing the farm alongside full-time off-farm employment and utilising annual leave to meet peak farming demands. I am mindful of the personal circumstances which have informed this approach and I recognise the weight the appellant places on succession as a means of securing the future of the enterprise and supporting his wellbeing. I also acknowledge that succession within family-run farms is often incremental in nature, and that dual-income working arrangements are a common and understandable feature of smaller agricultural businesses.
33. However, in considering how this arrangement would operate in practice, the evidence before me indicates that Mr Horner's son intends to retain substantial off-farm employment, with his involvement in the holding remaining complementary rather than primary. While on-site residence may improve availability at certain times, there is no evidence to demonstrate that his livelihood would be principally derived from the agricultural enterprise, or when the off-farm employment would be secondary in economic terms.
34. In particular, the evidence indicates that Mr Horner's son would continue to work a four-days-on, four-days-off shift pattern. During those off-farm working periods, he would be unavailable to attend the holding for several consecutive days at a time. In these circumstances, his role within the enterprise would remain supportive rather than continuous, limiting the extent to which he could provide regular day-to-day input or respond consistently to time-critical demands. It is not clear how this could be addressed, or whether it would result in a significantly material difference to the farm or appellant.
35. Although the enterprise is clearly valued and there is a strong family commitment to its continuation, I have not been provided with evidence to demonstrate that alternative working arrangements or the consistent use of annual leave would be secured so as to ensure regular availability on the holding. Nor is there any mechanism before me by which such availability could be secured in planning terms. While an intentional strategy for family succession is outlined in the agricultural appraisal, no legally formalised partnership agreement or binding financial framework has been submitted to demonstrate how or when majority operational control would practically transfer. It has not been demonstrated that Mr

Horner's son would assume majority responsibility for the enterprise within a foreseeable period.

36. The holding is actively farmed and contributes to the local rural economy. The evidence demonstrates a long-standing commitment to maintaining agricultural use of the land. Taken together, these factors align with the Framework's economic objective of supporting a prosperous rural economy and enabling rural businesses to invest, adapt and operate sustainably over time.
37. I recognise the practical and wellbeing benefits associated with closer on-site family involvement, particularly in light of the appellant's health circumstances. I also consider the proposal would align with the Framework's requirements to enable and support healthy lives and social interaction.
38. The holding operates within a rural context where travel to services, employment and facilities is commonplace, and this does not materially differ from the circumstances of many existing rural residents in Arlecdon and Rowrah. In this respect, the proposal would reflect the Framework's acknowledgement that development supporting rural communities may involve travel patterns that are not well served by public transport.
39. The holding also contributes to the management of the wider rural landscape through continued agricultural use and participation in environmental schemes, including measures aimed at grassland management, watercourse protection and biodiversity enhancement. Such activity is consistent with the Framework's environmental objective of protecting and enhancing the natural environment, although the extent and certainty of these benefits have not been quantified.
40. The proposal would provide a modern dwelling of modest scale and contemporary rural character. In principle, this aligns with the Framework's objective of achieving well designed places. I also note the intention for the dwelling to be energy efficient. However, no evidence has been provided to demonstrate that its environmental performance would exceed the minimum standards required by current Building Regulations. These matters therefore indicate an absence of additional harm rather than providing positive support for the proposal and carry neutral weight in the planning balance.

Other Matters

41. Given my findings in relation to functional need, labour requirement and financial viability, the imposition of a planning condition restricting occupancy of either the proposed dwelling or the existing farmhouse would not address the fundamental policy concerns identified. It would therefore not make the development acceptable.

Planning Balance

42. I have acknowledged that the proposal would provide benefits which align with the economic, social and environmental objectives of the Framework. However, they only weigh moderately in favour, because of the individual nature of the proposal and unquantified or small scale of the benefits.
43. In this case, there is the absence of a compelling functional or financial case or sufficient evidence regarding alternative accommodation to justify a permanent dwelling on site. This along with the inherent harm arising from the development of an isolated dwelling in the countryside mean that the adverse impacts arising from

conflict with the Council's policies, which seek to protect the countryside, would significantly and demonstrably outweigh the moderate benefits. Furthermore, the robust evidentiary thresholds set out in national guidance, have not been fulfilled.

Conclusion

44. The proposal conflicts with the development plan and the other considerations, including those within the Framework and PPG do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above, I conclude that the appeal should be dismissed.

Kate Williams

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Mr David Horner	Appellant
Adam Day - FRAGS	Representing the appellant

FOR THE LOCAL PLANNING AUTHORITY:

Nick Hayhurst - BA (hons) BTP, MRTPI	Head of Planning and Place
Sarah Papaleo - BSc MA MRTPI	Senior Planning Officer

DOCUMENTS SUBMITTED AFTER THE HEARING

1. Five Year Land Supply for the Copeland Local Plan Area Position as of March 2025 – dated February 2026.
2. A copy of Policy H17 from the adopted Copeland Local Plan 2021-2039
3. Wording for an additional suggested condition relating to the occupancy of the existing farmhouse.