

**S78 Town and Country Planning Act 1990
(as amended)**

Arlecdon Hill Farm, Arlecdon

**Appeal by Mr David Horner against the application for an
essential farm workers dormer bungalow**

(LPA reference 4/23/2387/0F1)

(PINS reference 6006325)

STATEMENT OF COMMON GROUND

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1. Introduction

- 1.1. This Statement of Common Ground (SoCG) has been prepared by Cumberland Council as the Local Planning Authority (LPA). It has been prepared in respect of an appeal made by Mr Horner against Cumberland Council's decision to refuse a planning application for an agricultural workers dwelling.
- 1.2. The SoCG has been prepared utilising the guidance contained in the 'Procedural Guide: Planning appeals – England' (For appeals relating to applications dated on or before 31 March 2026).
- 1.3. The SoCG sets out those matters that are agreed between the parties and those matters that remain in dispute.

2. The Appeal Site and its Surroundings

- 2.1. The application relates to a site within the land and buildings associated with Arlecdon Hill Farm. The application site is located to the north of the existing buildings within a field under the ownership of the Applicant.
- 2.2. Outside of the landowner's site, there is an unclassified road which joins Dub Brow with Asby to the north.
- 2.3. The site is in use as a farm. Arlecdon Hill consists of 10.92 ha of grazing ground, 5.66ha of which can be mown for hay or silage. A further 34.4 ha of permanent pasture is farmed at Routensyke Farm under a Farm Business Tenancy due for renewal in 2028. The Appellant also farms a further 8.9Ha of land with 4.0Ha mowable at Bigcroft. There is a further 20.7Ha of land under a summer grazing licence.
- 2.4. The topography of the land falls from east to west, and it is contained by hedgerows and post and wire fences to most of the farm boundaries.
- 2.5. Whitehaven is the Main Service Centre in the Borough as detailed in the Copeland Local Plan and is located approximately 5 miles to the west of the site. The A5086 which runs through Copeland can be joined 0.5 miles from the site and provides easy access to both the A595 to Sellafield and Whitehaven and continues north towards Cockermouth, and Cleator Moor to the west. The A595 links to the A66, 5 miles north of the site which connects to Penrith and Junction 40 of the M6 to the east.
- 2.6. The application site is located approximately 1000 metres to the nearest part of Arlecdon village. Arlecdon in combination with the adjoining settlement Rowrah provides some local amenities and limited services.

3. Planning History

- 3.1. The planning history of the site comprises the following:

- 4/02/0542/0 – Single Storey Domestic Dwelling, refused on 10th May 2002.
- 4/02/1276/0 – Notice of Prior Approval for a Roof to Existing Silage Clamp (Unused as a Silage Clamp) for Use as an Agricultural Building for Machinery.
- 4/23/2387/0F1 – Essential Farm Workers Dormer Bungalow, refused on 28th November 2025.

4. The Proposal

- 4.1. Planning Permission is sought for the erection of a single storey agricultural workers dwelling on a parcel of land extending to 11750 square metres.
- 4.2. The proposed dwelling will be a dormer bungalow and will comprise three bedrooms, an open plan kitchen/living/dining room, separate living room, office, utility room, two bedrooms and an attached garage. It is to be finished with natural coloured render, local masonry, dark coloured timber and fibre board cladding. The roof will be slate, and the windows and doors will be dark grey UPVC.
- 4.3. The applicant's agent submitted an agricultural appraisal in support of the application that sets out details of the farming operations to justify the need for the proposed dwelling on the site. The farming comprises the keeping of livestock and also the use of the land as grazing and to produce fodder.
- 4.4. Due to the size of the farm and the maintenance and security required, the appraisal claimed that there is a need for the Applicants to be on site at all times.
- 4.5. There is currently a farmhouse which is occupied by the Appellant and his wife and a stone barn on the site.

5. The Planning Application Process

- 5.1. The planning application was submitted to Cumberland Council by Mr Horner in December 2023. It was validated on 18th December 2023 and was given the reference no. 4/23/2387/0F1.
- 5.2. The application was submitted in full. The description of the proposed development was as follows:
“Essential Farm Workers Dormer Bungalow”.
- 5.3. At the point of submission, the application comprised:
 - Application form.
 - Site Location Plan.
 - Existing/Proposed Plans and Elevations.
 - Design and Access Statement.
 - Agricultural Planning Appraisal.

5.4. During the determination period, the following additional documents were submitted:

- Amended Proposed Access Plan.
- Updated Agricultural Planning Appraisal.
- Plan Showing Land Ownership.
- Financial Accounts.

5.5. Consultations were carried out as follows:

- Arlecdon and Frizington Parish Council.
- Highways Authority and Local Lead Flood Authority.
- United Utilities.
- Independent Agricultural Appraisal assessor – Alan Jackson BSc FRICS FAAV.
- 1 x neighbouring property.
- Site notice dated 12th January 2024.

5.6. No objections were received to any consultations. Some conditions were suggested by Statutory Consultees – these are laid out within the Officer Delegated Report (Appendix A)

5.7. The application was refused under delegated powers and the decision notice issued on 28th November 2025.

6. Planning Policy

6.1. On 1st April 2023, Copeland Borough Council ceased to exist and was replaced by Cumberland Council as part of the Local Government Reorganisation of Cumbria.

Cumberland Council inherited the local development plan documents of each of the sovereign Councils including Copeland Borough Council, which combine to form a Consolidated Planning Policy Framework for Cumberland.

The inherited the local development plan documents continue to apply to the geographic area of their sovereign Councils only.

The Consolidated Planning Policy Framework for Cumberland comprises the Development Plan for Cumberland Council until replaced by a new Cumberland Local Plan.

Copeland Local Plan 2021 - 2039 (LP): Cumberland Council continued the preparation of the Local Plan as commenced by Copeland Borough Council. The Local Plan was adopted by Cumberland Council on the 5th of November 2024, replacing the Copeland Local Plan 2013-2028 and the saved policies of the Copeland Local Plan 2001- 2016.

6.2. Policy DS2 of the Copeland Plan 2021-2039 states that:

“To ensure the delivery of allocated sites is not prejudiced, development outside the settlement boundaries will only be accepted in the following cases:

1) Where the proposal is for housing and;

- a) the site is well related to and directly adjoins the settlement boundary of a town or local service centre; and*
- b) the site is or can be physically connected to the settlement it adjoins by safe pedestrian routes; and*
- c) the Council is unable to demonstrate a 5-year supply of deliverable housing sites; or*

- *there has been previous under-delivery of housing against the requirement for 3 years or more or*
- *the proposal is for a specific type of housing supported by Policies H15, H16 or H17.*

2) The proposal is for one of the following types of development and a proven need for an open countryside location has been demonstrated to the satisfaction of the council:

- *Nuclear related developments*
- *Renewable energy proposals, including wind farms*
- *Essential infrastructure to support energy developments and other infrastructure*
- *Agricultural, forestry, farm diversification or tourism proposals which require such a location.”*

See Appendix B.

6.3. Policy H16 of the Emerging Copeland Plan 2021-2039 states that:

“Housing will be permitted within the open countryside where it can be demonstrated that the dwelling is essential to allow a rural worker to live permanently at or near their place of work.

The development will only be permitted where:

- a) there is a clearly established existing functional need;*
- b) the need relates to a full-time worker, or one who is primarily employed in a rural business and does not relate to a part-time requirement;*
- c) the unit and the rural business concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so;*
- d) the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned.*

See Appendix C.

7. The Planning Decision

7.1. Full planning permission was refused for the essential farm workers dormer bungalow on 28th November 2025.

7.2. The reason for refusal is as follows:

In the absence of an acceptable demonstrable need the proposed dwelling constitutes non-essential development in the countryside and as such is contrary to Policies DS1, DS2 and H16 of the adopted Copeland Local Plan 2021 - 2039.

7.3. The decision notice is included within Appendix D.

8. Matters in Dispute

8.1. Is there an essential need for an agricultural working to live on site full time?

8.2. Will the current farm remain financially viable?

8.3. Can one of the existing outbuildings on site be utilised for residential purposes?

9. Drawings Upon Which the Application was Determined

9.1 Application form, received 18th December 2023;

Site Location Plan, scale 1:500, drawing number 23/0384/09, received 18th December 2023;

Ground Floor Plan Part 1, scale 1:50, drawing number 23/0384/1-1, received 18th December 2023;

Ground Floor Plan Part 2, scale 1:50, drawing number 23/0384/1-2, received 18th December 2023;

Ground Floor Plan General Arrangement, scale 1:100, drawing number 23/0384/1-3, received 18th December 2023;

First Floor Plan Part 1, scale 1:50, drawing number 23/0384/2-1, received 18th December 2023;

First Floor Plan Part 2, scale 1:50, drawing number 23/0384/2-2, received 18th December 2023;

First Floor Plan General Arrangement, scale 1:100, drawing number 23/0384/2-3, received 18th December 2023;

Sectional Elevation, scale 1:50, drawing number 23/0384/03, received 18th December 2023;

Front Elevations, scale 1:50, drawing number 23/0384/04, received 18th December 2023;

Design and Access Statement, written by Geoffrey Wallace, received 18th December 2023;
Agricultural Planning Appraisal, received 18th December 2023;

Amended Proposed Access Plan, scale 1:500, drawing number 23/0384/09 RevA, received 27th September 2024;

Parcels of Land Plan, received 28th February 2025;

CONFIDENTIAL Financial Accounts, received 16th January 2024 and 28th May 2025.

Appendix A – Officer Delegated Report

**CUMBERLAND COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/23/2387/0F1
2.	Proposed Development:	ESSENTIAL FARM WORKERS DORMER BUNGALOW
3.	Location:	ARLECDON HILL FARM, ARLECDON
4.	Parish:	Arlecdon and Frizington
5.	Constraints:	ASC Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change
6.	Publicity Representations & Policy	See Report
7.	Report:	
	Site and Location	
		This application relates to Arlecdon Hill Farm which occupies an elevated location to the south-west of Arlecdon village and to the north of the A5086 road to Frizington.
		Arlecdon Hill Farm comprises a small collection of existing buildings including a farmhouse, some traditional outbuildings and two new agricultural sheds.
	Relevant Planning Application History	
		4/02/1276/0 – Addition of a roof to an existing silage clamp was approved under the Prior Approval process in 2002
	Proposal	
		The proposed agricultural farm worker's dwelling would be located in the field to the north of the existing farmstead in close to the existing farmyard.

Initially a new access track was proposed off the Arlecdon to Dub Brow Road which runs to the west of the site. The details of the access have been amended during the application process and it is now proposed to achieve access to the new dwelling using the existing access and track that serves the current farm buildings.

The proposed dwelling is to be sited to the north of the existing building group. It is to be of a dormer bungalow design which incorporates accommodation within the roof space to minimise the overall height.

The building will comprise three bedrooms and will be faced externally with a combination of rendered blockwork, feature natural stone on the front and side elevation and vertical boarding to the upper section of the side gables. The pitched roof will be covered with a flat grey tile.

An array of solar panels is included on the rear elevation to support sustainable heating.

A parking and turning area are to be provided in front of the proposed garage.

Consultee Responses

Parish Council

No comments received

Highways Authority/LLFA

Initial Response

Cumberland Council as the Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) can confirm as follows:

The visibility splays provided within this proposal for the access are 75m. The highway in which the access will be connecting to is a 60mph road which requires a visibility splay of 215m, as presented we do not believe this can be achieved from the access proposed.

We would recommend that a speed survey is undertaken, this will provide the 85% speed within that section of the highway. This will determine what visibility splays required.

Alternatively, we would recommend the applicant explores an alternative access location if the visibility cannot be achieved further information is required for the following:

Visibility Splays.

The applicant needs to supply a scaled plan showing what the visibility splays are for the proposed access, in this area 215m x 2.4m measured to the nearside kerb/verge in both directions.

Upon receipt of the above information, I will be able to provide a further response.

Additional Response

Cumberland Council as the Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) can confirm as follows:

As presented on plan 22-02-2024-Horner-9 Block Plan A - The site entrance has been re-directed to come around the farmland and exits out through the farms main existing access.

With the above in mind, Cumberland Council as the Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) has reviewed the above planning reference and I can confirm that we have no objection to the proposed development as it is considered that it will not have a material effect on existing highway conditions nor will it increase the flood risk on the site or elsewhere.

The remaining aspects of this development can be done under our Service Level Agreement with surface water drainage managed through building control.

Condition:

There shall be no vehicular access to or egress from the site other than via the approved access, unless otherwise agreed by the Local Planning Authority.

Reason:

To avoid vehicles entering or leaving the site by an unsatisfactory access or route, in the interests of road safety.

United Utilities

DRAINAGE

Our records show that there are no known public sewers in the vicinity of the proposed development.

We strongly encourage all developments to include sustainable drainage systems to help manage surface water and to offer new opportunities for wildlife to flourish. We request that Local Planning Authorities and applicants do all they can to avoid surface water entering the public sewer. The flows that come from this surface water are very large when compared with the foul water that comes from toilets, showers, baths, washing machines, etc. It is the surface water that uses up a lot of capacity in our sewers and results in the unnecessary pumping and treatment of surface water at our pumping stations and treatment works. If new developments can manage flows through sustainable drainage systems that discharge to an alternative to the public sewer, it will help to minimise the likelihood of sewers spilling into watercourses and the flooding of homes and businesses.

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG)

advise that surface water from new developments should be investigated and delivered in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

The applicant should consider their drainage plans in accordance with the drainage hierarchy outlined above.

In the event that the applicant, or any subsequent developer, approaches United Utilities regarding a connection for surface water to the public sewer, it is likely that we will request evidence that the drainage hierarchy has been fully investigated and why more sustainable options are not achievable. This will be managed through either our 'S106 Sewer Connections' or 'S104 Adoptions' processes.

UNITED UTILITIES' PROPERTY, ASSETS AND INFRASTRUCTURE

It is the applicant's responsibility to investigate the existence of any pipelines that might cross or impact their proposed site and also to demonstrate the exact relationship between United Utilities' assets and the proposed development. The applicant should not rely solely on the detail contained within asset maps when considering a proposed layout. It is important that the supporting information contained in the Appendix, Section 2.0 'United Utilities' Property, Assets and Infrastructure', is read in conjunction with this letter. This provides information that might impact a proposed layout and additional guidance that an applicant or developer must consider when United Utilities assets are located in, or in the locality of, the proposed site.

Where United Utilities' assets exist, it is essential that the applicant, or any subsequent developer, contacts our Developer Services team prior to commencing any works on site, including trial holes, groundworks or demolition. See Appendix. Section 4.0 'Contacts'.

Public Representation

The Application was advertised by way of a site notice and individual letters sent to the nearest properties surrounding the site.

No comments have been received in response to this consultation.

Planning Policy

Section 70(2) of the Town and Country Planning Act 1990/Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permission is determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.

Development Plan:

On 1st April 2023, Copeland Borough Council ceased to exist and was replaced by Cumberland Council as part of the Local Government Reorganisation of Cumbria.

Cumberland Council inherited the local development plan documents of each of the sovereign Councils including Copeland Borough Council, which combine to form a Consolidated Planning Policy Framework for Cumberland.

The inherited local development plan documents continue to apply to the geographic area of their sovereign Councils only.

The Consolidated Planning Policy Framework for Cumberland comprises the Development Plan for Cumberland Council until replaced by a new Cumberland Local Plan.

Cumberland Council continued the preparation of the Copeland Local Plan 2021 - 2039 (LP) as commenced by Copeland Borough Council.

The LP was adopted by Cumberland Council on the 5th of November 2024 replacing the Copeland Local Plan 2013-2028 and the saved policies of the Copeland Local Plan 2013-2028.

Copeland Local Plan 2021 - 2039 (LP):

The following policies are relevant to this proposal: -

Strategic Policy DS1: Settlement Hierarchy

Strategic Policy DS2: Settlement Boundaries

Policy DS4: Design and Development Standards

Policy DS5: Hard and Soft Landscaping

Strategic Policy DS6: Reducing Flood Risk

Policy DS7: Sustainable Drainage

Policy DS8: Soils, Contamination and Land Stability

Policy H16 – Essential Dwellings for Rural Workers

Strategic Policy N1: Conserving and Enhancing Biodiversity and Geodiversity

Strategic Policy N2: Local Nature Recovery Networks

Strategic Policy N3: Biodiversity Net Gain

Strategic Policy N6: Landscape Protection

Strategic Policy N9: Green Infrastructure

Policy N14: Woodlands, Trees and Hedgerows

Policy CO5: Transport Hierarchy

Policy CO7: Parking Standards

Other Material Planning Considerations

National Planning Policy Framework (NPPF).

Planning Practice Guidance (PPG).

The Conservation of Habitats and Species Regulations 2017 (CHSR).

Cumbria Development Design Guide (CDDG).

Cumbria Landscape Character Guidance and Toolkit, March 2011

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Assessment

Principle of Development

Strategic Policy DS1 defines the settlement hierarchy for the former Copeland Borough Council area.

Strategic Policy DS2 of the LP defines settlement boundaries for all settlements included within the hierarchy. It is confirmed that development within these boundaries will be supported in principle where it accords with the Development Plan unless material considerations indicate otherwise. Support is outlined under Policy DS2 for agricultural, forestry, farm diversification or tourism proposals outside settlement boundaries where a proven need for an open countryside location has been demonstrated to the satisfaction of the Council.

Arlecdon is classified as a Local Service Centre where small scale development mainly in the form of infilling and rounding off would be supported. The site lies outside the designated development boundary for Arlecdon and is classed as being within open countryside.

Policy H16 of the Local Plan sets out the criteria for the provision of Essential Dwellings for Rural Workers. It states: -

Housing will be permitted within the open countryside where it can be demonstrated that the dwelling is essential to allow a rural worker to live permanently at or near their place of work.

The development will only be permitted where:

- a) there is a clearly established existing functional need;
- b) the need relates to a full-time worker, or one who is primarily employed in a rural business and does not relate to a part-time requirement;
- c) the unit and the rural business concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so; and
- d) the functional need could not be fulfilled by another existing dwelling on the site, for example because it is occupied by a retired farm worker who previously worked on the site, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned.

With regards to isolated housing in the countryside Paragraph 84 of the NPPF states:-

Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside.
- b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets.
- c) the development would re-use redundant or disused buildings and enhance its immediate setting.
- d) the development would involve the subdivision of an existing residential building; or
- e) the design is of exceptional quality, in that it:

- i. is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
- ii. would significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area.

Essential Need

The Application is supported by an Agricultural Appraisal. This concludes that there is a need for an additional agricultural worker to live on the site.

The applicant's agent has submitted additional supporting information which sets out the need for an additional agricultural worker to be present on the site.

This summarises the case made under the following headings:-

The Proposed Development

Arlecdon Hill Farm lies to the south-west of Arlecdon village to the north of the A5086 road to Frizington. The proposed agricultural farm worker's dwelling would be located in the field to the north of the existing farmstead.

The preferred site for the dwelling will be in very close to the existing farmyard, with easy access to it. The dwelling would be of traditional finish and natural landscape features would ensure that the new dwelling will not be visually obtrusive.

The proposal is therefore to develop a modest rural worker dwelling and family home in keeping with the farm, the district and in tune with the general location.

The Arlecdon Hill Farm enterprise comprises:

- Arlecdon Hill (owned) amounting to 10.9ha with 7.2ha mowable. All used for general grazing of sheep and conserved haylage. All in a Higher-Level Stewardship (HLS) environmental scheme;
- Routensyke (Farm Business Tenancy to 2028) amounting to 34.4ha. All of this land is used for general grazing of sheep and native breed cattle. All in a Higher-Level Stewardship (HLS) environmental scheme, plus some parts are on the Sustainable Farming Initiative (SFI) environmental scheme beginning 1st October 2025;
- Bigcroft (now entered into Farm Business Tenancy) amounting to 8.9ha, of which 4.0ha is mowable. All used for general sheep grazing and conserved haylage. Accepted onto the Sustainable Farming Initiative (SFI) environmental scheme for the whole 8.9ha beginning 1st October 2025;
- Vickers Ground (grazing licence) amounting to 20.7ha, of which 8.0ha is mowable. All used for sheep grazing. Currently negotiating for a longer-term Farm Business Tenancy for this ground and will then apply for Sustainable Farming Incentive (SFI) environmental scheme.

Reason for the Farm Worker's dwelling

The Applicant moved to Arlecdon Hill around 30 years ago having purchased the farmstead and 10.9ha of land. The remainder of the farm was sold off in lots. Over the last three

decades the Applicant has continued to build his farm business whilst in full-time employment relying on support from friends and family at optimum times such as lambing and hay time.

As the Applicant has approached retirement and following a recent illness, his son has taken a more active role on the farm and is keen for this to continue and expand in future. Although recovered from illness, the Applicant now needs more help and support on the farm, particularly with daily manual work.

A new family home is therefore essential for the Applicant's son for the following reasons: -

1. The new dwelling will allow the Applicant's son to take over a more active role on the farm whilst at the same time offering more support to the Applicant following his recent illness and when considering his age. Asking the Applicant to leave the holding to make way for his son would go against the principles of the NPPF. Both generations need to be resident on the farm at this time in their lives.
2. It will give the Applicant's son the chance to return to the farmstead on which he was raised, rejoin his local community and perhaps in time allow him to start his own family on the farm. In this respect a new rural worker dwelling on Arlecdon Hill Farm should be viewed as a sustainable development.
3. A new home on the farm will ensure that the Applicant's son is always on hand during those busiest periods such as lambing as well as take on the responsibilities arising from increased workloads arising from the environmental work (see below). It will end the need for him to make frequent special journeys from his current home to work on the farm and support his father.

It is neither fair nor reasonable to expect the Applicant, who is approaching retirement age in a demanding physical job where Animal Welfare is of the utmost importance, should continue in that role as a lone worker because his family on which he will have a growing reliance upon for support, cannot live in a property on the farm.

Nor would it be reasonable to suggest that the older generation simply retires and stops farming or moves on to make way for his son to come back to the farm. Farmer Mental health and well-being issues within the current economic climate has been recognised by Government.

Farm Viability

The Financial Accounts for 2023/2024 confirm that the Arlecdon Hill Farm enterprise made a net divisible profit of £4,300. For the current year 2024/2025, the profit levels have increased to approximately £7,400 after 9 months. The plan is to increase overall holding livestock numbers.

Through available capital earned off the farm, and some farm income as well, the Applicant has invested around £100,000 on the farm, the house and the business infrastructure in order to future proof the business to offset the impact of the reduction in direct Government support schemes. This should give confidence and reassurance to Cumberland Council that the applicant has sought to ensure it continues as a family enterprise for the long-term future.

The Applicant states that by bringing his son into the business would meet the Government policy for family farms of ensuring diverse income streams to maintain a strong profitable business model.

Labour Requirement of the Farm

The immediate increased labour requirement for the farm business will be 1.71 Full Time Equivalent (FTE). This confirms an achievable balance of labour between the Applicant and his son to suit the family need and the needs of the farm business. It fits well with Government policy under the Agriculture Act 2020, which promotes the need for farm diversification and the increasing need for Rural Workers.

The Applicant runs a flock of breeding ewes to produce high-quality lambs for butchers and supermarkets. The Applicant grazes cattle on behalf another farm business on the Routensyke land, which is also a requirement of the Higher-Level Countryside Stewardship Schemes (HLS) agreement.

The Applicant takes in approximately 26 native breed cows with calves at foot and a stock bull from a neighbouring farm.

Arlecdon Hill Farm and associated land is grass pasture including land suitable for mowing. The farm produces high quality meadow hay and haylage which is created under the HLS Scheme. Any surplus hay is sold from the farm and finds favour with both local farmers and horse owners who require the very best quality hay.

Proposed Agricultural Operations

The Applicant has been future proofing the farm business for several years to offset the impact of a dwindling Basic Payment Scheme annual payment, which is happening now, and also to smooth his personal transition into retirement from his employment away from the farm.

The long-term goal is to farm in a more nature friendly way by transitioning to a more extensive type of farming, embracing the Environmental Land Management (ELM) scheme to improve the natural environment across the farm. This will include Sustainable Farming Incentive (SFI), possibly new stewardship schemes with an eye on whatever else may be introduced by government in future.

This will require changes to the sheep flock to replace the current lowland breeds with traditional hill sheep such as the Herdwick, which is of course indigenous to the fells of Cumbria. This approach aligns with Government Policy and environmental sustainability goals. The Applicant is also keen to invest in a low input suckled beef herd using traditional breeds producing cattle for both meat and conservation grazing purposes.

The Applicant will look to introduce more hay meadows, herbal leys and rotational grazing to the farm, undertake tree-planting and hedge creation schemes, perhaps re-wet some land close water courses and river catchments whilst as the same continuing to farm productively with beef cattle and sheep.

The future standard labour requirement is calculated at 1.71 full time workers. This easily achievable scenario demonstrates that increasing livestock numbers will obviously require more labour on the farm. What it does not do is demonstrate the extra labour that will be required to undertake ELM and other environmental scheme options that would further justify

the need for a new agricultural worker dwelling. The Agricultural Appraisal demonstrates that in addition to the labour requirement of 1.71 full-time workers, it will be the addition of the new environmental work and the changes to livestock farming practices that will further require the Applicant's son to reside on the farm permanently.

Under the financial model that the Applicant is operating, minimal financial drawings would be required from the farm business to build the proposed dwelling, and this is all that is needed to maintain this family business's viability but delivering wider benefits to food security, nature, local community and the local economy.

The Agricultural Appraisal confirms why there is no possibility to re-use or convert other buildings within the farm holding for residential purposes, and so the need for an additional worker could not be fulfilled by another existing dwelling on the site.

Problems with the current assessment methodology for rural worker's dwellings

The current Standard Man Days (SMD) methodology used to assess planning applications by the Council's independent Agricultural Advisor allows no provision to record time spent on future environmental work to assess farm holdings for planning purposes.

The Appraisal cannot therefore adequately reflect the SMD's time that will be given to increased environmental work undertaken in future under Environment Land Management (ELM) and enhanced stewardship schemes, BNG and possibly Nutrient Neutrality.

More of the Applicant's time will be given to environmental schemes, improving biodiversity, habitat creation, creating and managing herbal leys, wildflower meadows, planting trees, hedges and riparian strips, natural flood management features and more.

The current SMD methodology allows no provision to record time spent on future environmental work to assess farm holdings for planning purposes. The Appraisal cannot therefore adequately reflect the time (SMD's) that will be given to environmental work undertaken in future under Environment Land Management (ELM) and enhanced stewardship schemes, BNG and possibly Nutrient Neutrality. The current methodology used to assess the SMD is therefore not fully fit for purpose.

The Government encourages farmers to consider diversification and off-farm employment to supplement income and ensure that they remain viable. The Full-Time equivalent test is so prescriptive, but in real terms it is not so relevant to this application

The Updated Agricultural Appraisal has demonstrated the viability and potential of the enterprise, and it would seem that the Council's Agricultural Advisor has not taken into account all the evidence submitted to date, including that the Applicant has spent in the region of £100K in the last four years to future-proof his farm, as the new environmental schemes were developed and slowly introduced.

Other Family Factors

Whilst a temporary caravan (as opposed to a permanent dwelling) might be an option, the Applicant has previously confirmed that a temporary caravan would simply delay the inevitable need for a permanent dwelling on site, given the workloads required.

The family has considered this option and has steered away from it as his son - Tom and partner - are getting married in December 2025 and are keen to start a family soon after. If

this were the case, then temporary accommodation would not be ideal in these circumstances.

The Applicant achieved a dream when they purchased Arlecdon Hill Farm more than thirty years ago.

They created a family home in which to raise a family and start their own small-scale farm business to which they have been totally committed to the present day. They could not have done this from a standing start without employment ex-farm.

The Applicant's graft and work-ethic, farming, weekends, nights and between shifts, taking holidays at lambing time and hay-time to create a successful farm enterprise should therefore be applauded.

Small local farm enterprises like Arlecdon Hill Farm therefore should continue to receive public support at all levels if the UK is to ensure that it maintains food security for the future.

There is sufficient evidence presented in the Applicant's case of the necessity for his son to live on the farm to ensure the effective operation of the agricultural enterprise at Arlecdon Hill Farm. This is to ensure that the livestock and agricultural processes at Arlecdon Hill Farm have on-site attention 24-hours a day and where otherwise there would be a risk to human or animal health or from crime, or to deal quickly with emergencies that could cause serious loss of crops or products. The proposed dwelling would ensure the ongoing success of the enterprise.

Independent Review of Agricultural Appraisal

An independent review of the information submitted has been commissioned by the Local Planning Authority to assess whether there is a functional need for an additional agricultural worker to be present on the farm at all times.

The independent assessor makes the following comments:-

1. As I understand the situation, Mr David Horner has been able to operate this farm on a part time basis for a number of years whilst working full time at Sellafield. There does not appear to have been any significant increases in the area farmed and livestock kept since his retirement from Sellafield warranting an additional input in labour on the farm.

2. Whereas it may be appropriate to consider future expansion on land area and livestock numbers in relation to a proposed temporary dwelling to give time for a business to grow, in my view, Planning Inspectors require an assessment for a permanent dwelling to be based on existing areas and livestock numbers. Clearly proposals to expand a business may or may not come to fruition.

3. As stated in my report, this business has made a financial loss in each of the last 4 years. The total loss reported over those 4 years has been £86,223. It is therefore difficult to see how the farm based on existing returns can realistically financially support a full time worker.

I make the following comments in relation to some of the items in my labour calculations:-

4. A good proportion of the lambs will go fat off the holding prior to weaning so their labour requirement is included with the figure applicable to the breeding ewes. I have allowed for

about half of the annual lamb crop to be retained on the holding for an average of 4 months after weaning until they are sold off the holding.

5. There will not be a lot of labour requirement for the summering cattle as they will be at grass all summer. The biggest labour requirement on the cattle will be over the winter months when they are housed. They are not housed at Arlecdon Hill but on their owner's farm. Nevertheless, I have allowed 50% of the labour requirement figure on the cattle.

6. I have allowed an additional 15% for overheads

7. I have used the usual 2200 hours per annum for a full-time worker. This equates to the 275 SMDs.

8. I understand that the SAC has used these labour figures for a number of years and that they are compiled by DEFRA from on farm surveys. I further understand that DEFRA are currently reviewing these figures as due to improvements in technology etc the current figures are producing labour requirements that are higher than actual requirements on farms.

9. All labour calculation figures can only be a guide and therefore the actual situation on a farm should be taken into account and therefore points 1 to 3 above are relevant.

At 2200 hours per worker per annum = 0.75 of a full-time worker.

Total hours per annum = 1667

Response to Additional Information Supplied by the Applicant

I have now had a look through the queries the Applicants Agricultural Advisor has raised and respond as follows:-

I have increased the area of pasture by 11 acres, increased the tups to 6 and added in the 32 gimmer lambs.

In relation to the lamb crop, I accept that the 170 ewes can produce 280 lambs. However, it is common practice for a number of these lambs to be sold fat before they are weaned from their mothers around July/August. The figure of 5.2 hrs per annum per lowland ewe includes its lambs up to weaning. As set out in my previous response I estimated that about half of the lambs i.e. 136 will be kept on the holding after they have been weaned. Some may go fat within a few weeks of being weaned some may take several months. I therefore used an average of 4 months for all of the 136 lambs which, if anything, will I believe, be on the high side.

In relation to the grassland and silage figures these are given in the SAC publication as 1 cut of silage 12hrs/annum/ha and grassland 3.1hrs/annum/ha. These equate to 5hrs/acre/annum for silage and 1.25hrs/annum/acre for grassland which are the figures I have used. [The SAC figures are available free of charge on the SAC Farm Handbook website]

I therefore attach my amended labour calculations which now indicate a labour requirement of 0.82 of a full-time worker.

As previously stated, these figures can only act as a guide. My experience in recent years is that the current SAC figures are too high giving a higher labour requirement in excess of what is actually happening on farms. SAC use figures produced by DEFRA in their farm surveys. I believe DEFRA are currently reviewing their figures.

The other aspect of this application is the lack of profitability on this holding. In my report I referred to the cost of a dwelling being in the region of £1,500/m². Looking at some recent figures for house building it looks as though this figure is now approaching £2,000/m² which will make it even more difficult for this farming business to fund the proposed dwelling.

Following the submission of a revised Appraisal provided by the Applicants Agricultural Advisor I would make the following comments:-

1. I fully appreciate that support for farming is changing with the support from the Basic Farm Payment Scheme undergoing a phased withdrawal and other forms of support replacing it. These alternative forms of support can require considerable time to consider and implement them rather than farmers receiving regular annual payments under the old Basic Payment Scheme. The overall impression appears to be payments under the new schemes will be less than under the Basic Payment Scheme.

On the flip side labour requirements on farms continue to reduce as more technology is introduced e.g. robotic milking and mucking out systems. In my view, the greatest change in recent years has been the rapid increase in farmers using contractors to undertake specific tasks, for example items which may specifically apply to the enterprises on Arlecdon Hill Farm could include flailing hedges, scanning pregnant ewes, clipping sheep, making haylage/silage, spreading slurry/manure etc. Farm equipment is now so very expensive so contractors with up to date equipment are now employed to undertake these tasks and in considerably less time than previously, when on farm labour was employed.

I believe DEFRA is currently reviewing their figures for labour requirement on farms and I anticipate they will show a reduction in labour requirements.

2. I note that the area farmed at Arlecdon Hill Farm and the numbers and types of livestock remain roughly the same as when I prepared my original report so there does not appear to have been any movement in those figures despite the applicant's proposal to expand the enterprises.

3. The Applicants Agricultural Advisors increased labour requirement figures refer to proposals which may or may not come to fruition. It has been my experience that assessments for permanent dwellings have only to be done on the existing situation and therefore on the existing functional need, not on a proposed one. Generally, the labour requirement on a farm should be at or approaching 3 full time workers before it is essential that 2 of those workers should be resident on the farm. This application falls well short of that.

4. The submitted financial accounts for 3 years ended 31 March 2023 showed a substantial loss in each of those years. It might have been helpful to see if a profit had been made in the year ended 31 March 2024 if those accounts have been finalised?

It has always been my understanding that the cost of a new dwelling on a farm should be capable of being supported by the income made on that farm. As I say in my report, if the farm is not making a profit, then it is difficult to see how it can support the cost of a new dwelling.

5. The NPPF revision of December 2023 changed the paragraph numbers stated in the Applicants Agricultural Advisors report but not the content.

6. the Applicants Agricultural Advisors report refers to the Lake District National Park Authority (LDNPA) policy in his report. I am not sure of the significance of this as Arlecdon Hill Farm is not within the National Park. My understanding is that the LDNPA changed its policy in relation to rural worker's dwellings and as far as I am aware this is now included in the LDNPA Housing Supplementary Planning Document of May 2021. The relevant section is "New homes on Farm Holdings" paragraphs 3.23 to 3.37. This does provide for the provision of new dwellings on a farm for retiring farmers so the next generation can take over. My understanding is that because of the shortage and very high cost of suitable retirement homes in the National Park, the transfer of one farming generation to the next was becoming very difficult. I am not aware that the same situation applies in the Arlecdon area.

7. As the applicant is planning for the future so his son may take over but the applicant is to remain in the farm house, I referred to this situation in my report in that that situation will result in the existing farmhouse becoming unavailable to the farm business. In this situation I still have to take into account that, in my opinion, the farm on the basis of the existing farm accounts is not a viable entity nor does it support a full-time worker.

8. One aspect I did not mention was the location of the proposed dwelling and access to and egress from it via a new track to the public road rather than via the existing access/egress point. In my view, this will leave the existing farmhouse as a possible disposable entity in the future. Therefore, if your Council, despite the contents of my report, is minded to approve this application, then your Council should consider adding an occupancy condition to the existing farmhouse as well as to the proposed dwelling to ensure it remains available to house a worker on this farm in the future.

I therefore remain firmly of the view that the advice in my report of January 2024 remains valid

Following the submission of further information by the Applicants Agricultural Advisor I would make the following comments: -

1. It is pleasing to note that some progress has been made with the acquisition of some additional land on license, however, livestock numbers do not appear to have increased significantly.

2. I have had a look through the additional farm accounts for the year ended March 2024. Sale values of livestock remain in line with previous years at around £24,000 but the value of animals remaining on the farm but not sold by the end of March [the closing valuation] has risen by about £10,000. This has by and large resulted in the farm moving into a profit situation but of only £4,000 for the year. Bearing in mind the substantial losses in previous years, I remain of the view that this farm, on its existing enterprises, cannot financially support a full time worker nor can it meet from farm income the annual costs of providing a new dwelling.

3. In relation to the various financial support schemes, the Basic Payment Scheme continues to decline in the value of its payments, and the current Government has placed a reduced cap on these payments. Its successor on small farms, the Sustainable Farm Incentive Scheme [SFI] was closed without warning by the Government on the 11 March 2025. Lack of available funds was given as the reason. Recently the Government under pressure, has in essence allowed those that had started their SFI applications but not submitted them to continue. The Government will also introduce 20% inheritance tax on farm properties over

£1,000,000 in value from 2026. For many years the transfer of working farms has enjoyed 100% relief on such transfers. In my view, it is clear, despite the Government's assertions, that agriculture will not enjoy the financial support that it has in the past. On the flip side livestock prices are currently high.

4. My labour calculations indicated a requirement of less than 1 full time worker. Included in those calculations is a 15% allowance for other items which in my view includes dealing with applications/work on financial support schemes.

5. I appreciate this is not a new enterprise but the Planning Practice Guidance of July 2019 does provide for the consideration of a temporary dwelling on a rural land holding to enable that holding to grow to meet the requirements,[ie labour requirement for a full time worker and for it to be financially viable business], for a permanent dwelling.

6. I therefore remain of the view that, at the present time, this farming business is of insufficient magnitude in terms of labour requirement and financial viability of the existing enterprises to justify an additional dwelling on this holding.

I hope these additional comments are helpful in your decision-making process.

I recently gave evidence for the Planning Authority at an appeal hearing [ref 3353199] into a proposed agricultural worker dwelling at Lodge Farm , High Biggins near Kirby Lonsdale. This farm was 59 ha of owned but mostly rented land carrying 38 suckler cows, 2 bulls, 12 rearing cattle and 200 wintering ewes so it has similarities with Arlecdon Hill. The applicant had been running the farm for a number of years making small profits and financial losses and making most of his living off the holding.

One of the issues raised was could the holding provide sufficient income to support a full-time worker and meet the cost of the proposed dwelling. The Inspector was not convinced that it could and the appeal was dismissed. I attach a copy of the appeal decision. [paragraph 18 refers in particular].

Following on from this the LPA sought clarification from its Agricultural Advisor on the calculation of labour requirements. His comments on this matter are set out below:-

To arrive at a labour requirement on a farm it is normal practice to identify each enterprise operated on the farm e.g. suckler cows, breeding ewes etc and apply a yearly total number of hours per animal. Hourly rates are produced by a number of sources including DEFRA. For example, the rate for a lowland breeding ewe is 5.2 hours per annum so to look after 170 ewes will require 884 hours of labour per year for that enterprise. In addition to livestock enterprises, yearly rates are applied to areas of land for making hay or silage or growing other crops on the farm.

Totalling these figures up gives the annual labour requirement in hours on the farm. It is common practice to then add an additional 15% of these total hours to account for general maintenance, repairs and management. In my view this can include dealing with environmental schemes as their administration is part of management.

The total yearly hours plus the 15% addition are then divided by 2,200 hours which is the accepted annual hours worked by a full-time worker [275 days @ 8 hours/day]. This gives an estimate of the number of workers required to operate the farm.

It is by no means an exact science and the figures produced should be taken only as a guide. There are many variables. For example, as farm machinery is so expensive many small farms like Arlecdon Hill have to rely on contractors for specialist tasks e.g. making silage, cutting hedges, spreading slurry etc. Contractors usually have large up to date equipment which can complete tasks rapidly, so it reduces the labour requirement. The layout and age of buildings on farms can produce significant variables in labour requirement as modern building layouts can substantially reduce the labour required to care for livestock housed in them. Modern technology e.g. robotic milkers and slurry scrapers are becoming increasingly common, reducing labour requirements further. DEFRA are currently reviewing labour figures, and I anticipate the rate per animal/crop will be reduced.

The best evidence of labour requirement is what is actually being employed in practice. It is my understanding that Arlecdon Hill was run by Mr Horner whilst in full time employment as an engineer. I believe his son is also in full time employment off the farm.

Alternative Provision of Accommodation on the Holding

Alternative provision has been discussed with the applicant in terms of converting the existing traditional barn on the site. This option has been discounted by the applicant as the barn is subject to a Stewardship grant which seeks to maintain its appearance as a traditional stone barn.

In cases where viability is in question it is appropriate for the LPA to consider whether temporary accommodation could meet the need for a period of time to allow the business to continue to grow and demonstrate viability. The Applicant has indicated that this option is not appropriate because it would not provide the level of family accommodation that his son and partner require.

Siting, Design and Layout

The proposed dwelling is to be sited to the north of the existing building group. It is to be of a dormer bungalow design which incorporates accommodation within the roof space to minimise the overall height and footprint

The building will comprise three bedrooms and will be faced externally with a combination of rendered blockwork, feature natural stone on the front and side elevation and vertical boarding to the upper section of the side gables. The pitched roof will be covered with a flat grey tile.

An array of solar panels is included on the rear elevation to support sustainable heating.

The building is considered to be of an appropriate scale and design and responds to the agricultural character of the site in a satisfactory manner.

Landscape and Visual Impact

Strategic Policy N6: Landscape Protection of the LP seeks to protect all landscapes from inappropriate change by ensuring that development conserves and enhances the distinctive characteristics of that particular area in a manner commensurate with their statutory status

and value. It is stated that development proposals must be informed by the Council's Landscape Character Assessment, Settlement Landscape Character Assessment the Cumbria Landscape Character Guidance and Toolkit.

The Cumbria Landscape Character Guidance and Toolkit (CLCGT) identify the Application Site as being located within an area of landscape classified as Sub-type 9d - Ridges. The key characteristics of the area are stated as: Distinct ridges • Extensive areas of true heathland moorland • Improved pasture with distinctive stone walls • Woodland and small belts of trees form prominent feature

The Guidelines for Development include:

- Minimise the impact of development by careful siting and design and seek environmental gains such as heather and moorland restoration.
- Avoid siting large scale wind energy, other vertical structures such as telecommunications masts, pylons and overhead transmission lines in open and prominent areas where it could degrade the open and expansive character.
- Carefully manage the expansion of major developments such as quarrying, mining, communication masts, large scale wind energy development and energy transmission lines.
- Minimise the impact of surface scarring from quarrying and opencast mining where possible through careful screening or siting.
- Ensure any re-establishment of opencast coal sites is managed and maintained in relation to local character

Although the existing farm occupies an elevated location the proposed dwelling is to be sited within close proximity to the existing building group. In this location it will be viewed from outside the site against the backdrop of the existing buildings which will limit its visual impact in the landscape. The design of the dwelling with accommodation incorporated into the roof space will also reduce its visual impact.

It is proposed to incorporate new hedgerow planting around the perimeter of the curtilage associated with the new dwelling which will reinforce the existing planting on the site and help to soften the visual impact of the dwelling when viewed from outside the site.

Flood Risk and Drainage

Policy DS6 seeks that development will not be permitted where: there is an unacceptable risk of flooding and or, the development would increase the risk of flooding elsewhere.

Policy DS7 requires that surface water is managed in accordance with the national drainage hierarchy and includes Sustainable Drainage Systems where appropriate.

The Application Site is located wholly within Flood Zone 1 (lowest risk of flooding). The LLFA has confirmed that the proposal will not increase the flood risk on site or the surrounding area

Surface water is to be dealt with by soakaways. A new package treatment plant is to be installed to deal with foul drainage. Full drainage details could be secured by a suitably worded planning condition.

Access and Highway Safety

Access is to be achieved off the main entrance drive that currently serves the existing farmhouse and building group. This exits onto the minor road to the west. A parking and turning area are to be provided in front of the proposed garage.

The Highway Authority has confirmed that they have no objection to the proposed access arrangements. The proposed development is not considered to have a material effect on existing highway conditions.

Ecology

Policy N1 of the LP seeks to ensure that new development will protect and enhance biodiversity and geodiversity and defines a mitigation hierarchy.

The Application Site comprises an existing area of agricultural grassland and is not of significant ecological interest.

No protected species are known or anticipated to exist on the Application Site.

Biodiversity Net Gain

Policy N3 requires that all development, with the exception of that listed in the Environment Act must provide a minimum of 10% biodiversity net gain over and above existing site levels, following the application of the mitigation hierarchy set out in Policy N1. This is in addition to any compensatory habitat provided under Policy N1. It is stated net gain should be delivered on site where possible and where on-site provision is not appropriate, provision must be made elsewhere in accordance with a defined order of preference.

In England, BNG is now mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Applications must now deliver a Biodiversity Net Gain of 10%, resulting in more or better-quality natural habitat than there was before the development.

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition)” that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the local planning authority, and
- (b) the local planning authority has approved the plan.

The planning authority, for the purposes of the Biodiversity Gain Plan is Cumberland Council.

As this application was submitted before the 12th February 2024, the development is considered to be except from the requirements of BNG.

Planning Balance

The Application Site lies outside the settlement boundary of the nearest village of Arlecdon and as such lies in open countryside

Policy DS2, H16 and paragraph 84 of the NPPF set out that dwellings in the open countryside are only acceptable in exceptional circumstances.

	<p>The LPA has commissioned an independent assessment of the agricultural appraisal submitted by the applicant in support of the application. This concludes that, based on the details submitted, there is insufficient evidence to demonstrate that a need for an additional agricultural worker to be permanently resident on the site exists.</p> <p>The farm has only recently began making a small profit. Significant costs would be incurred constructing a dwelling on the site and this is likely to have an adverse impact on the future viability of the farm moving forward. The LPA is not convinced that, based on the evidence submitted, the enterprise is sufficiently viable to support a full time worker and the cost of constructing a new dwelling to serve the farm.</p> <p>Overall, there is insufficient evidence to support an exceptional development in the open countryside at this location. Consequently, the proposed development is not considered to comply with Policies DS1, DS2 and H16 of the adopted Copeland Local Plan 2021-2039 or the guidance set out under paragraph 84 of the NPPF.</p>
8.	<p>Recommendation:</p> <p>Refuse</p>
9.	<p>Reason for Refusal</p> <p>In the absence of an acceptable demonstrable need the proposed dwelling constitutes non-essential development in the countryside and as such is contrary to Policies DS1, DS2 and H16 of the adopted Copeland Local Plan 2021 - 2039.</p>
<p>Case Officer: S. Papaleo</p>	
<p>Authorising Officer: N.J. Hayhurst</p>	
<p>Dedicated responses to:- N/A</p>	

Appendix B – The Copeland Local Plan 2021-2039 Policy DS2

Strategic Policy DS2: Settlement Boundaries



Settlement boundaries are identified for all settlements in the hierarchy and are shown on the Local Plan Proposals Map. Development within these boundaries will be supported in principle where it accords with the Development Plan unless material considerations indicate otherwise.

To ensure the delivery of allocated sites is not prejudiced, development outside the settlement boundaries will only be accepted in the following cases:

- 1) Where the proposal is for housing and;
 - a) the site is well related to and directly adjoins an identified settlement boundary; and
 - b) the site is or can be physically connected to the settlement it adjoins by safe pedestrian routes; and
 - c) the Council is unable to demonstrate a 5-year supply of deliverable housing sites; or
 - there has been previous under-delivery of housing against the requirement for 3 years or more or
 - the proposal is for a specific type of housing supported by Policies H15, H16 or H17.
- 2) The proposal is for one of the following types of development and a proven need for an open countryside location has been demonstrated to the satisfaction of the Council:
 - Nuclear related developments
 - Renewable energy proposals, including wind farms
 - Essential infrastructure to support energy developments and other infrastructure
 - Appropriate rural developments such as agricultural, forestry, farm diversification or tourism proposals which are dependent on such a location

Appendix C – The Copeland Local Plan 2021-2039 Policy H16

Policy H16: Essential Dwellings for Rural Workers



Housing will be permitted within the open countryside where it can be demonstrated that the dwelling is essential to allow a rural worker to live permanently at or near their place of work.

The development will only be permitted where:

- a) there is a clearly established existing functional need;
- b) the need relates to a full-time worker, or one who is primarily employed in a rural business and does not relate to a part-time requirement;
- c) the unit and the rural business concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so; and
- d) the functional need could not be fulfilled by another existing dwelling on the site, for example because it is occupied by a retired farm worker who previously worked on the site, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned

Appendix D – The Decision Notice for application reference 4/23/2387/0F1



Cumberland Council
Cumbria House
107-117 Botchergate
Carlisle
Cumbria CA1 1RD
Telephone 0300 373 3730
cumberland.gov.uk

TOWN AND COUNTRY PLANNING ACT 1990. (AS AMENDED)

NOTICE OF REFUSAL OF CONSENT

Geoffrey Wallace Limited
11 St Bridgets Close
Brigham
Cockermouth
CA13 0DJ
FAO: Mr Geoffrey Wallace

APPLICATION No: 4/23/2387/0F1

**ESSENTIAL FARM WORKERS DORMER BUNGALOW
ARLECDON HILL FARM, ARLECDON**


Mr David Horner

The above application dated 18/12/2023 has been considered by the Council in pursuance of its powers under the above mentioned Act and has been REFUSED for the following reason:

In the absence of an acceptable demonstrable need the proposed dwelling constitutes non-essential development in the countryside and as such is contrary to Policies DS1, DS2 and H16 of the adopted Copeland Local Plan 2021 - 2039.

Please read the accompanying notice

28th November 2025



Nick Hayhurst
Head of Planning and Place
Thriving Places

**REFUSALS
(OUTLINE, FULL, RESEVED MATTERS)**

DEVELOPMENT MANAGEMENT PROCEDURE (ENGLAND) ORDER 2015

PART 2

TOWN AND COUNTRY PLANNING ACT 1990

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK](#).

Purchase Notices

- If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.