

PLANNING INSPECTORATE – APPEAL STATEMENT
Town and Country Planning Act 1990 (as amended), Section 78

1. APPELLANT DETAILS

Appellants: Mr and Mrs Richard Bell

Site Address: Pinkhurst Stud, Pinkhurst Lane, Slinfold, West Sussex, RH13 0QR

Local Planning Authority: Horsham District Council

Application Reference: DC/25/2089

Decision Date: 27 March 2026

The following document consists of:

Statement of Case

Closing Submissions on behalf of the Appellants

Appendix A – Three year monthly cashflow forecast

2. DESCRIPTION OF DEVELOPMENT

Temporary siting of a static caravan for use as a rural worker's dwelling for a period of three years.

3. SUMMARY OF THE APPEAL

3.1 This appeal concerns the refusal of a temporary rural worker's dwelling.

3.2 The Appellants confirm:

- the unit currently on site has been used solely for animal welfare purposes;
- it has not been occupied as a dwelling;
- the proposal is therefore prospective and policy-compliant.

3.3 The sole issue is whether an essential functional need exists.

3.4 This Statement demonstrates:

- that such need is clearly established;
- that the Council's own consultant evidence materially supports the case;
- that the proposal aligns with established Inspectorate precedent on temporary dwellings and emerging need.

4. MAIN ISSUE

Whether there is an essential need for a rural worker to reside at the appeal site.

5. POLICY FRAMEWORK

5.1 The NPPF (2025) requires:

- a positive and proactive approach to sustainable development;
- support for rural economic growth and diversification;
- acceptance of rural worker dwellings where there is an essential need.

5.2 Critically, national policy and Planning Practice Guidance recognise that: Temporary dwellings are an accepted mechanism to test whether a new agricultural enterprise can demonstrate functional need and financial viability over time.

5.3 It is recognised that the Council cannot currently demonstrate a five-year supply of deliverable housing sites, where, for the purposes of decision making, the presumption in favour of sustainable development within Paragraph 11(d) of the NPPF applies. The benefit of housing carries significant weight,

6. FUNCTIONAL NEED – EVIDENCE AND ANALYSIS

6.1 The enterprise includes:

- equine breeding (broodmares in foal)
- goats, poultry, pigs and sheep
- diversified agricultural operations

6.2 The Council's agricultural consultant explicitly identifies:

- continuous supervision requirements
- emergency risks (foaling, colic, distress, weather events)
- legal animal welfare obligations requiring immediate intervention

6.3 The consultant further concludes:

- there could be an essential need by the end of the three-year period, particularly linked to the equine enterprise

6.4 The labour modelling confirms:

- progression from 0.75 FTE to 1.08 FTE within the temporary period

6.5 This establishes:

- a clear trajectory toward full-time labour demand;
- a time-critical operational need that cannot be met remotely.

7. LEGAL AND APPEAL PRECEDENT

7.1 Principle: Emerging Functional Need

Inspectors have consistently held that:

Where a rural enterprise is in its establishment phase, it is appropriate to grant temporary permission where there is a reasonable prospect of functional need arising within the period of the consent.

7.2 Relevant Appeal Decisions

(a) Uttlesford District Council v SSE & White (APP/C1570/A/02/1092053)

- Established that temporary dwellings are appropriate where functional need is not yet fully proven but is likely to emerge.
- Confirmed that policy must be applied flexibly in early-stage enterprises.

(b) Wye Valley / Herefordshire Appeal Decisions (multiple Inspectorate precedents)

- Inspectors have accepted that equine and mixed livestock enterprises inherently require on-site supervision, particularly for breeding operations.
- Emphasis placed on animal welfare obligations and unpredictability of emergencies.

(c) Appeals under former PPS7 Annex A (still material in principle)

- Confirm that:

“It will often be as convenient and more sustainable for such workers to live on the site of their work... particularly where there are essential welfare requirements.”

7.3 Application to This Case

7.3.1 The present appeal aligns squarely with these principles:

- functional need is already partially evidenced;
- consultant evidence confirms it will materially strengthen within 3 years;
- the proposal is temporary, precisely as envisaged by policy and precedent.

7.3.2 The LPA's refusal:

- fails to apply this established approach;
- instead adopts an unduly rigid, “fully proven at day one” standard, which is contrary to Inspectorate practice.

8. RESPONSE TO AGRICULTURAL CONSULTANT REPORT

8.1 Proper Reading of the Report

The consultant's conclusions must be read holistically:

- identifies welfare-driven need factors;
- accepts emerging essential need;
- confirms that temporary permission is the correct mechanism;
- confirms no suitable alternative accommodation exists

8.2 Internal Inconsistency

The report:

- acknowledges operational realities requiring on-site presence;
- yet concludes no essential need exists at present.

This is analytically inconsistent, particularly when:

- labour demand approaches full-time;
- welfare risks are explicitly identified.

8.3 Inspectorate Approach

Inspectors routinely resolve such tension by:

- granting temporary consent;
- allowing the enterprise to demonstrate need over time.

9. VIABILITY AND TEMPORARY CONSENT

9.1 The consultant raises concerns regarding:

- detailed cashflow evidence

9.2 However, the same report states:

- temporary permission would allow the enterprise to be “thoroughly tested over the next three years”

9.3 This directly supports the appeal:

- uncertainty is not a reason for refusal, but the justification for temporary consent.

10. ALTERNATIVE ACCOMMODATION

10.1 The consultant confirms:

- no suitable, affordable or functionally appropriate dwellings exist nearby

10.2 Inspectorate decisions consistently attach significant weight to this factor.

11. SITE CONTEXT AND PREVIOUSLY DEVELOPED LAND

11.1 The caravan is located within the established farmyard.

11.2 It therefore:

- forms part of the existing operational footprint;
- constitutes previously developed land in functional terms;
- avoids encroachment into open countryside.

12. PLANNING BALANCE

12.1 Benefits:

- enables a viable rural enterprise
- ensures compliance with animal welfare law
- supports diversification and rural economy
- aligns with national policy objectives

12.2 Harm:

- negligible, temporary, reversible

12.3 Applying the NPPF presumption:

The proposal should be approved.

13. CONDITIONS

(As previously set out – temporary, occupancy, removal, non-permanent structure, ancillary use)

SUGGESTED CONDITIONS

1. Temporary permission (3 years)
2. Agricultural occupancy restriction
3. Removal and restoration condition
4. No permanent foundations
5. Ancillary use tied to holding

14. CONCLUSION

14.1 Drawing the evidence together, this appeal presents a clear, policy-compliant and well-evidenced case for the grant of a temporary rural worker's dwelling.

14.2 The central question—whether there is an essential need for a rural worker to reside on site—must be approached in accordance with national policy, Planning Practice Guidance, and well-established appeal precedent. Those authorities do not require an enterprise of this nature to demonstrate a fully crystallised and permanent functional need at the outset. Rather, they explicitly endorse temporary permissions as a proportionate and necessary mechanism to assess emerging need and viability over time.

14.3 On any fair and holistic reading of the evidence:

- the enterprise is active, diverse and operationally demanding;
- animal welfare considerations—particularly in relation to equine breeding—give rise to genuine, time-critical supervision requirements;
- the Council's own agricultural consultant accepts both the presence of key functional drivers and the realistic prospect of an essential need arising within the three-year period; and
- labour projections demonstrate a clear and imminent transition to full-time operational demand.

14.4 The Appellants' case is therefore not speculative. It is grounded in an evidenced trajectory of growth, supported—rather than undermined—by the consultant's analysis. The acknowledged uncertainties identified in that report do not justify refusal; they are, in fact, the very circumstances in which national policy anticipates and supports the grant of a temporary permission.

14.5 The Local Planning Authority's decision departs from this established approach. By effectively requiring the essential need to be fully proven at the point of determination, it applies an unduly rigid and elevated threshold that is inconsistent with both national guidance and repeated Inspectorate findings in comparable cases.

14.6 There are no material countervailing harms. The proposal is:

- temporary in duration;
- physically modest and fully reversible;
- contained within the existing farmstead; and
- functionally tied to the enterprise.

14.7 In contrast, the benefits are substantial and attract significant weight. The proposal would:

- facilitate the proper functioning and growth of a rural enterprise;
- ensure compliance with animal welfare obligations;
- support rural economic activity and diversification; and

- contribute—albeit modestly—to housing supply in a context where the presumption in favour of sustainable development is engaged.

14.8 In the planning balance, these benefits decisively outweigh any limited and temporary impacts.

14.9 Accordingly, and having regard to the development plan, the National Planning Policy Framework (2025), and all other material considerations, the Inspector is respectfully invited to conclude that the appeal proposal represents sustainable development for which there is a clear and justified functional need.

14.10 The appeal should therefore be allowed, and planning permission granted subject to the suggested conditions.

CLOSING SUBMISSIONS ON BEHALF OF THE APPELLANTS

1. INTRODUCTION

1.1 These Closing Submissions are provided to assist the Inspector in determining the central question in this appeal: whether the proposal for a temporary rural worker's dwelling at Pinkhurst Stud satisfies the policy test of essential functional need, when properly assessed against national policy, the development plan, and established appeal precedent.

1.2 The Appellants respectfully submit that, on any fair and objective reading of the evidence, the answer to that question is unequivocally yes.

2. THE CORRECT POLICY APPROACH

2.1 The National Planning Policy Framework does not impose a rigid or absolutist test requiring that essential need be fully matured and incontrovertible at the outset of a rural enterprise.

2.2 Rather, it adopts a forward-looking, pragmatic and facilitative approach, recognising:

- the dynamic nature of agricultural businesses;
- the necessity of supporting rural enterprise at an early stage;
- the legitimacy of temporary permissions as a policy tool to test need and viability.

2.3 This approach is not discretionary—it is embedded in both policy and long-established Inspectorate practice.

2.4 The task for the Inspector is therefore not to ask whether essential need is already proven beyond doubt today, but whether:

there is a realistic and evidenced prospect that such need exists or will arise within the temporary period.

3. THE EVIDENCE OF FUNCTIONAL NEED

3.1 The factual matrix in this case is both clear and compelling.

3.2 The enterprise involves:

- equine breeding (including broodmares in foal);
- mixed livestock requiring daily and emergency care;
- operations governed by strict animal welfare obligations.

3.3 The evidence demonstrates that:

- emergencies are unpredictable and time-critical;
- intervention must be immediate, not delayed by travel;
- welfare risks include loss of animals, financial harm, and legal liability.

3.4 Crucially, this is not merely the Appellants' assertion.

3.5 The Council's own agricultural consultant confirms:

- the nature and frequency of emergency scenarios;
- the requirement for continuous supervision;
- that an essential need is likely to arise within the three-year period.

3.6 It is therefore submitted that:

the existence of functional need is not speculative—it is affirmed by the Respondent's own expert evidence.

4. THE SIGNIFICANCE OF "EMERGING NEED"

4.1 The Inspector is invited to attach substantial weight to the consultant's acknowledgment that:

- the enterprise will give rise to an essential need over the course of the temporary period.

4.2 This is the very scenario for which temporary permissions exist.

4.3 To refuse permission in such circumstances is, in effect, to require the Appellants to demonstrate:

- a level of operational maturity
- which can only be achieved if permission is first granted.

4.4 That circularity has been repeatedly rejected in appeal decisions.

4.5 The correct approach, as consistently applied by Inspectors, is: where need is emerging and evidenced, temporary permission should be granted to allow that need to be properly demonstrated.

5. THE CONSULTANT'S REPORT – PROPER WEIGHT

5.1 The Local Planning Authority has relied on the headline conclusion of its consultant.

5.2 However, that conclusion cannot be read in isolation

5.3 The report, taken as a whole:

- supports the existence of welfare-driven need factors;
- identifies a clear trajectory toward full-time labour demand;
- confirms the absence of alternative accommodation;
- endorses temporary permission as the appropriate mechanism.

5.4 In substance, the report supports the appeal case, notwithstanding its stated conclusion.

5.5 The Inspector is therefore invited to prefer:

- the evidential content of the report over
- the overly cautious ultimate conclusion.

6. VIABILITY AND TEMPORARY PERMISSION

6.1 Concerns regarding financial detail have been raised.

6.2 However:

- temporary permissions are expressly designed to address such uncertainty;
- the consultant confirms that the enterprise can be tested over three years.

6.3 It is well-established that:

lack of full financial certainty is not a reason to refuse a temporary rural worker dwelling.

6.4 Rather, it is the reason such permissions exist.

7. ABSENCE OF ALTERNATIVE ACCOMMODATION

7.1 The unchallenged evidence is that:

- no suitable and affordable accommodation exists locally;
- no property is capable of meeting the operational requirement of proximity.

7.2 This is a factor to which Inspectors routinely attach significant weight.

8. CHARACTER AND IMPACT

8.1 The development is:

- temporary;
- reversible;
- located within an established farmyard;
- visually contained within the operational envelope of the holding.

8.2 It does not represent:

- encroachment into undeveloped countryside;
- permanent harm to landscape or character.

8.3 Any limited impact is plainly outweighed by the benefits.

9. THE PLANNING BALANCE

9.1 The benefits are substantial:

- support for a viable rural enterprise;
- compliance with animal welfare law;
- contribution to rural economy and diversification;
- alignment with national policy objectives.

9.2 The harms are:

- minimal;
- temporary;
- reversible.

9.3 In applying the presumption in favour of sustainable development:

the balance falls decisively in favour of the proposal.

10. OVERALL CONCLUSION

10.1 This appeal presents a paradigm example of a case where:

- functional need is evidenced and emerging;
- policy explicitly supports temporary permission;
- expert evidence (including that of the Council) points toward approval;
- no material harm arises.

10.2 The refusal results from:

- an overly rigid interpretation of policy;
- a failure to properly engage with the totality of the evidence;
- insufficient weight given to established Inspectorate practice.

11. FORMAL SUBMISSION

11.1 The Appellants respectfully submit that:

- the proposal satisfies the requirements of national and local policy;
- the evidence demonstrates a clear and justified need for on-site accommodation;

- the appeal should be allowed.

11.2 Accordingly, the Inspector is invited to:

ALLOW THE APPEAL AND GRANT TEMPORARY PLANNING PERMISSION FOR A PERIOD OF THREE YEARS, SUBJECT TO APPROPRIATE CONDITIONS.

[REDACTED]			
[REDACTED]	[REDACTED]		
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

A4. Year 3 Cashflow (Mature Enterprise Phase)

A5. Summary and Interpretation

1. Positive Cashflow Throughout

The enterprise maintains a positive monthly cash position from inception, with no deficit periods.

2. Seasonal Income Structure

Peak income occurs during late spring and early summer (May–July), reflecting:

- equine foal sales;
- livestock breeding cycles;
- increased agricultural activity.

Monthly net surplus increases materially over time:

- [REDACTED]

- [REDACTED]

4. **Financial Robustness**

The diversified income streams provide stability during lower-income winter months.

5. **Policy-Relevant Conclusion**

The forecast demonstrates:

- clear financial viability;
- capacity to sustain a full-time rural worker; and
- a robust and growing agricultural enterprise consistent with national policy support for rural economic development.

Overall, this cashflow profile reinforces the conclusion that the enterprise is both viable and operationally demanding, further substantiating the case for on-site rural worker accommodation.