



Appeal Decision

Hearing held on 20 May 2025

Site visit made on 20 May 2025

by L C Hughes BA (Hons) MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd June 2025

Appeal Ref: APP/E2001/W/25/3360722

Green Lane Farm, Cadger Castle, Tibthorpe, East Riding of Yorkshire YO25 9LQ

- 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 Mr Andrew Soanes, Clive Soanes (Broilers) Ltd against the decision of East Riding of Yorkshire Council.
 - The application Ref is 24/03371/PLF.
 - The development proposed is erection of an agricultural workers dwelling with detached garage.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of development from the appeal form and decision notice, as this includes a reference to the detached garage, which was included on the submitted drawings.
3. Following the Council's decision on this proposal, the East Riding of Yorkshire Local Plan Update 2020-2039 (2025) (LP) was adopted, which superseded the policies of the East Riding Local Plan 2012-2029 Strategy Document (2016) referenced in the reasons for refusal. The main parties were invited to comment on this material change, and their comments on this matter have been considered in reaching this decision.

Main Issue

4. The main issue is whether there is an essential need for a rural worker to live permanently at or near their place of work, with particular reference to whether there is a need for a second dwelling at Green Lane Farm.

Reasons

5. Green Lane Farm is an established poultry farm situated within the open countryside. The farm currently comprises ten large poultry houses which have a capacity for 220 000 birds. An extant permission exists for an additional two poultry sheds, which would allow for a further 60 000 broilers at the site. There is a dwelling house at the farm, which is subject to an agricultural occupancy condition and occupied by a farm manager. The poultry unit has been divided into two for operational purposes, with the birds in each unit being at different stages in their life cycle. The proposal is for a second agricultural workers dwelling for the farm manager who is responsible for the birds at unit 2.

6. Policy S4 of the LP addresses dwellings in the countryside. The policy supports agricultural, forestry or other rural-based occupational dwellings subject to demonstrating an essential need, and states that such dwellings will be subject to an agricultural occupancy condition. The supporting text of Policy S4, amongst other things, states that it should be demonstrated that there is a clear, functional need for the dwelling relating to a full-time worker employed on the unit and that the need for the dwelling cannot be provided by an existing dwelling which is suitable and available for occupation by the worker concerned.
7. This approach is consistent with Paragraph 84 of the National Planning Policy Framework (the Framework) which advises that isolated homes in the countryside should be avoided unless 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.
8. The broiler rearing units at the appeal site are fitted with feeders, drinkers, biomass heating and fan assisted ventilation systems. Each poultry building includes a control room which houses a computer system to control the environmental systems operated within the buildings. Broilers are vulnerable to illness or loss due to subtle changes in living conditions such as a change in lighting or temperature. This can lead to suffocation, panic and smothering incidents which can result in the loss of a high number of birds in a short period of time. Any emergencies, such as equipment failure, must therefore be dealt with quickly, in order to protect the birds and minimise losses. Whilst the birds need to be closely monitored, there is an alarm system in place to alert the farm workers to any issue at the sheds.
9. The evidence indicates that the alarms at Green Lane Farm often sound during the night. A number of the alarms highlighted in the evidence occurred on the same night and originated from the same shed so it is likely that the amount of emergency visits to attend to the alarms would not have been as high as the figures originally suggest. Nonetheless, the alarms need to be answered, and the relevant shed visited to resolve any problems. Thus, someone needs to be on hand or on call for 24 hours a day.
10. Whilst routine work can be planned for, due to the intensive nature of the farming process, it is not reasonable that one farm manager should carry the burden for dealing with out of hours incidents, especially after undertaking hard physical labour during the day. Moreover, there are instances where the on-site farm manager is on leave or away from the site, and at certain times in the farming process, such as bird thinning, when the on-site farm manager is unable to take alarm calls. It is therefore reasonable that the responsibility is shared between two people. It follows that there is an essential need for an additional worker to live permanently at or near Green Lane Farm. This is the established situation presently, with the manager for unit 2 living off-site.
11. The appellant has suggested a response time of 5 minutes to reach the birds were the alarm to go off, with the worker being in actual sight and sound of the birds being the optimum position. Whilst I have not been made aware of any prescribed industry time as to how fast a worker should attend, nor a specific distance of how close a worker should be to attend in an emergency, there is little doubt that the faster that an emergency can be dealt with the better in order to attend to the birds' welfare and minimise losses. An off-site worker would need to be woken by the

alarm, dress, travel to the farm and ensure that bio-security protocols were followed. All of this would take time, particularly if weather conditions or traffic was bad. However, there is no substantive evidence before me to demonstrate that the unit 2 manager living off-site has contributed to any serious consequences with regards to the welfare of the broilers or the financial viability of the farm.

12. The appellant has suggested that the broilers are susceptible to changes caused by extreme weather conditions, which are becoming increasingly common. However, extreme weather events are rarely unexpected and close supervision of the birds at such times could be planned for to minimise potential issues.
13. The workloads of the staff are increased by the biosecurity measures which are in place to protect the birds. It was explained at the hearing that enhanced biosecurity protocols are necessary due to the operation of a multi-age site and the potential for cross-contamination between the sheds. Avian Influenza is prevalent in the area and of particular concern as an outbreak could lead to devastating consequences. However, evidence indicates that there are industry standard methods for biosecurity procedures which reduce the risk of contamination between the two units. Advice from the National Animal Disease Information Service, for example, stresses that the chance of contamination is significantly reduced if biosecurity measures are undertaken such as the provision of covered foot dips, and the provision of separate clothing and footwear for different premises. By following rigorous biosecurity procedures immediate attention to the birds could be provided on an emergency basis by an on-site worker.
14. I heard that the lack of accommodation at the farm has made it difficult to attract and keep suitable staff for unit 2 in a challenging job market, with staff turnover being greater than at the appellant's other sites. Staff had stated that they were leaving due to not being on site and the resultant travelling involved along with the alarm callouts.
15. The settlement of Wetwang lies approximately 2km from the appeal site. Wetwang is served by a range of facilities and services and has a variety of properties for sale and for rent, including a new development for over 70 dwellings. I noted from my site visit that the roads between the village and Green Lane Farm were good, and that the journey was fast and straightforward, with much of the short journey being on a road with the national speed limit. It took only a matter of minutes to travel the short distance from Wetwang to the farm by car.
16. I consider that Wetwang is not so distant as to make a timely response to the poultry unit improbable, especially as a number of emergency journeys would be outside of typical working hours, when traffic would, in all likelihood, be quiet.
17. I was informed at the hearing that a property had been rented at Wetwang for the off-site farm manager. As the property has only been rented within the last few months, the implications of this property for attracting and retaining staff was not yet clear. However, due to the local facilities available at the village, including a school, village hall and public house, I consider that the village would be an attractive place to live and would be appealing to potential workers.
18. It was suggested that accommodation close to other dwellings would not be suitable for the farm worker, due to the need to leave and return to the property during unsociable hours which could disturb neighbouring occupants. However, shift working is not uncommon, and I see no reason to conclude that noise from

night time comings and goings by an agricultural worker would be any more intrusive to neighbours than might occur from any other worker that operates on-call or involves shift work.

19. Whilst it was suggested that an off-site property would limit the role to farmworkers who could drive, the short distance from the rented property at Wetwang to the appeal site would allow for cycling to the site in a short period of time. The off-site manager may not be able to drink alcohol in case they were needed in an emergency, but this is the situation for many 'on call' workers and whilst this may be inconvenient and frustrating, it does not equate for an essential need for the worker to be located on site.
20. Given the proximity of Wetwang to the appeal farm, the rented property would appear well located to enable an agricultural worker to respond quickly to events on the farm outside of working hours, thereby meeting the proper functional needs of the farming enterprise. There is therefore a suitable and available alternative property that could meet the essential need.
21. My attention has been drawn to other appeal decisions which allowed agricultural workers dwellings at poultry farms¹. I note that in those cases there was no existing agricultural workers dwelling within sight or sound of the sheds at the farms to allow a farm worker to immediately attend to emergencies. The circumstances are therefore not directly comparable to the appeal before me, and as such they do not alter my decision.
22. It was confirmed at the hearing that there were no concerns regarding the financial viability of the farm even if it was considered as two separate units, and I see no reason to disagree. The siting, design and external appearance of the proposed dwelling would be acceptable and commensurate with the size of the holding. I also note that there are no other suitable buildings on site that could provide additional accommodation. However, these factors do not alter my conclusion.
23. I conclude that it has not been demonstrated that there is an essential need for a second agricultural workers dwelling at Green Lane Farm. The proposal would not comply with the relevant requirements of LP Policy S4 which indicates that it should be demonstrated that the need for an agricultural workers dwelling cannot be provided by an existing dwelling which is suitable and available for occupation by the worker concerned. It would also conflict with Paragraph 84 of the Framework.

Conclusion

24. The development would conflict with the development plan taken as a whole and material considerations do not indicate that the decision should be made other than in accordance with the development plan.
25. As a result, the appeal should be dismissed.

L C Hughes

INSPECTOR

¹ APP/U2750/W/23/3324768; APP/U2750/W/23/3324770 and APP/U2750/W/23/3324769

APPEARANCES

FOR THE APPELLANT:

Ian Pick MRICS, Harrison Pick Ltd.

Claire Wright ACMA, Managing Director, Clive Soanes Broilers Ltd.

FOR THE LOCAL PLANNING AUTHORITY:

Peter Robinson, Senior Planning Officer

Anna Fountain MRICS, Senior Valuation and Estates Surveyor.