
Appeal Decision

Hearing held on 23 September 2025

Site visit made on 23 September 2025

by J Symmons BSc (Hons) CEng MICE

an Inspector appointed by the Secretary of State

Decision date: 24 November 2025

Appeal Ref: APP/U2750/W/25/3367546

Bells Farm, Thornton Le Moor, Northallerton DL6 3SJ

- 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 PD Hook Rearing Ltd against the decision of North Yorkshire Council.
 - The application Ref is 23/00683/FUL.
 - The development proposed is an agricultural workers dwelling and detached single garage.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council confirmed that the emerging North Yorkshire Plan is currently at an early stage of preparation, and no weight should be given to it. No evidence has been presented to the contrary and as such I see no reason to disagree.
3. A statement of common ground was submitted as part of the appeal and both parties confirmed agreement of it. In the document reference is made to the National Planning Policy Framework dated 2021. However, the parties agreed that this should have shown the date as December 2024. I have considered this more recent version in my determination of the appeal.

Main Issue

4. The main issue in the determination of the appeal is whether there is an essential need for a second dwelling to accommodate a poultry assistant manager/worker on the site.

Reasons

5. Bells Farm is a well-established and recently upgraded broiler breeding unit. The upgraded farm consists of four buildings which provide accommodation for approximately 40,000 hens plus males. The farm has one residential dwelling which is located at its entrance, off the A168. The farm operates 24 hours a day and 7 days a week during the production period which typically lasts ten and half months of the year. The farm's operation is an essential and integral part of the company's poultry production. The proposal is for a second dwelling for primary use of the farm's assistant site manager and family, and I note that it could also be used for training personnel.

6. Policy HG4 of the Hambleton Local Plan February 2022 (Local Plan) sets out the circumstances where proposals for housing development can be considered acceptable including those in the countryside. The policy supports homes for rural workers subject to, amongst other matters, a number of criteria including i) there is a clearly established functional need for a continuous on site presences that can only be met by the new dwelling; and l) the need could not be met by another existing dwelling or through conversion of a suitable building on the operational unit, or any other existing accommodation in the area which is suitable and available for occupation by the worker(s) concerned. At the hearing, the parties agreed that the proposal should be considered against this policy and the only criteria in dispute were i) and l). I see little reason to disagree with this.
7. This approach is consistent with Paragraph 82 and 83 of the National Planning Policy Framework (the Framework) which advises that rural housing should be responsive to local circumstances and support housing developments that reflects local needs and should be located where it will enhance or maintain the vitality of rural communities and thereby promote sustainable development.
8. Since the farm's upgrade, automation of its systems has increased and now only four permanent staff are employed in its operation compared to the previously identified six. These include a site manager, assistant site manager and two general workers. The managers are highly trained and experienced in the management, operation and welfare requirements of the farm and the poultry. The site manager resides on the farm in the existing dwelling, and the assistant site manager lives off-site in Northallerton. The workers were also noted as living off-site.
9. The normal working hours of the staff was confirmed as 7am to 3pm on Monday to Friday and 7am to 1pm at the weekends and on Bank Holidays. Outside of these hours, it was detailed that one of the managers was always on call to respond to the needs of the farm. It was further detailed that the two managers agreed a shift working pattern to provide the out of hour cover and to share holiday and sickness cover. It was also highlighted that further cover could be provided by the Area Farms Manager and, while not preferred due to biosecurity risks and logistics in using off-site personnel, other farm staff if necessary.
10. During normal working hours the farm operated reasonably intensively and at least one of the managers had to be on site to ensure the farm and the production was adequately undertaken and supervised. Outside of the normal working hours, through the evening and night, the birds needed rest and sleep for approximately 11-hours. To facilitate this, the buildings' internal lighting is switched off and the birds are left alone so that they are not disturbed. During this time, the on-duty manager's main duty is therefore primarily to be on call to respond to notifications from the farm's alarm system. No details were provided to show occasions when the on-duty manager had to undertake any ad hoc or regular inspections of the farm during the rest and sleep period of the birds.
11. No evidence was presented that the above number of staff was insufficient for the operation of the farm, the above management approach was not performing satisfactorily or that the farm was not meeting the appellant's listed legal responsibility for the welfare of the birds.

12. In relation to operation of the farm, the appellant confirmed that the environment within the buildings including temperature, ventilation, water, feed and lighting is automatically controlled and is carefully managed to ensure optimum living conditions for the birds. Notwithstanding this, the birds are vulnerable to changes and faults with the environment systems, and these can have a major impact on their health and welfare as detailed in the appellant's documentation. While reference was made at the hearing to the risk of building flooding or lack of water from a water supply failure, a key concern was a failure of the ventilation system. Without sufficient ventilation, the evidence indicates that the temperature within the building can rise rapidly, and carbon dioxide levels can become dangerously high. This can cause the birds to suffer heat stress and asphyxiation which can result in the loss of a high number of birds in a short period of time. The veterinary advice provided and reiterated at the hearing identified that it was not uncommon for birds to start to die within 30 minutes of such a failure. The veterinary advice considered that a time delay of 15 minutes for staff to travel to the site would be a risk to the birds. It was stressed by the appellant that every minute counted in resolving such issues to prevent a significant loss of birds and this was why a 15–30 minute response time to a failure of the systems was considered essential.
13. To alert the management team of any issues with the birds' environment the farm operates an alarm system. This system notifies the management team, including the Area Farms Manager, of such issues as high temperature, ventilation failure and power loss. Further to this, it was also indicated that the farm has a backup generator which automatically starts if a power failure occurs. The alarm system was explained to work on an internet and mobile basis which ensured it functions, even in the event of a power failure. Alarm notifications are relayed to the management team's mobile phones and message forwarding is used to allow the out of normal hours shift working. The existing dwelling was not directly wired to the alarm system, and no external audible or visual alarms were noted as being on the farm. The farm regularly suffers at least two alarm notifications per month. It was confirmed that one manager could deal with an out of hours alarm but if the other manager or staff were on the farm then they could assist.
14. The Council queried if automatic opening of the ventilation system could not be used to increase the time available to respond if the system failed. However, the appellant explained that such a system would not provide sufficient air flow and, even with the use of bird screens, the risk of avian influenza restricted its use. It was further noted that the buildings were predominantly airtight and were highly dependent on an active ventilation system to control temperature and carbon dioxide levels.
15. No evidence was presented to show the farm had suffered any significant issues, or that it had suffered any loss of birds. However, anecdotal evidence was presented regarding staff at another farm being unable to respond to a building fire quickly enough and suffered a significant loss of birds.
16. The use of off-site accommodation as an alternative to the proposal has been considered. It was explained that company policy was, where possible, to build company owned dwellings at the farms and rent these to the site managers on a volunteered contribution basis. It was not company policy to purchase off-site properties, and employees were required to rent or purchase these themselves. As such, it was noted that such properties not only had to be located close to the farm but also had to be affordable.

17. Both parties have undertaken a number of property searches at the application and appeal stages to assess off-site availability. However, from these, there is disagreement on the search distance from the farm to be used and on the number of properties identified through the searches completed.
18. The appellant contended that properties must be 'within sight and sound' or 'within close proximity' of the farm and this is detailed in industry guidance. However, while reference was made to guidance, no prescribed distance was presented. Although searches of a quarter of a mile and one mile had been undertaken, it was advised that the furthest feasible distance from the farm to meet the above 'close proximity' requirement was considered to be a quarter of a mile. While there had been some disagreement with the Council regarding the post code used at the application stage, in the subsequent searches the appellant found no properties for sale or rent. At the hearing it was advised that one property had been found with a guide price of £300,000 (£300k) and this was approximately a quarter of a mile from the farm. However, the price was not considered affordable for the employees of the farm.
19. At the application stage the Council considered the appellant's search distance to be very conservative. It looked at properties up to a ten minutes' drive from the farm, estimated as being in the order of five miles away. A variety of properties were found within one, three and five miles of the farm with the price range noted as £75k to £250k. The closest properties to the farm were identified as being within one mile and located in Thornton Le Moor. In the appeal statement, the Council confirmed a further search had found three properties for sale in Thornton Le Moor with a price range of £275k to £310k. It also found a further four properties within three miles of the farm which started at £155k. At the hearing the Council advised a recent search found three properties with a price range of £145k to £170k for sale at South Otterington which was approximately two miles from the farm.
20. In relation to my visit to the site on the day of the hearing, I made the journeys between the farm and Thornton Le Moor and South Otterington. Given the distance and the nature of the routes, I found the journeys not to be excessive and well below 15 minutes. I also did not find the road junction with the A168 to these destinations to be unduly difficult to navigate as suggested by the appellant.
21. I acknowledge that the searches represent only a snapshot of properties available at any time and the significant differences of the findings between the parties shows the variation that can exist. However, it has been reasonably shown that there are off-site properties for sale which would be within a reasonable price range, and which would require a travel time well below 15 minutes. While I appreciate the urgency to respond to an alarm, it has not been sufficiently shown that the use of off-site accommodation is not a viable alternative option to the proposal.
22. It was raised that weather and road conditions, road accidents and employee car issues could significantly increase the time taken to travel to the site. However, little evidence has been presented to show these situations would not be very rare events. In terms of extreme weather events, these are rarely unexpected and close supervision of the birds at such times could be planned to minimise potential issues. No indication was given that the roads in the area suffered any regular issues such as closure due to weather or accidents. Nor was there any evidence presented that the current assistant site manager, who commutes from

Northallerton, had suffered significant travel problems. Overall, there is little to suggest that the above issues present an unacceptable risk in the use of off-site accommodation.

23. Security risks from such things as vandalism, theft and intrusion from animal right protesters are possible at the farm. At the hearing it was acknowledged by the appellant that the existing dwelling helps to deter intruders, and no evidence was presented to show the farm is suffering any security issues or that the existing farm's security systems are not sufficient. As such there is little to suggest the proposal is essential to resolve security issues at the farm.
24. Similarly, the importance of good biosecurity on the farm is well detailed in the appellant's documentation. However, no evidence was presented that the farm is not meeting its requirements in this regard and there is little to suggest the proposal is essential for this aspect.
25. It was indicated that having the proposal would assist in promoting and attracting recruitment of experienced managers to the industry. However, little evidence was provided to show there is any current staffing issues with the farm or the company.
26. It is evident that there is a need for an assistant site manager to support the site manager in providing 24 hours a day cover. However, while I understand the importance of the farm's production cycle to the broiler industry's hatcheries, and its contribution to national food security, there is little evidence that there are any major issues with the farm's current functioning. Nor has it been shown that there are currently unacceptable levels of responsibility and excessive working hours placed on the site manager and assistant site manager, or that there is a lack of manager cover available for such things as holidays and sickness.
27. While efficient management, security, biosecurity, welfare of the poultry and response times to emergencies may be more easily achieved by the permanent presence of the assistant site manager on site, I am not persuaded that such matters warrant a second dwelling as essential to meet the needs of the farm.
28. In support of the proposal the appellant has submitted an appeal and a number of approved applications as examples where second/additional dwellings have been accepted. However, in the Britwell Hill appeal (Ref: APP/Q3115/A/12/2188745) it was detailed that it was impossible for a single worker to deal with an emergency, and the Council did not demonstrate an appropriate alternative dwelling was available. With respect to the Thornhill Farm application (LPA Ref: ZB23/02168/FUL) the essential need was related to field spraying where 50% of the operation needed to be carried out in the early morning and late evening to suit weather conditions which is significantly different to a call out requirement. It was indicated in the Plane Tree House application (LPA Ref: ZB23/02501/FUL) that, contrary to Bells Farm, the existing on-site dwellings were not available, a fulltime need was demonstrated, and the cost of off-site accommodation was proven to be not affordable. In the Forest Poultry Limited application (LPA Ref: ZB24/00592/FUL), it is evident that this farm was significantly larger and had a higher out of hours labour demand which necessitated the additional dwelling need. In the cases of the applications relating to Musterfield Poultry (LPA Ref: 22/02266/FUL), Cold Harbour Farm (LPA Ref: 22/02327/FUL) and Lazenby Grange (LPA Ref: ZB23/01793/FUL), these are significantly larger farms to Bells Farm and in the case of Cold Harbour Farm and Lazenby Grange the agricultural and

livestock uses were significantly different. In all the cases it was indicated in the Officer Reports that justification and clarification was provided in support of the need for an additional dwelling. With no evidence to the contrary, there is little to suggest these cases have similar functional and essential need to those at Bells Farm. Overall, the examples are not directly comparable to the proposal before me and do not change my view on the essential need.

29. Policy S1 of the Local Plan seeks to ensure development makes a positive contribution towards the sustainability of communities, enhances the environment and adapts to and mitigates the impact of climate change. While the appellant lists a variety of benefits the proposal would offer, there is little evidence to suggest the existing farm is not already providing these, or that the use of alternative accommodation could not deliver them. While the proposal would offer accommodation at the farm, its location would reduce some of the social cohesion and local community benefits which are achieved through living within a settlement. It would therefore conflict with this policy.
30. As the proposal has not been shown to be essential, it would conflict with the Hambleton's development strategy for focused growth, housing development and settlement hierarchy set out in Policy S3 of the Local Plan. It would also conflict with the aim of Policy S5 which is to protect and enhance the countryside together with the character and identity of rural settlements.
31. Consequently, an essential need for a second dwelling to accommodate a poultry assistant manager/worker on the site has not been demonstrated. Therefore, the proposed development would be contrary to Policies S1, S3, S5 and HG4 of the Local Plan.

Other Matters

32. No significant concerns were raised regarding the proposal's effect on character and appearance, size of the proposed dwelling, residential amenity, highway safety, ecology and biodiversity net gain and flood risk and drainage. I see no reason to disagree with these findings. Notwithstanding this, these are neutral factors that do not weigh in favour of the proposal.
33. The appellant offered to provide additional landscaping and planting and accepted a condition to secure material details. However, these do not change my finding that the proposal is not essential.

Conclusion

34. For the reasons given above, the proposal would conflict with the development plan, when read as a whole. Material considerations, including the Framework do not indicate that a decision should be made other than in accordance with it.
35. Having considered all other matters raised, the appeal should be dismissed.

J Symmons

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Mr James Whilding	FBIAC MRICS	Acorus
Mr Bill Dent	NVQ Level 3 Afm and Poultry	PD Hook (Rearing) Ltd
Dr Allan Bell	MRCVS BVSc	Slate Hall Vets

FOR THE COUNCIL:

Mr Peter Jones	MA RTPI	North Yorkshire Council
Ms Aisling O'Driscoll	MSc Environment Planning	North Yorkshire Council