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Your ref 07/0991/CU  
Our ref PG/LA/INB/PA/1/22/7145 - JCET  
Date 14 September 2007

Dear Mr Rivet

**APPLICATION NUMBER 07/00991/CU  
LAND NORTH-WEST OF REDWELL FISHERIES,  
REDWELL ROAD, OVER KELLETT  
GRID REFERENCE 540 698**

I refer to your consultation letter concerning the above planning application and have the following observations to make:

#### **Introduction**

The applicant Mr Walker has submitted a planning application for the siting of a mobile home to provide a temporary agricultural workers dwelling for use in conjunction with a free range egg laying unit proposed on the same site. I have discussed the application with Mr Pick (Agent) concerning the applicant's circumstances surrounding the submission of the application and it was agreed that a site meeting with the applicant would not be necessary. The information provided together with the written submissions made in support of the application form the basis of this appraisal.

#### **Background Information**

The applicant has recently acquired 11.5 hectares (28.4 acres) of bare (unequipped) agricultural land to the north of Redwell Road. Currently the applicant manages a broiler hen enterprise unconnected to the development proposed by this application. His intention is to establish and operate a free range egg laying unit on this area of unequipped and through the erection of a purpose built poultry house building and siting of a mobile home to provide residential accommodation.

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**Nick Bower**, Land Agent  
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## **Proposed Development**

Two planning applications have been submitted by the applicant with regard to the free range egg enterprise proposed on this site:-

- 1 Application 07/0991 to site a mobile home to provide temporary agricultural worker accommodation. The proposed site is close to that proposed for the poultry shed.
- 2 Application 07/01000 to erect an agricultural building to house 11,500 birds, equipped with the necessary facilities associated with a laying flock and to create a new vehicular access off the road and yard area within the site.

The proposed building will measure 76.2m x 18.2m x 2.0m eaves height. The building will be fully enclosed consisting of timber boarded sides with provision for access through the gable ends and a series of "pop" hole along each side elevation together with ventilation inlets. The roof will be clad using plastic coated steel sheets with ventilation exhausts along the ridge line. Two tower feed hopper extending to approx 4.5m tall will be sited adjoining one gable end. The proposed site has been chosen where the land is locally lower within the field although close to the southern boundary.

## **Proposed Enterprise**

The intention is to undertake a free range egg enterprise keeping 11500 birds and will be farmed in accordance with the RSPCA's Freedom Food Standards.

The system of farming will be in line with a conventional egg laying enterprise where the birds are purchased at point of lay ie approx 16 weeks of age and then kept for approx 60 weeks upto the time when the birds first moult when they are then sold. The birds will be managed as a single flock and will have access to agricultural land on a daily basis in accordance with prescribed stocking densities.

The applicant will supply the eggs to an egg packing company "Deans Food" and they will be collected each week.

## **Labour**

It is envisaged the enterprise will be managed by the applicant with one employee who will be involved with collecting and packing the eggs.

## **Assessment**

Annex A of PPS 7 provides the national planning policy framework for determining planning applications for agricultural workers dwellings. Paragraph 12 of Annex A sets out specific criteria to be satisfied for applications for a temporary dwelling and I refer to this below:

If a new dwelling is essential to support a new farming activity, whether on a newly-created agricultural unit or an established one, it should normally, for the first three years, be provided by a caravan, a wooden structure which can be easily dismantled, or other temporary accommodation. It should satisfy the following criteria:-

- i) clear evidence of a firm intention and ability to develop the enterprise concerned (significant investment in a new farm buildings is often a good indication of intentions);
- ii) functional need (see paragraph 4 of this Annex);
- iii) clear evidence that the proposed enterprise has been planned on a sound financial basis;
- iv) 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; and
- v) other normal planning requirements, e.g. on siting and access, are satisfied.

With reference to the above 5 criteria I have the following comments to make:-

- 1 In addition to the application made by the applicant for a temporary agricultural dwelling an application has been submitted for the erection of a poultry house building. This application 07/01000 is proposing a purpose built design structure of a size which I consider is appropriate for housing the number of birds (ie 11500) which is the maximum number which the area of land owned can be operated in accordance with the RSPCA's Freedom Foods Standards. If this application is approved then I consider the applicant can demonstrate a firm intention to develop the enterprise concerned. As far as the applicant's ability to develop the enterprise I have two reservations:
  - a. The applicant does not have a background experience in the management of a free range poultry unit.
  - b. I am concerned that the location of the application site is not the most appropriate to operate a free range unit given its relatively high location, high rainfall and poorly drained soils. I am aware that a free range poultry enterprise had operated at a site at Capemwray located only a short distance away by road but I feel this site had an advantage being relatively low lying and sheltered by woodland. In addition the scale of the operation was less than proposed at this site ie 7000 birds as opposed to 11500. I note from the Defra guidance associated with free range units that it advises sites should be free draining. I am concerned that this land could not sustain the proposed stocking density.

- 2 In order to assess whether the enterprise constitutes a functional need for someone to be readily available at most times to ensure the proper running of the enterprise then this will need to have regard to the nature and scale of the operation.

I consider the management of a free range unit as proposed requires a regular presence by the operator to check on the welfare of the birds. Clearly whilst housed ie between dusk and dawn the welfare of the birds is determined by the managed environment within the building ie heat and ventilation and availability of water and feed. I am aware from the information provided that the proposed building will be equipped so that feeding is undertaken mechanically and ventilation will also be mechanically controlled. I recognise therefore that the bird's welfare is vulnerable to mechanical failures and given the type of enterprise undertaken the response to such mechanical failures would need to be relatively instant. I consider in situations such as the one proposed it would be most desirable to live on the unit but I am aware through the use of modern technology that mechanical systems can be monitored off site and if a failure occurs then an operator can be alerted through the same system. I feel this is relevant in this applicant's situation given that site is located within half a mile (800 metres) of Over Kellett Village and a mile from Carnforth. You may be aware of a Mayfield chicks poultry breeding unit operated at Woodman Lane, Overton which does not have a dwelling on the premises and system is monitored off the site.

This unit is a much larger operation (50,000 birds) to those proposed by the applicant. I note the planning appeal decision submitted by the applicant's agent in respect of a proposed 9000 bird free range unit shows that the Inspector felt that nearby towns and villages were not appropriate to house a worker and instead considered the needs of the enterprise required someone to live on the site.

I am of the opinion that in spite of the free range enterprise providing full-time work for at least one worker that the functional test is not conclusive that a worker is required to reside on the unit in particular in view of the close proximity of nearby settlement.

- 3 Included with the supporting information submitted with the application is a financial budget showing the annual profit/loss for the enterprise. The budget identifies a reasonable profit which I consider to be representative for budget purposes and sufficient to show the business "has been planned on a sound financial basis".

## Conclusion

I am of the opinion when assessing the circumstances of the application and operational issues against the criteria for the provision of temporary accommodation I do not consider an agricultural justification is conclusive.

I would be obliged to receive a copy of your Decision Notice in due course.

Yours sincerely

Land Agency Manager  
on behalf of the Director of Property