



Appeal Decision

Site visit made on 24 June 2026

by **D Wilson BSc (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19 August 2026

Appeal Ref: 6006151

Free Range Egg Unit north of Betton, Market Drayton, Shropshire TF9 4AD

- 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 Rupert Chitty on behalf of Merlott Chitty Farms Ltd against the decision of Shropshire Council.
 - The application Ref is 25/04158/FUL.
 - The development proposed is siting of an agricultural worker mobile home for a period of 3 years.
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Decision

1. The appeal is allowed and planning permission is granted for siting of an agricultural worker mobile home for a period of 3 years at Free Range Egg Unit north of Betton, Market Drayton, Shropshire TF9 4AD in accordance with the terms of the application, Ref 25/04158/FUL, and the plans submitted with it, subject to the following conditions:
 1. The development shall be carried out in strict accordance with submitted plans 'SITE PLAN A1 Drwg no. IP/25/MCF/02'; 'LOCATION PLAN Drwg no. IP/25/MCF/01'; 'ELEVATIONS A1 Drwg no. IP/25/MCF/03'.
 2. The development hereby permitted shall be for a limited period being the period of three years from the date of this permission. At the end of this period the development hereby permitted shall cease, the mobile home shall have been removed from the site and the site restored to its former condition.
 3. The dwelling unit hereby permitted shall only be occupied by a person solely or mainly employed, or last employed, in agriculture (as defined in Section 336 of the Town and Country Planning Act 1990) or forestry, or a dependent of such a person residing with him or her, or a widow or widower or surviving civil partner of such a person.
 4. The approved parking and turning area as shown on plan 'SITE PLAN (tracking added) A1 Drwg no. IP/25/MCF/02a' shall be kept clear and maintained at all times for that purpose.

Preliminary Matters

2. I observed during my site visit that the development has been carried out, which appears to accord with the plans before me. I have therefore considered the appeal on the basis that the development has already taken place.

3. The appellant submitted an amended plan¹ with the appeal which is a site plan that includes vehicle tracking. The Council had the opportunity to comment on the amended plan which has not resulted in any significant changes to the development. Accordingly, I am satisfied that no one would be prejudiced were my decision to have had regard to the amended plan.
4. During the course of the appeal a new National Planning Policy Framework (the Framework) was published on 17 August 2026. However, as any policies in the Framework that are material to this decision have not fundamentally changed, I am satisfied that this has not prejudiced any party and I have had regard to the latest version in reaching my decision.

Main Issues

5. The main issues are:
 - whether there is an essential and functional need for an agricultural worker to reside on site, and
 - highway safety with regard to parking and turning spaces.

Reasons

Essential and functional need

6. The appeal site is a small parcel of land which is located within a large area of hardstanding which is used as a turning and parking area for a large free range egg unit nearby. At the time of the applications submission, the free range egg unit was not in operation, however, from observations during my site visit and based on the information before me it would now appear to be operational.
7. The free-range egg unit is large in size and accommodates 32,000 hens split across two internal areas. The unit uses the latest technology and relies on automated systems with two full-time workers being identified for its operation. The Shropshire Local Development Framework Type and Affordability of Housing Supplementary Planning Document (SPD) Adopted 12th September 2012 states that it should be demonstrated that a dwelling at the business is essential by showing a functional need for the occupier to be present at the business for the majority of the time.
8. The appeal has been accompanied by a rural enterprise dwelling appraisal which identifies that due to the number of hens, and reliance on automated systems that 24-hour supervision is required. There are also many management tasks that are required daily as well as security concerns that rely on a presence on site at all times. It is also evident that there are short windows of time to deal with problems before there is panic and distress with the birds and the potential for mortality. As such, there is an essential and functional need for someone to be present on site for the majority of the time.

¹ SITE PLAN (tracking added) A1 Drwg no. IP/25/MCF/02a

9. I note the Council's concerns that alternative accommodation has not been properly explored as required by Policy MD7a of the Shropshire Council Site Allocations and Management of Development (SAMDev) Plan Adopted 17th December 2015. However, while there may be accommodation available within the area, these are a moderate distance away from the appeal site. Furthermore, while the family home is located a moderate distance from the appeal site, this is privately owned and due to its listed status, there is limited scope for change, the appellant also lives a long distance from the appeal site at another poultry unit.
10. The evidence before me suggests that there are short windows of time to respond and deal with problems that may arise and flocks of hens are prone to panicking. As such, accommodation a moderate distance away from the appeal site would unlikely be suitable for the 24-hour presence that is required for the operation of the free-range egg unit. Particularly as many aspects would need to be spotted or heard within a short amount of time.
11. I therefore conclude that there is an essential and functional need for an agricultural worker to reside on site. I find no conflict with Policies CS5 of the Shropshire Council Shropshire Local Development Framework: Adopted Core Strategy March 2011 (CS), MD7a of the SAMDev and guidance contained within the SPD. Amongst other things, these seek to ensure that in the case of an additional dwelling to provide further accommodation for a worker who is required to be present at the enterprise for the majority of the time that a functional need is demonstrated.

Highway safety

12. The development uses up some of the space which was shown to be a turning and parking area for the free-range egg unit. However, based on the small scale of the development which only takes up a small section at the edge of the site and the submitted site plan which shows vehicle tracking, taking account of the development and parking, it is evident that delivery vehicles would still have sufficient space to be able to enter, turn and park within the remaining car parking area. I am satisfied that this could be secured by a suitably worded planning condition.
13. I therefore conclude that the development would not harm highway safety with regard to parking and turning spaces. I find no conflict with Policy CS6 of the CS which amongst other things, seeks to ensure development is safe and accessible for all.

Other Matter

14. I note that interested parties suggest that there are rental properties nearby, however, no information has been provided on what might be available. In any case, they would unlikely be a suitable distance from the appeal site to ensure that problems could be spotted or heard within a short period of time.

Conditions

15. Condition 1 is necessary to ensure that the development is carried out in accordance with the approved plans for certainty. Conditions 2 and 3 are necessary as the mobile home is to support an essential need in a location where residential development would not normally be permitted and as such it is necessary to restrict occupation and require removal after a period of three years as this is what has been requested. Condition 4 is necessary to ensure that the parking and turning area is kept free and made available for vehicles accessing the free-range egg unit.

Conclusion

16. For the reasons given above the appeal should be allowed.

D Wilson

INSPECTOR