

Mr Ian Pick
Station Farm Offices
Wansford Road
Nafferton
Driffild
YO25 8NJ

NOTICE OF DECISION

Application No. ZB25/01567/FUL

Date: 27th March 2026

TOWN AND COUNTRY PLANNING ACT 1990 **PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990**

PROPOSAL: Demolition of existing poultry farm and construction of 2 No. linked poultry houses with associated feed bins, hard standings and drainage attenuation pond
LOCATION: Thornton Le Moor Farm Thornton Le Moor Northallerton North Yorkshire
APPLICANT: Mr Adrian Potter

North Yorkshire Council, being the Planning Authority for the purposes of the above application which was received on 25 August 2025, having considered the following policies:

Local Plan Policy S1: Sustainable Development Principles
Local Plan Policy S5: Development in the Countryside
Local Plan Policy E1: Design
Local Plan Policy E2: Amenity
Local Plan Policy E3: The Natural Environment
Local Plan Policy EG7: Businesses in Rural Areas
Local Plan Policy E7: Hambleton's Landscapes
Local Plan Policy RM1: Water Quality, Supply and Foul Drainage
Local Plan Policy RM2: Flood Risk
Local Plan Policy RM3: Surface Water and Drainage Management
Local Plan Policy RM4: Air Quality
Local Plan Policy RM5: Ground Contamination and Groundwater Pollution
Local Plan Policy IC2: Transport and Accessibility
National Planning Policy Framework

and taken into account the following reasons:

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address

those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

have resolved that it should be **APPROVED**; subject to the following conditions:

1. The development hereby permitted shall be begun within three years of the date of this permission.
2. The permission hereby granted shall not be undertaken other than in complete accordance with the drawing(s) numbered IP/25/PPP/04 and IP/25/PPP/03B received by the Local Planning Authority on 25 August 2025 and 3 February 2026.
3. No above ground construction work shall be undertaken until details of the materials to be used in the construction of the external surfaces of the development have been submitted in writing to the Local Planning Authority for approval and samples have been made available on the application site for inspection (and the Local Planning Authority have been advised that the materials are on site) and the materials have been approved in writing by the Local Planning Authority. The development shall be constructed of the approved materials in accordance with the approved method.
4. The dwelling known as Thornton Le Moor Farm Bungalow, located within the application site, shall be occupied only by a person solely or mainly employed, or last employed, in agriculture at Thornton le Moor Farm, together with any resident dependants of such a person. The dwelling shall not be sold, leased, or otherwise disposed of separately from the agricultural unit of Thornton le Moor Farm.
5. The development hereby approved shall take place in accordance with the recommendations set out in sections 4.1 and 4.2 of the Preliminary Ecological Appraisal Revision 1 dated August 2025 and prepared by Brown & Co., received by the Local Planning Authority on 26 August 2025.
6. Prior to the commencement of the development hereby approved, a scheme for the implementation of the approved Biodiversity Gain Plan (BGP), required by the deemed planning condition attached to this permission, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:
 - A programme for the implementation and completion of the biodiversity enhancement measures set out in the approved BGP.
 - Proposals for legally securing the provision any off-site biodiversity enhancement measures.
 - Proposals for the maintenance and monitoring of the on-site biodiversity enhancement measures. Where the biodiversity enhancements proposed in the BGP are considered by the Local Planning Authority to be "significant" in relation to the pre-development baseline biodiversity value of the site, provision shall be made for their maintenance and monitoring for a period of not less than 30 years from the date of completion of the development (including completion of the on-site habitat enhancements).

- Proposals for the submission of monitoring reports to the Local Planning Authority.

The scheme as approved shall be implemented in its entirety in accordance with the programme set out in the approved scheme or such other period which has first been approved in writing by the Local Planning Authority.

Any Planning obligations that are proposed within the scheme shall be completed before the development is first brought into use. The Local Planning Authority shall be notified in writing within 28 days of the date of completion of the development (including completion of the on-site habitat enhancements). If the development has commenced but completion of development is not reached, and construction works have ceased for a period of 12 months, notice shall be served to the Local Planning Authority in writing within 13 months of the last construction works on site with a timetable for the completion of the approved habitat enhancement works. In the event that the development (excluding any approved on-site habitat enhancements) is not completed, the on-site habitat enhancements shall still be implemented in full in accordance with the timetable approved by the Local Planning Authority and they shall be maintained and monitored in accordance with the provisions set out in the approved BGP.

7. No demolition works shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of best practice measures for the handling, storage, and disposal of all waste materials arising from demolition activities, including any hazardous substances and shall detail dust mitigation measures that are to be employed during the demolition phase. The development shall thereafter be carried out in full accordance with the approved CEMP.
8. If unacceptable risks are identified during demolition, or when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.
9. No above ground construction shall commence until an Odour Risk Assessment has been submitted to and approved in writing by the Local Planning Authority. The assessment shall include details of the mitigation measures to be employed to control and minimise odour emissions. It shall demonstrate that the proposed development will implement appropriate good practice measures and structural design elements to minimise odour escape and aid effective dispersal as recommended in the submitted Odour Assessment. This shall include operational measures such as undertaking the clearing of poultry units, where possible, when wind direction is blowing in a favourable direction away from sensitive receptors. The Odour Risk Assessment shall also include detailed provisions for the storage and management of chicken waste and soiled bedding, including how such materials will be contained and handled to prevent odour release and fly infestations. The development shall thereafter be carried out and maintained in full

accordance with the approved Odour Risk Assessment and its mitigation measures.

10. No external lighting shall be installed other than in complete accordance with a scheme that has previously been approved in writing by the Local Planning Authority. The scheme shall include, but not be limited to, beam orientation, luminaire type, mounting height, aiming angles and luminaires and shall include any measures to be taken for the control of any glare or stray line arising from the operation of artificial lighting.
11. Construction activities shall be restricted to the following days and times:
 - 08:00 until 18:00 Mondays to Fridays
 - 08:00 until 13:00 Saturdays

Construction shall not be undertaken on a Sunday or a public holiday.

12. The Development shall be built in accordance with the following submitted designs: Proposed Development and Outline Surface Water Drainage Design, George Shuttleworth LTD Consulting Engineers 837-002 Rev C received by the Local Planning Authority on 3 February 2026. The flowrate from the site shall be restricted to a maximum flowrate of 3.81 litres per second. A 40% allowance shall be included for climate change for the lifetime of the development. Storage shall be provided to accommodate the minimum 1 in 100 year plus climate change critical storm event. The scheme shall include a detailed maintenance and management regime for the storage facility. Principles of sustainable urban drainage shall be employed wherever possible.
13. No development shall commence until detailed cross sections have been submitted to and approved in writing by the Local Planning Authority, showing the existing ground levels in relation to the proposed ground and finished floor levels for the development and the relationship to adjacent development. The development shall be constructed in accordance with the approved details and thereafter be retained in the approved form.

The reasons for the above conditions are:-

1. To ensure compliance with Sections 91 and 92 of the Town and Country Planning Act 1990 and where appropriate as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings and in accordance with the Local Plan Policies S1 and E1.
3. In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings and in accordance with the Local Plan Policies S1 and E1.
4. In the interests of amenity.

5. In the interests of ecology.
6. In order to meet the requirements of Schedule 7A of the Town and Country Planning Act to achieve biodiversity net gain.
7. To minimise environmental and community impacts during demolition.
8. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
9. In the interest of amenity
10. In order that the Local Planning Authority can consider the impact of the proposed lighting scheme and avoid environmental pollution in accordance with Local Plan Policies S1 and E2.
11. In the interests of amenity.
12. To ensure that the development is built to the submitted drainage design; to prevent the increased risk of flooding; to ensure the provision of adequate and sustainable means of drainage in the interests of amenity.
13. To ensure that the development is appropriate to the locality in terms of amenity and aesthetics, in accordance with Local Plan policy E1.

Attention is drawn to the following Informatives:-

1. The applicant is advised that all demolition activities must comply with the Control of Asbestos Regulations 2012. Any identified asbestos-containing materials (ACMs) must be removed by a licensed contractor, and all hazardous waste must be disposed of in accordance with relevant environmental legislation and guidance.

2. Biodiversity Net Gain

Where the local planning authority at the time of granting planning permission considers that approval of a Biodiversity Gain Plan will be required before development commences.

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be North Yorkshire Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition.

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
 - (i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or
 - (ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.
4. The permission which has been granted is for development which is exempt being:

4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

- i) the application for planning permission was made before 2 April 2024;
- ii) planning permission is granted which has effect before 2 April 2024; or
- iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

4.2 Development below the de minimis threshold, meaning development which:

- i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the

dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

- i) consists of no more than 9 dwellings;
- ii) is carried out on a site which has an area no larger than 0.5 hectares; and
- iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.6 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

* "original planning permission means the permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

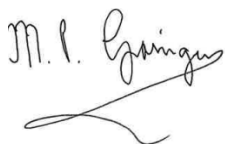
Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

3. The applicant is advised that:

- Any surface water discharge into any Ordinary Watercourses in the IDB district requires consent from the Drainage Board.
- Any works to, on, under or near (within 9m) of a Watercourse requires consent from the Drainage Board.
- Temporary works may also require Consent from the Drainage Board.

4. The applicant is advised that an Environmental Permit issued by the Environment Agency under The Environmental Permitting (England & Wales) Regulations 2016 is required to operate a farm where the capacity exceeds 40,000 poultry places, as is the intention at Thornton le Moor Farm, Thornton le Moor, Northallerton, DL7 9JD. A permit must be in place before the farm is stocked.



Martin Grainger
Head of Development Management

DATE 27 March 2026

NOTES

This is an approval under the Town and Country Planning Act only. It does not absolve the applicant from the necessity of obtaining Listed Building consent if necessary or approval under the Building Regulations, or of obtaining approval under any other Bye-laws, Local Acts, Orders, Regulations and Statutory Provisions in force, and no part of the proposed development should be commenced until such further approval has been obtained.

YOUR RIGHTS OF APPEAL ARE AVAILABLE AT www.northyorks.gov.uk/planning

