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Stephen Hunt Interim Executive Director of Planning and Economic Regeneration

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Your Ref:
Contact: Mr Calum Rowley
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Date: 12 January 2026

Application No: **25/02706/STPLFE**

Case Officer: Mr Calum Rowley

NOTICE OF DECISION

TOWN AND COUNTRY PLANNING ACT 1990

Proposal:	Erection of 3 poultry sheds and 6 feed bins with associated infrastructure
Location:	Old Rush Farm , Spaldington Road, Spaldington, East Riding Of Yorkshire, DN14 7GX
Applicant:	Ruston Eggs Ltd
Application type:	Strategic - Full Planning with EIA

The above application has been considered by the Council in pursuance of their powers under the above mentioned Act and has been **APPROVED**, in accordance with the terms and details as submitted, subject to the following conditions:

The application included an Environmental Statement in accordance with the requirements of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended). In reaching this decision the Planning Authority has had regard to all of the environmental information.

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

This condition is imposed in order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 and in order to ensure that the Local Planning Authority retains the right to review unimplemented permissions.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

IP/25/REL/02 - Location Plan - received 26 September 2025
IP/25/REL/03 - Proposed Site Plan - received 18 September 2025
IP/25/REL/04 - Proposed Floor Plans and Elevations - received 18 September 2025
IP/25/REL/05 - Access Improvements - received 21 November 2025

This condition is imposed in accordance with policy ENV1 of the East Riding Local Plan Update and for the avoidance of doubt and to ensure that the development hereby permitted is carried out in accordance with the approved details in the interests of the character and amenity of the area and the provisions of the development plan.

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be in accordance with those stated on the application form (Polyester coated profile sheeting in olive green RAL 6003).

This condition is imposed in accordance with policy ENV1 of the East Riding Local Plan Update and for the avoidance of doubt and because if the external surfaces of the development were to consist of inappropriate materials, the development would detract from the appearance of the area.

4. The poultry buildings hereby approved shall not be brought into use until the access has been improved, in accordance with plan number IP/25/REL/05 received 21 November 2025. The access shall thereafter be maintained to ensure no debris is carried onto the public highway throughout the lifetime of the development.

This condition is imposed in accordance with policy ENV1 and EC4 of the East Riding Local Plan Update and to ensure debris is not being carried onto the public highway from the site.

5. All Poultry Manure shall be disposed of in accordance with sections 10.4 and 10.5 of the Environmental Statement prepared by Ian Pick, dated September 2025. Any change shall be with the prior written consent of the Local Planning Authority.

This condition is imposed in accordance with policy ENV1 and ENV6 of the East Riding Local Plan Update and Section 26 of the Town and Country Planning (Environmental Impact Assessment) Regulation 2017 in the interests of residential amenity, to minimise the risk of pollution and to ensure the environmental impacts of the proposal are fully considered.

6. No development shall take place on site until an Operational Traffic Management Plan (OTMP) presenting operational staff numbers, shift patterns and traffic movements has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter operate strictly in accordance with the approved OTMP.

This pre commencement condition is imposed in accordance with policy ENV1 of the East Riding Local Plan Update and in order to ensure that vehicles leaving the site do not drag mud and other detritus onto the public highway to the detriment of road safety and visual amenity

7. No development shall take place on site, including any works of demolition, until a Construction Traffic Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved CTMP shall be adhered to throughout the construction period. The Plan shall provide for:
 - i. Construction Access details
 - ii. the parking of vehicles of site operatives and visitors
 - iii. loading and unloading of plant and materials
 - iv. storage of plant and materials used in constructing the development
 - v. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - vi. measures to control the emission of dust and dirt during construction including wheel washing
 - vii. a scheme for recycling/disposing of waste resulting from demolition and construction works

- viii. measures for the protection of the natural environment
- ix. Abnormal Load information
- x. hours of construction, including deliveries; and
- xi. A CTMP site plan showing the above

This pre commencement condition is imposed in accordance with policy ENV1 of the East Riding Local Plan Update and in order to minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

- 8. The development shall not be brought into use until the approved surface water drainage details have been fully implemented in accordance with plan reference IP/25/REL/03 and the Flood Risk and Drainage Assessment Report dated September 2025 by Egorum. The surface water drainage system shall be managed and maintained in accordance with the approved details.

This condition is imposed in accordance with policy ENV6 of the East Riding Local Plan Update and in order to ensure that the proposal is provided with a satisfactory means of drainage.

- 9. No development shall take place on site until a planting, enhancement and maintenance scheme to provide for modified grassland creation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall indicate:
 - a) species, plant sizes and proposed numbers/densities
 - b) method of establishment and management to achieve stated condition

Retained features and landscape improvements must be implemented in full accordance with the approved planting scheme and the timescales set out in the final approved Biodiversity Gain Plan (see informative) and Statutory Biodiversity Metric. Approved measures must be maintained in line with the stated condition and be managed and retained for a period of 30 years.

This pre-commencement condition is imposed in accordance with the requirements of Schedule 7A to the Town and Country Planning Act 1990 and policy ENV5 of the East Riding Local Plan Update and in the interests of the visual amenities of the area.

- 10. Notice in writing, including photographic evidence, shall be given to the Local Planning Authority within three months of each of the following milestones:
 - a) habitat creation and enhancement works as set out in the final approved Biodiversity Gain Plan have been completed (year 0); and
 - b) habitats have met target condition (expected year 3)

This condition is imposed in accordance with policies S9 , ENV1 and ENV5 of the East Riding Local Plan Update to facilitate reporting of Biodiversity Gain delivery.

- 11. Development should be undertaken in strict accordance with the mitigation measures detailed within the Preliminary Ecological Appraisal Old Rush Farm, Spaldington (Emms and Barnett, September 2025) as submitted in support of the application.

This condition is imposed to avoid impacts to protected species and to comply with the Wildlife and Countryside Act 1981 (as amended) National Planning Policy Framework (NPPF), the Natural Environment and Rural Communities Act (NERC) 2006 and policy ENV5 of the Local Plan Update.

12. No development shall take place beyond damp proof course level until a Wildlife Enhancement Plan (WEP) has been submitted to, and approved in writing by, the Local Planning Authority. The WEP shall include all mitigation and enhancement measures recommended within the submitted ecological report; Preliminary Ecological Appraisal Old Rush Farm, Spaldington (Emms and Barnett, September 2025) and will include:

1. A timetable for implementation;
2. A detailed plan showing the locations and specification of the enhancement measures;
 - a) 4 bat boxes
 - b) 2 hedgehog boxes
3. Details of the lighting scheme that demonstrates overspill to natural habitat is avoided

The development shall be carried out in accordance with the approved details, evidence of installation submitted and the enhancement measures thereafter retained.

This condition is imposed to comply with the National Planning Policy Framework (NPPF), the Natural Environment and Rural Communities Act (NERC) 2006 and policy ENV5 of the Local Plan Update.

Notes to Applicant:

Environmental Permit

Before operations commence, a permit variation must be in place reflecting the change in broiler chicken numbers. We always advise operators use the free pre-application advice form at the earliest opportunity to clarify what documentation is required and to identify any potential permitting issues as a result of the proposed changes.

Access for Fire Service

It is a requirement of Approved Document B5, Section 15 Commercial Properties or B5, Section 13 for Domestic Premises that adequate access for firefighting is provided to all buildings or extensions to buildings. Where it is a requirement to provide access for high reach appliances, the route and hard standing should be constructed to provide a minimum carrying capacity of 26 tonnes.

Water Supplies for Fire Fighting

Adequate provision of water supplies for firefighting appropriate to the proposed risk should be considered. If the public supplies are inadequate, it may be necessary to augment them by the provision of on-site facilities. Under normal circumstances hydrants for industrial unit and high-risk areas should be located at 90m intervals. Where a building, which has a compartment of 280m² or more in the area is being erected more than 100m from an existing fire hydrant, hydrants should be provided within 90m of an entry point to the building and not more than 90m apart. Hydrants for low risk and residential areas should be located at intervals of 240m.

Protected Species

The granting of planning permission does not absolve the applicants from complying with the relevant law protecting species, including obtaining and complying with the terms of conditions of any licences required, as described in Part IVB of Circular 06/2005.

Should any protected species or evidence of protected species be found prior to or during development, work must stop immediately, and Natural England contacted for further advice on 0300 060 3900. This is a legal requirement under the Wildlife and Countryside Act 1981 (as

amended) and applies to whoever carries out the work.

Biodiversity Net Gain

Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 states 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.

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.
 - 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.

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
(i) 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 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.

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.

Relevant Planning Policies:

East Riding Local Plan Strategy Document Update (ERLPU SD) (April 2025):

S1 Presumption in favour of sustainable development

S2 Addressing climate change

S4 Supporting development in Villages and the Countryside

ENV1 Integrating high quality design

ENV2 Promoting a high quality landscape

ENV4 International, National and Local Sites of Importance for Biodiversity

ENV5 Enhancing biodiversity and geodiversity

ENV6 Managing environmental hazards

EC1 Supporting the growth and diversification of the East Riding economy

EC4 Enhancing sustainable transport

A4 Goole and Humberhead Levels sub area

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

National Design Guide (NDG)

East Riding of Yorkshire Landscape Character Assessment (2018)

Sustainable Transport SPD

Flood Risk Sequential and Exception Test SPD

ERYC Design Code

Legislation

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017

In making this decision the Council has followed the requirements in paragraph 39 of the National Planning Policy Framework.

Signed

A handwritten signature in black ink that reads "Stephen Hunt". The signature is written in a cursive, slightly slanted style.

12 January 2026

Stephen Hunt MRTPI
Director of Planning and Development Management

NOTES TO ACCOMPANY THIS DECISION

Appeals to the Secretary of State

If you are aggrieved by this decision you can appeal to the Planning Inspectorate. Appeals can be made online by accessing the Planning Inspectorate website (links shown below) dependant upon the type of application. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on telephone number: 0303 444 5000.

Appeals must be made on the correct forms relating to the type of application you submitted. Information provided as part of the appeal process will be published online.

If you wish to appeal against a decision relating to:

Householder applications - appeals must be made within 12 weeks of the date of this notice; please refer to Planning Inspectorate guidance at <https://www.gov.uk/appeal-householder-planning-decision>

Minor commercial applications - appeals must be made within 12 weeks of the date of this notice; please refer to Planning Inspectorate guidance at <https://www.gov.uk/appeal-minor-commercial-development-decision>

Advertisement consents - appeals must be made within 8 weeks of the date of this notice; please refer to Planning Inspectorate guidance at <https://www.gov.uk/appeal-decision-consent-display-advertisement>

Any other type of application – appeals must be made within 6 months of the date of this notice; please refer to planning Inspectorate guidance at <https://www.gov.uk/appeal-planning-decision>

Appellants requesting an inquiry into their appeal must notify the Local Planning Authority and Planning Inspectorate at least 10 days prior to appeal submission.

Please note - If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, you must appeal within 28 days of the date of this notice. Please refer to Planning Inspectorate guidance at <https://www.gov.uk/appeal-enforcement-notice>

If an enforcement notice is served relating to the same land and development as in your application, you must appeal within 28 days of the date of service of the enforcement notice or within 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

Purchase Notice

If either the Local Planning Authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by carrying out any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with Part VI of the Town and Country Planning Act 1990.

Approval of Details Required by Conditions

A fee is payable for the submission of any matters required to be submitted for approval by any conditions attached to this permission. The fee is payable for each submission, not for each condition. Please refer to the council's website at www.eastriding.gov.uk for more information.