

NOTICE OF DECISION

**TOWN AND COUNTRY PLANNING ACT 1990
FULL APPLICATION FOR PERMISSION TO CARRY OUT DEVELOPMENT**

NORTH YORKSHIRE COUNCIL, THE LOCAL PLANNING AUTHORITY, HAS CONSIDERED THIS APPLICATION AND HAS DECIDED IT SHOULD BE APPROVED SUBJECT TO THE CONDITIONS STATED BELOW:

DECISION NO: ZE25/01367/MFUL
PROPOSAL: Erection of 2no. additional poultry houses and associated infrastructure
LOCATION: Kirby Wold Farm Wold Road West Lutton North Yorkshire
APPLICANT: Mr Mark Leeson (Kirby Wold Farming Ltd)
DATE: 23rd April 2026

REASON FOR APPROVAL

The proposed development is in accord with the following development plan policies and there are no other material considerations that outweigh those listed development plan policies:

Local Plan Strategy -Policy SP1 General Location of Development and Settlement Hierarchy
Local Plan Strategy -Policy SP9 The Land-Based and Rural Economy
Local Plan Strategy - Policy SP13 Landscapes
Local Plan Strategy - Policy SP14 Biodiversity
Local Plan Strategy - Policy SP16 Design
Local Plan Strategy - Policy SP17 Managing Air Quality, Land and Water Resources
Local Plan Strategy - Policy SP20 Generic Development Management Issues
National Planning Policy Framework
National Planning Practice Guidance

CONDITIONS AND ASSOCIATED REASONS

01 The development hereby permitted shall be begun within three years of the date of this permission.

Reason: To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004

02 The development hereby permitted shall be carried out in accordance with the following approved plan(s):

- Site Location Plan (Drawing no. IP/25/KWF/01)
- Proposed Site Plan A1 (Drawing no. IP/25/KWF/02)
- Elevations A1 (Drawing no. IP/25/KWF/03)

Reason: for the avoidance of doubt and in the interests of proper planning.

03 Unless otherwise agreed in writing with the Local Planning Authority, all construction shall be undertaken within the following hours:

- Monday to Friday: 07:30-18:00 (noise generating operations shall be restricted to 08:00-18:00)
- Saturday: 08:30-17:00 (noise generating operations shall be restricted to 09:00-13:00)
- No construction work shall be permitted on Sunday and Bank Holidays

Informative: Construction noise level thresholds are not specified at this stage. Work outside these hours may be permitted in exceptional circumstances, subject to prior agreement with the Council's Environmental Health Team.

Reason: To protect the residential amenities that occupiers can reasonably expect to enjoy in accordance with Policy SP20 of the Ryedale Plan, Local Plan Strategy

04 Unless otherwise agreed in writing with the Local Planning Authority, all waste material collection and deliveries of construction materials to site shall be undertaken within the following hours:

- Monday to Friday: 08:00-18:00
- Saturday: 08:00-13:00

No waste material collection or deliveries of construction materials shall be permitted on Sunday and Bank Holidays

Any variation to these hours must be submitted to and agreed in writing by the Local Planning Authority prior to implementation.

Reason: To protect the residential amenities that occupiers can reasonably expect to enjoy in accordance with Policy SP20 of the Ryedale Plan, Local Plan Strategy

05 Prior to its installation, a comprehensive lighting scheme should be submitted to and approved in writing by the Local Planning Authority, including the following information:

- Type and specification of lighting units (e.g., LED, low-glare fittings)
- Location and orientation of all luminaires
- Hours of operation
- Measures to prevent light spill and glare (e.g., shielding, directional fittings)
- Compliance with relevant guidance such as the Institution of Lighting Professionals (ILP) Guidance Notes for the Reduction of Obtrusive Light

Reason: To ensure external lighting does not cause undue disturbance to neighbouring properties and occupiers, protects the local environment, and aligns with best practice for light pollution control in accordance with Policies SP16 and SP20 of the Ryedale Plan, Local Plan Strategy.

- 06 The development shall operate in full accordance with the submitted Farm Waste Management Plan unless otherwise agreed by the Local Planning Authority.

Reason: To ensure manure and waste does not cause any disturbance to neighbouring properties and occupiers, protects the local environment, and aligns with best practice for manure management in accordance with Policies SP16 and SP20 of the Ryedale Plan, Local Plan Strategy.

Informative: No stockpiling in locations should be undertaken that may lead to nuisance, odour, runoff, or uncontrolled vermin issues

- 07 The development shall be carried out in accordance with the submitted Flood Risk Assessment and Drainage Strategy, Egorum, Reference 0546/3/FRA, Revision 00, Dated 13/11/2025

Reason: To reduce the risk of flooding associated with the proposed development in accordance with Policy SP17 of the Ryedale Plan, Local Plan Strategy.

- 08 No development must commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development must be undertaken in accordance with the approved plan.

The Plan must include, but not be limited, to arrangements for the following in respect of each phase of the works:

1. details of any temporary construction access to the site including measures for removal following completion of construction works;
2. restriction on the use of Kirby Wold Farm Wold Road West Luton North Yorkshire YO17 8DG access for construction purposes;
3. wheel washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway;
4. the parking of contractors' site operatives and visitor's vehicles;
5. areas for storage of plant and materials used in constructing the development clear of the highway;
6. details of the measures to be taken for the protection of trees; and
7. contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.

Reason: In the interest of public safety and amenity in accordance with Policy SP20 of the Ryedale Plan, Local Plan Strategy.

- 09 Development may not be begun unless:
- (a) A finalised Biodiversity Metric and biodiversity gain plan have been submitted to the Local Planning Authority; and
 - (b) The Local Planning Authority has approved the metric and plan.

The biodiversity gain plan shall include a habitat management and monitoring plan setting out how new & retained habitats would be established, managed and monitored for the standard 30-year period.

The biodiversity gain plan shall be implemented in accordance with the agreed details.

Reason: In the interests of preserving and enhancing biodiversity in relation to mandatory Biodiversity Net Gain and Local Policy SP14 of The Ryedale Local Plan Strategy 2013

INFORMATIVE(S)

01 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 Kirby Wold Farm, Wold Road, West Lutton, YO17 8DG.

A permit must be in place before the farm is stocked.

If an application is successful and a permit was issued, it would place controls on the farm covering issues including:

- Management - including general management, accident management, energy efficiency, efficient use of raw materials and waste recovery.
- Operations - including permitted activities and operating techniques (including the use of poultry feed, housing design and management, slurry spreading and manure management planning).
- Emissions - to water, air and land including to groundwater and diffuse emissions, transfers off site, odour, noise and vibration, monitoring.
- Information - records, reporting and notifications.

02 Emissions to land, air or water, including odour and noise that are generated outside of the installation boundary would not be addressed by any issued permit. This will apply to the following activities:

- emissions from landspreading of slurry and manure (the permit would set controls for landspreading of slurry and manure but it will not assess the impact of emissions from landspreading);
- the transport of manure from the installation to fields using a tractor and trailer;
- the transport from the installation through permanent or temporary pipework of slurry;
- the provision of office and toilet facilities.

03 The Applicant is reminded of their duty to prevent the escape of dust from the application site during the construction phase that could harmfully effect third party receptors. Further advice on that matter can be provided by the Council's Environmental Health Team.

04 Attention should be paid to ensure that all plant, equipment, and mechanical ventilation systems must be designed, installed, and maintained to ensure no harmful noise impacts are experienced by third party receptors

- 05 Any alterations to drainage arrangements should not create environmental or public health risks. Measures should be undertaken to prevent pollution of watercourses, ensure surface water is managed in accordance with SuDS principles and prevent contaminated runoff from operational area.

In dealing with and determining this application, the Local Planning Authority have sought to take a positive approach to foster the delivery of sustainable development in accordance with the requirements of the National Planning Policy Framework. As such, the Local Planning Authority has taken steps to work proactively with the applicant to seek solutions to problems that may have arisen in dealing with this application with a view to improving local economic, social and environmental conditions.

NO CONSENT OR APPROVAL HEREBY GIVEN REMOVES ANY REQUIREMENT TO SERVE NOTICES OR SEEK APPROVAL FROM THE COUNCIL WHERE SUCH ACTION IS REQUIRED BY THE BUILDING ACT 1984 OR OF ANY OTHER STATUTORY PROVISION. NO PART OF THE PROPOSED DEVELOPMENT SHOULD BE STARTED WITHOUT COMPLYING WITH SUCH REQUIREMENT.



Martin Grainger
Head of Development Management

Date: 23rd April 2026

Mr Mark Leeson (Kirby Wold Farming Ltd)
C/O Mr Ian Pick (Harrison Pick Ltd)
Station Farm Offices Wansford Road Nafferton Driffield YO25 8NJ

NOTES

This is an approval under the Town and Country Planning Act only.

YOUR RIGHTS OF APPEAL ARE

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

Where 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, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

Otherwise, if an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do

so 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.

If this is a decision to refuse planning permission or prior approval for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

If this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

If this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.

Otherwise, if you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://acp.planninginspectorate.gov.uk>

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 to the Secretary of State 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.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the submitting the appeal. Further details are on [GOV.uk](https://www.gov.uk).