

**North Yorkshire Council**

**Community Development Services**

**Selby and Ainsty Area Planning Committee**

**16<sup>th</sup> February 2026**

**HGTZC24/03441/EIAMAJ - Demolition of existing poultry farm followed by the erection of a replacement poultry farm including six poultry houses with solar panels on their roofs, feed bins, heat exchangers, concrete apron, dirty water tanks, gas tanks, hardstanding, gate house and drainage attenuation pond.**

**At Ouseburn Farm, Carr Field, Lane Upper, Dunsforth, York, North Yorkshire, YO26 9SD**

**on behalf of Amber Real Estate Investments  
(Agriculture) Ltd**

**Report of the Head of Development Management – Community Development Services**

**1.0 Purpose of the Report**

- 1.1. To determine a planning application for demolition of an existing poultry farm followed by the erection of a replacement poultry farm including six poultry houses with solar panels on their roofs, feed bins, heat exchangers, concrete apron, dirty water tanks, gas tanks, hardstanding, gate house and drainage attenuation pond on land at Ouseburn Farm, Carr Field Lane, Upper Dunsforth.
- 1.2. The application is brought to the Selby and Ainsty planning committee as it is an application accompanied by an Environmental Impact Assessment that is considered to be of a significant scale and recommended for approval.

**2.0 EXECUTIVE SUMMARY**

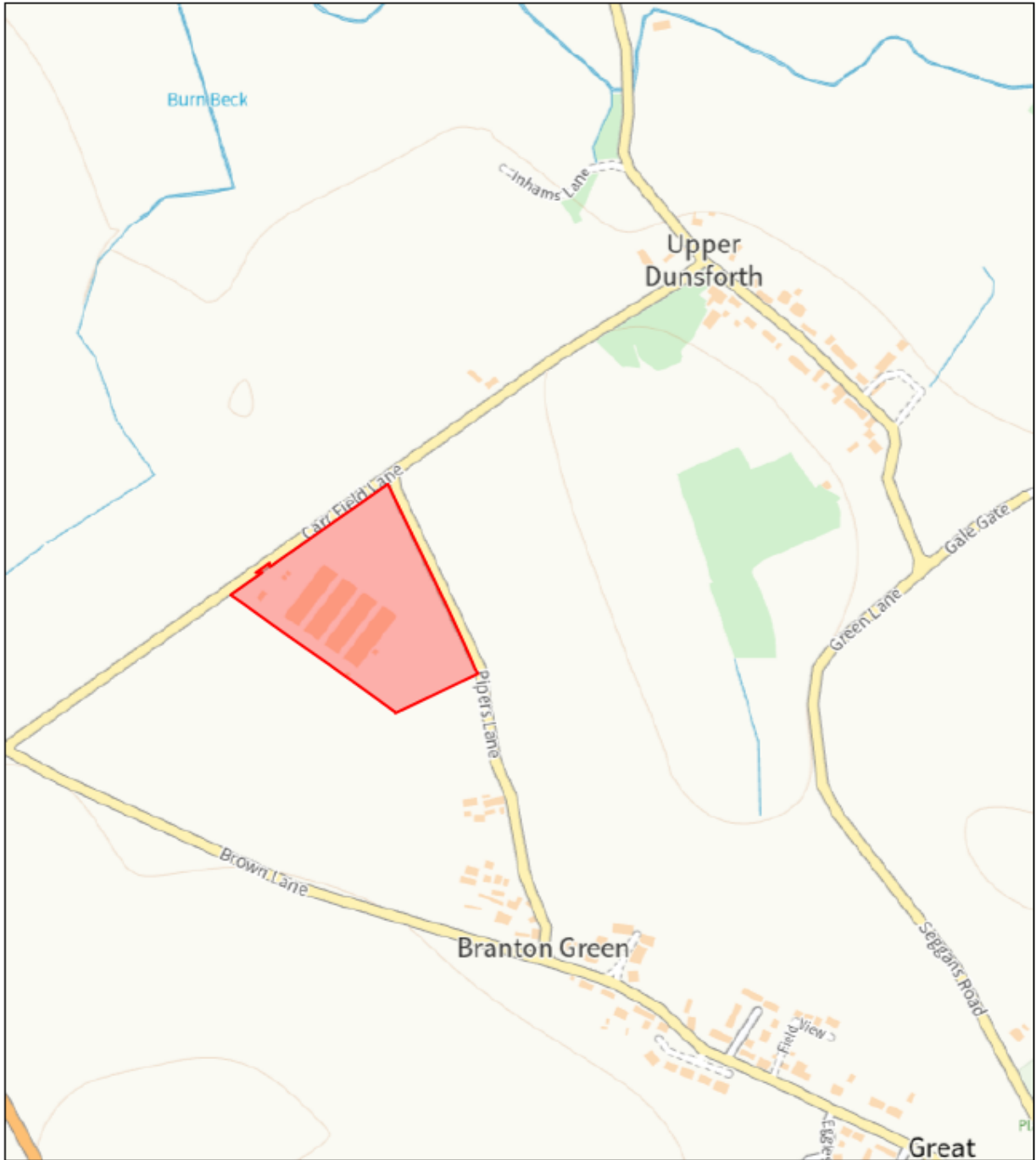
**RECOMMENDATION: That planning permission be GRANTED subject to the completion of a S106 Agreement and conditions listed below.**

- 2.1 The application seeks full planning permission for six poultry houses with solar panels on their roofs, feed bins, heat exchangers, concrete apron, dirty water tanks, gas tanks, hardstanding, gate house and drainage attenuation pond on land at Ouseburn Farm, Carr Field Lane, Upper Dunsforth. The application site is off Carr Lane, that links to

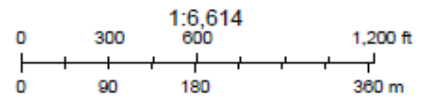
Broad Gate and then onto the B6265. The villages of Upper Dunsforth, Great Ouseburn and Marton Cum Grafton are located east, south east and west of the application site.

- 2.2 The site operates as an existing poultry farm therefore the principle of its redevelopment is considered to be acceptable. Key issues for consideration relate to use of agricultural land, landscape impact, flooding, highways, sustainability, amenity and ecology.
- 2.3 Overall, for the reasons set out in this report, it is considered that the proposal is compliant with the overarching policies of the development plan and national planning policy requirements and therefore represents sustainable development.
- 2.4 The application has been submitted with an Environmental Statement, which has been provided in accordance with relevant legislation and which has not identified any significant environmental effects resulting from the development that would justify refusal. Where the Environmental Statement has identified adverse impacts, they have been minimised through a combination of appropriate mitigation and compensation measures.

# Map



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### **3.0 Preliminary Matters**

- 3.1. Access to the case file on Public Access can be found [here](#): -
- 3.2. The site has a long history as a poultry farm. The following is a summary of the relevant planning applications:

HGT94/01542/FUL - OUSEBURN FARM, CARRSFIELD LANE, UPPER DUNSFORTH  
Demolition of existing poultry houses and replace with new on existing bases. -  
Permitted - 18.08.1994

### **4.0 Site and Surroundings**

- 4.1 This application relates to a 4.4 hectare site called Ouseburn Farm, a poultry farm located roughly 0.25km from the eastern edge of the village of Great Ouseburn.
- 4.2 The site currently comprises of four poultry sheds, which are used for broiler chicken production with a total capacity of 135,000 birds. The buildings are set in the ground with mature planting to the north-east and south-west. Ancillary buildings associated with the farm are located to the north and east of the poultry sheds. Arable farmland surrounds the sheds to the east and south, bounded by low mature hedgerow to the east flanking Pipers Lane and higher mature hedgerow to the north.
- 4.3 The site's topography is relatively flat where the poultry buildings are located, but fields towards Pipers Lane are elevated above the main built-up area of the site.
- 4.4 The site is accessed off Carr Field Lane with the access shared by an agricultural bungalow. This bungalow is within the application site area and adjacent to the existing buildings but does not form part of the redevelopment of the site. It is understood the manager of this poultry farm lives at this bungalow.
- 4.5 There are open arable fields that back onto the site. The application site is above an aquifer - zones 1 and 2. There is a Site of Special Scientific Interest (SSSI) approximately 300m to the east of this application site known as Upper Dunsforth Carrs SSSI. The site is identified as falling within Landscape Character Area *91: Marton Rolling Arable Farmland* within the Harrogate Landscape Character Assessment.

## **5.0 Description of Development**

- 5.1 The application proposes the demolition of the existing poultry farm buildings followed by the erection of a replacement poultry farm including six poultry houses with solar panels on their roofs, feed bins, heat exchangers, concrete apron, dirty water tanks, gas tanks, hardstanding, gate house and drainage attenuation pond.

## **6.0 Planning Policy and Guidance**

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each application in accordance with the planning policies that comprise the Development Plan unless material considerations indicate otherwise.

### Adopted Development Plan

- 6.2 The adopted development plan (ADP) for this application site is:

- Harrogate District Local Plan 2014 - 2035 adopted 2020
- Minerals and Waste joint Plan adopted 2022.

### Emerging Development Plan - Material Consideration

- 6.3 The North Yorkshire Local Plan is the emerging development plan for this site though no weight can be applied in respect of this document at the current time as it is at an early stage of preparation.

### NPPF Consultation

- 6.4 The Government has commenced a consultation exercise on a new draft of the NPPF. The consultation exercise is currently underway. One of the proposed changes is to the rural business development guidance in paragraph 88 of the current NPPF. The draft NPPF looks to redraft paragraph 88 with some changes to align with the wider policies for inside and outside settlements and strengthen support for various types of agricultural development and diversification. Whilst draft proposed changes to national policy can be treated as a material consideration, officers are of the view that given that this is only subject to consultation and represents no change from current policy, no more than negligible weight should be given to the suggested change in the NPPF currently out for consultation.

## Guidance - Material Considerations

6.5 Relevant Guidance for this application is:

- National Planning Policy Framework
- National Planning Practice Guidance
- Providing Net Gain for Biodiversity SPD 2021
- Harrogate Landscape Character Assessment 2004

## **7.0 Consultation Responses**

7.1 The following consultation responses have been received and have been summarised below:

7.2 **Environment Agency** - Raised no objection to the application, but advised that the applicant would need to apply to vary their permit with the EA.

7.3 **Ecologist** - No objection subject to conditions to secure the Biodiversity Net Gain Plan, Habitat Management and Monitoring Plan, a Construction Ecological Management Plan, provision of bat roosting boxes and hedgehog next boxes. .

7.4 **Landscape Officer** –No objection subject to conditions requiring a detailed landscaping scheme and planting to be undertaken in the first available planting season.

7.5 **Environmental Health Officer** - No objection.

7.6 **Arboricultural Officer** - No objection but noted landscape scheme and BNG requirement may change trees to be planted. These comments were addressed later in the application process through changes to the landscape plan and BNG agreed plan. It is recommended in line with the Landscape Officer comments that a landscaping scheme condition be added to the decision notice.

7.7 **Highways Officer** - No objection subject to conditions requiring the access to be constructed in accordance with standard details, visibility splays to be provided, delivery of off-site highway works to the junction of Broad Gate and the B6265, the provision of access, parking and turning areas and a Construction Management Plan.

7.8 **North Yorkshire Police** - No objection to the application.

7.9 **Natural England** - Raised no objection to the application.

- 7.10 **Minerals and Waste Planning Team** - No comment raised to this application.
- 7.11 **Yorkshire Water** - Raised no comment to this application.
- 7.12 **LLFA** – No objection to the application subject to conditions to secure detailed drainage design and management of surface water for the scheme.
- 7.13 **MOD Safeguarding** – No objection.
- 7.14 **Parish Council** - The neighbouring Parish Council for Marton-Cum-Grafton was consulted on this application but no comment has been received.
- 7.15 **Parish Council** - The Parish Council for Great Ouseburn was also consulted and raised an objection to this application on the grounds of visual impact, traffic disruption and potential odour issue.
- 7.16 **Yorkshire Wildlife Trust** - Raised concerns with the application. They noted that the poultry farm was existing but concerned about its proximity to a SSSI. Concerned about the ammonia impact from the site on the sensitive local wildlife. The biodiversity protections and improvements should be conditioned. The scheme does not currently comply with BNG.

#### Local Representations

- 7.17 At the time of writing this report no public consultation comments have been received.

### **8.0 Environmental Impact Assessment**

- 8.1 The proposed development falls within the definition of Section 17 of Schedule 1 of the Town & Country Planning (Environmental Impact Assessment) Regulations 2017 (the "EIA Regulations"), 'Installations for the intensive rearing of poultry or pigs' as it exceeds the threshold of 85,000 broilers as defined in Section 17 part (a). The current number of birds is 135,000 and the application proposes increasing to 270,000 birds. The EIA regulations require that any development which is listed in Schedule 1 be subject to EIA. The application is accompanied by an Environmental Statement covering the following topic areas:

- Noise Impact Assessment
- Odour Management Plan
- Preliminary Ecological Appraisal
- Ammonia Impact Assessment

- Flood Risk and Drainage Assessment
- Insect Management Plan
- Landscape and Visual Appraisal
- Phase 1 Land Contamination Assessment
- Sustainability Statement
- The Statutory Biodiversity Metric
- Transport Statement
- Arboricultural Survey
- Arboricultural Method Statement
- Arboricultural Impact Assessment
- Waste Management Strategy

8.2 The applicant has submitted an Indirect Environmental Impact Statement, which considers the indirect environmental impacts that are not a direct result of the primary poultry activities on site; but occur through their supply chain (upstream) or the end-of-life of their products (downstream). The areas covered in the applicant's Indirect Environmental Impact Statement include, transport, waste management, energy use, drainage and water management and broader environmental and community impacts.

8.3 Appropriate consultation has been undertaken and likely significant effects and mitigation or monitoring considered. The Council considers that the ES information presented is up to date and reasoned conclusions reached on the basis of the information submitted.

## **9.0 Main Issues**

9.1 The main issues are:

- Principle of development
- Use of Agricultural Land
- Design, Landscape and Visual Impact
- Highways Impact
- Amenity
- Flood Risk and Drainage
- Biodiversity and Ecology
- Air Pollution including - Odour and Dust
- Arboriculture
- Cumulative Effects, Indirect Impact Assessment and Waste Management
- Land Contamination
- Other Matters

## 10.0 ASSESSMENT

### Principle of Development

- 10.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The Harrogate District Local Plan 2014-2035 was adopted by Harrogate Borough Council on 4 March 2020. Following adoption, a legal challenge was raised against the new settlement policies. In line with the court order received, the whole of the plan was remitted to the Council and formally adopted, with the new settlement policies, on 9 December 2020. Policies relevant to this proposal can therefore be given full weight.
- 10.2 The Local Plan sets out a growth strategy with the focus for development being those settlements listed in Policy GS2. The application site is located outside the development limits of any settlement and is therefore within the open countryside. Policy GS3 advises that outside development limits proposals for new development will only be supported where expressly permitted by other policies of this plan, a neighbourhood plan or national planning policy.
- 10.3 Paragraph 88(a) of the National Planning Policy Framework (NPPF) supports the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, new buildings.
- 10.4 Policy EC2 of the Harrogate Local Plan supports the expansion of existing existing businesses in the open countryside and businesses that are not in established employment areas. There are 6 criteria set out in the policy to consider all of which must be met: A. there is a proven need for such development in terms of business opportunity or operational requirements; B. the proposed development cannot physically and reasonably be accommodated within the curtilage of the existing site; C the scale of development is appropriate in the proposed location; D. there is no unacceptable impact on the character of the countryside, the surrounding landscape the form and character of the settlement or biodiversity; E. there is no unacceptable impacts upon the operation of the highway network F. there are no significant adverse impacts on residential amenity. Compliance with this policy is considered throughout this report in the sections below.
- 10.5 The proposal is for the rebuilding and expansion of an existing poultry farm, so the site is fit to meet the growing demands for chicken production and meet modern welfare standards. The expansion cannot be accommodated within the existing built form of the site and requires to be extended into the adjacent field within the ownership of the applicant.
- 10.6 The principle of a poultry farm on this site is established through the current use and the applicant has not considered any alternative sites for this reason. As the business is

established for over 20 years at the site; it is considered reasonable that no alternative sites are considered, as the business is already established on the site. The proposed poultry unit will produce standard birds, based on a 38-day growing cycle, with 10 days at the end of each cycle for cleanout and preparation of the buildings for the incoming flock. This is an expansion of an existing business and it is considered criteria A and B of policy EC2 of the Harrogate Local Plan are met. The remaining criteria of Policy EC2 of the Local Plan are considered in greater detail below. To reiterate, it is considered that the proposed replacement poultry farm and proposed associated paraphernalia is acceptable in principle and is already established on this site.

### Use of Agricultural Land

- 10.7 The current and proposed uses of the site remain agricultural. However, as the scheme proposes the extension of built form into adjacent agricultural land it is necessary to consider the potential impact of this. Local Plan Policy NE8 advises that the best and most versatile land (BMV) will be protected from development not associated with agriculture or forestry except where it can be demonstrated to be necessary. Planning permission for development affecting such land will only be granted exceptionally if there is an overriding need for the development and either:
- A. Sufficient land of a lower grade (grades 3b, 4 and 5) is unavailable or available lower grade land has an environmental value recognised by a statutory wildlife, historic, landscape or archaeological designation and outweighs the agricultural considerations; or
  - B. The benefits of the development justify the loss of high quality agricultural land.
- 10.8 Paragraph 187(b) of the NPPF advises that planning policies and decisions should recognise the intrinsic character and beauty of the countryside and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land and of trees and woodland. Footnote 65 advises that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. The availability of agricultural land use for food production should be considered, alongside the other policies in the Framework, when deciding which sites are most appropriate for development.
- 10.9 The Agricultural Land Classification Yorkshire and The Humber advises that the application site falls within an area classed as grade 2. The site is currently in agricultural use as a poultry farm. Whilst the proposal will require expansion into the adjacent field for the new buildings, the use remains agricultural and therefore satisfies Policy NE8 and the NPPF. The redevelopment of the site will enable the existing poultry business to invest and improve operations and be built to modern day standards. The use remains an agricultural activity, albeit a different agricultural use of the land.

- 10.10 Officers have given careful consideration to the weight that should be given to the use of agricultural land and appreciating the policy context. Whilst it is acknowledged that the proposal would change the use of this agricultural land from the growth of crops for animal feed this is balanced against the weight that should be afforded to the benefits of provision of expansion of an existing poultry business and the ecological enhancements proposed. It is therefore considered that the applicant has followed a reasonable approach to site selection and the proposal accords with the provisions of paragraph 187(b) of the NPPF and Policy EC2 (criteria A and B) and NE8 of the Local Plan.

#### Design, Landscape and Visual Impact

- 10.11 Local Plan Policy HP3 "Local Distinctiveness" requires development to incorporate high quality building, urban and landscape design that protects, enhances or reinforces those characteristics, qualities and features that contribute to the local distinctiveness of the district's rural and urban environments.
- 10.12 Local Plan Policy NE4 requires proposals to protect, enhance or restore the landscape character of the district. Development should maintain the aesthetic and biodiversity qualities of the natural and man-made heritage within the landscape, be informed by and sympathetic to the distinctive landscape character areas in the Harrogate District Landscape Character Assessment, protect and/or enhance the character, appearance and local distinctiveness of the landscape and protect visually sensitive areas. Development which would harm or be detrimental to the character of the local and wider landscape or the setting of a settlement will be resisted.
- 10.13 The Harrogate Landscape Character Assessment (2004) is Supplementary Planning Guidance which identifies the character of individual landscape character areas and offers guidelines for development to ensure such character is maintained. This site lies on the edge of character area 91 'Marton Rolling Arable Farmland' where the landscape is noted as being intensively managed for cereal and root crops with the majority of hedgerows having been lost, leaving fields open. There are few individual trees and tree cover is sparse although isolated small woodland blocks can disperse views. Consequently, the Landscape Character Assessment seeks to discourage large scale development sensitive to the openness of the area, and development in prominent locations.
- 10.14 As part of the ES the applicant has provided details of design and landscape and visual assessment of their proposal on its surroundings. The reports set out how this application seeks the demolition of an existing poultry farm followed by the erection of a replacement poultry farm including six poultry houses with solar panels on their roofs, 10 feed bins, sited adjacent to the buildings, six heat exchangers, also adjacent to the buildings, two dirty water tanks, 10 gas tanks, hardstanding around the buildings, gate house and drainage attenuation pond. The buildings are larger in dimensions (approximately width 2.5m x length 9.8m x height to ridge 6.4m) and the number of poultry sheds (total of 6 sheds instead of currently 4) will be greater on site than the existing. The scale of the

development will provide 15,845 sq m of new buildings, plus the additional infrastructure required to facilitate the proposed use.

- 10.15 The applicant has submitted a Landscape and Visual Assessment and a Landscape Plan. During the course of the application process the applicant has amended their landscape plans and revised the layout to show more trees on the site to meet BNG requirements and to soften the presence of the buildings on the landscape as mitigation.
- 10.16 Concerns were initially raised by the Landscape Officer due to a lack of mitigation, inadequate Landscape and Visual Assessment and lack of a Glint and Glare Assessment. Revised information was provided in the spring of 2025, which added an amended soft landscape proposal plan and put forward the applicant's view that a Glint and Glare Assessment was not required in this instance as the solar panels would fall under permitted development regulations. The Council's view was taken that a Glint and Glare report would be required and the report was submitted in December 2025 for the Council's consideration. The Glint and Glare Report concluded there is no glint and glare impact predicted for the majority of residential and route receptors. Broad Gate Eastbound and Carr Field Lane Eastbound are assessed as Low significance. The mitigation measures recommended in the Glint and Glare Report to reduce the yellow glare impact to an acceptable level from the solar panels facing Pipers Lane Northbound would include changes to the tilt of the affected panels or the removal of panels on the eastern side of the development facing Pipers Lane, in order to reduce the visibility of reflections during the late afternoon and early evening period. Alternatively, removing the solar panels that would cause the yellow glare impact on Pipers Lane.
- 10.17 The Council's Landscape Officer responded by email (dated received 22/12/2026) confirming acceptance of the recommendations in the Glint and Glare Report. The Case Officer contacted the agent to understand which of the mitigation options set out in the Glint and Glare Report to reduce yellow glare on Pipers Lane they wished to progress. The applicant decided to remove the solar panels closest to Pipers Lane and amended plans have been submitted and referenced in condition 2. To ensure no further solar panels can be introduced that may cause a glint and glare impact; it is recommended that this permitted development right be removed by planning condition.
- 10.18 Wider visual effects are generally localised and limited due in most part to dense intervening mature vegetation between the viewer and site, the topography in the area and the similar setting of the proposed scheme formed by the existing poultry sheds and associated elements. As part of the ES landscape planting mitigation is proposed including:
- Management and retention of the native tree and hedgerow planting that sits around
  - the site boundary;
  - Additional planting along the sites existing boundary hedgerows to include native species trees;
  - The heights of built form to reflecting that of the existing poultry sheds;

- The use of materials for the external envelope of the buildings which minimise potential visual intrusion and follow the local vernacular to aid visual blending.

10.19 The ES concludes that with suitable mitigation measures, the development will have a minor visual impact and a negligible character impact on the landscape. The Council's Landscape Officer agreed with the findings in the ES and recommended amendments to the proposed plant species to include a variation in the proposed tree sizes to create a varied canopy. Oak, Scots Pine and Alder would be better as Standards size (250-300mm ht). It is considered this will have the added benefit of providing better screening following construction. This will be secured by condition.

10.20 With the addition of this condition the Landscape Officer was satisfied that the scheme is sufficient to screen the site subject to being able to secure a detailed landscaping scheme. In addition, planting should be undertaken in the first available planting season, the existing trees should be accurately shown on a plan and the layout adjusted to allow tree protection and additional screen planting. The existing trees should be located showing root protection areas and tree protection measures to BS5837.

10.21 A condition is proposed requesting an updated landscape plan to be submitted providing the amendments sought by the Landscape Officer and to require planting during the first planting season and requiring the planting to be replaced within 5 years if the planting fails. It is also recommended that an artificial lighting condition be included to require details of any external lighting to be submitted for approval prior to its installation. This is due to the site's location in a rural location and there being limited light pollution in the area that detracts from the rural character of the area at nighttime. This is in line with paragraph 198 of the NPPF. This condition was agreed with the Landscape Officer as overcoming their concerns and would present sufficient landscaping mitigation measures.

10.22 It is recommended that permitted development rights be removed from this site, which will include no renewable energy plant, solar panels, fixed plant or machinery, buildings, structures and erections or private ways shall be erected, extended, installed, rearranged, replaced, repaired or altered at the site. This is due to the expanse of the business close to Carr Lane and Pipers Lane. The landscape screening will help to screen the development as it is proposed, but if further expansion is allowed under permitted development rights without the assessment of the Council it is considered there may be a landscape concern.

10.23 All the buildings proposed will be single storey and the retention of the existing boundary treatment and the proposed additional planting will help to soften their presence on the landscape. The appearance of the proposed buildings is to be purpose-built poultry units, constructed from an internal steel frame with the external cladding being polyester coated profile sheeting in olive green. The ventilation chimneys will be in black plastic, and the feed bins in olive green plastic. The hard standing areas will be formed of concrete for the apron adjacent to the poultry houses, and from compacted stone for the

yard area. The scale, form and design of the proposed buildings will fit the existing agricultural character of the site and its predominant rural surroundings. The proposed materials to be used in the construction of the buildings are considered of a neutral palette to help blend the scheme into the surrounding landscape. A condition requiring the approval of the materials to be used in the construction of the buildings is recommended.

- 10.24 Alongside the new poultry buildings will be a number of ancillary buildings and features including an amenity building for staff, staff and visitor parking and an attenuation pond, The design and siting of these are considered to be acceptable and from longer landscape views will all be read as part of the chicken farm development, which will be softened by the retained and proposed planting in the landscape scheme.
- 10.25 The scheme includes 2m high palisade fencing, which is not of a character found in a rural setting generally. The applicant has advised that the fencing is necessary to meet modern biohazard standards, particularly in light of avian influenza (AI) outbreaks, a robust perimeter fence is essential. The fencing in parts will sit within the site behind the hedgerow which screens it better within the landscape. To ensure the fencing blends into the landscape, it is recommended a condition is added to require the colour of the fencing to be agreed.
- 10.26 Harrogate Local Plan Policies CC3 and CC4 set out the Council's policy for renewable and low carbon energy. A Sustainability Statement has been submitted that advises that the buildings are to be purposely designed to manage heat and energy needs. This is done through the construction materials and insulation for the buildings. Also the buildings will be fitted with fan assisted ventilation and biomass heating, with a computer control system which maintains the temperature curve within the buildings to create the optimum environment for the poultry. The heat supply into the buildings is via an LPG gas heating system, together with the use of heat exchangers which reduce the gas usage within the buildings by up to 50%. The estimated annual electricity usage of the development is 336,000 kwh per annum. To in part meet the energy demands of the site, it is proposed to install solar panels on parts the southeast facing roofs of the buildings. They will not project significantly from the roof slopes. There are existing solar panels on the poultry buildings on site. It is considered the proposed solar panels will not have an adverse impact upon the landscape as they are mounted on the roofs of the buildings. The additional planting proposed around the boundaries of the site will help to screen, mitigate and soften the location of the buildings on the surrounding rural landscape and the solar panels will be viewed in this context. Inclusion of the solar panels will help reduce the carbon footprint of the proposed development and it is therefore considered the solar panels comply with Policy CC3 of the Harrogate Local Plan.
- 10.27 Policy CC4 E requires all new non-domestic developments to achieve BREEAM (Building Research Establishment Environmental Assessment Method) Excellent. This development is for an agricultural use. BREEAM is designed specifically for buildings and assets that are, in whole or in part, intended for human occupation. This focus drives the core philosophy of the standard, which aims to improve the health, comfort, and well-being of occupants while reducing environmental impact. Buildings that are unoccupied

or not designed for regular human use (such as agricultural storage or livestock housing) cannot typically undergo a standard BREEAM assessment. The scheme proposes an approximate floor area of 15,845 sq m of new buildings and if the bulk of the floor space was not for livestock housing BREEAM may be relevant. In this case the only proposed building to have long term human occupation is the 'amenity building, which has a floor area of approximately 72.5msq, which is below the 1000 sq m or above of gross floorspace requirement to trigger BREEAM under criterion E of Policy CC4 of the Harrogate Local Plan. From the ES – Sustainability Statement it is clear the applicant has incorporated sustainable measures into the new design for the site (e.g. solar panels and the buildings built to modern day standards). As part of the scheme EV charging points in the car park are proposed and it is recommended a condition be added requiring the details of the EV chargers be submitted prior to occupation of the site. Based on the submitted information and the recommended condition the proposal will accord with Policy CC4 of the Harrogate Local Plan.

- 10.28 To conclude the proposed landscape mitigation is acceptable and accords with Harrogate Local Plan Policy NE4, paragraph 187 within the NPPF and guidance contained within the Local Landscape Character Assessment subject to conditions.
- 10.29 The design of the proposed buildings is considered acceptable and accords with Policies EC2 (criteria C and D) and HP3 of the Harrogate Local Plan and paragraph 131 of the NPPF. It is therefore concluded that the proposed mitigation is acceptable to mitigate effects upon landscape character and visual impact.

#### Highways Impact

- 10.30 The NPPF at paragraph 115 requires development proposals to ensure safe and suitable access to the site can be achieved for all users. Paragraph 116 states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact upon highway safety or the residual cumulative impacts on the road network would be severe.
- 10.31 Harrogate Local Plan Policy TI3 sets out that suitable parking provision should be provided within a development site. Harrogate Local Plan Policy TI1 looks for sustainable transport measures to be employed. Access to the site is proposed from Carr Lane via an existing access to the site.
- 10.32 Highways have reviewed the information submitted as part of the ES. The Transport Statement advises that at its peak during the cycle of poultry rearing (i.e. taking to and removing poultry from the site), the development proposals would generate 28 two-way movements (14 in, 14 out). This is an increase of only 14 movements (7 in and 7 out) from the existing operation. For the majority of the cycle the development will generate minimal levels of traffic of between zero and 2 two-way movements. The ES Transport Statement has demonstrated that the development is fully in accordance with the NPPF and in particular confirms that the impact of the development is not severe. The

applicant's highways statement and supporting highway plans have been considered by the Council's Highways Officer. A number of conditions are proposed relating to the construction of the access, visibility splays, off-site highways worksparking and turning areas and a construction management plan. These conditions are considered to be reasonable and necessary for the proposed development.

- 10.33 Highways had recommended that the off-site highways work to the junction at Broad Gate and B6265 be conditioned. It is Officer recommendation that as these off-site highway works are not within the application site area, they should be secured by a S106 agreement. The applicant has prepared a Heads of Terms document specifying the applicant will undertake the junction works at Broad Gate and B6265 before the first poultry being brought on site to occupy the poultry buildings and that the applicant is happy to agree to a S106 agreement to cover these off-site works.
- 10.34 To conclude, the proposal is considered to be acceptable and accords with the requirements of Policies EC2 (criteria E), T11 and T13 of the Harrogate Local Plan and guidance within the NPPF.

#### Amenity

- 10.35 Policy HP4 advises that proposals should not result in significant adverse impacts upon the amenity of occupiers and neighbours. This is in line with paragraph 135 of the NPPF that requires development to have high standards of amenity for existing and future users.
- 10.36 A part of the applicant's ES statement (Chapter 7 of their report and associated appendices on noise, dust and ammonia impact) the applicant has provided an assessment of the scheme on the surrounding residential population. The closest dwellings are those to the west of the application site access: a dwelling called 'the bungalow' ( it is understood the occupant of this dwelling is the manager of the chicken farm); the north of the site Hundayfield Cottage (approximately 859m to the to the edge of the application site), Mount Pleasant Farm (approximately 1.1km to the to the edge of the application site), east of the application site off Carr Field Lane Lindley House (approximately 183m to the east of the site), properties in Upper Dunsforth (approximately 477m to the east), Holly Tree Farm (approximately 148m to the south of the site) and the nearest houses in Brayton Green to the south of the application site are approximately 222m.
- 10.37 A review of the planning history of the site has been completed and the only record found was for the redevelopment of the poultry farm back in the 1990s (application reference: HGT94/01542/FUL. The 1994 planning permission does not tie 'the bungalow' to the poultry farm. Given the proximity of this property to the farm there could be residential amenity concerns if the two are not linked. Also, the bungalow and the poultry farm share the same access point. The agent has confirmed by email (dated received 15/08.2025) that 'the bungalow' is occupied by the farm manager and the applicant is happy for a

condition to be added ensuring that occupation of the bungalow is by someone working at the farm enterprise. An occupancy condition is therefore proposed tying the bungalow and poultry farm together.

- 10.38 It is acknowledged that the proposed poultry farm will introduce a change to the outlook of properties in the vicinity of the site. It is worth noting this is a redevelopment of an existing poultry farm to ensure it complies with modern day livestock standards. The buildings are larger in dimensions (approximately width 2.5m x length 9.8m x height to ridge 6.4m) and the number of poultry sheds (total of 6 sheds instead of currently 4) shall be greater on site than the existing. The scheme includes a new staff hut, which is larger to accommodate greater staff break out space. However, the matter to consider is whether the change in outlook would be at a level where it would appear overbearing and have a detrimental impact on the occupant's enjoyment of their dwelling and overall living conditions. An individual's right to a view is not a material planning consideration however it is acknowledged that a sudden and considerable change in outlook can have a detrimental impact on amenity in this respect.
- 10.39 Whilst the expanse of the poultry buildings into the field would be visible and change the outlook from agricultural field, existing hedge and tree planting will provide screening in the short term. Additional hedgerow and trees along the boundaries of the site (particularly the north and northeast boundaries) will lessen this impact in the medium to long term as the proposed landscaping matures. The poultry farm is also set in from the boundaries of the site. The separation distances, plus the existing and proposed planting, are considered to adequately mitigate the visual impact of the development and ensure no harm will arise to the amenity of nearby dwellings in terms of an overbearing impact of the development.
- 10.40 An Odour Management Plan, Ammonia Impact Assessment and Noise Assessment were submitted as part of this planning application. The Odour Management Plan and Ammonia Impact Assessments are both considered in greater detail under the heading – 'Air Pollution including - Odour and Dust' below.
- 10.41 A Noise Impact Statement of the development has been submitted, which includes a noise survey and calculations of the noise emissions. The statement recommends mitigation measures for the fans to be fitted to the poultry buildings. These mitigation measures include specifying the location of the fans in the roof and fitting external 90° metal cowls to the fans in the side elevations of the poultry buildings.
- 10.42 The Council's Environmental Health Officer has reviewed these and raised no objection to this proposal or recommended any conditions. No conditions around the impacts of construction of the proposed (i.e. restriction on hours of working) have been recommended by the Environmental Health Officer. From a planning perspective it is considered the soil stripping of the field and the construction stage of the sheds would not be excessively long to detrimentally impact local residential amenity to warrant construction control conditions. It is recommended that the Odour Management Plan, Ammonia Impact Assessment and Noise Assessment all be referenced in condition 2 of

the decision notice, should permission be forthcoming, to ensure compliance with the recommendations of these documents.

- 10.43 As part of the proposal there will be solar panels on the poultry buildings. A Glint and Glare Survey has been completed and reviewed in the above section. The applicant has removed the solar panels that will cause yellow glare on Pipers Lane. It is considered given the significant distance to the nearest dwelling Brayton Green or 'the bungalow' (occupied by the manager of the proposal) that the location of the remaining solar panels on the roofs of the poultry sheds will not have a detrimental impact on the neighbouring properties residential amenities and complies with Policy CC3 of the Harrogate Local Plan. It is recommended that permitted development rights relating to the addition of solar panels be removed by planning condition.
- 10.44 With regards to the use of external artificial light, a condition is included requiring a lighting scheme to be submitted for approval should any lighting be proposed.
- 10.45 It is recommended that a condition be added removing permitted development rights to prevent future installation of renewable energy plant, solar panels, fixed plant or machinery, buildings, structures and erections or private ways without LPA approval to protect amenity.
- 10.46 To conclude, no objection on amenity grounds is raised and the proposal is in accordance with Policies HP4 and EC2 (criteria F) of the Harrogate Local Plan and with guidance within paragraph 135 of the NPPF.

#### Air Pollution including - Odour and Dust

- 10.47 Policy NE1 of the Harrogate Local Plan requires proposals to protect against and mitigate for any potential air pollution and dust. Paragraph 187(e) of the NPPF advises that development should ensure there is no unacceptable levels of soil, air, water or noise pollution.
- 10.48 As part of this application and part of the ES an Odour Management Plan and Ammonia Emissions: Impact Assessments (Isopleth, October 2024) have been submitted. These Emissions statements were reviewed by the Council's Ecology, Planning and Environmental Health Officers. These statements set out the potential odour and dust impacts on nearby residents and detail how these will be managed, controlled, and mitigated to acceptable levels. They detail the site-specific measures and technical controls the farm will implement, such as ventilation, litter management, feed storage, and waste handling, to minimize odour and dust emissions and ensure compliance with regulatory requirements.
- 10.49 The Odour Management Plan ('OMP') sets out tables highlighting the likely sources of odour arising from poultry production at the site. The OMP lists actions and measures

that will prevent where possible or minimise odour emissions from the farm. The accompanying OMP site plan shows all material storage areas and potential odour emission sources. It is outlined in the statement the OMP is to be reviewed every year from the Environment Agency's (EA) Environmental Permitting Regulations (EPR) permit issue date, prior to any major changes to operations (to ensure effectiveness) or following any complaint, any changes to OMP or other management plans to be documented dated and signed and Area Officer notified. Furthermore, the actions and preventative measures in the OMP referenced from Odour Assessment Document and Fugitive Emissions Assessment are in line with the EPR requirements.

- 10.50 The Ammonia Impact Assessment advises that the existing site capacity is 135,000 broilers in 4 houses at a stocking density of 38kg birds/m<sup>2</sup> with low speed side extraction and roof inlets. The proposed site capacity would be 270,000 broilers in 6 houses at a stocking density of 30kg birds/m<sup>2</sup> with high speed roof fans at 11m/s and heat exchangers. The batch cycle length would be unchanged from the existing cycle, at 38 days plus 10 turnaround (i.e. destocking, cleaning and empty period). Detailed dispersion modelling has been undertaken in line with relevant guidance from the Environment Agency. Predicted ground level concentrations of ammonia and nutrient nitrogen deposition have been compared with relevant air quality standards and guidelines for the protection of sensitive habitats. The applicant's assessment shows that there is no material difference between the ammonia and nutrient nitrogen impacts from the existing site and the proposed scheme. The difference in impacts is below 1% of the relevant N critical level and 1% of the relevant N critical load at all modelled receptors.
- 10.51 The Council's Ecologist reviewed the Ammonia Emissions statement against the data on Air Pollution Information System (APIS). The Council's Ecologist was satisfied the proposed development does not exceed ammonia critical levels and nitrogen deposition critical loads. However, although the risk to pollution does not exceed levels, the close proximity of the Upper Dunsforth Carrs SSSI needs to be considered. The Upper Dunsforth Carrs SSSI, specifically the NVC M22 fen meadow habitat, is sensitive to nitrogen emissions and contains rare and specialised species. It is listed as a Section 41 Habitat of Principal Importance and is an irreplaceable habitat at the National level. During the course of the application, further discussion was undertaken with Natural England regarding this proposal. Natural England and the Council's Ecologist agreed that the ammonia emissions to Upper Dunsforth Carrs SSSI resulting from the proposed development were not detrimental. They both raise no objection.
- 10.52 The Council's Environmental Health Officer raised no objection to the submitted Ammonia Emissions Statement and Odour Management Plan; nor recommended any condition(s) be added to the decision notice.
- 10.53 It is recommended that the ES with all appendices be noted within the list of approved documents. This is to ensure the measures presented as part of the ammonia and dust control measures are noted by the developer for the lifetime of this development.

- 10.54 To conclude no objection is raised on air pollution grounds to this proposal and the application accords with Local Plan Policy NE1 and paragraph 187(e) of the NPPF.

#### Flood Risk and Drainage

- 10.55 Harrogate Local Plan Policy CC1 requires proposals to demonstrate that the development will be safe with respect to flood risk, without increasing flood risk elsewhere and to ensure there is no increase in surface water flow rate run off, giving priority to sustainable drainage systems where possible. Development will only be permitted where it has an acceptably low risk of being affected by flooding when assessed through sequential testing. Development layout within the site should be subject to the sequential approach, with the highest vulnerability development located in areas at lowest flood risk within the site.
- 10.56 Paragraph 175 of the NPPF advises that the sequential test should be used in areas known to be at risk now or in the future from any form of flooding, except where a site specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, would be located on an area that would be at risk of flooding. The site is subject to areas of surface water flooding where the development is proposed, No sequential test has been provided however recent appeal decisions have concluded that the lack of, of failure to pass a sequential test, are not determinative in assessing an application. This should be weighed in the planning balance.
- 10.57 As part of the application, a Flood Risk & Drainage Assessment, A Dunn/Alan Wood & Partners, Reference JAG/AD-F-RS, dated October 2025 was submitted. An attenuation pond is proposed on the site to accommodate the storage of surface water from this site. The updated Flood Risk & Drainage Assessment October 2025 report has taken into consideration updated EA maps on fluvial and surface water flooding. The report has considered potential sources of flooding to the site, including fluvial, surface water, open drainage ditches, groundwater, existing sewers, water mains and other artificial sources. The main potential source of flooding which has been identified is from overland surface water flooding which will be addressed by the design of the external levels over the area of the site. No other potential sources of flooding have been identified.
- 10.58 In line with the Environment Agency mapping data; the application site is within Flood Zone 1 and is above aquifer zones 1 and 2. The submission demonstrates that the flood risk to the site is reasonable and acceptable, that the buildings will be safe for their design lifetime and that the development will not increase the risk of flooding elsewhere to other parties. Mitigation for surface water run-off from the development to the new attenuation pond to be constructed on site that will then discharge to the adjacent drainage ditch at a restricted rate of discharge, with the required volume of storage provided within an attenuation lagoon located to the west of the new buildings. Foul wastewater from the development will be discharged to the drainage ditch via an appropriate domestic wastewater treatment plant and the surface water drainage network. All the drainage works will be carried out in line with building regulations.

- 10.59 The EA was consulted on this application and raised no objection to the development. The EA did raise however that the applicant would need to apply to vary their permit with the EA, which is separate from this planning application.
- 10.60 To conclude, the LLFA advised that the submitted documents demonstrate a reasonable approach to the management of surface water on the site. The LLFA recommends two conditions relating to water flow rates and requiring a plan to be submitted showing how surface water shall be managed through the construction phase. Subject to conditions the scheme complies with Policy CC1 of the Harrogate Local Plan and guidance within chapter 14 of the NPPF.

### Biodiversity and Ecology

- 10.61 Planning permissions in England are deemed to be granted subject to the general Biodiversity Gain Condition as set out by Schedule 7A, paragraph 13 of the Town and Country Planning Act 1990 (TCPA) as amended by Schedule 14, Part 2, paragraphs 13, 14 and 15 of the Environment Act 2021. This is a pre-commencement condition.
- 10.62 The Council has a duty to consider the conservation of biodiversity when determining planning applications. This includes the safeguarding of designated sites, priority habitats and species protected under the relevant Acts, the NPPF and the Council's Harrogate Local Plan.
- 10.63 Policy NE3 of the Harrogate Local Plan requires proposals to protect and enhance features of ecological and geological interest. Major developments should avoid any net loss of biodiversity. Provisions relating to mandatory Biodiversity Net Gain (BNG) have been commenced for planning permissions granted in respect to applications made on or after 12 February 2024.
- 10.64 Under the Environment Act 2021, planning permissions granted in England, with a few exemptions, will have to deliver at least 10% biodiversity net gain, using the biodiversity metric to demonstrate this.
- 10.65 As part of the application the applicant has submitted amended Ecological Statements, BNG data and an updated landscape scheme. This includes mitigation for native vegetation to be planted as part of the development, which complies with BNG and shows the biodiversity uplift within the site's red line boundary. The ecology scheme also includes mitigation measures to decrease the potential impact to reptiles through the construction stage. Also, the addition of hedgehog and bat boxes as part of the scheme.
- 10.66 An updated metric shows that the development will result in the loss or reduction of: Other broad leaved woodland, tall forbs, modified grassland, bramble scrub, cereal crops and arable field margins cultivated annually. This will be offset using other neutral

grassland, other mixed woodland and sustainable drainage system, which achieves an onsite gain of 32.66% for area habitat.

- 10.67 In relation to hedgerow units, the development will result in the loss of non-native and ornamental hedgerow and will be offset using native hedgerow, generating a gain of 32.17%.
- 10.68 The application now achieves the mandatory uplift on site.
- 10.69 The Council's Ecologist has reviewed the application and as the on-site BNG is deemed as significant in accordance with DEFRA guidance for Habitats of 'medium distinctiveness' is satisfied with the proposals. The Ecologist recommended that BNG can be secured via condition and not by a legal agreement in this instance.
- 10.70 In addition, in order to secure the relevant construction related protection and/or mitigation measures set out in the species reports, conditions are recommended requiring a Construction Ecological Management Plan (CEcMP) to be submitted for the written approval of the Local Planning Authority prior to the commencement of works, development of the site in accordance with the submitted Preliminary Ecological Appraisal (Craig Emms and Linda Barnett, September 2024) and species enhancements for bats and hedgehogs.
- 10.71 To conclude no ecological objection is raised and the application accords with Harrogate Local Plan Policies NE3 and EC2 and guidance within the NPPF.

#### Arboriculture

- 10.72 Harrogate Local Plan Policy NE7 advises that development should protect and enhance existing trees that have wildlife, landscape, historic, amenity, productive or cultural value or contribute to the character and/or setting of the settlement. New development should be designed to ensure a satisfactory relationship between buildings and new and existing trees.
- 10.73 As part of the application Arboricultural reports and supporting plans have been submitted as part of the ES. The application site consists of poultry sheds, other broad leaved woodland, tall forbs, modified grassland, bramble scrub, cereal crops and arable field margins cultivated annually. An area of trees to the north of the existing poultry farm are proposed to be removed. These are a mixture of Category C and B trees with varying value to the site. The arboricultural reports also set out pruning to trees and hedging through the construction stage and tree protection fencing to be utilised through the construction stage.

- 10.74 The existing hedgerow around the site boundary will be retained. There will be trees planted to replace the trees lost to accommodate the larger poultry sheds and comply with BNG requirements, which is a clear benefit of the scheme.
- 10.75 The Council's Arboricultural Officer has no objections and recommends a condition to ensure replanting should any plants fail. The Arboricultural Officer also agreed with the Landscape Officer that the proposed tree species required amendment; this can be secured by condition.
- 10.76 To conclude, no arboricultural objection is raised subject to conditions requiring submission of a landscape plan and BNG enhancement planting. The application therefore accords with Local Plan Policy NE7 and guidance within the NPPF.

#### Cumulative Effects, Indirect Impact Assessment and Waste Management

- 10.77 As part of the ES an Indirect Impact Assessment has been completed. The submitted Indirect Impact Assessment demonstrates that all potential indirect impacts of the proposed poultry farm development have been identified and will be actively managed through a comprehensive set of mitigation measures through the lifetime of the development and be in line with all relevant environmental standards and regulations.
- 10.78 The applicant has suggested measures including sustainable manure management, efficient wastewater treatment, energy use reduction, and careful traffic and community management in order to minimise adverse impacts upon the environment and surrounding communities. These measures are controlled by planning conditions proposed or via legislation outside of planning control, such as the Environment Agency's Environmental Permitting Regulations.
- 10.79 The applicant has submitted a Waste Management Strategy in October 2025. This statement outlines the proposed approach to managing waste streams generated by the operation of the poultry unit at Ouseburn Poultry Farm. The primary focus is the management of poultry manure and dirty water, the principal operational wastes associated with intensive broiler production. The strategy ensures full compliance with relevant environmental regulations, case law, and best practice guidance.
- 10.80 To reiterate; this proposed development consists of six poultry houses with a combined capacity of 270,000 broiler chickens. Each flock cycle lasts approximately 48 (38 days growing and 10 day turnaround), resulting in 7.6 flock cycles per annum. The agent has outlined that based on standard industry figures (1.45 kg manure per bird per cycle); each cycle will produce approximately 391.5 tonnes of poultry litter. Therefore, it is estimated that this site's total annual manure production would be approximately 2,936 tonnes. This is an application to redevelop and intensify an existing chicken farm site.

- 10.81 The Waste Management Strategy advises that all manure will be removed from the poultry sheds immediately following depopulation of the chickens and the sheds cleaned. The manure is transported off site in sheeted trailers to a permitted energy recovery facility - Thetford Power Station. Thetford Power Station is a 35.8 MW biomass energy facility and is licensed by the Environment Agency. It is understood that the power station can process up to 550,000 tonnes of poultry litter and other organic materials annually. The applicant has outlined in their Waste Management Strategy that no manure will be stored or spread on site. This disposal method of the manure prevents any nutrient pollution, ammonia emissions, or nitrate leaching associated with land spreading. Consequently, there is no pollution pathway to Special Areas of Conservation (SACs), Special Protection Areas (SPAs), Ramsar sites, or SSSIs.
- 10.82 The washing out process of the poultry sheds at each flock cycle is expected to generate approximately 5,000 litres of dirty water per shed, equating to a total of 30,000 litres per cycle across all six sheds. The applicant outlines in their Waste Management Strategy that all buildings will feature floated concrete floors and sealed wall/floor junctions. All Wastewater is captured in sealed containment tanks, as required by the site's Environmental Permit and regulated by the Environment Agency's permitting regime. All dirty water is removed by vacuum tanker under a Tankered Liquid Waste contract with Yorkshire Water. The dirty water is then transported to Knostrop Wastewater Treatment Works in Leeds, which is a licensed facility for the treatment of effluents. Only surface water will be directed to the attenuation pond.
- 10.83 The applicant's Waste Management Strategy shows the applicant is aware of the need to legally comply with waste management practices. It is recommended that the applicant's submitted Waste Management Strategy be noted in condition 2 to ensure effective removal of dirty water and manure from the area to reduce risk to the environment or communities in the locality of the site and the wider district.
- 10.84 To conclude, it is considered through the presented ES mitigation measures and the conditions presented below, the continued poultry development, whilst larger than the existing enterprise will not have a cumulative detrimental impact on the surrounding infrastructure (e.g. road network, drainage, odour or air quality) or the community as assessed in this report. The scheme proposes redevelopment of an existing business to meet modern day standards and regulations, whilst mitigating and managing the direct and indirect impact of this development. Based on the evidence presented no objection on the grounds of indirect or cumulative impact from this development are raised.

#### Land Contamination

- 10.85 A Phase 1 Land Contamination Report has been submitted as part of this application. This statement concluded the risk from ground contamination and gas was very low to negligible. The Phase 1 Land Contamination Report recommended that a Phase II ground investigation be completed to determine more accurately the effects following this desk top assessment. A Phase II ground investigation report can be conditioned. Subject to the adding of this condition the scheme will comply with Policy NE9 of the Harrogate

Local Plan. No contamination concerns are raised by the Environmental Health Officer. As the recommendation of the Phase 1 Land Contamination Report is that a Phase II ground investigation report is completed; it is recommended that the phase II report be conditioned and required to be submitted for written approval of the Council.

### Other Matters

#### *Mineral and Waste:*

10.86 The Minerals and Waste Planning team raised no comments in this particular instance as the proposed development is within a Minerals Safeguarding Area and falls under the following exemption criteria stated in paragraph 8.55 of the MWJP (2022):

- Agricultural buildings adjacent to existing farmsteads.

#### *The Equality Act 2010*

10.87 Under Section 149 of The Equality Act 2010, Local Planning Authorities must have due regard to the following when making decisions: (i) eliminating discrimination, harassment and victimisation; (ii) advancing of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (iii) fostering good relations between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics are: age (normally young or older people), disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. In this case, given the nature of the development as a chicken production facility, it is considered that the above legislation is not prejudiced by this proposal.

#### *Environmental Permit*

10.88 The Environment Agency (EA) commented on this application and raised no objection to the development. The EA did however outline in their response that the applicant would be required to obtain a variation permission from the EA to their existing environmental permit for Ouseburn Farm (reference: EPR/VP3333UZ) before implementing the planning approval. The variation of the environmental permit would encompass the proposed poultry sheds and associated yard areas and would place controls 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, 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.

It is recommended that an informative be added to the decision notice drawing to the applicant's attention the need to vary the environmental permit for the site.

10.89 The EA comments also explain that the environmental permit does not cover 'emissions to land, air or water, including odour and noise that are generated outside of the installation boundary', which will apply to the following activities:

- emissions from landspreading of slurry or 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.

Within the applicant's submission they have outlined how waste (slurry or manure) generated from the chickens on site will not be spread on land, but will be safely transported to EA approved waste processing plants.

#### *S106 Agreement*

10.90 A S106 agreement is required to secure the applicant completing the off-site highways works to the junction at Broad Gate and B6265 before the first poultry being brought on site to occupy the poultry buildings.

## **11.0 PLANNING BALANCE AND CONCLUSION**

11.1 The proposed poultry farm is considered to be acceptable in principle and meets the requirements of local and national planning policies. The provision of continued food production attracts substantial weight in favour of the development and biodiversity enhancements attract moderate weight in favour. As set out above, the proposal is acceptable in terms of landscape impact, biodiversity and the natural environment, highways and amenity.

11.2 The scheme will result in the loss of agricultural crop land. The proposal is for agricultural food production of a different type and the loss of the arable land is therefore considered to carry limited weight in the planning balance.

11.3 The lack of a sequential test relating to flooding is considered to attract minor weight against the proposal. This is due to the fact that the existing operations are based at this

site and the proposal is for an expansion of these and that acceptable mitigation measures are proposed to deal with the surface water flooding.

- 11.4 All other matters are acceptable or can be made acceptable with mitigation as set out in this report. It is therefore considered that the development would not result in significant harm that would outweigh the substantial benefits of this proposal. The proposal complies with Policies EC2, CC1, CC4, NE1, NE2, NE3, NE4, NE8, NE9, HP3 and HP4 and guidance within the NPPF.

## **12.0 RECOMMENDATION**

- 12.1 That the planning permission be granted subject to the prior completion of a S106 agreement and the conditions listed below:

- 1 The development hereby permitted shall be begun on or before three years from the date of this permission.
- 2 The development hereby permitted shall be carried out in strict accordance with the following information:

BNG Metric Assessment (April 2025)  
BNG Plan 1  
BNG Plan 2  
Soft Landscaping Proposal – reference: IPA1518-11  
Sections Location Plan – reference: IP/AMB/10  
Section Through Boundary Fencing – reference: IP/AMB/11  
Proposed Site Plan – reference: IP/AMB/03C  
Existing Site Level Plan – reference: IP/AMB/08  
Site Sections Plan – reference: IP/AMB/09  
Arboricultural Impact Assessment (December 2024)  
Indirect Impact Assessment  
Poultry House Elevations: reference: IP/AMB/04C  
Proposed Plan View - Reference: IP/AMB/05A  
Location Plan – reference: IP/AMB/02  
Attenuation Pond Sections Plan – Reference: IP/AMB/07  
Dirty Water Tank Specification  
Solar Panel Specification  
Tree Constraints Plan– reference: 1992 rev1  
Tree Protection Plan reference: 1992 rev1  
Arboricultural Method Statement (August 2024)  
Design and Access Statement  
Environmental Statement - including all appendices  
Landscape and Visual Appraisal (September 2024)  
Phase 1 Land Contamination Assessment (August 2024)  
Sustainability Statement

Transport Statement (September 2024)  
Insect Management Plan  
Elevations Ancillary Buildings – reference: IP/AMB/06  
Waste Management Strategy Statement (October 2025)  
Flood Risk and Drainage Assessment – reference: JAG/AD/JF/53117- RP001-REV A  
(October 2025)  
Glint and Glare Assessment (December 2025)

- 3 No phase of the development hereby approved shall take place until detailed drawings have been submitted to, and approved in writing by the Local Planning Authority showing how surface water shall be managed during the construction phase of the development. Once approved in writing the surface water management plan shall be complied with throughout the construction phase.
- 4 A water storage scheme shall be submitted to the Local Planning Authority for written approval. The water storage scheme shall include a detailed maintenance and management regime for the water storage facility on site. The water storage scheme shall be written in accordance with the principles of sustainable urban drainage. The development hereby approved shall be constructed in accordance with the Flood Risk and Drainage Assessment – reference: JAG/AD/JF/53117- RP001-REV A (October 2025). The surface water flowrate from the site shall be restricted to a maximum flowrate of 8.3 litres per second. A 45% allowance shall be included for climate change for the lifetime of the development. Water storage shall be provided on site to accommodate the minimum 1 in 100 year plus climate change critical storm event. Once approved in writing the water storage scheme shall be adhered to for the lifetime of the development and made available on site for inspection of the Local Planning Authority at all times.
- 5 No external lighting shall be installed on site until the details of the lighting, columns, including their number, type and locations, the intensity of illumination, predicted lighting contours, measures for the control of any glare or stray light and the details of when the lighting would be operational have been first submitted to and approved in writing by the Local Planning Authority. The scheme shall ensure the lighting remains off at all times unless necessary for access, service and maintenance. Any external lighting that is installed shall accord with the details so approved.
- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, replacing or reenacting that Order) and those approved as part of this development no renewable energy plant, fixed plant or machinery, solar panels, buildings, structures and erections or private ways shall be erected, extended, installed, rearranged, replaced, repaired or altered at the site without prior planning permission from the Local Planning Authority except for those works permitted by this permission.
- 7 The development hereby approved shall not be brought into use until the access to the site at Carr Field Lane has been set out and constructed in accordance with the

'Specification for Housing and Industrial Estate Roads and Private Street Works" published by the Local Highway Authority and the following requirements:

- The access must be formed with 12 metres radius kerbs, to give a minimum carriageway width of 7.3 metres, and that part of the access road extending 19 metres into the site must be constructed in accordance with Standard Detail number E40 and the following requirements.
  - Any gates or barriers must be erected a minimum distance of 19 metres back from the carriageway of the existing highway and must not be able to swing over the existing or proposed highway.
  - That part of the access extending 19 metres into the site from the carriageway of the existing highway must be at a gradient not exceeding one in thirty.
  - Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway shall be constructed in accordance with the approved details and maintained thereafter to prevent such discharges.
  - The final surfacing of any private access within 19 metres of the public highway must not contain any loose material that is capable of being drawn on to the existing or proposed public highway.
  - Measures to enable vehicles to enter and leave the site in a forward gear.
- All works must accord with the approved details for the lifetime of this development.

- 8 There shall be no access or egress by any vehicles between the highway and the application site connected to this development hereby approved at Carr Field Lane until splays are provided giving clear visibility of 160 metres measured along both channel lines of the major road from a point measured 4.5 metres down the centre line of the access road. In measuring the splays, the eye height must be 1.05 metres and the object height must be 0.6 metres. Once created, these visibility splays shall be maintained clear of any obstruction and retained for their intended purpose at all times.
- 9 The following scheme of off-site highway mitigation measures must be completed prior to the occupation of approved poultry buildings:

**Junction improvements at Broad Gate and B6265 prior to the new poultry houses and associated works coming into use.**

For each scheme of off-site highway mitigation, except for investigative works, no excavation or other groundworks or the depositing of material on site in connection with the construction of any scheme of off-site highway mitigation or any structure or apparatus which will lie beneath that scheme shall take place, until full detailed engineering drawings of all aspects of the scheme hereby approved including any structures which affect or form part of the scheme have been submitted to and approved in writing by the Local Planning Authority.

An independent Stage 2 Road Safety Audit carried out in accordance with GG119 - Road Safety Audits or any superseding regulations shall be included in the submission and the

design proposals shall be amended in accordance with the recommendations of the submitted Safety Audit prior to the commencement of works approved as part of this application on site.

A programme for the delivery of that scheme and its interaction with delivery of the other identified schemes must be submitted to and approved in writing by the Local Planning Authority prior to construction works commencing on site.

Each item of the off-site highway works shall be completed and maintained in accordance with the approved engineering details and programme for the lifetime of this development.

- 10 No part of the development must be brought into use until the access, parking, manoeuvring and turning areas for all users at Ouseburn Farm have been constructed in accordance with the details approved in writing by the Local Planning Authority. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.
- 11 No development hereby approved shall 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 hours of use of Carr Field Lane 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 site working hours
  7. Details of the measures to be taken for the protection of trees; and
  8. Contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.
- 12 Notwithstanding the landscaping information submitted, an updated detailed scheme for landscaping, including the planting of trees and or shrubs and the use of surface materials shall be submitted to the Local Planning Authority (LPA) and such a scheme shall specify materials, species, tree and plant sizes, number and planting densities and the timing of the implementation of the scheme, including any earthworks required. The updated landscape scheme shall include Oak, Scots Pine and Alder trees (250-300mm ht). The amended landscape plan shall include the siting of the existing trees shown accurately on the landscape plan and the layout of the landscape scheme adjusted to allow tree protection and additional screen planting. The landscape scheme is to be implemented during the first planting season (October to March) after completion of the

development hereby permitted.

- 13 In the event of failure of any trees or shrubs, planted in accordance with any scheme approved by the Local Planning Authority, to survive for a period of five years from the date of the completion of implementation of that scheme, such trees or shrubs shall be replaced by the developer with such live specimens of such species in such number as may be approved by the Local Planning Authority.
- 14 Before the first use of any materials in the external construction of the roof and walls of the development hereby approved, samples of those materials shall have been made available for inspection by, and the written approval of, the Local Planning Authority and the development shall be carried out in strict accordance with the approved details.
- 15 The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the Biodiversity Gain Plan has been submitted to, and approved in writing by, the local planning authority. The HMMP shall include:
  - (a) A non-technical summary;
  - (b) The roles and responsibilities of the people or organisation(s) delivering the HMMP;
  - (c) The planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the Biodiversity Gain Plan;
  - (d) The management measures to maintain habitat in accordance with the Biodiversity Gain Plan for a period of 30 years from the completion of development, including the management of invasive species and
  - (e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority,The development shall be carried out in strict accordance with the approved HMMP.
- 16 In the first planting season, following the commencement of the development:
  - (a) The habitat creation and enhancement works set out in the approved HMMP shall have been completed; and
  - (b) A completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority.
- 17 The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.
- 18 Monitoring reports shall be submitted to Local Planning Authority in writing in accordance with the methodology and frequency specified in the approved HMMP.
- 19 Prior to any poultry being brought on to site to be accommodated within the poultry sheds approved as part of this development four bat roosting boxes shall be secured to tree(s) within the curtilage of the development, and shall be provided at height (>4m) and away from sources of artificial light. Photographic evidence, detailed specifications of the bat

boxes installed and a site plan showing the location of the bat boxes of the implementation of this ecological enhancement shall be submitted for the written approval of the Local Planning Authority and once approved maintained for the lifetime of the development.

- 20 Prior to any poultry being brought on to site to be accommodated within the poultry sheds approved as part of this development two hedgehog nest boxes shall be placed on the application site, at the base of hedgerows adjacent to the boundaries of the poultry unit. Photographic evidence, detailed specifications of the hedgehog boxes installed and a site plan showing the location of the hedgehog nest of the implementation of this ecological enhancement shall be submitted for the written approval of the Local Planning Authority and once approved maintained for the lifetime of the development.
- 21 Before any materials are brought onto the site or any development is commenced (including any demolition work, soil moving, or widening or any operations involving the use of motorised vehicles or construction machinery), the developer shall implement the agreed specification for the root protection area (RPA) fencing in line with the requirements of British Standard BS 5837:2012 Trees in Relation to Construction - Recommendations, or any subsequent amendments to that document, around the trees or shrubs or planting to be retained, as indicated on the approved plan and for the entire area as specified in accordance with BS 5837:2012. The developer shall maintain such fences until all development the subject of this permission is completed.
- 22 No operations shall commence on site in connection with the development hereby approved (including any demolition work, soil moving, or widening or any operations involving the use of motorised vehicles or construction machinery) until the root protection area (RPA) works required by the approved tree protection scheme are in place.
- 23 The occupation of the dwelling known as the 'Bungalow' off the access track serving the poultry farm as shown on drawing reference IP/AMB/03B hereby approved shall be limited to a person solely or mainly employed or last employed in the locality in agriculture, as defined in Section 336 of the Town and Country Planning Act 1990, or in forestry, (including any dependants of such a person residing with him) or a widow or widower of such a person.
- 24 An electric vehicle infrastructure strategy and implementation plan shall be submitted to and approved in writing by the Local Planning Authority (LPA) prior to the first use of the poultry sheds hereby approved. The plan shall contain details of the number (minimum of no.2 EV charging points) and location of all electric vehicle charging points which shall be of Mode 3 type (specific socket on a dedicated circuit with a minimum current rating of 16 Amp). Buildings and parking spaces that are to be provided with charging points shall not be brought into use until associated charging points are installed in strict accordance with approved details and are operational. The charging point once approved in writing by the LPA shall be installed prior to first use of the premises as a dwelling and shall be retained and maintained to the standards of that day thereafter.

- 25 Groundworks shall not commence until a land contamination Phase II Intrusive Site Investigation Report has been submitted to and approved in writing by the local planning authority.
- 26 Where site remediation is recommended in the Local Authority approved Phase II Intrusive Site Investigation Report groundworks shall not commence until a land contamination remediation strategy has been submitted to and approved in writing by the local planning authority. The remediation strategy shall include a timetable for the implementation and completion of the approved remediation measures.
- 27 Land contamination remediation of the site shall be carried out and completed in accordance with the Local Planning Authority approved Remediation Strategy. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered in either the Preliminary Risk Assessment or the Phase II Intrusive Site Investigation Report is identified or encountered on site, all groundworks in the affected area (save for site investigation works) shall cease immediately and the local planning authority shall be notified in writing within 2 working days. Works shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the local planning authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.
- 28 Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a land contamination Verification Report shall be submitted to the local planning authority. No part of the site shall be brought into use until such time as the remediation measures have been completed for that part of the site in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Verification Report in respect of those remediation measures has been approved in writing by the local planning authority. Where verification has been submitted and approved in stages for different areas of the whole site, a Final Verification Summary Report shall be submitted to and approved in writing by the Local Planning Authority.
- 29 No part of the development must be brought into use until the access, parking, manoeuvring and turning areas for all users at Ouseburn Farm have been constructed in accordance with the details approved in writing by the Local Planning Authority. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reasons for Conditions:-

- 1 To ensure compliance with Sections 91-94 of the Town and Country Planning Act 1990.
- 2 The development hereby permitted shall not be carried out otherwise than in strict

accordance with the submitted details.

- 3 To ensure surface water is properly managed through the construction phases of the development in line with CC1 of the Harrogate Local Plan and guidance within the NPPF.
- 4 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, in line with policy CC1 and guidance within the NPPF.
- 5 In the interests of general and residential amenity in accordance with Harrogate Local Plan Policy HP4.
- 6 In the interests of visual, landscape and residential amenity in accordance with Harrogate Local Plan Policies NE4, HP3 and HP4.
- 7 To ensure a satisfactory means of access to the site from the public highway in the interests of highway safety and the convenience of all highway users.
- 8 In the interests of highway safety.
- 9 To ensure that the design is appropriate in the interests of the safety and convenience of highway users.
- 10 To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.
- 11 In the interest of public safety and amenity.
- 12 In the interests of visual amenity, mixture of native trees to enhance biodiversity and protection of the rural character of the area in line with guidance within the NPPF.
- 13 To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.
- 14 In order to ensure that the materials used conform to the amenity requirements of the locality.
- 15 In the interests of preserving and enhancing biodiversity in relation to mandatory BNG

and Harrogate Local Plan Policy NE3.

- 16 In the interests of preserving and enhancing biodiversity in relation to mandatory BNG and Harrogate Local Plan Policy NE3.
- 17 In the interests of preserving and enhancing biodiversity in relation to mandatory BNG and Harrogate Local Plan Policy NE3.
- 18 In the interests of preserving and enhancing biodiversity in relation to mandatory BNG and Harrogate Local Plan Policy NE3.
- 19 In the interests of preserving and enhancing biodiversity in relation to Harrogate Local Plan Policy NE3 and guidance within the NPPF.
- 20 In the interests of preserving and enhancing biodiversity in relation to Harrogate Local Plan Policy NE3 and guidance within the NPPF.
- 21 In the interests of protecting the amenity value of the protected trees and their biodiversity value and to accord with Harrogate Local Plan Policies NE4 and NE7.
- 22 In the interests of protecting the amenity value of the protected trees and their biodiversity value and to accord with Local Plan Policies NE4 and NE7.
- 23 The development hereby approved would be unacceptable unless justified by the local needs of agriculture or forestry.
- 24 In the interests of providing sustainable transport and improving air quality across the area in accordance with policy CC4 of the Local Plan and the NPPF.
- 25 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.
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- 28 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.
- 29 To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.

## **INFORMATIVES**

- 1 Notwithstanding any valid planning permission for works to amend the existing highway, there must be no works in the existing highway until an Agreement under Section 278 of the Highways Act 1980 has been entered into between the Developer and North Yorkshire County Council as the Local Highway Authority. To carry out works within the highway without a formal Agreement in place is an offence.
- 2 Notwithstanding any valid planning permission for works to amend the existing highway, you are advised that a separate licence will be required from North Yorkshire County Council as the Local Highway Authority in order to allow any works in the existing public highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council as the Local Highway Authority, is available to download from the County Council's web site:<https://www.northyorks.gov.uk/sites/default/files/202307/Specification%20for%20housing%20and%20industrial%20estate%20roads%20and%20private%20street%20works%20-%20accessible.pdf>

The Local Highway Authority will also be pleased to provide the detailed constructional specifications referred to in this condition.

- 3 Applicants are reminded that in addition to securing planning permission other permissions may be required from North Yorkshire County Council as Local Highway Authority. These additional permissions can include but are not limited to: Agreements under Sections 278, 38, and 184 of the Highways Act 1980; Section 38 of the Commons Act 2006, permissions through New Roads and Streetworks Act 1991 and Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 (as amended and including all instruments, orders, plans, regulations, and directions).

Further information on these matters can be obtained from the Local Highway Authority. Other permissions may also be required from third parties. It is the applicant's responsibility to ensure all necessary permissions are in place.

- 4 An explanation of the terms used in the highways conditions are available from the Local Highway Authority.
- 5 Please note prior to implementing this planning permission you are informed you will need to obtain a variation permission from the Environment Agency to Site's existing environmental permit for Ouseburn Farm (reference: EPR/VP3333UZ).

**Target Determination Date:** 16 February 2026

**Case Officer:** Aimée McKenzie, dmst.har@northyorks.gov.uk