

Town and Country Planning Act 1990  
North York Moors National Park Authority

Notice of Decision of Planning Authority on Application for  
Permission to Carry out Development

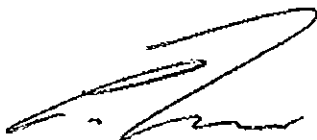
To: Mr J Malthouse  
c/o Maria Ferguson Planning Limited  
Hunter Hill  
Little Crakehall  
Hunters Hill  
Bedale  
North Yorkshire, DL81LA

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The above named Authority being the Planning Authority for the purposes of your application validated 11 December 2014, in respect of proposed development for the purposes of **construction of a general purpose agricultural building to house pigs (revised scheme to NYM/2014/0198/EIA)** at **Thirlsey Farm, Silpho** has considered your said application and has **granted** permission for the proposed development subject to the following conditions:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2. The development hereby approved shall be only carried out in strict accordance with the detailed specifications and plans comprised in the application hereby approved or in accordance with any minor variation thereof that may be approved by the Local Planning Authority.
3. The external surface of the roof of the building hereby permitted shall be coloured and thereafter maintained dark grey and shall be maintained in that condition in perpetuity unless otherwise be agreed in writing with the Local Planning Authority.
4. Prior to the commencement of any development a Hydrogeological Risk Assessment shall be submitted to, and approved in writing by, the Local Planning Authority. The risk assessment shall identify potential groundwater hazards associated with the construction and operational phases of the development and shall evaluate the likelihood and consequences of each hazard. The assessment shall include the following components:
  - i. A conceptual model for the site based on site specific geological and hydrogeological information.
  - ii. Identification of sources of pollution, potential pathways for the movement of contaminants and identification of receptors.
  - iii. A qualitative assessment of risk progressing to numeric assessments where risks are greater.
  - iv. An evaluation of the uncertainties in the assessment.An appraisal of options for dealing with the identified risks.

Continued/Conditions



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Director of Planning

Date 15 MAY 2015

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Conditions (Continued)

- 5. Prior to the commencement of development, a scheme for the disposal of both surface water and roof water drainage shall be submitted to, and agreed in writing by, the Local Planning Authority. The development shall be constructed and operated in accordance with the details approved by the Local Planning Authority, including implementation of any mitigation measures designed to protect the groundwater, and these details shall not be altered in any way without the prior written approval of the Local Planning Authority.
- 6. The development hereby permitted shall not be commenced until such time as a scheme for the handling and storage of manure generated by the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme, or any changes as may subsequently be agreed, in writing, by the Local Planning Authority.
- 7. A Construction Environment Management Plan (CEMP) shall be submitted prior to the commencement of development. The development shall be constructed in accordance with a CEMP, submitted to and approved by the Local Planning Authority. The CEMP should include implementation of mitigation measures designed to protect the groundwater, and these details shall not be altered in any way without the prior written approval of the Local Planning Authority.
- 8. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:
  - a) The existing access shall be improved and constructed in accordance with the approved details and/or Standard Detail E9A.
  - b) The final surfacing of any private access within 2 metres of the public highway shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway.
 All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.
- 9. Prior to the development being brought into use details of a landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for a screening belt of native trees and hedging to the north east and south and shall include details of any existing hedges and trees to be retained on the site together with any measures for managing/reinforcing these and shall specify plant species, sizes and planting densities for any new areas of planting. The approved details shall be carried out no later than the first planting season following the occupation of the buildings, or completion of the development, whichever is the sooner, or in accordance with a programme agreed by the Local Planning Authority. The approved landscaping scheme shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Continued/Conditions

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Date ... 15 MAY 2015

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**Conditions (Continued)**

10. If the use of the building for the purposes of agriculture within the unit permanently ceases within five years from the date on which the development was substantially completed, the building shall be removed from the land and the land shall, so far as is practicable, be restored to its condition before development took place unless the Local Planning Authority has otherwise agreed in writing or unless planning permission for change of use of the building to a purpose other than agriculture has been approved.

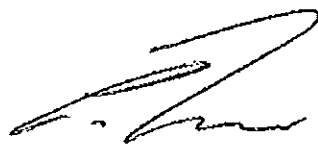
**Informatives**

1. In relation to condition 8 you are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.
2. The required HRA should be undertaken by an appropriately qualified person. As part of the assessment the following points should also be addressed in the context of how groundwater will be protected and as to whether any mitigation measures will be incorporated into the design to protect groundwater:
  1. How will wash waters from the cleaning operations of the proposed building be disposed of?
  2. How will it be ensured that the proposed building will be totally sealed so that no leakage to ground can occur either within or outside the building?
  3. How will manure, removed from proposed buildings prior to land spreading, be stored?
  4. In conjunction with point 3 will the temporary storage be covered and will there be a requirement for some form of leachate collection?
  5. Which areas of land are intended for the spreading of manure?
  6. What is the water supply for the farm? Source Protection Zone 1 also applies to small potable water abstractions from springs and boreholes with a designated SPZ1 boundary of 50 metres from the source.
  7. What will be the water supply for pigs? If appropriate migration measures to protect groundwater are not in place then this could affect the drinking water quality for the pigs if a groundwater source is being used for this purpose.

**Reasons for Conditions**

1. To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2. For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Core Policy A and NYM Development Policy 3, which seek to conserve and enhance the special qualities of the NYM National Park.

Continued/Reasons for Conditions



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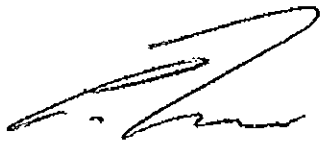
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**Reasons for Conditions (Continued)**

3. For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 which seek to ensure that building materials are of a high quality and compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
- 4 – To protect both public and private potable groundwater abstractions. The proposed development is located within a Source Protection Zone 1 (SPZ1) for drinking water abstractions derived from groundwater in the underlying Corallian aquifer. Therefore groundwater quality must be protected.
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7. To protect both public and private potable groundwater abstractions. The proposed development is located within a Source Protection Zone 1 (SPZ1) for drinking water abstractions derived from groundwater in the underlying Corallian aquifer. Therefore it will need to be demonstrated as part of any application how construction will be carefully managed to ensure against pollution of the groundwater and protect public water supplies.
8. In accordance with NYM Development Policy 23 and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.
9. In order to comply with the provisions of NYM Development Policy 3 which seeks to ensure that new development incorporates a landscaping scheme which is appropriate to the character of the locality and retains important existing features.
10. In order to comply with the provisions of NYM Development Policy 12 which seeks to ensure that there is a functional requirement for the building in the long term to justify an exception being made to normal planning policies which seek to restrict new development in the countryside.

**Explanation of how the Authority has Worked Positively with the Applicant/Agent**

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and confirmed to the applicant/agent that the development is likely to maintain the economic, social and environmental conditions of the area.



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