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Joanne Marshall
East Riding of Yorkshire Council
County Hall
Beverley
East Riding of Yorkshire
HU17 9BA

Ref: 4446LE/L004 Ver. B

26th February 2024

Dear Joanne,

APPLICATION FOR FULL PLANNING PERMISSION FOR THE ERECTION OF AN AGRICULTURAL BUILDING ON LAND NORTHEAST OF HENLEY'S NURSERIES, HOLME ROAD, MARKET WEIGHTON**Introduction**

We write to you on behalf of the applicant, Mr A. Metcalfe (the 'Applicant'), to assist East Riding of Yorkshire Council (the 'Council') in their consideration of a full planning application which seeks permission for the proposed erection of an agricultural building (hereby referred to as 'Building A') (the 'Proposed Development') on land at Westburn Grange, Holme Road, Market Weighton (the 'Site').

The application was submitted via the Planning Portal (*ref: PP-12759515*) on February 8th with the requisite fee of £1,156.00.

In addition to the application forms and covering letter, the submission package comprises the following:

- Site Location Plan;
- Proposed Site Plan;
- Proposed Floor Plans and Elevations of Buildings A;
- Landscape Plan by Rosetta – 4044/1 Rev. A;
- Topographical Survey (Northern Part of Site) by Latitude Surveys – PS1107-003;
- Topographical Survey (Southern Part of Site) by Latitude Surveys – PS1107-004.–;
- Archaeology Interim Report on a Controlled Scheme of Observation, Investigation and Recording by East Riding Archaeology;
- Preliminary Ecological Appraisal Report by Brooks Ecological – ER-7054-01;
- Biodiversity Net Gain Assessment (Baseline) Report by Brooks Ecological – ER-7054-02;
- Biodiversity Metric 4.0 Calculation Tool by Brooks Ecological – BM-7054-01;
- Biodiversity Metric 4.0 - Technical Annex 1- Condition Assessment Sheets by Brooks Ecological – CA-7054-01;
- Preliminary Geoenvironmental Investigation by Lithos – 4798/1a; and
- Flood Risk and Drainage Assessment, prepared by OEC Consulting Engineers – 100/134/FRADS_v1.0

Site Description and Planning History

The wider agricultural holding of which the Site forms part of is approximately 20.24 ha in size and is currently in agricultural use.


The Site lies south of Holme Road/Market Weighton Road and is situated approximately 1.95km southwest of the centre of the settlement of Market Weighton. Agricultural uses bound the Site in all directions, and there is a small dwelling located to the north of the Site. The dwelling is associated with the farm building to which this application relates and was permitted under planning application 10/04921/STPLF.






Figure 1 – Aerial Photo of the Site with Approximate Red Line Boundary

The Site has been subject to four previous relevant planning applications which are summarised in **Table 1** below.

Table 1 – Relevant Planning History of the Site

Application Reference	Date	Description of Development	Map/Location	Status
10/04921/STPLF	25th November 2010	Outline application for the erection of replacement farmstead (access, appearance, layout and scale to be considered) and full application for cattle/general purpose agricultural building		Approved

Application Reference	Date	Description of Development	Map/Location	Status
12/01233/STREM	12th March 2012	Erection of replacement farm dwelling and combined garage/storage building following approval of hybrid application 10/04921/STPLF (appearance and landscaping to be considered)		Approved
23/02935/AGNOT	23rd October 2023	Prior Notification for the erection of a general-purpose agricultural building and erection of a grain store		Not Granted Prior Approval
23/03386/AGNOT	13th November 2023	Erection of 2 agricultural buildings		Prior Approval Not Required

As indicated in **Table 1** above, a hybrid application was submitted in November 2010 and sought outline permission for the erection of replacement farmstead (access, appearance, layout and scale to be considered) and full permission for cattle/general purpose agricultural building. That application was granted on the 15th June 2012.

Under the hybrid permission, a layout drawing formed part of the approved plans list and is shown in **Figure 2** below. Full planning permission was granted for Building A, whilst the remaining buildings including the dwelling were subject to the outline approval.

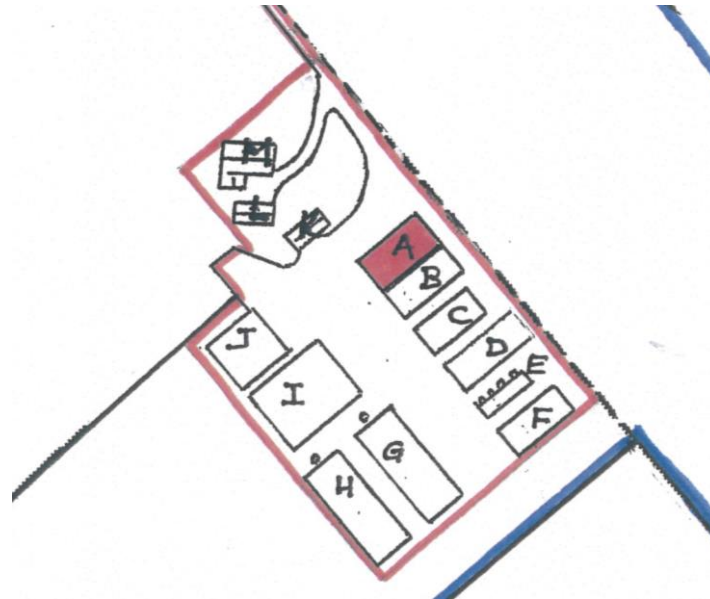


Figure 2 – Approved Site Layout of 10/04921/STPLF

We understand that the full permission concerning Building A was not lawfully commenced due to the fact that some of the pre-development conditions were not discharged. As such, the Applicant is submitting this application for full planning permission for the erection of Building A (shown in **Figure 3** below) with a further full planning application intended to follow which will seek permission to erect a further 2 agricultural buildings shown on the accompanying proposed site plan.

A subsequent reserved matters submission was submitted to the Council in March 2012 for the erection of a replacement farm dwelling and combined garage/storage building following approval of the hybrid permission. The reserved matters submission was approved on the 15th June 2012 under application with reference **12/01233/STREM**. The dwelling is substantial complete.

The recent application (ref. **23/02935/AGNOT**) was not granted Prior Approval, in the first instance, for the proposed erection of a general-purpose agricultural building and erection of a grain store due to a misunderstanding over the size of the holding and whether the general-purpose agricultural building would be utilised for agricultural purposes. Clarifications were provided via a further application (ref. **23/03386/AGNOT**) and as a result of this clarification the Council indicated that Prior Approval was not required.

Background

The Applicant currently operates a pig farm on land north of Holme Road which forms part of the 'MW-B' housing allocation. Criterion C of Policy MW-B of the East Riding Local Plan Allocations Document (adopted July 2016) (the 'ERAD') stipulates that as part of any development coming forward on the allocation that, *"the existing pig unit and all associated buildings and structures must be removed"*.

Persimmon Homes (Yorkshire) and JG Hatcliffe Property & Planning have submitted a full planning application (ref. **23/01953/STPLF**) for the erection of 196 dwellings on the part of MW-B which contains the pig units, and that application is currently under consideration by the Council. Whilst the existing farmhouses on the allocation will be retained (as this does not fall within the definition of 'the pig farm and associated structures', the existing agricultural buildings are to be demolished and/or relocated in different phases to the Site, in order to comply with the policy.

DPP are acting as agents for Persimmon Homes in respect of the proposed residential development on MW-B and as indicated above, DPP are acting as agents for this and the subsequent full planning application that the Applicant intends to submit to the Council.

Proposed Development

This application seeks full planning permission for the development of 1 agricultural building (Building A only) which, as is shown on the accompanying Proposed Site Plan submitted with the application (also depicted in **Figure 3** below) will be situated to the south of the existing dwelling on Site.

For clarity, this application only concerns the proposed erection of Building A, and the remaining elements (Buildings D and C) which are to house the pigs (Building D and C) will be brought forward through a separate full planning application at a later date. As is described above, Buildings B and E recently gained confirmation that Prior Approval is not required and will therefore be implemented shortly.

Use

The building is intended to serve as a general-purpose agricultural building/workshop providing for the needs of the holding.

Scale

The agricultural building will reach a maximum height of 7.5 metres and have a floorspace of 606.6 sqm.

Appearance

The proposed elevations of the Building A are included in the submission pack, but in summary the elevations show a standard agricultural building which will utilise Vandyke brown insulated box profile steel sheets and the roof will be comprised of mushroom insulated box profile steel sheets.



Figure 3 – Proposed Site Layout (including the Proposed Development)

Landscaping

A proposed landscaping scheme for the wider development site accompanies this application and features a 5m wide landscaping buffer along part of the eastern and western boundaries that will comprise of native shrub mix. A wider 10m planting buffer is proposed along the southern boundary and is proposed to be native woodland mix. The proposed landscaping will help to screen the Proposed Development from the wider area which is generally open and flat in topography.

National Policy Context

National planning policy is principally set out within the National Planning Policy Framework ('NPPF'), the latest revision of which was published in December 2023. There are no specific policies in the NPPF that specifically relate to agricultural buildings, but the NPPF makes clear, in paragraph 88 that planning decisions should support a prosperous rural economy through enabling the sustainable growth and expansion of all types of businesses in rural areas and the development and diversification of agricultural businesses. Within paragraph 89, also indicates that planning decisions should recognise that sites to meet local business needs in rural areas may have to be found beyond existing settlements in locations that are not well served by public transport.

The NPPF also emphasises that good design is important and, in paragraph 131, emphasises that good design is a crucial element of creating better places to live and work and ensuring development is acceptable to communities. Similarly, Paragraph 135 makes clear that planning permission should be contingent on the design of proposals that will function well, add to the overall quality of the area, and that are sympathetic to local character.

As described above, this planning application is directly related to live planning application **23/01953/STPLF** which proposes to deliver 196 dwellings on the site of the Applicant's existing farmstead. The NPPF emphasises at paragraph 123 that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment. Paragraph 126 outlines that planning decisions need to reflect changes in the demand for land. Further, Paragraph 60 of the NPPF makes clear that the Government's objective is to significantly boost the supply of homes and that it is therefore important that a sufficient amount and variety of land can come forward where it is needed.

In relation to other material considerations, paragraph 173 indicates that local planning authorities should ensure that proposals will not increase flood risk elsewhere. Paragraph 189 indicates that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. Paragraph 200 outlines how, where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and paragraph 180 confirms that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity.

Local Policy Context

The East Riding Local Plan currently comprises:

- Policies Map (July 2016);
- East Riding Allocations Document (July 2016) (the 'ERAD'); and
- East Riding Strategy Document (April 2016) (the 'ERSD').

Policies Map (July 2016)

The extract of the Policies Map in **Figure 4** below shows that the Site is unallocated and lies outside the development limit of Market Weighton (represented by the thick black line). According to the map, the Site lies:

- Within the Market Weighton Neighbourhood Plan Area (although no neighbourhood plan is currently ‘made’); and
- Within a Mineral Safeguarding Area of which Policy EC6 relates (represented by greyish-brown shading and discussed further below).

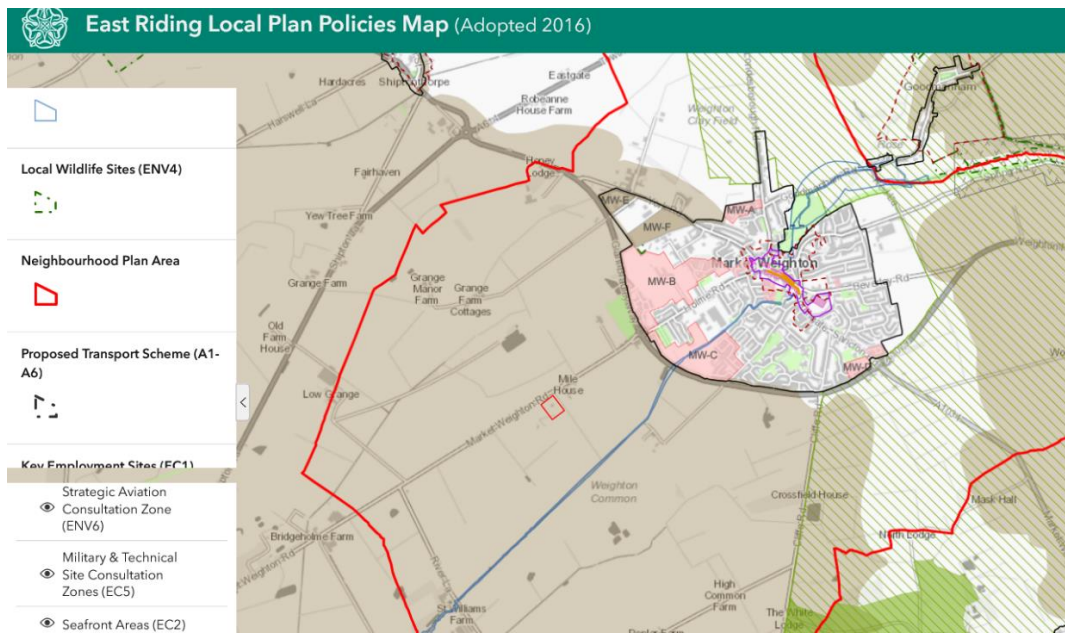


Figure 4 - Policy Map Extract in Relation to the Site

East Riding Allocations Document (July 2016) (the 'ERAD')

The ERAD was adopted in July 2016 and allocates sites for development in line with the growth aspirations of the ERSD.

As indicated above, the Site itself is not allocated, however, the allocation for housing development under Policy 'MW-B' on land approximately 1.25km east of the Site is of relevance to the Proposed Development. **Policy MW-B – Land North of Holme Road (20.60ha)** reads as follows:

"The Site is allocated for residential development. Proposals will be required to:

- "(a.) Provide a significant landscaping buffer to the A1079 bypass and adjacent employment development;*
- (b.) Upgrade the A1079/Holme Road junction in conjunction with site MW-C;*
- (c.) Remove the existing pig unit and all associated buildings and structures;*
- (d.) Incorporate comprehensive Sustainable Drainage Systems; and*
- (e.) Prepare a masterplan for the whole site that must be submitted to and approved in writing by the planning authority."*

Part (c) of the policy relates to the Applicant's existing pig unit that currently operates from the MW-B.

East Riding Strategy Document ('ERSD') (April 2016)

The ERSD was adopted in April 2016 and sets out the overall strategic direction for the Local Plan, providing strategic policies to guide decisions on planning applications.

The most relevant policies are set out as follows:

- **Policy S1 – Presumption in Favour of Sustainable Development** indicates that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.
- **Policy S3 – Focusing Development** sets out the settlement hierarchy for the East Riding. Market Weighton is defined as a Town and the policy states that:

"towns will provide the local focus for housing, economic development, shopping, leisure, transport, education, health, entertainment, tourism, recreation and cultural activities for the town and its rural hinterland."

- **Policy S4 – Supporting Development in Villages and the Countryside** confirms, in Part A of the policy, that outside of the settlements listed in the settlement hierarchy defined in Policy S3, development will be supported to help maintain the vibrancy of Villages and the Countryside where it:

- "(1.) Is of an appropriate scale to its location taking into account the need to support sustainable patterns of development;*
- (2.) Encourages the re-use of previously developed land where appropriate; and*
- (3.) Does not involve a significant loss of best and most versatile agricultural land."*

- Policy S4(A) continues and indicates that development in the Countryside should also accord with the specific provisions of Parts B or C of policy S4. Part B is not relevant given that it relates to land within the development

limits of Villages. Part C, which refers to proposals outside of a development limit, is therefore the relevant part and confirms that land will be regarded as the Countryside and the following forms of development supported, where proposals respect the intrinsic character of their surroundings:

“1. Conversion of buildings for economic development (including work-live units), tourism or community uses. Conversions for new housing will be supported where the preservation of the building would enhance the immediate setting and where it:

- i. would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of a heritage asset; or*
- ii. would re-use a redundant or disused building without significant alteration or significant extension.*

2. Replacement dwellings;

3. New dwellings of exceptional quality or of truly outstanding innovative design;

4. Affordable housing for local people;

5. Agricultural, forestry or other rural-based occupational dwellings subject to demonstrating an essential need. Such dwellings will be subject to an agricultural occupancy condition;

6. Employment uses in accordance with Policy EC1;

7. Agricultural, horticultural and forestry uses;”

Policy ENV1 – Integrating High-Quality Design sets out a number of design criteria that new development must meet. It confirms that development will be supported where it achieves a high quality of design that optimises the potential of the site and contributes to a sense of place accomplished by criteria including: having regard to the specific characteristics of the site’s wider context and the character of the surrounding area; having an appropriate scale, density, massing, height and material.

- **Policy ENV2 – Promoting a High-Quality Landscape** confirms that development proposals should be sensitively integrated into the existing landscape, demonstrate an understanding of the intrinsic qualities of the landscape setting.
- **Policy ENV3 – Valuing our Heritage** seeks to conserve the significance, views, setting, character, appearance and context of heritage assets including archaeological deposits.
- **Policy ENV4 – Conserving and Enhancing Biodiversity and Geodiversity** seeks to conserve and enhance existing biodiversity. To optimise opportunities and enhanced biodiversity proposals should seek to achieve a net gain in biodiversity and safeguard, enhance, create and connect habitat networks.
- **Policy ENV6 – Managing environmental hazards** states that environmental hazards such as flood risk and groundwater pollution will be managed to ensure that development does not result in unacceptable consequences.
- **Policy A6 – Vale of York sub area** sets out the plans, strategies and development decisions for the sub area, which includes:
 - *“Supporting the role of Pocklington and Market Weighton as the main focus for residential development in the sub-area; and*
 - *Supporting appropriate expansion and diversification of the sub area’s key economic sectors including tourism; manufacturing and engineering; and agriculture/food and drink.”*
- **Policy EC6 – Protecting mineral resources** confirms that within Mineral Safeguarding Areas, non-mineral development, which would adversely affect the viability of exploiting the underlying or adjacent deposit in the future, will only be supported where it can be demonstrated that the:

- “1. Underlying or adjacent mineral is of limited economic value;
2. Need for the development outweighs the need to safeguard the mineral deposit;
3. Non-mineral development can take place without preventing the mineral resource from being extracted in the future;
4. Non-mineral development is temporary in nature; or
5. Underlying or adjacent mineral deposit can be extracted prior to the non-mineral development proceeding, or prior extraction of the deposit is not possible.”

Emerging Local Plan (the ‘Local Plan Update’)

The Local Plan Update was submitted for examination on the 31st March 2023 and includes the following documents:

- Draft Policies Map Update (October 2022);
- Draft East Riding Strategy Document Update (October 2022); and
- Draft East Riding Allocations Document Update (October 2022).

Draft Policies Map Update (October 2022)

The extract of the Policies Map in 5 below shows that the site is unallocated and lies outside the development limit of Market Weighton (represented by the thick black line). According to the map, the Site lies:

- Within the Market Weighton Neighbourhood Plan Area (thin red line) (although no neighbourhood plan is currently ‘made’); and
- Within a Mineral Safeguarding Area of which Policy EC6 relates (represented by light grey shading and discussed further below).

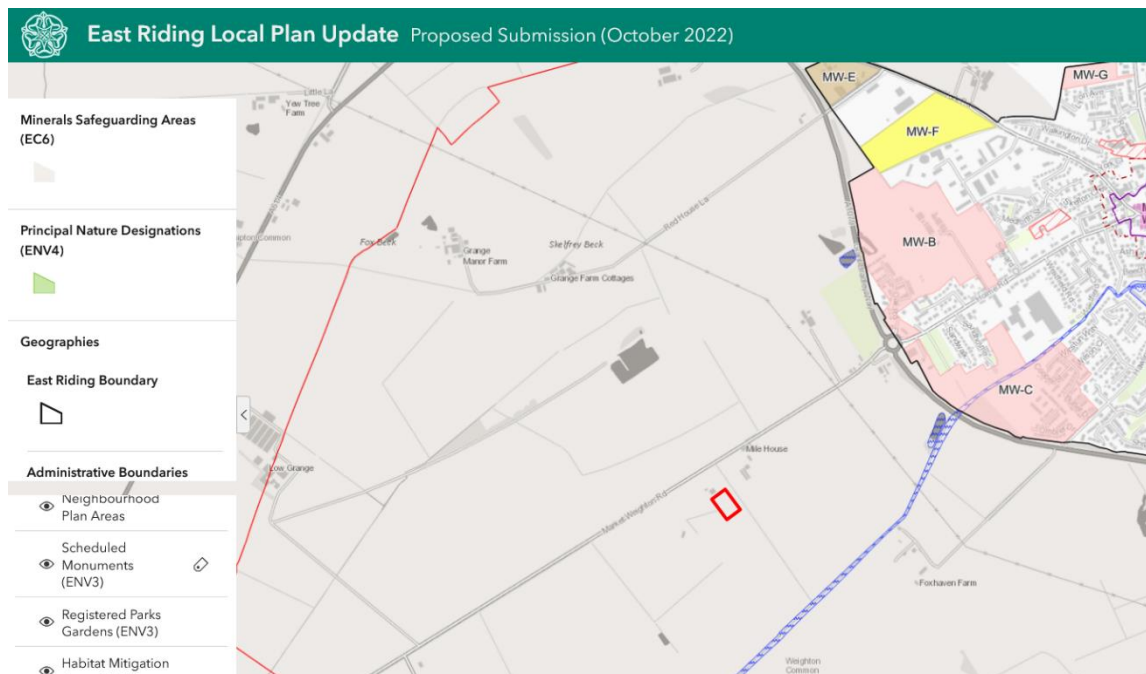


Figure 5 – Draft Policy Map Extract in Relation to the Site

The site of the Applicants existing pig farm continues to be allocated for residential development under policy MW-B

Draft East Riding Allocations Document Update (October 2022) ('DERADU')

The relevant policy reads as follows:

"Policy MW-B – Land North of Holme Road (16.62ha)

"This site is allocated for housing development. Proposals will be required to:

- a. Provide a significant landscaping buffer to the A1079 bypass and adjacent employment development;*
- b. Remove the existing pig unit and all associated buildings and structures;*
- c. Make provision for a pedestrian and cycle link through to the adjoining allocated site MW-F;*
- d. Incorporate comprehensive Sustainable Drainage Systems; and*
- e. Ensure that the site is developed in accordance with the adopted masterplan."*

Whilst this draft policy proposes some changes to the policy that is in the adopted ERAD, it is Criterion B which is of particular relevance to this application given that it continues to require the removal of the Applicant's existing pig unit currently operating from the MW-B site/land north of Holme Road.

Draft East Riding Strategy Document Update (October 2022) ('DERSDU')

The relevant updated policies are set out below:

- **Policy S1 – Sustainable Development.** The wording of this policy is unaltered.
- **Policy S3: Focusing Development.** The wording of this policy is unaltered. Market Weighton is still defined as a Town.
- **Policy ENV1 – Integrating High Quality Design.** The wording of this policy is unaltered and again sets out a number of design principles that any new development should meet.
- **Policy ENV2 – Promoting a High-Quality Landscape.** This policy remains similar wording to that contained in the ERSD.
- **Policy ENV3 – Valuing our Heritage.** The wording of this policy has changed, although the aims of the policy remain the same. An additional criterion (F) is of most relevance to this application and reads as follows:
 - *"Considerable weight will be given to the preservation and protection of non-designated archaeological remains. Development proposals on sites that have archaeological potential must include a desk-based assessment and, where necessary, a field evaluation report with their planning application. To minimise conflict and ensure seek to ensure mitigation of damage through preservation of the remains in situ as a preferred mitigation of damage, preservation of the remains in situ is the preferred solution. However, where the*
 - *solution. When in situ preservation is not justified, the developer will be required to make significance of archaeological remains is such that their preservation in situ is not essential and is not feasible, adequate provision for excavation and recording before or during development. a written scheme of investigation and programme of archaeological works aimed at achieving preservation by record will be required to be submitted to and agreed with the local planning authority."*

- **Policy ENV4 – Conserving and Enhancing Biodiversity and Geodiversity.** The majority of the policy remains similar to the wording in the ERSD. The only change being the emphasis on optimising opportunities to enhance biodiversity. The policy now states that *“proposals should seek to achieve a net gain in biodiversity.”*
- **Policy ENV6 – Managing environmental hazards** This policy remains similar wording to that contained in the ERSD.
- **Policy A6 – Vale of York sub area** (in terms of elements relevant to residential development in Market Weighton and supporting key economic sectors) remains unaltered.
- **Policy EC6 – Protecting Mineral Resources** The wording of this policy is unaltered.

Assessment of Proposed Development

Introduction

Section 38(6) of Planning and Compulsory Purchase Act 2004, Section 70(2) of the Town and Country Planning Act 1990 and paragraph 11 of the Framework require that applications for planning permission must be determined in accordance with the development plan unless materials considerations indicate otherwise.

We will now turn to address how the Proposed Development accords with local and national planning policy under the following headings:

- Principle of Development
- Development of MW-B
- Design
- Ecology
- Archaeology
- Landscaping
- Ground
- Flood Risk

Principle of Development

Paragraph 88 of the NPPF makes clear that the development of agricultural businesses should be supported through the planning system. The Proposed Development seeks the erection of a new agricultural building on existing agricultural land at Westburn Grange, Holme Road, Market Weighton and therefore is generally supported by the NPPF.

The Applicant is an existing farmer who runs a successful agricultural business which is currently based on land to the west of Market Weighton. However, and as set out earlier in the letter, the relocation of the Applicant’s existing agricultural business is required to allow for housing development on the residential allocation known as ‘MW-B’. Part C of site-specific policy **MW-B** requires the removal of the pig farm to allow development to come forward on the Site for much needed residential development.

The Site is located outside of the settlement limits of Market Weighton on the Policies Map and therefore lies within open countryside. **Policy S4** of the ERSD supports development in defined villages and the countryside subject to compliance with the following three criteria set out in part A of the policy. We will turn to assess the Proposed

Development under the relevant headings shortly but before we do, we will first consider whether the type of development proposed is suitable and appropriate in the countryside.

Policy S4(A) continues and indicates that development in the countryside should also accord with the specific provisions of Parts B or C of policy S4. Part B is not relevant given that it relates to land within the development limits of Villages. Part C, which refers to proposals outside of a development limit, and is therefore the relevant part and sets out that only certain forms of development will be supported in the countryside, and only where proposals respect the intrinsic character of their surroundings. Policy S4(C) lists that proposals for agricultural uses will be supported. The Proposed Development is therefore appropriate in principle in the countryside.

We will now turn back to Part A of Policy S4. Part A sets out 3 criteria. We have assessed the Proposed Development against these criteria below.

(1.) Is of an appropriate scale to its location taking into account the need to support sustainable patterns of development.

The Site lies within an area outside of the settlement of Market Weighton that is characterised by agricultural land uses and agricultural buildings similar to that proposed in this application. It is therefore considered that the proposed agricultural building is of an appropriate scale for its location. Indeed, in approving the previous application **10/04921/STPLF**, and the 10 agricultural buildings in 2010, the Council plainly accepted that it is an appropriate site for agricultural development of this nature and that the scale of that development would support sustainable patterns of development. The Proposed Development accords with this criterion.

(2.) Encourages the re-use of previously developed land where appropriate;

This criterion encourages the reuse of previously developed land where appropriate. Where appropriate are the key words in this criterion. The location of the proposed Building A is not considered to be previously developed land, however, and given that an agricultural building needs to be associated with the land that is farmed it plainly needs a countryside location. Further, most previously developed land lies in urban areas, and it would not be appropriate to locate a pig farm business in such a location. Notwithstanding the above relocation of the farm business will allow for the redevelopment of a large cluster of buildings. In this instance it is not appropriate to utilise previously developed land and therefore the Proposed Development accords with this criterion.

(3.) Does not involve a significant loss of best and most versatile agricultural land.

Reviewing Defra's MAGIC map indicates that Site is likely to consist of Grade 3 agricultural land which is either good or moderate quality land. Nonetheless, the Proposed Development consists of one agricultural building with a floor space of 603.8 sqm. on land that has previously been stripped of topsoil. Any potential loss of agricultural land will therefore not be significant. Further, the relocation of the farmstead is required for the Applicant to be able to make productive use of the agricultural land surrounding the Site.

The Proposed Development is therefore considered to accord with the criteria of Policy S4 Part A.

We will now turn to the catch all criterion in Policy S4 which is that development proposals should respect the intrinsic character of their surroundings. The proposed erection of farm buildings in the countryside is clearly supported by the policy and based on the Site's planning history, the Council has previously accepted when planning permission with reference **10/04921/STPLF** was granted that agricultural development of a significantly large scale than proposed in this application would be in keeping with and respect the character of the surrounding area.

Subject to compliance with any other material planning considerations which we turn to discuss below, we consider that the principle of the Proposed Development is acceptable and accords with **Policy S4** of the ERSD and the Framework.

Development of MW-B

The NPPF places emphasis on the Government's objective of significantly boosting the supply of homes and **Policies S3** and **A6** of the ERSD establishes that Market Weighton as a key local focus for residential development. **Policy MW-B** of the ERAD is a residential allocation and Part C of this policy requires the removal of the existing farm and its associated buildings and structures. **23/01953/STPLF** is a live planning application being brought forward by Persimmon Homes (Yorkshire) for the erection of 196 dwellings on the site of the Applicant's existing farm. The Council's policy requires the pig units and associated agricultural buildings to be removed and therefore the delivery of a key part of the MW-B housing allocation is reliant on the relocation of the business. To boost the supply of housing the existing farm business needs to be relocated and this application together with application **23/03386/AGNOT** is the start of the relocation process. Accordingly, it is considered that the Proposed Development accords with the Framework and will assist in the meeting the objectives of **Policy S3** and **Policy A6** of the ERSD.

Design

At section 12, the NPPF indicates that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. **Policy ENV1** of the ERSD sets out that new development should meet the design principles of having regard to the characteristics of the site's wider context and be of an appropriate scale, massing, height and material. Building A's scale, massing, height and material from which it is to be constructed are all typical of an agricultural building found in the surrounding area and is of a similar design to that approved in **10/04921/STPLF** which granted full permission for an agricultural building/agricultural workshop on the site of Building A. It is therefore considered that the Proposed Development is in keeping with the Site's wider context and complies with the Framework and ERSD **Policy ENV1**.

Ecology

Chapter 15 of the Framework seeks to ensure that the planning system contributes and enhances the natural and local environment. It places emphasis on protecting and minimising the impacts of development on biodiversity. **Policy ENV4** of the ERSD seeks to conserve and enhance existing biodiversity. This application is accompanied by a Preliminary Ecological Appraisal ('PEA') Report and Biodiversity Net Gain ('BNG')(Baseline) Assessment by Brooks Ecological. The PEA confirms that no important habitats are likely to be affected by the proposals and, as such, no additional ecological surveys are required.

The BNG baseline value of the Site is measured as 1.93 Habitat Units and 0.32 Watercourse Units, and the PEA sets out recommendations to ensure that the Proposed Development complies with the mitigation hierarchy. The report outlines that a BNG report and Biodiversity Management Plan can be produced during the design process and as a condition of any planning permission respectively. As such, the Proposed Development is considered to comply with the NPPF and **Policy ENV4** of the ERSD.

Archaeology

Paragraph 194 of the Framework indicates that where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment. **Policy ENV3** of the ERSD seeks to ensure that existing heritage assets

are not harmed by new development. An Interim Report on a Controlled Scheme of Observation for the Site has been prepared by East Riding Archaeology which confirms that no artefacts were recovered during excavations undertaken.

No evidence of archaeological interest was found in pits dug in the location of the proposed Building A and the report confirms that the proposed construction methodology of Building A will ensure that the depth of excavation is minimised. Accordingly, it is considered that the Proposed Development accords with the Framework and **Policy ENV3** of the ERSD.

Landscaping

NPPF at paragraph 135 makes clear that development should be sympathetic to the landscape setting. **Policy ENV2** of the ERSD sets out that development proposals should be sensitively integrated into the existing landscape. The proposed landscaping scheme for the wider development, prepared by Rosetta Landscape consists of a 5m wide native shrub buffer to the eastern and western boundaries of the Site, and a 10m native woodland landscaping buffer along the southern boundary of the Site. It is considered that the proposed buffer planting will ensure that views are softened of the Proposed Development and the forthcoming application for 2 further buildings. This will ensure that the Proposed Development is sensitive to the local landscape setting and therefore complies with the NPPF and **Policy ENV2** of the ERSD.

Ground

NPPF paragraph 189 states that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions. **Policy ENV6** of the ERSD indicates that environmental hazards should be managed to ensure that development does not result in unacceptable consequences. This application is accompanied by a Preliminary Geoenvironmental Investigation prepared by Lithos Consulting. The report concludes that the current and former uses of the Site are considered unlikely to have given rise to any significant ground and groundwater contamination and considers that the Site should be suitable for the proposed use. It is therefore considered that the Proposed Development complies with the NPPF and ERSD **Policy ENV6**.

Flood Risk

NPPF paragraph 173 indicates that local planning authorities should ensure that proposals will not increase flood risk elsewhere. **Policy ENV6** of the ERSD outlines that flood risk will be managed to ensure that development does not result in unacceptable consequences. A Flood Risk and Drainage Assessment, prepared by OEC Consulting Engineers accompanies this application and relates to all of the buildings in the wider proposals and not just Building A. The report confirms that, whilst the proposed location of some of the buildings partially falls within Flood Zone 2, the Sequential Test is satisfied given that the Applicant has already partially started to implement the relocation of the farm business under permission reference 23/03386/AGNOT and the farm house is substantially complete and, as such, it is not possible to relocate the agricultural building and retain agricultural efficiency. However, in order to accommodate the possibilities of flooding from a catastrophic storm, precautionary flood mitigation measures are recommended in the report including finished floor levels (FFL) to the buildings being raised a minimum of 150mm above external levels, ground floors shall comprise solid concrete slabs, incoming electricity supplies shall be raised above ground floor level and ground floor electric sockets shall be served by loops from upper level. Further, in order to provide a more sustainable drainage solution that mimics the existing surface water regime, it is proposed that the run-off is simply allowed to discharge onto the adjacent land. Run-off will then flow into the surrounding land in the same manner as the pre-development situation, creating no increased flood risk to downstream areas. Implementation of the above measures will ensure that the Proposed Development is sensitive to and will not increase flood risk and therefore is compliant with the NPPF and **Policy ENV6** of the ERSD.

Mineral Assessment

The Site is located within a Minerals Safeguarding Zone according to the East Riding of Yorkshire and Kingston upon Hull 'Joint Minerals Local Plan' Policies Map (adopted November 2019) and, as such, assessment against the criteria set out in Part B of **Policy EC6** of the ERSD is required. Part B confirms that within Mineral Safeguarding Areas, non-mineral development, which would adversely affect the viability of exploiting the underlying or adjacent deposit in the future, will only be supported where it can be demonstrated that the:

- “1. Underlying or adjacent mineral is of limited economic value;*
- 2. Need for the development outweighs the need to safeguard the mineral deposit;*
- 3. Non-mineral development can take place without preventing the mineral resource from being extracted in the future;*
- 4. Non-mineral development is temporary in nature; or*
- 5. Underlying or adjacent mineral deposit can be extracted prior to the non-mineral development proceeding, or prior extraction of the deposit is not possible.”*

The Proposed Development consists of one agricultural building with a floor space of 603.8 sqm and is considered to comply with criterion 2 of Policy EC6 given that, as is described above, the delivery of a full planning application for 196 dwellings (including 19 affordable units) is reliant on this development coming forward. Indeed, the wider MW-B housing allocation relies on the Applicant's pig farm being relocated. Further, the subsequent housing development of MW-B will increase connectivity in the western side of Market Weighton, joining existing and proposed parts of the community together and help to create a more vibrant and sustainable settlement. Furthermore, insufficient houses have been built in the District over a considerable period of time leading to unsustainable house price inflation and a widening in the affordability gap, which the creation of 196 units will help to address. The Proposed Development will therefore help the Council to satisfy the market and social housing needs of the District and will contribute towards maintaining a five-year housing land supply as required by the Framework. These benefits clearly coincide with the national aim of significantly boosting the supply of homes and, therefore, the need for the Proposed Development clearly outweighs the need to safeguard the Site for mineral extraction.

Summary

In conclusion, development in the countryside in the form of agricultural buildings is supported by both the NPPF and the policies of the Development Plan. The Site has previously been considered appropriate for the relocation of the farm business and, as such, the Proposed Development must also be considered appropriate now. Importantly, the relocation of the Applicant's existing farm is required to allow the residential development of the allocation known as 'MW-B' which will help boost the delivery of new homes and assist the Council in meeting their housing delivery test whilst maintaining a 5-year housing land supply.

This Planning Statement demonstrates that the Proposed Development accords with national and local planning policy and, and that there are no material planning considerations which would weigh against the grant of planning permission.

We therefore invite the Council, in accordance with the Framework, to approve the planning application without delay.

We look forward to receiving confirmation that this application has been validated. If, in the meantime, there is anything else you require, please do not hesitate to contact me.

Yours sincerely,

A handwritten signature in blue ink that reads 'Chris Wallace'.

Chris Wallace

Planner

DPP

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