

Heads of Terms for Section 106 Agreement

Date of Instruction: 17 October 2025

Case Officer: Tanya Coggon

Planning Application reference: PA/2023/1034

Application Validation date: 9 October 2023

Description of land: 51-55 Waterside Road (Former Osgerby Haulage and Warehousing)
Waterside Road, Barton upon Humber, DN18 5BH

Description of development: Outline planning permission for a change of use of existing vacant brownfield commercial land to residential housing land and erect up to 34 dwellings and associated roads, driveways, gardens, landscaping and boundary treatments with all matters reserved for subsequent consideration.

The below Heads of Terms are based on the conclusions of the independent viability report, undertaken by Avison Young and dated August 2024.

The conclusions state that the scheme is viable to provide £221,000 of financial contributions.

Name of applicant:	Mr & Mrs J Chapman
Solicitor details:	

Education

Education contribution:	A contribution of £140,952 towards primary and/or secondary school provision at the relevant catchment schools.
School(s):	Primary and/or Secondary schools within the catchment area.
Trigger Point:	50% on occupation of the 10 th dwelling 50% on occupation of the 20 th dwelling
How long the council has to spend the contribution:	10 years

Informal Open Space

Onsite contribution	<p>A minimum of 10SqM per dwelling of informal open space should be provided onsite.</p> <p>The informal open space should be maintained in perpetuity by a private management company. The management company should be set up prior to the sale of the 1st dwelling.</p> <p>The open space shall be delivered onsite and transferred to the private management company prior to the sale of the penultimate dwelling on the site.</p>
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Area of Play

Offsite contribution	An offsite contribution of £33,668 towards improvements at Dam Road Playground, Baysgarth Park or Waters Edge Playground/Humber Bridge Park.
Trigger Point:	On occupation of the 5 th dwelling.
How long the council has to spend the contribution:	10 years

Recreation

Recreation contribution	A total contribution of £37,266 is required towards: <ul style="list-style-type: none"> • improvements to the natural grass pitches and all-weather provisions that serve Sub area 7 • outdoor changing room facilities that serve Sub area 7 • swimming facilities at Baysgarth Leisure Centre, • towards sports hall and fitness improvements at Baysgarth Leisure Centre • for improvements to indoor bowling facilities
Trigger Point:	Prior to the occupation of the 20 th dwelling
How long the council has to spend the contribution:	10 years

Strategic Access Management and Mitigation Strategy (SAMMs)

SAMMs contribution	<p>£121 per dwelling for 34 dwellings, giving a total of £4,114.</p> <p>To be spent on mitigating the impacts of recreational disturbance along the Humber, providing one or a combination of the following:</p> <ul style="list-style-type: none"> • Part time facilitation officer. • The development and procurement of appropriate signage, interpretation boards, and access improvement projects (planting, fencing, footpath improvement/diversion) to respond to monitoring outputs. 5 interpretation boards to be provided at each survey location (Alkborough Flats, Whitton Foreshore, Chowder Ness Viewpoint, Waters Edge and East Halton Skitter). • Bird habitat monitoring surveys and subsequent analysis. • Signage (route direction/"no fouling"/"dogs on lead," etc.). • Route management (fencing, screening, planting, drainage, widening, etc.); • Dog waste bins.
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	<ul style="list-style-type: none"> • Habitat protection and improvement (natural screening, litter picking, etc.). • Footfall counters to record visitor numbers at key sensitive locations.
Trigger Point:	On the occupation of the 1 st dwelling
How long the council has to spend the contribution:	10 years

Community Facilities

Community Facilities contribution	A contribution of £5,000 towards infrastructure improvements to encourage community events at the Assembly Rooms.
Trigger Point:	On the occupation of the 5 th dwelling
How long the council has to spend the contribution:	10 years