

Date: 31 October 2025  
Our ref: 530544  
Your ref: PA/2023/1034



North Lincolnshire Council  
Church Square House  
30 – 40 High Street  
Scunthorpe  
DN15 6NL

Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

T 0300 060 3900

[planning@northlincs.gov.uk](mailto:planning@northlincs.gov.uk)

## BY EMAIL ONLY

Dear Tanya Coggon,

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

**Location:** 51 to 55 Waterside Road (former Osgerby Haulage and Warehousing), Barton upon Humber, DN18 5BH

Thank you for your consultation on the above dated 16 October 2025 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

### SUMMARY OF NATURAL ENGLAND'S ADVICE

#### NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

Natural England considers that without appropriate mitigation the application would:

- have an adverse effect on the integrity of the Humber Estuary Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar <https://designatedsites.naturalengland.org.uk/>
- damage or destroy the interest features for which the Humber Estuary Site of Special Scientific Interest (SSSI) has been notified.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation options should be secured:

- Mitigation measures for recreational disturbance impacts, as outlined in sections 6.6 and 8 of your Habitats Regulations Assessment (October 2025). This primarily comprises a financial contribution to a Strategic Access Management and Mitigation Strategy (SAMMs)
- Mitigation measures for water quality impacts, as outlined in sections 7.5 and 8 of your Habitats Regulations Assessment (October 2025).

We advise that an appropriate planning condition or obligation is attached to any planning

permission to secure these measures.

A lack of objection does not mean that there are no significant environmental impacts. Natural England advises that all environmental impacts and opportunities are fully considered and relevant local bodies are consulted.

Natural England's further advice on designated sites/landscapes and advice on other natural environment issues is set out below.

## **THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017 (AS AMENDED)**

### **Internationally designated sites**

Please note that the following advice is based on a draft version of the Habitats Regulations Assessment (HRA) (October 2025) sent to Natural England by the North Lincolnshire Council Natural Environment Policy Specialist on 16 October 2025. **Our advice below is therefore provided based on the understanding that this version of the HRA will be submitted to the planning portal.**

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given.

### **Further advice on mitigation**

#### **Recreational disturbance**

The draft HRA appropriate assessment (October 2025) now details additional mitigation measures. We consider that following the amendments made, the mitigation measures are now adequate to avoid adverse effects on the integrity of the Humber Estuary designated sites.

The below measures will need to be strictly implemented so that the conclusions of the HRA remain valid. If these measures need to be amended, a new assessment should be undertaken, and Natural England will need to be re-consulted.

The mitigation measures should include, but not be limited to, the following:

- As outlined in section 6.6.2 of the HRA, a financial contribution, per dwelling, to a Strategic Access Management and Mitigation Strategy (SAMMS), to be agreed with Your Authority. This will enable delivery of targeted strategic mitigation measures (outlined in section 6.6.3), and contribution to SAMMS is to be secured through implementation of a Section 106 planning agreement (outlined in section 8.1).

We note at the time of writing this letter, the SAMMS payment is outlined in the HRA as comprising a per dwelling contribution of £121 and therefore a total of £4,114 for the development. This however is stipulated with the following: "*...the final cost per dwelling may be updated in the required section 106 agreement when the interim SAMMS approach has been agreed by North Lincolnshire Council.*" We are aware that the final details of your authority's SAMMS are currently being worked through in consultation with Natural England. However, at this stage we are able to agree with the SAMMS approach in principle for this development, subject to final amendments, as

contribution to the SAMMS will be secured through a Section 106 planning agreement (as confirmed in 8.1.1).

### **Water quality impacts**

The draft HRA appropriate assessment (October 2025) now details additional mitigation measures. We consider that following the amendments made, the mitigation measures are now adequate to avoid adverse effects on the integrity of the Humber Estuary designated sites.

The below measures will need to be strictly implemented so that the conclusions of the HRA remain valid. If these measures need to be amended, a new assessment should be undertaken, and Natural England will need to be re-consulted.

The mitigation measures should include the following:

- Plans should be submitted in line with sections 8.2, 8.3 and 8.4 of the HRA, a construction surface water management plan, surface water drainage scheme and Water Quality Scheme to be submitted and approved by Your Authority prior to commencement of development.

### **WILDLIFE AND COUNTRYSIDE ACT 1981 (AMENDED)**

#### **Humber Estuary Site of Special Scientific Interest (SSSI)**

Our advice regarding the Humber Estuary SSSI coincides with the advice set out above.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 281 (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Further general advice on consideration of protected species and other natural environment issues is provided at Annex A.

Should the developer wish to discuss the detail of measures to mitigate the effects described above with Natural England, we recommend that they seek advice through our [Discretionary Advice Service](#).

If you have any queries relating to the advice in this letter please contact me on [Ellie.Feary@naturalengland.org.uk](mailto:Ellie.Feary@naturalengland.org.uk).

We would be pleased to provide advice on the discharge of planning conditions or obligations attached to any planning permission to address the issues above.

Should the proposal change, please consult us again.

Yours sincerely

Ellie Feary  
Yorkshire and Northern Lincolnshire Area Team  
Natural England