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| APPLICATION NO | PA/2023/1607 |
| APPLICANT | J P Borril and A Stephenson, Strata |
| DEVELOPMENT | Planning permission for a residential development with associated internal vehicular and pedestrian access, landscaping and infrastructure, and formation of a new roundabout junction on Barton Road linking to a section of Barton upon Humber's relief road |
| LOCATION | Land south of A1077 Barrow Road, Barton upon Humber |
| PARISH | BARTON UPON HUMBER |
| WARD | Barton |
| CASE OFFICER | Tanya Coggon |
| SUMMARY RECOMMENDATION | Subject to Section 106, approve with conditions |
| REASONS FOR REFERENCE TO COMMITTEE | Member 'call in' (Cllr Paul Vickers – significant public interest) Departure from the development plan |

POLICIES

National Planning Policy Framework:

- 2 Achieving sustainable development
- 4 Decision-making
- 5 Delivering a sufficient supply of homes
- 9 Promoting sustainable transport
- 11 Making effective use of land
- 12 Achieving well-designed places
- 14 Meeting the challenge of climate change, flooding and coastal change
- 15 Conserving and enhancing the natural environment
- 16 Conserving and enhancing the historic environment

North Lincolnshire Local Plan:

- RD2 Development in the open countryside
- H5 New housing development
- H8 Housing design and housing mix

H10 Public open space provision in new housing developments

T1 Location of development

T2 Access to development

T6 Pedestrian routes and footpaths

T8 Cyclists and development

T19 Car parking provision and standards

LC1 Special Protection Areas, Special Areas of Conservation and Ramsar sites

LC2 Sites of Special Scientific Interest and National Nature Reserves

LC3 Local nature reserves

LC4 Development affecting sites of local nature conservation importance

LC5 Species protection

LC6 Habitat creation

LC7 Landscape protection

LC12 Protection of trees and hedgerows

HE9 Archaeological evaluation

DS1 General requirements

DS3 Planning out crime

DS7 Contaminated land

DS11 Polluting activities

DS13 Groundwater protection and land drainage

DS14 Foul sewage and surface water drainage

DS16 Flood risk

DS1 General requirements

DS14 Foul sewage and surface water drainage

DS16 Flood risk

North Lincolnshire Core Strategy:

CS1 Spatial strategy for North Lincolnshire

CS2 Delivering more sustainable development

CS3 Development limits

CS5 Delivering quality design in North Lincolnshire

CS6 Historic environment

CS7 Spatial distribution of housing sites

CS8 Overall housing provision

CS9 Affordable housing

CS16 North Lincolnshire's landscape, greenspace and waterscape

CS17 Biodiversity

CS18 Sustainable resource use and climate change

CS19 Flood risk

CS22: Community facilities and services

CS23 Sport, recreation and open space

CS25 Promoting sustainable transport

CS25 Promoting sustainable transport

CS27 Planning obligations

Housing and Employment Land Allocations Development Plan Document:

PS1 Presumption in favour of sustainable development

Barton upon Humber Neighbourhood Plan:

- **Barton Design Code Submission**
- **Barton upon Humber Housing Needs Assessment**

The Barton upon Humber Neighbourhood Plan and Design Code was 'made' (adopted) by North Lincolnshire Council on 4 December 2025, following the successful referendum held on 20 November 2025.

BNDP1 High quality design

BNDP2 Accessible and adaptable dwellings

BNDP3 Home working

BNDP4 Sustainable design and construction

BNDP5 Housing mix

BNDP6 Space standards

BNDP7 Building for a healthy life

BNDP11 Green infrastructure and biodiversity

BNDP12 Tree planting

BNDP13 Archaeology

BNDP14 Flood resilience

BNDP17 Residential parking

BNDP18 Pedestrian and cycle connections

Other relevant legislation/guidance:

Conservation of Habitats and Species Regulations 2017

Statement of Community Involvement 2025

SPG 3 Countryside Design Summary

Landscape Character Assessment & Guidelines

SP8 Developer Contributions to School

SPG 10 The Provision of Open Space in New housing Developments

SPG Trees and Development

SPD Planning for Health and Wellbeing

Sustainable Drainage (SuDS) and Flood Risk Guidance

CONSULTATIONS

Highways: No objections subject to conditions.

National Highways: No objections.

Active Travel England: Standing advice given.

Public Rights of Way: No objections.

Environment Agency: No objection.

Drainage (Lead Local Flood Authority): No objection subject to conditions.

Shire Group of Internal Drainage Boards: No response to consultations.

Anglian Water: No objection subject to conditions .

Environmental Protection: No objections subject to conditions.

Archaeology: No objection subject to conditions.

Ecology: No objection subject to conditions.

Trees: No objection.

Natural England: No objection subject to conditions/s106.

Lincolnshire Wildlife Trust: Objections to BNG calculation, hedgehog passes in fencing.

S106 officer: S106 contributions are required to mitigate impacts of the development.

Strategic Housing: No objection.

Spatial Planning: Contrary to policy.

Recycling: No objections, but provide informative comments in relation to bins, pulling distances and access for refuse vehicles.

NHS Health: No objection but request a contribution towards health services.

Humberside Police: No objections, but informative comments provided.

Humberside Fire and Rescue Service: No objections, but informative comments provided.

TOWN COUNCIL

Object due to flooding, traffic, visual impacts, no open green spaces, does not comply with Active Travel England, no communal areas, s106 contribution towards the Assembly Rooms, need for more 2- and 3-bedroom properties, and Barton Neighbourhood Plan policies should be referenced in the submission.

PUBLICITY

Site and press notices have been posted in respect of the original and amended plans. A total of 18 letters of objection and 1 letter of support have been received in response to the original and amended plans, raising the following material planning issues:

Objections:

- unsafe access
- increased noise and disturbance
- loss of privacy/overlooking
- pollution – noise/light/air
- highway safety/increase in traffic
- lack of infrastructure
- flooding
- relief road should be completed

- high density development
- lack of green spaces
- loss of wildlife
- abnormal costs inaccurate
- lack of viability/s106 contributions
- loss of trees.

Support:

- further investment and development of community facilities in Barton upon Humber.

STATEMENT OF COMMUNITY INVOLVEMENT

A statement of community involvement (SCI) has been submitted by the developer. This document outlines the activity undertaken to engage local communities and stakeholders and inform them of proposals and plans for the site.

This involved a leaflet drop to residents in the area around the site. In total, 280 addresses were notified of the proposals, the majority of which were residential properties, with 3 commercial properties. A copy of the consultation leaflet has been submitted with the application. Local ward councillors were also contacted, the developer offering a meeting to discuss the proposals. Informal pre-application discussions also took place with North Lincolnshire Council officers.

9 responses were received by email to the consultation leaflet. 1 respondent supported the proposals, 2 were neutral and 6 objected. Comments were made in respect of density, design, ecological impacts, highway safety, and infrastructure and services. The developer has summarised and responded to all the comments received, which have also been submitted to the local planning authority, within the SCI.

RELEVANT PLANNING HISTORY

PA/2023/1981: Planning permission to construct a vehicular link road joining Barrow Road, A1077 and Caistor Road with cycle carriageway, footways and hard and soft landscaping treatment – approved 06/09/2024

SCR/2023/1: EIA screening request for residential development – not EIA development 01/03/2023

The site was allocated for 225 dwellings (H1P-13) in the new local plan before the new local plan was withdrawn.

CONSTRAINTS

The site is approximately 6.35 hectares and comprises agricultural fields outside the development limit of Barton upon Humber, within the open countryside.

The fields are in arable production (grade 2 agricultural land), the land rises away from Barrow Road (A1077) from north to south, and there is some intermittent tree and hedge planting along the field margins.

The land to the west and north of the site is residential and there are agricultural fields to the east and south-east.

The site is within flood zone 1.

The site has high potential for archaeological deposits.

The site is within 5km of 3 internationally designated sites: the Humber Estuary Special Protection Area (or SPA), Ramsar and Special Area of Conservation (SAC).

Overhead cables lie to the east.

ASSESSMENT

Site and proposal

This proposal is for a residential development comprising 196 houses, associated internal vehicular and pedestrian access, landscaping and infrastructure, and formation of a new roundabout junction on Barton Road linking to a section of Barton upon Humber's relief road.

The 196 dwellings comprise:

- 4 x 1-bedroom
- 22 x 2-bedroom (of which 4 are bungalows)
- 106 x 3-bedroom
- 64 x 4-bedroom

made up of 4 single-storey bungalows, with the remaining dwellings either 2 or 2.5-storey (rooms in the roof space lit by rooflights or dormer windows). 9 house types are proposed comprising a mix of bungalows, semi-detached, detached and terraced. Each dwelling has its own parking and private amenity area. Each plot has a garden shed and bin store. Some plots have been designed with a cycle store.

PA/2023/1981 granted planning permission for the Barton relief link road which includes a roundabout on Barrow Road that runs from Barrow Road to Caistor Road. The proposed dwellings will be served via a new four-arm priority-controlled roundabout on Barrow Road and part of the new link road running between the Barrow Road (A1077) to the north and Caistor Road to the south, which will be referred to as the spine road in this report. The roundabout and spine road are shown within the red line area of the application site. A segregated footway and cycleway will be provided on the western side of the new link road, with a footway on the eastern side separated from the carriageway by a grass verge. The spine road will form the only access to and from the site. Within the site a residential estate will be formed comprising a number of smaller secondary and tertiary roads and cul-de-sacs. A footpath link to Cornhill Drive is proposed to improve pedestrian links.

Funding (£19.7 million) has been granted to NLC through the Levelling up Fund for the construction of the approved link road. A contractor has now been appointed to build the link road, which is estimated to be completed in 2027. The developer has stated that they will not begin construction works until the roundabout and link road have been completed by NLC, thereby avoiding conflict between the construction of the roundabout and link road with the construction and occupation of residential development. These matters are also addressed within the recommended planning conditions below. . Once the link road is completed by NLC, it will provide a direct route from the residential development itself to Caistor Road and will allow HGVs to use the link road thus alleviating traffic flows within Barton upon Humber town centre.

Pumping substations are proposed on site to serve the development. Attenuation tanks are proposed on the site and will also be installed in the roundabout, as well as a drainage basin. The scheme has been designed to ensure the necessary surface water sewer and pipe easements, and overhead cable easements, are provided, which limits the developable area of the site. The drainage features and easement area will be used as open space areas within the development.

The site is not level as it rises from north to south. The developer has submitted details of the levels of the site as well as the indicative levels of the proposed dwellings. The drawings indicate a number of dwellings will have steps to front/rear gardens and retaining walls due to the site levels. Plots alongside the spine road will be constructed at a higher level than the spine road.

A landscaping master plan has been submitted with the proposals. Hedgerows will be retained and improved around the east, south and west site boundaries. Garden areas are to be turfed. Various trees and shrubs are to be provided to the plots. Meadow grasses, wildflower meadow, flowering grassland and bulb planting, together with mown path, are proposed in open space area (where attenuation tanks and easements are located).

The main issues in determining this application are:

- the principle of development
- highway matters
- flood risk and drainage
- loss of agricultural land
- character/landscape/design
- impacts on heritage assets (archaeology)
- environmental issues
- density and housing mix/type
- residential amenity
- ecology/biodiversity
- trees

- s106 obligations and viability
- other material planning conditions.

Principle of the development

Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 require planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance the development plan consists of the North Lincolnshire Local Plan (NLLP), adopted in May 2003; the North Lincolnshire Core Strategy (CS), adopted in June 2011; the Housing Employment Land Allocations Development Plan Document (HELA DPD) which was adopted in March 2016 and the Barton upon Humber Neighbourhood Plan (BNP) which was adopted in 2025. Material considerations exist in the form of national planning policy and guidance contained within the National Planning Policy Framework (NPPF) and the suite of documents comprising the Planning Practice Guidance (PPG).

Policy CS1 of the CS focuses on supporting market towns as thriving places to live, work and visit, and as important service centres to serve the needs of local communities across North Lincolnshire. In respect of proposals outside the defined development limits, policy CS1 sets out that development will be limited and promotes rural economic diversification, green tourism and small-scale employment opportunities. Furthermore, policies CS2 and CS3 set out that development that takes place outside the defined development limits of settlements or in rural settlements in the countryside will be restricted. Only development which is essential to the functioning of the countryside will be allowed to take place.

This planning application comprises 196 dwellings with associated roads, driveways, gardens and landscaping located on agricultural land outside the defined development limits of Barton upon Humber. The site, in terms of the development plan, is within the open countryside where development is strictly controlled. The proposed development does not fall into any of the types of development considered to be acceptable in the open countryside. The proposal therefore does not comply with policies CS1, CS2 and CS3 of the CS.

Policy CS7 of the Core Strategy sets out an aspirational minimum density of 30 to 35 dwellings per hectare on sites in the open countryside. The housing density of this site is approximately 30 dwellings per hectare which complies with this policy.

The proposal does not comply with policy CS8 as major housing development is proposed in the open countryside outside development limits, where housing development is strictly controlled and only permitted if it relates to agriculture or forestry, or to meet a special need associated with the open countryside.

Policy RD2 of the NLLP restricts development in the open countryside other than in exceptional circumstances. This policy only supports residential development outside defined development limits where it is to meet an essential proven need, and the open countryside is the only appropriate location for the development. This proposal for 196 market dwellings in the open countryside does not comply with this policy.

In terms of strategic policies of the CS (CS2, CS3 and CS8) and policy RD2 of the NLLP, this proposal for a major development of market housing on a greenfield site comprising

agricultural land (grade 2) within the open countryside is considered to be in breach of these policies and is therefore not acceptable in principle.

It is acknowledged, following a recent appeal decision, that the local planning authority (LPA) cannot demonstrate a five-year housing land supply; the housing policies are therefore considered out of date and carry limited weight. As such, the 'tilted balance' set out in paragraph 11. d) of the NPPF is engaged – presumption in favour of sustainable development. The 'tilted balance' applied to the decision-making process requires that permission be granted unless 'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole. The NPPF is a material consideration in determining this application, and this matter will be discussed in the 'material considerations' section below and within the planning balance.

Highway matters

The proposals are dependent on the construction of the Barton Link Road and new roundabout on the A1077, at the junction with Falkland Way, as this provides the sole point of vehicular access and spine road to the application site. The link road and roundabout was granted planning permission under PA/2023/1981. Work is due to start on the link road later this year and is anticipated to be completed by March 2027.

The site is in a sustainable location within walking and cycling distance of the town centre of Barton, close to employment, education sites and bus stops. The proposed footway/cycle connection into Cornhill Drive will improve connectivity of the site with the neighbouring residential development. Pedestrian routes are provided around the site increasing permeability and link to the footway on Barrow Road, providing pedestrian accessibility to the centre of Barton. Each dwelling has its own driveway, with satisfactory provision of off-street parking to serve each dwelling, and sheds/cycle stores are proposed for the dwellings for storage of bicycles.

In terms of vehicular movements, a Transport Assessment (TA) has been submitted which assesses vehicular movement associated with the site, traffic impacts, public transport, pedestrian and cycling provision, and road casualties. Capacity assessments have been undertaken associated with the approved A1077/Falkland Way/link road roundabout, the existing A1077/Holydyke/Hungate mini-roundabout and the A1077/Holydyke/Hungate improvement scheme.

The site is well placed to generate trips by sustainable modes of transport, and the road casualty study has been analysed and has not revealed any identifiable existing collision issues associated with the expected movements of the proposed development. The TA concludes that the proposed development will not have a severe impact on the operation of these key junctions once the schemes have been implemented and that the proposals will not have a significant impact on the operation of the local highway network.

There have been no objections to the proposals from NH, NLC highways or ATE. Concerns from residents are noted with regard to traffic and highway safety issues. However, the technical data submitted and analysis has sufficient evidence base such that it can be concluded that no adverse impacts in terms of traffic and highway safety will be caused by the proposed development.

Highways have proposed a number of planning conditions relating to access, car parking, highway improvements to the footway on the site frontage, and the submission of a

construction and traffic management plan. It is recommended that the proposed highway conditions are imposed on the planning permission if granted. Subject to the aforementioned conditions, the proposal is considered to be acceptable in highway terms and aligns with policies T1, T2, T6, T8, T19 and DS1 of the NLLP; CS1, CS2, CS5 and CS25 of the CS; BNDP17 and BNDP18 of the Barton upon Humber Neighbourhood Plan; and chapter 9 of the NPPF (paragraphs 109, 110, 115, 117 and 118).

Flood risk and drainage

Flood risk

In terms of flood risk, the site is in flood zone 1 in the updated EA maps (2025) and is therefore at low risk of flooding. The flood risk assessment has considered all risks of flooding from fluvial flooding, surface water flooding, flooding from open drainage ditches, groundwater flooding, flood risk from existing water mains, flood risk from existing drainage/sewers, flood risk from proposed drainage/sewers, flooding from reservoirs, canals and other artificial sources. The report has concluded that there is no potential risk of flooding to the development and therefore there is no requirement for any flood mitigation measures. The IDB has not responded to the consultations. The LLFA, EA and AW are not objecting to the proposals in terms of flood risk and are not recommending planning conditions in that regard. In terms of flood risk, therefore, the proposal aligns with the NPPF, policy CS19 of the CS, policy DS16 of the NLLP and policy BNDP14 of the BNP.

Surface water drainage and SuDS

An extensive drainage strategy and associated documents, including a justification for SuDS on the site and water quality information, has been submitted as part of the application. The EA, LLFA, Shire Group of IDBs and AW have been consulted on the proposals with no objections received. The LLFA and AW recommend planning conditions in respect of surface water.

The surface water drainage for the site is based around discharging into an existing 150mm diameter public surface water sewer in Falkland Way at a maximum discharge of 5.0l/s. Attenuation basins and tanks are proposed on the site and roundabout for surface water drainage purposes. Other SuDS features such as permeable paving, swales and water butts would be incorporated into the surface water drainage design.

The LLFA has no objections to the proposals and recommends a series of planning conditions requiring a full detailed design of the surface water drainage scheme for the site to be submitted for approval, the submission of a construction surface water management plan for approval, measures to prevent surface water run-off onto the highway from the site and vice versa, a management and maintenance plan for surface water, and details of surface water catchment areas.

The EA has no comments to make in respect of surface water and the Shire Group of IDBs has not responded to the consultation. AW, in terms of surface water, has no objections and has commented that infiltration SuDS are not planned for this site and therefore there should be no risk of contamination to controlled waters (ground water). AW recommend conditions to secure the submitted drainage layout and assessment and, if the surface water disposal system deviates from the submitted Flood Risk and Drainage Assessment, and the revised system incorporates infiltration SuDS devices, the developer shall conduct an appropriate risk assessment to demonstrate that the risk of contamination to controlled waters (groundwater) has been assessed.

In this case it is recommended that the detailed design of the surface water drainage strategy is submitted for approval to the LPA. Through a discharge of conditions application, the LLFA, Shire Group, AW and EA would be consulted on the scheme. Therefore, AW's recommended conditions are not required in respect of surface water. Subject to the recommended surface water drainage conditions, the proposals will comply with CS18 and CS19 of the CS, DS14 of the NLLP and BNDP14 of the BNP, and paragraphs 170 and 173 to 182 of the NPPF.

Foul water

Due to site levels and topography, it is only possible to drain the western portion of the site by gravity, with the eastern portion of the site requiring a pumped discharge. A sewage pumping station is therefore proposed in the north-eastern corner of the site adjacent to Barrow Road.

AW and the EA have been consulted on the proposals as statutory consultees for foul water and have commented as follows.

Anglian Water

In terms of wastewater treatment, the Barton upon Humber WRC (Water Recycling Centre) can accommodate flows from the proposed growth.

In terms of the used water network, AW comments that 'The foul flows from the proposed development site will pass through BARTON-FLEETGATE TPS (BTNFSM) which is currently exceeding the acceptable spill count, as set by the Environment Agency. While this overflow is included within our Water Industry National Environment Programme (WINEP) for environmental improvement during the current asset management period (2025–2030), the infrastructure upgrade has not yet been delivered.'

To ensure there is no risk of pollution arising from the additional foul flows associated with the development, AW recommend a pre-occupation planning condition be applied should planning permission be granted. This condition would help mitigate environmental risk by ensuring that occupation of the development does not proceed until appropriate measures are in place.

Environment Agency

The EA has made informative comments that they are aware that the Barton upon Humber Water Recycling Centre is at or near its permitted limits. Additional flows from new developments such as this could lead to the works causing pollution of the receiving watercourse. Anglian Water Services (AWS) is legally obliged to operate within permit limits and the EA will take all necessary action to ensure that the receiving watercourse is protected. The EA has advised NLC liaise with AWS before determining the planning application. This collaboration is essential to ensure that adequate plans are in place to provide capacity at the works, for it to handle the foul flows from this development, and avoid pollution.

The developer has some concerns over the proposed condition proposed by AW in that they would not be able to occupy the dwellings until AW agreed that the network reinforcement works had been completed. These reinforcement works have to be carried by out under legal legislation by 2030. As a result, following NLC discussions with AW, if, for example, planning permission is granted in 2026 for this development, the developer would

not be able to connect any dwelling to the public sewer until 2030. In light of this fact, along with the recommended planning condition by AW, the LPA also recommends the time limit of the planning permission, if granted, be 4 years to allow the developer additional time to implement the permission bearing in mind no dwelling can realistically be occupied on the site until 2030 (until the network reinforcement works have been carried out). This matter will be revisited in the 'other matters section' at the end of this report.

In terms of foul water, subject to the proposed AW condition ensuring that no dwelling is occupied until confirmation from AW that the necessary network reinforcement works have been completed and that the foul flows from the development can be accommodated without causing a detrimental impact on the environment, then the proposal would align with DS14 of the NLLP.

Loss of agricultural land

The proposal would result in the loss of around 6.35 hectares of agricultural land. Planning records indicate that this is grade 2 agricultural land (very good quality). The site is currently in agricultural production.

Paragraph 187 (b) of the NPPF seeks to recognise the economic and other benefits of the best and most versatile agricultural land. Footnote 65 of the NPPF directs significant development (where necessary) to areas of poorer quality of agricultural land.

It should be noted that the approval of the link road scheme to alleviate traffic through Barton town centre will form the spine road for this proposed residential development. The approval of the relief road has also resulted in loss of agricultural land which has been judged to be acceptable due to the socio-economic benefits that the relief road will provide.

North Lincolnshire contains large swaths of BMV within the vicinity of the site. Whilst, the loss of agricultural land is regrettable, it is not considered to have a substantial impact on the overall viability of farming or availability of quality agricultural land in the area. Therefore on balance, the loss of agricultural land is considered to be acceptable in this case.

Character/landscape/design

NPPF chapter 12 seeks to ensure the delivery of high quality, beautiful and sustainable buildings and places. Policy RD2 of the NLLP seeks to protect the character and appearance of the countryside. The guiding principle is that development should benefit economic activity, promote social inclusion and maintain or enhance the environment. It is noted that the open countryside can accommodate some forms of development without detriment, if the type, form and design are sensitive to the location. New development should be carefully located having regard to existing settlement patterns and to historic, wildlife and landscape resources. Policy DS1 of the NLLP requires all new development to respect, and where possible retain and/or enhance, the existing landform. Policy LC7 of the NLLP requires special attention to be given to the protection of the scenic quality and distinctive local character of the landscape.

Policy CS5 of the NLCS sets out the key design principles for all new development in North Lincolnshire. Its aim is to ensure that development supports the creation of a high quality built environment which is attractive to residents, investors and visitors. Policy CS16 states that 'The council will protect, enhance and support a diverse and multi-functional network of landscape, greenspace and waterscape.'

The Barton upon Humber Design Code requires new development to use land efficiently whilst respecting the existing landscape character, enhance biodiversity and take into account landform, layout building orientation, massing and landscape features. The character of the application site in the Design Code is countryside.

The site is not covered by any formal landscape designations. The site is on land which is defined as follows within the North Lincolnshire Landscape Character Assessment: Open Undulating Farmland – Barrow upon Humber, Goxhill, Thornton Curtis, Ulceby and Wootton.

The proposals would have a significant effect on the landscape as arable agricultural land would be changed to a residential housing estate. However, the agricultural appearance of the site and further land to the south will be changed by virtue of the construction of the approved link road running through the site (PA/2023/1981) which will commence on site later this year and be completed in 2027. Cumulatively, the link road and this proposal would be viewed against the existing built environment of Barton. The resulting view of a new road, associated highway infrastructure and the proposed residential development would be comparable to the existing southern approach, where an existing residential development is similarly framed by both the settlement and a link road – Falkland Way.

The proposed development would incorporate extensive landscaping and existing hedgerows would be retained and enhanced to site boundaries. This would help soften the impact of the development and assimilate it into the surrounding landscape without any significant adverse impacts on visual amenity or the character or appearance of the open countryside in this location. In a sense, the proposal can be viewed as a natural extension to Barton. It is accepted that the proposed development, along with the approved link road, would have some extent of visual prominence owing to the scale and location of the proposal. However, it is considered that the visual prominence and visual impacts of the proposed development would be localised.

Over time, landscaping and biodiversity net gain (BNG) proposals (to be conditioned) would help assimilate the development into the landscape, although realistically it could take 10 years or more for the landscaping to have significant beneficial effects. The precise landscaping scheme for the site is recommended to be conditioned and would need to be based on the submitted landscape master plan.

The development has been designed to create well-connected and safe streets and path networks, and connects to existing footpaths along the A1077 and Cornhill Drive. The access is via a roundabout and new access onto Barrow Road. Leading off the main spine road (access) are a number of small roads with frontages of dwellings generally facing the road. Off-street parking is provided to all plots. A clear and permeable hierarchy of streets, routes and spaces to create safe and convenient movement for all users has been provided within the submitted layout.

Open space/green infrastructure is provided adjacent to Barrow Road. Dwellings are set well back from Barrow Road adding to the rural, spacious character of this part of Barton. Landscaping is provided along frontage and site boundaries, and streets will be tree-lined, softening the hard edges of the development. Clearly defined public and private spaces are provided on the site.

The mix of 1, 2 and 2.5 storeys throughout the site create a variation in roof heights and add interest and variety in the street scene. The site is not level (rising north to south) with dwellings designed to take into account the levels of the site. Dwellings comprise semi-

detached, detached and small rows of 3 terraces, along with 4 apartments (in a 2-storey block) and 4 bungalows. A variety of external materials is proposed, including weathered red, and red and buff brick types, alongside grey and red roof tiles, and grey windows and doors, with detailing included on the principal elevations. It is considered that, although the development will have impacts on the landscape, the detailed design and layout of the development are considered to be acceptable. Over time, once the landscaping on the site has matured, this will mitigate impacts of the development on the landscape. Overall, on balance, the proposal aligns with policies CS5, CS16 and CS17 of the NLCS; DS1, H5 and RD2 of the NLLP; SPG5; and the BNP and Design Code.

Impacts on heritage assets (archaeology)

Policy HE9 of the NLLP relates to archaeological evaluation; policy CS6 of the CS relates to the historic environment. Policy BNDP13 of the BNP is also relevant, as is chapter 16 of the NPPF relating to conserving and enhancing the historic environment.

The site is not within or adjacent to a conservation area, nor are there any listed buildings on, adjacent or close to the application site. The council's Historic Environment Record (HER) has been consulted on the application. The submission includes archaeological desk-based assessment, a specification for an archaeological evaluation, and a specification for a programme of archaeological strip map and record.

The site does have potential for archaeology based on previous records. The developer has undertaken archaeological desk-based assessment and field evaluation as advised in accordance with paragraph 207 of the NPPF, policy HE9 of the NLLP and policy BNDP13 of the BNP. The archaeological field evaluation of the site comprised geophysical survey and archaeological trial trenching and has identified an area of the site where archaeologically significant remains of prehistoric date survive. The proposed development would destroy these remains resulting in substantial harm to the archaeological interest of the site. As a result, mitigation is required to avoid/offset the harm identified. The developer has submitted a Specification for a programme of archaeological strip map and record that provides for the pre-construction excavation and recording of the archaeology within the identified area, which has been assessed by HER, an expert in this field. HER considers that the mitigation proposals are acceptable and will offset the harm to the non-designated archaeological significance.

HER therefore recommends a series of planning conditions securing the implementation of the mitigation strategy set out in the submitted specification. These conditions are recommended below. Subject to the recommended archaeological conditions, the proposals would align with policy CS6 of the CS, policy HE9 of the NLLP, policy BNDP13 of the BNP and paragraphs 216 to 218 of the NPPF.

Environmental issues

Contamination

The site comprises agricultural land and there is potential for contamination associated with the land use and surrounding land uses. A Phase II Geo-Environmental Assessment has been submitted with the application that has been assessed by the Environmental Protection Officer (EPO). This assessment included a site investigation comprising 28 trial pit locations with samples taken. All the samples analysed show contaminant levels below their respective generic assessment criteria. No asbestos-containing material or fibres were identified. The report has stated that the site is suitable for residential end-use with plant

uptake. The EPO is satisfied with the recommendations in this report and recommends a planning condition in relation to any contamination being found during construction of the development. Subject to the aforementioned condition, the proposals are considered acceptable in terms of contamination and the proposed development complies with policy DS7 of the NLLP.

Air quality

Its purpose is to promote development that utilises natural resources as efficiently and sustainably as possible. Two points of this policy are relevant: (10) ensuring development and land use helps to protect people and the environment from unsafe, unhealthy and polluted environments, by protecting and improving the quality of the air, land and water; and (12) supporting new technology and development for carbon capture and the best available clean and efficient energy technology, particularly in relation to the heavy industrial users in North Lincolnshire, to help reduce CO2 emissions.

An air quality assessment has been submitted with the application which considers the impact of transport-related emissions at the proposed development site looking specifically at the following pollutants: NO2, PM10 and PM2.5. The assessment has been undertaken in accordance with IAQM/EPUK Guidance and takes into consideration the existing road network and the recently consented Barton Relief Road (PA/2023/1981) which will intersect the site.

The proposed development would generate traffic volumes that exceed the EPUK/IAQM screening thresholds on a number of local roads, therefore a detailed assessment in the form of dispersion modelling is required. The dispersion modelling is used to predict emissions at worst case existing and proposed residential receptors.

The report concludes: 'Air quality conditions for future residents of the proposed development have been shown to be acceptable, with concentrations well below the air quality objectives throughout the site. The assessment has demonstrated that pollutant concentrations will be well below the objectives at all existing receptors in 2026, both without and with the proposed development, and that the emissions from the additional traffic generated by the proposed development will have a negligible impact.'

The EPO has assessed submitted air quality report and is satisfied with its conclusions. The development is therefore acceptable in terms of air quality and aligns with policy CS18 of the CS in this regard.

Noise

Policies DS1 and DS11 of the NLLP relate to noise, along with policy CS5 of the CS. A noise report has been submitted with the application and following concerns from the EPO an updated noise report was submitted by the developer in December 2025. This updated noise report has also been assessed by the EPO.

Continuous monitoring has been undertaken at several locations in order to establish robust noise levels at the site. In order to assess the propagation of noise from the A1077 Barrow Road and the link road across the proposed site, noise level predictions have been performed using CadnaA acoustic modelling software.

Daytime and night-time ambient noise levels at the proposed development are ≤ 67 dB LAeq (0700–2300) and ≤ 62 dB LAeq (2300–0700) respectively; this equates to a medium

to high risk site in accordance with ProPG guidance. At these levels, ProPG requires a detailed assessment of the noise. A detailed assessment has therefore been undertaken and a scheme of mitigation measures recommended to protect internal noise levels in the relevant residential dwellings and externally for gardens. Mitigation measures include enhanced insulation, enhanced glazing, decentralised mechanical extract ventilation, and externally 2400mm high brick walls or acoustic fencing.

The EPO is satisfied that appropriate monitoring has now been undertaken and a robust assessment carried out. The EPO recommends two noise-related planning conditions to ensure the development, if granted permission, proceeds in accordance with the noise mitigation measures in the noise report and a verification report is submitted to the LPA for approval. Subject to these conditions, the proposals are acceptable in terms of noise and comply with policies DS1 and DS11.

Construction

In order to limit noise, disturbance and nuisance to residents during construction, the EPO recommends conditions to control construction and operating hours, and requiring the development to be undertaken in accordance with the submitted construction management and mitigation plan that has been submitted by the developer. Subject to these aforementioned conditions, during construction, the amenity of residents adjacent to and within the development would be safeguarded and therefore the proposals comply with policies DS1 and DS11 in terms of construction impacts.

Density and housing mix/type

In relation to density, 196 dwellings are proposed on the site which equates to a housing density of approximately 30.8 dwellings per hectare. Policy CS7 of the CS seeks a density of 30–35 dwellings in the open countryside and therefore the proposals comply with the CS in terms of density.

The housing mix and house types comprise 1, 2, 3 and 4-bedroom properties (semi-detached and detached dwellings) and 4 bungalows. The proposed housing mix is as follows:

| Number of bedrooms | Proposed housing mix |
|---------------------------|-----------------------------|
| 1 | 2% |
| 2 | 11% |
| 3 | 54% |
| 4 | 33% |
| Total | 100% |

Strategic Housing have confirmed that the housing mix for the site is acceptable and broadly aligns with the Housing and Economic Needs Assessment (HENA). Whilst the housing mix does not fully comply with BNDP5 of the BNP, there is a predominance of 3-bedroom dwellings in the housing mix. In addition, 4 bungalows are proposed which aligns with BNDP2 (Accessible and adaptable dwellings).

The developer has submitted an amended sustainability assessment to demonstrate that the development would result in a high-quality sustainable development to comply with BNDP7. The proposals incorporate energy efficient measures such as waste water heat recovery systems, solar panels, insulation, EVC (electric vehicle charging), low energy lighting and water efficiency measures, which aligns with BNDP4.

Therefore, in terms of density, and housing mix/housing type, the development is considered to be in character with the market town of Barton and will therefore align with policies CS5, CS7 and CS8 of the CS, policy H5 and H8 of the NLLP, policies BNDP1, BNDP2, BNDP4, BNDP5, BNDP6 and BNDP7 of the BNP and Barton's Design Code

Residential amenity

In terms of living conditions, each dwelling meets NDSS (nationally described space standard) which has been confirmed by the developer and as such the proposals align with policy BNDP6. Each dwelling has private outdoor amenity space commensurate with the size of the dwelling itself. There are ample separation distances between the plots to safeguard the residential amenity of occupiers. Boundary treatments will be conditioned to secure privacy. Bathroom, WC and en-suite windows will be conditioned to be obscure-glazed to secure privacy to occupants of the development.

There are existing dwellings located to the western side of the site. There are acceptable separation distances between existing and proposed dwellings to avoid overlooking and bathroom/WC/en-suite windows will be conditioned to be obscured glazed. The use of effective boundary treatment (proposed to be conditioned) and landscaping will further mitigate impacts of the development on adjoining properties,

The proposals in terms of residential amenity impacts are considered to be acceptable and will align with policies CS5 of the CS as well DS1 and H5 of the NLLP, BNDP6 and Barton Design Code.

Ecology/biodiversity

Chapter 15 of the NPPF, and policies CS5 and CS17 of the CS; LC1, LC2, LC5, LC6 and LC12 of the NLLP; and BNDP11 of the BNP relate to ecological matters.

The site is in close proximity to the Humber Estuary Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar site, and the Humber Estuary Site of Special Scientific Interest (SSSI). Natural England (NE) has been consulted on the proposals along with the council's ecologist. NE considers that, potentially, the application could have significant effects on the Humber Estuary SAC, SPA and Ramsar site, and the Humber Estuary SSSI in terms of functionally linked land used by waterbirds associated with the Humber Estuary SPA and Ramsar site (curlews) and recreational disturbance to the SPA/Ramsar interest features, and aerial deposition of pollutants due to traffic emissions.

The application requires a Habitats Regulations Assessment (HRA) to be carried out as set out in The Conservation of Habitats and Species Regulations 2017. This is to determine whether the project (proposed development) is considered likely to have a significant effect on a protected habitats site (SAC, SPA, Ramsar site, SSSI) (either individually or in combination with other plans or projects) then, if so, an appropriate assessment (AA) of the implications for the site, in view of the site's conservation objectives, must be undertaken by the council as competent authority. NE is consulted on the AA and the council has to take into consideration any comments made by NE on the AA. Where it cannot be concluded

that there will be no adverse effects on a site's integrity, there is a need to consider potential mitigation. A competent authority (NLC) may only take account of mitigation measures intended to avoid or reduce the harmful effects of a plan or project as part of an appropriate assessment itself. In this case the proposal is considered to have a significant effect on a protected habitat site and therefore an AA has been undertaken by the council's ecologist.

Within the HRA, aerial deposition of pollutants due to traffic emissions were found to be so minor that these impacts were not likely to cause significant effects on the SPA/Ramsar/SAC. In terms of functionally linked land, the approved link road will, once constructed, be built through agricultural fields resulting in the site becoming less suitable for curlew. The bird surveys submitted with the application showed the only waterbirds associated with the Humber Estuary SPA/Ramsar site was curlew in low numbers suggesting that the recorded occasional use of the site by curlews is not a significant factor in terms of population trends for the species as a whole. Curlews occasionally using the site are presumably associated with those near Goxhill Marsh or Brough. Other bird data has also been assessed within the HRA. The HRA concludes that taking all factors into account, there will be no adverse effect on the integrity of the Humber Estuary SPA and Ramsar site arising from impacts to functionally linked land used by waterbirds associated with the Humber Estuary SPA and Ramsar site.

This proposal is for residential development would increase recreational disturbance on the Humber Bank by people visiting and walking dogs in this sensitive area. In order to mitigate impacts, the council has prepared an Interim Strategic Access Management and Monitoring Strategy (SAMMS). The interim SAMMS is essentially a payment per dwelling that is secured through an s106. The s106 contribution for the SAMMS would secure a number of measures to mitigate impacts of recreational disturbance on the Humber estuary and includes a part-time facilitation officer, signage, dog waste bins, interpretation boards, and access improvement projects for example.

These mitigation measures within the interim SAMMS, to be secured through an s106, are also included with the AA. NE has commented on the HRA/AA and has no objections to the proposals subject to appropriate mitigation set out in the AA (SAMMS payment through an s106) being secured.

In terms of other ecological matters, the site is currently arable land that has little potential for protected and priority species. The proposals would result in a net loss of BNG on the site. The mandatory 10% BNG does not apply to this application as it was submitted in 2023 before BNG became mandatory. As a result, in order to comply with planning policy (CS17), a 1% BNG (minimum) is required on this site. The submitted metric reveals a baseline of 12.39 units; 12.51 units overall will be required to give a net gain of 1%. With 9.55 units post-intervention on site, a net gain of at least 2.96 units will be required off site. Off-site hedgerow creation of about 0.42 units will also be required. The off-site habitat creation, and management for 30 years, will need to be secured by a section 106 agreement.

In addition, the developer is proposing further biodiversity enhancements on the site in terms of the installation of bat and nest boxes. These biodiversity enhancements will be secured through a planning condition.

Subject to the agreed AA, SAMMS (secured through an s106) and an s106 contribution towards off-site BNG, and planning conditions to secure biodiversity enhancements on the

site, the proposal is considered to be acceptable and would align with chapter 15 of the NPPF, policies CS5 and CS17 of the CS; LC1, LC2, LC5 and LC6 of the NLLP; BNDP11 of the BNP, and the Conservation of Habitats and Species Regulations 2017.

Trees

The submission included landscape plans for the full part of the proposal, a tree survey of existing trees and an arboricultural report. The submitted BNG report is also relevant. Policies CS5 and CS17 of the CS, LC12 of the NLLP, and BNDP11 and BNDP12 of the BNP specifically relate to trees.

The developer has submitted various documents relating to trees and landscaping for the site, including an arboricultural report and landscaping plans. The site, being agricultural land, contains few trees; the tree survey carried out reveals that there are 6 individual trees, 2 tree groups and 15 hedgerows recorded. No trees/hedgerows are recorded as category A or B – the existing trees and hedgerows are categorised as C – low value.

Trees to be felled to accommodate the development have been identified as T018 and T020, together with 2 hedgerows, H019 and H017. Permission has already been granted for the removal of H017 (PA/2023/1981 – link road). In addition, a further small section of hedgerow (H015) is to be removed to enable the overhead power lines to be rerouted underground. The tree and hedgerows to be removed all fall into category C – low value.

Turning first to the loss of trees on the site, none of the trees are protected as none are within a conservation area or covered by a tree preservation order (TPO). Therefore, these trees can be felled without any consent from the council. In addition, these trees and hedgerows (small in number) fall into category C – low value.

A comprehensive landscape master plan has been submitted with the application to mitigate the loss of hedgerows and trees. Existing hedgerows will be retained and enhanced, and additional hedgerows and shrub planting are proposed within the main development. On the site frontage, adjacent to Barrow Road, a green area of open space and new trees are proposed. Streets within the development will be tree-lined to comply with paragraph 136 of the NPPF. The landscaping can be conditioned so that it is in accordance with the masterplan, but the exact nature and numbers of trees, hedges, grass mix, new and enhanced hedgerows, shrubs, and bulb planting and mix is submitted to the council for approval to secure the robust landscaping and tree planting scheme proposed within the masterplan and any losses are replaced. The existing trees and hedgerows shown to be retained will be protected during development through tree protection conditions to secure their longevity during and post development. Subject to the aforementioned conditions, the proposal aligns with the NPPF, policies CS5 and CS17 of the CS, policy LC12, and policies BNDP11 and BNDP12 of the BNP.

S106 obligations and viability

Policy CS27 is concerned with planning obligations and states that where a development proposal generates an identified need for additional infrastructure, North Lincolnshire Council (NLC) will, through the negotiation of planning obligations pursuant to Section 106 of the Town and Country Planning Act 1990 and in accordance with guidance set out in Circular 05/2005, seek obligations that are necessary to make proposals acceptable in planning terms. The tests for planning obligations are set out in Part 11, section 122 of the Community Infrastructure Levy Regulations 2010 (as amended). It states: (2) A planning obligation may only constitute a reason for granting planning permission for the

development if the obligation is: (a) necessary to make the development acceptable in planning terms; (b) directly related to the development; and (c) fairly and reasonably related in scale and kind to the development. The legal test is also set out in planning policy under paragraph 58 of the National Planning Policy Framework 2024.

Paragraph 59 of the NPPF states, 'It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case.' The supporting text for policy CS27 states, 'It is important that development costs, including the cost of implementing planning obligation agreements, should not prejudice development that supports NLC's aspiration to see the regeneration, improvement and revitalisation of the area. If it is claimed that a development is unable to support the costs of a planning obligation (other than those essential to allow the development to proceed) then this could be the subject of negotiations. In such cases, the developer will have to demonstrate non-viability via an "open book" approach.'

BNDP21 supports the expansion/enhancement of community facilities. The supporting text of this policy includes s106 funding to be used to secure new community facilities where a need has been identified.

In this case the application was submitted in 2023. A fully compliant scheme in terms of s106 contributions would be as follows:

| | |
|--|---|
| Affordable housing (on site) | 20% on site – equating to 39 affordable units |
| Education (primary and secondary) | £10,602 x 157 market dwellings = £1,664,514 towards primary and secondary education in Barton |
| Leisure (recreation) | A total of £232,452.08 towards improvements to leisure facilities within Barton |
| On-site open space | A minimum of 1,960 sqm of on-site open space, to be maintained by a private management company |
| Area of play (off site) | An off-site contribution of £108,212 towards upgrades and improvements at Baysgarth Park |
| Biodiversity (off site) | An off-site contribution of £74,360 towards off-site habitat creation in North Lincolnshire |
| Health | A total of £135,652.71 towards the space expansion of West Town Surgery and Central Surgery in Barton |
| Community facilities | £5,000 to be spent on improvements to the Assembly Rooms in Barton which will enhance its use as a local community facility |
| Strategic Access Management and Mitigation Strategy (SAMMS) | £121 per dwelling for 196 dwellings, giving a total of £23,716 |
| Total financial contribution | £2,243,906.79 |

| | |
|---------------------------------|---------------------------|
| Total affordable on site | 20% – 39 dwellings |
|---------------------------------|---------------------------|

The applicant has concerns that the s106 contributions required would make the scheme unviable. As a result, the applicant has submitted viability reports. These have been independently assessed by a professional expert in this field who has agreed with the majority of the inputs with the exception of GDV (gross development value), contingency and timescales. The independent assessor has also adopted lower abnormal costs as concluded in the CJ Cost Review.

Having adjusted the inputs to what the independent assessor considers is appropriate for the viability appraisal, the proposed scheme would be viable and could support £490,000 of s106 contributions with no affordable housing. With no s106 contributions, the assessor considers that the scheme could support 7 affordable dwellings on the development.

The LPA now has to decide where the contributions would best be utilised to mitigate impacts of the development. In this case it is considered that the £490,000 will be split across the following contributions of open space, affordable housing, areas of play, recreation/leisure, community facilities, SAMMS and BNG.

The heads of terms for this development are set out below and have been agreed with the developer.

Barton Link Road

If NLC does not deliver the primary infrastructure (the Barton Link Road project), a further viability appraisal shall be undertaken. This appraisal would enable the developer to account for any costs incurred in delivering the site's spine road, should they be required to fund its construction.

Informal open space

| | |
|-----------------------------|--|
| On-site contribution | Provide a minimum of 10sqm per dwelling of informal open space on site, in line with the approved site layout plan (reference 22-CL3-SEGB-BR-01-PL) |
| Trigger point | Prior to the occupation of the 1st dwelling, details of the proposed management company shall be submitted to and agreed by the LPA alongside a phasing plan which outlines the relevant timings for the handover of all open space to the relevant landscape management company |

Affordable housing

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|--|---|
| Affordable housing contribution | A contribution of £46,259.92 towards the delivery of affordable housing across North Lincolnshire |
| Trigger point | On occupation of the 20 th dwelling |

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| | |
| How long the council has to spend the contribution | 10 years |

Areas of play

| | |
|---|--|
| Off-site contribution | The off-site contribution for 2 local equipped areas of play (LEAPs) will be £108,212, to be spent towards the improvement of existing recreational play areas within Barton |
| Trigger point | Payable on occupation of the 50 th dwelling |
| How long the council has to spend the contribution | 10 years |

Recreation

| | |
|---|---|
| Recreation contribution | £1,185.98 per dwelling towards improvements to leisure facilities within Barton: £1,185.98 x 196 = £232,452.08 total |
| Trigger point | 30% payable on occupation of the 35 th dwelling 30% payable on occupation of the 70 th dwelling 40% payable on occupation of the 125 th dwelling |
| How long the council has to spend the contribution | 10 years |

Community facilities

| | |
|---|---|
| Community facilities contribution | £5,000 to be spent on improvements to the Assembly Rooms, Barton which will enhance its use as a local community facility |
| Trigger point | On occupation of the 1 st dwelling |
| How long the council has to spend the contribution | 10 years |

Strategic Access Management and Mitigation Strategy (SAMMs)

| | |
|---------------------------|---|
| SAMMs contribution | £121 per dwelling for 196 dwellings, giving a total of £23,716, to be spent on mitigating the impacts of recreational disturbance along the Humber, providing one |
|---------------------------|---|

| | |
|---|--|
| | <p>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 • habitat protection and improvement (natural screening, litter picking, etc) • footfall counters to record visitor numbers at key sensitive locations |
| Trigger point | On occupation of the 1 st dwelling |
| How long the council has to spend the contribution | 10 years |

Biodiversity net gain

| | |
|---|--|
| Biodiversity net gain | <p>3.38 units required off site</p> <p>1 biodiversity unit = £22,000</p> <p>£74,360 towards off-site habitat creation in North Lincolnshire</p> |
| Trigger point | <p>30% payable on occupation of the 15th dwelling</p> <p>30% payable on occupation of the 30th dwelling</p> <p>40% payable on occupation of the 50th dwelling</p> |
| How long the council has to spend the contribution | 10 years |

It is acknowledged that the scheme is viable for only £490,000 s106 contributions. However, the provision of 196 dwellings on the site would provide a very high number of dwellings, contributing positively to the council's housing land supply and providing a mix of housing types to meet the needs of the residents of North Lincolnshire, including bungalows. The new dwellings would support the existing services and facilities in the market town of Barton. The development, along with the approved link road (PA/2023/1981), would deliver significant infrastructure benefits to Barton upon Humber. The developer is a national housebuilder who has shown commitment to the site and has submitted a delivery plan to the LPA. The scheme therefore complies with the relevant policies in the NPPF and Core Strategy, which confirm that there can be flexibility about obligations that would make a scheme financially unviable.

Other material planning considerations

The council cannot demonstrate a 5-year housing land supply of deliverable sites. As a result, paragraph 11. d) of the NPPF is engaged in this case – 'Presumption in favour of sustainable development'. Paragraph 11. d) advises 'where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.'

In this case the first limb of paragraph 11. d) i. does not apply to this application and is therefore not engaged. Paragraph 11. d) ii. does apply to this application. There are three dimensions to sustainable development as set out in paragraph 8 of the Framework: economic, social and environmental.

Economic

Investment in construction and related employment would represent a benefit whilst the dwellings and associated infrastructure were being constructed. The additional population would provide support to the local economy in terms of residents using the facilities, businesses and services located in Barton upon Humber. The proposed dwellings would also generate council tax revenue for the council.

Social

In terms of the social benefits, the proposal would make a very substantial contribution to the council's housing land supply. A mix of housing types would be provided to meet our housing needs in North Lincolnshire. An s106 contribution towards off-site affordable housing would also provide significant social benefits. S106 contributions towards education, informal open space, off-site BNG, LEAPs, recreation, SAMMS and community facilities would also be secured, although these contributions are largely required to mitigate impacts of the development proposals and are therefore held to be neutral benefits of the scheme. The scheme provides pedestrian linkages and cycle infrastructure to the adjacent residential development. The open space areas close to Barrow Road are easily

accessible to residents from the surrounding estates on Falkland Way and Cornhill Drive, which promotes further social cohesion.

Environmental

The site is in a highly sustainable location close to a number of public transport links, including the train station and bus stops. The site is within walking distance of Barton town centre. The scheme will provide EVC points, and energy efficiency methods of construction will be used such as photovoltaic panels and wastewater heat recovery systems. Green open space will be provided on the site together with a comprehensive landscaping scheme. However, as a consequence of the development, the landscape would change from agricultural land to a residential development. That said, the landscape will fundamentally change due to the approved link road running through the site that will be completed in 2027.

Overall, the proposal is considered to constitute sustainable development. Through this report it has been established that the adverse impacts of the proposed development would not significantly and demonstrably outweigh the benefits identified above. Therefore, it is concluded that, overall, the proposal is considered to constitute sustainable development.

Comments from Barton Town Council, Lincolnshire Wildlife Trust and residents

Comments from Barton Town Council are noted. These concerns have largely been addressed in this report and where impacts have been identified they can be mitigated by planning conditions. Visual impacts have been dealt within the relevant section above. In respect of flooding and traffic, no objections have been received from consultees. The development complies with ATE policies, green spaces are provided on the site and it complies with development plan policy. An s106 contribution (£5,000) towards the Assembly Rooms has been agreed in the heads of terms. The housing mix contains 170 3- and 4-bedroom properties out of a total of 196 dwellings. Barton Neighbourhood Plan policies have been referenced in the planning statement addendum.

With regard to comments from the Lincolnshire Wildlife Trust, the BNG has been assessed by the council's ecologist and is considered to be accurate. Planning conditions are proposed to seek biodiversity enhancements on the site which should include provision for hedgehogs.

The comments made by residents are all noted and again have been addressed in the relevant sections of this report.

Pre-commencement conditions

All pre-commencement conditions attached to this recommendation have been agreed with the applicant.

In addition, a 4-year time limit is recommended for this application. The reasoning for the 4-year time limit for implementation is due to the fact that the Barton Link Road will need to be constructed through the site to form the spine road for this development. Works on the link road are anticipated to start later this year and, following construction of the spine road, the developer will then be able to begin building out the residential development. In addition, reinforcement works are required to be undertaken by Anglian Water in respect of foul water by 2030, with no dwelling being allowed to be occupied without these reinforcement works having been carried out. Taken both situations together, requiring significant

infrastructure works to be implemented, and bearing in mind the scale and type of the development on the site, it is reasonable for a 4-year time limit permission to be proposed in this case.

Planning balance and conclusion

The proposal has been subject to a full assessment, giving due consideration to responses from technical consultees and third parties. The applicant has also agreed to the heads of terms set out above, which are required to make the development acceptable in planning terms, as well as meeting the other tests for obligations. The material points raised in consultation and third party responses have been considered under the relevant sections in this report.

It is considered, given the assessment above, that no adverse impacts related to the development exist that would significantly and demonstrably outweigh the benefits that would follow from a well-designed residential scheme in this location. Overall, it is considered that the proposal represents sustainable development in the context of the NPPF and Housing and Employment Land Allocations DPD policy PS1, which sets a presumption in favour of sustainable development. In addition, the scheme is considered to be policy compliant subject to the s106 contributions and recommended planning conditions to mitigate impacts of the development.

RECOMMENDATION

Subject to the completion of a formal agreement under section 106 of the Town and Country Planning Act 1990 providing for open space, and financial contributions towards off-site affordable housing, off-site areas of play, off-site recreation/leisure, an off-site community facility (Barton Assembly Rooms), SAMMS and off- and on-site BNG, the committee resolves:

- (i) it is minded to grant permission for the development;**
- (ii) the decision be delegated to the Planning Development Manager on completion of the obligation;**
- (iii) if the obligation is not completed by 11 August 2026, the Planning Development Manager be authorised to refuse the application on grounds of lack of provision for open space and lack of contributions towards affordable housing, areas of play, recreation/leisure, a community facility, SAMMS and BNG;**
- (iv) the permission so granted be subject to the following conditions:**

1.

The development must be begun before the expiration of **four years** from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

The development hereby permitted shall be carried out in accordance with the following approved plans:

- Site Location Plan (Dwg: 22-CL0-SEGB-BR-03 Rev: A)
- Planning Layout (Dwg: BY00127 - 22-CL3-SEGB-BR-01-PL Rev: Q)
- Materials Plan (Dwg: BY00127 - 22-CL3-SEGB-BR-14 Rev: P01) roofs
- EVCP & Parking Plan (Dwg: BY00127 - 22-CL3-SEGB-BR-05 Rev: P01)
- Landscape Management Plan (Dwg: BY00127 - 22-CL3-SEGB-BR-06 Rev: P01)
- Landscape Masterplan (Dwg: R/2674/1 Rev: F)
- Site Sections (Dwg: BY00127 - 22-CL3-SEGB-BR-10-P01 Rev: P02)
- Street Scenes (Dwg: BY00127 - 22-CL3-SEGB-BR-11-P01 Rev: P02)
- Proposed SW Exceedance Flood Routing (Dwg: BRBH-AWP-ZZ-XX-DR-C-3301 Rev: P5)
- Indicative Levels (Dwg: BRBH-AWP-ZZ-XX-SK-C-4001 Rev: P11)
- Standard Distribution Substation Drawing (Ref: C993717 Rev: B)
- Ciria SIA Simple Index Approach Tool (Roofs) (Ref: 47658)
- Ciria SIA Simple Index Approach Tool (Residential Parking) (Ref: 47658)
- Construction Management and Mitigation Plan (August 2025)
- AH1 MY A - 151 (Dwg: 100)
- Bologna BM-C4-1000-A1 (Dwg: 01 Rev: P2)
- Lisbon BM-C2-0300-A1 (Dwg: 01 Rev: P3)
- Copenhagen BM-C4-0302-A1 (Dwg: 01 Rev: P1)
- Geneva MY P 302_PTM2 (Dwg: X100)
- Malmo BM-C3-0704-A2 (Dwg: 01)
- Oporto BM-C4-0100-A2 (Dwg: 01 Rev: P3)
- Rosas MY-PL 404 AS (Dwg: 100 Rev: A)
- T1 BM-C2-0202-A2 (Dwg: 01 Rev: P2)

Reason

For the avoidance of doubt and in the interests of proper planning.

3.

No development shall commence until a phasing plan setting out the proposed phasing of the construction of the development has been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved phasing plan.

Reason

To ensure the development is brought forward in a coherent and planned manner.

4.

The only construction access to the development hereby permitted shall be via the link road approved under PA/2023/1981.

Reason

In the interests of highway safety.

5.

Prior to occupation of the first dwelling on the site, the roundabout on the A1077 Barrow Road/Falkland Way and the link road approved under PA/2023/1981, up to the vehicular access to this site, shall have been constructed and be operational and accessible to motor vehicles.

Reason

To ensure suitable access is provided to and from the site in the interests of highway safety.

6.

No development above damp-proof course level shall take place on any approved phase of the development (condition 3 – submission of a phasing plan) until details of the following have been submitted to and approved in writing by the local planning authority:

- the layout, drainage, construction, services and lighting of the proposed access roads, including the junction with the Barton Link Road
- details of the pedestrian/cycle connection into Cornhill Drive and measures to prevent vehicular access.

The development shall be completed in accordance with the approved details and thereafter retained for the lifetime of the development in strict accordance with the details so approved.

Reason

To ensure suitable access is provided to and from the site in the interests of highway safety.

7.

No dwelling hereby permitted shall be occupied on any phase of the development (condition 3 – submission of a phasing plan) until the access road serving it, including footways and the provision of lighting, has been completed to at least base course level from the junction with the adjacent public highway, or link road, up to the access to the dwelling in accordance with details which have first been submitted to and agreed in writing by the local planning authority.

Reason

To ensure suitable access is provided to and from the site in the interests of highway safety.

8.

No loose material (gravel, stone, shingle, for example) shall be placed on any driveway or parking area within 10 metres of the adopted highway.

Reason

To prevent the material from spilling onto the highway in the interests of highway safety.

9.

No dwelling served by a private drive on any phase of the development (condition 3 – submission of a phasing plan) shall be occupied until the following details have been submitted to and approved in writing by the local planning authority:

- the proposed method of forming access from the highway, including the required visibility splays
- the method of constructing/paving the drive

- the provision of adequate drainage features
- the provision of suitable bin collection facilities adjacent to the highway
- the provision of suitable lighting arrangements
- the provision of street name plates that shall include the words 'Private drive'.

The private drive(s) shall be completed in accordance with the approved details before any dwelling it/they serve(s) is occupied and shall thereafter be retained as such for the lifetime of the development.

Reason

In the interests of highway safety.

10.

The penultimate dwelling on each phase of the development (condition 3 – phasing condition) shall not be occupied until all access roads and footways on that phase have been completed to surface course level.

Reason

In the interests of highway safety.

11.

With the exception of works carried out by, or on behalf of, the local highway authority under the provisions of Class A of Part 9 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), no development (excluding the installation of utilities/services) shall take place within any service strip adjacent to any shared surface road, and any planting or landscaping within any service strip shall be of species which have first been submitted to and approved in writing by the local planning authority.

Reason

To ensure service strips are maintained free from obstruction to allow for future maintenance.

12.

Within six months of the occupation of the first dwelling on the site, an updated travel plan shall be submitted to and approved in writing by the local planning authority. The travel plan shall specify initiatives to be implemented by the development to promote and maximise the use of sustainable travel to and from the site by a variety of non-car means (including public transport, walking and cycling) and set out measures to ensure compliance with, and monitoring of, the travel plan objectives. The development shall operate in full accordance with all measures identified within the travel plan from first occupation.

Reason

To ensure the proposed development operates in a safe and sustainable manner with minimal disruption to the highway network.

13.

No development shall take place until a construction phase traffic management plan showing details of the following has been submitted to and approved in writing by the local planning authority:

- a pre-/post-construction condition survey of the carriageway on the A1077 and the approved link road to identify any defects and how they will be rectified
- all associated traffic movements, including delivery vehicles and staff/construction movements
- any abnormal load movements.

Once approved, the construction phase traffic management plan shall be implemented, reviewed and updated as necessary throughout the construction period. Following completion of the development, a post-construction condition survey of the carriageway on the A1077 and the link road shall be submitted to the local planning authority.

Reason

To ensure the development is carried out in a safe manner in the interests of highway safety.

14.

The development shall be carried out in accordance with the details specified on the EHO: Production Management Plan (Dwg BY00127 - 22-CL3-SEGB-BR-11 Rev: P01) and Construction Management Plan (dated August 2025) in relation to the contractor parking and welfare facilities, storage of materials and traffic management requirements, including the means of controlling the deposition of mud onto the adjacent highway along with appropriate methods of cleaning the highway.

Reason

To ensure the development is carried out in a safe manner in the interests of highway safety.

15.

No dwelling hereby permitted shall be occupied until the secure cycle parking serving it has been provided for that dwelling as shown on the Planning Layout (Dwg BY00127 - 22-CL3-SEGB-BR-01-PL Rev: Q). The cycle parking shall be maintained in accordance with the approved details for the lifetime of the development.

Reason

To ensure appropriate cycle parking is provided in the interests of sustainable and active travel.

16.

No above-ground works shall take place until a detailed surface water drainage scheme has been submitted to and approved in writing by the local planning authority, following consultation with the lead local flood authority, based on the principles outlined in the Proposed Drainage Layout BRBH-AWP-ZZ-XX-DR-C-3000-P16. The scheme shall follow the agreed SuDS principles such as the inclusion of swales/SuDS control features, and porous paving where strategically necessary. The scheme shall ensure that surface water run-off does not exceed the agreed rate of 5l/s, and it shall include the layout of SuDS

features, attenuation areas, exceedance flow routes, discharge points, and evidence through hydraulic modelling that the system can manage the 1 in 100-year storm plus climate change allowance. The scheme shall also follow the principles and standards set out in accordance with DEFRA Non-Statutory Technical Standards or any update at the time of approval. The approved drainage scheme shall be implemented prior to the occupation of any dwelling.

Reason

To prevent the increased risk of flooding, to improve and protect water quality, and to ensure the implementation and future maintenance of the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan, and policies CS18 and CS19 of the North Lincolnshire Core Strategy.

17.

No dwelling shall be occupied until a drainage management and maintenance plan for the lifetime of the development has been submitted to and approved in writing by the local planning authority. The plan shall set out arrangements for the adoption, management and maintenance of the sustainable drainage system, identifying the responsible organisation(s) and the funding mechanism to secure its operation for the lifetime of the development. The development shall thereafter be maintained in accordance with the approved plan.

Reason

To ensure that the drainage system is appropriately maintained in the long term, in the interests of reducing flood risk and safeguarding water quality, in accordance with the National Planning Policy Framework.

18.

No development, including any site clearance, shall commence until a construction phase surface water management plan has been submitted to and approved in writing by the local planning authority. The plan shall set out the measures to be employed to control surface water run-off and pollution during construction, including the design and maintenance of any temporary drainage systems. The approved plan shall be implemented in full throughout the construction period and until such time as the permanent drainage system is operational.

Reason

To ensure that construction works do not give rise to uncontrolled surface water run-off, flood risk or pollution, in accordance with policies DS16 of the North Lincolnshire Local Plan, and policies CS18 and CS19 of the North Lincolnshire Core Strategy.

19.

No dwelling within any approved phase of the development (condition 3 – submission of a phasing plan) shall be occupied until details showing an effective method of preventing surface water run-off from hard paved areas within the site onto any highway and from any highway onto the application site for that approved phase of the development have been agreed in writing by the local planning authority. These facilities shall be implemented prior to the access and parking facilities being brought into use and thereafter so retained.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan, and policies CS18 and CS19 of the North Lincolnshire Core Strategy.

20.

No above-ground works shall commence until a catchment-based surface water model has been submitted to and approved in writing by the local planning authority. The model shall assess surface water flow paths across the site and the wider contributing catchment, with particular regard to the potential effects on proposed properties along the southern boundary of the site.

The modelling shall assess pre- and post-development surface water flow paths and exceedance routing for events up to and including the 1% AEP plus climate change event. The modelling shall demonstrate that the proposed development will not adversely alter surface water flow paths or increase surface water flooding to the site itself, to proposed properties along the southern boundary, or elsewhere within the wider catchment.

Where the modelling identifies the need for mitigation measures to achieve this, such measures shall be submitted to and approved in writing by the local planning authority and implemented in full prior to first occupation of the development. The approved measures shall thereafter be retained.

Reason

To ensure that surface water flood risk is properly assessed and managed at a catchment scale, to prevent increased flood risk to dwellings and the wider catchment area in order to comply with policy DS16 of the North Lincolnshire Local Plan, and policies CS18 and CS19 of the Core Strategy, The National Standards for SuDS Guidance and the NPPF.

21.

Prior to occupation of any dwelling on the site, written confirmation must be submitted to and approved by the local planning authority by Anglian Water, confirming that the necessary network reinforcement works have been completed and that the foul flows from the development can be accommodated without causing a detrimental impact on the environment.

This condition shall cease to have effect if the development/any dwelling on the site is first occupied after 1 April 2030.

Reason

To protect water quality, prevent pollution and secure sustainable development having regard to paragraph 187 of the National Planning Policy Framework and policy DS14 of the North Lincolnshire Local Plan.

22.

All construction work associated with the development hereby approved shall be carried out in accordance with the document titled Strata, Construction Management and Mitigation Plan for: 'Exquisite', Barrow Road, Barton upon Humber, dated August 2025 unless otherwise agreed in writing by the local planning authority.

Reason

To safeguard residential amenity and human health.

23.

Construction, demolition and site clearance shall be limited to the following days and hours:

- 8am to 6pm Monday to Friday

- 8am to 1pm on Saturdays.

No construction operations shall take place on Sundays or public holidays.

HGV movements shall not be permitted outside these hours during the construction phase without prior written approval from the local planning authority.

Installation of equipment on site shall not be permitted outside these hours without prior written approval from the local planning authority.

Reason

To safeguard residential amenity.

24.

If, during development, any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement, detailing how this contamination shall be dealt with, has been submitted to and approved by the local planning authority. The approved method statement shall be implemented in full prior to development re-commencing on the site.

Reason

To protect human health.

25.

Prior to occupation of each dwelling required to incorporate noise mitigation measures as identified within Appendix 4 of NIA-10832-23-10964-V6 Barrow Road, dated 18 December 2025, such noise mitigation measures for that dwelling shall be installed in full and maintained and retained thereafter.

Reason

To protect the living conditions of residents of the proposed dwellings.

26.

Following installation of the noise mitigation measures for each dwelling to be verified as identified within Appendix 4 of NIA 10832 23 10964 V6 Barrow Road, dated 18 December 2025, a verification report that documents the installation and demonstrates the effectiveness of the mitigation measures shall be undertaken. The verification report shall be submitted to and approved in writing by the local planning authority.

Reason

To protect the living conditions of residents of the proposed dwellings.

27.

No development shall take place until the area of proposed archaeological excavation identified upon Figure 4 of the approved Specification for A Programme of Archaeological Strip Map and Record (Ref: TA 04237 21623 Date: September 2024) has been securely fenced to exclude all construction activity and traffic other than in connection with the archaeological excavation. The exclusion area shall be clearly identified with appropriate site notices and maintained until the archaeological excavations are complete.

Reason

To preserve archaeological remains in situ and free from damage until the approved archaeological excavations take place to preserve the remains by record, in accordance with paragraph 218 of the National Planning Policy Framework, policy CS6 of the Core Strategy and policy HE9 of the North Lincolnshire Local Plan.

28.

No development shall take place within the area of proposed archaeological excavations until the applicant or their successors in title has commissioned and secured the implementation of the approved Specification for A Programme of Archaeological Strip Map and Record (PCAS Ltd, Ref: TA 04237 21623, Date: September 2024).

Reason

To preserve by record any archaeological remains identified within the site in accordance with paragraph 218 of the National Planning Policy Framework, policy CS6 of the Core Strategy and policy HE9 of the North Lincolnshire Local Plan.

29.

The applicant shall notify the Historic Environment Record (HER) and local planning authority in writing of the intention to commence the archaeological site works at least 10 days before commencement. Thereafter, the archaeological programme shall be carried out in accordance with the details and timings in the approved Specification for A Programme of Archaeological Strip Map and Record (Ref: TA 04237 21623 Date: September 2024).

Reason

To preserve by record any archaeological remains identified within the site in accordance with paragraph 218 of the National Planning Policy Framework, policy CS6 of the Core Strategy and policy HE9 of the North Lincolnshire Local Plan.

30.

Following completion of the required archaeological fieldwork as detailed in the agreed Written Scheme of Investigation titled Specification for A Programme of Archaeological Strip Map and Record (Ref: TA 04237 21623 Date: September 2024) post-excavation work and assessment shall be completed in a timely fashion in accordance with the programme set out in the approved specification. Provision shall be made for analysis, publication and dissemination of results, and securing archive deposition, which shall be agreed in writing with the local planning authority within 8 weeks of the submission of the post-excavation assessment report and thereafter carried out as agreed.

Reason

To preserve by record any archaeological remains within the development site in accordance with paragraph 218 of the National Planning Policy Framework, policy CS6 of the Core Strategy and policy HE9 of the North Lincolnshire Local Plan.

31.

A copy of any analysis, reporting, publication or archiving required as part of the approved mitigation strategy shall be deposited at the North Lincolnshire Historic Environment Record, the archive at the North Lincolnshire Museum and with the Archaeological Data Service within 18 months of the commencement of the archaeological programme of works or such other period as may be agreed in writing by the local planning authority.

Reason

To preserve by record any archaeological remains within the development site in accordance with paragraph 218 of the National Planning Policy Framework, policy CS6 of the Core Strategy and policy HE9 of the North Lincolnshire Local Plan.

32.

Works and biodiversity enhancements shall be carried out strictly in accordance with the submitted Biodiversity Enhancement Management Plan ref 220776/BEMP/5 dated 28 July 2025, including Appendix II, and with the submitted landscaping masterplan (drawing no. R/2674/1F). All biodiversity enhancement features shall be retained thereafter for the lifetime of the development.

Reason

To conserve and enhance biodiversity.

33.

No development, including demolition, site clearance, materials delivery or erection of site buildings, shall start on site until measures to protect trees/hedgerows on and adjacent to the site have been installed in complete accordance with the submitted Arboriculture Report, Impact Assessment and Method Statement report dated 07/07/2025 (ref 19500) and such measures shall be retained throughout construction of the approved development.

Reason

To safeguard trees/hedgerows on the site and the character and appearance of the area, and in the interests of biodiversity.

34.

No trees proposed to be retained in accordance with the approved plans and particulars shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner (including works carried out which would cause damage to the root systems or otherwise threaten the lives of the trees) within six years from the development hereby permitted first being brought into use. Any trees removed, or which are severely damaged, or become seriously diseased within this period shall be replaced in accordance with details of the location, size and species of trees, which have first been submitted to and approved in writing by the local planning authority.

Reason

To safeguard trees on the site and the character and appearance of the area, and in the interests of biodiversity.

35.

No above-ground works shall take place until a comprehensive landscaping scheme based on the Landscape Masterplan R-2674-1F - 500 has been submitted to and approved in writing by the local planning authority for each phase of the development (condition 3 – submission of a phasing plan). The proposals shall include numbers, sizes and types of trees, shrubs and hedgerows to be planted on the site.

Reason

To ensure the development is appropriately landscaped in the interests of good design and the visual amenity of the area.

36.

All the approved landscaping on any approved phase of the development (condition 3 – submission of a phasing plan) shall be carried out within 2 years of development being carried out on that phase (unless a longer period is agreed in writing by the local planning authority). Any trees or plants which, within a period of five years from the development being brought into use, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

Reason

To ensure the development is appropriately landscaped in the interests of good design and the visual amenity of the area.

37.

Before house type AH1 (drawing no. PLANNING (Brickwork) 100 Ref MY A-151) is occupied, all the bedroom windows in the side elevations (facing onto plots 62, 63, 85 and 86) shall be obscure-glazed to a minimum of Privacy Level 3 in accordance with the Pilkington Scale of Obscuration and retained in that condition thereafter.

Reason

To protect the living conditions of occupants of the development in accordance with policy DS1 of the North Lincolnshire Local Plan.

38.

Before each dwelling is first occupied, any WC, en-suite and bathroom windows installed in the dwelling shall be obscure-glazed to a minimum of Privacy Level 3 in accordance with the Pilkington Scale of Obscuration and retained in that condition thereafter.

Reason

To protect the living conditions of occupants of the development in accordance with policy DS1 of the North Lincolnshire Local Plan.

39.

No dwelling hereby permitted shall be occupied or area of open space brought into use on the site until boundary treatments have been provided for that dwelling or relevant area of open space in accordance with details which have first been submitted to and approved in writing by the local planning authority. Thereafter, the approved boundary treatment scheme shall be implemented on the site and thereafter retained.

Reason

To safeguard the privacy of residents in the interests of good planning.

Informatives

1.

This application must be read in conjunction with the relevant Section 106 Agreement.

2.

The development hereby granted planning permission requires works to be carried out within the limits of the adopted highway. Therefore, prior to any construction, utility or service works within the highway boundary, you must contact the Network Management Team by emailing network.management@northlincs.gov.uk to obtain the necessary permissions, licences and permits.

All permits are subject to network coordination requirements and must adhere to the appropriate timescales set out in current legislation. A site meeting may be required as part of the approval process. Collaboration between service providers will be encouraged to minimise disruption and ensure efficient use of the highway network.

3.

This applicant's attention is drawn to the comments made by the Environment Agency, Humberside Police and Humberside Fire and Rescue Service.

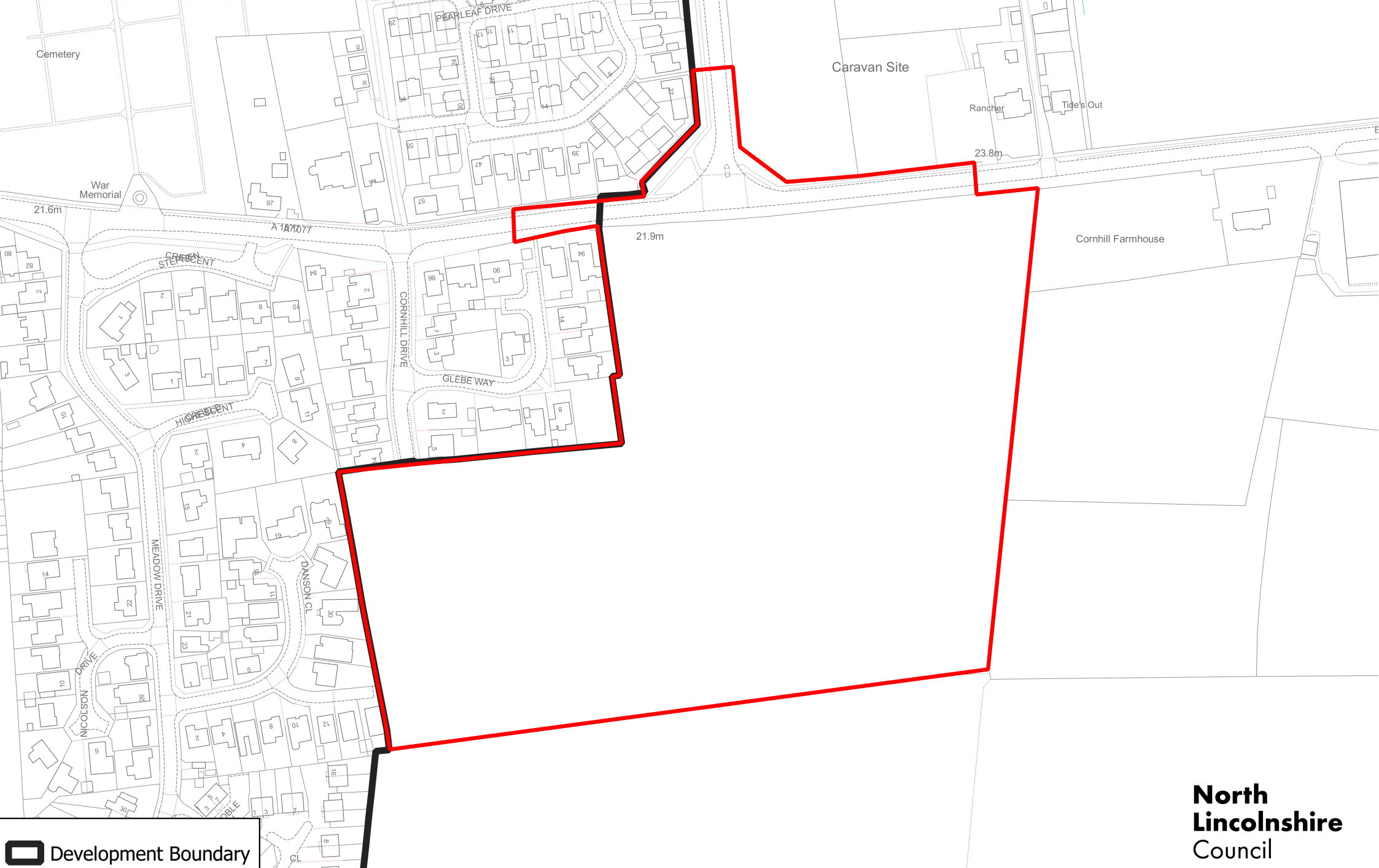
4.

The applicant's attention is drawn to the comments made by Anglian water dated 15/12/2025 with particular regard to: If the design of the site's surface water disposal system deviates from that which was proposed in the document titled Flood Risk and Drainage Assessment for a Proposed Residential Development on land to the south of Barrow Road, Barton-upon-Humber, North Lincolnshire, dated July 2025, and the revised system incorporates infiltration SuDS devices, the developer shall conduct an appropriate risk assessment to demonstrate that the risk of contamination to controlled waters (groundwater) has been assessed and that such SuDS features have been designed accordingly, with consideration for the appropriate hierarchy of control.

5.

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 39 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.

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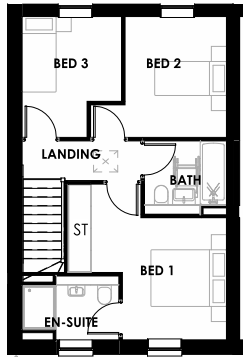


 Development Boundary

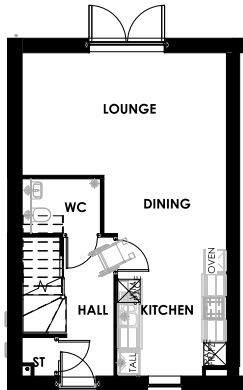
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**North
Lincolnshire
Council**

MALMO



FIRST FLOOR PLANNING
1 : 100



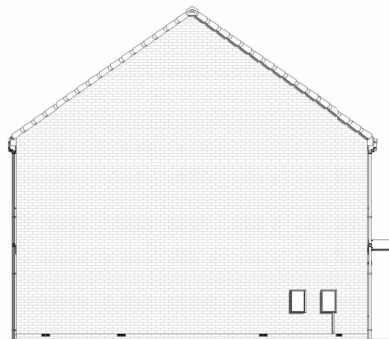
GROUND FLOOR PLANNING
1 : 100



INDICATIVE RENDER



REAR ELEVATION
1 : 100



LEFT ELEVATION
1 : 100



FRONT ELEVATION
1 : 100



| Rev | Description | Date |
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Strata Homes Limited, Quay Point, Lakeside, Doncaster, DN4 5PL
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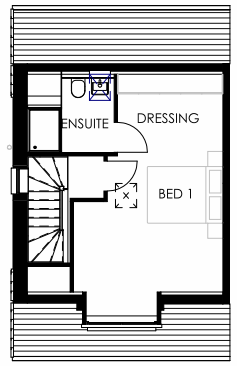
scale @A2- 1: 100 | drawn- LS | date: Issue Date

Project: BM-C3-0704-A2

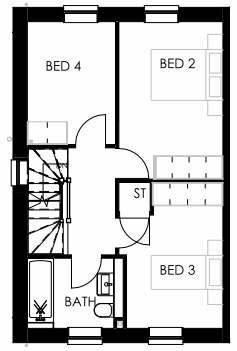
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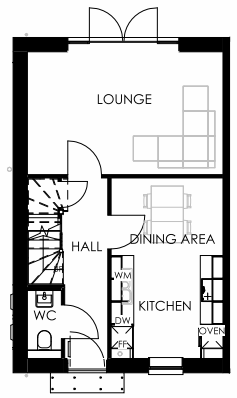
ROSAS



SECOND FLOOR
1 : 100



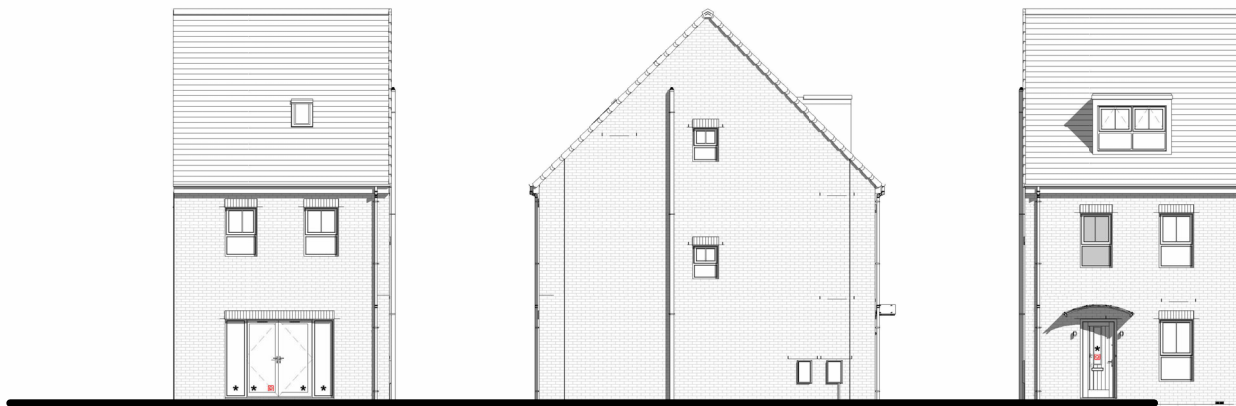
FIRST FLOOR
1 : 100



GROUND FLOOR
1 : 100



3D VIEW



REAR ELEVATION
1 : 100

SIDE ELEVATION
1 : 100

FRONT ELEVATION
1 : 100

| | | |
|-----|---|------------|
| A | FIRST FLOOR LAYOUT AMENDED: BED 4 ENLARGED, CHILDR CLIPBOARD ACCESSIBLE OFF BED 3 | 10/06/2024 |
| Rev | Description | Date |



Strata Homes Limited, Quay Point, Lakeside, Doncaster, DN4 5PL
T 01302 336508 www.stratahomes.co.uk

scale @A2: 1:100 drawn: WS date: JUN 23

Project: MY-PL 404 AS

Drawing: PLANNING - BRICK

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| DWG No: 100 | Rev: A |
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