

APPLICATION NO	PA/2017/1449
APPLICANT	Lidl UK GmbH & Hillcrest Garages (Sowerby Bridge) Ltd
DEVELOPMENT	Planning permission to erect a foodstore (Use Class A1) and pub/restaurant (Use Class A3/A4), along with associated accesses, car parking, servicing and landscaping
LOCATION	Land off Ferriby Road, Barton upon Humber
PARISH	Barton upon Humber
WARD	Barton
CASE OFFICER	Andrew Law
SUMMARY RECOMMENDATION	Subject to Secretary of State not ‘calling in’ the application, mindful to grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Significant public interest Member ‘call in’ (Cllr Paul Vickers – significant public interest) Third party request to address the committee

POLICIES

National Planning Policy Framework: Paragraph 14 explains that a presumption in favour of sustainable development should be seen as a ‘golden thread’ running through decision taking. It makes clear, in circumstances where there is no extant adopted plan or relevant plan containing no applicable policies, that planning permission should be granted unless adverse impacts of the development would “*significantly and demonstrably outweigh the benefits*” or where there are policies within the NPPF which indicate such development should be restricted.

Paragraph 17 identifies the core land use planning principles that should underpin decision taking. Within the context of this planning application, the most relevant principles include those below, which state that “*planning should:*”

- *proactively drive and support sustainable economic development to deliver homes, businesses and industrial unity, infrastructure and thriving local places that the country needs;*
- *always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;*
- *take account of the different roles and character of different areas...recognising the intrinsic character and beauty of the countryside and support thriving rural communities within it;*
- *contribute to conserving and enhancing the natural environment and reducing pollution;*

- *conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations;*
- *actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable; and*
- *take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs”.*

Building a strong, competitive economy

Paragraph 18 states that *“the Government is committed to securing economic growth in order to create jobs and prosperity, building on the country’s inherent strengths, and to meet the twin challenges of global competition and of a low carbon future”.*

Paragraph 19 states that *“the Government is committed to ensuring the planning system does everything it can to support sustainable economic growth”* and *“significant weight should be placed on the need to support economic growth through the planning system”.*

Paragraph 20 states that *“local authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century”.*

Ensuring the vitality of town centres

Paragraph 24 states that *“local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre”.* It goes on to state that *“they should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered”.* When considering edge of centre and out of centre proposals, *“preference should be given to accessible sites that are well connected to the town centre.”*

Paragraph 26 establishes that when assessing applications for town centre uses, over a defined threshold, outside of town centres local authorities should require an impact assessment of:

- *the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and*
- *the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made. For major schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made.*

Paragraph 27 states that *“Where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the above factors, it should be refused.”*

Supporting a prosperous rural economy

Paragraph 28 advocates supporting *“economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development”*.

Promoting sustainable transport

Paragraph 32 directs that decisions should take account of whether *“opportunities for sustainable transport modes have been taken up depending on the nature and location of the site”*; whether *“safe and suitable access to the site can be achieved”* and whether *“improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development”*. It is also made clear that *“development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe”*.

Paragraph 34 states *“decisions should ensure that developments that generate significant movements are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised”*; however, in rural areas this needs to take account of policies set out elsewhere in the NPPF.

Paragraph 35 states that *“developments should be located and designed where practical to:*

- *accommodate the efficient delivery of goods and supplies;*
- *give priority to pedestrian and cycle movements, and have access to high quality public transport facilities;*
- *create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones;*
- *incorporate facilities for charging plug-in and other ultra-low emission vehicles; and*
- *consider the needs of people with disabilities by all modes of transport.*

Paragraph 36 states that *“all developments which generate significant amounts of movement should be required to provide a Travel Plan.”*

Requiring good design

Paragraph 56 states that *“the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”*

Paragraph 60 states that *“planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles.”*

Paragraph 61 states that *“securing high quality and inclusive design goes beyond aesthetic considerations.”* It goes on to state that planning policies and decisions should *“address the*

connections between people and places and the integration of new development into the natural, built and historic environment.”

Paragraph 64 states that *“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.”*

Paragraph 66 states that *“Applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community”* and *“Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably.”*

Promoting healthy communities

Paragraph 69 states that *“the planning system can play an important role in...creating healthy, inclusive communities”* and that *“local planning authorities should aim to involve all sections of local communities...in planning decisions”*. Planning policies and decisions should aim to achieve places which, amongst other things, promote:

- *safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and*
- *safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.*

Paragraph 70 sets out how policies and decisions are expected to deliver the social, recreational and cultural facilities and services that communities need. It states that plans and policies should:

- *plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;*
- *guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs;*
- *ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community; and*
- *ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.*

Paragraph 73 states that *“access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities.”*

Meeting the challenges of climate change, flooding and coastal change

Paragraph 93 explains that *“planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to*

the impacts of climate change, and supporting the delivery of renewable and low carbon energy and infrastructure”.

Paragraph 100 states that *“inappropriate development in areas at risk of flooding should be avoided by directing development away from areas of highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere”.*

Paragraph 103 also requires local planning authorities to ensure that *“flood risk is not increased elsewhere”* and that *“development is appropriately flood resilient and resistant”* and that priority is given to the use of sustainable drainage systems.

Conserving and enhancing the natural environment

Paragraph 109 states that *“the planning system should contribute to and enhance the natural and local environment by:*

- *protecting and enhancing valued landscapes, geological conservation interests and soils;*
- *recognising the wider benefits of ecosystem services;*
- *minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;*
- *preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and*
- *remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.”*

Paragraph 118 encourages local planning authorities to consider *“opportunities to incorporate biodiversity in and around developments”.*

Paragraph 120 states that *“to prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account...”*

Paragraph 123 states that *“planning decisions should aim to:*

- *avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;*
- *mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from new development, including through use of conditions;*

- *recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established; and*
- *identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason”.*

Paragraph 125 states that *“decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation”.*

Conserving and enhancing the historic environment

Paragraph 128 requires applicants to *“describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance...”.*

Paragraph 129 requires authorities to *“identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset’s conservation and any aspect of the proposal”.*

Decision-taking

Paragraph 186 states that *“local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development”.*

Paragraph 187 states that authorities should *“look for solutions rather than problems, and...should seek to approve applications for sustainable development where possible”* and *“should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area”.*

Determining applications

Paragraph 196 requires that *“applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise”.*

It also established that the NPPF is a material consideration in planning decisions.

Planning conditions and obligations

Paragraph 203 requires local planning authorities to *“consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition”.*

Paragraph 204 sets out that planning obligations should only be sought where they are necessary to make the development acceptable in planning terms; directly related to the development and fairly and reasonable related in scale and kind.

North Lincolnshire Local Plan:

Policy S8 (Out-of-centre Retail and Leisure Development)

States that *“planning permission will only be permitted for out-of-centre retail and leisure development where:*

- *a clear need for the development has been demonstrated;*
- *a developer can demonstrate that there are no sites for the proposed use within or at the edge of the town or district centre that are suitable, viable for the proposed use and likely to be available within a reasonable time period;*
- *the proposal, in addition to the cumulative effects of recently completed developments and outstanding planning permissions, will have no adverse impact on the vitality and viability of existing district centres and the rural economy. In all cases applications shall be accompanied by a retail impact assessment;*
- *the site is or can be made accessible by a choice of means of transport, including public transport, walking and cycling.*

Where it is appropriate, conditions will be imposed restricting the minimum unit size of the development, and the type and range of goods sold, so as to prevent the operators directly competing with the existing town or district centres. The developer will be expected to support the proposal with evidence submitted as an impartial retail impact assessment.”

Policy T1 (Location of Development)

This policy requires developments that generate significant volumes of traffic to be *“located in urban areas and where there is good access to transport networks and foot, cycle and public transport provision.”*

Policy T2 (Access to Development)

This policy requires all new developments to be provided with a satisfactory access and continues to state that *“larger developments should be served by a range of transport modes.”*

Policy T4 (Developer Contributions)

This policy requires developers to demonstrate that their developments are adequately served by a variety of modes of transport and will not have an effect on transport near the site. It explains that the council will require developers to contribute towards the provision of additional transport facilities or highway improvements where their need is directly generated by the development.

Policy T6 (Pedestrian Routes and Footpaths)

This policy requires major developments to include links to nearby existing or proposed pedestrian routes.

Policy T8 (Cyclists and Development)

This policy requires new developments to provide links to existing or proposed cycle links where possible and to provide cycle parking facilities in accordance with set standards.

Policy T9 (Promoting Buses and Trains)

Advocates the promotion of bus and train usage as an alternative to the private car.

Policy T14 (The North Lincolnshire Strategic Road Network)

This policy seeks to concentrate traffic onto the Strategic Road Network (SNR) and prevent development that would compromise the function of the SNR.

Policy T19 (Car Parking Provision and Standards)

This policy states that “*provision will be made for car parking where it would:*

- (i) meet the operational needs of business;*
- (ii) be essential to the viability of the new development;*
- (iii) improve the environment or safety of streets;*
- (iv) meet the needs of people with disabilities;*
- (v) be needed by visitors to the countryside and comply with Appendix 2, Parking Provision Guidelines.”*

Policy DS1 (General Requirements)

This policy seeks a high standard of design in all new developments and states “*proposals for poorly designed development will be refused*”. Policy DS1 identifies criteria against which all new proposals will be considered as set out below:

- *Quality of design*
 - i) the design and external appearance should reflect or enhance the character, appearance and setting of the immediate area; and*
 - ii) the design and layout should respect, and where possible retain and/or enhance, the existing landform.*
- *Amenity*
 - iii) no unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, or through the effects of overlooking or overshadowing; and*
 - iv) amenity open space in the area should be retained, wherever possible; and*
 - v) no pollution of water, air or land should result.*

- *Conservation*

- vi) there should be no adverse effect on features of acknowledged importance on, or surrounding, the site, including species of plants and animals of nature conservation value; and*
- vii) the development must retain existing features that make an important contribution to the character or amenity of the site or the surrounding area; and*
- viii) development proposals should include results of archaeological assessment, where appropriate, and adequate measures to ensure that there would be no unacceptable impacts on archaeological remains.*

- *Resources*

- ix) there should be no conflict with an allocated or approved land-use nor should the reasonable potential for development of a neighbouring site be prejudiced; and*
- x) the location and design of developments on urban fringes should take into account the need to minimise the impact of the development on adjoining agricultural land; and*
- xi) measures to conserve energy will be expected in:*
 - a) the design, orientation and layout of buildings; and*
 - b) the location of development; and*
 - c) improvements to the transport network and in the management of traffic.*

- *Utilities and Services*

- xii) there should be no reliance on public finances being available to provide infrastructure and services; and*
- xiii) suitable on-site drainage should be provided and where there are off-site drainage problems the developer will be expected to overcome them.*

Policy DS3 (Planning Out Crime)

States that “new development should take into account personal safety and the security of people and property by:

- (i) ensuring that paths, play areas and open spaces are overlooked by inhabited buildings while maintaining the privacy of inhabitants; and*
- (ii) avoiding the creation of spaces with ill-defined ownership and ensure there is a clear distinction between public open space and private open space; and*

- (iii) *ensuring the development is well integrated into the existing pattern of pedestrian and vehicular movement; and*
- (iv) *ensuring that dark or secluded areas are not created by landscaping, planting or building; and*
- (v) *ensuring that streets and paths are adequately lit.”*

Policy DS12 (Light Pollution)

States that “*planning applications which involve light-generating development, including floodlighting, will only be permitted where it can be demonstrated that there will be no adverse impact on local amenities.*”

Policy DS14 (Foul Sewage and Surface Water Drainage)

States that “*the council will require satisfactory provision to be made for the disposal of foul and surface water from new development, either by agreeing details before permission is granted or by imposing conditions.*”

Policy DS16 (Flood Risk)

States that “*development will not be permitted within floodplains where it would:*

- (i) *increase the number of people or buildings at risk;*
- (ii) *impede the flow of flood water;*
- (iii) *impede access for the future maintenance of watercourses;*
- (iv) *reduce the storage capacity of the floodplain;*
- (v) *increase the risk of flooding elsewhere;*
- (vi) *undermine the integrity of existing flood defences.”*

Policy R5 (Recreational Paths Network)

States that in determining planning applications where development may either have implications for the maintenance of the recreational paths network, or other opportunities to expand this network “*the following factors will be taken into account:*

- (i) *favourable consideration will be given to development proposals which provide additional links to the recreational network;*
- (ii) *the Council will seek to negotiate additional linkages to the recreational paths network, where appropriate;*
- (iii) *favourable consideration will be given to development proposals which will improve the condition and appearance of existing links in the network;*
- (iv) *existing rights of way will be protected from development that would remove or restrict the right of way;*

- (v) *permission will not be granted for any development which would prejudice public access onto and through the recreational path network, unless specific arrangements are made for suitable alternative linkages;*
- (vi) *where necessary, the diversion of footpaths will be required.”*

Policy LC5 (Species Protection)

States that *“planning permission will not be granted for development which would have an adverse impact on protected species. Where development is granted that may impact on protected species, the use of conditions or planning agreements will be considered to mitigate this impact.”*

North Lincolnshire Core Strategy:

Policy CS1 (Spatial Strategy for North Lincolnshire)

This policy sets out the spatial strategy for future development in North Lincolnshire. It identifies areas of specific focus including, amongst others:

- “(b) supporting the market towns of Barton-upon-Humber, Brigg, Crowle, Epworth, Kirton-in-Lindsey and Winterton as thriving places to live, work and visit, and as important service centres serving the needs of local communities across North Lincolnshire;”*

It goes on to state that *“All future growth regardless of location should contribute to sustainable development”* and that where development has an environmental impact *“mitigation measures should be used for the development to be acceptable”*.

Policy CS2 (Delivering More Sustainable Development)

This policy sets out how the spatial strategy for North Lincolnshire will be implemented using a sequential approach to the location of new development based on the settlement hierarchy and taking into account other sustainability criteria. The primary focus for new development is identified as that within the Scunthorpe urban area, with the secondary focus being:

- “2. Previously developed land and buildings within the defined development limits of North Lincolnshire’s Market Towns, followed by other suitable infill opportunities then appropriate small scale greenfield extensions to meet identified local needs.”*

It goes on to state that *“All future development will be required to contribute towards achieving sustainable development”* and sets out sustainable development principles which new developments should comply with. These sustainable development principles include, amongst others, a requirement to:

- Be located to minimise the need to travel and to encourage any journeys that remain necessary to be possible by walking, cycling and public transport.*
- Be located where it can make the best use of existing transport infrastructure and capacity, as well as taking account of capacity constraints and deliverable transport improvements particularly in relation to junctions on the Strategic Road Network...*

- *Contribute towards the creation of locally distinctive, sustainable, inclusive, healthy and vibrant communities.*
- *Contribute to achieving sustainable economic development to support a competitive business and industrial sector.*
- *Ensure that everyone has access to health, education, jobs, shops, leisure and other community and cultural facilities that they need for their daily lives.*
- *Ensure the appropriate provision of services, facilities and infrastructure to meet the needs of the development...*
- *Be designed to a high standard, consistent with policy CS5, and use sustainable construction and design techniques.*

The policy also states that *“Environmental Impacts to or from development that cannot be avoided should be adequately mitigated for it to be acceptable.”*

Policy CS5 (Delivering Quality Design in North Lincolnshire)

This policy 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. It asserts that *“All new development...should be well designed and appropriate for their context.”* It goes on to state that *“The council will encourage contemporary design, provided that it is appropriate for its location and is informed by its surrounding context.”* It concludes that *“Design which is inappropriate to the local area or fails to maximise opportunities for improving the character and quality of the area will not be acceptable.”*

Policy CS6 (Historic Environment)

The aim of this policy is to ensure that North Lincolnshire’s important sites and areas of historic and built heritage value are protected, conserved or enhanced in order that they continue to make an important contribution to the area’s scene and the quality of life for local people.

This policy identified that the council will promote effective management of the areas historic assets through, amongst others:

- *Ensuring that development within North Lincolnshire’s Market Towns safeguards their distinctive character and landscape setting, especially Barton upon Humber, Crowle and Epworth.*

It goes on to state that *“All new development must respect and enhance the local character and distinctiveness of the area in which it would be situated, particularly in areas with high heritage value.”*

Policy CS14 (Retail Development)

This policy aims to support the sustainable development of a vibrant Scunthorpe town centre, Market Towns and other centres in the retail hierarchy at a scale and function proportionate to the retail standing of the centre. It sets out the retail hierarchy in North Lincolnshire as follows:

1. *Scunthorpe Town Centre*
2. *Market Town Centres of Barton upon Humber, Brigg, Crowle and Epworth:*

To fulfil their role as key shopping and service centres in North Lincolnshire, the market town centres will be supported as locations for further retail, leisure, cultural and tourism development. Development will only be permitted that is required to meet the needs of the area served by the centre in a sustainable way, is of a scale appropriate to the centre, and that will not adversely impact upon the vitality or viability of other nearby town and district centres. Within the district centres, any new development should respect their historic character.

3. *District Centres of Kirton in Lindsey and Winterton*
4. *District Centres of Ashby High Street and Frodingham Road*
5. *Local Centres and Corner Shops*

The policy goes on to set out key measures to support the vitality and viability of North Lincolnshire's network of town centres by ensuring that:

- *The existing retail character and function of centres is safeguarded. Development that detracts from the vitality and viability of the area's town centres will be resisted.*
- *New town centre development complies with the sequential approach to site selection, which prioritises development in existing centres, then edge-of-centre sites, and only then out of centre sites that are accessible by a choice of means of transport.*
- *The scale and type of development reflects the centre's existing and proposed function and its capacity for new development.*
- *The retail function of town centres is protected by way of restricting non-A1 uses particularly within the defined town centre boundaries.*
- *A balanced range of facilities and uses are encouraged within district and local centres in keeping with their size and function to meet the everyday needs of the local population. Local Shops located within smaller settlements, in particular in rural areas, will be protected where they are important to the day-to-day needs of people.*
- *Shopping facilities are accessible by a range of means including by car, walking, cycling and public transport.*
- *New developments are of an appropriately high quality design, particularly in the town centre.*

Policy CS16 (North Lincolnshire's Landscape, Green Space and Waterscape)

This policy states that *"The council will protect, enhance and support a diverse and multi-functional network of landscape, green space and waterscape.*

Policy CS17 (Biodiversity)

This policy sets out a number of ways in which the council will seek to promote the effective stewardship of North Lincolnshire's wildlife. Amongst others these include:

- *Ensuring development retains, protects and enhances features of biological and geological interest and provides for the appropriate management of these features; and*
- *Ensuring development seeks to produce a net gain in biodiversity by designing in wildlife, and ensuring any unavoidable impacts are appropriately mitigated for.*

Policy CS18 (Sustainable Resource Use and Climate Change)

This policy seeks to actively promote development that utilises natural resources efficiently and sustainably by, amongst others:

- *Requiring the use of Sustainable Urban Drainage Systems (SuDS) where practicable.*
- *Requiring all industrial and commercial premises greater than 1000 square metres to provide 20% of their expected energy demand from on-site renewable energy until the code for such buildings is applied nationally.*
- *Ensuring building design reduces energy consumption by appropriate methods such as high standards of insulation, avoiding development in areas subject to significant effects from shadow, wind and frost, using natural lighting and ventilation, capturing the sun's heat where appropriate.*
- *Supporting development that seeks to reduce the need to travel for people using that development.*

Policy CS19 (Flood Risk)

States that *"The council will support development proposals that avoid areas of current or future flood risk and which do not increase the risk of flooding elsewhere. This will involve a risk-based sequential approach to determine the suitability of land for development."*

Policy CS22 (Community Facilities and Services)

States that *"The provision of new community facilities...which meet the needs of local residents will be supported in principle."* It goes on to explain that good quality services and facilities will be provided that meet the needs of local communities and are accessible by public transport, cycling or on foot.

Policy CS23 (Sport, Recreation and Open Space)

States that *"Development proposals that will result in the loss of an existing leisure, recreation facility, natural green space, open space or playing pitches will not be supported unless:*

1. *There is currently an excess provision; or*
2. *Satisfactory alternative provision equivalent or better quality and quantity in a suitable location is made; or*

3. *The facility is no longer needed.*”

Policy CS25 (Promoting Sustainable Transport)

States that *“The council will support and promote a sustainable transport system in North Lincolnshire which offers a choice of transport modes and reduces the need to travel...”*

Policy CS27(Planning Obligations)

States that *“Where a development proposal generates an identified need for additional infrastructure, the council will, through negotiation pursuant to Section 106 of the Town and Country Planning Act and in accordance with guidance set out in Circular 05/2005, seek to ensure that the development proposal:*

1. *Meets the reasonable cost of new infrastructure and improvements to existing infrastructure made necessary by the proposal in order to support either affordable housing, maintenance payments, highway infrastructure, transport initiatives, utilities etc;*
2. *Mitigates the impacts of the development; and*
3. *Offsets the loss of any significant amenity or resource through compensatory provision elsewhere; or*
4. *Provides for the ongoing maintenance of facilities provided as a result of the development.*

Housing and Employment Land Allocations Development Plan Document (HELADPD):

Policy TC-1 (Development in North Lincolnshire’s Town Centres and District Centres)

Identifies that proposals for retail development will be permitted within the defined town centre boundaries of the market towns of Brigg, Barton upon Humber, Crowle and Epworth and non-retail uses will only be permitted where they do not detract from the centre’s shopping function. It goes on to state that *“Proposals will be considered having regard to the existing character and function of the shopping street, the contribution which the proposal would make to the vitality and viability of the shopping street and the resulting proportion of non-shopping uses.”*

Policy PS-1 (Presumption in favour of sustainable development)

Explains that the council will take a positive approach to new development that reflects the presumption in favour of sustainable development set out in the NPPF. Planning applications that accord with the Local Plan will be approved unless material considerations indicate otherwise. It goes on to state that where there are no relevant, up-to-date policies permission will be granted, unless material considerations indicate otherwise *“taking into account whether:*

- *Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or*
- *Specific policies in that Framework indicate that development should be restricted.”*

National Planning Practice Guidance:

Air quality

This section of the guidance provides guiding principles on how planning can take account of the impact of new development on air quality.

Paragraph 005 sets out that when deciding whether air quality is relevant to a planning application, considerations could include whether the development would (in summary): significantly affect traffic (through congestion, volumes, speed, or traffic composition on local roads); introduce new point sources of air pollution; expose people to existing sources of air pollutants; give rise to potentially unacceptable impact (such as dust) during construction; or affect biodiversity (due to pollutants).

Paragraph 008 states that mitigation measures will be *“locationally specific, will depend on the proposed development and should be proportionate to the likely impact”*. It further sets out that examples of mitigation could include: amendments to a site’s layout to increase distances between pollution sources and receptors; using green infrastructure; means of ventilation; promoting means of transport with low impact on air quality; control of dust and emissions from construction, operation and demolition; and contributing funding to measures designed to offset the impact on air quality.

Paragraph 009 explains, through the means of a flowchart, the considerations in respect of air quality in the development management process.

Conserving and enhancing the historic environment

This section of the guidance advises on enhancing and conserving the historic environment.

Paragraph 017 states that *“what matters in assessing if a proposal causes substantial harm is the impact on the significance of the heritage asset”* and asserts that *“significance derives not only from a heritage asset’s physical presence, but also from its setting”*.

Whether a proposal causes substantial harm will be a judgement for the decision taker... In general terms, substantial harm is a high test, so it may not arise in many cases”.

Design

This section of the guidance provides advice on the key points to take into account on design.

Paragraph 004 advises that development proposals should reflect the requirement for good design set out in national and local policy. It goes on to explain that local planning authorities are required to take design into consideration and should refuse permission for development of poor design.

Paragraph 006 explains that design can affect a range of economic, social and environmental objectives beyond the requirement for good design in its own right. It identifies that the following issues should be considered:

- local character (including landscape setting)
- safe, connected and efficient streets
- a network of greenspaces (including parks) and public places
- crime prevention

- security measures
- access and inclusion
- efficient use of natural resources
- cohesive and vibrant neighbourhoods.

Paragraph 023 identifies that planning can help achieve good design and connected objectives and that, where appropriate, the following should be considered:

- layout – the way in which buildings and spaces relate to each other
- form – the shape of buildings
- scale – the size of buildings
- detailing – the important smaller elements of building and spaces
- materials – what a building is made from.

Paragraph 037 explains that decisions on planning applications should clearly support the design objectives in the development plan. It goes on to state that *“If a local authority decides that an application should be refused on design grounds there should be a clear explanation of the decision.”*

Ensuring the vitality of town centres

Paragraph 001 identifies the two key tests set out in the NPPF that should be applied when planning for town centre uses outside of an existing town centre – the sequential test and impact test. It goes on to explain that the sequential test should be applied first and may identify preferable sites in town centres for accommodating proposed main town centre uses. The sequential test will identify development that cannot be located in town centres, and which would then be subject to the impact test. The impact test determines whether there would be likely significant adverse impacts of locating main town centre development outside of existing town centres.

Paragraph 008 explains the sequential test in more detail. This test guides main town centre uses towards town centre locations first, then, if no town centre locations are available, to edge of centre locations, and, if neither town centre or edge of centre locations are available, to out of town centre locations, with preference for accessible sites which are well connected to the town centre.

Paragraph 010 confirms that it is for the applicant to demonstrate compliance with the sequential test and that *“the application of the test should be proportionate and appropriate to the given proposal.”*

Paragraph 011 identifies that certain town centre uses have particular market and locational requirements which means that they may only be accommodated in specific locations.

Paragraph 013 identifies that the purpose of the impact test is to ensure that the impact over time of certain out of centre and edge of centre proposals on existing town centres is not significantly adverse.

Paragraph 015 confirms that it is for the applicant to demonstrate compliance with the impact test and that *“The impact test should be undertaken in a proportionate and locally appropriate way.”*

Paragraph 016 explains that impact should be assessed on a like-for-like basis in respect of that particular sector (eg it may not be appropriate to compare the impact of an out of centre DIY store with small scale town centre stores as they would not normally compete directly).

Paragraph 017 sets out a checklist for applying the impact test as follows:

- establish the state of existing centres and the nature of current shopping patterns (base year)
- determine the appropriate time frame for assessing impact, focusing on impact in the first five years, as this is when most of the impact will occur
- examine the ‘no development’ scenario (which should not necessarily be based on the assumption that all centres are likely to benefit from expenditure growth in convenience and comparison goods and reflect both changes in the market or role of centres, as well as changes in the environment such as new infrastructure)
- assess the proposal’s turnover and trade draw (drawing on information from comparable schemes, the operator’s benchmark turnover of convenience and comparison goods, and carefully considering likely catchments and trade draw)
- consider a range of plausible scenarios in assessing the impact of the proposal on existing centres and facilities (which may require breaking the study area down into a series of zones to gain a finer-grain analysis of anticipated impact)
- set out the likely impact of that proposal clearly, along with any associated assumptions or reasoning, including in respect of quantitative and qualitative issues
- any conclusions should be proportionate: for example, it may be sufficient to give a broad indication of the proportion of the proposal’s trade draw likely to be derived from different centres and facilities in the catchment area and the likely consequences to the viability and vitality of existing town centres

It goes on to state that *“A judgement as to whether the likely adverse impacts are significant can only be reached in light of local circumstances.”* In areas where there are high levels of vacancy and limited retailer demand, even very modest trade diversion may have a significant adverse impact.

Paragraph 018 explains, through the means of a flowchart, the key steps which should be taken when carrying out an impact test in decision-taking.

Health and wellbeing

This section of the guidance advises on the role of health and wellbeing in planning.

Paragraph 001 states that local authorities *“should ensure that health and wellbeing, and health infrastructure are considered in...planning decision-making”*.

Paragraph 002 declares the built and natural environments to be *“major determinants of health and wellbeing”* and goes on to list, amongst others, that planning authorities should, in considering new development proposals, ensure that *“potential pollution and other environmental hazards, which might lead to an adverse impact on human health, are accounted for”*.

Light pollution

This part of the guidance advises on how to consider light within the planning system.

Paragraph 001 explains that artificial light *“can be a source of annoyance to people, harmful to wildlife, undermine enjoyment of the countryside or detract from enjoyment of the night sky”* and advises that appropriately designed lighting schemes are key.

Paragraph 002 advises local planning authorities, when assessing whether a development proposal might have implications for light pollution, to consider whether they will *“materially alter light levels outside and/or have the potential to adversely affect the use or enjoyment of nearby buildings or open spaces...protected site or species...or protected area of dark sky”*.

Paragraph 003 explains that when light spills onto areas outside the immediate area of a proposed development it *“can impair sleeping, cause annoyance to people, compromise an existing dark landscape and/or affect natural systems (e.g. plants, animals, insects, aquatic life)”*. It goes on to advise that light intrusion can usually be avoided with careful lamp design selection and positioning.

Paragraph 004 advises that *“lighting only when the light is required can have a number of benefits, including minimising light pollution, reducing harm to wildlife and improving people’s ability to enjoy the night sky”*.

Paragraph 005 states that *“the character of the area and the surrounding environment may affect what will be considered an appropriate level of lighting for a development. In particular, lighting schemes for developments in...intrinsically dark landscapes should be carefully assessed as to their necessity and degree”*. Glare should be avoided for safety reasons.

Natural environment

This section of the guidance explains key issues in implementing policy to protect and enhance the natural environment.

Paragraph 001 states that *“planning should recognise the intrinsic character and beauty of the countryside”*.

Paragraph 007 explains the statutory responsibilities of planning authorities in determining applications and, at its core, a duty to *“contribute to conserving and enhancing the natural environment and reducing pollution”*.

Paragraph 008 requires local planning authorities to *“consider the opportunities that individual development proposals may provide to enhance biodiversity and contribute to wildlife and habitat connectivity in the wider area”*.

Paragraph 016 advises that where there is *“reasonable likelihood of a protected species being present and affected by development”* then ecological surveys may be warranted and these surveys should be *“proportionate to the nature and scale of development proposed and the likely impact on biodiversity”*. Planning conditions and/or legal agreements may be appropriate for monitoring and/or biodiversity management plans where these are needed.

Paragraph 017 seeks to encourage bio-diversity enhancement through planning decisions.

Paragraph 018 explains the *‘mitigation hierarchy’* of information, avoidance, mitigation and compensation to facilitate decision-taking.

Paragraph 020 requires the securing of mitigation and/or compensation measures such as off-setting, in instances where *“significant harm to biodiversity is unavoidable”*.

Paragraph 026 expects local planning authorities to *“take into account the economic and other benefits of the best and most versatile agricultural land...and...should seek to use poorer quality land in preference to that of a higher quality”*.

Noise

This section of the guidance advises on how planning can manage potential noise impacts in new development.

Paragraph 001 states that *“noise needs to be considered when new developments may create additional noise and when new developments would be sensitive to the prevailing acoustic environment”*.

Paragraph 002 advises that whilst noise can override other planning concerns, neither the Noise Policy Statement for England nor the NPPF expects noise to be considered in isolation, separate from the economic, social and other environmental dimensions of the proposed development.

Paragraph 003 advises planning authorities to consider:

- *whether or not a significant adverse effect is occurring or likely to occur;*
- *whether or not an adverse effect is occurring or likely to occur;*
- *whether or not a good standard of amenity can be achieved; and*
- *whether the overall effect of the noise exposure is, or would be, above or below the significant observed adverse effect level”*.

Paragraph 006 identifies a number of factors that are likely to give rise to noise being a concern and these include the following:

- the source of the noise;
- absolute level;
- time of the day;

- number, frequency and pattern of noise events; and
- the duration and/or character of the noise.

Planning authorities are also advised to consider the cumulative impacts of noise that can arise and also their effects upon wildlife and ecosystems, particularly upon designated sites, as well as those living in the vicinity of proposed developments.

Paragraph 008 explores possibilities for mitigation against the adverse noise impacts that can arise from proposed developments.

Open space, sports and recreation facilities, public rights of way and local green space

This section of the guidance gives key advice on open space, sports and recreation facilities, public rights of way and the new Local Greenspace designation.

Paragraph 004 refers to the Rights of Way Circular (1/09) which states that the *“effect of development on a public right of way is a material consideration in the determination of applications for planning permission and local planning authorities should ensure that the potential consequences are taken into account whenever such applications are considered”*.

Planning obligations

This section of the guidance provides advice on the use of planning obligations and the process for changing obligations.

Paragraph 001 of Section 23b asserts that planning obligations only constitute a reason for granting planning permission if they meet the following tests:

- they are necessary to make the development acceptable
- they are directly related to the development, and
- they are fairly and soundly related in scale and kind.

Paragraph 004 makes clear that planning obligations *“must be fully justified and evidenced”*.

Travel plans, transport assessments and statements in decision-taking

This section of the guidance provides advice on when transport assessments and transport statements are required, and what they should contain.

Paragraph 002 explains that Travel Plans, Transport Assessments and Statements are all ways of assessing and mitigating the negative transport impacts of a development in order to promote sustainable development. It goes on to state that they are required for all developments which generate significant amounts of movement.

Paragraph 003 explains that *“Travel Plans are long-term management strategies for integrating proposals for sustainable travel into the planning process”*.

Paragraph 004 explains that Transport Assessments and Statements are ways of assessing the potential transport impacts of developments.

Paragraph 005 states that *“The Transport Assessment or Transport Statement may propose mitigation measures where these are necessary to avoid unacceptable or “severe” impacts.”* It goes on to explain that Travel Plans can play an effective role in taking forward those mitigation measures which relate to the long term occupation and operation of developments.

Use of planning conditions

This section of the guidance provides advice on the use of conditions on planning decisions.

Paragraph 001 explains that when used properly, conditions can enhance the quality of development and enable development proposals to proceed where it would otherwise have been necessary to refuse planning permission, by mitigating any adverse impacts of the development. The use of planning conditions should be exercised in a way that is *“clearly seen to be fair, reasonable and practicable.”* It goes on to state that *“It is important to ensure that conditions are tailored to tackle specific problems, rather than standardised or used to impose broad unnecessary controls.”*

Paragraph 003 highlights the six tests that must be passed for conditions to be imposed, it confirms that conditions should only be imposed where they are:

1. necessary;
2. relevant to planning; and
3. to the development to be permitted;
4. enforceable;
5. precise; and
6. reasonable in all other respects.

Paragraph 006 states that *“the ability to impose conditions requiring submission and approval of further details extends to aspects of the development that are not fully described in the application (eg provision of parking spaces)”*.

Paragraph 007 explains that care should be taken when using conditions that prevent development beginning until the condition has been complied with. It states that *“Such conditions should only be used where the local planning authority is satisfied that the requirements of the condition (including the timing of compliance) are so fundamental to the development permitted that it would have been otherwise necessary to refuse the whole permission.”*

Paragraph 008 advises that conditions requiring works on land not controlled by the applicant should not be used where there are no prospects at all of the action in question being performed within the time-limit imposed by the permission. *“Where the land or specified action in question is within the control of the local authority determining the application (for example,*

as highway authority where supporting infrastructure is required) the authority should be able to present clear evidence that this test will be met before the condition is imposed.”

Paragraph 012 advises that it is possible to impose a condition making minor modification to the development permitted where a detail in a proposed development, or lack of it, is unacceptable. However, a condition that modifies the development in such a way as to make it substantially different from that set out in the application should not be used.

CONSULTATIONS

Highways: Initially raised concerns about the impact of the new accesses on highway safety, with particular regard to the A15 roundabout and slip road. Highways requested detailed drawings to show the proposed access and highway works. They also requested an independent Stage 2 safety audit prior to determination.

The applicants have subsequently provided the requested drawings and safety audit and, having reviewed this amended information, the council's Highways officers have raised no objection to the development subject to conditions, including a condition requiring full details of the final design and construction of the accesses, in-highway works, pedestrian links and cycle parking facilities to be submitted to and agreed by the local planning authority prior to development commencing.

Drainage: No objection. Recommend conditions to secure an acceptable surface water drainage scheme. They also request an informative note to be attached to any approval in relation to the adoption and maintenance of drainage features.

Environment Team (Ecology): No objection. The introduction of a family pub to the area is likely to increase visitor pressure and maintenance requirements on the woodland parcels of the Local Nature Reserve to the north and south. A Section 106 agreement and planning conditions are proposed to minimise harm to protected and priority species and habitats and to seek biodiversity enhancement in accordance with the NPPF.

Historic Environment Record (Conservation): No objection. There is negligible impact on the Barton conservation area and listed buildings as there is no inter-visibility with the application site and the historic core which is separated by a large modern housing estate.

Historic Environment Record (Archaeology): No objection. This proposal does not adversely affect any heritage assets of archaeological interest or their settings.

Environmental Health: Initially raised concerns with regard to the potential for the development to have a detrimental impact on the amenity of neighbouring residential properties due to noise and disturbance, particularly with regard to the potential for night-time deliveries. Conditions were proposed in this initial response with regard to land contamination and lighting.

A further response from the Environmental Health team has confirmed their advice that an updated Noise Impact Assessment should be submitted prior to determination of the application. However, Environmental Health has provided recommended conditions that could be attached to an approval of planning permission to address their noise concerns should the local planning authority be minded to grant permission. These conditions would secure an updated noise assessment and would impose restrictions on opening hours and delivery hours/arrangements. Conditions are also recommended to secure a Service Yard Noise

Management Plan, a Construction Environmental Management Plan and to limit construction hours.

A third and final response was received from Environmental Health requesting a condition in relation to air quality. The suggested condition would require electrical vehicle charging points to be provided on site.

Spatial Planning (Section 106 Officer): No objection. Due to the potential viability outcome of the scheme and policy evidence not being sufficient in certain areas to support contribution requests, it has been agreed that Section 106 contributions on this development will not be requested.

Environment Agency: No objection. The site is considered to pose a negligible risk to controlled waters.

Anglian Water Developer Services: No objection. There are no assets owned by Anglian Water or those subject to an adoption agreement within the site boundary. Barton on Humber Waste Recycling Centre will have available capacity for the wastewater flows. The proposed method of surface water management does not relate to Anglian Water operated assets.

Anglian Water requests a condition to secure an acceptable drainage strategy dealing with foul sewage provision. They also request that an informative note is attached to any approval relating to the discharge of trade effluent.

Humberside Fire and Rescue: No objection. Make informative comments with regard to access for fire service and water supplies for fire-fighting.

Highways England: Offer no objection to the proposals. It is not considered that the development proposals would impact upon the Strategic Road Network.

Campaign to Protect Rural England (CPRE): Object to the proposed development on the following grounds:

- the site is not accessible by means other than the private car and is thus not sustainable;
- the relocation of the supermarket will lead to a deterioration of the existing centre;
- the loss of a much-valued open space would be to the detriment to the community and residents of Barton upon Humber;
- there is no formal confirmation that the previous application (PA/2016/1490), including the proposal for residential development, has been withdrawn;

CPRE have also submitted a response from a transport consultant acting on their behalf which raises concerns with the traffic and transport assessments provided by the applicants.

TOWN COUNCIL

Barton upon Humber Town Council raise no objection to the proposed development but comment that concerns were raised with regard to the following issues:

- breach of planning

- highways issues
- a crossing for everyone to use on Ferriby Road
- delivery vehicle hours to be looked into
- signage to be reviewed
- flooding concerns
- environmental pollution concerns due to the removal of trees
- car sharing possibilities
- protection of the remaining parcel of land as green space.

PUBLICITY

Under the provisions of the Town and Country Planning (Development Management Procedure) Order 2015, this application has been advertised by means of site notices being displayed close to the site and a notice being published in the Scunthorpe Evening Telegraph.

Additional advertisement took place on 1 December 2017 by way of site notices being posted close to the site and letters and emails being issued to the people that had originally responded to the application. The purpose of this advertisement was to make third parties aware that additional information had been received from the applicants, particularly with regard to highway drawings and a Stage 2 safety audit that had been requested by the council's Highways officers. This additional information did not materially alter the proposal. Any responses in relation to this additional consultation that are received subsequent to the writing of this report will be reported verbally to the members of the planning committee prior to their discussion of the merits of the application.

At the time of writing this report more than 250 individual letters, emails and web-based representations have been received objecting to the proposed development. Of these representations, multiple responses have been received from certain individuals and a number of anonymous responses have been received, as well as a number of responses that give no reasons for objecting to the development.

The letters of representation received include letters from a local campaign group, '*Top Field Action Group*'.

Furthermore, a petition against the development containing 1800 signatures has been submitted to the local planning authority by members of Top Field Action Group.

The representations received opposing the application raise the following concerns/issues:

Policy issues

- Contrary to paragraph 23 of the NPPF and policy CS14 of the North Lincolnshire Core Strategy which support the vitality of town centres.
- Contrary to policy CS23 of the North Lincolnshire Core Strategy due to the loss of green space and recreational land.

- Goes against the Core Strategy and the National Planning Policy Framework.

Accessibility/sustainability issues

- Current Lidl store is accessible by foot. People will not walk up the hill to the proposed store.
- The hill is too steep for some people to walk and too steep to push wheelchairs and pushchairs.
- Unlike the current store, the proposed store is not accessible by mobility scooters.
- Using buses to access the site is not feasible for some people due to the need to lug heavy shopping about and the need for some people to change bus to get to the site.
- The nearest bus stop is some distance downhill of the site, so there would still be issues for some people to walk up the steep slope if they used public transport.
- Increase in dependency on the private car.
- Discriminates against people that don't drive.
- The proposed development is fundamentally unsustainable.

Highway safety and access issues

- Proposed new accesses are dangerous and entrance to and exit from the site will be unsafe.
- The development will result in more traffic accidents.
- Access onto A15 roundabout would be hazardous.
- There is no space for a safe access to be provided onto the roundabout.
- A15 roundabout is a large roundabout with people travelling up to 60mph.
- The A15 roundabout is always busy and adding more traffic at this location would make it hazardous.
- The proposal will result in further congestion of an already busy stretch of road.
- Ferriby Road is already congested and caters for 14,000 vehicles per day at present. There is no way it can cope with the additional traffic from the development, especially if the existing store is also occupied.
- Ferriby Road is used by a large number of commercial vehicles, which have increased in recent years as a result of Wren Kitchens.
- Will increase traffic at Feyzin Drive/Forkedale/Ferriby Road roundabout which is already heavily congested.
- Poor access for delivery vehicles which will have to snake through the busy car park to reach the delivery area, this is dangerous.

- No separate access for delivery vehicles, which is normally required and evident at other supermarkets in the area.
- A minor clog in the car park would result in traffic spilling onto the road.
- The close proximity of the A15 slip road to the proposed access will confuse and distract drivers.
- If delivery vehicles mistakenly enter Ferriby Road they would have to attempt a dangerous manoeuvre to turn around at small and busy Feyzin Drive/Forkedale/Ferriby Road roundabout.
- People will not respect the left in/left out only designation of the proposed Ferriby Road access, like they do at Tesco in Brigg.
- School buses drop off on Ferriby Road and there is a lollypop person to help children cross the road. Children will be put at risk by increases in traffic along Ferriby Road.
- Previous developments refused due to traffic concerns.

Impact on town centre

- No need for another pub as the existing pubs in the town centre are struggling.
- The proposed pub/restaurant would create more competition for existing pubs who would struggle to compete with prices of a chain pub.
- Independent retailers in the town should be supported.
- Proposal would draw footfall away from the town centre.
- Existing town centre retailers would lose associated trips generated by people visiting the existing store in the town centre as the proposed store will be too far from the town centre for linked trips.
- Will leave an empty retail unit in the town centre, to the detriment of the appearance and vitality of the area.
- Potential to stop trade coming into the town.
- The town centre is already struggling.
- Research has shown that out of town retail developments are harmful to town centres.
- There are no issues with servicing the current store as stated.
- The existing store is ideally located.
- Existing store could be extended.

Loss of green/recreation space

- There is no other green space for children to play and people to walk in the area.

- The site is regularly used by dog walkers and exercisers.
- The field has been used by the local community for over 30 years and maintained by the respective local authorities for this use.
- The site is a vital public open green space where events could be held.
- The site would be better suited to a community project.
- The site is an important buffer zone between the A15 and Forkedale.
- Once built upon, the field can never be recovered.
- The preservation of less than half of the field is nothing more than tokenism.
- The land was donated to the people of Barton for their recreational use.
- There is plenty of brownfield land available that could be developed instead.

Design and visual impact

- The site is a key gateway at the entrance to a town of national historic importance.
- The development would destroy the scenic entrance to the historic market town.
- It will be an eyesore to have such a visual monstrosity as the first thing people see when entering the town.
- The retail store is designed like a glass fronted industrial building.
- Lidl sites are known for their ugly buildings and garish lights and signs.
- The development will result in a proliferation of garish signage at the entrance to Barton.
- No details provided of the position of the signage.
- The development will destroy the outlook of properties on Forkedale.
- Highest point in the town so will be highly visible.

Amenity impacts

- Reversing alarms of delivery vehicles will be heard over a large area of the adjacent residential area.
- The development will result in noise and litter in the area.
- Noise and disturbance from people leaving the pub.
- Deliveries will result in noise and disturbance at all hours.
- Noise from air conditioning and refrigeration units running through the night.
- Noise from commercial bin lorries servicing the site.

- Traffic fumes will affect air quality in the area.
- Potential for vermin to be attracted to the site to the detriment of local residents.
- Light pollution from floodlighting on the site and illuminated signage.
- The existing mature trees on the site act as a noise barrier to the A15 which will be damaged by the proposed development.
- The site is higher than neighbouring residential properties exacerbating issues of outlook, noise and light.
- Youths may use the car park to congregate at night, as they do with other supermarket car parks.

Ecological impacts

- Loss of mature trees as a result of the development.
- Trees should be retained where possible.
- Wildlife will disappear from the site.
- The removal of trees from the site is just a cosmetic exercise to make the store more visible from the highway; it is not necessary and the trees should be retained.

Drainage

- The site is made from construction waste from the construction of the adjacent A15 and has poor drainage.
- The site has problems with drainage and underground water sources.
- The site holds water and is very boggy after heavy rain.
- The development could lead to flooding of neighbouring properties lying downhill of the site.
- A proper drainage scheme would need to be secured if permission is granted.
- In extreme conditions water discharges onto neighbouring properties which sit lower than the site; this will be significantly exacerbated by creating 1.4 hectares of impermeable surface on the site, reducing its drainage capacity.

Miscellaneous issues

- The site is unsuitable for construction as it is made from construction waste.
- Thinning of trees could result in earth sliding down onto the A15 during heavy rain.
- The development is motivated by the desire to sell the site.
- If anyone other than the council owned the land this application would be refused.

- Alleged job opportunities are grossly exaggerated, more will be lost through knock on effects in the town centre.
- The area has low water pressure and insufficient capacity to cater for the demands of the proposed development.
- The development will do more harm to the area than good.
- There could be reflection of light from the retail unit onto neighbouring properties and the highway.
- Despite the applicants' claims, the development will bring limited benefits to the area.
- Devaluation of property in the area.
- The development would put further strain on the police and fire services.

In addition to the representations from members of the public set out above, a response has also been received from Urban Imprint Limited on behalf of Ms Dell Swift who represents a large number of local residents (Top Field Action Group) detailing the following objections:

1. Conflict with development plan:

- The proposal seeks consent for a large retail development in an 'out of town centre' location and as such is contrary to development plan policies and guidance set out in the NPPF.
- Paragraph 23 of the NPPF advocates "*Recognising town centres as the heart of their communities...*" By introducing services and facilities on the outer edge of the settlement the economic sustainability of the town centre would be compromised. It is also noted that Barton upon Humber is identified by the North Lincolnshire Core Strategy as a key service centre in the area.
- The Core Strategy aims to "*Promote competitive town centres that provide customer choice and diverse retail offer...*" The removal of the existing retail option in the town centre (by relocating the existing Lidl store) would reduce both the choice that customers had and also the diversity of retail shops on offer.
- The proposal would result in a large empty retail unit in the town centre. This would pull trade away from the town centre and lead to a reduction in footfall, and goes against the principles of the policies designed to keep trade strong within town centres.
- Policy CS14 of the Core Strategy seeks to focus new retail development in market towns to the town centres.
- Under paragraph 10.20 (supporting text to the policy) it states that a "*clearly defined need*" is required for new retail development. Where this is proven the Core Strategy aims to direct this need to "*existing retail destinations ensuring that unsustainable piecemeal development does not occur*". Nowhere in the application does the applicant identify an overriding need for the development and the site lies outside the defined town centre where the existing retail designations lie.

- Policy TC-1 of the allocations DPD reinforces the primacy of the town centre for retail and drinking establishments. The application site is outside the town centre and thus is not within this principle focus of development.
- Four public houses in Barton have closed in recent years, demonstrating that there might not be a capacity for additional pubs in the town. The proposed pub/restaurant will likely draw further trade away from the existing ones in the town centre, which may result in further closures and would effectively undermine the vitality of the centre in conflict with the objectives of local and national policy.
- It is considered that the proposal is in conflict with policies CS5, CS14, CS23 and CS25 of the Core Strategy and policy TC-1 of the Allocations DPD.

2. Out of town retail development:

- The applicant has provided no evidence to demonstrate that the existing A1 and A3/A4 Use Classes within the town centre will not be affected by the proposed development.
- The retail unit would draw shoppers away from the town centre and reduce footfall on the exiting shopping streets. This will have knock-on effects as shoppers who currently visit multiple shops at once due to their close proximity may now choose not to do so.
- The proposed pub/restaurant will put pressure on the existing pubs and restaurants in the town centre. The applicant has paid little attention to the impacts of the pub restaurant on town centre uses.
- The existing Lidl retail site in the town centre promotes access and shopping by sustainable transport means, encouraging community engagement and cohesion. Out of town services and facilities encourage private car use and go against the principles of sustainable development set out in the NPPF and policy CS25 of the Core Strategy.
- Additional consequences of additional vehicle use in the area would be greater noise and chemical pollution as well as higher road traffic.
- The sequential assessment in the submitted Retail and Leisure Statement submitted with the application is inadequate. Only four sites have been assessed in the sequential assessment, including the existing Lidl site and the application site. Alternative sites should have been considered in this assessment.
- The retail and pub/restaurants do not need to be linked and could be disaggregated, which may make other, smaller sites suitable for assessment.

3. Retail capacity:

- The supporting text to policy CS14 of the Core Strategy identifies that, up to 2015, there was a projected need for 170–330 square metres of additional retail space. The proposed development would result in 831 square metres of additional retail floor space. This does not take account of the fact that the existing retail store is likely to be brought back into retail use.

- No evidence has been provided to demonstrate that the additional retail floor space is needed or required.
- Therefore the scale of the proposed retail development is inappropriate for the town, contrary to policy CS14.
- The proposal, as an out of town retail development, will have numerous negative impacts on the town centre contrary to policy CS14.

4. Design flaws:

- The layout will have no positive contribution to the streetscape. Both the store and public house reside in the centre of the site set back from the street, facing their respective car parks.
- Leaving an empty unit at the heart of Barton will have a negative impact on the sense of place in the town centre and will impose an unattractive environment within the conservation area.
- The access point from Ferriby Road seems entirely unnecessary.
- Barton upon Humber is characterised as a compact town with internal concealed car parks and narrow streets. The proposed development is large, open and detracts from this local character.
- The proposed landscaping and the layout of structures will create dead spaces and obscure elements within the site which will likely promote crime and antisocial behaviour.
- The proposed footpath has no frontage from either the store or properties on Forkedale, creating an avenue with no natural surveillance, potentially creating a corridor of crime.
- The landscape design looks poor quality and serves no design purpose and is incongruous of the surrounding character and the town as a whole.
- The design of the scheme fails to comply with the requirements of policy CS5 of the Core Strategy.
- The proposal does not respect the amenity of existing residential properties. It is unclear how noise and light pollution will not affect properties on Forkedale.

5. Loss of amenity green space:

- The proposal will result in the loss of a large area of accessible open space which is highly valued and much used by local residents.
- There is no evidence that there is an excess of accessible green space in the local area and that this space is not required.
- There is no alternative provision of green space as a result of the development.

- No evidence has been provided to demonstrate that the site is no longer needed by the local community.

A response titled “*Retail and Leisure Submission (2)*” has been submitted by Mr Montagu Martin, a retired solicitor, in the form of an impact report. This report concludes that:

- The proposal is in direct contradiction of, inter alia, paragraph 24 of the Framework.
- Footfall in the town is of crucial significance to healthy trading which will be under attack if the proposal for an out of town supermarket and pub is permitted.
- The High Street is an increasingly fragile unit requiring support.
- There is a significant sequential disadvantage for a supermarket moving out of town.
- If the proposed supermarket and pub/restaurant are allowed on the site, (in the view of the author) out of 122 High Street facing units, 26 will be substantially adversely affected, 68 will be adversely affected in the long term, 26 will not be affected and 2 will benefit.

A response has also been received on behalf of Barton Civic Society raising strong objections to the proposed development on the following grounds:

1. The site is open, accessible green space which enhances the entrance to the historic market town. This space is invaluable in encouraging exercise and the enjoyment of nature which are vital to promoting health and wellbeing;
2. The loss of the linear shelter belt of trees will destroy the north/south wildlife corridor that exists at present. This constitutes the destruction of valuable and irreplaceable habitat. The proposed replacement planting is a generic scheme seen in many supermarkets and in no way compensates for the depth and variety of native species on site.
3. The proposal is inconsistent with NPPF paragraph 14 which sets out a “*presumption in favour of sustainable development*” and advocates town centres as the principal locations for new retail, leisure, tourism and cultural facilities. Out of town developments drain the life out of town centres. Lessons should be learnt from Scunthorpe town centre which is experiencing serious decline as a result of out of town developments.
4. Access and egress is a great concern. Ferriby Road is the only approach to the A15 from Barton and carries the vast majority of commercial traffic in both directions. Despite claims made in the application documents, the main mode of transport to and from the site will be by car. This will significantly add to congestion on an already busy thoroughfare.

Finally, a response has been received on behalf of North Lincolnshire Green Party raising the following objections:

- The move from the Town Centre to an out of town site flies in the face of national policy on reducing car use.
- Air quality will reduce at that end of the town with knock on impacts on health and wellbeing.

- The claim that the site is well served by public transport does not take account of the fact that many people would have to change buses to access the site, making it a difficult journey.
- Loss of shelter belt trees will remove the existing buffer zone effect the field was intended to create when the A15 was built.
- Loss of wildlife habitat and carbon dioxide capture potential from the trees.
- Proposal will increase the potential of climate change and not reduce it.
- The Green Party endorses the concerns raised by the local community with regard to the traffic dangers from the proposed access.
- Taking a major retailer out of the town centre will deprive smaller retailers, who rely on frequent footfall, of their customers.
- Should learn from errors that led to the decline of Scunthorpe Town Centre.

At the time of writing this report the local planning authority has also received more than 50 representations in support of the application. It should be noted that many of the responses in support of the proposals are subject to caveats that the access should be appropriately designed and that the trees along the north western boundary should be retained where possible.

Comments made in support of the application include:

- The proposed development is exactly what a growing town such as Barton needs.
- The population of the town is expanding and the services need to do likewise.
- There is currently not enough services for the level of housing being built in Barton.
- It is time that the town had something new.
- The plan compromises and leaves a recreational space for dog walking.
- The development will take traffic away from the current Lidl store area.
- The development will reduce lorry traffic through Barton.
- A pub that caters for families is much needed in the town.
- The development will create a more even balance by developing the top end of the town.
- The top end of Barton did previously have a pub, hotel, small supermarket and a fish and chip shop.
- The proposal will be great for the local economy.
- The development will provide new jobs for the area.
- The proposed buildings look good.

- The development will make use of a piece of land that is currently not used to its full potential.
- The site is underutilised and full of poo.
- It would be good to have a bigger Lidl.
- Barton is being left behind in comparison to other places such as Brigg.
- It will stop people going to Brigg or over the bridge for food and drink at affordable prices.
- The incorporation of the path to the wooded area to the south enables dog walkers to exercise their dogs.
- Will bring people into the town.
- The current site of Lidl is rarely congested and the traffic implications are exaggerated.
- There is a great park and nature reserves in Barton without this piece of land.
- Will generate more business taxes.
- Will remove maintenance costs for the land.

It is important to note that there are matters that have been raised in objection to the proposed development to which regard cannot be had in the determination of this planning application. These include:

- Negative impact on property prices.
- Issues relating to land ownership and potential sale of the land.
- Matters controlled under other non-planning legislation.

STATEMENT OF COMMUNITY INVOLVEMENT

A Community Consultation Statement (CCS) has been submitted in support of the planning application. This document outlines the activity undertaken to engage local communities and stakeholders and to inform them of the plan for the site. This document also includes and reflects upon the public engagement that was undertaken in relation to the previous outline planning application on the site (PA/2016/1490) for “*outline planning permission to erect retail supermarket, public house and up to 70 dwellings*”, which has now been withdrawn. The applicants employed a range of strategies to engage the local community, in accordance with the council’s adopted Statement of Community Involvement (SCI).

Two public exhibitions were undertaken to provide local residents with an opportunity to meet the applicants and their project team, obtain further information about the proposals and to comment on the emerging development scheme proposed:

An initial consultation event took place in respect of the original outline application submitted for the site (PA/2016/1490). This event was hosted by North Lincolnshire Council on 6 October 2016 and was attended by council officers from Planning and Regeneration and Property Services. The three ward members for Barton upon Humber were also in attendance.

Approximately 300 people attended with 212 comment forms handed in on the day. Concurrently, an online survey ran on the council's website between 6th and 20th October 2016 which generated 30 responses.

A further consultation event took place on 5 January 2017 and, at the time, was undertaken on the assumption that Lidl would pursue a Reserved Matters application in relation to the commercial element of the outline application should outline planning permission be granted. A leaflet was produced in advance of the event to invite local residents to the public exhibition; these leaflets were delivered door-to-door to all residential properties in Barton and immediate neighbours and key local stakeholders were also written to, to ensure that they were aware of the proposals and the public event. Display boards were produced for the exhibition providing details of the proposed development and members of the project team were present to answer any questions and queries. The display boards were relocated to the existing Lidl store for a period of three months following the event. This event attracted an estimated 400 people with approximately 370 written responses received (this includes responses via the website and in store feedback).

In addition to the public exhibitions, a dedicated consultation website (www.lidlbarton.co.uk) was created to allow local residents to view and comment on the proposals online. People accessing the website were able to request further information on the proposals via a dedicated email address (lidlbarton@nlppanning.com). The website is still live and has been updated to provide details on how the scheme has evolved since the consultation event and provides the opportunity for comments and feedback to be provided via the same email address.

The CCS identifies that in respect of the original consultation event 94% of respondents were fully opposed to the development, with 6% in full support. In respect of the second consultation event, 83% of respondents were fully opposed to the proposals, 15% were in full support and 2% gave a mixed response. The comments received show that there is a significant level of local interest in the scheme and that the majority of respondents were opposed to the scheme.

A summary of the typical comments received, both objecting to and in support of the scheme, is set out in the CCS. These comments are similar to the responses received in relation to the current planning application, set out in the Publicity section of this report. The CCS goes on to consider the key issues raised and outlines both work undertaken to address those issues and the amendments to the scheme in response to the feedback received – including the incorporation of two access points into the site and the removal of housing from the scheme thereby reducing the area of land to be developed.

ASSESSMENT

Site and surrounds

The application site is a parcel of land measuring approximately 2.5 hectares in area, located on the western outskirts of the market town of Barton upon Humber. The site is bounded by Ferriby Road (A1077) with residential areas beyond this to the north, the A15/A1077 roundabout and A15 (dual carriageway) slip road to the west, by residential properties on Forkedale to the east and by an undeveloped area of green space and a small woodland area to the south. Pedestrian access to the site is currently via Ferriby Road to the north with the site providing pedestrian links to the woodland area to the south and Horkstow Road beyond. There is no formal vehicular access to the site at present.

The site is currently undeveloped land, which is largely grassed and used informally by the local community for recreational purposes. There is existing mature landscaping (trees) running along the northern and western boundaries of the site which provide screening from the A15 dual carriageway and the A1077 Ferriby Road. The site occupies an elevated position at the top of a hill which slopes away towards the historic core of Barton to the east. This is an important gateway location to the market town of Barton upon Humber when arriving to the town from the west.

The nearest residential properties to the site are located on Forkedale, to the east. These properties back directly onto the application site, with their rear gardens currently forming the eastern boundary of the site. These properties are predominantly large, detached, two-storey dwellings with their primary habitable room windows facing front and rear.

Constraints

The application site is located within the development boundary of Barton upon Humber as defined in the Housing and Employment Land Allocations Development Plan Document (HELADPD) 2016 and is not formally allocated for any specific use or development.

The application site is located outside the town centre of Barton upon Humber as defined in the HELADPD and is considered to be an out of centre (not edge of centre) location for the purpose of planning policy due to its distance from the defined town centre (approximately 750 metres).

The application site is not designated as a national or local wildlife site and there are no statutory designated ecological sites adjacent, or in close proximity, to the site. The woodland block to the south of the site forms part of the Barton Wolds Local Nature Reserve (LNR), as does the woodland to the north of Ferriby Road. Whereas the nearby A15/A1077 roundabout verges and slip roads form a Local Wildlife Site valued for their calcareous grassland flora and these areas now also form part of the LNR.

The application site is not designated as an area of national or local archaeological importance and it is understood that the site is overlain with surplus generated during the construction of the adjacent A15 dual carriageway. The closest designated heritage assets are the listed buildings located towards the historic core of Barton some considerable distance to the east of the site. The application site is also a significant distance outside the conservation area for Barton, which, again, is located around the historic core of the settlement to the east.

Whilst it is considered to be a key gateway site when entering Barton, the application site is not designated, either nationally or locally, as being of special landscape importance.

The woodland area to the south of the site is designated, within the North Lincolnshire Local Plan 2003, as being an Area of Amenity Importance (policy LC11 applies); however, this designation does not extend into the application site.

The application site, due to its elevated position, is located within flood zone 1 (low risk) of the Environment Agency flood maps. It is also located within flood zone 1 (low risk) of the Strategic Flood Risk Assessment for North and North East Lincolnshire. The Environment Agency has confirmed that the area is not considered to be in an area of high flood risk.

Planning history

A previous application for outline planning permission on the application site was submitted on behalf of North Lincolnshire Council last year (PA/2016/1490). This application was received as valid on 26 September 2017 and sought outline planning permission to “*erect retail supermarket, public house and up to 70 dwellings*”. This application was never determined and was withdrawn by the applicants on 16 October 2017. This previous application incorporated the current application site and the area of undeveloped grassland immediately to the south of the site, which does not form part of the current application site, except for a small portion required to provide a pedestrian link between the proposed development and the woodland to the south. The main difference between this previous application and the current application, other than the reduction in site area and omission of residential development, is the proposed access arrangement, with the previous application proposing a single point of access from Ferriby Road.

In addition to this recent planning application, there have been historical permissions on the site for use of the land for sporting purposes, along with associated buildings (7/1981/012, GBC3/1993/0002 and PA/1996/1977). No evidence exists of these applications being implemented.

Proposal

This application seeks full planning permission for the erection of a food store (Use Class A1) and pub/restaurant (Use Class A3/A4), along with associated accesses, car parking, servicing and landscaping.

The proposed food store will have a gross floor space of 2,125 square metres and a retail sales area of 1,324 square metres. The food store will contain a sales area, warehouse, delivery facilities, freezer room, bakery, manager’s office, staff room and customer toilets. It will be served by 155 parking spaces, 8 of which will be disabled spaces, 8 will be parent and child spaces and 1 will be a motorcycle space. Covered cycle parking will be provided at the food store.

The family pub/restaurant will have a 637 square metre gross floor area, with staff accommodation at first-floor level. It will be served by 64 parking spaces, 2 of which will be for disabled users.

The Lidl food store will be positioned towards the eastern side of the site, with the proposed pub/restaurant located towards the west and the majority of the parking areas located between these buildings. The proposal also incorporated grassed amenity areas, a footpath/cycleway, landscaped areas, and access roads and servicing areas.

The food store has been oriented so that it faces west, into the site, with the main customer entrance in the north-western corner of the building adjacent to the proposed car parking area. A dedicated service yard is located to the southern end of the site and will be accessed via the main site access.

The food store will be a single-storey building with a simple mono-pitched roof. The full height glazed front (northern) elevation is 32 metres long and adjacent to the customer parking area, facing Ferriby Road. However, the total length of the food store building extends to 70 metres. The mono-pitched roof extends from 5.5 metres in height on the eastern facing elevation to 6.7 metres in height on the western facing elevation, which addresses the car park and access road.

The proposed food store is of contemporary design and will be faced in off-white, thermally insulated, composite horizontal cladding and structural glazing. The single-ply roof membrane would be light grey in colour, with rooflights throughout. The northern elevation would contain extensive glazing with feature cladding.

The pub/restaurant has been designed with its main entrances facing its dedicated parking area. To the south of the pub/restaurant, an outdoor amenity area providing seating and a children's play area is proposed. A small service yard is located to the north of the pub/restaurant building.

The pub/restaurant will have an approximately square footprint and will measure approximately 25 metres by 24 metres on the ground floor and approximately 15 metres by 10 metres at first floor. The building will have a maximum height of 9.8 metres to ridge, although the majority of the building will be no more than 7.2 metres in height.

The pub/restaurant building employs a more traditional design and comprises a two-storey timber-clad element and a single-storey brick and render element designed to have the appearance of a large extension.

Two new accesses are proposed as part of the application. One access will be provided via a new arm directly off the A15/A1077 roundabout between the A15 (southbound) slip road and the Ferriby Road arm. The second access will be a left-in and left-out only junction onto Ferriby Road. A further non-vehicular access is proposed to the east of the proposed vehicular access onto Ferriby Road; this access will run along the eastern boundary of the site, linking Ferriby Road to the southern part of Top Field and the woodland to the south of Top Field.

The principal issues to consider in the determination of this application are assessed below and comprise the following:

- **The principle of development**
- **The loss of green/recreational space**
- **Highway safety and access to development**
- **Design and visual impact**
- **Impact on residential amenity**
- **Ecological impact**
- **Drainage.**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires 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) which was adopted in May 2003, the North Lincolnshire Core Strategy (NLCS) which was adopted in June 2011 and the Housing and Employment Land Allocations (HELA) DPD which was adopted in March 2016. 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 of the Planning Practice Guidance (PPG).

Principle

Policy context

Amongst the aims of the North Lincolnshire Local Plan are those ensuring a buoyant local economy whilst preserving the vitality and viability of the existing network of town centres and supporting a defined retail hierarchy within the area. It advocates a sequential approach designed to direct new retail development to appropriate locations. Barton upon Humber Town Centre is identified as being one of the main retailing centres, standing only below Scunthorpe Town Centre in the shopping hierarchy for North Lincolnshire (Chapter 5 of the NLLP relates).

Chapter 10 of the Core Strategy sets out North Lincolnshire's strategic policies aimed at supporting thriving settlements, including policies for future retail development in the area. The role of the policies in this chapter is to set a proactive planning policy framework to deliver the vision of the area and support the sustainable delivery of new and improved shopping, cultural, leisure and tourism facilities across North Lincolnshire. In doing so it aims to ensure that new retail development is directed to appropriate locations, existing retail facilities are improved, and any deficiencies in the retail hierarchy are addressed. Among the aims of the Core Strategy are those to promote the vitality and viability of the area's shopping hierarchy, encouraging a wide range of services that promote genuine choice in a good quality environment with a vibrant mix of activity which is accessible to all.

Saved policy S8 of the North Lincolnshire Local Plan is the most relevant development plan policy in the determination of this application in that it sets out the council's approach to proposals for out-of-centre retail and leisure development. Policy S8 states that *Planning permission will only be permitted for out-of-centre retail and leisure development where:*

- *a clear need for the development has been demonstrated;*
- *the developer can demonstrate that there are no sites for the proposed use within or at the edge of the town centre that are suitable, viable for the proposed use and likely to become available within a reasonable time period;*
- *the proposal, in addition to the cumulative effects of recently completed developments and outstanding planning permissions, will have no adverse impact on the vitality and viability of existing town or district centres and the rural economy. In all cases, applications shall be accompanied by a retail impact assessment; and*
- *the site is, or can be made, accessible by a choice of means of transport, including public transport, walking and cycling.*

Notwithstanding the above, policy S8 should be read in the context of more recent policy within the NPPF (Chapter 2), which also sets out a need for sequential and impact tests but no longer includes a need test for proposed new development. The first criteria set out in policy S8 is therefore in conflict with and has effectively been superseded by the NPPF.

Policy CS14 of the Core Strategy is also relevant to establishing the principle of the proposed development. This policy sets out the council's approach to protecting and enhancing the shopping centres in North Lincolnshire. It confirms that the retention of local centres and corner shops, which provide vital day-to-day shopping facilities for local communities will be supported. In order to support the vitality and viability of town centres in North Lincolnshire, policy CS14 sets out a number of criteria which seek to *"ensure that:*

- *The existing retail character and function of centres is safeguarded. Development that detracts from the vitality and viability of the area's town centres will be resisted.*
- *New town centre development complies with the sequential approach to site selection, which prioritises development in existing centres, the edge-of-centre sites, and only then out-of-centre sites that are accessible by a choice of means of transport.*
- *The scale and type of development reflects the centre's existing and proposed function and its capacity for new development.*
- *The retail function of town centres are protected by way of restricting non-A1 uses, particularly within the defined town centre boundaries.*
- *A balanced range of facilities and uses are encouraged within district and local centres, in keeping with their size and function, to meet the everyday needs of the local population. Local shops located within smaller settlements, in particular in rural areas, will be protected where they are important to the day-to-day needs of people.*
- *Shopping facilities are accessible by a range of means including by car, walking, cycling and public transport.*
- *New developments are of an appropriately high quality design, particularly in the town centre.*

With regard to other material considerations, Chapter 1 of the NPPF confirms that the Government is committed to securing economic growth in order to generate jobs and prosperity, and that planning should operate to encourage sustainable growth. It goes on to confirm at paragraph 19 that *"significant weight should be placed on the need to support economic growth through the planning system."* Chapter 2 sets out the Government's approach to securing the vitality of town centres. It sets out at paragraph 24 that applications for main town centre uses (such as retail and food and drink), which are not in a defined centre and do not accord with an up-to-date development plan, should be subject to a sequential test. Only if suitable sites are not available in town centre or edge of centre locations should out of centre sites be considered. It goes on to confirm that when considering out of centre proposals *"preference should be given to accessible sites that are well connected to the town centre."* Paragraph 26 requires an assessment of the impact of the proposal on town centre vitality and viability to be undertaken where retail development above 2,500 square metres is proposed outside of town centres. Paragraph 27 confirms that applications should be refused if they fail to satisfy the sequential test or are likely to have significant adverse impacts upon the vitality or viability of a town centre. Chapter 4 of the NPPF seeks to promote sustainable transport and states at paragraph 34 that plans and decisions should ensure *"developments that generate significant movements are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised."*

Guidance set out in the *"Ensuring the vitality of town centres"* section of the NPPG identifies and provides guidance in relation to the two key tests set out in the NPPF that should be applied to proposals for town centre uses outside of an existing town centre – the sequential test and the impact test. In relation to the sequential test, it advises authorities to consider the suitability, availability and viability of sites, with particular regard to the nature of the need that is to be addressed. It also recognises that certain town centre uses have particular market and locational requirements, that development in town centre locations can be more expensive and

complicated, and advises that local planning authorities should be realistic and flexible in their expectations. The guidance also sets out steps that should be followed in application of the impact test, including establishing the state of the centre and current shopping patterns, determining a timeframe for assessing impact, and considering a range of plausible scenarios.

From the above it is clear that both local and national planning policies, as well as relevant national planning guidance, seek to support the vitality and viability of existing town centres. Two key methods for achieving this goal, as set out in the policies, are by directing new town centre uses to appropriate locations and by assessing the impacts of proposed developments on existing centres via the application of sequential and impact tests.

The applicants have submitted a Retail and Leisure Statement, prepared by Lichfields, in support of the planning application, which assesses the impact of the proposals on the vitality and viability of Barton upon Humber Town Centre. This document incorporates sequential and impact tests as required by local and national planning policy and provides an assessment of the proposals against these policies. This Retail and Leisure Statement has been independently assessed by a planning consultant employed on behalf of the council (Acumen) to assess the proposals in terms of their compliance with relevant retail planning policy.

Sequential test

The application site is located within the defined development boundary for Barton upon Humber and is not allocated for any particular use in the Housing and Employment Land Allocations DPD 2016. The site is located approximately 750 metres walking distance from the defined Barton Town Centre Boundary and as such is identified as an out of centre location in relation to retail planning policy. For these reasons, as set out in local and national policy, it is necessary to consider potential alternative sites, both within and on the edge of the existing centre, in terms of their suitability and availability to accommodate the proposed uses at Ferriby Road. The application proposes a new food store comprising 2,125 square metres of gross floor space, with associated access, parking, servicing and landscaping, along with a pub/restaurant comprising approximately 600 square metres gross floor space. Any potential alternative sites would need to be able to accommodate a store of a similar scale and nature.

In determining the area of search for sites to be considered as part of the sequential test, the applicants have defined a Primary Catchment Area (PCA); the defined PCA extends to approximately 4 miles to the west and south, and 5 miles to the east of Barton upon Humber Town Centre. To the north the PCA is confined by the River Humber. As the only defined town centre in the PCA, and the only centre that offers the potential to serve the whole of this area, the sequential assessment presented within the Retail and Leisure Statement focuses on the suitability and availability of sites within and on the edge of Barton Town Centre only. Acumen has confirmed that the PCA defined by the applicants is considered to be a correct and robust approach.

Bearing the above in mind, the sequential assessment identifies four potential alternative sites for consideration as detailed below:

Existing Lidl Store, High Street

The assessment identifies that the existing Lidl store is located within the defined Town Centre and currently provides 1,294 square metres of gross floor space, with associated car parking. The site as a whole comprises just 0.4 hectares and as such is significantly smaller than the application site (approximately 2.5 hectares) and both the store and associated car park are

considered to be under-sized relative to other Lidl stores developed more recently in the area (such as that in Brigg). In addition, it is stated that the irregular shape of the site and its constrained parking layout make the store difficult to service. It is also considered that the limited prominence of this site to the wider road network limits its ability to pick up passing trade, which is explained to be a key part of the company's business model.

It is concluded that there are no realistic opportunities to expand/redevelop the existing store due to it being highly constrained by surrounding properties (including listed buildings) and the High Street. On this basis and given the limited size of the site, it is not considered to be a suitable alternative site as it would not be able to accommodate the proposed development, particularly when taking into account the family pub/restaurant which is also proposed on the application site.

Whilst not part of the current application, it is intended that the existing Lidl store will be re-occupied by new convenience and comparison retail uses, which will enhance the existing range and choice of uses in the town centre.

Town Centre Car Park, Cottage Lane

This site is a public car park located within the defined town centre boundary, to the west of King Street and south of High Street. It is stated that the car park is well used by shoppers and employees in the town centre. The car park site has an area of approximately 0.1 hectares.

The assessment concludes that this site is small in size and could not accommodate the proposed food store. Furthermore, the car park performs an important role in catering for both car-borne shoppers and employees of local businesses, therefore aiding the vitality and viability of the town centre. This site is therefore considered to be neither suitable nor available to accommodate the proposed development.

Land adjacent to Tesco, Maltkiln Road

This site is a parcel of vacant land with an area of 0.3 hectares, located adjacent to the existing Tesco store on Maltkiln Lane and is currently being marketed for development. The site has previously been consented for retail development as part of a proposal by Tesco to redevelop the wider site (PA/2009/0880). This previous planning permission was never implemented.

The assessment confirms that the site is located approximately 400 metres from the defined town centre boundary. Whilst this is closer to the town centre than the proposed site on Ferriby Road, it is still an out of centre location for the purposes of planning policy and as such is not a sequentially preferable site. Furthermore, given the small size of the site, it is not considered to be suitable to accommodate the proposed development.

Vacant units

There are a number of vacant shop units in Barton upon Humber Town Centre including, amongst others, the former NatWest Bank in the Market Place. The assessment concludes that these units are all small in scale, with none coming even close to the size required to accommodate any of the uses proposed as part of the current application. Furthermore, there are no clusters of vacant units that could be amalgamated to create a single unit of the required size.

Acumen has considered the sequential test put forward in the Retail and Leisure Statement and has confirmed that the site selection is appropriate and that the applicants' argument that the application site is the most appropriate location to accommodate the proposed food store, when compared with the other sites is considered to be acceptable. In summary it is considered that the applicants have adequately justified the sequential approach taken and that the sequential test has been passed.

Impact test

The NPPF requires that proposals for new retail and leisure uses in excess of 2,500 square metres, which are not located within an existing centre, and are not in accordance with an up-to-date development plan should include an assessment of:

- *the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and*
- *the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area.*

Paragraph 27 of the NPPF indicates that proposals for retail, leisure and office development may be refused planning permission where a significant adverse impact is likely to arise. It is important to appreciate that any new development involving town centre uses will lead to some impact on existing facilities. The key consideration, as set out in paragraph 27, is the extent of the impact and whether it is considered to be 'significantly adverse'.

Whilst both the replacement Lidl food store and the new family pub/restaurant comprise less than 2,500 square metres gross when considered individually, when combined they exceed this threshold. In this context, and taking into account the requirements of saved policy S8 of the NLLP, an assessment of the application proposals against the above issues is considered to be necessary and has been provided by the applicants.

Impact on investment

The assessment considers that there will be no adverse impact on the ability to forward any other investment in/on the edge of Barton Town Centre or any other existing centres. In drawing this conclusion the assessment takes account of the following factors:

- the fact that the intended sub-division and re-occupation of the existing Lidl store at High Street for new convenience and comparison retail operators is proposed to be brought forward in parallel with the proposals at Ferriby Road;
- the fact that, as set out in the sequential assessment, there are considered to be no more sequentially preferable sites, located within or on the edge of Barton Town Centre, which are suitable and available to accommodate the proposed development;
- there is no other planned investment in Barton Town Centre which could be affected by the proposed development; and
- any schemes which are coming forward, or being promoted in other centres in the wider area are more distant from the application site and/or serve different catchment areas, and are highly unlikely to be affected by the current proposals.

The assessment also considers that the proposed food store and family pub/restaurant are of a different (more significant) scale to those opportunities for new development/-redevelopment which do exist in the town centre. Furthermore, it is stated that operators of the type considered likely to occupy the proposed pub/restaurant generally seek locations that are visually prominent and adjacent to similar retail and leisure uses, where they can benefit from spin-off trade from the retail uses.

Acumen has reviewed this assessment and confirm that they are not aware of any prospective retail schemes, other than those already in receipt of planning permission, nor of any general town centre initiatives, which are 'in the pipeline' and which could be put at risk. They also confirm that they are satisfied that the proposed development would not impact on the ability of existing vacant units in the town centre to be brought into use, or schemes to be developed.

In summary, it is concluded that there is no evidence that in-centre investment in Barton upon Humber will be prejudiced by the proposed development. As such the proposed development is considered to pass the first test in relation to impact.

Impact on town centre vitality and viability

The assessment estimates that at present only around half (£22 million/52%) of the convenience goods expenditure generated by the PCA is spent at stores within this area, with the remainder flowing to stores further afield (such as Brigg, Scunthorpe and Grimsby). It is also stated that just 19% (£11 million) of the total comparison goods (non-food retail) spend generated by the PCA is actually spent at stores within this area, due to the limited range of comparison goods retailing and the small size of the stores in the town centre. It goes on to state that there is, therefore, a need to enhance the range of retail provision serving Barton and the wider PCA. It is considered that this need will grow as new residential population is created through planned new housing development.

It is further stated that the proposed development would enhance the existing range of food store provision by providing a larger Lidl store, providing a more attractive shopping environment and more effective competition to the existing Tesco at Malkiln Road. The proposed family pub/restaurant is deemed likely to be occupied by a national chain, which will also help to enhance the existing range of provision in Barton, including facilities catering for families.

The intended re-occupation of the existing Lidl store by new convenience and/or comparison retailers would also enhance the range and choice of operators contained in the town centre. In doing so it would help to encourage linked trips with existing facilities and ensure that there is no adverse impact on the quality of the environment in the town centre, or overall vacancy levels.

The assessment concludes that when taken as a whole, the proposals would help reduce the need for residents to travel outside the area to undertake both food and non-food shopping. In doing so, they would increase the currently low levels of retail expenditure retention in the PCA and facilitate more sustainable travel patterns. It is stated that the potential impact on the vitality and viability of the existing centres should also be viewed in the context of a number of factors set out below:

- the unit vacancy rate in Barton Town Centre is below the national average and the centre appears to be performing well in overall terms;

- the fact that existing retail provision in the town centre is generally small in scale and would continue to perform a complementary role alongside the new food store in serving top-up and specialist food shopping needs;
- the scale and nature of comparison goods retailers located in the centre, which are also smaller scale and/or independent operators;
- the fact that the existing food and drink uses include small independent café's/restaurants and a number of public houses, the majority of which do not have any significant food offer;
- the fact that the majority of uses within this and other surrounding centres would remain unaffected by the development; and
- the fact that any diversion of trade will be spread across a range of stores in the surrounding areas – including a number of freestanding food stores, located outside the defined centres – reflecting the significant proportion of spending which is currently leaking out of the PCA to such facilities.

It is concluded that the proposed development would not have significant adverse impacts on the vitality and viability of the town centre and would have significant positive impact in terms of enhancing local customer choice.

Acumen has reviewed this part of the assessment and confirm that there appears to be either a significant amount of trade leakage from the PCA, or businesses within the PCA are 'over-trading'. Either way this demonstrates that there is a quantitative need for additional convenience goods floor space in the PCA.

Acumen also confirm that, whilst it is not disputed that the re-occupation of the existing store would enhance the range and choice of operators in Barton, it must be recognised that the loss of the existing Lidl food store would have a direct impact on the vitality and viability of the town centre, as it performs an anchor role, bringing people into the centre who can visit other town centre destinations during the same shopping trip. It is explained that the subdivision and re-occupation of the existing store will ultimately mitigate against this impact. It is also recognised that the planning process has no powers to ensure the continued occupation of any unit or premises; therefore it must be borne in mind that an operator can cease trading at any time, which is a consideration when weighing up the potential impact from a development.

Acumen conclude that, whilst there are a number of variables that can be manipulated in impact assessments such as the one provided, and a number of assumptions provided that are a matter of individual judgement, they are satisfied that the applicants have prepared a robust case and has demonstrated that the impact of the proposed development upon the vitality and viability of Barton upon Humber Town Centre is within acceptable limits.

In addition to the above, following their initial assessment of the Retail and Leisure Statement, Acumen requested further clarification with regard to the impact of the leisure element of the proposed development. This clarification was provided by the applicants and concluded that the pub/restaurant would have no significant impact on the town centre. Acumen has reviewed the additional information and confirmed that they are satisfied that the proposed pub/restaurant will not impact on the vitality and/or viability of the town centre. The key issue is the assessment of the current offer within the town centre, which is very different to the proposed development, which is a family oriented pub/restaurant. The pubs within the town centre are different in

nature and serve a less family oriented clientele. It is considered likely that the proposed pub/restaurant would attract new customers, who may wish to include a family meal as part of their leisure routine, and draw trade from competing facilities over a much wider area. As such it is considered unlikely that any one unit would suffer an impact that it could not withstand.

In summary it is considered that the proposed development will not have a significantly adverse impact on the town centre and as such the impact test is passed.

For the reasons outlined in the paragraphs above, it is considered that the proposed development is generally in accord with the relevant development plan policies and is, therefore, acceptable in principle.

Loss of green/recreational space

The most relevant extant development plan policy against which to assess the proposed development's impact with regard to loss of green space is 'saved' policy CS23 of the NLCS which seeks to sustain North Lincolnshire's leisure and recreational facilities so that they can continue to contribute to the quality of life for local people. This policy seeks to restrict development proposals that result in loss of leisure, recreation and natural green spaces unless there is an excess in provision, satisfactory alternative provision is made, or the facility is no longer needed.

The application site currently exists as an undeveloped greenfield site and, whilst it is known to be informally used for recreational purposes (i.e. dog walking, informal ball games etc.), it is not formally designated as a playing field or as an area of open space or amenity importance within the adopted development plan. It should be noted that the wooded land to the south of the site is designated as an area of amenity importance, but this designation does not cover the application. There is, therefore, no land use allocation that requires the retention of the site as greenfield land or which would prevent its future development in principle. However, the loss of the green space is a material consideration which must be taken into account in the determination of this application, having due regard to the provisions of policy CS23.

A significant number of representations received in response to application have raised the loss of the green space as a strong point of objection. In addition to this, the applicants have confirmed in their CCS that this is one of the major concerns raised at the public consultation events and the feedback received after these events. The applicants state in the CCS that in direct response to the feedback received in this regard, the previously proposed (PA/2016/1490) housing element has been removed from the scheme, allowing for the retention of 1.5 hectares of the southern part of Top Field to remain undeveloped and retained for informal public use. The proposal will not, therefore, result in total loss of the green space in question. Further grassed amenity areas are to be retained within the application site, adjacent to the public house, for use by local residents. Access to the southern part of Top Field and the wooded amenity area to the south is to be improved by the provision of a designated, tree-lined non-vehicular access along the eastern side of the site to link this land with Ferriby Road.

It is acknowledged that the scheme will result in the loss of some informal recreational space. However, the development of the proposed scheme will improve the accessibility of the remaining area of Top Field and formally link this land with existing designated areas of recreational and amenity land in the area, including the areas of Barton Wolds Local Nature Reserve to the north of Ferriby Road and the south of the site, which in turn links to an area of recreational space running south to Horkstow Road. On this basis, it is considered that the development will provide recreational benefits to mitigate the partial loss of the informal

recreational land. Furthermore, as already identified, there is a substantial amount of open recreational land in the surrounding area, which also includes an allocated playing field on Tofts Road to the east of the site. Consequently, the development will not result in an under-provision of recreational or amenity land serving the local area.

The loss of part of the open green space that makes up Top Field will have some adverse impact on the local community and environment. However, it is considered that the measures outlined above, and in particular the retention of a substantial portion of the existing open space, are adequate to mitigate this adverse impact to an acceptable level. Whilst no additional greenspace is provided elsewhere in compensation for the loss, the scheme does include a formal, dedicated pedestrian access to improve the accessibility of an allocated area of amenity land adjacent to the site. Therefore, notwithstanding the representations made objecting to the development which are acknowledged and understood to be material concerns, the development as set out in the submitted details is considered to generally accord with the provisions of policy CS14 and its stated aim of sustaining and improving North Lincolnshire's leisure and recreational facilities.

In addition to the above, it should be noted that no objection to the proposals has been received from the council's Public Open Space co-ordinator or the council's Leisure department. The council's Section 106 officer has confirmed that no contribution is required to provide or improve open space in the area to offset the impact of the development.

Highway safety and access to development

The most relevant extant development plan documents against which to assess the proposed development's effect upon highway safety and transport are 'saved' policy T1 of the NLLP which requires developments that generate significant vehicle movements to be located in urban areas and where there is good access to transport networks and where there is provision for sustainable transport modes; 'saved' policy T2, which requires all new developments to be served by a satisfactory access and larger developments to be accessible by a choice of transport modes; and policy CS25 of the NLCS, which seeks to support and promote a sustainable transport system that offers a choice of transport modes and reduces the need to travel where possible. The policies are broadly consistent with the NPPF which, in Chapter 4, seeks to promote sustainable transport and at paragraph 34 seeks to ensure that *"developments that generate significant movements are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised."*

The assessment of the effects of the proposed development in respect of traffic and transport is set out in the Transport Assessment which has been prepared by EJS Associates on behalf of the applicants. These reports provide an assessment of the accessibility of the site in terms of public transport, pedestrians and cyclists and considers the feasibility of the proposals in traffic and highway terms. The Transport Assessment also describes the proposed access arrangements and changes to the existing road network. This report has been reviewed by the council's Highways department and the proposals have, at the request of the local planning authority, been subject to independent Stage 1 and Stage 2 safety audits by Traffic Management Consultants Ltd.

In addition to the Transport Assessment, a bespoke Travel Plan (TP) has been developed and is contained in a stand-alone document. It covers in greater detail the issues of accessibility to the site by non-car modes of transport, and considers local and national policies with regard to

the development of objectives and the setting of targets for modal shift for the proposed development.

In its appraisal of the scheme against adopted development plan policy the Transport Assessment (TA) identifies that the site is situated in the urban area of Barton and is located adjacent to Ferriby Road (Category 2 road in Strategic Road Network (SRN)) and the A15 (Category 1 in SRN). The site is also deemed to be readily accessible by a range of transport modes, with good walking, cycling and public transport access to the site. The proposals are considered, therefore, to accord with policies T1 and T2 of the NLLP and CS25 of the NLCS.

Highway safety

The submitted TA includes a review of accident data in respect of the existing local highway network in the vicinity of the site. This confirms that the number of accidents which have occurred is low, and there do not appear to be any causal factors common to them, with most being characterised as typical accidents that occur at roundabouts. There are no identified defects with the existing road network which can be said to have caused the accidents and the proposed development is not expected to have a detrimental impact on the number or severity of accidents in the area.

The TA explores 4 options for providing vehicular access to the site, which are assessed in detail. The access solution that is considered to be the most suitable, and is proposed as part of the development, is the creation of a new arm off the A15 roundabout and a new left-in/left-out only junction onto Ferriby Road. The new arm off the roundabout will be created by amending the entries and exits on the eastern half of the roundabout into a more “urban” layout with 25 metre radii, to slow down traffic exiting the roundabout onto Ferriby Road.

The TA anticipates that the vast majority of trips to the proposed development are already on the local highway network, being predominantly transferred trips (e.g. users switching from an existing supermarket to a new one), with an element of linked trips. However, for the purpose of providing a robust assessment, all the predicted trips set predicted to be generated by the development have been considered to be new to the network surrounding the site, thereby presenting a more than ‘worst case’ scenario. The assessment sets out anticipated trip generation and assesses this against existing and predicted junction capacity. The assessment shows that the addition of the development-related traffic will not create any capacity problems at either the A15 roundabout, or the Forkedale roundabout. The effects of the proposed development are not considered to be severe and there are no necessary mitigation measures identified.

The council’s Highways officers raise no concerns with regard to the methodology, contents or conclusions of the submitted Transport Assessment. However, prior to offering formal comments in respect of the application, the council’s Highways officers requested more detailed drawings of the proposed access arrangements and associated highway works. The also requested that the proposed access arrangements off the A15 roundabout be subject to independent review via Stage 1 and Stage 2 Road Safety Audits. The requested drawings were subsequently provided and the safety audits undertaken by Traffic Management Consultants Ltd.

Following the results of the Stage 1 safety audit, the scheme has been revised to create two lanes on the circulating carriageway of the roundabout, and two-lane entries on Ferriby Road; this revised scheme progressed to a Stage 2 audit. The Stage 2 Road Safety Audit raised 10 “problems” with the proposed scheme which it considered would need to be addressed in order

to make the access safe. None of the identified “problems” are considered to be significant and are all considered to be “low risk” and the proposed solutions require relatively minor alterations to the access when the detailed design is agreed (such as re-aligning kerb lines, providing additional road markings and relocating existing signage etc.). The applicants have reviewed the findings of the Stage 2 Road Safety Audit and has accepted all of the recommendations proposed to resolve the identified “problems”.

Following submission of this additional information, the council’s Highways officers have confirmed that the preliminary designs and Independent Road Safety Audits demonstrate that a suitable (safe) access can be provided off the A1077 roundabout. However the Highways officers recognise that the safety audit states that some improvements need to be made to the detailed design of the access scheme. On this basis the Highways officers raise no objection to the proposed development on highway safety grounds but recommend conditions that should be imposed should planning permission be granted. One of these conditions requires final, detailed designs of the access proposals to be submitted and agreed prior to development commencing on site; this condition will allow the local authority to ensure that the recommendations of the road safety audit are incorporated into the final design of the access arrangements and that, as such, the proposed accesses will be safe.

No objections or concerns have been raised by either the road safety audit, or the council’s Highways officers in relation to the fact that there is no separate delivery access and that delivery vehicles have to access the service yard via the main car park.

Accessibility

The TA notes that at present there are four bus services which pass the site, with bus stops located on Ferriby Road, to the east of the Forkedale roundabout less than 150 metres from the site. One of these services, the 350 runs between Scunthorpe and Hull with a bus every 30 minutes in each direction, except for Sundays when the bus runs hourly in each direction. It is stated that a minimum of six buses per hour are within easy walking distance of the site, giving access to a wide area and as such access by bus is readily available. The TA also identifies that there is a railway station approximately 1 kilometre from the site (as the crow flies) which gives access to the national rail network and that taxis currently operate throughout the town. It is concluded that excellent public transport facilities are available to serve the site.

The TA also explains that the proposed site is accessible by pedestrians. There is a footway on both sides of all the roads in the vicinity and dropped kerbs (some with tactile paving) occur at many junctions. The developers also propose to maintain connectivity to the woodland area to the south of the site via the provision of a non-vehicular access linking this area to Ferriby Road. The bus stops on Ferriby Road are within 400 metres and as such within the desirable walking distance set out in the guidance of the Chartered Institution of Highways and Transportation (CIHT). Furthermore, Transport Statistics Great Britain (TSGB) shows that people are prepared to walk on average 1 kilometre and this 1 kilometre catchment includes a large proportion of Barton, with a large number of residential properties located immediately to the north and east of the site. The TA concludes that pedestrian connectivity is good and walking distances reasonable, which ensures that pedestrians (both customers and staff) will be able to access the development. Whilst this conclusion is not disputed, it is noted that the site sits at the top of a steep hill, which will affect the ability and desire of some pedestrians to access the site.

There are no specific cycle facilities on the adjacent highway network, but the carriageways are open to cycle use. Furthermore, in response to comments received during consultation exercises, the developers are proposing to provide a cycle link through the development via the dedicated non-vehicular access linking the land to the south with Ferriby Road to the north. Cycle parking is to be provided as part of the proposed food store development.

With regard to inclusive mobility, both the food store and the pub/restaurant will be provided with disabled parking and there will be parent and child parking at the food store. Furthermore, pedestrian routes within the site will be clearly delineated within the site and dropped kerbs will also be on key pedestrian desire lines and at the site access.

In conclusion, having due regard to the submission of expert consultants appointed in support of the application, the independent review of the access arrangements and the response from the council's expert Highways officer, it is considered that impacts of the development are acceptable insofar as their effects on traffic and highway safety. It is also considered that the site is accessible by a range of transport options and as such would not represent an unsustainable form of development in this regard. Notwithstanding the representations received in opposition to the application, which are acknowledged and understood to be material concerns, it is considered that the proposal accords with policies T1 and T2 of the NLLP, policy CS25 of the NLCS and Chapter 4 of the NPPF with regard to its impact on the local highway network and the promotion of sustainable transport.

Design/visual impact

The relevant extant development plan policies against which to assess the proposed development's effect upon the visual amenity of the area are 'saved' policy DS1 of the NLLP, which requires the design and external appearance of proposals to reflect or enhance the character, appearance and setting of the area and to respect the existing landform of the site where possible; and policy CS5 of the NLCS, which requires new developments to be well designed and appropriate for their context and supports contemporary design where it is appropriate for its location. Policy CS5 also requires new developments to incorporate principles of sustainable development throughout the design and to create safe and secure environments. Further advice is set out in Chapter 7 of the NPPF which seeks to promote good design, appropriate for its context and states, at paragraph 64 that "*Permission should be refused for development of poor design...*"

The design of the development and its impact on the visual amenity of the area is assessed as part of the Design and Access Statement (DAS) prepared by Lichfields on behalf of the applicants and submitted in support of the application. This document includes elevational drawings and an artist's impression, which attempt to demonstrate how the development would respond to the requirements of, and context to, the application site.

The food store building is considered to be of a high quality, contemporary design, which is appropriate to its setting at a key gateway position at the entrance to the town. The DAS states that the contemporary building will help to create a vibrant landmark development. This building will be faced with off-white, thermally insulated, horizontal cladding and structural glazing. The mono-pitch roof will be light grey in colour and interspersed with non-fragile rooflights throughout. This building is orientated so that it presents its shorter front elevation towards Ferriby Road, with the long, side elevations facing east and west. The northern elevation of the building, facing Ferriby Road, would contain extensive glazing and incorporate feature cladding over the insulated cladding to add interest, colour and texture to the building. The customer

entrance to the food store would be located on the north-western corner of the building, where it is clearly visible from both the customer parking area and Ferriby Road.

The pub/restaurant has been designed to have a more traditional appearance. It is stated that its architectural style derives from historical precedents including the coaching inn, tavern and public house, integrating these precedents into the new building. The building comprises two elements, a two-storey timber clad building and a single-storey brick and render element. The pub/restaurant has been designed to give the appearance that the building has been developed over time, with the single-storey element giving the appearance of a host building which has been extended at a later date. The use of smaller building elements, elevation articulation and varied materials help to break up and add interest to the external form and appearance of the pub/restaurant. Visual interest is also provided by the raised roofs and prominent chimneys which form part of the building.

The majority of the parking is provided in the centre of the site, between the two buildings, and along the southern end of the site, away from the Ferriby Road frontage.

In addition to the built elements of the scheme, the proposal incorporates an extensive landscaping scheme, including the retention of existing trees where possible and the provision of new trees, hedging and other areas of soft landscaping. In particular, significant new tree planting will be provided along the southern and eastern boundaries of the site.

In addition to the visual aspects of the design, the DAS also confirms that, in accordance with local and national policy, the buildings incorporate sustainable technology/design in their construction. These measures are designed to limit carbon dioxide emissions and thereby providing resilience to climate change. This includes measures such as the use of heat recovery systems, LED lighting and an Integrated Waste Management Policy. The sustainability measures are anticipated to result in 26% reduction in carbon dioxide emissions and to offset total energy demand for the site by approximately 32.5%.

It is acknowledged that the proposed development will drastically alter the appearance of the site, which is currently undeveloped grassland. It is further acknowledged that the contemporary design of the food store would be dissimilar to the more traditional residential properties adjacent to the site and in the surrounding area. However, it is considered that a more contemporary design is appropriate for a key gateway site such as this and would accord with policy CS5 of the NLCS which supports contemporary design in appropriate locations and paragraph 60 of the NPPF which advise against imposing particular architectural styles or tastes that would stifle innovation. It is also recognised that the contemporary food store building is set back within the site, a significant distance from Ferriby Road and presents its less bulky elevation towards the highway frontage. The proposed pub/restaurant, which stands in a more prominent position adjacent to the A15 roundabout is of a more traditional scale and appearance, which is considered to be appropriate to the local area. Furthermore, the retention of the woodland in the north-western corner of the site and the proposed additional/replacement landscaping is considered to mitigate the visual impact of the development and helps to integrate it into the site and the surrounding area.

Numerous representations objecting to the application raise concerns relating to the historic significance of Barton upon Humber as a traditional market town and the impact that the development would have on the character and setting of the settlement. The council's Conservation Officer has reviewed the design of the scheme and has raised no objections to the visual impact of the development. It is confirmed that there will be a negligible impact on the

Barton conservation area and the listed buildings within the town as there is no inter-visibility between the application site and the historic core, which are separated by a large, modern housing estate. It is considered that the pub/restaurant has been well designed in an attractive, traditional style and is softened with landscaping. The Conservation Officer has confirmed that the pub would complement the identity of Barton as a historic market town. He goes on to explain that, whilst the food store would benefit from a more traditional design, it is positioned towards the rear of the site and its visual impact can be reduced by retaining trees along the northern boundary of the site.

For the reasons outlined in the above paragraphs it is considered that the design of the proposed development is acceptable and appropriate for its context and that no unacceptable impact on the character or appearance of the area will result from the proposals. Notwithstanding the representations received opposing the application, which are acknowledged and understood to be material concerns, it is considered that the proposal accords with policies DS1 of the NLLP and CS25 of the NLCS and with Chapter 7 of the NPPF with regard to promoting good quality design and in respect of the visual impact of the development on the surrounding area.

Residential amenity

The relevant extant development plan policies against which to assess the proposed development's effect upon amenity are 'saved' policy DS1 of the NLLP, which requires that development proposals result in no unacceptable loss of amenity to neighbouring land uses through loss of light, overlooking or nuisance (noise, smell, dust etc.); 'saved' policy DS12 of the NLLP which requires that there are no adverse impacts on amenity as a result of lighting.

Various concerns have been raised by local residents with regard to the potential impacts of the proposed development on the amenity that they currently enjoy. These concerns relate primarily to potential noise disturbance as a result of late night operational and delivery hours at the food store, noise and disturbance from people leaving the pub and light pollution from the floodlighting of the site. In addition, numerous objections have been received on the grounds that the site, and in particular the woodland belt along its western and northern boundaries, act as a buffer between residential properties and the A15 and that the loss and thinning of trees will destroy this buffer.

The majority of concerns raised in response to the planning application mirror those provided in the feedback to the pre-application consultation event. The applicants, within their CCS, confirm that, in response to these concerns, the site layout has been carefully designed so as to minimise potential amenity impacts on neighbouring residential properties. The food store has been orientated so that it faces away from the properties on Forkedale and is set back 33 metres from these properties at the nearest point, with a minimum of 20 to the rear fences of the properties. There is a tree-lined foot/cycle path proposed between the food store and the properties to the east, and an area of existing woodland on the eastern boundary will provide screening of the store from the majority of properties. The pub/restaurant has been sited to the western side of the site, adjacent to the A15 slip road, away from residential properties. The food store will sit between the pub and the majority of residents to the east and the mechanical plant serving this building will be located on a flat roof, screened by a mansard roof, which will minimise its impact. It should also be noted that the food store is a single-storey building, with a mono-pitch roof that presents its lowest elevation towards neighbouring properties. The building will stand 5.5 metres high on the eastern-facing elevation, and the sections of the site show that

the existing and proposed landscaping along the eastern boundary will effectively screen the food store.

It is acknowledged that the application site occupies an elevated position, at the top of a hill, at a higher elevation than neighbouring properties to the east. Notwithstanding this fact, it is considered that the separation distances between the proposed buildings, car parks and service areas and the neighbouring properties, as well as the existing and proposed landscaping along the eastern border is sufficient to prevent unacceptable amenity impact in terms of loss of light, overshadowing, or enjoyment of the rear garden areas due to the outlook from those properties and the massing of the food store building. Whilst it is accepted that nobody is entitled to a view, the provision of screening, in the form of tree planting and landscaping, will assist in mitigating any impact on the outlook from the rear garden areas to the east.

With regard to noise disturbance from the activity in the service yard and from the level of activity in and around the development from customers/employees/service deliveries, a Noise Impact Assessment has been produced by Noise Assess Acoustics, Noise and Vibration Consultants and submitted with the application. This document provides a specification for an acoustic barrier around the external plant area serving the food store, with absorbent linings proposed for the inner faces of the barrier and building facing the plant. The acoustic barrier will also provide screening for noise around the service area. It is concluded in the noise assessment that the provision of the proposed acoustic fencing will mitigate noise impact from the external plant, deliveries and servicing. The report considers that, properly mitigated, the proposed development will not result in noise impacts that would warrant the refusal of planning permission. The council's Environmental Health Officer (EHO) has raised concerns with the submitted noise assessment and does not consider that this report demonstrates that the development will not result in noise nuisance and loss of amenity.

The council's EHO has recommended an updated noise impact assessment be submitted prior to determination, to take account of their concerns. The applicants have indicated that they will be submitting an addendum to their Noise Impact Assessment prior to the committee meeting in order to address the concerns raised by the EHO and remove the need for a condition to secure an updated noise assessment post decision. Any additional noise information received will be reported verbally to the members of the planning committee prior to their discussion of the merits of the application. Notwithstanding this the EHO has confirmed that, should the local planning authority be minded to grant planning permission, the noise impact of the development could be addressed and adequately mitigated through conditions. No objection has been received from the EHO subject to suitable conditions. In this regard, conditions are suggested to:

- secure an updated noise assessment (including proposals for additional mitigation where necessary);
- restrict opening hours;
- restrict the hours of deliveries and service yard activities;
- require engines and refrigeration equipment of delivery vehicles to be turned off whilst on site;
- prevent overnight parking of refrigerator lorries/trailers overnight;

- secure the submission and implementation of a Service Yard Noise Management Plan;
- require details of fixed plant/machinery to be submitted and agreed prior to installation on site;
- restrict hours of construction and site clearance operations; and
- secure the submission and implementation of a Construction Environmental Management Plan detailing measures for mitigating noise, vibration, dust and light.

Having reviewed the conditions recommended by Environmental Health, the applicants have stated that Lidl, along with the majority of national supermarket operators, operate 'standard' operating hours on bank holidays (aside from Christmas Day and Easter Sunday). On this basis they have requested that conditions restricting opening and delivery hours do not restrict bank and public holidays to Sunday hours, as suggested. The council's Environmental Health department has agreed that opening hours of 7am till 10pm on bank and public holidays is acceptable and would result in no unacceptable amenity impact; they have, however, advised that delivery hours, and service yard activities should remain as previously advised until such time as a further noise assessment has been undertaken. The conditions recommended to be attached to any approval of planning permission have been amended to reflect the most recent advice of Environmental Health.

It is acknowledged that the site does currently provide a buffer zone between residential properties on Forkedale and the A15 dual carriageway to the west. This is primarily as a result of the woodland running along the western side of the site, as the majority of the site is open grassland. Whilst the proposal will result in the loss of and thinning out of some areas of woodland on the site, areas of woodland will be retained and new landscaping will also be provided on site. The council's EHO has raised no concern with regard to the loss of buffer between the A15 and properties to the east, or concerns relating to noise from the A15.

With regard to lighting, a lighting report and lighting scheme has been submitted in support of the application. It is confirmed that floodlighting of car parking areas will be directed downwards to prevent light trespass. The council's EHO has reviewed the submitted lighting scheme and confirmed that the scheme will not have a significant impact on nearby sensitive receptors. A condition is recommended to secure lighting of the site in accordance with the submitted lighting scheme.

Having reviewed the submissions of the expert consultants appointed in support of the application and the council's own expert Environmental Health officer, it is considered that the impacts of the proposed development with regard to noise can be suitably addressed and mitigated via the use of conditions. Additional noise information is expected from the applicants which may remove the need for one of the recommended conditions, as explained above. Notwithstanding the representations received opposing the application, it is considered that, subject to the recommended conditions, the proposed development accords with policies DS1 and DS12 of the NLLP.

Ecology

The relevant extant development plan policies against which to assess the proposed development's effect upon the natural environment, including protected species, are 'saved' policy LC5 of the NLLP, which requires development proposals to have no impact on protected species; 'saved' policy DS1 of the NLLP, which requires developments to have no adverse

effect on features of acknowledged importance, including species of nature conservation importance; and policy CS17 of the NLCS, which seeks to retain, protect and enhance features of biological interest and secure biodiversity gains from developments.

The assessment of the effects of the proposed development in respect of the natural environment is set out within the submitted Ecological Impact Assessment prepared by consultants Access Ecology on behalf of the applicants. This report confirms that a Preliminary Ecological Assessment (PEA) was undertaken on 14th December 2016, which included a desktop study, phase 1 habitat survey, ground-based risk assessment of trees for roosting bats, badger field signs survey and other protected and notable species risk assessment.

The PEA classified one tree (T02) outside the site as having low suitability for roosting bats. All of the trees within the site were classified as having negligible suitability. T02 is to remain as part of the development proposals and therefore no further survey was required. The woodland on site has moderate suitability to be used by foraging and commuting bats. However, the landscaping plan has been designed to retain as much of the woodland as possible, and the bat species using the site are expected to be small numbers of common species. The proposed lighting scheme has been designed to reduce lighting spill and lights will be pointed downwards to avoid light trespass. It is therefore concluded that the development will have a minor negative effect on bats at the local level.

With regard to other species, the habitats have potential to be used for nesting, foraging and commuting of birds and Western European hedgehogs. Mitigation is identified as being required to protect these species during construction and the integration of enhancement features is recommended. No evidence of foraging, commuting, or burrowing badgers was found on site; however, a pre-works walkover survey is recommended to confirm that this has not changed prior to construction. Compensation and enhancement measures are set out in the report, which will reduce the overall ecological impact of the development.

The Ecological Assessment identifies that the road verges that border the A15/A1077 are designated as a Local Wildlife Site. It goes on to explain that the development site is separated from these areas by the road and that their designation is in relation to botanical interest (non-mobile species). It is not considered that the development will directly affect the Local Wildlife Site or any other designated sites.

The proposed development scheme would result in the loss of approximately 80% of the amenity grassland within the site area and 43% of the woodland. There will also be some additional woodland loss due to the thinning/removal of the trees on the northern boundary to provide increased visibility for the family pub.

The areas of woodland on the site (around the borders) is not considered to be of priority importance, it is a young (20-30 year old) broadleaf plantation and has a limited understory and a closed canopy dominated by common species. The woodland on site is therefore considered to be of site value only. The area of amenity grassland to the centre of the site is considered to be of low conservation value and the plants recorded on site are common and widespread. The impacts on these habitats, given their lack of sensitivity, is considered to result in a minor negative impact at the local level. The existing vegetation to be retained on site shall be protected where necessary during construction via the provision of protective fencing and barriers.

With regard to compensation, the landscaping plan has been designed using native species, of high value to wildlife. Native hedgerow will be planted along the western/northern and southern

borders with extra heavy standard trees planted every few metres in the hedge. These hedgerows will provide suitable habitat for hedgehogs and nesting birds and will compensate somewhat for the loss of woodland habitat along the northern aspect of the site. They will also provide some foraging habitat for bats.

Biodiversity enhancement is proposed through the provision of five tree bird boxes in the woodland to be retained in the southern boundary of the site. These will be erected at a height of 2-3 metres off the ground. In addition to this, four bat boxes are proposed to be erected, two within the southern woodland and two in the north/west retained woodland. They will be erected at a height of 2-3 metres, facing south. The proposed enhancements will help provide further mitigation measures which help to reduce the overall impact of the development on the ecological value of the site.

The council's ecologist has reviewed the Ecological Assessment and has confirmed that the survey methods and survey effort deployed are broadly suitable for the site. The ecologist confirms that much of the site is of low intrinsic biodiversity value, but that the woodland on site does provide habitat connectivity between the community woodland to the south and woodland to the north of Ferriby Road, both of which form part of the Barton Wolds Local Nature Reserve.

The council's ecologist confirms that the submitted landscape masterplan includes positive proposals. However, much is said to depend on how the landscaping is managed, with experiences at the Brigg Lidl store showing that many shrubs are managed at such a low height that they provide little cover for wildlife and little in the way of seeds and berries. The proposed provision of bat and bird boxes is welcomed. The ecologist also welcomes the proposed pedestrian/cycle link through trees to the east of the proposed food store, connecting the woodland parcels of the Barton Wolds Local Nature Reserve.

For the reasons outlined above, the council's ecologist raises no objection to the proposed development subject to a condition to secure the proposed mitigation, compensation and enhancement. The ecologist also recommends that, as the family pub is likely to increase visitor pressure and maintenance of the woodland parcels of the Local Nature Reserve to the north and south of the site, a section 106 agreement to secure funds to be put towards maintenance of these areas would be justified. However, there is no evidence to demonstrate that people visiting the pub would then visit the woodland area, or that by doing so this would increase maintenance costs. Furthermore, the council's Section 106 officer has confirmed that no contributions are required in this instance. Therefore a Section 106 agreement to secure funds for woodland maintenance is not considered to be necessary.

Having reviewed the submissions of the expert consultants appointed in support of the application, and taking into account the consultation response from the council's own expert ecologist, it is considered that the proposed development is unlikely to have any adverse impact on protected or notable species or habitats and that mitigation of the effects of the development with regard to the natural environment, including the proposed biodiversity enhancements, are both appropriate and proportionate. Notwithstanding representations received in opposition to the proposed development, which are acknowledged and understood to be material concerns, the proposed development, appropriately mitigated as put forward by the applicants within the submitted details, is considered to accord with policies DS1 and LC5 of the NLLP, and policy CS17 of the NLCS.

Drainage

The relevant extant development plan policies against which to assess the proposed development's effect upon flood risk and drainage are 'saved' policy DS1 of the NLLP, which requires developments to be provided with suitable on-site drainage and for developers to overcome off-site drainage problems; and 'saved' policy DS14 of the NLLP, which requires satisfactory provision to be made for the disposal of foul and surface water from new developments either by agreeing details before permission is granted or by imposing conditions on a planning permission.

A substantial number of objections to the scheme are based on drainage issues with the site, predominantly relating to it being made up from construction waste from the adjacent A15, and the potential for flooding of neighbouring properties as a result of the development.

The assessment of the effects of the proposed development in respect of flood risk and drainage is provided within the submitted *Flood Risk and Drainage Assessment* prepared by WYG Engineering on behalf of the applicants. This report identifies that the site is located entirely within Flood Zone 1; however, as the application site is in excess of one hectare, in accordance with the NPPF and guidance set out in the NPPG, a Flood Risk Assessment (FRA) is required to support the application. The FRA assesses the existing flood risk and establishes a management regime for surface water run-off from the site such that flood risk to adjoining areas is not increased. An assessment of SuDS options to be incorporated into the design is also included.

The FRA identifies that the site is at very low risk of surface water, presumably due to the elevated position of the site at the top of a hill. The site is currently undeveloped and as such new sewers would have to be provided for adoption. A review of the SFRA for North and North East Lincolnshire did not reveal groundwater flooding issues and no groundwater was encountered during the site investigation study. It is concluded that the site is at low risk of flooding from all sources. The FRA confirms that, in accordance with the NPPF, NPPG and the DEFRA Non-Statutory Technical Standard for SuDS, the discharge rates out of the application site, following development, must not exceed pre-development greenfield rates in order to ensure flood risk elsewhere does not increase as a result of the development.

Currently, the site is not formally drained and generates surface water run-off at Greenfield rates. As the site is underlain by fractured chalk, infiltration is proposed as the discharge mechanism for surface water and it is stated that there will be no surface water run-off leaving the site, once development is completed. The site is not in a groundwater Source Protection Zone and infiltration testing has confirmed that infiltration would be a suitable mechanism for the disposal of surface water on site. Surface water run-off from the roofs, access roads and car parking areas will be positively drained via gulleys and will be routed to a series of soakaways, where it will infiltrate into the ground. The main access road will be adopted by NLC and surface water will be routed to a separate soakaway. The proposed non-vehicular access to the east of the store will be unpaved and will drain naturally into the underlying ground. Oil/petrol interceptors will be provided to drain the access road and car parking areas to protect against contamination of groundwater.

It is proposed that maintenance of components of the drainage system will be undertaken by a private management company funded by the store and pub. A full inspection and operation manual setting out the proposed schedule of inspection and maintenance and who will be responsible for executing these elements is proposed to be provided to and agreed with the local planning authority as part of the discharge of a drainage condition.

The council's Drainage team has reviewed the submitted Flood Risk and Drainage Assessment and has raised no concerns with the content or conclusions of this report. In response to concerns raised by a neighbouring resident, the Drainage team has confirmed that, whilst the initial top layers of the site are clay soils, the underlying material is fractured chalk which has very good infiltration characteristics. The proposed drainage scheme will incorporate soakaways built to a depth which allows surface water to infiltrate through to the lower layers of chalk. The Drainage team has raised no objection to the proposed development on flood risk or drainage grounds subject to the imposition of conditions to secure the submission and implementation of a detailed surface water drainage strategy, including details of adoption and maintenance arrangements. The Environment Agency has also raised no objections to the scheme with regard to flood risk, drainage, or impact on controlled waters.

The foul drainage system shall be designed to comply with the relevant standards and any additional requirements of Anglian Water. It is anticipated that the new foul drainage system will be adopted by Anglian Water under a Section 104 Agreement under the Water Industry Act 1991. Anglian Water has reviewed the submitted drainage scheme and has confirmed that the foul drainage from this development is within the catchment of Barton upon Humber Water Recycling Centre and that this facility will have available capacity for the additional flows. However, Anglian Water has requested a condition be imposed on any grant of planning permission to secure an acceptable foul drainage strategy; they also request an informative be placed on the decision notice to identify the requirements with regard to the discharge of trade effluent. No objection has been raised subject to the imposition of this condition and informative.

Having reviewed the submissions of the expert consultants appointed in support of the application and taking into account the consultation response from the council's expert Drainage officer, it is considered that the development will have no unacceptable impact with regard to drainage, or increased flood risk to the site or surrounding properties. Notwithstanding the representations received in opposition to the proposals, which are acknowledged and understood to be material concerns, the proposed development, appropriately mitigated as proposed by the applicants in their submitted details, is considered to accord with the requirements of policies DS1 and DS14 of the NLLP with regard to drainage and flood risk.

Miscellaneous matters

Benefits of the scheme

As part of their application the applicants have indicated that the proposed development will bring benefits to the local area in terms of additional investment and local employment. The key benefits to the scheme, as presented by the applicants are:

- enhanced local consumer choice for residents of Barton upon Humber and reduced expenditure leakage to other areas;
- the creation of 20 full- and part-time jobs in the Lidl store, plus further jobs during the construction period;
- the creation of 30 (Full Time Equivalent) new jobs at the public house, plus further jobs during the construction period;
- potential additional employment opportunities through the re-occupation of the existing Lidl store.

Representations received objecting to the application dispute the claimed economic benefits and consider them to be over-exaggerations. However, these responses do not provide any evidence to substantiate this fact and it is considered that there is no reason to doubt the benefits of the scheme that are presented by the applicants.

Safety of pedestrian access

Concerns have been raised with regard to the safety of the proposed pedestrian access, which runs along the eastern side of the site, between the rear of the food store building and the eastern boundary of the site and its potential to be a crime hotspot. The applicants have confirmed, in the DAS, that the development has been designed to meet the aims of both 'Secured by Design' and 'Designing Out Crime'. Humberside Police's Crime Prevention Design Advisor has been consulted as part of the standard consultation process on a major planning application. No response was received from this officer. It should also be noted that, due to the adjacent proposed development and the comings and goings associated with the proposed uses, the pedestrian access will be subject to a degree of lighting and passive surveillance, whereas the current informal access through the site is not.

Suitability of the site for construction

Concerns have been raised that the site is constructed of waste resulting from the construction of the A15 and as such is not suitable for construction. The applicants have submitted a *Geotenvironmental Assessment Report* in support of the application. This assessment includes the results of fieldwork analysis and trial pits and confirms that the site is not considered to be at risk from contamination. This has also been confirmed by the responses of the EA and the council's EHO. The report also confirms that traditional or strip trench foundations cannot be supported and sets out a number of different solutions to providing suitable load-bearing foundations. Additional trial pitting and earthwork testing is identified as being required and this will inform an acceptable solution to the construction of the proposed buildings on site, which will have to be agreed under Building Regulations. On this basis, there is no evidence that the land is unsuitable for the construction of buildings.

Low water pressure

Concerns have been raised with regard to water pressure in the area and that there would not be adequate capacity within the network to cater for the development. No evidence has been provided to substantiate this fact and Anglian Water has raised no such concern.

Reflected light

One of the responses received objecting to the application raises concerns that the proposed development may affect the amenity of neighbouring properties and highway safety as a result of light being reflected from the buildings. It is assumed that this concern relates to the largely glazed front elevation of the food store building. However, it should be noted that the front elevation of this building, whilst largely glazed, faces north, with further glazing around the north-west corner; these elevations will not receive direct sunlight due to their orientation. Furthermore, the building is set back within the site and is screened from neighbouring properties by existing and proposed tree planting.

Strain on emergency services

As this is a major application, consultation has been undertaken with Humberside Fire and Rescue, Humberside Police and the NHS. No responses have been received from the police or the NHS and the response from the fire service raises no objections to the proposed development. On this basis it is considered that the proposals will place no unreasonable or onerous additional burden on emergency services.

Conclusion

Local and national planning policy, along with guidance set out in the NPPG, is clear and consistent in requiring local planning authorities, when considering proposals for town centre uses in out of centre locations, to apply a sequential approach and consider the impacts on the existing centre. The applicants have provided evidence to demonstrate that both the sequential and impact tests have been carried out, and that the proposed development passes these tests. The applicants' evidence has been independently reviewed and their conclusions confirmed. As such the development of the site for retail and leisure purposes is considered to accord with the relevant policies that deal with the location of such uses and to be acceptable in principle.

The proposal will not result in the loss of designated recreational or amenity land. The loss of 2.5 hectares of open green space is considered to have been adequately and appropriately mitigated via the retention of a substantial portion of the green space currently comprising Top Field, the incorporation of amenity areas within the site and the proposed access improvements to an adjacent, designated, amenity area. As such there is considered to be no conflict with policy CS23 of the Core Strategy.

The issues relating to highway safety, including the requirement to provide safe and suitable access, have been fully considered, as have those relating to the accessibility of the site by sustainable modes of transport. It has been concluded, subject to suitable conditions, that the proposed development will have no unacceptable impact on the local highway network and that safe access and egress can be provided via the creation of two new access points onto the A15 roundabout and Ferriby Road.

The design and visual appearance of the buildings are considered to be acceptable, providing landmark structures at a key gateway site by combining a mix of contemporary and traditional design and detailing. Whilst some existing trees and landscaping will be lost as a result of the development, this will be mitigated via the implementation of a robust scheme of soft landscaping and via additional biodiversity enhancements. The scheme is, therefore, considered to have no unacceptable impacts with regard to visual amenity or ecology.

A number of conditions have been recommended to control activities on site during construction and operation as well as securing suitable management plans and additional impact assessments. It is considered that these conditions will reasonably and effectively protect the amenity of neighbouring residential properties.

Conditions will be used to secure acceptable drainage schemes for the disposal of both foul and surface water, which will be agreed with Anglian Water and the council's Drainage team respectively, prior to development commencing.

Other material considerations to be attributed weight in the planning balance, in accordance with the NPPF, are the economic benefits of the scheme, including the provision of short-term (construction) and long-term (operation) employment, stimulation of the local economy and the reduction of expenditure leakage to other centres.

In conclusion, it is considered that the negative impacts of the scheme have been appropriately identified and are either not significant, or have been adequately mitigated through the design of the scheme or the use of conditions. The benefits of the scheme are considered to outweigh any residual adverse impacts.

Procedural matters

The Secretary of State for Communities and Local Government has the power to take over ('call in') planning applications rather than letting the local authority determine them. The Secretary of State will normally only do this if the application conflicts with national policy in important ways, or is considered to be of national significance. The Secretary of State has notified the council that he has received a request to exercise his 'call-in' power with regard to this application from a third party. The Secretary of State does not generally act on a third party request to call in a planning application until the relevant Planning Committee has resolved to approve the application. Therefore, if the committee is minded to approve the application then the Secretary of State would look to have a period of time to consider whether to 'call in' the application prior to planning permission being granted. Should the Secretary of State subsequently decide not to exercise their 'call in' powers then the permission would be granted and a formal decision notice issued.

RECOMMENDATION

Subject to:

- **no new material considerations being raised by third parties, that are not already set out in this committee report; and**
- **referral to the Secretary of State, and receipt of confirmation that they do not wish to exercise their 'call in' powers under Section 77 of the Town and Country Planning Act 1990 and remit back the application to North Lincolnshire Council to determine as the local planning authority;**

the committee resolves:

- (i) it is mindful to grant permission for the development;**
- (ii) the decision be delegated to the Group Manager – Development Management and Building Control;**
- (iii) the permission so granted be subject to the following conditions:**

1.

The development must be begun before the expiration of three 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: 7146 - P001 Rev. B, 7146 - P003 Rev. F, 7146 - P004 Rev. C, 7146 - P005 Rev. C, 7146 - P006 Rev. E, 7146 - P007 Rev C, 7146 - P008 Rev B, 7146 - P100 Rev C,

7146 - P101 Rev C, 7146 - P102 Rev C, 7146 - P201, 7146 - P202, 7146 - P203, 7146 - P204, R/1961/1J, R/1961/2G, R/1961/3G, 001 Rev P10 and O-2056419 Rev C.

Reason

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

3.

No development shall take place until details have been submitted to and approved in writing by the local planning authority of the make, type and colour of all external facing materials for the development and only the approved materials shall be used.

Reason

To ensure that the building is in keeping with its surroundings in the interests of visual amenity, in accordance with policy DS1 of the North Lincolnshire Local Plan.

4.

No development shall take place until the details of:

- the method of constructing the vehicular and pedestrian access to the site from Ferriby Road, including adequate visibility splays and traffic control measures to ensure left-in/left-out only manoeuvres;
- adequate internal pedestrian links, including the provision of dropped kerbs, tactile paving and a formal crossing point in the main internal access road between the proposed food store and the public house;
- adequate cycle parking serving the public house;
- the method of constructing the vehicular access to the site from the A1077 roundabout, including all kerb realignment to give sufficient visibility splays and junction geometry, re-location and provision of new signage, road markings, and suitable measures to mitigate traffic speeds and turning movements; and
- removal of surplus and unnecessary pedestrian facilities leading to the A1077 roundabout junction;

have been submitted to and approved in writing by the local planning authority.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

5.

No unit on site shall be brought into use until all of the works identified in condition 4 above have been completed in accordance with the approved details.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

6.

No other works shall be commenced on the site until the access road junction with the adjacent highway, including the required visibility splays, has been set out and established.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

7.

No works shall commence on the construction of either the food store or pub/restaurant building until the access road has been completed to at least base course level up to the access to the respective building.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

8.

No loose material shall be placed on any driveway or parking area within 10 metres of the adopted highway unless measures are taken in accordance with details to be submitted to and approved in writing by the local planning authority to prevent the material from spilling onto the highway. Once agreed and implemented these measures shall be retained.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

9.

The development shall not be brought into use until:

- (i) the access roads to the service and customer parking area;
- (ii) the loading, off-loading and turning areas for all vehicles; and
- (iii) the parking spaces and access aisles (including surface markings);

have been provided and all these facilities shall thereafter be so retained.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

10.

The submitted framework travel plan shall be fully implemented prior to the proposed development being brought into use and all conditions and requirements of the plan shall be fully implemented and retained at all times that the use is in operation.

Reason

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

11.

The final travel plan shall be submitted to and approved in writing by the local planning authority within six months of the proposed development being brought into use and all conditions and requirements of the plan, once approved, shall be implemented and retained at all times.

Reason

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

12.

The travel plan, once approved and in place, shall be subject to monitoring on an annual basis for a period of three years from the approval date. The monitoring report on the impact of the travel plan shall be submitted to the local planning authority on the first of January each year following the grant of planning permission. All amendments to the approved travel plan identified as a result of the monitoring process shall be implemented and retained.

Reason

To ensure that 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 all associated traffic movements, including delivery vehicles and staff/construction movements, any abnormal load movements, contractor parking and welfare facilities, storage of materials and traffic management requirements on the adjacent highway, has been submitted to and approved in writing by the local planning authority. Once approved the plan shall be implemented, reviewed and updated as necessary throughout the construction period.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

14.

The proposed development shall not be brought into use until a delivery/servicing management plan (including delivery times) has been submitted and approved in writing by the local planning authority. Once approved, the delivery/servicing plan shall be implemented and complied with at all times.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

15.

The scheme of landscaping and tree planting shown on drawings R/1961/1J, R/1961/2G and R/1961/3G shall be carried out in its entirety within a period of twelve months beginning with the date on which development is commenced or within such extended time period as may be agreed in writing with the local planning authority. Any trees, shrubs or bushes removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees, shrubs or bushes of similar size and species to those originally

required to be planted unless the local planning authority have given written consent to any variation.

Reason

To ensure the implementation and maintenance of the submitted scheme of landscaping for the proposed development.

16.

No development shall take place until a biodiversity management plan has been submitted to and approved in writing by the local planning authority. The plan shall include:

- (a) details of measures to avoid harm to hedgehogs, bats and nesting birds during vegetation clearance and construction works;
- (b) details of bat boxes and nest boxes to be installed;
- (c) restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;
- (d) provision for hedgehogs to pass through any fencing installed between areas of grassland;
- (e) prescriptions for the planting, aftercare and ongoing management of native trees, shrubs and hedgerows of high biodiversity value; and
- (f) proposed timings for the above works in relation to the completion of the buildings.

Reason

To conserve and enhance biodiversity in accordance with policies CS5 and CS17 of the North Lincolnshire Core Strategy.

17.

The biodiversity management plan shall be carried out in accordance with the approved details and timings, and the approved features shall be retained thereafter, unless otherwise approved in writing by the local planning authority. Prior to the opening of the pub and/or food store, the applicant or their successor in title shall submit a report to the local planning authority, providing evidence of compliance with the biodiversity management plan.

Reason

To conserve and enhance biodiversity in accordance with policies CS5 and CS17 of the North Lincolnshire Core Strategy.

18.

No development shall commence until a foul water strategy has been submitted to and approved in writing by the local planning authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the local planning authority.

Reason

To prevent environmental and amenity problems arising from flooding.

19.

No development shall take place until a strategy for the management of surface water drainage, that includes the implementation of SuDS, and their adoption and maintenance arrangements, has been submitted to and agreed in writing by the local planning authority. This must be based upon the submitted Flood Risk Assessment/Drainage Strategy prepared by WYG Group Ltd dated May 2017, and Drainage General Arrangement Drawing, revision P9 dated 31 August 2017.

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation, and future adoption and 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.

20.

The drainage scheme shall be implemented in accordance with the approved submitted details required by condition 19 above, completed prior to the occupation of any dwelling or building within each phase or sub-phase of the development on site, and thereafter retained and maintained in accordance with the scheme for the life of the development, unless otherwise agreed in writing with the local planning authority.

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation, and future adoption and 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.

21.

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 in writing by the local planning authority.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

22.

Lighting for the proposed scheme shall be installed in accordance with the Proposed Lighting Layout Drawing Number 0-2056419 Rev C.

Reason

To protect the amenity of neighbouring properties in accordance with policies DS1 and DS12 of the North Lincolnshire Local Plan.

23.

No development shall take place until a noise impact assessment, to the satisfaction of the council's Environmental Health Department, has been submitted to and approved in writing by the local planning authority. The noise impact assessment report shall provide details of existing background noise levels, likely noise sources which will impact upon the proposed development, mitigation methods to be employed and the resulting predicted level of noise at sensitive locations. Any approved mitigation measures shall be carried out in their entirety before the use of the site commences and shall be retained thereafter.

Reason

To avoid the unacceptable loss of amenity to local residents through noise, which is contrary to policy DS1 of the North Lincolnshire Local Plan.

24.

Opening hours for the A1 retail store shall be limited to the following:

- Monday to Saturday, and bank/public Holidays: 7am to 10pm
- Sundays: 10am to 4pm.

Reason

To avoid the unacceptable loss of amenity to local residents through noise, which is contrary to policy DS1 of the North Lincolnshire Local Plan.

25.

Opening hours for the A3/A4 pub/restaurant shall be limited to:

- Monday to Saturday: 10am to 1am the following day
- Sundays: 11am to 12 midnight.

Reason

To avoid the unacceptable loss of amenity to local residents through noise, which is contrary to policy DS1 of the North Lincolnshire Local Plan.

26.

No delivery and service yard activities shall take place on site outside the following hours:

- Monday to Saturday: 7am to 11pm
- Sundays, and bank/public holidays: 9am to 5pm.

HGV movements shall not be permitted outside these hours.

Reason

To avoid the unacceptable loss of amenity to local residents through noise, which is contrary to policy DS1 of the North Lincolnshire Local Plan.

27.

The engine and refrigeration equipment of delivery vehicles shall be switched off while the vehicles are on site.

Reason

To avoid the unacceptable loss of amenity to local residents through noise, which is contrary to policy DS1 of the North Lincolnshire Local Plan.

28.

No refrigerator lorries/trailer shall park overnight within the curtilage of the site.

Reason

In the interests of protecting the amenity of the area in accordance with policy DS1 of the North Lincolnshire Local Plan.

29.

Prior to commencement of the use of the site, a service yard noise management plan shall be submitted in writing to the local planning authority for approval. The service yard shall at all times be operated in accordance with the practices and procedures set out in the approved service yard noise management plan.

Reason

To avoid the unacceptable loss of amenity to local residents through noise, which is contrary to policy DS1 of the North Lincolnshire Local Plan.

30.

No fixed plant and/or machinery shall be installed until the details have been submitted to and approved in writing by the local planning authority. The details shall include an assessment of likely impact of the plant on residential amenity, specifying noise output and any mitigation measures necessary. All plant shall be installed and maintained in accordance with the details approved by the local planning authority.

Reason

To avoid the unacceptable loss of amenity to local residents through noise, which is contrary to policy DS1 of the North Lincolnshire Local Plan.

31.

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

- 8am to 7pm Monday to Friday
- 8am to 1pm on Saturdays.

No construction or site clearance operations shall take place on Sundays or public/bank 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 protect the amenity of neighbouring properties in accordance with policy DS1 of the North Lincolnshire Local Plan.

32.

No authorised development shall commence until a construction environmental management plan (CEMP) has been submitted to and approved in writing by the local planning authority. This shall include details of mitigation measures for the control of pollution including noise, vibration, dust and light. All construction work shall be carried out in accordance with the approved CEMP unless otherwise agreed in writing by the local planning authority.

Reason

To protect the amenity of neighbouring properties in accordance with policy DS1 of the North Lincolnshire Local Plan.

33.

No development shall take place on the site until a scheme for the provision of electrical vehicle charging points has been submitted to and approved in writing by the local planning authority. The scheme shall be designed to take account of good practice guidance as set out in the Institute of Air Quality Management Land Use Planning and Development Control, <http://www.iaqm.co.uk/text/guidance/air-quality-planning-guidance.pdf> and con-temporaneous electrical standards, including:

- Electrical Requirements of BS7671:2008;
- IET Code of Practice on Electrical Vehicle Charging Equipment installation 2012 ISBN 978-1-84919-515-7.

The approved scheme shall be installed in full and retained in perpetuity thereafter.

Reason

To facilitate the uptake of low emission vehicles and reduce the emission impact of traffic arising from the development in line with the National Planning Policy Framework.

Informative 1

An application to discharge trade effluent must be made to Anglian Water and must have been obtained before any discharge of trade effluent can be made to the public sewer.

Informative 2

Adequate provision of water supplies for fire fighting appropriate to the proposed risk should be considered. If the public supplies are inadequate. It may be necessary to augment them by the provision of on-site facilities.

Informative 3



The development hereby granted planning permission requires works to be carried out within the limits of the adopted (public) highway. Therefore:

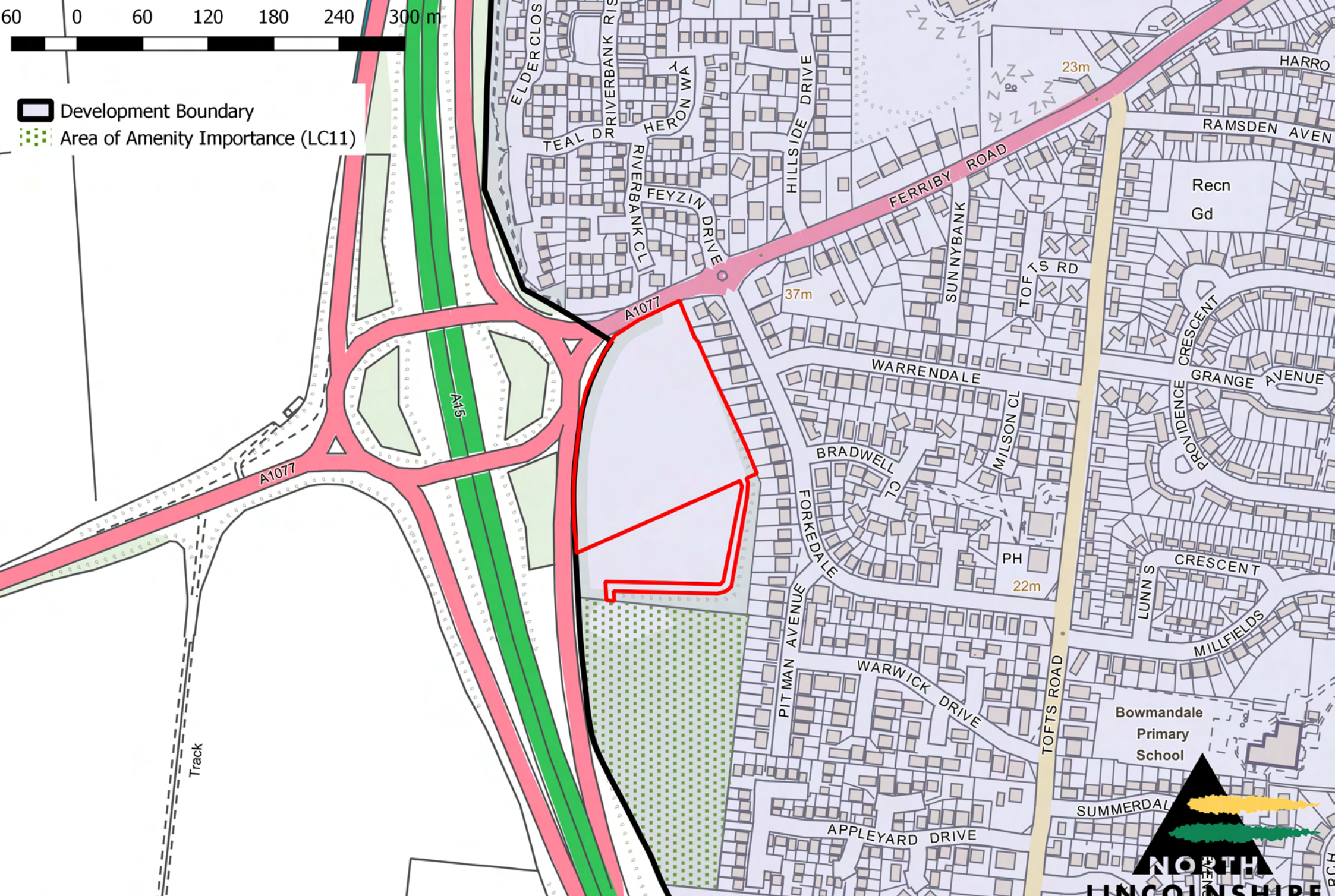
- before ANY construction works take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297000 to arrange for the relevant permissions/licenses to be issued;
- before ANY service (utility) connections take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297319 to arrange for the relevant permissions/licenses to be issued.

Informative 4

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 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.

0 60 120 180 240 300 m

-  Development Boundary
-  Area of Amenity Importance (LC11)



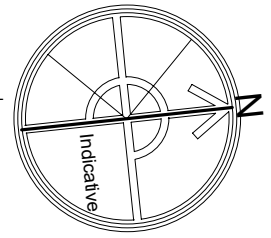
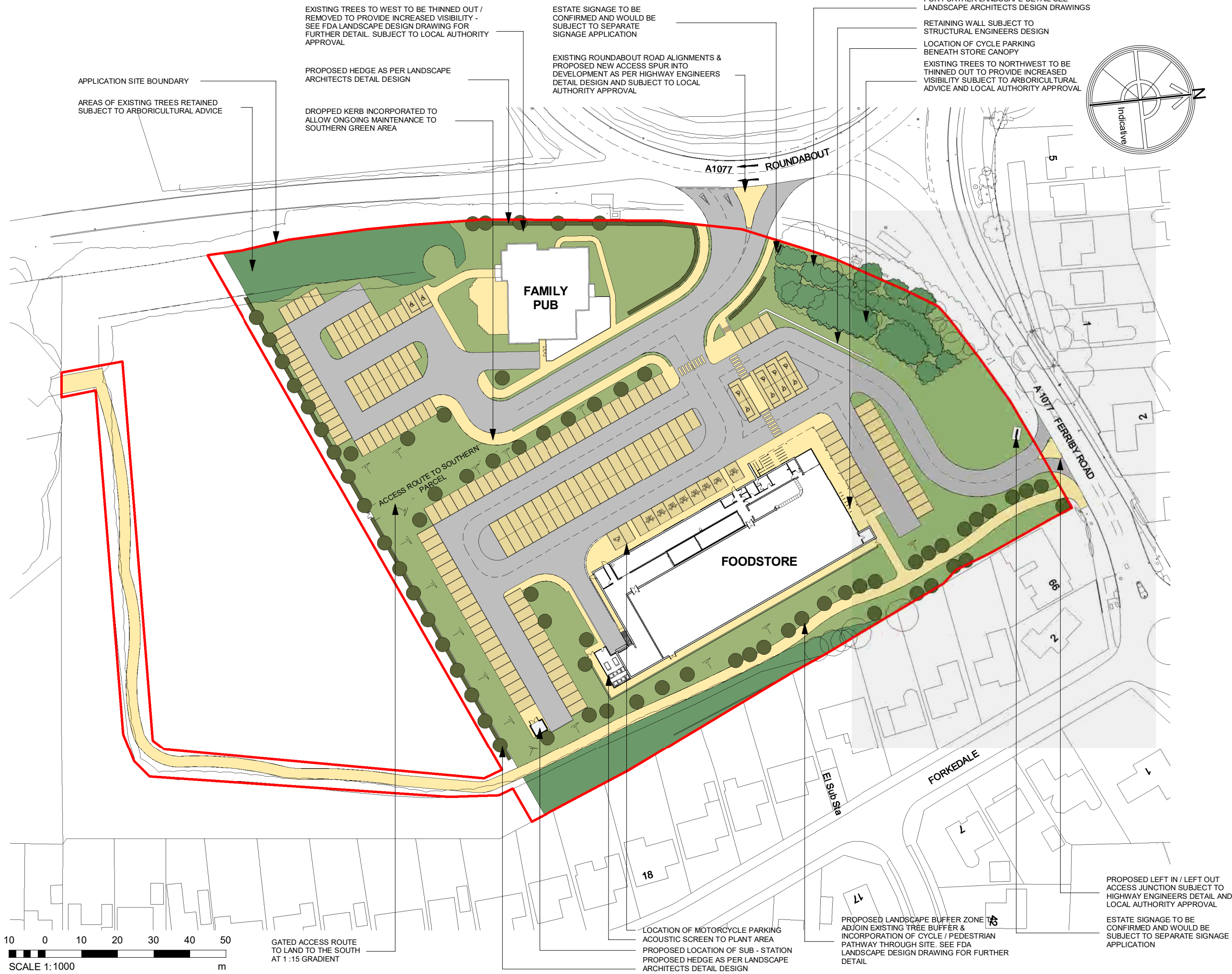
PA/2017/1449

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PA/2017/1449 AMENDED SITE LAYOUT - NOT TO SCALE

AMENDED



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APPLICATION SITE AREA		
	ACRES	HECTARES
APPLICATION SITE BOUNDARY	6.21	2.51

PARKING SCHEDULE	
FOODSTORE STANDARD SPACES	138
FOODSTORE DISABLED SPACES	8
FOODSTORE PARENT & TODDLER SPACES	8
MOTORCYCLE PARKING AREA	1
FAMILY PUB STANDARD SPACES	62
FAMILY PUB DISABLED SPACES	2
GRAND TOTAL	219

F Updated to reflect roundabout access	29.11.17	RKK	MS
E Updated in line with Client review	30.08.17	RK	MS
D Updated further to Client review	13.07.17	ALM	MS
C Planning Issue	07.07.17	RKK	MS
B Boundary Updates	31.05.17	RKK	RKK
A Updates to layout	16.05.17	RKK	RKK
# Draft Planning Issue	02.05.17	RKK	RKK
Rev Description	Date	Drm	Ckd

PLANNING

SMR

SMALLEY MARSEY RISPIN

ARCHITECTS

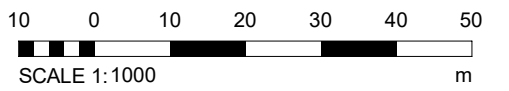
Floor 2 The Exchange Station Parade Harrogate HG1 1TS
01423 707 757 admin@smrarchitects.co.uk

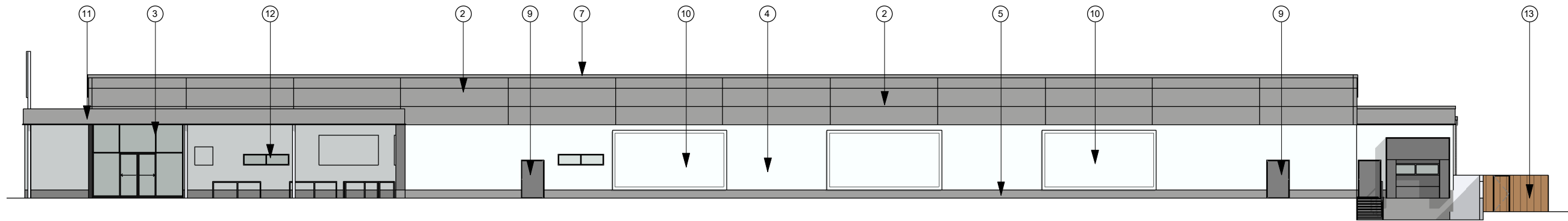
Project
BARTON UPON HUMBER, FERRIBY ROAD



Drawing Title
PROPOSED SITE PLAN

Drawing No	Rev	Scale	Sheet	Drawn
7146 - P003	F	1:1000	A3	RKK



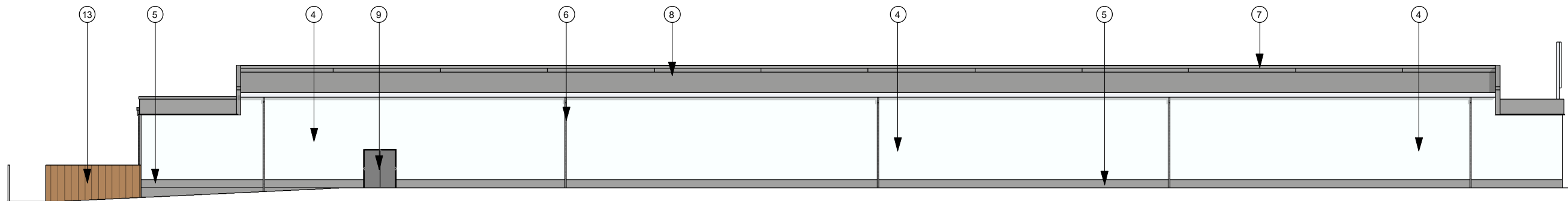


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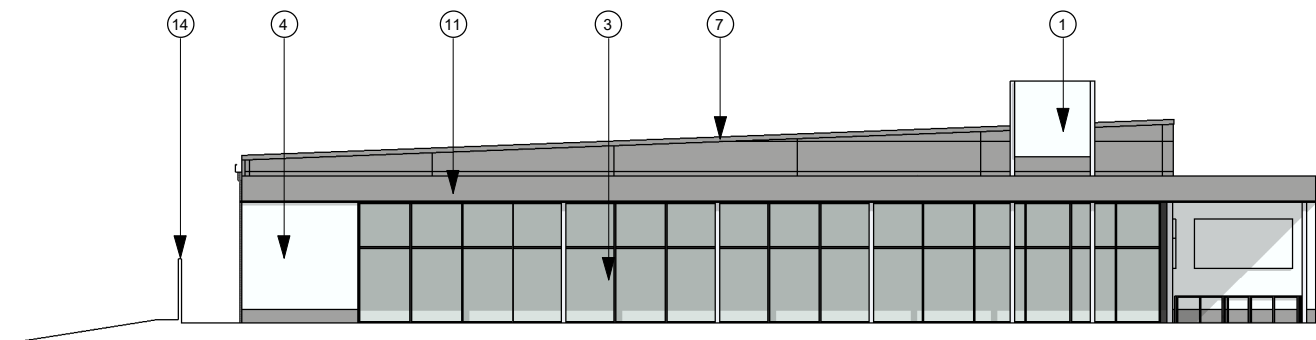
SOUTH WEST ELEVATION

1 : 250



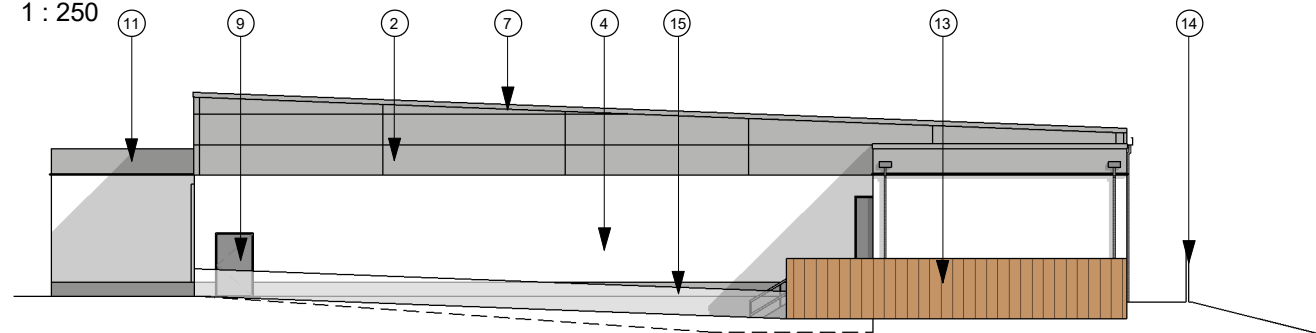
NORTH EAST ELEVATION

1 : 250



NORTH WEST ELEVATION

1 : 250



SOUTH EAST ELEVATION

1 : 250

MATERIALS SCHEDULE	
①	SIGNAGE ZONE
②	INSULATED METAL PANELS OR SIMILAR APPROVED. COLOUR SILVER METALLIC 500 RAL 9006
③	CURTAIN WALLING AND ENTRANCE POD - DOUBLE GLAZED WITH POWDER COATED FRAMES. COLOUR RAL 7024
④	RENDERED EXTERNAL WALL TO BE FINISHED IN MASONRY PAINT - COLOUR WHITE RAL 9010
⑤	RENDERED PLINTH TO BE FINISHED IN MASONRY PAINT - COLOUR GREY RAL 9038
⑥	ALUMINIUM DOWNPIPES - COLOUR RAL 7038
⑦	ALUMINIUM FLASHING TO PARAPET OR SIMILAR APPROVED - COLOUR SILVER METALLIC RAL 9006
⑧	COMPOSITE ROOF PANEL SYSTEM WITH SINGLE PLY MEMBRANE OR SIMILAR APPROVED
⑨	STEEL POWDER COATED DOOR - COLOUR GREY RAL 7024
⑩	SIGNAGE ZONES
⑪	METAL FASCIA FLASHING TO CANOPY COLOUR RAL 7024
⑫	GLAZING TO STAFF AREAS
⑬	TIMBER CLOSE BOARDED FENCE
⑭	2m HIGH PALADIN FENCE
⑮	CONCRETE SERVICE AREA RETAINING WALL SHOWN TRANSPARENT FOR CLARITY

ALL PROPOSED MATERIALS, FINISHES & COLOURS ARE SUBJECT TO APPROVAL BY THE LOCAL AUTHORITY

Rev	Description	Date	Drm	Ckd
C	Planning review updates	01.09.17	RK	MS
B	Planning Issue	06.07.17	RKK	RKK
A	Updates to Layout	16.05.17	RKK	RKK
#	Draft Planning Issue	02.05.17	RKK	RKK

PLANNING

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Project

BARTON UPON HUMBER, FERRIBY ROAD

Client



Drawing Title

PROPOSED ELEVATIONS

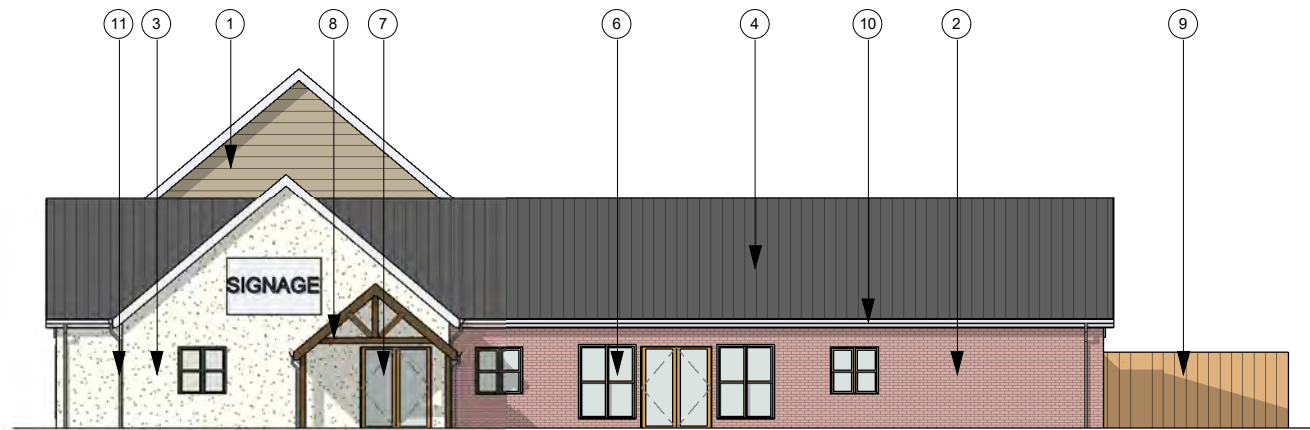


Drawing No	Rev	Scale	Sheet	Drawn
7146-	P102	C	NOTED A3	RKK

PA/2017/1449 PROPOSED PUB ELEVATIONS - NOT TO SCALE

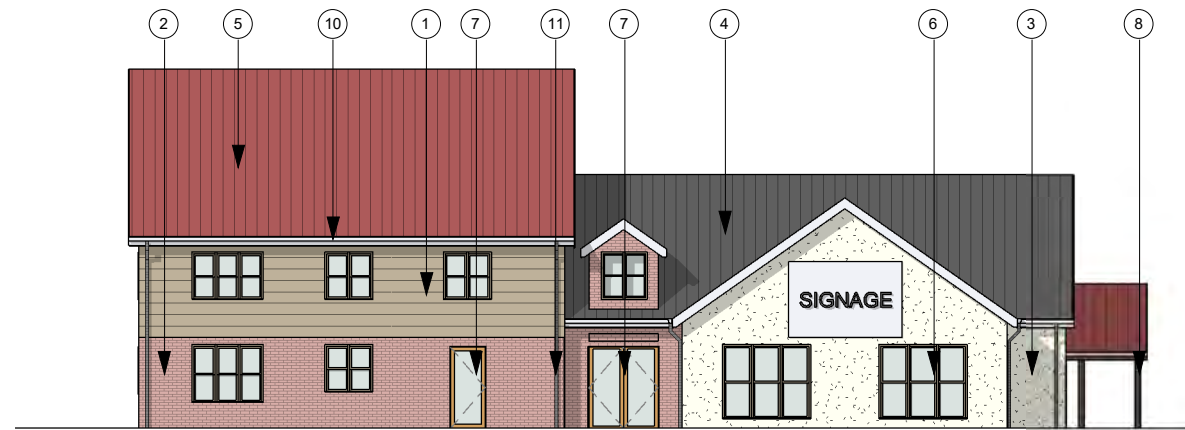
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SOUTH ELEVATION

1 : 200

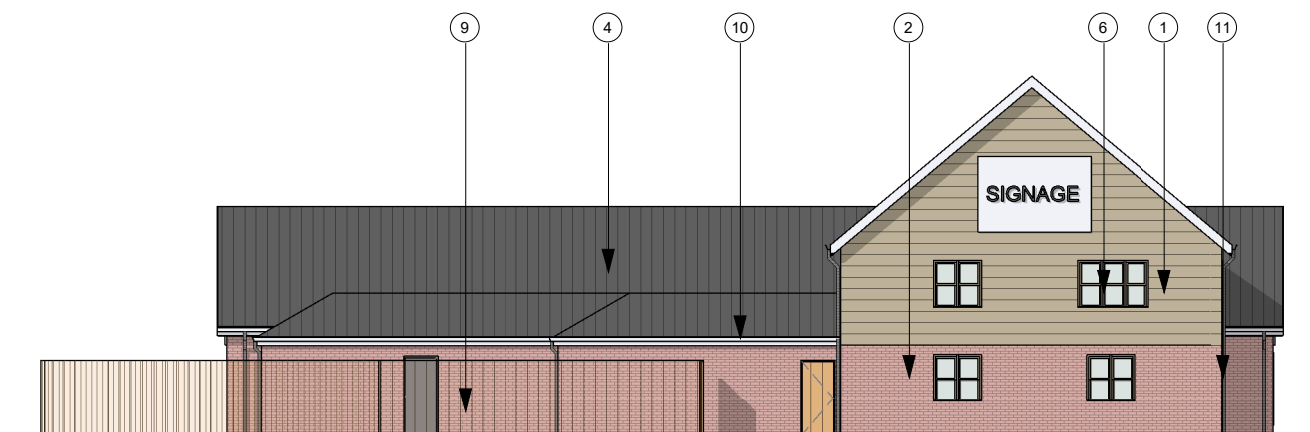


WEST ELEVATION

1 : 200

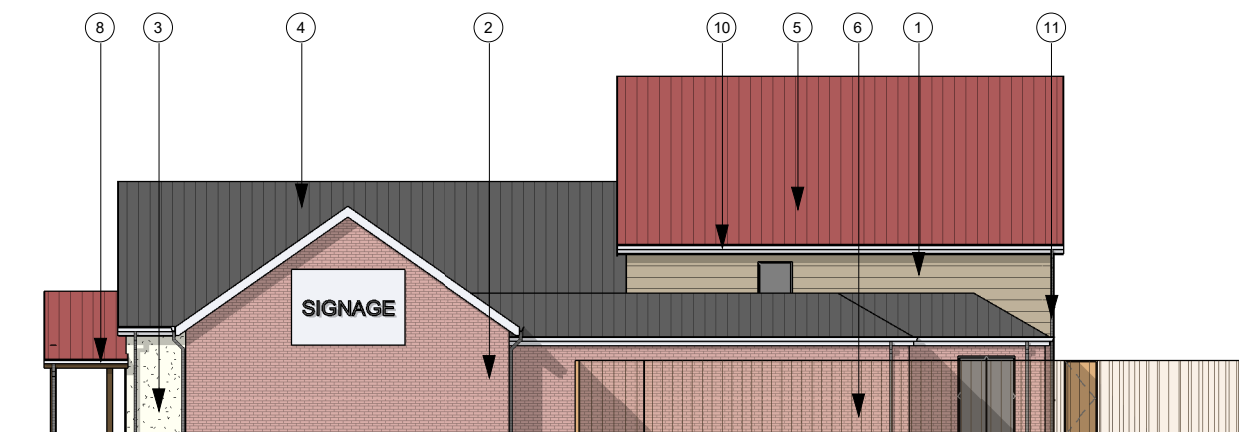
KEY	
①	PAINTED TIMBER CLADDING COLOUR BLACKMOORE
②	RED BRICKWORK WITH RECESSED JOINT
③	RENDERED WALLS - COLOUR CREAM
④	CONCRETE ROOF TILES - COLOUR GREY
⑤	PLAIN TILES - COLOUR DARK RED
⑥	DOUBLE GLAZED TIMBER FRAMED WINDOWS - COLOUR BLACKMOORE
⑦	DOUBLE GLAZED TIMBER DOORS
⑧	STAINED TIMBER OAK PORCH
⑨	2M HIGH CLOSE BOARDED FENCE
⑩	FASCIA & SOFFITBOARDS PAINTED
⑪	RAINWATER GOODS - COLOUR BLACK

ALL PROPOSED MATERIALS, FINISHES & COLOURS ARE SUBJECT TO APPROVAL BY THE LOCAL AUTHORITY



NORTH ELEVATION

1 : 200



EAST ELEVATION

1 : 200

A	Fence indicated transparent	11.09.17	RKK	MS
#	Planning issue	01.09.17	RKK	MS
Rev	Description	Date	Drm	Ckd

PLANNING



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Project
BARTON, FERRIBY ROAD



Drawing Title
FAMILY PUB ELEVATIONS

Drawing No	Rev	Scale	Sheet	Drawn
7146 - P204	A	1 : 200	A3	RKK

