
Agenda Item: 5.3

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| Site: | Holiday Inn Express, Second Avenue, Centrum 100, Burton Upon Trent, DE14 2WF |
| Proposal: | Erection of an 81 bedroom Hotel Class C1), extension and reconfiguration of car park, alterations to access and egress, and ancillary development |

Report of Head of Service (Section 151 Officer)

This report has been checked on behalf of Legal Services by Sherrie Grant

[Hyperlink to Application Details](#)

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| Application Number: | P/2019/01385 | |
| Planning Officer: | Barbara Toy | |
| Type of Application: | Detailed Planning Application | |
| Applicant: | First Inn Group c/o Viner Hotels and Consulting | |
| Ward: | Branston | |
| Ward Member (s): | Councillor A Clarke Councillor Mrs P L Ackroyd Councillor R G W Grosvenor | |
| Date Registered: | 21 February 2020 | |
| Date Expires: | 20 May 2020 A time extension has been agreed with the applicant until 24 th July 2020 to allow the application to be reported to the Planning Committee and for a Section 106 Agreement to be completed. | |
| Reason for being on Agenda | This is a major application of importance to the Borough | |
| Officer Recommendation | Approval subject to a S106 agreement and conditions | |

1. Executive Summary

- 1.1 The application site comprises approx. 0.61 ha, is broadly rectangular in shape and comprises an existing 82 bed four storey hotel (Holiday Inn Express) and its associated access points and car parking.

- 1.2 This is a full application for the erection of an 81 bedroom five storey Ibis Styles hotel, situated to the north, beyond the existing single storey element of the existing hotel building. The proposals include the extension and reconfiguration of the existing car park to provide 29 additional spaces, giving a total of 118 parking spaces for the site as a whole. The proposals also include the closure of the existing northern vehicle access into the site and the widening of the more southerly access to allow two way traffic movements, as a single access to the site.
- 1.3 Statutory consultees have raised no technical objections that cannot be overcome by way of planning conditions.
- 1.4 Branston Parish Council and surrounding occupiers have raised no comments on the application.
- 1.5 The principle of the use of the site for hotel accommodation (Use Class C1) is already established by the existing Holiday Inn Express on the site and previous extant consent P/2010/00329/MB/PO for a 6/7 storey hotel extension.
- 1.6 The size, height, design, materials and massing of the proposed hotel is considered appropriate and the site is situated in a commercial/industrial area and as such the proposals would have no adverse impact on the amenities of any residential occupiers.
- 1.7 Whilst the proposed parking would fall short of the parking guidance within the Parking Standards SPD by providing 74% of the requirement, the evidence provided in the Transport Statement confirms that this is an acceptable level of parking for the use and will cause no detriment to Highway Safety in the locality. SCC Highways have confirmed that the access and parking proposals are acceptable subject to a S106 Agreement to secure monitoring of the Travel Plan.
- 1.8 There are no heritage assets, Conservation Areas or Listed Buildings within the immediate vicinity of the site. The site is situated within Flood Zone 1 and is therefore at low risk of flooding. SCC Lead Local Flood Authority are satisfied that the development will be acceptable in flooding and drainage terms. Whilst 5 small trees within the site would be lost the proposals include 7 extra heavy standard replacement trees, extensive shrub planting and grassed areas within the site. The proposed landscaping scheme is considered to be acceptable.
- 1.9 Taking into consideration the environmental, social and economic impacts of this scheme it is considered that the proposal is acceptable and would be in accordance with the objectives of relevant policies within the Local Plan, the Branston Neighbourhood Plan, East Staffordshire Design Guide, Parking Standards SPD and the NPPF.
- 1.10 In light of the above conclusions on the planning merits of the case the application is recommended for **approval** subject to the necessary S106 agreement and conditions.

Members are advised that the above is a brief summary of the proposals and key issues contained in the main report below which

provides full details of all consultation responses, planning policies and the Officer's assessment, and Members are advised that this summary should be read in conjunction with the detailed report.

Map of site



2. The site description

- 2.1 The application site comprises approx. 0.61 ha, is broadly rectangular in shape and has an existing 82 bed four storey hotel (Holiday Inn Express) situated in the south eastern corner of the site. The land to the west and north of the existing building comprises car parking (89 spaces) and landscaping. The site has two vehicle access points off Second Avenue that operate as an in and out with the northern access the entrance and the barrier controlled southern access is the egress.
- 2.2 The existing hotel building is 4 storeys high with a pitched and partially hipped tiled roof and a single storey element to the northern end with a pitched and partially hipped roof. There is a large canopy porch feature projecting over the main front entrance to the building on the western elevation. The building is finished in red and buff brickwork.
- 2.3 The site sits towards the northern end of Second Avenue within the Centrum 100 development, which runs adjacent to the A38 dual carriageway (Trunk Road). The site is located to the south and east of Second Avenue, situated within the bend in the road, with the A38 to the west of the site. To the north are commercial and industrial premises off Second Avenue. To the east is a two storey modern Greene King pub that fronts the traffic island on Wellington Road with its car park to the rear adjoining the application site. To the south east there is a single storey building in use as a day nursery with further two

storey and single storey office and commercial premises beyond to the south. On the opposite side of Wellington Road are retail units including a supermarket together with car dealerships and restaurant premises beyond to the south east.

3. Planning history

- 3.1 **PA/1730/039** – Erection of a 72 bed hotel and construction of vehicular access. Granted subject to conditions 01-05-1996
- 3.2 **PA/30634/003/PO** – Erection of a 6 storey part 7 storey detached building to form an additional 45 bedroom hotel, additional car parking, alterations to existing car parking and landscaping. Granted subject to conditions 05-04-2007
- 3.3 **P/2010/00329/MB/PO** - Application to vary time limit condition relating to PA/30634/003/PO. Granted subject to conditions 11-06-10 for a further 3 years, now lapsed.

4. The proposal

- 4.1 This is a full application for the erection of an 81 bedroom five storey Ibis Styles hotel, adjoining the single storey element of the existing hotel building.
- 4.2 The building would be rectangular and have a footprint of approx. 600sqm (34.5 x 17.4m) with a flat roof (16.2m high) and raised tower feature (18.2m) to the southern end. The building would be the same depth as the existing hotel. The elevations would have a mix of buff brickwork, rainscreen cladding and Cedral weatherboard at each window. All the room windows would face the western and eastern elevations. 41 of the 81 rooms proposed would have small kitchen facilities, designed for longer staying guests who wish to cook for themselves. The internal layout would however provide dining and bar facilities on the ground floor for guest use. The accommodation would provide a mix of room types, double, twin, family suites as well as 5 rooms and suites designed for persons with disabilities.
- 4.3 The proposals include the extension and reconfiguration of the existing car park to provide 29 additional spaces, giving a total of 118 parking spaces including 5 disabled spaces and 2 additional drop off spaces by the main entrance to the existing hotel.
- 4.4 The proposals also include the closure of the existing northern vehicle access into the site and the widening of the more southerly access to allow two way traffic movements, as a single access to the site.
- 4.5 The reconfiguration of the car park would result in amended landscaping throughout the site. The trees around the boundary would all be retained, 5 trees within the existing car park would be removed, with 7 new extra heavy standard trees provided as well as new shrub planting.
- 4.6 Refuse storage would be provided to the rear of the building adjacent to the boundary with the Greene King pub car park.

List of supporting documentation

4.7 The following documents have been provided as part of the application:

- Application Forms
- Location Plan
- Proposed Site Plan
- Proposed Ground Floor Plan
- Proposed Upper Floors and Roof Plan (1 of 2)
- Proposed Upper Floors and Roof Plan (2 of 2)
- Proposed Front Elevations
- Proposed Rear Elevation
- Proposed Side Elevation
- Topographical Survey
- Transport Statement
- Travel Plan
- Drainage Strategy
- Sustainability Statement
- Design and Access Statement
- Planning Statement
- Arboricultural Impact Assessment
- Tree Pit Detail
- Tree Protection Plan
- Soft Landscaping Proposals
- Proposed Exterior Image

4.8 The relevant findings are dealt with in section 8 onwards below.

5. Consultation responses and representations

5.1 A summary of the consultation responses is set out below:

| Statutory and non statutory consultee | | Response |
|---------------------------------------|-------------------------|--|
| 5.2 | Branston Parish Council | No comments received |
| 5.3 | SCC Highways | No objections subject to conditions relating to the access works and a S106 Agreement relating to a Travel Plan for the site. |
| 5.4 | Highways Agency | No objections |
| 5.5 | SCC Flood Risk Team | No objections subject to condition to ensure that a detailed surface water drainage scheme for the site based on the principles outlined in the Drainage Strategy are submitted for approval |
| 5.6 | SCC Archaeologist | No archaeological concerns |
| 5.7 | Environment Agency | No comments |
| 5.8 | Severn Trent Water | No objection subject to conditions to ensure drainage plans for the disposal of foul and surface water flows are |

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| | | submitted for approval. |
| 5.9 | Architectural Liaison Officer | No objections, advice on CCTV and security provided and forwarded to the applicant's agent. |

| Internal Consultees | | Response |
|---------------------|----------------------|---|
| 5.10 | Tree Officer | No objections |
| 5.11 | Environmental Health | No objections, no concerns about impact of noise or air quality impact. |

6. Neighbour responses

- 6.1 Site and Press notices were posted and notification letters were sent to occupiers surrounding the site. No responses have been received.

7. Policy Framework

National Policy

- National Planning Policy Framework
- National Planning Policy Guidance

Local Plan

- Principle 1: Presumption in Favour of Sustainable Development
- SP1: East Staffordshire Approach to Sustainable Development
- NP1: Role of Neighbourhood Plans
- SP15 Tourism, culture and leisure development
- SP24 High Quality Design
- SP26 National Forest
- SP27 Climate Change, Water Body Management and Flooding
- SP35 Accessibility and Sustainable Transport
- DP1 Design of New Development
- DP2 Designing in Sustainable Construction
- DP5 Protecting the Historic Environment: All Heritage Assets, Listed Buildings, Conservation Areas and Archaeology
- DP7 Pollution and Contamination
- DP8 Tree Protection

'Made' Neighbourhood Plans

Branston

- B1 – Integrating New development with Existing Communities
- B2 – Design
- B6 – Landscaping and Protecting Biodiversity
- B11 – Car Parking Provision

Supplementary Planning Documents

- Revised Car Parking Standards SPD

- East Staffordshire Design Guide SPD

8. Assessment

8.1 It is considered that the key issues relevant to the determination of this application area:

- Principle of the Development
- Design and Impact on the Character and Appearance of the Area
- Residential Amenity
- Highway matters
- Historic Environment
- Flood Risk and Drainage
- National Forest
- Section 106 Contributions

9. Principle of Development

9.1 The NPPF states that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. Paragraph 14 of the NPPF states that for decision-taking this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies in this Framework indicate development should be restricted.

9.2 Paragraph 251 of the NPPF states that 'due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the framework, the greater the weight that may be given'.

9.3 The Council has adopted a positive approach in seeking to meet objectively assessed development needs of the Borough. The policies in the plan provide a clear framework to guide sustainable growth and the management of change, thereby following the Government's presumption in favour of sustainable development.

9.4 Strategic Policy 1 sets out the East Staffordshire Approach to Sustainable Development. Principles listed in the policy include social, environmental and economic considerations to be taken into account in all decision making where relevant. The principles are:

- located on, or with good links to, the strategic highway network, and should not result in vehicles harming residential amenity, causing highway safety issues or harming the character of open countryside;

- it is convenient and safe to walk, cycle and travel by public transport between (and for larger sites, around) the site and existing homes, workplaces, shops, education, health, recreation, leisure, and community facilities and between any new on-site provision;
- retains, enhances, expands and connects existing green infrastructure assets into networks within the site and within the wider landscape;
- re-uses existing buildings where this is practicable and desirable in terms of the contribution the buildings make to their setting
- integrated with the character of the landscape and townscape, provides for archaeological investigation where this is appropriate and conserves and enhances buildings of heritage importance, setting and historic landscape character;
- designed to protect the amenity of the occupiers of residential properties nearby, and any future occupiers of the development through good design and landscaping;
- high quality design which incorporates energy efficient considerations and renewable energy technologies;
- developed without incurring unacceptable flood risk or drainage problems and uses Sustainable Drainage Systems (SUDS) where appropriate;
- does not harm biodiversity, but rather enhances it wherever possible, including increasing tree-cover, especially as part of the National Forest;
- creates well designed and located publicly accessible open space;
- would demonstrably help to support the viability of local facilities, businesses and the local community or where new development attracts new businesses and facilities to an area this does not harm the viability of existing local facilities or businesses;
- would contribute towards the creation of sustainable communities through the provision of a mix of housing types and tenures;
- uses locally sourced, sustainable or recycled construction materials (including wood products from the National Forest where this is appropriate), sustainable waste management practices and minimises construction waste;
- safeguards the long term capability of best and most versatile agricultural land (Grade 1, 2 and 3a in the Agricultural Land Classification) as a resource for the future; and
- would result in the removal of contamination and other environmental problems associated with the site.

9.5 Strategic Policy 15: Tourism, Culture and Leisure development states that tourism accommodation should be provided within existing settlements where it can make use of existing infrastructure and facilities. New tourist accommodation outside settlements will only be acceptable where it will have good accessibility to existing infrastructure, and will not have an adverse impact on the character and appearance of the countryside, features of historic or landscape importance, biodiversity, or the amenities of nearby residents. The Borough Council supports the development of tourism as an important and growing industry in suitable and sustainable locations. It is therefore necessary to assess whether the site location is suitable for tourism related development.

9.6 The site sits just over 1 mile to the west of Burton town centre within a commercial/industrial area that has existing infrastructure and facilities. There

is already an 82 bed hotel on the site, therefore the principle of the use for Class C1 hotel on the site is already established. The site has good transport links to the adjacent A38 Trunk Road and sits within walking distance of retail premises (including a supermarket), leisure facilities and restaurants. It is considered that the site is well positioned for access to local tourist and cultural establishments within Burton Town Centre and the wider area. The principle of the development is therefore considered to be in compliance with Policies SP1 and SP15.

10. Design and Impact on the Character and Appearance of the Area

- 10.1 The NPPF 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. The NPPF 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.
- 10.2 Strategic Policy 1 and 24 state that development proposals must contribute positively to the area in which they are proposed. The policy lists a number of criteria developments are expected to achieve including creating a sense of place, reinforcing character, reflecting densities and where possible minimise the production of carbon through sustainable construction.
- 10.3 Detailed Policy 1 of the Local Plan re-iterates the design principles set by SP24 stating that development must respond positively to the context of the surrounding area, exhibit a high quality of design and be compliant with the East Staffordshire Design Guide.
- 10.4 The East Staffordshire Design Guide requires the design of development to demonstrate a strong, considered and sensitive response to its context. Design which is relevant to the site and wider context will be important, as this can support local distinctiveness. The Guide allows for development which employs a more modern architectural style but in terms of its proportions and siting it should still complement its surroundings.
- 10.5 Detailed Policy 2 aims for development to achieve high sustainability and environmental credentials adopted energy efficiency techniques and other standards where possible.
- 10.6 Policy B2 of the Branston Neighbourhood Plan encourages high design quality that should reflect local distinctiveness through the careful use of materials and references to traditional vernacular styles, taking account of the most up to date design guidance adopted by East Staffordshire Borough Council. High quality contemporary designs will also be supported. Building heights are expected to reflect the predominant character of the area. While development is expected to be predominantly two storeys or less, development higher than two storeys may be acceptable in certain locations where this would harmonise with the character of the area and the site's surroundings and be acceptable with regard to design and other considerations.
- 10.7 Whilst the proposed building would be 5 storeys in height compared to the existing 4 storey Holiday Inn Express building, the simple flat roofed design

would reduce the overall bulk and massing of the building which would result in an overall height similar to the existing building. The design includes the use of brickwork, cladding and weatherboard elevation detailing picking up on the existing colour pallet of the existing building. It is considered that the modern design would sit comfortably within the character of the area which is characterised by modern office, commercial and industrial buildings constructed from brickwork and cladding.

- 10.8 Due to its height and position the building would be visible from the south bound carriage way of the A38, from within the Centrum 100 development and from Wellington Road. The proposed layout however would continue the existing building line of the existing hotel and the Greene King pub on the corner of Wellington Road and its height and design would not appear out of context with its surroundings.
- 10.9 The previous approval at the site in 2007 and 2010 for a 6/7 storey hotel extension was in the same position as the current proposals, albeit through a slightly smaller footprint.
- 10.10 Whilst the proposals do not propose to incorporate any renewable energy sources or specific green construction techniques, the hotel would be constructed using modern and efficient methods resulting in a building that is well insulated and energy efficient. It is therefore considered that the proposals would accord with the aims of Policy DP2 of the Local Plan
- 10.11 The size, height, design, materials and massing of the proposed hotel is considered appropriate for the location and in compliance with policies SP1, SP24, DP1 and DP2 of the Local Plan and the East Staffordshire Design Guide.
- 10.12 The design incorporates access for people with disabilities throughout the building, with a lift and 5 rooms/suites designed specifically for occupation by guests with disabilities, in line with guidance in East Staffordshire Design Guide.

11. Residential Amenity

- 11.1 The National Planning Policy Framework and DP1 of the Local Plan seeks to ensure new development will not have an adverse impact on the amenities of nearby residential properties by way of loss of light, overlooking or overbearing.
- 11.2 The closest residential properties are set over 200m away to the east of the site beyond the retail park. The proposed development would not have any adverse impact on the amenities of the residential occupiers given the separation distance and the commercial activities situated between.
- 11.3 The building will be fitted with acoustic glazing to each window similar to that provided in the existing Holiday Inn Express. These will have restricted opening to allow fresh air whilst reducing external noise when closed, giving guests the choice.
- 11.4 Environmental Health have confirmed that a noise assessment is not required due to the commercial nature of the locality and an air quality assessment is

not required as the increase in traffic would not be significant within the Air Quality Management Area that starts at Wellington Road.

- 11.5 It is considered that the proposals would have no adverse impact on the amenities of the surrounding commercial occupiers.

12. Highway Matters

- 12.1 The NPPF in section 4 sets out the role transport policies play in facilitating sustainable development which contributes to wider sustainability and health objectives. Decisions should consider ensure development proposals have taken the opportunities for sustainable transport modes, ensure safe and suitable access to the site can be achieved for all people and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- 12.2 Policies SP1 and SP35 of the Local Plan aim to ensure development is located on sites with good links to the highway network, development is convenient and safe to walk, cycle and travel by public transport. Developments should not result in vehicles harming residential amenity, causing highway safety issues or harming the character of the open countryside. For those developments likely to have an impact on the wider highway infrastructure, proposals should be accompanied by a transport assessment clearly setting out how the likely impacts of the development will be addressed.
- 12.3 The Council's parking standards SPD sets out standards for different uses including space size, accessibility and the quantity of car parking spaces required for different uses as well as guidance on electric vehicle charging points. In this case Use Class C1 (hotels) would require 1 parking space per bedroom.
- 12.4 The Branston Neighbourhood Plan policy B11 sets out parking guidance for new residential parking only and is therefore not relevant in this case.
- 12.5 The proposals look to provide 118 off street parking spaces for a total of 183 bedrooms within the existing and the proposed hotels. This would provide a 74% parking space to bedroom ratios, falling short of the requirement of the SPD by 45 spaces.
- 12.6 A Transport Statement and Travel Plan have been submitted in support of the proposals and have been assessed by SCC Highways. The Transport Statement considers the likely traffic generated by the proposed hotel extension to be around 24 movements in the morning peak and around 20 movements in the evening peak. This level of traffic in the network peak is not considered likely to create or significantly add to congestion on the surrounding highway network. The predicted total traffic movements for the day between 0700 and 2400 is around 271 which is what would be expected for this type of development. These movements would be mostly off peak and would therefore have limited impact on the operation and free flow of the surrounding highway network.

- 12.7 A survey of the existing car park usage shows it to be generally around 64% of the 1 space per bedroom standard. There is no obvious reason to suggest that the additional bedrooms to be created would result in a significant increase in the car park usage and the proposals allow for a 10% degree of flexibility, which is considered reasonable. Should demand be beyond that, any on street parking is unlikely to create additional congestion as Second Avenue is a minor access road only with parking restrictions at critical points around junctions, so visibility would not be obstructed. Parking along Second Avenue in unrestricted area is considered would not create any problems in terms of safety or capacity.
- 12.8 The Travel Plan submitted suggests various ways of reducing travel to the site including by single occupancy cars. The measures maybe effective and will rely heavily on the impact of the Travel Plan co-ordinator. It is considered that a more detailed Measures/Outcomes Travel Plan is required to be more effective, with a monitoring strategy incorporated into a Section 106 Agreement that should include penalties or financial contributions to support sustainable travel measures if the targets in the Travel Plan are not achieved. It is considered that if the Travel Plan measures are effective it will reduce any potential pressure on the car parking provision included within the proposals.
- 12.9 The level of car parking for the development is therefore considered appropriate in this case subject to a Section 106 Agreement to secure the monitoring of the Travel Plan for the site.
- 12.10 The proposals also include changes to the site access by the closure of the existing northerly access off Second Avenue and the widening of the existing southerly access to allow two way traffic. It is considered that the proposed access arrangements would meet with the necessary design requirements and would provide a safe access to the site. Conditions are recommended to ensure that the new access is provided and the redundant access reinstated in line with the County Council requirements.
- 12.11 Pedestrian infrastructure in the vicinity of the site is good, providing good quality connections to the wider area, as well as a cycle route in the immediate vicinity that leads into Burton town centre.
- 12.12 The Parking Standards SPD also requires major developments to have provision for electric vehicle charging points, the applicant has confirmed that it is there intension to provide 2 x 2 electric vehicle charging points within the reconfigured car park, providing facilities for 4 vehicles to be charged at any one time. A condition is recommended to ensure implementation.
- 12.13 The County Highway Authority are satisfied that the development would have create no additional traffic congestion on the surrounding highway network and as such the development would accord with policies SP1 and SP35 of the Local Plan.

13. Historic Environment

- 13.1 There are no heritage assets, Conservation Areas or Listed Buildings within the immediate vicinity of the site. It is not considered that the proposal will have any impacts on views into, or out of any designated areas, or affect the setting

of any Listed Buildings. The statutory duties under Section 66(1) and 72 are not therefore engaged by this proposal.

14. Flood Risk and Drainage

- 14.1 Section 10 of the National Planning Policy Framework seeks to ensure that new development is not at risk from flooding, or does not increase flood risk elsewhere. It advocates the use of a sequential test with the aim of steering new developments to areas with the lowest probability of flooding. The Environment Agency produces flood risk maps which classifies land according to probability of flooding. The areas of highest risk are classified as Flood Zone 3, with a 1 in 100 or greater annual probability of flooding, and the areas of lowest risk are classified as Flood Zone 1, with a less than 1 in 1000 annual probability of flooding.
- 14.2 Strategic Policy 27 expects all new development to incorporate Sustainable Drainage Systems (SUDS). Systems will discharge clean roof water to ground via infiltration techniques, limit surface water discharge to the greenfield run-off rate and protect and enhance wildlife habitats, heritage assets, existing open space, amenity areas and landscape value.
- 14.3 The site is situated within Flood Zone 1 and is therefore at low risk of flooding. A Drainage Strategy has been submitted in support of the proposals which confirms that the risk of flooding is low and that a sustainable drainage system will be accommodated. SCC Lead Local Flood Authority are satisfied that the development will be acceptable providing the measures detailed in the Drainage Strategy are incorporated into an acceptable surface water drainage scheme secured through a recommended condition.

15. National Forest

- 15.1 Strategic Policy 26 supports the National Forest Strategy and expects developments within the National Forest to contribute towards the creating of the Forest by providing on-site or nearby landscaping that meets the National Forest planting guidelines.
- 15.2 Whilst the proposed car park reconfiguration would result in the loss of 5 small trees within the car park area, all the trees around the Second Avenue boundary would be retained and enhanced by 7 additional extra heavy standard trees as well as shrub planting (over 2500 plants) and grasses area. The submission includes an Arboricultural Impact Assessment and tree protection plan to identify the tree protection measure for the trees to be retained (24 trees) as well as soft landscaping proposals and tree pit details for the proposed new trees. The submitted details are considered satisfactory and would enhance the trees and landscaping at the site in accordance with Policy SP 26 of the Local Plan.
- 15.3 Policy B6 of the Branston Neighbourhood Plan also advises that consideration should be given in landscaping schemes to the treatment of urban edges in new developments.

16. Section 106 Contributions

16.1 Paragraph 204 of the Framework and Regulation 122 of the Community Infrastructure Levy Regulations 2011 (as amended) set tests in respect of planning obligations. Obligations should only be sought where they meet the following tests:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

16.2 National Planning Practice Guidance states that when CIL is introduced (and nationally from April 2015), the regulations restrict the use of pooled contributions towards items that may be funded via the levy. At that point, no more may be collected in respect of a specific infrastructure project or a type of infrastructure through a section 106 agreement, if five or more obligations for that project or type of infrastructure have already been entered into since 6 April 2010, and it is a type of infrastructure that is capable of being funded by the levy.

16.3 In this case a Section 106 Agreement would be required to secure the necessary Travel Plan and its monitoring fee of £6,895 in line with the requirements of SCC Highways.

17. Conclusions

17.1 The principle of the use of the site for hotel accommodation (Use Class C1) is already established by the existing Holiday Inn Express on the site and previous lapsed consent P/2010/00329/MB/PO for a 6/7 storey hotel extension.

17.2 The size, height, design, materials and massing of the proposed hotel is considered appropriate for the location and in compliance with policy SP1, SP24 and DP1 of the Local Plan and the East Staffordshire Design Guide.

17.3 The site is situated in a commercial/industrial area and as such the proposals would have no adverse impact on the amenities of any residential occupiers.

17.4 Whilst the proposed parking would fall short of the parking guidance within the Parking Standards SPD at 74%, the evidence provided in the Transport Statement confirms that this is an acceptable level of parking for the use and SCC Highways have confirmed that the access and parking proposals are acceptable subject to a S106 Agreement to secure monitoring of the Travel Plan.

17.5 There are no heritage assets, Conservation Areas or Listed Buildings within the immediate vicinity of the site. It is not considered that the proposal will have any impacts on views into, or out of any designated areas, or affect the setting of any Listed Buildings.

17.6 The site is situated within Flood Zone 1 and is therefore at low risk of flooding. SCC Lead Local Flood Authority are satisfied that the development will be acceptable providing the measures detailed in the submitted Drainage

Strategy are incorporated into an acceptable surface water drainage scheme secured through a recommended condition.

- 17.7 Whilst 5 small trees within the site would be lost the proposals include 7 extra heavy standard replacement trees, extensive shrub planting and grassed areas within the site. It is considered that the proposals are in compliance with Policy SP26 (New Forest) of the Local Plan.
- 17.8 Taking into consideration the environmental, social and economic impacts of this scheme it is considered that the proposal is acceptable and would be in accordance with relevant policies within the Local Plan, the Branston Neighbourhood Plan, East Staffordshire Design Guide, Parking Standards SPD and the NPPF.

RECOMMENDATION

- 17.9 **Grant planning consent subject to the following conditions and the completion of a S106 Agreement:**

1. Standard Time Limit (Standard Condition No. 0000001a)

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Compliance with the approved plans (Standard Condition No. 0002).

The development hereby permitted shall be carried out in accordance with the following approved plans and documents subject to compliance with other conditions of this permission:

Location Plan Drawing 19_004 AL(90)01 dated as received on 18-11-2019
Proposed Site Plan Drawing 19_004 AL(90)02 Rev F dated as received on 18-11-2019

Proposed Ground Floor Plan Drawing 19_004 AL(0)02 Rev D dated as received on 18-11-2019

Proposed Upper Floors and Roof Plan (1 of 2) Drawing 19_004 AL(0)03 Rev B dated as received on 18-11-2019

Proposed Upper Floors and Roof Plan (2 of 2) Drawing 19_004 AL(0)04 dated as received on 18-11-2019

Proposed Front Elevations Drawing 19_004 AL(0)10 Rev D dated as received on 08-11-2019

Proposed Rear Elevation Drawing 19_004 AL(0)11 Rev A dated as received on 08-11-2019

Proposed Side Elevation Drawing 19_004 AL(0)12 dated as received on 08-11-2019

Topographical Survey Drawing UAL3067_b dated as received on 08-11-2019

Transport Statement by Corun Transport and Highway Engineering Ref 18-005557/TS/01/B dated as received on 20-11-2019

Travel Plan by Corun Transport and Highway Engineering Ref 18-005557/TP/01/B dated as received on 20-11-2019

Drainage Strategy ref V-C8779.00-REPC01-RO dated as received on 27-11-2019

Sustainability Statement dated as received on 19-02-2020

Design and Access Statement dated as received on 08-11-2019

Planning Statement dated as received on 08-11-2019

Arboricultural Impact Assessment dated as received on 08-11-2019

Tree Pit Detail Drawing JSL3242 – 400 dated as received on 08-11-2019

Tree Protection Plan Drawing JKK10102_Figure 02.01 rev P1 dated as received on 08-11-2019

Soft Landscaping Proposals Drawing JSL3242-500 dated as received on 08-11-2019

Proposed Exterior Image dated as received on 08-11-2019

Reason: For the avoidance of doubt to ensure the development will not adversely affect the appearance of the locality, the amenities of neighbouring properties, or the safe and efficient use of the adjoining highways in accordance with East Staffordshire Local Plan Policies Principle 1, NP1, SP1, SP15, SP24, SP25, SP26, SP27, SP35, DP1, DP2, DP5, DP7 and DP8, the Branston Neighbourhood Plan Policies TB1, B2, B6 and B11, Revised Car Parking Standards Supplementary Planning Document, the East Staffordshire Design Guide, and the National Planning Policy Framework.

3. Surface Water Drainage (Bespoke)

No development shall take place until a detailed surface water drainage scheme for the site, based on the principles outlined within the Drainage Strategy approved under Condition 2 has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme be submitted shall demonstrate:

- Surface water drainage system(s) designed in accordance with the Non-statutory technical standards for sustainable drainage systems (DEFRA, March 2015).
- Limiting the discharge rate generated by all rainfall events up to the 100 year plus 30% (for climate change) critical storm to 37.8l/s.
- Provision of surface water run-off attenuation storage in accordance with the requirements specified in 'Science Report SC030219 Rainfall Runoff Management for Developments'.
- Detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details of any attenuation system and the outfall arrangements. Calculations should demonstrate the performance for the designed scheme for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
- Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system.
- Provision of an acceptable management and maintenance plan for surface water drainage to ensure that surface water drainage systems shall be maintained and managed for the lifetime of the development.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site, in accordance with Policy SP27 of the Local Plan.

4. Details of Materials (Bespoke)

No development shall take place above damp proof course until samples and details of all materials to be used externally ensuring the product name and manufacturer is provided (including windows and doors) have been submitted to and approved in writing by the Local Planning Authority and the development shall only be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the building and its surroundings in accordance with East Staffordshire Local Plan Policies SP1, SP24, DP1 and DP3, the Branston Neighbourhood Plan, the East Staffordshire Design Guide and the National Planning Policy Framework.

5. Travel Plan (Bespoke)

Prior to the first occupation of the development hereby approved a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall set out proposals (including a timetable) to promote travel by sustainable modes which are acceptable to the Local Planning Authority. The Travel Plan shall be implemented in accordance with the timetable set out in that plan unless otherwise agreed in writing by the Local Planning Authority. Reports demonstrating progress in promoting sustainable transport measures shall be submitted annually on each anniversary of the date of the planning consent to the Local Planning Authority for approval for a period of five years from first occupation of the development permitted by this consent. The Travel Plan shall include targets for modal shift as well as additional measures should those targets be missed.

Reason: To promote sustainable forms of transport in accordance with East Staffordshire Local Plan Policies SP1 and SP35 and the National Planning Policy Framework.

6. Highway Works (Bespoke)

The development shall not be brought into use until the access to the site within the limits of the public highway have been completed.

Reason: As recommended by the Highway Authority in the interests of highway safety in accordance with East Staffordshire Local Plan Policies SP1 and SP35.

7. Highways (Bespoke)

The development hereby permitted shall not be brought into use until the existing site access, which shall include the access crossing between the site and the carriageway edge made redundant as a consequence of the development hereby permitted is permanently closed and the access crossing reinstated as verge/footway.

Reason: As recommended by the Highway Authority in the interests of highway safety in accordance with East Staffordshire Local Plan Policies SP1 and SP35

8. Highways (Bespoke)

The development hereby permitted shall not be brought into use until the access, parking, servicing and turning areas have been provided in accordance with the approved plans and shall not be used for purposes other than those and maintained as such thereafter.

Reason: As recommended by the Highway Authority in the interests of highway safety in accordance with East Staffordshire Local Plan Policies SP1 and SP35

9. Implementation of Landscaping (Standard Condition No. 00003b)

All planting, seeding or turfing comprised in the approved details of landscaping as set out on the drawings approved under condition 2 above shall be carried out in the first planting and seeding season following the first occupation of the dwellings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that an approved landscaping scheme is implemented in a speedy and diligent way and that initial plant losses are overcome in the interests of the visual amenities of the locality and in accordance with East Staffordshire Local Plan Policies SP1, SP24, DP1 and DP3, the Branston Neighbourhood Plan, the East Staffordshire Design Guide and the National Planning Policy Framework.

10. Electric Vehicle Charging Points (Bespoke)

Prior to first occupation of the development hereby permitted details of electric vehicle charging points, shall be submitted in writing to and agreed in writing by the Local Planning Authority. The approved electric vehicle charging points shall be installed in accordance with the approved details and shall be retained and maintained for the lifetime of the development.

Reason: In the interests of creating a sustainable form of development and to encourage the use of ultra low emission vehicles in accordance with Policies SP1 and SP35 of the Local Plan and the Parking Standards SPD.

INFORMATIVES

1. Engagement

During the course of consideration of this proposal the Local Planning Authority has negotiated with the applicant to ensure the development complies with relevant development plan policies and material planning considerations including the National Planning Policy Framework. It is therefore considered that the Local Planning Authority has worked proactively with the applicant to secure a development that improves the economic, social and environmental conditions of the area in accordance with the requirements of paragraph 38 of the National Planning Policy Framework.

2. Pre-commencement Conditions

The conditions identified below require details to be approved before commencement of the development.

Condition No's 3 and 4

This means that a lawful commencement of the approved development/works cannot be made until the particular requirements of these conditions have been met.

As from 6th April 2008 requests for confirmation of compliance with planning conditions requires a payment of a fee to the Local Planning Authority. The fee chargeable by the authority is £116 per request. The fee must be paid when the request is made. Any number of conditions can be included for each request. Payment can be made by cheque or card only. Please telephone 01283 508606.

Although we will endeavour to discharge all conditions within 21 days of receipt of your written request, legislation allows the Local Planning Authority a period of 8 weeks, and therefore this timescale should be borne in mind when programming development.

3. Details of Proposed Materials

The applicant is advised that in complying with Condition 3 above regarding the submission of samples and details of all external materials, ensuring the product name and manufacturer is provided and must be submitted in writing to the Local Planning Authority as part of the relevant Discharge of Condition application along with correspondence confirming that date on which samples will be made available on-site and where they will be located.

4. Ecological Responsibilities

The applicant/developer is advised that this permission does not absolve them from their responsibilities in relation to protected species. If evidence of protected species is found at any point all work should cease and the services of a licensed ecologist procured to ensure an offence is not committed.

5. Highway Works Agreement

The conditions requiring off-site highway works shall require a Highway Works Agreement with Staffordshire County Council. The applicant is requested to contact Staffordshire County Council in order to secure the Agreement. The link below is to the Highway Works Information Pack including an application form. Please complete and send to the address indicated on the application form or email to nmu@staffordshire.gov.uk. The applicant is advised to begin this process well in advance of any works taking place in order to meet any potential timescales.

<https://www.staffordshire.gov.uk/transport/staffshighways/highwayscontrol/HighwaysWorksAgreement.aspx>

18. Background papers

18.1 The following papers were used in the preparation of this report:

- Papers on Planning Application file ref: P/2019/01385
- Papers on Planning Application file P/2010/00329/MB/PO
- Papers on Planning Application file PA/30634/003/PO
- The Local and National Planning Policies and Supplementary Planning Documents outlined in the report above
- Branston Neighbourhood Plan

19. Human Rights Act 1998

19.1 There may be implications under Article 8 and Article 1 of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions. However, these potential issues are in this case amply covered by consideration of the environmental impact of the application under the policies of the development plan and other relevant policy guidance.

20. Crime and Disorder Implications

20.1 It is considered that the proposal does not raise any crime and disorder implications.

21. Equalities Act 2010

21.1 Due regard, where relevant, has been had to the East Staffordshire Borough Council's equality duty as contained within the Equalities Act 2010.

For further information contact: Barbara Toy
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