

<b>Agenda Item:</b>	5.3
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<b>Site:</b>	Quintus - Phase 2, Branston Locks, Branston Road, Burton Upon Trent, DE13 9SB
<b>Proposal:</b>	Reserved Matters application relating to P/2012/01467 for the erection of a single detached industrial warehouse unit, with ancillary offices, covering Use Classes E1, B2 and B8, providing 15,937 sq m (GIA) (16,625 sq m GEA) of floorspace, with associated vehicle parking, cycle storage, yard space, circulation, lighting, landscaping, access road, access point off the access road, and other ancillary development. The outline application P/2012/01467 was accompanied by an Environmental Impact Assessment

### 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](#)

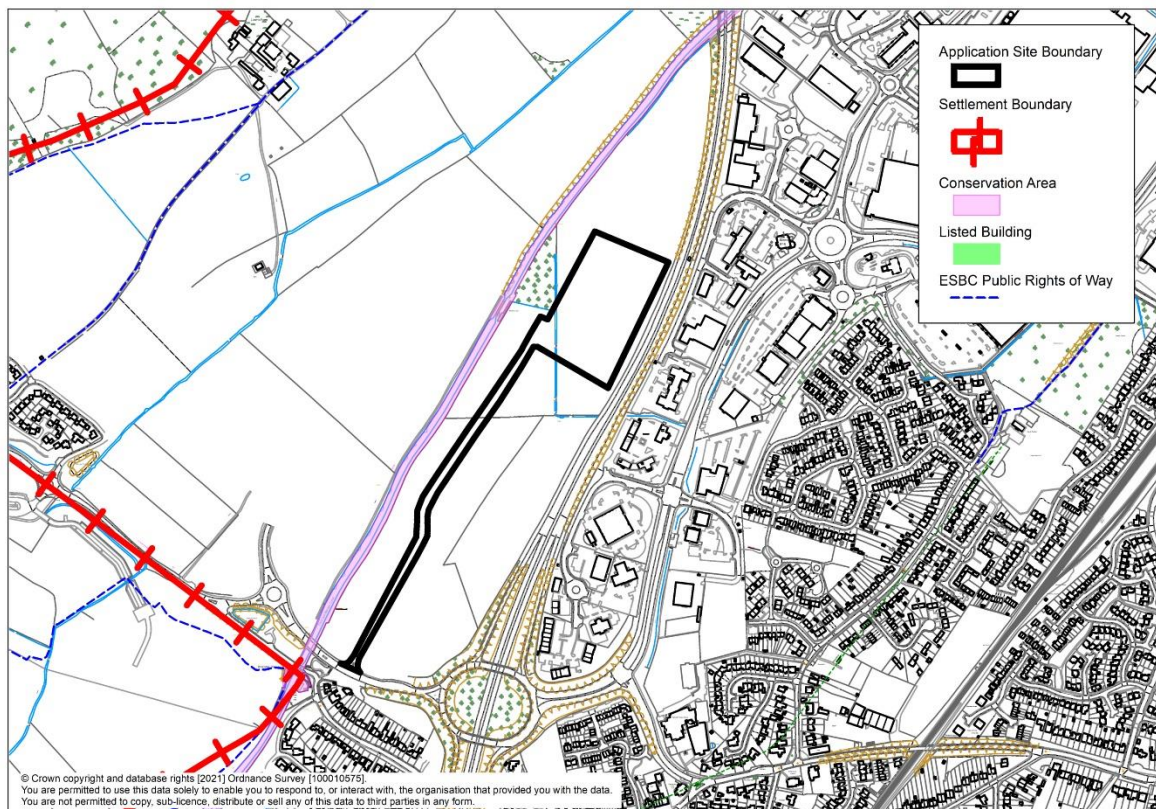
<b>Application Number:</b>	P/2021/00777	
<b>Planning Officer:</b>	Barbara Toy	
<b>Type of Application:</b>	Reserved Matters	
<b>Applicant:</b>	Nurton Developments (Quintus) Ltd	
<b>Ward:</b>	Branston	
<b>Ward Member (s):</b>	Councillor A Clarke Councillor Mrs P L Ackroyd Councillor R G W Grosvenor	
<b>Date Registered:</b>	18 June 2021	
<b>Date Expires:</b>	17 September 2021	
<b>Reason for being on Agenda</b>	Major Application	

## 1. Executive Summary

- 1.1 The site comprises 3.28 hectares of green field land that sits to the east of the Trent and Mersey Canal, bounded to the west by the A38 dual carriageway and to the south by the recently approved Phase 1 Quintus employment development (3 industrial units).
- 1.2 The site is situated in the south eastern corner of the Branston Locks SUE approved in outline in 2015 and the site is allocated for employment

development in line with the outline consent (P/2012/01467), the approved Design Guide for the whole site and a S106 Agreement.

- 1.3 This is a reserved matters application for the second phase of the employment development for the consideration of access, appearance, landscaping, layout and scale for the erection of a single large Class E1, B2 and B8 employment unit. The proposals would utilise the newly construction road junction off Branston Road, designed specifically for the development of an employment park on the land.
- 1.4 The principles of the development of the site for employment purposes have been established through the outline consent and the associated S106 Agreement together with design principles approved under the Design Guide for the SUE as a whole.
- 1.5 Statutory consultees have raised no objections to the proposals and it is considered that the submitted details accord with the outline consent, its conditions, the accompanying S106 Agreement.
- 1.6 No comments have been received from local residents or the Parish Council.
- 1.7 It is considered that the submitted scheme is in accordance with the details of the approved outline application and accompanying S106 Agreement and apart from the overall height of the building it complies with the approved Design Guide, and complies with the provisions of the relevant adopted development plan policies, Neighbourhood Plan policies and the National Planning Policy Framework.
- 1.8 It is considered that the proposal will not have an adverse impact on the amenities of the future occupiers of the remainder of the Branston Locks SUE development, will not have a detrimental impact on the character and appearance of the Trent and Mersey Canal conservation area, highway safety, or the general character of the area. The proposals will allow an existing company based in Burton to relocate, expand and increase the number of employees.
- 1.9 In light of the above conclusions on the planning merits of the case, the application is recommended for approval subject to conditions.
- 1.10 **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 wider site is a large farmstead situated to the west of Burton upon Trent. It is bounded on its eastern boundary by A38 dual-carriageway with the Trent and Mersey Canal running north south through the site. On its most northern boundary the site accesses Shobnall Road and on its southern/south-eastern boundary the application site fronts onto Branston Road which has recently undergone significant highway improvement works to aid access from the A38 to the site and to the new John Taylor Free (High) School. The north-western boundary extends to the foot of a long escarpment which forms part of the Tatenhill Conservation Area. The main vehicular access, which will serve the bulk of employment and housing development within the site, is accessed from a new junction created off Branston Road, with smaller secondary accesses on Shobnall Road and Branston Road.
- 2.2 Under Policy SP7 of the Local Plan the site forms an allocated Sustainable Urban Extension (SUE) known as Branston Locks with the principle of the development for the overall site and Design Guide approved under the outline consent P/2012/01467 and accompanying S106 Agreement. The outline consent was for a mixed use development comprising the erection of up to 2500 dwellings, up to 92,900sqm of employment floorspace (Classes B1, B2 and B8), a local centre providing up to 3,716 sqm of retail floorspace (Classes A1, A2, A3, A4 and A5), up to 929sqm of health care and associated community uses (Class D1), a residential care home of up to 160 bed spaces (Classes C2 and C3), up to 555sqm of pub and restaurant floorspace (Classes A3 and A4), a primary school, and a hotel of up to 80 bedrooms (Class C1) including the demolition of all existing buildings and structures on site with the

exception of the Farmhouse to Lawns Farm, vehicular access connections from Branston Road and Shobnall Road, green infrastructure of public open space, structural landscaping, sustainable urban drainage basins and associated drainage, sports and recreation facilities and a network of walking and cycling routes, and associated infrastructure works and services.

- 2.3 Nurtons are the overall owner/developer of the SUE as a whole and they made the original outline application and are responsible for the discharge of a number of the outline conditions. The developers of each phase are responsible for their own reserved matters applications and discharge of their own conditions.
- 2.4 This application represents the second phase of the employment phase of the overall development of the site and comprises 3.28 hectares. The site is situated in the south eastern corner of the wider development site and sits immediately to the north of the Quintus Phase 1 employment development (approved earlier this year), the Trent and Mersey Canal sits to the west, and the A38 to the east and forms part of the employment use of the overall Design Guide for the SUE.
- 2.5 The site is accessed off a new purpose built junction off Branston Road, with the new bridge and junction sitting at a higher level than the site. The site is made up of green fields with some trees and is relatively level.

### 3. Planning history

- 3.1 **P/2012/01467** Outline application with all matters reserved and proposed a mixed use development comprising the erection of up to 2,500 dwellings, up to 92,900 square metres of employment floor space (Classes B1, B2 and B8), a local centre providing a mix of retail uses, up to 929 square metres of healthcare, a residential care home of up to 160 spaces, a new pub/restaurant, a primary school and a hotel of up to 80 bedrooms. GSC & S106 Agreement 14-04-2015.
- 3.2 **P/2017/00923** Reserved Matters for the erection of 70 dwellings, including details of access, appearance, landscaping, layout and scale. Cameron Homes GSC 24-04-2018
- 3.3 **P/2018/00233** Reserved matters for the erection of 201 dwellings including details of appearance, landscaping, layout, scale and means of access. Taylor Wimpey. GSC 26-20-2018
- 3.4 **P/2019/00756** Reserved matters for the erection of 244 dwellings including details of access, appearance, landscaping, layout and scale. Cameron Homes GSC 17-12-2019
- 3.5 **P/2020/00472** Section 73 relating to P/2019/00756 reserved matters for the erection of 244 dwellings including details of access, appearance, landscaping, layout and scale. Cameron Homes GSC 14-08-2020
- 3.6 **P/2020/00857** Reserved Matters for the erection of 190 dwellings and associated garaging and bin/cycle store, new vehicular access off Shobnall Road, public open space, public right of way connections and associated works

including details of access, appearance, landscaping, layout and scale. Lovell Homes GSC 25-02-2021

- 3.7 **P/2020/01468** Reserved Matters application relating to P/2012/01467 for Quintus Phase 1 for the erection of three detached industrial and warehouse units with ancillary offices covering Use Classes E, B2 and B8 with associated works including details of appearance, landscaping, layout, scale and access GSC 28-04-2021.
- 3.8 There are currently a number of discharge of condition applications relating to conditions on the original outline consent (P/2012/01467) for the application site. These relate to ecology, trees, drainage, construction management plan, waste management plan, landscaping of the strategic green spaces, contaminated land, ground gas, archaeology, hard and soft landscaping for the site, materials, noise impact assessment and levels. These are all under consideration by consultees and will be assessed in line with the requirements of the outline consent, the approved Design Guide and the original S106 Agreement.

#### 4. The Proposal

- 4.1 This is a reserved matters submission for the erection of a single detached industrial/warehouse unit with ancillary office accommodation (use Class E1, B2 and B8), with associated car parking, cycle storage, service yard, lighting, landscaping, access road and access point off the main access road. Details of access, appearance, layout, scale and landscaping are for determination.
- 4.2 The warehouse unit has been specifically designed to meet the needs of the end user WernerCo (manufacturer and supplier of ladders and access equipment) who are looking to relocate from another site in Burton to enable them to expand their warehouse distribution operations. This new building will provide a new national distribution centre and will add offices for a new telesales team, an increased customer services team and an increase in warehouse operatives.
- 4.3 The building will measure 192m x 81m x 17.5m maximum height. This will provide 14,864sqm of warehouse floorspace (with 15m clear internal head room), 929sqm of office space, 116sqm transport office (within the service yard) and 28sqm gatehouse (at the entrance to the service yard to the rear).
- 4.4 The service yard includes 16 loading docks and parking for 41 HGVs and 25 overflow staff car parking spaces and allows for sufficient spaces for the manoeuvring of HGVs. The main car park to the southern end of the building will provide 162 spaces including 10 disabled spaces and 16 electric vehicle charging spaces. In additional 9 motorcycle parking spaces will be provided and storage for 60 cycles.
- 4.5 The building will sit on the front of the site orientated north south with the front elevation facing the canal, with the main service yard to the rear with the access and car parking at the southern end of the building. The western elevation will contain three storey offices at the southern end, facing the canal and estate road. The building would have a shallow curved profile roof and a mix of profile and flat cladding to each elevation in varying colours including white, light grey, medium grey and dark grey, together with large windows and

curtain walling to the front elevation and panels of wooden cladding and a glazed canopy to the office entrance.

- 4.6 A landscaping scheme has been provided that includes low and high level shrubs, hedging to the frontage of the car park and a number of trees, all native species. A mix of hard surfacing is also proposed with tarmac to the access road, concrete service yards and block paving to the car parking spaces and footpaths.

#### List of supporting documentation

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

- Application forms
- Site Location Plan
- Proposed Site Layout
- Proposed Building Layout
- Proposed Office Layout
- Proposed Building Elevations
- Proposed Building Section
- Proposed Roof Plan
- Proposed Transport Office Layout
- Soft Landscaping Proposals
- Landscape Strategy
- Indicative External Lighting Layout
- Lighting Assessment Report
- Proposed Fencing Details
- Proposed Cycle Shelter Details
- Proposed External Surfacing
- Proposed Refuse Enclosure Details
- Proposed Gatehouse Details
- External Materials Schedule
- Building Elevations Cladding Samples
- Proposed M and E Compound Details
- Design and Access Statement
- Heritage Compliance Statement
- Planning Supporting Statement
- Statement Demonstrating Compliance with Design Guide
- Overall Illustrative Masterplan

- 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:

<b>Statutory and non statutory consultee</b>		<b>Response</b>
5.2	Parish Council	No response received
5.3	SCC Highways	No objections

5.4	Highways England	No objections
5.5	SCC Flood Risk Team	No response received. The Team raised no objections to Phase 1 and are currently assessing the detailed drainage scheme for the site submitted to discharge Condition 40 on the original outline application.
5.6	SCC Archaeologist	No objections, the archaeology requirements from the outline consent are still relevant.
5.7	SCC Rights of Way	There are no public rights of way across the site. But it should be noted that the Way for the Millennium a promotional route runs along the canal towpath. The applicant should be made aware that any planning consent does not give the applicant the right to divert, extinguish or obstruct any part of the route.
5.8	SCC Waste	No comments
5.9	Environment Agency	No objections
5.10	Severn Trent Water	A detailed scheme for foul sewage will be considered under discharge of condition 40 and surface water discharge should be discussed with the LLFA
5.11	Natural England	No comments
5.12	Inland Waterways	The design is considered to be too visually intrusive and does not present an acceptable façade towards the heritage and amenity corridor of the canal. There are discrepancies between the submitted documents regarding the landscaping. The on site landscaping is insufficient to provide meaningful screening of the building. Details of the Canalside landscape buffer zone need to be considered at an early stage and implemented simultaneously with the development.
5.13	Canal & River Trust	No comments
5.14	The National Forest	<ul style="list-style-type: none"> <li>• The tree planting and landscaping should be enhanced</li> <li>• Consideration should be given to the use of wooden materials in the gate house and the design</li> <li>• Energy efficiency measures in the context of BREEAM standards should be required.</li> </ul>
5.15	Architectural Liaison Officer	No objections, design and security advice provided and forwarded to agent

Internal Consultees		Response
5.16	Environmental Health	Noise – no objections subject to a condition to require a noise assessment to be submitted Contaminated Land – no objections. Conditions 41 and 42 from the outline consent relating to contaminated land and

		landfill gas for this phase of the development have now been discharged
5.17	Conservation Officer	No objections

## 6. Neighbour responses

6.1 No representations from surrounding occupiers 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
- SP5: Distribution of Employment Growth 2012 - 2031
- SP7: Sustainable Urban Extensions
- SP23: Green Infrastructure
- SP24: High Quality Design
- SP25: Historic Environment
- SP26 National Forest
- SP27 Climate Change, Water Body Management and Flooding
- SP29 Biodiversity and Geodiversity
- 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
- DP6 Protecting the Historic Environment: Other Heritage Assets
- DP7 Pollution and Contamination

### 'Made' Neighbourhood Plans

#### Branston

- B1 – Integrating New development with Existing Communities
- B2 – Design
- B3 – Protection of Local Heritage Assets
- B4 – Local Landscape Character
- B6 – Landscaping and Protecting Biodiversity

### Supplementary Planning Documents

East Staffordshire Design Guide  
Parking Standards



## Assessment

7.1 It is considered that the key issues relevant to the determination of this application are as follows:-

- Principle of the Development
- Design and Impact on the Character and Appearance of the Area
- Historic Environment
- Access and Highway Matters
- Flood Risk and Drainage
- Ecology and Biodiversity

## 8. Principle of Development

### Relevant Policies

- 8.1 Policy SP5 of the Local Plan sets out the employment strategy for the Borough and directs employment development to Burton upon Trent and Uttoxeter with the Branston Locks site allocated for the provision of up to 20 hectares of employment development.
- 8.2 Policy SP7 of the Local Plan identifies the Branston Locks site as an allocated Sustainable Urban extension (SUE) and identifies the provision of residential, retail, leisure, cultural, sport, community and health facilities as well as a range of different employment uses on a specified part of the allocation.

### Assessment

- 8.3 The site forms part of the eastern section of the Branston Locks Sustainable Urban Extension (SUE) site allocated in Policy SP7 of the Local Plan and which was granted outline planning consent in 2015 in line with the requirements of Policy SP7.
- 8.4 This is a reserved matters application for the second phase of employment development within the SUE and is subject to the conditions, S106 Agreement and approved Design Guide attached to the original outline consent. These provisions are referenced where relevant throughout this report.
- 8.5 The outline consent approved up to 92,900sqm of employment floorspace (B1, B2 and B8 uses), these proposals form the second phase of the employment development at the site and would provide 15,937 sqm of employment floorspace in addition to the 21,753sqm approved under Phase 1, totalling 37,690sqm of the total.
- 8.6 The principle of the development of this part of the site as an employment park was established under the original outline consent, approved Design Guide and S106 Agreement.

## 9. Design and Impact on the Character and Appearance of the Area

### Relevant Policies

- 9.1 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.

- 9.2 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.
- 9.3 Policy DP1 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.
- 9.4 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.
- 9.5 Policy B2 of the Branston Neighbourhood Plan requires all new development to be of a high design quality and 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.
- 9.6 The original outline consent and approved Design Guide set criteria for the design of the overall site. This included character areas with their own set of parameters and design framework. The application site forms part of the Waterside employment park identified in the design guide, which indicated that the larger units should be allocated along the eastern side of the site and provide a mix of employment uses, with more modest office buildings located adjacent to the canal with a pedestrian link across the canal to the local centre and residential developments.

#### Assessment

- 9.7 The proposals form the second phase of the employment park and the building would be located adjacent to the access road, with the service yard and HGV parking to the rear of the building (adjacent to the A38) and the car parking and access road to the service yard set to the southern end of the building. The building would have a similar design to the 3 units approved under Phase 1 whilst providing a larger unit to meet the needs of the end user, in line with the guidance in the approved Design Guide. The illustrative masterplan for the employment park shows that this unit would be the largest within the development. The land to the west of the site, between the development and the canal will include the continuation of the access road to the north and landscaping that will be determined under discharge of condition 24 on the original outline consent.
- 9.8 The three storey office accommodation for the unit will provide large glazing elements situated on the southern end of the western elevation overlooking the

landscaping and the canal, as well as providing surveillance of the access road and an entrance feature designed to provide legibility for visitors to the building.

- 9.9 The size and massing of the building is in line with the Design Guide criteria for the employment park, which indicated a size range of between 5 – 200m (width) and 10 - 400m length of buildings for warehouse purposes. However the proposed height at 17.5m does exceed the maximum height within the Design Guide which indicates between 6 – 15m. The building will be used to store ladders and access towers which by their nature are tall in height and require tall racking systems for their storage and the picking of goods. The company utilise VNA (Very Narrow Aisle) racking and forklift trucks as this is the most efficient way to maximise the density of the storage locations. The racking used is 13.5m in height and therefore requires a clear internal height of 15m to allow for its use, hence the overall external height of the building at 17.5m. Without a clear 15m internal headroom the company would require double the floorspace to accommodate the storage required to allow this to be the company's national distribution centre. The company are keen to remain within the Borough but require the level of storage applied for to make the scheme viable. It should also be noted that an overall height of 17.5m for a modern building of this size is a recognised height and buildings of similar height have been approved elsewhere within the Borough. The additional height is considered to be minimal and acceptable as it is dictated by the internal height requirements of the end user.
- 9.10 The proposed materials would provide variety in terms of colour and horizontal and vertical emphasis to break up the overall massing of the building. During the course of the application amended elevational details have been negotiated to add additional timber cladding panels to the western (front) elevation facing the canal. This has the effect of breaking up the elevation to reduce its impact and takes on board the comments made by the National Forrest Company in providing additional timber within the scheme. The orientation of the building means that the main elevation will face the canal and the future development beyond, this orientation is required in order to achieve the required size and specifications required by the end user. The service yard and HGV parking and manoeuvring will all be set to the rear of the building, to improve the appearance and reduce any noise to the development on the opposite side of the canal.
- 9.11 The A38 forms the eastern boundary of the site and sits at a higher level than the site and large industrial/commercial buildings sit on the opposite side of the A38 within First Avenue.
- 9.12 The site will be accessed off a newly constructed junction off Branston Road, approved as part of the outline consent and will provide access to the employment park only.
- 9.13 Landscaping proposals are included in the submission for the immediate site and includes some tree planting, hedging, and shrubs (low and high level). The on-plot landscaping has been designed to use native species, with the hedgerows to the car parking boundary being of single species to provide a degree of formality and similar to that approved on Phase 1. The hedges also serve the function of providing a degree of softening to the car parking areas and a sense of containment, whilst allowing permeability and inter-visibility to

promote an active frontage. Whilst the on-site landscaping is restricted to the southern end of the frontage and the car parking area, the landscaping to be provided between the site and the canal under discharge of condition 24 on the outline consent is far more extensive and includes woodland copse planting, wildflower meadows (part of an attenuation basin), grass, reedbed and trees, this will be assessed against the approved Open Space Strategy and Masterplan for the entire site.

- 9.14 It is considered that the overall design and layout of the site is in compliance with the original outline consent and the associated S106 Agreement and whilst the overall height of the units would not meet the 15m maximum height included in the approved Design Guide for the site, the height is considered acceptable as it meets the specific requirements of the end user and if the height was reduced the user would require a much larger floorspace. It is considered that the proposals would be in compliance with Policy SP24 of the Local Plan and the East Staffordshire Design Guide.

## **10. Historic Environment**

### Relevant Policies

- 10.1 Section 16 of the National Planning Policy Framework states that proposals should not pose significant harm to any heritage asset and should aim to preserve or enhance the asset by way of sensitive and appropriate design.
- 10.2 Paragraph 184 of the National Planning Policy Framework states that Local Planning Authorities should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. Policy DP5 of the Local Plan states that development which protects the character of listed buildings and conservation areas will be permitted.
- 10.3 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 provides that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Again, as for the Section 72 duty referred to above, case law has established that this means that considerable importance and weight has to be given to that statutory duty when balancing the proposal against other material considerations.
- 10.4 Policy SP25 of the Local Plan indicates amongst other things that development proposals should protect, conserve and enhance heritage assets and their settings, taking account of their significance, as well as the distinctive character of the Borough's townscapes and landscapes. Such heritage assets may consist of undesignated and designated assets including conservation areas, listed buildings, scheduled monuments, archaeological sites, registered parks and gardens and historic landscapes which contribute to the Borough's historic environment and local distinctiveness.
- 10.5 Detailed Policy 5 goes into more detail regarding Historic Assets, Listed Buildings, Conservation Areas and Archaeology. Detailed policy 6 aims to protect other heritage assets which are not necessarily covered by listed building or conservation area status, such as shopfronts and the setting of important historic landscapes.

10.6 Policy B3 of the Branston Neighbourhood Plan seeks to protect local heritage assets

Assessment

10.7 The nearby heritage assets include the canal conservation area, Sinai Park, Shobnall Grange (Grade II Listed) and a canal milepost (Grade II Listed). The Canal conservation area is the only asset within the immediate area, the others are all set some distance from the development.

10.8 Notwithstanding the Inland Waterways comments on the application the proposed landscaping provides some screening between the canal conservation area and on sight lighting, both tree planting and by directing lamps facing away from the direction of the canal. Whilst there will be an extensive elevation of the building facing the canal the addition of further timber cladding to the front elevation and the extent of landscaping between would soften the impact of the building on the canal.

10.9 The nature of the use approved at outline is that structures on site will be visible from the environs of Sinai Park, particularly in winter, however intervening vegetation, distance, the backdrop of the elevated A38 all combine to minimise those impacts and there is nothing particular about the detailed reserved matters proposals which might exacerbate impacts or fail to take advantage of opportunities to minimise impacts.

10.10 The submission has taken account of nearby heritage assets and adopted an approach which minimises impact and maximises enhancement in terms of landscaping, design and materials of building and it is considered that the proposals would have no adverse impact on the local heritage assets and would be in compliance with policy SP25 of the Local Plan.

## 11. Highway Matters

### Relevant policies

11.1 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.

11.2 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.

11.3 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.

11.4 The Parking Standards SPD requires the following for B1, B2 and B8 uses:

B1 – 0 - 240sqm – 1 space per 20sqm

240sqm + - 1 space per 30sqm

B2 – 0 – 240sqm – 1 space per 20sqm

240 – 1000sqm – 1 space per 50sqm

1000sqm + - 1 space per 80sqm

B8 – 0 - 240sqm – 1 space per 20sqm

240 – 1000sqm – 1 space per 50sqm

1000sqm + 1 space per 80sqm

Sufficient lorry spaces will also be expected.

11.5 Policy B11 of the Branston Neighbourhood Plan only relates to car parking provision for residential development and is therefore not applicable in this case.

#### Assessment

11.6 The site will be accessed off a newly constructed junction off Branston Road, approved as part of the outline consent and will provide access to the employment park only. The access road will not link in any way to the remainder of the SUE site.

11.7 Ultimately the Branston Locks site as a whole will have a primary route through it, running from Branston Road through to Shobnall Road, designed to allow for a local bus service if required. Whilst this will not directly link to the employment park access road the Design Guide does include a pedestrian route from the employment park to the remainder of the site over the canal, which will form part of a further reserved matters application for the new local centre.

11.8 The proposed number of parking spaces, level of disabled parking, motorcycle spaces and cycle storage facilities as well as the design and layout of the parking areas would fully comply with the Parking Standards SPD. The car parking would sit at the southern end of the building, seen against the backdrop of the buildings with landscaping surrounding to reduce the impact of the parked vehicles. HGV parking would be provided within the service yard to the rear so would be screen from full views from outside of the site. Electric vehicle charging points will also be provided within the development.

11.9 Condition 22 on the original outline consent requires that an emergency access route be provided when the employment floorspace reaches 54,974sqm. The employment floorspace has not reached this level but the developer has been reminded of their responsibility of this condition in the overall design of the employment park.

11.10 A Framework Travel Plan for the site as a whole was approved under the outline consent and included in the S106 agreement.

- 11.11 A Strategic Construction Management Plan for the site as a whole has also already been agreed through the discharge of Condition 11 on the outline consent.
- 11.12 It is therefore considered that the proposals would comply with the outline consent, the Design Guide and S106 agreement already in place and would not prejudice the safe or efficient use of the highway network in compliance with policies SP1 and SP35 of the Local Plan and the Parking Standards SPD.

## **12. Flood Risk and Drainage**

### Relevant Policies

- 12.1 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.
- 12.2 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.

### Assessment

- 12.3 The Environment Agency have raised no objections to the proposals. Severn Trent Water and the Local Flood Authority are currently assessing the drainage details for this Phase of the development submitted to discharge Condition 40 on the original outline consent and have already agreed the details to discharge this condition on Phase 1 of the development.

## **13. Ecology, Biodiversity and Trees**

### Relevant Policies

- 13.1 Paragraph 118 within Section 11 of the National Planning Policy Framework states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, planning permission should be refused.
- 13.2 The Natural Environment and Rural Communities Act 2006 states that public authorities in England have a duty to have regard to conserving biodiversity as part of policy or decision making.
- 13.3 Strategic Policy 29 lists criteria including development retain features of biological interest produces a net gain in biodiversity in line with Staffordshire biodiversity action plan species and supporting developments with multi-functional benefits.

## Assessment

- 13.4 Details to discharge conditions on the original outline consent have been submitted for approval under separate applications, these include ecology, tree protection, drainage strategy and landscaping of strategic areas and will be fully assessed by the relevant consultees in line with the original consent, the approved Design Guide and S106 Agreement.
- 13.5 Whilst the National Forest have raised some concerns about the level of on-site landscaping and tree planting, it should be noted that 4 extra heavy standards trees will be planted on the frontage of the car park area as well as hedging and shrub planting. Whilst this will not screen the building the landscaping scheme submitted for discharge of condition 24 on the original outline consent (Strategic Green Infrastructure for the whole site) includes tree planting on the land between the canal and the site as well as other planting and attenuation basin and this scheme will be assessed in line with the National Forest requirements. In addition further timber cladding panels have been added to the front elevation of the building in line with the comments made by the National Forest Company in adding further timber to the design.

## 14. Section 106 Contributions

- 14.1 As set out within the above report this is the second phase of the employment element of the overall development of the Branston Locks SUE approved in outline in 2015 and the subject of a S106 Agreement. The proposals are considered to be in line with the requirements of the original S106 and no further contributions can be sought at this time.

## 15. Other Matters

- 15.1 Further to the submission of details with this application and referred to in the report above, the following conditions attached to the outline consent can be discharged:
- Condition 2 (Reserved Matters Submission)
  - Condition 4 (Statement of Compliance)

## 16. Conclusions

- 16.1 The proposals represent the second phase of the employment development of the SUE site known as Branston Locks, approved in principle in 2015 with an outline planning consent, approval of a design Guide for the site as a whole and the accompanying S106 Agreement.
- 16.2 The proposals will provide a single large employment unit for use within use Classes E1, B2 and B8. The submitted details for this reserved matters application demonstrate that the development will fit acceptably into the context of the site and the proposed built form by way of its siting, scale, massing and design. It is considered that the proposals would have no material harm by reason of amenity to the future occupiers of the remainder of the of the Branston Locks SUE development. The Highway Authority have no issues in terms of highway safety and it is considered that the surface water and flooding



issues and ecology and biodiversity relating to the site will be satisfactorily resolved through the discharge of conditions on the original outline consent.

- 16.3 The details of access, appearance, landscaping, layout and scale of the development have been assessed against the original outline consent and its conditions, the approved Design Guide and the S106 Agreement and it is considered that the proposals are in accordance with these (apart from the overall height of the building that is explained within the report) as well as the aims and policies of the Local Plan and the NPPF.

#### 16.4 RECOMMENDATION

APPROVE RESERVED MATTERS subject to the following conditions

##### 1. Approved Plans

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:

Site Location Plan Drawing 21169 P0001 Rev C D dated as received on 18-06-2021

Proposed Site Layout Plan Drawing 21169 P0002 Rev F dated as received on 02-06-2021

Proposed Building Layout Drawing 21169 P0100 Rev C dated as received on 02-06-2021

Proposed Office Layout Drawing 21169 P0101 Rev C dated as received on 02-06-2021

Proposed Elevations Drawing 21169 P0102 Rev D dated as received on 13-09-2021

Proposed Roof Layout Drawing 21169 P0103 Rev C dated as received on 02-06-2021

Proposed Building Section Drawing 21169 P0104 Rev C dated as received on 02-06-2021

Proposed Transport Office Layout Drawing 21169 P0105 Rev B dated as received on 02-06-2021

Proposed Gatehouse Details Drawing 21169 P0009 Rev C dated as received on 02-06-2021

Proposed M and E Compound Details Drawing 21169 P0007 Rev C dated as received on 18-06-2021

Proposed Refuse Enclosure Details Drawing 21169 P0006 Rev C dated as received on 18-06-2021

Proposed Cycle Shelter Details Drawing 21169 P0005 Rev B dated as received on 02-06-2021

Proposed Fencing Details Drawing 21169 P0004 Rev B dated as received on 02-06-2021

Proposed External Surfacing Drawing 21169 P0003 Rev B dated as received on 02-06-2021

External Materials Schedule dated as received on 02-06-2021

External Materials Plan dated as received on 02-06-2021

Soft Landscaping Strategy dated as received on 02-06-2021

Soft Landscaping Proposals 1 of 2 Drawing 21-64-01 dated as received on 02-06-2021

Soft Landscaping Proposals 2 of 2 Drawing 21-64-02 dated as received on 02-06-2021

External LED Lighting Assessment Report by mba Consulting Engineers dated as received on 02-06-2021  
Indicative External Lighting Layout Drawing 21-084-EX-001 dated as received on 02-06-2021  
Heritage Compliance Statement by JLL dated as received on 02-06-2021  
Planning Supporting Statement by JLL dated as received on 02-06-2021  
Design and Access Statement dated as received on 02-06-2021

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 highway(s) in accordance with East Staffordshire Local Plan Policies SP1, SP5, SP7, SP23, SP24, SP25, SP26, SP27, SP29, SP35, DP1, DP2, DP5, DP6 and DP7, the East Staffordshire Design Guide, the Parking Standards SPD, Branston Neighbourhood Plan Policies and the National Planning Policy Framework.

## **2. Materials**

All external materials used in the development shall be as set out on the plans listed under condition 1 and as set out on the application form unless otherwise first agreed in writing with the Local Planning Authority.

Reason: To safeguard the character and appearance of the building(s) and its surroundings in accordance with East Staffordshire Local Plan Policies SP1, SP24, SP25 and DP1, the East Staffordshire Design Guide and the National Planning Policy Framework.

## **3. Landscape Implementation**

All planting, seeding or turfing comprised in the approved details of landscaping required under conditions 1 shall be carried out in the first planting and seeding season following the completion of the development, and any trees or plants which within a period of 5 years from the completion of the landscaping scheme installation 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. Trees within the public realm shall be heavy gauge and those flanking the entry to the site shall be extra heavy gauge.

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 Policy SP1, SP24 and DP1, the East Staffordshire Design Guide and the National Planning Policy Framework.

## **4. Noise**

Prior to the commencement of the development in order to ensure that the proposal will have no significant adverse noise impact, a BS4142:2014 *Methods for rating and assessing industrial and commercial sound*, assessment shall be undertaken and a scheme of appropriate mitigation submitted to and agreed by the LPA. Any mitigation shall be implemented prior to the first use of the proposal, and maintained thereafter.

The above assessment shall be considered in the context of the other permitted Quintus phases and also the broader Branston Locks planning permissions, particularly in terms of the nearest receptors, permitted but not yet developed.

Reason: In the interests of the amenity of the future occupiers of the remainder of the Branston Locks Sustainable Urban Extension in accordance with East Staffordshire Local Plan Policy DP7 and the National Planning Policy Framework.

#### **5. No Working or Storage in the Open**

No working or storage shall take place in the open areas of the site, except for loading and unloading of vehicles hereby approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of the area and in the interests of existing and future occupiers of the remainder of the Branston Locks Sustainable Urban Extension in accordance with East Staffordshire Local Plan Policy SP24, DP1 and DP7 and the National Planning Policy Framework.

### **Details Approved under Conditions attached to Planning Application P/2012/01467: 2 and 4**

#### **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. Ecological Responsibilities**

The applicant(s) is/are advised that this permission does not absolve them from their responsibilities in relation to protected species. If evidence of bats is found during demolition all work should cease and the services of a licensed ecologist procured to ensure an offence is not committed.

#### **17. Background papers**

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

- Local and national policies outlined in above in section 7
- Papers on Planning application file P/2012/01467 and associated discharge of condition files
- Planning application file P/2020/01468 for phase 1 of the employment park

**18. Human Rights Act 1998**

18.1 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.

**19. Crime and Disorder Implications**

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

**20. Equalities Act 2010**

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

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