

Agenda Item:	5.2
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Site:	Branston Locks Primary and Nursery School, Branston Locks, Branston Road, Tatenhill, Staffordshire, DE13 9SB
Proposal:	Reserved Matters application relating to P/2012/01467 for the construction of a Primary and Nursery School, creation of new access, parking, amenity space, landscaping, formation of a Multi-Use Games Area (MUGA), fencing and other associated works including details of access, appearance, landscaping, layout and scale

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](#)

Application Number:	P/2023/00578	
Planning Officer:	Barbara Toy	
Type of Application:	Reserved Matters	
Applicant:	Tilbury Douglas Construction Ltd	
Ward:	Branston	
Ward Member (s):	Councillor A Clarke Councillor A A Afsar Councillor M Huckerby	
Date Registered:	01/06/2023	
Date Expires:	31/08/2023 Extension of time agreed until 29-09-2023 to allow for time to negotiate the details of the new access road and report the application to Planning Committee	
Reason for being on Agenda	Major Application	
Officer Recommendation	Approve subject to conditions and signing of a Unilateral Undertaking	

1. Executive Summary

- 1.1 The site comprises a central element of the Branston Locks SUE approved in outline in 2015, and comprises an area allocated for a Primary School and a Local Centre. The site comprises 2.9 hectares of green field land that is flat and roughly rectangular in shape that sits approximately in the centre of the southern end of the overall development site. The site sits immediately to the east of a section of Strategic Green Infrastructure that runs north/south through the SUE with 3 existing residential phases of the development (Cameron Homes and Taylor Wimpey) set to the south and south west of the site and a further residential approval (Crest Nicholson) set to the west of the site.

- 1.2 This reserved matters application is for the consideration of access, appearance, landscaping, layout and scale for the erection of a Primary School to accommodate 420 pupils and a 52 place nursery. The school is set to open in September 2024.
- 1.3 The principles of the development of the site to provide a primary school has been established through the outline consent and the associated S106 Agreement together with design principles approved under the Approved Design Guide for the SUE as a whole.
- 1.4 John Taylor MAT (The Trust) have been appointed by the DfE to run the new school, which is being built as part of the DfE Free School Programme (Wave 13) and the applicants are the appointed contractor for the construction of the new school.
- 1.5 The school building will be set to the west of the main spine road, which will be extended along the frontage of the school to provide access, with the building set back from the road with extensive landscaping to the frontage. The building will have a long frontage to the road of varying heights with a two storey main teaching wing set to the rear. The design and layout of the building and use of materials is considered appropriate for the site, providing a modern architecturally distinctive building whilst drawing on materials already used within the residential phases within the estate. The design is considered appropriate for the location in the central hub of the estate and the layout will allow for expansion of the school in the future if required. The scale and massing of the building with a mix of single and two storey heights is considered appropriate and acceptable within the street scene and is in line with the Approved Design Guide in terms of the height and massing of the building.
- 1.6 Sports facilities including an all-weather MUGA will be provided to the rear of the site and segregated vehicle and pedestrian access points will be provided together with 48 staff car parking spaces provided in the south eastern corner and on site cycle storage in line with the Parking Standards SPD.
- 1.7 There is no provision for parental drop off/pick up within the school site in line with the DfE and SCC Schools Organisation Team guidance. The design of the spine road extension has been amended during the course of the application, extending the new road the length of the school site and provision of a turning head. The additional length of road will allow for drop off/pick up on street if required and provides a safe turning facility for vehicles.
- 1.8 The spine road extension forms a separate Discharge of Condition application (Condition 18 on the outline consent) which is under consideration by SCC Highways. The design and layout has been negotiated during the course of the application to ensure pupil safety and compliance with the Approved Design Guide in creating a distinctive section of road different to other parts of the estate.
- 1.9 The proposals include extensive landscaping to the frontage and around the site and includes the planting of 35 native trees. The proposals would enhance the natural habitat and ecological mitigation measures are included.
- 1.10 The building has been designed to meet the DfE requirements for the building to achieve Net Zero Carbon in Operation (NZCiO) and this will be achieved through energy efficient fabric and services together with onsite renewables.
- 1.11 Following the receipt of additional information and amended plans 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 and the approved Design Guide.

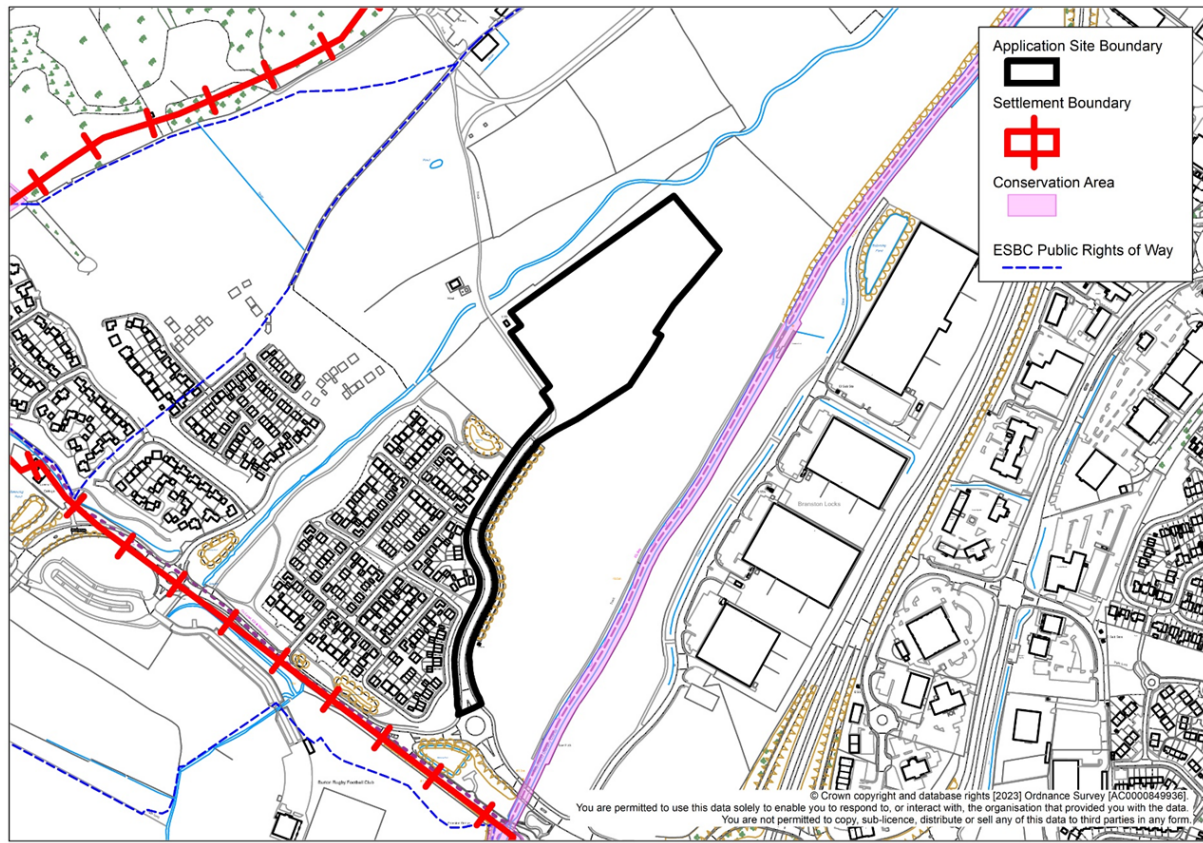
- 1.12 Objections from 8 neighbours, 2 parish councils and Kate Kniveton MP have been received in relation to the original submission, with the majority of concerns being raised regarding the lack of drop off/pick up facilities, increase in traffic, likely increase in parking in surrounding residential streets, pupil safety and insufficient on-site parking.

Following the receipt of amended plans for the school, neighbours, ward members, 3 Parish Councils and Kate Kniveton MP have been re- consulted and advised of the amended road design, the consultation period is due to end on 22-09-2023 so any additional comments made will be reported in the update to Committee.

- 1.13 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 as well as the aims and policies of the Local Plan and the NPPF. In line with the S106 Agreement instalment payments have been paid by the developers, in line with the triggers in the S106 towards the Primary School contribution. It is considered that the proposal will not have any adverse impact on the amenities of the surrounding residential occupiers, will not have a detrimental impact highway safety, or the general character of the area.
- 1.14 Whilst the original S106 Agreement requires the provision of access for the school prior to the school opening it does not include the requirement for the provision of a turning head. As such in order to ensure the provision of, maintenance and retention of the turning head, required for the safe operation of the school, Nurtons who are the overall site promoter have agreed to enter a Unilateral Undertaking, which is required to be signed prior to the issue of the decision notice on this application.

In light of the above conclusions on the planning merits of the case, the application is recommended for **approval** subject to conditions and a Unilateral Undertaking.

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. Site and Surroundings**

- 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 the A38 dual-carriageway with the Trent and Mersey Canal running north south through the site towards the eastern side. On its most northern boundary, the site accesses Shobnall Road and on its southern/south-eastern boundary, the main site fronts onto Branston Road which has undergone significant highway improvement works to aid access from the A38 to the site and to the John Taylor Free (High) School. The north-western boundary extends to the foot of a long wooded 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 off Shobnall Road and Branston Road.
- 2.2 Under Policy SP7 of the Local Plan the overall 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/promoter/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. Nurtons are responsible for the provision of the main spine road through the site as a whole and for the strategic green infrastructure. The developers of each phase are responsible for their own reserved matters applications and discharge of their own conditions.
- 2.4 The application site comprises approx. 2.9 hectares of green field land, that is flat and roughly rectangular in shape that sits approx. in the centre of the southern end of the overall development site. Immediately to the west of the site is a section of the strategic green infrastructure that runs north/south through the development as a whole. To the south and west (beyond the green infrastructure) of the site are three of the residential phases of the SUE, Taylor Wimpey to the south, Cameron Homes Phase 1 to the south west and Cameron Homes Phase 2 (still under construction) to the west. Cameron Homes Phase 1 and the Taylor Wimpey sites are both completed and occupied and comprise 271 homes, with a further 239 on Cameron Homes Phase 2 and 284 homes have also recently been approved at reserved matters for Crest Nicholson to the north of Cameron Phase 2. The application site is identified within the approved Design Guide attached to the outline consent as allocated to provide a Primary School. The site will be accessed from the main spine road that will eventually run the length of the site from Branston Road through to Shobnall Road at the northern end of the site where the Lovell Homes development of 190 houses is currently under construction.
- 2.5 The application site together with the wider site is greenfield land previously in arable use. There are no listed buildings within the vicinity of the site and the closest conservation areas are Tatenhill (set to the south west) some distance from the site and the Trent and Mersey Canal (set to the east), which separates the residential element of the SUE from the industrial development and there is built development or planned built development between the application site and the Canal Conservation Area
- 2.6 The site lies within Flood Zone 2.

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.

Residential Phases

- 3.2 **P/2017/00923** Reserved Matters for the erection of 70 dwellings, including details of access, appearance, landscaping, layout and scale. Cameron Homes (Phase 1) 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 (Phase 2) GSC 17-12-2019
- 3.5 **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
- 3.6 **P/2022/00642** Reserved matters for the erection of 284 dwellings and associated garaging, public open space and associated works. Crest Nicholson GSC 26-04-2023
- 3.7 Various Section 73 applications to make minor changes to the above reserved matters approvals and various and numerous discharge of conditions applications for each phase of the development.

Industrial Phases

- 3.8 **P/2020/01468** Reserved Matters 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. Quintus Phase 1 GSC 28-04-2021
- 3.9 **P/2021/00777** Reserved Matters 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. Quintus Phase 2 GSC 04-10-2021

Spine Road

- 3.10 **P/2023/00035** Discharge of Conditions application by Nurtons for Condition 18 on the outline consent P/2012/01467 to extend the spine road to allow access to the new school site. This is a current application that is under consideration by SCC Highways.

4. The Proposal

- 4.1 This is a reserved matters application for a new primary school following an outline consent and S106 Agreement that required the provision of a Primary School within the SUE. This application is made by Tilbury Douglas Construction, the appointed contractor for the new school, on behalf of John Taylor Multi-Academy Trust (The Trust).
- 4.2 The Trust have been appointed by the Department for Education (DfE) to run the new school, so they are working closely with Tilbury Douglas Construction on the requirements and details of the new school. The school is being built as part of the DfE Free School Programme (Wave 13).
- 4.3 The school building would be set to the west of the main spine road (to be extended along the frontage of the school) and the building would be set back from the road with extensive landscaping to its frontage.
- 4.4 The proposed primary school will be 2 form entry and will accommodate 420 pupils between the ages of 4 – 11 and a 52 place nursery and it is estimated that there will be 39 full time staff between the school and nursery.

- 4.5 The building would comprise an inverted T shape, with a long façade facing the road with a wing set behind. The frontage would be single storey and would accommodate the administration, nursery space and school entrance which will extend to double height for the hall block and then single height spaces for the kitchen and plant set to the northern end of the building. The rear wing of the building would be two storey and would provide the library and teaching spaces, with KS1 on the ground floor, with the library and KS2 at first floor together with the staff room, with two staircases one at either end of the wing.
- 4.6 As well as the main buildings, the proposals also provide a servicing/delivery compound to the northern end of the building, separate play areas for KS1, KS2, early years and nursery (including covered canopies for the nursery for external play), football pitch/running track to the north west of the site, a MUGA (providing 2 x 5 aside pitches, or netball, tennis or basketball courts) to the rear of the rear wing of the building and an informal football pitch/grassed play area to the west of the building.
- 4.7 The main visitors' entrance would be positioned centrally on the front elevation identifiable with brickwork detailing, extensive glazing and signage. Landscaping together with wall and railings to the frontage will provide an open aspect whilst maintaining security. The side and rear boundaries of the site would be 2.4m high secure fencing to meet the security requirements of the school.
- 4.8 Vehicle access and car parking would be set to the south of the building off an estate road off the main spine road. A total of 48 car parking spaces will be provided including 2 disabled spaces 2 electric vehicle charging spaces and ducting for a further 2 at a later date. 2 minibus bays and 10 staff cycle spaces would be provided adjacent to the car park with 42 pupil cycle storage spaces provided in two locations within the site as well as scooter storage area adjacent to the nursery. Four pedestrian access points will be provided into the school, 3 from the frontage (1 visitor and 2 pupil entrances) and 1 adjacent to the car park to the side.
- 4.9 The extension of the spine road (to the north of the existing) to allow access for the school, forms a current discharge of conditions application (condition 18 on the outline consent) currently under consideration by the Highway Authority. The design and extent of the road layout has been amended during the course of the application to meet the requirements of the new school and overcome highway safety concerns.
- 4.10 No provision for parent drop off or pick up is included within this application, the school is in a highly sustainable location and The Trust wish to promote access to the school by foot, cycle and public transport. The spine road extension has been amended during the course of the application however to extend the new road the full length of the school site and provide a turning facility.
- 4.11 The school buildings would have a contemporary design, using a simple palette of materials: buff brick, off white render, contrasting windows, doors and detailing in graphite grey and contrasting Staffordshire blue brick banding to the main entrance area with lighter grey roof trims and rainwater goods.
- 4.12 The design includes varying flat roof heights, parapet walls, rhythm of windows and brick banding detailing. The height of the building on the frontage varies between 5.3m – 8.9m and the rear wing is predominantly 9.6m in height with the stair case element rising to 12m. The frontage of the building has a width of 61m and the rear wing would extend 62m in length.

- 4.13 A service entrance is proposed to the north of the building off the main spine road, separate to the main pedestrian entrances and car park entrance.
- 4.14 There are 7 trees and 2 hedgerows on or near the site, the oak tree (T9) within the site is to be removed. A total of 35 new trees will be planted on site together with new soft landscaping including hedging and shrub planting is proposed to the frontage and around the site.
- 4.15 It is The Trust's intention that the school facilities will be available for use outside of school hours, to provide before and after school care and for use by the community and are keen to develop third party use of facilities and promote shared use, but no details of this are known at this time. The use is likely to include use of the hall, activity studio and kitchen (all on the frontage of the building) as well as the sports field and MUGA. A condition is recommended to secure a community use scheme to be agreed prior to the first use of the site for community use.
- 4.16 The submission indicates that the school would be open:
Weekday for school use 0730 - 1530 hours
Weekday wider school hours 0730 – 2000 hours
Weekend wider school hours 0800 – 1700 hours
- 4.17 Being a new school and given that only approx. 1000 houses have been approved to date within the overall SUE, the school will have a phased intake staggered across a number of years and is unlikely to be at full capacity for up to 6 years. By this time the local centre should be approved and operational with public parking forming part of the design and layout, which will allow for shared trips to the local centre and the school. The Approved Design Guide for the SUE was specifically designed to include the school and the local centre together towards the centre of the site, providing a hub of activity in one location.
- 4.18 It is noted that works started on site at the beginning of September. The works however represent site enabling works all detailed in Informative 1 of the original outline decision notice, which can be undertaken prior to the issue of a planning decision on any phase of the development of the SUE. The start of the site enabling works was considered a necessity due to the build time for the development and the requirement for the school to open in September 2024.

List of supporting documentation

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

- All drawings associated with the proposals
- Planning Statement
- Design and Access Statement
- Compliance Statement
- Transport Assessment
- Landscaping Details and Planting Schedule
- Landscape and Ecology Management Plan
- Archaeological and Heritage Statement
- Archaeological Written Scheme of Investigation
- Bat Survey
- Preliminary Ecological Report
- Arboricultural Impact Assessment & Method Statement
- Geo environmental Investigation
- Air Quality Assessment
- Acoustic Report
- External Lighting Strategy

- Flood Risk Assessment and Drainage Strategy
- Site Waste Management Plan
- Construction Method Statement
- MUGA Specification
- Fencing Details

4.20 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	Two Parish Councils	<p>Tatenhill & Rangemore</p> <p>Whilst the Parish Council understand the need for a primary school concerns over the proposed parking proposals.</p> <ul style="list-style-type: none"> • 45 parking spaces is not adequate for 39 staff, the remaining spaces will not be adequate for visitors to the school, there is also a 52 place nursery that does not appear to have any parking provision • No drop off or pick points are proposed, which are essential • The PC are aware of the current traffic and parking issues at John Taylor Free school, where parking restrictions have no impact on students and visitors • A further school in this location will bring the area to a standstill • The spine road should be completed before the school is built, giving an alternative route to the school • Staggered start and finish times should be considered to alleviate some traffic <p>Branston</p> <ul style="list-style-type: none"> • Object to the decision that no parking and drop off points for parents are necessary • 45 parking spaces is not adequate for 39 staff, the remaining spaces will not be adequate for visitors to the school, there is also a 52 place nursery that does not appear to have any parking provision • For the safety of children drop off and pick up points are required outside of the school. There is an enormous amount of empirical evidence suggesting there is a definite need for this facility to be provided, particularly where vulnerable primary and nursery children are involved. • During campaigns for the Borough elections earlier this year, this topic was one of the most contentious local issues raised not only for the Branston Ward, but for the entire Borough. We have a perfect opportunity to at long last get this right for our schoolchildren, their parents and for residents who are blighted with irresponsible parking during drop off and pick up times.
5.3	SCC Highways	<p>No objections subject to conditions.</p> <p>The impact of a school as part of the overall development was assessed at the time of the outline consent. The original S106 Agreement secures the road access to the school, but a turning head has been added to the road scheme, which is to be</p>

		<p>secured through a Unilateral Undertaking.</p> <p>A Travel Plan has been submitted in line with the original S106 and Framework Travel Plan, but provides insufficient detail, an updated Travel Plan for the school should be secured through a condition and a monitoring fee should be secured through a Unilateral Undertaking or updated S106.</p> <p>The on-site car parking and cycle storage complies with the Parking Standards SPD.</p> <p>The County Council Schools Team's policy states that parking and drop off points for parents within the school site is not deemed necessary where new schools are located within new housing developments. Therefore it is not possible to require for parent drop off/pick up within the school site.</p>
5.4	SCC Education	No further comments, this new school is being delivered by the DfE through the Wave 13 free school program and there is a signed S106 Agreement detailing the education contributions sought.
5.5	SCC Flood Risk Team	<p>It is noted that Condition 40 (Drainage) from the outline consent is sought for discharge as part of this reserved matters application.</p> <p>Additional information has been sought and the Flood Authority and now satisfied that an appropriate surface water drainage system is proposed. No objections to the discharge of Condition 40 subject to a condition to ensure that the development is implemented in accordance with the revised details submitted.</p>
5.6	SCC Archaeology	An Archaeological Management Plan (AMP) was conditioned under the outline consent P/2012/01467 (Condition 53), and, in line with the AMP, a Written Scheme of Investigation (WSI) is required for each phase of the development. This has been submitted, fully assessed and agreed.
5.7	Environment Agency	Whilst parts of the wider site fall within areas of high flood risk the current application, supported by flood modelling, falls within Flood Zone 1, the low risk Zone. As such, having reviewed the submitted plans and topographic information, we would have no comments to offer at this time.
5.8	Severn Trent Water	No objections as all drainage has been agreed under S104 with Severn Trent.
5.9	NatureSpace (Newt Officer)	The site falls within the amber impact risk zone for great crested newts. Satisfied with the submitted ecology report and its suggested reasonable avoidance measures which should reduce and avoid any likely impact the development may ensue upon great crested newts subject to a condition to ensure implementation in accordance with the ecology report and an informative to remind the developer of their responsibilities towards great crested newts.
5.10	Architectural Liaison Officer	No objections, security and design advice provided and forwarded to the agent
5.11	Canal & River Trust	No comments
5.12	Sport England	Sport England raises no objection but it is recommend that the specification and construction of the playing field and MUGA accords with the relevant Sport England's Design Guidance Notes. This detail could be secured via conditions.

		Sport England would be supportive of community access to sports facilities which where possible be secured via a community use agreement (CUA).
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Internal Consultees		Response
5.13	Environmental Health	<p><u>Air Quality</u> The submitted Air Quality Assessment and Construction Method Statement provide appropriate details for the control of dust and noise and vibration during the construction phase.</p> <p><u>Noise</u> The Noise Impact Assessment it concludes that the highest predicted noise level at the closest residential receptor will still be within recommended noise guidelines as set out within Sports England noise guidance and therefore the overall impact is considered to be</p> <p><u>Land Contamination</u> No objections subject to conditions regarding any unexpected contamination found and the importation of soil to the site.</p>
5.14	Tree Officer	No objections following the submission of an Arboricultural Method Statement and subject to a conditions to ensure that the development is implemented in accordance with the Method Statement and existing trees are protected during construction.

6. Neighbour responses

6.1 Original Consultation: 8 objections received in addition to an objection from Kate Kniveton MP raising the following comments/objections summarised below:

Neighbour responses	
Principle	<ul style="list-style-type: none"> • Agree with the need for a new primary school
Impacts on Amenity	<ul style="list-style-type: none"> • Loss of outlook
Highways Impacts	<ul style="list-style-type: none"> • Extremely concerned about the surrounding roads between 1500 & 1600 hours on week days, John Taylor Free School already causes gridlock, made worse by an additional school • Despite the large car park, John Taylor Free parents already park on the Cameron Homes and Taylor Wimpey developments and with limited access points from these developments this is an accident waiting to happen • In addition to the residential there is Quintus industrial site and Burton Rugby Club, the area is already extremely busy, so this is not necessarily the right location for a school. • The application is based on the principle of the majority of children walking or cycling to school, deterring car use. This is a sound approach but does not reflect reality. This age group of children will be accompanied to school and parents often base the school drop off around their wider journey to work. • Previously lived close to a school that had significant parent parking at each end of the school day causing significant disruption, moved to get away from this • Parent drop off should not be ignored • Parking and traffic provisions massively underestimated and completely inadequate

	<ul style="list-style-type: none"> • Likely traffic congestion that could impede emergency services and impact on pedestrian safety around a school • Noise and pollution from increase in vehicles on the estate • Significant parking and obstruction issues at school in and out times, witnessed at Shobnall Primary and Rykneld Primary on a daily basis • Suggest a further piece of land is set aside for a parents car park, possibly opposite the school • Suggest a robust traffic management system on residential street, double yellow lines, speed humps and speed cameras to highlight the safety risk to young children. A cycle route with guardrail to keep cyclists safe • Suggest staggered school in and out times between John Taylor Free and the new school to minimize impact on surrounding streets • The ROSPA School Site Road Safety should be taken into consideration • Not only disruption and parking in residential street at school in and out times, but during any school events or indeed community use of the school, so evenings and weekends. • Until the estate is complete pupils are likely to come to the school from outside of the estate, not in walking distance so children will be transported by car. • Serious concerns about the safety of children, parents and local residents from additional traffic and parking
Ecology	<ul style="list-style-type: none"> • Hope replacement bat roosting sites will be provided • How will the existing hunting ground for kestrels, buzzards and barn owls be replaced? • Loss of natural environment
Kate Kniveton MP	<ul style="list-style-type: none"> • Welcome the proposals for the new school, which will be an asset to the community in providing primary and early years education • Support to the Branston Parish Council's comments in providing parental drop-off/pickup points. • It is noted that the planning statement states that the school is strategically placed to be accessible from the 2500 homes to be built, however it is strongly believed that the drop off/pick up facility will help parents to do the school run on their way to work or for those who may not be able to walk that distance

6.2 Local residents, the Parish Councils, Ward Members and MP were re-consulted following the receipt of amended plans for school, including a note to advice of the amended road proposals. The re-consultation period expires on 22nd September 2023 therefore any additional comments received after the publication of this report will be reported in the late paper.

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

SP2: Settlement Hierarchy

SP7: Sustainable Urban Extensions
 SP10: Education Infrastructure
 SP22: Supporting Local Communities
 SP24: High Quality Design
 SP26: National Forest
 SP27: Climate Change, Water Body Management and Flooding
 SP28: Renewable and Low Carbon Energy Generation
 SP29: Biodiversity and Geodiversity
 SP32: Outdoor Sports and Open Space
 SP33: Indoor Sports
 SP34: Health and Wellbeing
 SP35: Accessibility and Sustainable Transport
 DP1: Design of New Development
 DP2: Designing in Sustainable Construction
 DP7: Pollution and Contamination
 DP8: Tree Protection

Branston

B1 – Integrating New development with Existing Communities
 B2 – Design
 B3 – Protection of Local Heritage Assets
 B4 – Local Landscape Character
 B5 – Health and Wellbeing
 B6 – Landscaping and Protecting Biodiversity
 B10 – Safer Roads and Streets
 B11 – Car Parking

Supplementary Planning Documents
 East Staffordshire Design Guide
 Car Parking Standards SPD

Assessment

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
- Highway Matters
- Impact on Residential Amenity
- Flood Risk and Drainage
- Trees, Landscaping and National Forest
- Ecology and Protected Species
- Building Sustainability
- S106 Agreement

8. Principle of Development

- 8.1 The application site forms a central part of the Branston Locks Sustainable Urban Extension (SUE) allocated in Policy SP7 of the Local Plan and which was granted outline consent in 2015 in line with the requirements of Policy SP7.
- 8.2 Local Plan Policy SP10 – Education Infrastructure, identifies the need for a new Primary School within the Branston Locks development.
- 8.3 Local Plan Policy SP22 – Supporting Communities Locally, identifies that new community facilities should where possible be developed as part of a mixed use

development and be accessible by foot or public transport and proportionate for the community which they will serve.

- 8.4 The outline consent and S106 Agreement identifies that a 420 place primary school should be provided within the SUE and the Approved Design Guide identified the application site allocated for the school immediately to the west of the land allocated for the future Local Centre to create a central urban hub of activity towards the centre of the overall site to allow for travel to school by foot and cycle.
- 8.5 The community use of the school and its facilities is encouraged by Sport England and its central location within the overall SUE complies within the guidance for community facilities within Policy SP22 of the Local Plan.
- 8.6 This is a reserved matters application for the provision of a new Primary School in line with the original outline consent, S106 Agreement and Approved Design Guide and in line with Policy SP10 of the Local Plan. The principle of the provision of a primary school in this location is therefore already established and in line with Local Plan policies SP10 and SP22.

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

- 9.1 The Approved Design Guide for the SUE establishes the design parameters and criteria for the whole of the Branston Locks SUE. The school is located to the west of the site allocated for the Local Centre and the Design Guide identifies this as the area for all urban activity with high connectivity and a mix of uses and states that the centre should be architecturally distinctive, drawing on contemporary interpretations of the East Staffordshire's vernacular to create a sense of place and that the school should address the local centre and the public realm.
- 9.2 It is recognised that the Local Centre has yet to be designed and a reserved matters application submitted for it, but the school has been designed to address the street frontage with varied heights and a mixed palate of materials.
- 9.3 The school building is set back from the road, where frontage has been carefully designed with guidance from the Police Architectural Liaison Officer, to meet the needs of the school, creating an attractive public realm whilst ensuring a clear secure boundary, with low bow top railings and extensive planting.
- 9.4 The building itself has a varying roof height, parapet walls, window proportions and positioning as well as facade detailing with buff brickwork with banding through the use of Staffordshire Blues and the use of render. The use of light coloured materials will reduce the absorption of heat reducing the likelihood of overheating. The light coloured materials proposed is considered appropriate and will provide links to the existing materials used in the housing schemes already within the SUE.
- 9.5 The more public parts of the school will be provided on the frontage, ie, administration block, school hall, activity suite and kitchen, whilst the nursery would be set to the rear of this block, and the teaching areas provided in the rear wing, in a quieter part of the site away from the main road and local centre activity. All the classrooms within the rear wing would be outwards facing, overlooking the formal and informal external spaces of the school.
- 9.6 The main school entrance will be clearly defined by a change in materials and signage with a dedicated visitor's pedestrian entrance
- 9.7 The sports facilities will be provided to the rear of the site, and will comprise a MUGA, informal football pitch and large football pitch/running track. Sport England have raised

no objections to the facilities and welcome the outdoor sports provision and all weather pitch (MUGA) and the future community use. The MUGA is an appropriate size and is in accordance with national guidance and the surfacing/construction details provided are considered acceptable by Sport England. The MUGA will be surrounded by 3m high weldmesh fencing designed for these sorts of facilities.

- 9.8 A variety of boundary treatments will be provided throughout the site including 1.2m high bow top fencing to the frontage, 2.4m high secure fencing, 2.4m high brick pier wall and railings to the staff car park and a variety of internal fencing within the site to ensure the site is secure. The fencing will be colour coated green.
- 9.9 The design and layout of the building and use of materials is considered appropriate for the site, providing a modern architecturally distinctive building whilst drawing on materials already used within the residential phases within the estate. The design is considered appropriate for the location in the central hub of the estate and the layout will allow for expansion of the school in the future if required. The scale and massing of the building with a mix of single and two storey heights is considered appropriate and acceptable within the street scene and is in line with the Approved Design Guide in terms of the height and massing of the building. It is considered that the building will sit comfortably within the landscape addressing the public realm and the future local centre.

10. Highway Matters

- 10.1 The S106 Agreement and Condition 18 on the original outline consent require access for the school to be provided prior to its first opening. This involves the extension of the main spine road up to the school. The specific design and technical details of the road form a Discharge of Conditions (DOC) application (Condition 18) made by Nurton Developments the owner and developer of the strategic parts of the site as a whole. The DOC application is being considered by SCC Highways alongside this application, with careful consideration of the operation of the school and highway safety. The extent and layout of the proposed new section of road has been amended during the course of the application and the road now extends the full length of the school application site and includes a turning head at the end. This will allow anyone using the road to easily turn and manoeuvre safely.
- 10.2 Whilst Condition 18 and the S106 Agreement on the outline consent require the provision of the access road, the proposed turning head does not form part of the access arrangements, but is considered to be necessary to ensure the safe operation of the school until such time that the Local Centre opposite or the spine road is extended further north. As such a Unilateral Undertaking with Nurton Developments is required to ensure the provision of the turning head, its future maintenance and retention until such time that the Local Centre is developed or the spine road extended beyond the school, as this sits outside of the requirements of the outline consent and the S106 Agreement. The road works will comprise two phases, Phase 1 being works required for the immediate safe operation of the school, ie provision of the turning head, zig zag road markings along the frontage, guard rails at each pedestrian access and a raised table to slow traffic. Phase 2 will comprise works required prior to the opening of the Local Centre on the opposite side of the spine road and will include a toucan crossing point within the vicinity of the school.
- 10.3 The design and layout of the spine road extension follows the guidance within the Approved Design Guide, creating a distinctive section of road different to other parts of the estate, including traffic calming, to alert drivers to the school zone.
- 10.4 The revised school layout now provides 48 on site car parking spaces for staff, including 2 electric vehicle charging spaces and 2 accessible bays and additional

space for 2 minibuses to park. The access to the car park will be via a new minor estate road to the south of the school site, separate to the pedestrian access and service access. The staff car parking would be utilised outside school hours for the community use of the site. The dedicated service vehicle access, 4 separate pedestrian access points and separate car park access would comply with the guidance within the ROSPA guidance for schools referred to by objectors to the proposals. Child and pedestrian safety has been a key consideration of the ongoing negotiations and redesign of the spine road extension which will include a toucan crossing point outside of the school prior to the first occupation of the local centre opposite the school.

- 10.5 The proposals include no provision for parental drop off/pick up facilities within the school site as The Trust do not consider this is necessary or desirable as the school is well located and accessible to the residential areas that it will serve and that access should be by sustainable modes of transport. The Trust advise that a mix of vehicular traffic and pupils within the school site itself would represent a safety hazard and the provision of such a facility would deter travel by sustainable modes. SCC Schools Organisation do not require drop off/pick up facilities within the school, their policy is supported by guidance from the DfE re concerns about pupil safety, encouraging balanced and sustainable travel to school and that the school is not large enough to support a parental drop off car park, unlike John Taylor Free school that sits just outside of the SUE. However, the extension of the spine road the full length of the school frontage will extend the length of road available beyond the zig zag no waiting areas that would be available for drop off/pick up within the highway should this be required and the inclusion of a turning head will allow for the safe and speedy manoeuvring of vehicles away from the site. This is considered to be an improvement over the original road design that only extended to just beyond the service access to the school.
- 10.6 The proposals for secure cycle storage facilities have been amended during the course of the application and now provide for both staff and pupils in line with the Parking Standards SPD. In addition scooter storage is included adjacent to the nursery for use by the nursery children.
- 10.7 The Trust have confirmed that they will be considering staggered start and finish times of the new school and John Taylor Free to help reduce traffic congestion and ensure the safety of students. But it is recognised that any increase in traffic associated with the schools is for a short period of time only in the morning and afternoon as with all schools.
- 10.8 Whilst objectors have asked for parking restrictions in surrounding residential streets, however, this is not something that is considered necessary at the current time, given the likely low number of pupils at the school initially, but is a matter that could be raised for consideration with SCC Highways in the future once the school is at full capacity, however by this time the local centre should be built and provide car parking facilities.
- 10.9 The Framework Travel Plan for the SUE site as a whole was approved under the outline consent and included in the S106 Agreement, which requires a School Travel Plan to be submitted. SCC Highways however consider that the submitted Travel Plan provides insufficient detail of future targets and monitoring so a condition is recommended for a more detailed school travel plan to be submitted for approval. Whilst the Highway Authority have asked that a monitor fee for the School Travel Plan is secured, this is not supported by the original S106 agreement that allowed for an initial monitoring fee only and the appointment of a Travel Plan Coordinator for future

monitoring of any further Travel Plans. A monitoring fee is therefore not required or secured under this application.

- 10.10 The original S106 Agreement requires a bus service to be provided through the estate, however until such time that the spine road is completed this will not be possible. Nurtons are however in discussions with SCC to provide an interim bus service along Branston Road to operate until such time that a route can be provided into or through the estate. This requires a variation of the original S106 Agreement which is being negotiated at the current time. It is therefore envisaged that the bus route along Branston Road will be in place by the time the school opens (September 2024), providing a public transport route that could be used by staff and/or pupils and parents that may come from the wider area. The new road layout identifies the positions of future bus stops to the north and south of the school site.
- 10.11 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 and a construction method statement forms part of this submission in compliance with Condition 44.
- 10.12 There are two public rights of way that run through the SUE, Nurtons have already made an application to SCC to divert these routes to ensure that they run through the main Strategic Green Infrastructure that sits between the residential phases of the development and sits to the west of the school site.
- 10.13 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.

11. Impact on Residential Amenity

- 11.1 The closest residential properties to the school currently, sit along the northern end of the Taylor Wimpey development approx. 140m to the south of the school site boundary. Once built the approved houses along the eastern boundary of the Crest Nicholson development will sit approx. 90m from the western boundary of the school, with the Strategic Green Infrastructure set between.
- 11.2 The Local Centre will sit to the east and south of the school site and may include some residential accommodation, but the design and layout of this part of the site is unknown at this time.
- 11.3 Given the separation distance from the existing and approved dwellings and the areas of green infrastructure set between, it is considered that the proposals would have no adverse impact on the amenities of the known surrounding residential occupiers in terms of visual amenity or noise and disturbance in accordance with Policies SP1 and DP3 of the Local Plan.

12. Flood Risk and Drainage

- 12.1 The application site falls within Flood Zone 1 and as such the Environment Agency have made no comments on the application.
- 12.2 Condition 40 (Drainage Design) on the original outline consent is required to be discharged for each phase of the development of the overall SUE. In this case the application chose to submit the necessary Flood Risk Assessment and Drainage Strategy Report and Drainage Strategy to discharge Condition 40 as part of this reserved matters application.

- 12.3 The Flood Authority sought additional information, but is now satisfied that an appropriate surface water drainage system is proposed for the development and has confirmed that Condition 40 can be discharged.
- 12.4 Severn Trent Water are satisfied with the surface water and foul drainage proposals that have been agreed under a S104 Agreement with Severn Trent Water.
- 12.5 The flood risk and drainage details for the proposals are therefore in accordance with Policies SP1 and SP27 of the Local Plan.

13. Trees, Landscaping and National Forest

- 13.1 There are 7 existing trees within the site and 2 existing hedgerows. An Oak tree (T9) in the south eastern corner of the site will require to be removed. Whilst the school building does not necessitate its removal the impact of the construction of the new road, and associated change to the ground levels means that the tree would not survive. Loss of this tree is however mitigated by the planting of 35 new trees within the site, including:

5 Field Maple,
4 Common Hawthorn,
6 Pink Autumn Cherry,
3 Holm Oak,
6 English Oak,
2 Weeping Willow,
3 Rowan and
6 Resistant Elm trees.

A condition is recommended to ensure that all the trees to be retained will be protected during construction, in line with the details in the submitted tree report. New soft landscaping including new hedgerows, shrub planting, meadow planting and trees is proposed to the frontage and around the school. The level and species of the proposed tree planting is considered appropriate.

- 13.2 Condition 8 on the original outline consent required an Open Space Strategy for the whole of the Branston Locks development to be submitted for approval including the provisions of the Strategic Green Infrastructure, the principle areas of open space and National Forest Planting which surround the different phases of the development. This condition was discharged in 2017. National Forest Planting was identified within the Strategic Green Infrastructure that sits outside of this application site and will remain the responsibility of Nurtons the overall developer of the SUE. No specific National Forest Planting is therefore required on site, but 35 new trees will be provided.
- 13.3 Extensive landscaping will be provided to the frontage of the school to provide an attractive street frontage as well as defining the boundary between the public realm and the school. Additional extensive planting is proposed around the school grounds including hedging, shrub planting and meadow planting around the site boundaries to soften the hard landscaping and provide valuable habitat and increase biodiversity, swales and a dry retention basin are proposed to manage drainage sustainably.
- 13.4 The extensive landscaping and tree planting proposals are considered appropriate for the site in providing an improved natural environment for the pupils and improved ecological value for the site in compliance with Policies SP24 and SP29 of the Local Plan.

14. Ecology and Protected Species

- 14.1 The site comprises other neutral grassland with a mature Oak tree (T9) located in the south eastern corner of the site as well as hedgerows with trees and waterbodies.

- 14.2 The Preliminary Ecological Appraisal submitted considers that the site is of very low ecological value to wildlife due to be dominated by former arable land, now turned fallow. A further Bat survey observed bat activity around the site but no bat roosts.
- 14.3 The report makes a number of recommendations that include that site clearance should take place outside of the bird breeding season and that landscape planting should include native species to ensure foraging opportunities for breeding birds and nectar sources for invertebrates. To compensate for the loss of T9, 5 Oak trees should be planted as Oak trees are important foraging for bats. All lighting should be bat friendly and uplighters should be avoided and bat and bird nesting boxes should be provided on the new building. Hedgerow infilling is also recommended as well as wildflower area, suitable gaps in fencing to allow for hedgehog movement and log piles to provide for reptiles and amphibians. A condition is recommended to ensure that the development is implemented in accordance with these recommended ecological mitigation measures.
- 14.4 The site falls within the amber impact risk zone for great crested newts. The newt officer is satisfied with the submitted ecology report and its suggested reasonable avoidance measures which should reduce and avoid any likely impact the development may ensue upon great crested newts subject to a condition to ensure implementation in accordance with the ecology report and an informative to remind the developer of their responsibilities towards great crested newts.
- 14.5 Together with the landscaping to the areas of Strategic Green Infrastructure surrounding the school site (the responsibility of Nurtons) it is considered that the proposed landscaping and ecological enhancement measures proposed would improve the ecological value of the site in accordance with Policies SP24 and SP29, the Branston Neighbourhood Plan Policy B6 as well as Section 15 of the NPPF.

15. Building Sustainability

- 15.1 The DfE require the building to achieve Net Zero Carbon in Operation (NZCiO) and this will be achieved through energy efficient fabric and services together with onsite renewables. The design includes air source heat pumps and solar panels to the flat roof together with natural ventilation where ever possible using openable windows, passive stacks and Natural Ventilation Heat Recovery units. Servicing and façades are in line with the DfE requirements to minimise the energy usage of the building. The façade design ensures natural daylight with the use of passive solar heating to limit the need for space heating in winter and limited summertime solar gain to reduce space cooling demands. The solar panels to the roof will offset all energy consumption.
- 15.2 The development includes the provision of SuDS which include a number of features such as permeable paving, dry basins, permeable MUGA, rain gardens and linear channel drains.
- 15.3 The development has been designed to meet the requirements of the DfE and sustainable objectives and reduce carbon emissions, as such the development meets the requirements of Section 14 of the NPPF and Policies SP24, SP27, SP28 and DP2 of the Local Plan

16. Section 106 Agreement

- 16.1 As set out in the above report this is a reserved matters application following the outline approval in 2015 that included the provision of a primary school within the development description and provision made in the original S106 Agreement to the outline consent. The proposals are in line with the original consent and S106 Agreement for the provision of a primary school.

- 16.2 In line with the S106 Agreement instalment payments have been paid by the developers, in line with the triggers in the S106 towards the Primary School contribution.
- 16.3 Whilst the S106 Agreement requires the provision of access for the school prior to the school opening it does not include the requirement for the provision of a turning head. As such in order to ensure the provision of, maintenance and retention of the turning head, required for the safe operation of the school, Nurtons have agreed to enter a Unilateral Undertaking, which is required to be signed prior to the issue of the decision notice on this application.

17. Other Matters

- 17.1 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
- Condition 23 - Access Details to the Proposed Development
- Condition 28 - Landscape Details
- Condition 32 - Hard and Soft Landscaping Works
- Condition 35 - Landscape management Plan
- Condition 36 - Tree Survey Details and Tree Protection Measures
- Condition 37 - Ecology Survey
- Condition 40 - Drainage Scheme
- Condition 41 – Contaminated Land Assessment
- Condition 42 – Landfill Gas
- Condition 44 – Construction Management Plan
- Conditions 47 & 48 – Noise Impact Assessment and Mitigation Measures
- Condition 49 – Materials
- Condition 50 – Levels Details
- Condition 52 – Site Waste Management Pan
- Condition 53 – Scheme of Archaeological Works

18. Conclusions

- 18.1 The proposals will provide a new Primary School in line with the original outline consent (P/2012/01467), S106 Agreement and Approved Design Guide and in line with Policy SP10 of the Local Plan. The principle of the provision of a primary school in this location towards the centre of the SUE is therefore already established and in line with Local Plan policies SP10 and SP22 providing a community facility. It is anticipated that the school facilities will be used by the community outside school hours and a community use scheme will need to be submitted to put in place such a use.
- 18.2 John Taylor MAT (The Trust) have been appointed by the DfE to run the new school, which is being built as part of the DfE Free School Programme (Wave 13) and the applicant is the appointed contractor for the construction of the school.
- 18.3 The design and layout of the building and use of materials is considered appropriate for the site, providing a modern architecturally distinctive building whilst drawing on materials already used within the residential phases within the estate. The design is considered appropriate for the location in the central hub of the estate and the layout will allow for expansion of the school in the future if required. The scale and massing of the building with a mix of single and two storey heights is considered appropriate and

acceptable within the street scene and is in line with the Approved Design Guide in terms of the height and massing of the building. It is considered that the building will sit comfortably within the landscape addressing the public realm and the future local centre.

- 18.4 The main teaching space will be provided in the rear wing, away from the road overlooking the schools external spaces, with sports provision set to the rear of the site. The school layout provides for segregated vehicle and pedestrian access in line with the ROSPA guidance for schools.
- 18.5 The layout provides for on-site staff parking (48 spaces) and cycle storage which meets the requirements of the Parking Standards SPD. Whilst no drop off/pick up facilities are provided within the application site (in line with SCC and DfE guidance) the spine road extension required for access to the school has been amended during the course of the application with the new road extended the length of the school site and provision of a turning head. The additional length of road will allow for drop off/pick up on street if required and provides a safe turning facility for vehicles.
- 18.6 The spine road extension forms a separate Discharge of Condition application (Condition 18 on the outline consent) which is under consideration by SCC Highways. The design and layout has been negotiated during the course of the application to ensure pupil safety and compliance with the Approved Design Guide in creating a distinctive section of road different to other parts of the estate.
- 18.7 Given the separation distance from the existing and approved dwellings within the estate and the areas of green infrastructure set between, it is considered that the proposals would have no adverse impact on the amenities of the known surrounding residential occupiers in terms of visual amenity or noise and disturbance in accordance with Policies SP1 and DP3 of the Local Plan.
- 18.8 The Environment Agency, the Flood Authority and Severn Trent Water are satisfied with the flood risk and drainage details for the proposals, in compliance with Policies SP1 and Sp27 of the Local Plan.
- 18.9 Whilst one existing Oak tree will be lost as a result of the proposals, 35 new native species trees will be provided, including 5 English Oak trees to mitigate the loss of the single Oak. All existing hedges and trees on site will be protected during construction. The proposals also include extensive hedgerow, shrub and meadow planting around the school site and particularly to the street frontage of the building, providing improved natural environment for the pupils and improved ecological value for the site in compliance with Policies SP24 and SP29 of the Local Plan.
- 18.10 The Preliminary Ecological Appraisal submitted considers that the site is of very low ecological value to wildlife but recommends a number of ecological mitigation measures. Together with the landscaping to the areas of Strategic Green Infrastructure outside of the school site it is considered that the proposed landscaping and ecological enhancement measures proposed would improve the ecological value of the site in accordance with Policies SP24 and SP29, the Branston Neighbourhood Plan Policy B6 as well as Section 15 of the NPPF.
- 18.11 The DfE require the building to achieve Net Zero Carbon in Operation (NZCiO) and this will be achieved through energy efficient fabric and services together with onsite renewables. The design includes air source heat pumps and solar panels to the flat roof together with natural ventilation where ever possible using openable windows, passive stacks and Natural Ventilation Heat Recovery units. The design ensures natural daylight with the use of passive solar heating to limit the need for space

heating in winter and limited summertime solar gain to reduce space cooling demands. The solar panels to the roof will offset all energy consumption. As such the development meets the requirements of Section 14 of the NPPF and Policies SP24, SP27, SP28 and DP2 of the Local Plan.

- 18.12 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 as well as the aims and policies of the Local Plan and the NPPF. In line with the S106 Agreement instalment payments have been paid by the developers, in line with the triggers in the S106 towards the Primary School contribution.
- 18.13 Whilst the S106 Agreement requires the provision of access for the school prior to the school opening it does not include the requirement for the provision of a turning head. As such in order to ensure the provision of, maintenance and retention of the turning head, required for the safe operation of the school, Nurtons have agreed to enter a Unilateral Undertaking, which is required to be signed prior to the issue of the decision notice on this application.

19. RECOMMENDATION: Approval Subject to Conditions and Unilateral Undertaking

Recommended 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 FS0938-ALA-ZZ-ZZ-D-L-0026 Rev P02 dated as received on 01-06-2023

Proposed Ground Floor Plan Drawing FS0938-CPM-01-00-D-A-2000 Rev P04 dated as received on 16-05-2023

Proposed First Floor Plan Drawing FS0938-CPM-01-01-D-A-2001 Rev P06 dated as received on 16-05-2023

Proposed Roof Plan Drawing FS0938-CPM-01-ZZ-D-A-2002 Rev P04 dated as received on 16-05-2023

Proposed Combined Services Roof Layout Plan Drawing FS0938-DPM-XX-RF-D-Z-5004 Rev P01 dated as received on 16-05-2023

Proposed Elevations Drawing FS0938-CPM-01-ZZ-D-A-2010 Rev P06 dated as received on 25-05-2023

Proposed Sections Drawing FS0938-CPM-01-ZZ-D-A-2020 Rev P03 dated as received on 16-05-2023

Proposed Whole Site Plan Drawing FS0938-ALA-ZZ-ZZ-D-L-0001 Rev P09 dated as received on 07-09-2023

Landscape General Arrangement – Whole Site Drawing FS0938-ALA-ZZ-ZZ-D-L-0002 Rev P10 dated as received on 07-09-2023

Landscape General Arrangement – 1 of 4 Drawing FS0938-ALA-ZZ-ZZ-D-L-0003 Rev P04 dated as received on 16-05-2023

Landscape General Arrangement – 2 of 4 Drawing FS0938-ALA-ZZ-ZZ-D-L-0004 Rev P04 dated as received on 16-05-2023

Landscape General Arrangement – 3 of 4 Drawing FS0938-ALA-ZZ-ZZ-D-L-0005 Rev P04 dated as received on 16-05-2023

Landscape General Arrangement – 4 of 4 Drawing FS0938-ALA-ZZ-ZZ-D-L-0006 Rev P04 dated as received on 16-05-2023

Landscape General Planting Plan Drawing FS0938-ALA-ZZ-ZZ-D-L-0007 Rev P04 dated as received on 16-05-2023
Planting Schedule Drawing FS0938-ALA-ZZ-ZZ-D-L-0031 Rev P03 dated as received on 08-08-2023
BB103 1 of 2 Drawing FS0938-ALA-ZZ-ZZ-D-L-0008 Rev P05 dated as received on 16-05-2023
BB103 2 of 2 Drawing FS0938-ALA-ZZ-ZZ-D-L-0009 Rev P05 dated as received on 16-05-2023
Circulation – Start/End of Day Drawing FS0938-ALA-ZZ-ZZ-D-L-0010 Rev P04 dated as received on 16-05-2023
Circulation – Pedestrian Midday Drawing FS0938-ALA-ZZ-ZZ-D-L-0011 Rev P04 dated as received on 16-05-2023
Circulation – Services Drawing FS0938-ALA-ZZ-ZZ-D-L-0012 Rev P05 dated as received on 16-05-2023
Secure Line – Start/End of Day Drawing FS0938-ALA-ZZ-ZZ-D-L-0013 Rev P04 dated as received on 16-05-2023
Secure Line – Midday Drawing FS0938-ALA-ZZ-ZZ-D-L-0014 Rev P04 dated as received on 16-05-2023
Secure Line – Out of Hours Drawing FS0938-ALA-ZZ-ZZ-D-L-0015 Rev P04 dated as received on 16-05-2023
External Sports Provision Drawing FS0938-ALA-ZZ-ZZ-D-L-0017 Rev P04 dated as received on 16-05-2023
Green Infrastructure Strategy Drawing FS0938-ALA-ZZ-ZZ-D-L-0018 Rev P05 dated as received on 16-05-2023
Site Sections 1 of 2 Drawing FS0938-ALA-ZZ-ZZ-D-L-0019 Rev P04 dated as received on 16-05-2023
Site Sections 2 of 2 Drawing FS0938-ALA-ZZ-ZZ-D-L-0020 Rev P04 dated as received on 16-05-2023
Tree Retention and Removal Plan Drawing FS0938-ALA-ZZ-ZZ-D-L-0023 Rev P03 dated as received on 16-05-2023
Fencing General Arrangement Drawing FS0938-ALA-ZZ-ZZ-D-L-0025 Rev P10 dated as received on 31-08-2023
Masterplan – Site Overview Drawing FS0938-ALA-ZZ-ZZ-D-L-0029 Rev P05 dated as received on 07-09-2023
Topographical Survey Drawing C3804-510 dated as received on 16-05-2023
Combined Services – Site Wide Services Layout FS0938-DPM-XX-FR-D-Z-5005-S2 Rev P01 dated as received on 16-05-2023
Electrical Services – External Lighting Strategy Drawing FS0938-DPM-XX-XX-D-E-6311-S2 Rev P01 dated as received on 16-05-2023
Site Access Swept Path Analysis Drawing 600674-HEX-00-00-DR-TP-0200 Rev P01 dated as received on 07-09-2023
MUGA Construction Specification Drawing FS0938-HEX-XX-ZZ-D-C-9031 Rev P02 dated as received on 02-08-2023
Planning Statement by Q & A Planning dated as received on 16-05-2023
Design and Access statement dated as received on 16-05-2023
External Materials Palette dated as received on 16-05-2023
Compliance Statement dated as received on 16-05-2023
Transport Assessment by Hexa Consulting Ref 600674-HEX-00-TP-RP-X-0001 Rev V03 dated as received on 16-05-2023
Highways Addendum by Hexa Consulting Ref 600674/AH/V01 dated as received on 15-08-2023
Archaeological Desk Based Assessment and Heritage Statement by HPS dated as received on 01-06-2023
Written Scheme of Investigation for Archaeological Evaluation Trial Trenching Headland Archaeology ref P23 - 191 dated as received on 30-08-2023

Acoustic Strategy Report by Cundall Doc Ref FS0938-CUN-XX-XX-T-J-001 Rev 03 dated as received on 16-05-2023
 Air Quality Assessment by HSP Consulting dated as received on 16-05-2023
 Energy Statement and Sustainability Checklist dated as received on 16-05-2023
 Flood Risk assessment and Drainage Strategy by Hexa Consulting Ref FS0938-HEX-XX-XX-RP-C-001 Rev V02 dated as received on 16-05-2023
 SuDS Proforma and Greenfield Runoff Rate Report by Hexa Consulting dated as received on 16-05-2023
 Preliminary Ecological Appraisal by Nicholsons Ref 22-2331 Version 1 dated April 2023 and dated as received on 16-05-2023
 Bat Nocturnal Survey Report by Nicholsons Ref 22-2671 Version 1 dated May 2023 dated as received on 31-05-2023
 Arboricultural Impact Assessment by Nicholsons Ref 22-2321 Version 4 dated May 2023 dated as received on 16-05-2023
 Arboricultural Method Statement by Nicholsons Ref 22-3080 Version 1 dated August 2023 dated as received on 07-08-2023
 Phase 1 Geo-Environmental Desk Study Report by HSP Consulting Ref HSP2021-C3804-G-GP1-415 dated December 2021 dated as received on 16-05-2023
 Phase II Geo-Environmental Assessment Report by HSP Consulting Ref HSP2022-C3804-G-GPII-54615 dated April 2022 dated as received on 16-05-2023
 Supplementary Ground Investigation by Erda Associates Ref EAL.239.22.Let.1.Rev A dated 29-03-2023 dated as received on 16-05-2023
 Construction Method Statement by Tilbury Douglas Construction dated as received on 16-05-2023
 Landscape & Ecology Management Plan by Ares Design Ref FS0938-ALA-ZZ-ZZ-T-L-0001 dated 30-03-2023 dated as received on 16-05-2023
 MEP Services Strategy Stage 3 Report by Hoare Lea Rev 01 dated 17-02-2023 dated as received on 16-05-2023
 Site Waste Management Plan by Tilbury Douglas Construction Ref 17813 dated as received on 16-05-2023
 Fencing Specifications – Euroguard and Sports Fencing dated as received on 06-06-2023

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, SP7, SP10, SP22, SP24, SP26, SP27, SP28, SP29, SP32, SP33, SP34, SP35, DP1, DP2, DP7 and DP8, the East Staffordshire Design Guide, the Parking Standards SPD, Branston Neighbourhood Plan Policies and the National Planning Policy Framework.

2. **Materials**

The development shall only be carried out in accordance with the external materials that are stated within the application and on the approved plans and documents (as defined in Condition 1) unless otherwise first agreed in writing by the Local Planning Authority

Reason: To safeguard the character and appearance of the area in accordance with East Staffordshire Local Plan Policies SP1 and SP24 and the National Planning Policy Framework.

3. **Access, Servicing and Parking Areas**

Prior to the first occupation of the school or nursery hereby approved, accessing, servicing, parking and turning facilities shall be laid out, constructed, hard surfaced, marked out and drained to ensure no surface water runs from the site, in accordance with the approved plans (as shown on the drawings listed at condition

1 above) and thereafter retained and maintained for their specific purposes for the lifetime of the development.

Reason: In the interests of highway safety in accordance with East Staffordshire Local Plan Policies SP1 and SP35 and the National Planning Policy Framework.

4. Cycle Storage

Prior to the first occupation of the school or nursery hereby approved the secure cycle shelters shall be provide in accordance with the approved details (as shown on the drawings listed at condition 1 above) and thereafter retained as available for use at all times for the lifetime of the development.

Reason: In the interests of sustainable transport methods in accordance with East Staffordshire Local Plan Policies SP1 and SP35 and the National Planning Policy Framework.

5. Boundary Treatment

Prior to the first occupation of the school or nursery hereby approved all approved boundary treatments and gates (as shown on the drawings listed at condition 1 above) shall be erected/provided and thereafter retained for the lifetime of the development.

Reason: in the interests of visual amenities and to protect the amenities of adjoining residents in accordance with East Staffordshire Local Plan Policies SP1, SP24 and DP1 and the National Planning Policy Framework.

6. Bins Storage

Prior to the first occupation of the school or nursery hereby approved the approved bin stores shall be provided and thereafter retained for the life of the development.

Reason: In accordance with the East Staffordshire Waste Storage and Collection Guidance for New Developments and the National Planning Policy Framework.

7. Vehicle Charging Points

Prior to the first occupation of the school or nursery hereby approved the approved vehicle charging points (shown on the drawings listed at condition 1 above) shall be provided and thereafter shall be retained as available at all times during 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 East Staffordshire Local Plan Policies SP1, SP35 and DP2 and the National Planning Policy Framework.

8. Landscape Implementation

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) 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 the 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 surrounding residents and in accordance with East Staffordshire Local Plan Policies SP1, SP24 and DP1, the East Staffordshire Design Guide and the National Planning Policy Framework.

9. Tree Protection

All the existing trees and hedges to be retained shall be protected by 2m high fencing in accordance with the tree protections details contained within the Arboricultural Method Statement approved under Condition 1. The fencing shall be erected before development commences and shall be retained at all times whilst construction work is taking place.

Reason: To ensure that adequate measures are taken to preserve trees and hedges and their root systems whilst construction work is progressing on site in accordance with East Staffordshire Local Plan Policy DP8 and the National Planning Policy Framework.

10. Newts

The development hereby approved shall be implemented strictly in accordance with the recommendations/measures stated in section 9.13 of the supporting document- 'Preliminary Ecological Appraisal, Branston Locks Primary and Nursery School, NICHOLSONS Ecology, April 2023.'

Reason: To minimise the impacts of development on biodiversity, in accordance with Policy SP29 of the East Staffordshire Borough Council Local Plan, Section 15 of the NPPF, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006."

11. Ecological Enhancement Measures

The development shall be implemented in accordance with the ecological mitigation measure recommended within the Preliminary Ecological Appraisal and Bar Nocturnal survey Report approved under Condition 1, with all measures installed prior to the first occupation of the school or nursery. Once implemented the measures shall be maintained and retained for the lifetime of the development.

Reason: To safeguard protected species/birdlife and their habitats in accordance with East Staffordshire Local Plan Policy SP29 and the National Planning Policy Framework.

12. Sports Pitch

Prior to the implementation of any sports pitch at the site a feasibility study shall be submitted to and approved in writing by the Local Planning Authority in conjunction with Sport England to assess the ground conditions (drainage, soils, topography etc) and identify the constraints that may affect the ability to deliver good quality playing surfaces that would sustain the anticipated levels of use by the school. The submission should also include a sports pitch specification (based on the feasibility study recommendations) to ensure that an appropriate quality playing field is provided in practice. Sport England's guidance note "Natural Turf for Sport" (2011) provides guidance on what should be included in a site assessment and how new playing pitch sites can be planned, designed, managed and maintained to maximise their quality. The approved scheme shall be fully implemented prior to the first occupation of the school or nursery hereby approved.

Reason: As recommended by Sport England to ensure satisfactory sports pitch provision within the development in accordance with Policy SP32 of the East Staffordshire Local Plan and the National Planning Policy Framework.

13. MUGA

Prior to the first occupation of the school or nursery hereby approved the Multi Use Games Area (MUGA) shall be fully implemented in accordance with the MUGA Construction Specification approved under Condition 1.

Reason: As recommended by Sport England to ensure satisfactory sports pitch provision within the development in accordance with Policy SP32 of the East Staffordshire Local Plan and the National Planning Policy Framework.

14. External Lighting

No external lighting other than that shown on the approved plans (as shown on the drawings listed at condition 1 above) shall be erected/installed at the site unless planning permission has been first granted by the Local Planning Authority.

Reason: To protect the amenities of surrounding residents in accordance with East Staffordshire Local Plan Policies SP1, SP24 and DP1 and the National Planning Policy Framework.

15. Capacity

This permission relates to the use of the development hereby approved for a maximum occupancy level of 420 No. pupils for the school and a maximum occupancy level for 52 No. full time equivalent nursery pupils.

Reason: For the avoidance of doubt and in the interests of highway safety in accordance with East Staffordshire Local Plan Policies SP1 and SP35, the Parking Standards SPD and the National Planning Policy Framework.

16. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to the Local Planning Authority. The applicant is advised to immediately seek the advice of an independent geo-environmental consultant experienced in contaminated land risk assessment, including intrusive investigations and remediation.

No further works should be undertaken in the areas of suspected contamination, other than that work required to be carried out as part of an approved remediation scheme, unless otherwise agreed by the Local Planning Authority, until requirements 1 to 4 below have been complied with:

1. Detailed site investigation and risk assessment must be undertaken by competent persons in accordance with the Environment Agency's 'Land Contamination: Risk Management' guidance and a written report of the findings produced. The risk assessment must be designed to assess the nature and extent of suspected contamination and approved by the Local Planning Authority prior to any further development taking place.

2. Where identified as necessary, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to identified receptors must be prepared and is subject to the approval of the Local Planning Authority in advance of undertaking. The remediation scheme must ensure that the site will not qualify as Contaminated Land under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

3. The approved remediation scheme must be carried out in accordance with its terms prior to the re-commencement of any site works in the areas of suspected contamination, other than that work required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.

4. Following completion of measures identified in the approved remediation scheme a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval of the Local Planning Authority prior to the occupation of any buildings on site.

Reason: In order to safeguard human health and the water environment and identify potential contamination on-site and the potential for off-site migration in accordance with East Staffordshire Local Plan Policy DP7 and the National Planning Policy Framework.

17. Travel Plan

Within 6 months of the first occupation of the school or nursery hereby approved and irrespective of any document currently submitted, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority which will include a monitoring methodology, a survey methodology for assessing the travel mode choices of pupils and staff, an initial series of targets for modal shifts for pupils and staff and a secondary series of targets should the initial targets not be achieved. These secondary targets could include contributions to improving infrastructure to support sustainable travel modes as well as or instead of other measures to drive change.

The Travel Plan once approved will be monitored and managed including an agreed surveying system to identify travel choices of (pupils and staff), changes in those travel choices and submission of annual reports from the Travel Plan Co-ordinator to the Local Authority for at least five years from the occupation of the final part of the development or until the targets in the Travel Plan are met.

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

18. Community Use

Prior to the first use of any part of the school site hereby approved for community use a Community Use Scheme for the use of the site and its facilities outside of school use shall be submitted to and approved in writing by the Local Planning Authority in conjunction with Sport England. The Scheme shall include details of pricing policy, hours of use, access by non-school users, management responsibilities and include a mechanism for review. The approved Scheme shall be implemented upon the first use of the site for community use.

Reason: To secure well managed safe community access to the school building and sports facility to accord with policies SP32 and SP33 of the East Staffordshire Local Plan.

19. Operation of Service Access

Prior to the first occupation of the school or nursery hereby approved a management plan for the use and operation of the services access/services area at the school site (including times of operation) shall be submitted to and approved in writing by the Local Planning Authority. The management plan shall be adhered to at all times in relation to the operation of the school unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of surrounding residents in accordance with East Staffordshire Local Plan Policies SP1, SP24 and DP1 and the National Planning Policy Framework.

20. Plant & Equipment

Prior to the first occupation of the school or nursery hereby approved precise details of all plant and equipment to be installed to serve the development (including noise/dust mitigation measures where necessary) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in strict accordance with the approved scheme.

Reason: To protect the amenities of surrounding residents in accordance with East Staffordshire Local Plan Policies SP1, SP24 and DP1 and the National Planning Policy Framework.

Recommended Informatives

1. Engagement (Proactive)

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. During development Conditions

The condition identified below require details to be approved during the development

Condition No(s) 12, 16, 16, 17, 18, 19 & 20

This means that a development may not be lawful unless the particular requirements of these conditions have been met.

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. Great Crested Newts

The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure, or kill great crested newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting or sheltering place. Planning permission for a development does not provide a defence against prosecution under this legislation. Should great crested newts be found at any stage of the development works, then all works should cease, and a professional and/or suitably qualified and experienced ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence.

4. Severn Trent Water

Please note for the use or reuse of sewer connections either direct or indirect to the public sewerage system the applicant will be required to make a formal application to the Company under Section 106 of the Water Industry Act 1991. They may obtain copies of our current guidance notes and application form from either our website (www.stwater.co.uk) or by contact our Development Services Team (Tel: 0800 707 6600).

5. 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 bats is found during demolition all work should cease and the services of a licensed ecologist procured to ensure an offence is not committed.

20. Background papers

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

- Local and National Policies outlines in Section 7 above
- Planning application file P/2012/01467 and associated S106 Agreement and Design Guide.
- Discharge of Conditions application P/2023/00035, Condition 18 – Estate Road route, details and specifications, for extension of the estate road for access to the school site – current application

21. Human Rights Act 1998

21.1 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.

22. Crime and Disorder Implications

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

23. Equalities Act 2010

23.1 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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