

<b>Agenda Item:</b>	6.3
<b>Site:</b>	Quintus - Phase 3, Branston Lock, Tatenhill Lane, Branston, Staffordshire, DE14 3PD
<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 9,393 sq m (GIA) (9,669.5 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.

### Report of Head of Service (Section 151 Officer)

This report has been checked on behalf of Legal Services by Penelope James

### [Hyperlink to Application Details](#)

<b>Application Number:</b>	P/2024/00114	
<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 A Afsar Councillor M Huckerby	
<b>Date Registered:</b>	15/02/2024	
<b>Date Expires:</b>	15/05/2024 Time extension agreed until 31/05/2024 to allow the application to be reported to Planning Committee	
<b>Reason for being on Agenda</b>	Major Application	

## 1. Executive Summary

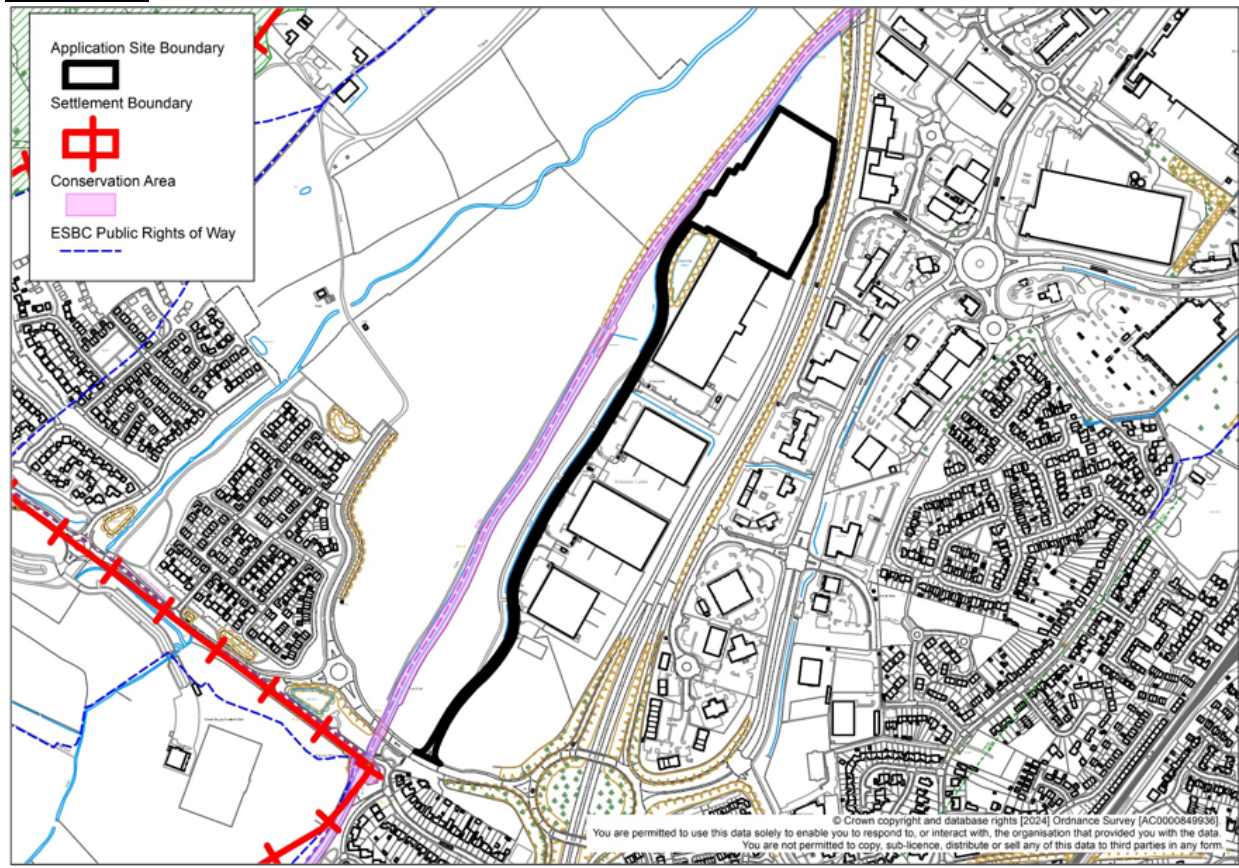
- 1.1 The site comprises 2.38 hectares of green field land that sits to the east of the Trent and Mersey Canal, bounded to the west by the A38 dual carriageway and to the south by Phase 2 of the Quintus employment development.
- 1.2 The site is situated in the south eastern corner of the Branston Locks 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 third 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 constructed 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 One neighbour objection has been received raising concerns about the impact of the development on the new residential within Taylor Wimpey Phase 1 on the opposite side of the canal. No comments received from 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, 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 any significant 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.
- 1.9 In light of the above conclusions on the planning merits of the case, the application is recommended for approval subject to conditions.

**Members are advised that the above is a brief summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies and the Officer's assessment, and Members are advised that this summary should be read in conjunction with the detailed report.**

### Map of site



## 2. The Site 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 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 Nurton Developments Ltd 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 third phase of the employment phase of the overall development of the site and comprises 2.38 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 2 employment development (approved October 2021). A triangular area of land sits to the north of the site. The Trent and Mersey Canal sits to the west, and the A38 to the east, the site forms the most northerly element of the employment use of the overall Design Guide for the SUE.
- 2.5 Part of the Strategic Green Infrastructure public open space for the SUE as a whole would sit to the west of the canal opposite the application site, as identified in the illustrative plan for the SUE below.



- 2.6 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 sits at the end of the new access road constructed for the industrial phase of the development. The site is made up of green fields with some trees and is relatively level.
- 2.7 Phase 1 of the employment development comprises three detached industrial warehouse units, Phase 2 comprises a single large detached industrial warehouse unit, all completed and occupied.

### 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 26-10-2018
- 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 **P/2021/00777** 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 GSC 04-10-2021
- 3.9 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 building will measure 144m x 64m x 15m maximum height. This will provide 8950sqm of industrial floorspace and 443sqm of office space with service yard to the east (rear) of the building.
- 4.3 The service yard includes 12 loading docks and parking for 26 HGVs and sufficient space for the manoeuvring of HGVs. The main car park to the southern end of the building will provide 102 spaces and an additional 23 spaces to the west (front of the building), including 6 disabled spaces and 12 electric vehicle charging spaces. In addition 6 motorcycle parking spaces will be provided and storage for 30 cycles.
- 4.4 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 main car parking area at the southern end of the building and additional parking on the south western corner of the building. The western elevation will contain two 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.
- 4.5 A landscaping scheme for the site has been provided that includes a native woodland copse planting in addition to specimen trees along the southern boundary of the site with Phase 2 and along the eastern boundary (to the rear of the site) with the A38 together with native hedging and wildflower meadow. To the front of the site will be a further woodland copse with additional specimen trees, a wildflower meadow, a wetland meadow with reedbed (for drainage purposes). 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.
- 4.6 The proposed development will achieve carbon and energy reductions through the inclusion of energy efficient measures and Low and Zero Carbon (LZC) technologies. The energy strategy improves upon the Building Regulations Part L2 baseline and achieves the minimum 4no. credits required for a BREEAM. The unit will achieve an Energy Performance Certificate rating of A.
- 4.7 This is a speculative development with no end user identified at this time.

#### List of supporting documentation

- 4.8 The following documents have been provided as part of the application:
  - Site layout plan
  - Floor and elevation plans of the proposed building
  - Soft Landscaping Proposals & Landscape Strategy

- External Lighting Layout & Lighting Assessment Report
- Proposed Fencing, Refuse Enclosure, External Surfacing, Cycle Storage
- External Materials & Surfacing Materials
- Design Guide Compliance Statement
- Design and Access Statement
- Heritage Compliance Statement
- Planning Statement
- Overall Illustrative Masterplan

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

## 5. Consultation responses and representations

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

Statutory and non statutory consultee		Response
5.2	Branston Parish Council	No response received
5.3	SCC Highways	No objections
5.4	National Highways	No objection
5.5	SCC Flood Risk Team	<p>The proposed layout demonstrates that space has been provided for an attenuation basin on the building's western elevation, adjacent to the re-aligned watercourse. We therefore have no objection to the reserved matters application. A further application is required to discharge Condition 40 of the outline decision (P/2012/01467) which will detail the final detailed design of the drainage strategy for this unit.</p> <p>The LLFA expect that any detailed drainage design will include additional SuDS features, including permeable paving in private parking bays (allowing for infiltration if suitable) in addition to the proposed attenuation basin.</p> <p>The design shall also include the use of a petrol interceptor to provide additional water treatment for surface water generated by hardstanding areas subject to commercial vehicle movements.</p>
5.6	SCC Archaeology	<p>No archaeological concerns. Condition 53 on the outline consent is applicable and an Archaeological Written Scheme of Investigation will be required to be submitted for this phase. archaeological works in the AWSI will need to be satisfactorily delivered (including any potential further mitigation works), in line with the previously approved Archaeological Management Plan (AMP) for the overall development, before any non-archaeological groundworks commence on the development site.</p>
5.7	Environment Agency	No objections
5.8	Active Travel England	Standing advice issued.
5.9	Inland Waterways	<p>Objection to the size and the positioning of the unit. Consider that the landscaping conditions on the outline consent on Phases 1 &amp; 2 have been ignored with insufficient landscaping provided between the very large industrial buildings and the</p>

		<p>canal, the proposed canal side park to include planting, landscaping, footpaths and public art has not been provided. The provision of the canal side park should not be further delayed.</p> <p>The lack of landscaping on Phases 1 and 2 has left the canal exposed to the full adverse visual impact of these large buildings on the setting of its Conservation Area, and to the detriment of its recreational amenity and tourism value to the district. Phase 3 will be even closer to the canal, with much of the intervening space occupied by roads and parking.</p> <p>The landscaping in the triangle of land to the north between the A38 and the canal is not included in the red line of the application site, so indicative but with no commitment to implement.</p> <p>The visualisations within the Design and Access Statement are inaccurate and do not accurately portray the canal and its environment.</p> <p>The masterplan landscaping scheme should be implemented without delay.</p>
5.10	Canal & River Trust	<p>The proposed on site hard and soft landscaping appears to be appropriate in the context of the wider Strategic Green Infrastructure (SGI) for the site as a whole. It is recognized that the SGI is required to be agreed through the discharge of Condition 24 on the outline consent. The SGI includes a surface water detention basin between the proposed building and the canal, it is important that there should be no outfall to the canal from this basin and this should be taken into consideration during the discharge of Condition 40 on the outline consent.</p> <p>In terms of external lighting the scheme should be reviewed to ensure no light spill onto the canal to ensure no adverse impact on nocturnal wildlife.</p>
5.11	The National Forest	<p>On the basis that the Landscape Management plan does not include the strategic green infrastructure / National Forest planting, we have no comment to make.</p> <p>Advice given on the discharge of conditions on the outline consent conditions and recommend changes to either the development parcel landscaping plans and/or the strategic green infrastructure plans to ensure consistency in the landscaping. A higher proportion of trees in the woodland mix is recommended; we would be looking for 75% tree species and 25% shrub species.</p> <p>In terms of external materials, we encourage the use of timber (as opposed to timber-effect) as it can contribute to a National Forest character, with our preference for British timber therefore supporting the British forestry sector.</p>
5.12	Staffordshire Police	No objections, advise on security and reducing opportunities for crime provided and forwarded to the developer.

Internal Consultees		Response
5.13	Environmental Health	No objections. Details to discharge conditions on the outline consent re contaminated land and noise are under consideration.
5.14	Conservation Officer	No objection.



		<p>The asset of most concern is the wider setting of the Trent and Mersey Canal conservation area.</p> <p>The proposed planting and landscaping plan offers sufficient mitigation to the relevant assets affected. The glazed offices at ground floor level provide an active frontage to the canal side. Furthermore there are multiple industrial units located adjacent to the canal up and down the canal, both modern and older, which serve as an additional justification. The scheme demonstrates a ‘clear and convincing justification’ for the proposed works which would not result in harm to the special significance of the streetscene of the conservation area</p>
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## 6. Neighbour Responses

### 6.1 One objection received.

Neighbour responses	
Principle	Was told when purchased house on the new estate that the site would be for housing Moved to the development to get away from commercial development
Impacts on Amenity	Concerns about the look of the building Concerns about noise
Highways Impacts	Concerns about additional traffic
Other	Property devaluation ( <i>not a material planning consideration</i> )
Ward Member	No comments 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

### **8. Principle of Development**

- 8.1 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.
- 8.2 This is a reserved matters application for the third 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.
- 8.3 The outline consent approved up to 92,900sqm of employment floorspace (B1, B2 and B8 uses), these proposals form the third phase of the employment development at the site and would provide 8,950 sqm of employment floorspace in addition to the 21,753sqm approved under Phase 1 and 15,937 sqm approved under Phase 2, totalling 46,640 sqm of the total.
- 8.4 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**

- 9.1 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.
- 9.2 The proposals form the third 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 4 existing units approved under Phases 1 and 2, in line with the guidance in the approved Design Guide. This unit would sit the closest to the canal of all the units in the employment park. As well as the on site landscaping there are areas of Strategic Green Infrastructure immediately to the west of the site along the boundary with the canal and in the triangular area immediately to the north of the site, which will be considered under discharge of condition 24 on the outline consent.
- 9.3 The two storey office accommodation for the unit will provide large glazing elements situated on the southern end of the western elevation overlooking the car parking, 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.

- 9.4 The size, height 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 and 5 - 15m maximum height.
- 9.5 The proposed materials would provide variety in terms of colour, materials and horizontal and vertical emphasis to break up the overall massing of the building. Timber effect cladding panels are also included on each elevation similar to Phase 2. 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. Timber effect is proposed rather than actual timber due to ongoing maintenance issues, given the height of the building. The orientation of the building means that the main elevation will face the canal. 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.
- 9.6 The A38 forms the eastern boundary of the site and sits at a varying height to the site, at some points at a higher level, reducing to level with the site, and large industrial/commercial buildings sit on the opposite side of the A38 within Second Avenue.
- 9.7 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.
- 9.8 Landscaping proposals are included in the submission for the immediate site and includes woodland copse planting, new specimen trees, hedging and wildflower meadows. The on-plot landscaping has been designed to use native species. The woodland copse to the south of the site along the boundary with Phase 2 will provide a degree of softening to the car parking area, its set back position will ensure inter-visibility to promote an active frontage to the building. Whilst the on-site landscaping is limited, additional landscaping will be provided between the site and the canal and on the triangular area of land to the north of the site under discharge of condition 24 on the outline consent and will be assessed against the approved Open Space Strategy and Masterplan for the entire site.
- 9.9 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 the approved Design Guide for the site. 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**

- 10.1 The nearby heritage assets include the Trent & Mersey 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.
- 10.2 The outline planning approval gave consent for industrial/warehouse units to the east of the canal conservation area, and the approved Design Guide provided parameters for the size and height of the units. The proposed development fully complies with the approved Design Guide and therefore the size of the unit is considered appropriate and in line with the outline consent.
- 10.3 It is considered that the proposed planting and landscaping plan offers sufficient mitigation to the canal conservation area. The glazed offices at ground floor level provide an active frontage to the canal side. It is also noted that there are multiple

industrial units located adjacent to the canal up and down the length of the canal, both modern and older. Industrial units are therefore considered to be part of the existing character of the canal and its conservation area.

- 10.4 Overall, the building is considered to be of sufficient distance from the Canal side Conservation Area and further away from the other heritage assets; Sinai Park, Canal Milepost and Shobnall Grange.
- 10.3 It is considered that the streetscene of the conservation area will be preserved following completion of the works. The works are considered acceptable, in accordance with Paras 212 of the NPPF. The proposal therefore would preserve the special significance of the conservation area and would achieve the desirable objectives as described within Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 10.4 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 effect cladding to the front elevation and the extent of landscaping between would soften the impact of the building on the canal.
- 10.5 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**

- 11.1 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. The new access road will end at the access to this unit. Whilst the access road has been built to adoptable standards it is currently unadopted by the Highway Authority.
- 11.2 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. 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.
- 11.3 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 and partially on the frontage of the site, seen against the backdrop of the building 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 screened from full views from outside of the site and sit adjacent to the A38. Electric vehicle charging points will also be provided within the development.
- 11.4 A Framework Travel Plan for the site as a whole was approved under the outline consent and included in the S106 agreement.

- 11.5 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.
- 11.6 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**

- 12.1 It is noted that whilst the Flood Map for Planning shows the site in Flood Zones 2/3 (medium and high risk) the flood extents in this location have changed following ground reprofiling as part of the wider development and demonstrated through flood modelling that this plot is now in an area wholly within Flood Zone 1, the low-risk Zone. This therefore supersedes the Flood Map for Planning.
- 12.2 It is recognised that Conditions 10, 39 and 40 on the original outline consent require details of drainage and flood risk to be submitted for approval, for the site as a whole and each individual phase.
- 12.3 The proposed layout demonstrates that sufficient space has been provided for an attenuation basin on the building's western elevation, adjacent to the re-aligned watercourse. No objections have been raised by the Flood Authority to the current proposals.
- 12.4 Condition 40 of the outline consent will detail the final detailed design of the drainage strategy for this unit. The detailed drainage design will include additional SuDS features, including permeable paving in parking bays (allowing for infiltration if suitable) in addition to the proposed attenuation basin. The design shall also include the use of a petrol interceptor to provide additional water treatment for surface water generated by hardstanding areas subject to commercial vehicle movements.

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

- 13.1 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.
- 13.2 Despite being a major application, as a reserved matters application the submission 10% Biodiversity Net Gain (BNG) is not applicable in this case. BNG regulations relate to major full planning applications received by a Local Planning Authority from 12-02-2024 onwards. A reserved matters application is not for a new planning permission.
- 13.3 Despite no requirement for 10% BNG the outline consent through its Strategic Green Infrastructure has delivered over 18 hectares of newly created habitats including mixed scrub, grassland, woodland, ponds and hedgerows in addition to various improvements made to retained habitats.
- 13.4 The triangular area of land immediately to the north of the site (outside of the red line boundary) will form part of the overall Strategic Green Infrastructure and the planting of this area will be considered under the discharge of condition 24 from the outline consent.

## **14. Section 106 Contributions**

- 14.1 As set out within the above report this is the third 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 third 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 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 23008 0501 Rev P03 dated as received on 13-02-2024

Proposed Site Layout Plan Drawing 23008 0602 Rev P.09 dated as received on 01-02-2024

Proposed Building Layout Drawing 23008 1001 Rev P01 dated as received on 01-02-2024

Proposed Office Layout Drawing 23008 1002 Rev P01 dated as received on 01-02-2024

Proposed Building Elevations Drawing 23008 1301 Rev P01 dated as received on 01-02-2024

Proposed Roof Layout Drawing 23008 1005 Rev P01 dated as received on 01-02-2024

Proposed Building Section Drawing 23008 1101 Rev P01 dated as received on 01-02-2024

Proposed M and E Compound Details Drawing 23008 0705 Rev P01 dated as received on 01-02-2024

Proposed Refuse Enclosure Details Drawing 23008 0704 Rev P01 dated as received on 01-02-2024  
Proposed Cycle Shelter Details Drawing 23008 0703 Rev P01 dated as received on 01-02-2024  
Proposed Fencing Details Drawing 23008 0702 Rev P01 dated as received on 01-02-2024  
Proposed External Surfacing Drawing 23008 0701 Rev P01 dated as received on 01-02-2024  
Landscape Specifications by Nigel Cowlin Landscape Planning & Design dated as received on 01-02-2024  
Landscape Scheme Layout (1 of 2) Drawing NC23.766-P-201 dated as received on 01-02-2024  
Landscape Scheme Layout (2 of 2) Drawing NC23.766-P-202 dated as received on 01-02-2024  
Landscape Details – Tree Planting Drawing NC23.776-P-203 dated as received on 01-02-2024  
Landscape Typology Plan Drawing NC23.776-P-204 dated as received on 01-02-2024  
Landscape and Ecological Management Plan by Nigel Cowlin Landscape Assessment & Design Ref NC23.776-LEMP01 dated as received on 01-02-2024  
Cover Document for Landscape & Public Open Space Scheme by Nigel Cowlin Landscape Assessment & Design Ref NC23.776-LaPOSS01 dated as received on 01-02-2024  
External Materials Schedule dated as received on 01-02-2024  
External Lighting Assessment Report by mba Consulting Engineers dated as received on 01-02-2024  
Indicative External Lighting Layout Drawing 23LP055-MBA-EX-SP-DR-E-0001 Rev PL2 dated as received on 01-02-2024  
Heritage Compliance Statement by Smith Jenkins Planning & Heritage dated as received on 01-02-2024  
Planning Supporting Statement by JLL dated as received on 01-02-2024  
Design and Access Statement by UMC Architects Rev P02 dated as received on 01-02-2024  
Statement Demonstrating Compliance with Design Guide by JLL dated as received on 01-02-2024  
Energy & Sustainability Strategy by MBA Consulting Engineers P2 dated as received on 01-02-2024

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
- Planning application file P/2021/00777 for phase 2 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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