DELEGATED REPORT

Recommendation Made: 9 November 2011

Reference:- 11/00724/FUL **Parish:- Twycross Parish Council**

Applicant:- Mrs Suzanne Boardman
Twycross Zoological Park
Burton Road
Norton Juxta Twycross
Atherstone

Location:- Twycross Zoological Park Burton Road Norton Juxta Twycross Atherstone Leicestershire

Proposal:- DEMOLITION OF CHIMPANZEE EXHIBIT AND AVIARY AND ERECTION OF APE ENCLOSURE

Introduction:-

Full planning permission is sought for demolition of the chimpanzee and aviary structures and the erection of a new ape enclosure.

The scheme proposes an internal animal and keeper area, an external animal paddock with associated landscaping and moat barriers to 2.7 metres in height and three viewing windows and hardstanding for visitors.

The design of the building provides a roof void and vents for bats to access and roost. Ten trees are set to be removed, with three new trees proposed to the north of the site.

The site of the zoo measures approximately 40 hectares and is located to the south of Burton Road (A444) and to the east of Orton Hill, bounded on all sides by agricultural land. To the southwest lies Orton House Farm, to the west lies Spinney Farm and to the north lies Norton House Farm. The village of Norton Juxta Twycross lies approximately 500 metres north of the site.

The application is accompanied by a Design and Access Statement and a Bat Report.

The Design and Access Statement considers the application in policy context and this site is being re-developed as part of the wider development for a major new ape exhibit. The statement refers to the careful design to provide visit viewing locations, animal keepers, maintenance and animal welfare.

The Bat Report states that from the survey results, the presence of a bat roost has not been identified as a statutory constraint to the proposed demolition of the buildings and re-development of the site.

Planning History

Most recent planning history:-

11/99195/COU	Change of use of Himalaya function room and Norton grange board room to mixed use including wedding ceremonies.	Approved	18.04.11
10/00223/NOMAT	Non Material Amendment to planning Permission 08/01039/FUL for the installation of a roof mounted condenser and duct	Approved	01.06.10
08/00167/FUL	Creation of wetland area	Approved	24.04.08.

08/00924/CONDIT	Variation of condition 9 attached to planning permission07/00502/FUL re: opening hours	Approved	13.11.08.
08/00926/FUL	Open fronted viewing area and roof covered viewing shelter	Approved	13.11.08.
08/01039/FUL	New visitor welcome centre and associated external works	Approved	17.12.08.
08/01042/FUL	Proposed junction access improvements	Approved	18.12.08
07/00502/FUL	Erection of new visitor welcome centre with associated works and parking	Approved	04.07.07.
07/00112/FUL	Erection of flamingo house and new tea coffee and ice cream bar	Approved	13.03.07

Consultations:-

No comments/objections from:-

Severn Trent Water
Head of Community Services (Pollution)
Director of Environment and Transport (Highways)

No objection subject to conditions from:-

Directorate of Chief Executive, LCC (Ecology)
Head of Community Services (Land Drainage)

Development Plan Policies:-

Central Government Guidance

Planning Policy Statement 1 (PPS1): Delivering Sustainable Development.

Planning Policy Statement 4 (PPS4): Planning for Sustainable Economic Growth

Planning Policy Statement 7 (PPS7): Sustainable Development in Rural Areas

Local Development Framework: Core Strategy (2009)

Spatial Objective 1

Policy 23: Tourism Development

Hinckley & Bosworth Local Plan (2001)

Policy NE5: Development in the Countryside

Policy BE1: Design and Siting of Development

Policy T5: Highway Design and Vehicle Parking Standards

Appraisal:-

The main considerations with regards to this application are the principle of development, ecology and other matters.

Principle of Development

The site is located outside of the settlement boundary of Twycross and Orton on Hill, as defined on the proposals map of the adopted Local Plan and is therefore within an area designated as countryside.

At a national level, PPS7, supported by the Good Practice Planning Guide on Planning and Tourism and PPS4, specifically Policy EC7 'tourism in rural areas', are supportive of sustainable rural tourism and leisure developments that benefit rural businesses, communities and visitors. The policy goes on that Local Planning Authorities should support extensions to existing tourist sites where the scale of the use is appropriate to its location and where the proposal may help the future viability of such business.

At a local level Core Strategy Spatial Objective 1 seeks to strengthen and diversify the economy and to encourage appropriate sectors with growth potential including tourism whilst Policy 23 states that new tourism development for extended visitor attractions will be encouraged in suitable locations where the development can help support existing local community services and facilities; is of a design and scale which is appropriate to minimise impact and assimilate well with the character of the area with acceptable landscaping and adds to the economic wellbeing of the area. In addition, Policy NE5 of the adopted Local Plan seeks to protect the countryside for its own sake but is supportive of development that is important to the local economy and where it is for recreation purposes.

It is considered that this scheme intends to extend the attractions and facilities available at the existing zoo, thus benefiting this rural business and enhancing the local economy through its ability to encourage more visitors to the area.

Siting and Design

The building is set to be sited within the complex, screened by existing buildings. Given the siting and that the building would not be visible from outside of the site, it is not considered that there will be any significant impact upon the character and appearance of the countryside given the buildings positioning within the existing site.

The design of the building has been carefully considered to ensure that animals, keepers and visitors have separate areas to ensure safety. The scale of the building is similar to that of the aviary and chimpanzee buildings, set to be demolished. The design of the building is contemporary in its nature with a mono pitch roof design.

Ecology

The application has been accompanied by a bat report which has been considered by the Directorate of Chief Executive, (Ecology) whom agrees that building B1 was found not to support roosting bars and can be demolished with no further work in relation to bars whilst evidence that bats were using building B2a as a roost means that a European Protected Species license from Natural England will be required for the works to proceed. The Directorate of Chief Executive, (Ecology) endorses the proposed compensatory measures and guidance as set out in section 4.7-4.9 in the ecology report, including the provision of 5 bat boxes placed on trees around the site and concludes that this application will have no impact on any designated sites of ecological importance.

Accordingly, it is considered that proposed compensatory measures will need to be undertaken and the European Protected Species license obtained from Natural England.

Other Matters

The Head of Community Services (Land Drainage) has no objections on the assumption that the existing surface and foul water drainage arrangements will be utilised (suitably adapted) in the new development. In addition, Severn Trent Water raises no objection to the proposal.

Given the siting of the proposed building it is not considered that there would be any significant impacts upon the occupiers of nearby residential dwellings.

The scheme does not propose any alterations to the parking or access arrangements is not considered to be result in any significant changes to the local highway network and the Director of Environment and Transport (Highways) who has no comments/objection to the scheme.

Conclusion

In conclusion, it is considered that the scheme could bring benefits to the local economy and the wider tourism industry of the Borough in accordance with the requirements of Saved Policy NE5 of the Local Plan and Policy 23 of the Core Strategy and the overarching intentions of PPS4 and PPS7. The scheme would not give rise to any significant material impacts upon the occupiers of the neighbouring dwelling, highway safety or protected species and no other material impacts have been identified, that would indicate that the proposal is not in compliance with local development plan policies. Accordingly the application is recommended for planning permission, subject to the imposition of planning conditions.

RECOMMENDATION:- Permit subject to the following conditions:-

Summary of Reasons for Recommendation and Relevant Development Plan Policies :

Having regard to the pattern of existing development in the area, representations received and relevant provisions of the development plan, as summarised below, it is considered that subject to compliance with the conditions attached to this permission, the proposed development would be in accordance with the development plan as it is considered an additional to an existing tourist facility that will not be detrimental to visual or residential amenity, highway safety, flooding or protected species.

Hinckley & Bosworth Local Plan (2001):- Policies NE5, BE1, T5. .

Hinckley & Bosworth Borough Council Local Development Framework: Core Strategy (2009): - Policy 23.

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

2 The development hereby permitted shall not be carried out otherwise than in complete accordance with the following details: Location Plan Drawing no. 6209 D 0001 Rev A; Site Plan Drawing no. 6209 D 0001 Rev A; Site Plan Demolition Drawing no. 6209 D 0102 Rev A; Elevations Chimpanzee Building for Demolition Drawing no. 6209 D 0302; Elevations Aviary Building for Demolition Drawing no. 6209 D 0303; Site Plan Proposed Drawing no. 6209 D 0103 Rev A; Ground Floor Plan Drawing No. 6209 D 0104 Rev B; Roof Plan Drawing no. 6209 D 0105 Rev B; Elevations Drawing no 6209 D 0301 Rev D; Sections AA & BB Drawing no. 6209 D 0201 Rev B; Drainage & Utility Plan Drawing no. 20153 received by the Local Planning Authority on 16 September 2011.

3 Before any development commences, representative samples of the types and colours of materials to be used on the external elevations of the proposed ape enclosure shall be deposited with and approved in writing by the Local Planning Authority, and the scheme shall be implemented in accordance with those approved materials.

Reasons :-

1 To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

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

3 To ensure that the development has a satisfactory external appearance to accord with Policy BE1 of the adopted Hinckley & Bosworth Local Plan.

Notes to Applicant:-

1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.

2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.

3 As from 6 April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.

4 All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (0116 3052202).

5 The applicant is reminded that demolition of the building b2a will require a European Protected Species license from Natural England for the work to proceed.

6 The applicant is reminded to comply with the compensatory measures and guidance as set out in section 4.7-4.9 in the ecology report.

Contact Officer:- Ebbony Mattley Ext 5691