DELEGATED REPORT

Recommendation Made: 2 August 2011

Reference:- 11/00552/EXT **Parish:-**

Applicant:- Mrs Suzanne Boardman
Twycross Zoo East Midland Zoological Society Ltd
Burton Road
Norton Juxta Twycross
Atherstone

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

Proposal:- EXTENSION OF TIME FOR EXTANT PLANNING PERMISSION 08/01042/FUL FOR PROPOSED JUNCTION ACCESS IMPROVEMENTS.

Introduction:-

This application is for an extension of time to application 08/01042/FUL for proposed junction access improvements.

This application sought to make alterations to the A444 at the junction to Twycross Zoo. It was proposed to provide a ghost island priority junction. The layout comprises a formalised access with two exit lanes from the zoo along with a channelising island.

The site currently comprises a two way road layout with an access to Twycross Zoo. The highway is bounded on both sides by mature landscaping. The road widening to create the improved access will result in the removal of some of the landscaping.

Relevant Planning History: -

There have been a number of applications approved on the site of the zoo since 1981 for a variety of additional buildings including a gift shop, play barn, educational building, chimpanzee house, gorilla house, gibbon enclosure, toilet block, flamingo house, viewing shelter and visitor centre.

Consultations:-

No objections have been received from:-

Director of Environment and Transport (Highways)

Development Plan Policies:-

Adopted Core Strategy

Policy 23: Tourism Development

Adopted Local Plan

The site lies within the open countryside as defined in the adopted Hinckley and Bosworth Local Plan.

Policy BE1 - Siting and Design of Development
Policy T5 - Highway Design and Parking Provision for new development
Policy NE5 - Countryside
Policy NE12 - Landscaping schemes

Appraisal:-

The main considerations with regards to this application is whether there have been any material changes in planning policy since the previous application that would affect the determination of the application and if the originally imposed conditions or additional conditions are required.

Changes to Policy

Central Government Policy
There have been no changes at national level which would result in a different outcome for the application under consideration.

Regional Policy

In 2008 the scheme would have also been considered against Leicester, Leicestershire and Rutland Structure Plan however this development plan document has since been superseded by the Regional Spatial Strategy for the East Midlands. While this high level policy has changed it is considered that the scheme is in general accordance with the broad polices of the RSS.

Therefore, while the development plan has changed since the original decision was reached it does not lead to a different conclusion on the acceptability of the application.

Core Strategy

Since the approval of the original application the Core Strategy has been adopted. Policy 23, Tourism Development is relevant to this application. The intention of this is to support and encourage tourism development and to expand existing tourism assets, such as the zoo. The zoo is particularly identified in the Core Strategy as playing a key role in the tourism strategy of the Borough. As this development seeks to improve the access at the zoo, the facility. Accordingly the development proposed is in line with eth intentions of this policy.

Local Plan Policy

The original scheme was granted on the 18 December 2008 therefore it was considered in light of the current saved Local Plan Policies.

In summary, the development plan and other material considerations have not changed in a manner that would now lead to the application being refused.

Changes to Conditions

The proposed improvements require the removal of some mature landscaping along the north of the A444. Whilst this landscaping is in depth, it is considered that additional landscaping to strengthen this boundary to ensure the rural character is maintained should be provided. As such the condition requiring additional landscaping remains necessary. The landscaping maintenance condition, which is required alongside this condition to ensure that the approved landscaping is maintained also remains necessary.

The original conditions and the reasoning for their imposition have been considered and it is concluded that they are all necessary.

Conclusion

The development plan and other material considerations have not changed in a manner that would now lead to a different conclusion on the acceptability of the application. It is considered that subject to the conditions on the original application, as stated for the reasons outlined in the report should be imposed. As such, the extension of the scheme for a further 3 year plan period is considered acceptable.

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 enhance highway safety and allow further development at this established tourism asset. Accordingly it will be in accordance with local planning policies.
Hinckley & Bosworth Borough Council Local Plan (2001) :- BE1, NE5, NE12, T5
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 submitted application details, as follows: Drw Refs:- N7247/TC/001, N7247/TC/002, N724/TC/003, N7247/TC/004 received by the local planning authority on the 12.11.08 against application reference 08/01042/FUL.

3 No development shall take place until full details of additional landscape works along the northern boundary of the A444 have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include:

(i) planting plans
(ii) written specifications
(iii) schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate.
(iv) implementation programme.

4 The approved soft landscaping scheme shall be carried out in accordance with the approved details. The soft landscaping scheme shall be maintained for a period of five years from the date of planting. During this period any trees or shrubs which die or are damaged, removed, or seriously diseased shall be replaced by trees or shrubs of a similar size and species to those originally planted at which time shall be specified in writing by the Local Planning Authority.

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 enhance the appearance of the development to accord with policies NE12 and BE1 of the adopted Hinckley & Bosworth Local Plan.

4 To ensure that the work is carried out within a reasonable period and thereafter maintained to accord with policies BE1 and NE12 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).

Contact Officer:- Eleanor Shaw Ext 5680