DELEGATED REPORT

Recommendation Made: 4 April 2011

Reference:- 11/00105/COU **Parish:- Twycross Parish Council**

Applicant:- Mr Paul Baxter
Twycross Zoological Park
Burton Road
Norton Juxta Twycross
Atherstone

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

Proposal:- CHANGE OF USE OF HIMALAYA FUNCTION ROOM AND NORTON GRANGE BOARD ROOM TO MIXED USE TO INCLUDE WEDDING CEREMONIES

Introduction:-

This application seeks the change of use of two rooms on site to hold wedding ceremonies. The rooms in question are the Himalaya Function Room and the Norton Grange Board Room.

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.

Norton Grange is the original house on site and is situated centrally, just off the main access. Glimpses of the building can be seen from Burton Road. The Boardroom in question is situated on the southern side of the building and has access onto the house gardens. The room has a floor area of 30 Square Meters.

The Himalaya function room forms part of a modern expansion to the zoo – The 'Himalaya Complex'. This complex is situated to the eastern side of the site, with a car parking area further east and 'Pets at Twycross' to the south. This function room has a floor area of 152m2. It is proposed that this room will have a capacity to hold 86 guests. The external viewing platform to the north east of the function room is to be used for wedding photographs.

Since submission further clarification has been received in respect of the intended hours. The hours are now proposed from 7am until 00.30 am daily for the specific use under consideration.

There is to be no change to the numbers of parking spaces on site and the change of use will result in 2 further full time members of staff and up to 100 part time seasonal workers.

Relevant Planning History:-

10/00223/NOMAT	Non Material Amendment to Planning Permission 08/01039/FUL For the installation of a roof mounted condenser and Duct	Approved	1.06.10
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.
07/00502/FUL	Erection of new visitor welcome centre with associated works and parking	Approved	04.07.07.

Consultations:-

The Director of Highways, Transportation and Waste Management (Highways) has submitted Standing Advice

Head of Community Services (Pollution) raises no objection
Head of Community Services (Land Drainage) raises no objection

No comments have been received from Parish Council or neighbours

Development Plan Policies:-

National Policy
PPS1
PPS4
PPS7

Core Strategy (2009)
Policy 23
Spatial Objective 1

Local Plan
NE5
BE1
T5

Appraisal:-

The main considerations in the case are the principal of the development, impact in the character of the surrounding countryside and on highway safety.

Principal

The zoo is located outside of development limits, within the open countryside where wedding facilities would not normally be acceptable, however this said the diversification of the use of the Zoo's facilities will support the business which is an important aspect of the Borough's tourism portfolio.

At a national level, PPS7, Sustainable Development in Rural Areas, supported by the Good Practice guide on Planning and Tourism and PPS4, Planning for Sustainable Economic Growth, 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. 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. Finally, saved Local Plan policy NE5, Development in the Countryside is

supportive of development which is important to the local economy and where it is for recreation purposes. As the proposal will extend the activities 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, and will have no further impacts on the character of the countryside, as the buildings are existing. In addition, the use proposed will increase the sustainability of the site through the increased use of existing facilities. Accordingly based on the above, the principal of the change of use proposed is considered acceptable.

Character of the Countryside

As no external changes are proposed to the buildings in question, there will be no lasting impacts of the change of use proposed on the character of the surrounding countryside. Further both buildings in question are well screened, with only fleeting views available externally.

Highway Safety

It is not considered that the use proposed will result in any material increase in the use of the site. Notwithstanding this the Director of Highways, Transportation and Waste Management has raised concern over the visibility at the site. However given the nature of the use proposed and the fact that board meetings and conferences would not be able to take place at the same time as a wedding, it is not considered that there would be any net gain in visitor numbers or vehicle movements and therefore the imposition of highways conditions would be reasonable in planning terms. A condition requiring the imposition of 160m visibility splays has been requested, but for the above reason outlined above is not considered reasonable or necessary.

Other Issues

A the uses are situated within the existing zoo site and due to the distance of surrounding residential properties from the site, it is not considered that these would suffer any further adverse impacts in terms of residential amenity.

Opening Hours

Supporting information submitted with application 08/00924/CONDIT stated that normal zoo opening hours permit the public to be on site for events between 7am and midnight and that 24 hours access is also required for security and for animal care. The above application also permitted public use of the 'Himalaya complex' between the hours of 6am and midnight. Although this application seeks to extend the opening hours until 00:30 Monday to Saturday when weddings are in operation; as the buildings proposed under this application are remote from other development and the use proposed will not be permanent, the additional 30 minutes is not considered to cause any further material impacts in terms of residential amenity and thus the hours proposed are considered acceptable.

Conclusion

Guidance at both the national and local level are supportive of development which expand existing tourist uses, and further the proposal will not result in a material increase in the use of the site. Accordingly there are considered no additional impacts in terms of highway safety or residential amenity and the proposal is therefore 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 be in accordance with the development plan. As the use proposes the extension of an existing tourist facility and will utilise existing buildings on site, the principle of the development is considered acceptable and there are considered to be no further impacts in terms of either visual amenity, highway safety or residential amenity. Therefore the proposal is considered acceptable.

Hinckley and Bosworth Local Plan (2001) BE1, NE5, T5

Local Development Framework Core Strategy (2009) Spatial Objective 1, 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:- Drg Refs:- TZ.007.PR.14; TZ.006.T.24 Norton Grange Boardroom 'Existing Floor plan' 'Site Location Plan' received by the Local Planning Authority on the 28/02/11

3 The Norton Grange Board Room and the Himalaya Conference Room shall only be used for weddings between the hours of 07:00 and 00:30.

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 safeguard amenities of neighbouring properties to accord with policies BE1 and REC25 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).

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