

**Planning Committee 13th February 2024
Report of the Head of Planning**

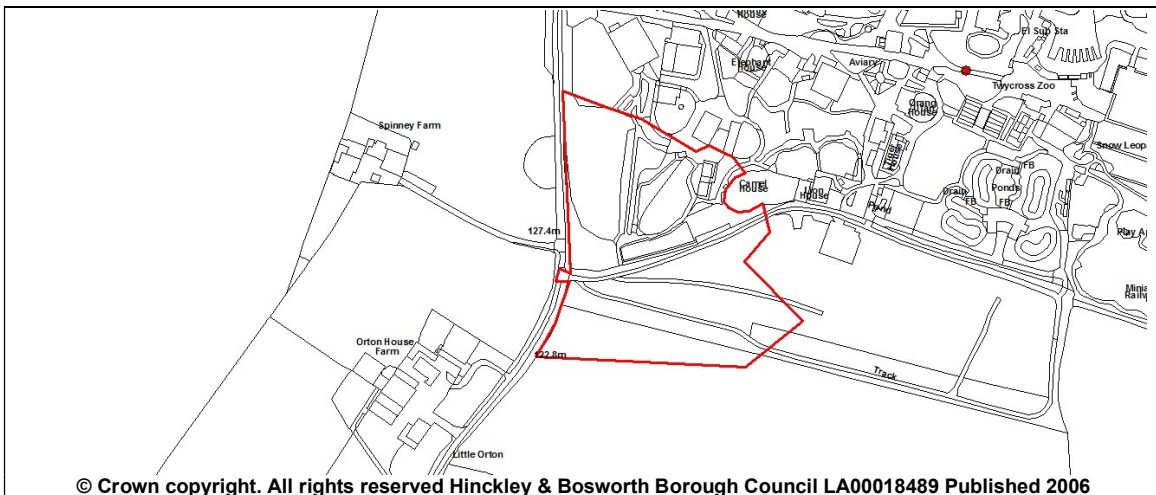


Hinckley & Bosworth
Borough Council

**Planning Ref: 23/00948/FUL
Applicant: Twycross Zoo East Midland Zoological Society Ltd
Ward: Twycross Sheepy & Witherley**

Site: Twycross Zoological Park Burton Road Norton Juxta Twycross

Proposal: Development of new animal enclosures and associated infrastructure, new lecture theatre, education block, education facilities, substations and associated residential block and lodges, new access from Orton Hill, new car park, landscaping and other associated works (following the demolition of some existing buildings).



1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report.
- That the Head of Planning be given powers to determine the final detail of planning conditions.

2. Planning Application Description

2.1. This planning application seeks full planning permission for the development of the new National Science and Conservation Centre (NSCC) at Twycross Zoological Park, Burton Road, Norton Juxta Twycross. The NSCC is a higher education campus facility with educational, research, and ancillary residential facilities to study orangutans as well as over 100 other endangered species.

2.2. The educational facility comprises three attached buildings that comprise a 216-seat lecture theatre, an education block, and an ancillary residential block that includes ancillary social space. In support of the residential block, there are also six lodges that provide additional accommodation for researchers from around the world who are based at the Zoo on a longer term basis.

2.3. To enable the NSCC to come forward, the existing orangutan enclosure is relocated within the Zoo to the application site and replaced with a new three-storey Animal Habitat and Visitor Centre. In addition to the habitat building, the scheme incorporates an elevated boardwalk, a bird aviary, three additional animal habitats, an outdoor classroom over Animal House 03, two further outdoor classrooms in the

gardens of the NSCC, an Indonesian 'village' made up of themed shelters and viewing huts, and a retail/ VR structure.

- 2.4. The Animal Habitat and Visitor Centre is located to the north of the application site, and the orangutan habitats are located to the east, south, and west of this building. The educational facility is located to the southeast of the application site, and the residential lodges are located to the north of the site beyond the Centre.
- 2.5. To facilitate this development, the existing access to the southwest of the site via Orton Hill is enhanced and utilised as a dedicated access for the NSCC. This amended access is accompanied by the provision of a 45-space car park that is solely used by those utilising the educational facility. The car park facilitates 41 standard parking bays, three accessible bays and 2 Electric Vehicle (EV) charging bays. The primary access to the Zoo for visitors via Burton Road is retained.
- 2.6. Furthermore, the existing lemur habitat is demolished and relocated elsewhere in the site, which includes the removal of three existing structures.
- 2.7. In total, the development creates 44 full-time permanent jobs. The scheme shall be open 10am to 6pm every day for the animal enclosure, whereas the NSCC and ancillary accommodation shall be open at all hours. The scheme is supported by the Government's Levelling Up Fund, which was secured via a bid by Hinckley and Bosworth Borough Council in partnership with Twycross Zoo in 2021.

NSCC Educational Facility

Educational Facility

- 2.8. The 564sqm educational facility is located to the southeast of the site and is connected to a residential block to the south, and a lecture theatre to the north. The NSCC Building features three classrooms, two breakout rooms, two administration offices, a meeting room, and a bio-science research laboratory.
- 2.9. The NSCC building utilises a 'top-heavy' design, with an increasing complexity of joints and materials as the structure rises in height. At the bottom of the structure, the scheme utilises a terracotta-tinted concrete plinth, which is below a red-brick material finish. This red brick material is then separated from two further red brick finish variations by a protruding brickwork banding feature that is incorporated on all elevations of the facility. The roof of the property is constructed with 25-degree pitch and natural red clay roof tiles. 130sqm of photovoltaic (PV) panels are also utilised on the roof space of the NSCC.

Residential Block

- 2.10. The 508sqm residential block is connected to the NSCC building via 2.6m of hit and miss brickwork and an external canopy. The residential block is a two-storey structure with a clay tiled, 25-degree pitched roof that provides 24 bedrooms. All the bedrooms have a footprint of 14.3sqm, with the exception of the accessible bedroom on the ground floor.
- 2.11. The scheme also utilises terracotta-tinted concrete plinth on the rear of the development and then a variety of red brick finishes for the upper sections of the building. The north-western elevation features aluminium curtain walling. Bat boxes are included on its south-western and north-eastern side elevations, and 120sqm of PV panels are mounted on its roof.

Lecture Theatre

- 2.12. The 470sqm lecture theatre is two-storey height and features a flat, sedum roof. The structure utilises a brick finish on the ground floor, and cement cladding panels on the first floor.

Residential Lodges

- 2.13. The six residential lodges are rectangular in form, and each have a total footprint of 66.6sqm, which includes a 2.4m deep overhanging veranda. The structures feature a fully glazed principal elevation and a pitched curved roof that has a maximum height of 6.7m. Lodges 01 to 04 are located to the north of Habitat C, whereas the remaining two lodges are located to the south of Habitat C beyond the existing pond.

The Animal Habitat and Visitor Centre, Outdoor Classrooms and Animal Houses

Animal Habitat and Visitor Centre

- 2.14. The Animal Habitat and Visitor Centre is the focus of a new 'Indonesian village' within the Zoo that educates visitors about this part of the world. The 'Indonesian' façade is subject to confirmation.
- 2.15. The three-storey, flat-roofed structure has a footprint of 980.5sqm and contains four habitats and six dens that will accommodate two male, one female and a juvenile group of orangutans. The main 1,600sqm habitat (Habitat B) is to the south of the Centre, whereas the 800sqm male habitat (Habitat A) is to the northeast, and the 990sqm mixed habitat is to the west of the Centre (Habitat C).
- 2.16. The Centre largely features steel habitat walls to its ground floor and cement cladding panels to the higher floors. However, the north-western elevation of the scheme features a variety of red brick styles and finishes. 80sqm of PV panels are incorporated onto the roof space of the Centre alongside eight 21sqm rooflights and some outdoor planting areas.

Outdoor Classroom

- 2.17. Adjacent to the Centre to the east is a two-storey outdoor classroom, which includes stepped seating on the ground floor and first floor. The outdoor structure is constructed with terracotta-tinted walls and a timber framed pitched roof that has a timber shingled covering. The outdoor classroom is attached to, and separated from the main habitat by, a 175sqm new habitat, which is accompanied by a 345sqm animal house (Animal House 03) that is constructed with a mixture of render and horizontal timber cladding finishes.

Animal Houses

- 2.18. To the north of the Habitat and Visitor Centre are two further animal houses, one of which (Animal House 01) is 124sqm and features two 200sqm habitats, and the other (Animal House 02) is 83sqm and has a 500sqm associated habitat. Animal House 01 is constructed with horizontal timber cladding and a corrugated steel roof. On the other hand, Animal House 02 incorporates a render finish and an artificial thatched roof. The animals to be hosted within these areas is to be confirmed.

- 2.19. The Centre is connected to, and provides access to the outdoor classroom, the new animal houses, and a new bird aviary via new timber boardwalks.

Other Facilities

- 2.20. To the southeast of the outdoor classroom is a 185sqm single storey bird aviary. The aviary accommodates six dens and a netted enclosure that runs through the centre of the building. The structure is constructed with horizontal timber cladding, and an artificial thatch roof on either side of the black netting of the aviary.
- 2.21. An 80sqm play area has also been provided to the east of the outdoor classroom, and to the north of the bird aviary. To the north of the play area is four 30sqm themed single storey timber structures, and four market stalls are provided near the entrance into this new section of the Zoo. There is also a 13sqm themed retail kiosk located between the Centre and Animal House 01.
- 2.22. In addition, two single storey substations are provided within the site alongside a refuse structure. Substation A is a 23.6sqm building that is adjacent to the refuse store on the western side of the NSCC. The refuse store is also a brick built, single storey building, which has a footprint of 17sqm. On the other hand, Substation B is a 224.3sqm brick structure that is located to the south of the bird aviary.
- 2.23. This application is accompanied by the following reports and documents:
- Arboricultural Impact Assessment
 - Arboricultural Method Statement
 - Bat Roost Assessment
 - Biodiversity Metric Assessment
 - Design and Access Statement
 - Energy Statement
 - Great Crested Newt Habitat Suitability Index Assessment
 - Flood Risk Assessment and Drainage Strategy
 - Habitat Regulations Assessment
 - Highways Transport Technical Notes
 - Minerals Assessment
 - Phase 1 Preliminary Risk Assessment
 - Planning and Heritage Statement
 - Preliminary Arboricultural Assessment
 - Preliminary Ecological Appraisal
 - Proposed Tree Removal/ Retention Plan
 - Statement of Community Engagement
 - Transport Statement
 - Tree Survey and Arboricultural Statement
 - Waste Management Strategy

3. Description of the Site and the Surrounding Area

- 3.1. The 1.64ha application site is located within, and towards the south-western boundary of, Twycross Zoo and comprises of existing animal enclosures (specifically the lemur enclosures), fields and an open area with a small area of hardstanding that accommodates vehicle parking, and various small shed-like structures that are associated with the Zoo. There is a tree line that runs east-west through the centre of the site, which forms part of the boundary for the existing lemur enclosure. This part of the site falls within the area of the Zoo's existing license.

- 3.2. The site is bound to the north and east by land and buildings associated within the Zoo. Approximately 480m east of the application site is Public Right of Way (PRoW), Footpath T5. To the south the site is bounded by hedgerow, and beyond this lies agricultural fields and PRoW, Footpath T2, which runs east-west. To the west the site is bound by Orton Hill, and beyond this lies further agricultural fields. The application site is also approximately 110m northeast of Orton House Farmhouse, which is a Grade II Listed Building.
- 3.3. Orton Hill is an adopted and classified 'C' road that is subject to a 30mph speed limit adjacent to the application site. Orton Hill is bounded by dense mature vegetation on either side of the highway, which screens the Zoo from the road.
- 3.4. The wider Zoo site covers an area of 32ha and is located approximately 850m to the southwest of, and outside of the identified settlement boundary of, Norton Juxta Twycross, which is classified as a rural hamlet within the adopted Core Strategy. The Zoo is also 2.4km to the northwest of Twycross, which is classified as a rural village within the adopted Core Strategy. Therefore, the application site is considered to be within the designated open countryside.
- 3.5. The application site also falls within Landscape Character H (Twycross Open Farmland) within the Landscape Character Assessment (LCA). Twycross Zoo is identified as a key characteristics of Landscape Character H. However, the LCA also characterises Landscape Character H as elevated plateau farmland that rises above surrounding lowland vales, which provides distant panoramic views over the surrounding lowland landscape. Consequently, one of the key sensitivities of the area is the extensive and distant views across the open rural landscape because any change or development has the potential to be widely visible from this area. Therefore, one of the main landscape strategies is to ensure that development respects the rural context in order to retain this area of remoteness, rural character and dark night skies.
- 3.6. The application site is also within Landscape Sensitivity Area (Orton on the Hill to Twycross) as identified within the Landscape Sensitivity Assessment (LSA). The LSA highlights Twycross Zoo as an example of commercial development that is well integrated into the rural landscape setting but acknowledges that there is limited capacity for further developments of this scale. Overall, the LSA considers Landscape Sensitivity Area 1 to have an overall medium-high sensitivity to development, which increases to a high sensitivity to large scale (Use Class B8) commercial development.
- 3.7. Twycross Zoo is an award-winning visitor attraction and attracts over half a million visitors each year. The site is identified within the adopted Core Strategy as a significant visitor attraction and a major tourism facility. This is because Twycross Zoo is the largest conservation zoo in the Midlands and attracted over 660,000 visitors in 2019. The Zoo is currently accessed from Burton Road (A444) to the north, which is an adopted, and classified 'A' road that subject to a 50mph speed limit.
- 3.8. Twycross Zoo was established in 1963 and became a charitable trust, The East Midland Zoological Society, in 1972. The Zoo is renowned as a specialist primate centre and is the only zoo in the UK to feature all four great ape species (chimpanzees, gorillas, orangutans, and bonobos). In the last ten years, Twycross Zoo has successfully bred 72 different species of animal, created new habitats for endangered and critically endangered species, contributed over £450,000 to the

work of global conservation organisations and facilitated more than 500 research projects.

- 3.9. Pre-application advice was sought via 22/10166/PREMAJ, which was supported by three pre-application meetings. On 9 January 2023, officers advised that they supported the proposal but a Flood Risk Assessment and Drainage Assessment, and a Habitat Regulation Assessment are required to support any application. In addition, the scheme needs to provide electric vehicle charging in line with the requirements of the National Planning Policy Framework (NPPF) and demonstrate that the phosphate position of the nearby River Mease Special Area of Conservation is not worsened by the development.

4. Relevant Planning History

- 4.1 Twycross Zoological has an extensive planning history, however the following applications have been determined at the Zoo more recently:

4.2 21/00386/FUL

- Reconfiguration of access junction, change of use of fields to car park with aggregate access spine roads, grass parking spaces and improved drainage (part retrospective and partial resubmission of 19/01283/FUL).
- Permitted
- 16.07.2021

4.3 21/00224/FUL

- Creation of themed family adventure area including demolition works, earth works, external works to include existing structures and extension to café, construction of aviary, installation of feature sculptures and animatronics and hard and soft landscaping.
- Permitted
- 07.06.2021

5. Publicity

- 5.1 The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site and a notice was displayed in the local press.

- 5.2 No responses have been received.

6. Consultation

- 6.1 North Warwickshire Borough Council confirmed that they had no objection in principle to the development but has a holding objection to the scheme because it has not been demonstrated that access to the site cannot be achieved from the A444, thus eliminating the potential traffic to use Orton Lane and having to travel through the North Warwickshire rural highway network.

- 6.2 There have been no objections from the following consultants:

- Environment Agency
- Hinckley & Bosworth Borough Council (HBBC)'s Arboricultural Officer (subject to conditions)
- HBBC's Drainage Officer (subject to conditions)
- HBBC's Environmental Services' Pollution Officer (subject to conditions)
- HBBC's Waste Management Officer
- HBBC's S106 Officer

- Leicestershire County Council (LCC)'s Archaeology
 - LCC's Developers' Contributions
 - LCC Drainage (subject to conditions)
 - LCC Ecology (subject to conditions)
 - LCC Minerals and Waste
 - LCC's Tree Officer
 - Leicestershire Police
 - Local Highway Authority (LHA) (subject to conditions)
 - NHS England
 - Theatres Trust
 - Warwickshire County Council Highways
- 6.3 Cadent Gas, Leicestershire County Council's Children and Young People Services, Leicestershire Fire and Rescue Services HQ, Severn Trent Water, and Twycross Parish Council did not comment on the application.

Arboriculture

- 6.4 Leicestershire County Council (LCC)'s Tree Officer confirmed that the development does not affect any County Council Tree Preservation Orders and therefore has no comments to make on this application.
- 6.5 On 6 December 2023, the Council's Arboricultural Officer disagreed with the safety reasoning for the removal of the poplar trees from the site. The Arboricultural Officer also requested that the Biodiversity Metric explained how the loss of the trees within the site are off-street by additional tree planting either within the site or elsewhere. Nevertheless, in light of the removal of eight Category B trees/ tree groups, the harm to the trees within the site should be balanced against the benefits of the development. Moreover, an Arboricultural Auditing and Monitoring Programme should be secured via planning condition to ensure that the Applicant's Tree Protection Plan is implemented.

Archaeology

- 6.6 On 22 November 2023, LCC's Historic and Natural Environment Team confirmed that they had reviewed the Leicestershire and Rutland Historic Environment Recording (HER) and they do not consider the proposal to result in any significant direct or indirect impacts upon the archaeological interest of any known or potential heritage assets. Therefore, LCC have advised that the development warrants no further archaeological action.

Developer Contributions

- 6.7 On 25 October 2023, the LCC's Planning Obligations Team confirmed that they had no comments on this development as the scheme does not contain any residential dwellings.

Ecology

- 6.8 On 13 November 2023, LCC's Ecology Department requested clarification on the impacts on foraging and commuting bats and justification as to why bat activity surveys were not recommended within the Applicant's Preliminary Ecological Appraisal (PEA).
- 6.9 In accordance with the PEA, the County Council advised that further protected species surveys and accompanying protected species reports such as a Preliminary Roost Assessment (PRA) and a Great Crested Newt Habitat Suitability Index (GCN HSI) are carried out at the correct time of year and with appropriate survey effort,

These surveys should also include dusk emergence and dawn re-entry surveys for bats on Buildings 1 and 4, and Tree 21, and Environmental DNA (eDNA) sampling should be undertaken on Pond P1.

- 6.10 Moreover, LCC Ecology requested precautionary measures in the form of a Reasonable Avoidance Measures Method Statement (RAMMS) that covered breeding birds, common amphibians, and other priority mammals such as hedgehogs. RAMMS should be secured via a pre-commencement planning condition.
- 6.11 LCC Ecology also stated that the original Soft Landscaping Strategy resulted in significant net biodiversity loss. Therefore, it was advised that further on-site biodiversity net gain solutions should be sought, but if net gain cannot be achieved within the site, the provision of off-site compensation can be condition.
- 6.12 On 9 January 2024, the Applicant stated that whilst the habitats such as trees, neutral grassland and hedges are suitable for foraging bats, due to the small size of the site and its location adjacent to arable land and the built managed environment of the Zoo, the suitability for bat foraging is considered to be low. In addition, there is no continuous highly suitable foraging habitat between the site and the wider landscape. Given that the proposal seeks to retain as much habitat as possible and to create connectivity along the edges of the site through hedgerow and tree planting, the Applicant did not consider activity surveys to be proportionate to the scale of the impacts of the development. The Applicant has also suggested that they will review their lighting strategy to ensure that disturbance to foraging and commuting bats are as minimal as possible.
- 6.13 To demonstrate that bats will not be greatly impacted by the development, the Applicant offered to prepare a Mitigation Strategy that could be secured via a pre-commencement planning condition. In addition, the Applicant requested that any bat or roost surveys were conditioned due to the timescales associated with the development.
- 6.14 The Applicant also requested that contributions to Biodiversity Net Gain (BNG) were resolved post-determination via pre-commencement planning conditions.
- 6.15 On 16 January 2024, LCC Ecology confirmed that the justification for the absence of bat activity surveys was appropriate, and that the production of a bat-sensitive lighting strategy that is reviewed and approved by an ecologist is a satisfactory approach that should be secured via pre-commencement planning condition.
- 6.16 Furthermore, LCC Ecology advised that in order to prepare a Mitigation Strategy further data on the potential roost (or if a roost is even present) must be determined, and without further bat surveys it is not possible to create an appropriate Mitigation Strategy because they are essential in order to inform the need for a Natural England Bat Mitigation License and the Mitigation Strategy. If, after surveys, it is determined no roosts are present, works can likely proceed under precautionary methods of work/RAMMS. Similarly, the recommended eDNA survey would inform an appropriate Mitigation Strategy for great crested newts and avoid the likelihood of an offence being committed.
- 6.17 LCC Ecology confirmed that the provision of a RAMMS and be appropriately secured via pre-commencement planning condition.

- 6.18 Whilst LCC Ecology accepted that biodiversity net gain is a process and further iterations of the landscape plan are required to achieve optimal biodiversity net gain, the County Council stated that net gain should be achieved at feasibility stage, or, at least, it should be demonstrated that the current significant net loss of biodiversity can be improved upon. To ensure this, a scheme for biodiversity net gain that is accompanied by a biodiversity net gain metric should be secured via pre-commencement planning condition to demonstrate that biodiversity net gain has been achieved either via on-site or an off-site approach.
- 6.19 Whilst the Applicant appreciated LCC Ecology's pre-determination request for bat and great crested newt surveys, due to the nature of the timescales of the Government funding that is supporting the scheme, the Applicant highlighted that the delays from requiring these surveys pre-determination posed significant risk to the viability of the scheme. As such, the Applicant requested a robustly worded pre-commencement condition to prevent any harm to protected species or any wildlife habitats. The Applicant suggested that the Mitigation Strategy could be based on a variety of scenarios from 'worst-case' in which maternity roosts for more common crevice dwelling species were present, alongside other lesser impacts such as 'nothing recorded' scenarios, and a series of potential mitigation measures would be provided for each scenario.
- 6.20 On 24 January 2024, LCC Ecology highlighted that it was unfortunate that the existing lemur house and ash tree (T21) were considered to have high bat potential, and Pond 1 within the application site was considered to be suitable for great crested newts. Nevertheless, in these site-specific circumstances, LCC Ecology agreed that suitably worded pre-commencement conditions could ensure the protection of protected species and their habitats.
- Flooding
- 6.21 On 24 October 2023, the Environment Agency confirmed that the application site falls within Flood Zone 1, and therefore they do not have any fluvial flood risk concerns with the site. Given the above, and the fact that there are no other environmental constraints associated with the application site that fall within the remit of the Environment Agency, the Environment Agency did not make any formal comment on the development.
- 6.22 On 23 November 2023, LCC as the Lead Local Flood Authority (LLFA) notes that the application site consists of 85% greenfield land and 15% brownfield land, which is all located within Flood Zone 1, which is classified as being at low risk of fluvial flooding and has a low risk of surface water flooding.
- 6.23 The proposals seek to discharge 10l/s via cellular storage to an on-site watercourse, with permeable paving and full retention separator for car parking. A small area of the car park is proposed to discharge by infiltration via permeable paving.
- 6.24 The Applicant's Flood Risk Assessment recommends further drainage surveys to identify any live drainage entering the site and ditch networks, including proposed outfalls. The LLFA have advised that this should be completed to inform the detailed surface water drainage scheme.
- 6.25 In light of the above, the LLFA consider the scheme to be acceptable subject to four planning conditions including the pre-commencement provision of a surface water drainage scheme, details in relation to the management of surface water on site during construction, and the infiltration testing within the site as well as details

regarding the long-term maintenance of the surface water drainage system prior to the first use of the start.

- 6.26 On 30 November 2023, the Council's Drainage Officer recommended three planning conditions to secure a suitable Sustainable Drainage System (SuDS) scheme for the development.

Highways

- 6.27 On 15 November 2023, Warwickshire County Council (WCC) confirmed that they had no objection to the development.

- 6.28 On 27 November 2023, LCC as the Local Highway Authority (LHA) advised that they do not consider the application as submitted to fully assess the highway impact of the proposed development. Consequently, the following information was required:

- Swept Path Analysis of a refuse collection vehicle and minibus turning right in, or left out of, the Orton Hill access.
- A drawing detailing widening of the access and/or carriageway and potentially increasing the junction radii of the access to accommodate refuse collection vehicles. A Stage One Road Safety Audit (RSA1) and Designer's Response (if necessary) would need to accommodate any proposed works.
- Further clarification in respect of trip generation and how the site would operate, particularly the classrooms and lecture theatre, as well as the opening hours.

- 6.29 On 19 December 2023, the Applicant provided a highways technical note that provided swept path analysis of the site access, alongside clarification on trip generation to the NSCC and Twycross Zoo, and further information regarding parking provision within the application site.

- 6.30 On 19 January 2024, the LHA requested that the Applicant reviews widening the application site in order to prevent damage to the highway and its verges.

- 6.31 Following this and the highways technical note, the Applicant provided some additional information on 25 January 2024, which stated the following:

- The WSP Technical Note dated 18 December 2023 confirms that a large refuse vehicle can enter the site from the north and south of Orton Hill and exit the site to the north and south of Orton Hill in forward gear.
- The swept path analysis of the large refuse vehicle shows that entry and exit can be achieved without mounting the kerbs of the access bell mouth.
- The refuse vehicle will use the access infrequently. Owing to the nature of the use, this will be limited to 1-2 times per week, which is a negligible volume of vehicle movements.
- Orton Hill currently accommodates low traffic volumes and is subject to a 30mph speed limit in this location, so interface with other road users is likely to be limited.
- There is currently no footpath on Orton Hill, and, as a consequence, there is minimal interface with pedestrians in this location.
- Safety concerns are unfounded, turning traffic into the site in this location will be at low speeds and the public are not using this access.
- This matter is considered immaterial to the determination of the application as the manoeuvre is proven to work within the space of the access arrangement and access for a large refuse vehicle gives rise to no safety concerns.

- 6.32 On 25 January 2024, the Local Highway Authority considered that the impacts of the development were not unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe.

Highway Safety

- 6.33 Based on available records to the LHA, there have been no recorded Personal Injury Collisions along Orton Hill within 500m either side of the site access within the last five years. Consequently, the LHA did not consider the proposal likely to exacerbate any existing highway safety issues.

Internal Layout

- 6.34 The car park includes 13 standard bays, three accessible bays, two electric vehicle charging bays, and nine minibus parking bays. A 10-space cycle shelter is also provided within the site. The LHA acknowledged that the car park is not open to members of the public visiting the Zoo and that coaches will continue to access and park within the site via the existing access on Burton Road.

- 6.35 Given the narrow nature of Orton Hill, which is predominantly a single-track road, the LHA considered that the size of the proposed car park would, in itself, limit the amount of traffic that can be directed to use the car park at any given time. The LHA stated that it does not wish to see an increase in coach trips along Orton Hill, and therefore it is welcomed that the Applicant intends for coaches to use the existing main car park accessed off Burton Road and will have procedures in place to manage the parking of visitors to the NSCC.

Junction Capacity Assessments

- 6.36 At this stage, the LHA considered that it did not require junction capacity assessments for either the NSCC access on to Orton Hill, or the existing main zoo access on to Burton Road. The LHA will give further consideration to this following additional trip generation being provided.

Site Access

- 6.37 Regular visitors to the Zoo will not be able to use the Orton Hill access and will continue to use the main access to the Zoo and the car park on Burton Road.

- 6.38 The LHA highlighted that, as part of planning permission 21/00386/FUL, Condition 09 required the Applicant to provide a ghost right turn lane at the Burton Road access within 12 months. Under planning permission 22/00098/CONDIT, the time limit of Condition 09 was extended to 16 months, the LHA note that the proposals have not yet been implemented.

- 6.39 At this stage, the LHA does not require the Applicant to undertake any further consideration of the Burton Road access as part of this application, however, the LHA advised that it cannot rule out that this may need to be considered by the Applicant at a later date.

- 6.40 The Applicant has submitted an Access Visibility Splay plan at Appendix A of their NSCC Transport Assessment, which provides details of 2.4m x 43m visibility splays at the site access, which is in accordance with Table DG4 of Part 3 of the Leicestershire Highway Design Guide (LHDG). Notwithstanding this, the LHA have undertaken a site visit and acknowledged that visibility splays would exceed this

distance in both directions with splays of approximately 2.4m x 90m to the south and 2.4m x 215m plus to the north.

- 6.41 The Applicant has also provided a Swept Path Analysis of the site entrance via Orton Hill at Appendix A of their NSCC Transport Assessment.
- 6.42 Whilst the Swept Path Analysis has been provided, the LHA considered that the drawings still show that vehicles are likely to hit kerb lines on both ingress and egress of the site. Over time, this is likely to cause damage to the highway and the verge. Therefore, the LHA considered that widening is necessary at the access.
- 6.43 While the Applicant has submitted reasons to the Local Planning Authority as to why they believe widening is not necessary, including due to the low frequency of refuse collection trips and the low speeds which are likely at the access, the LHA still considered that improvements to the existing access necessary to accommodate such a vehicle as the manoeuvres shown appear to show the vehicle hitting the kerb. Nevertheless, the LHA considered that this can be dealt with by means of a condition and that there is sufficient scope to provide an improved access within land under the Applicant's control and the extents of the public highway.
- 6.44 The LHA confirmed that any improvements to the site access should be accompanied by an independent Road Safety Audit and, if necessary, a Designer's Response to any problems raised along with a revised drawing.

Trip Generation

- 6.45 The LHA understood that the existing access is used by trade and contract deliveries, which is around three trip per week on average. Furthermore, school groups will continue to access the Zoo via the main entrance on Burton Road and travel on foot to the NSCC as part of their visit whereas higher education students would access the site via the Orton Hill entrance and would be catered for by the proposed car park, which includes some larger spaces for minibuses.
- 6.46 The Applicant has stated that the NSCC development results in the employment of six additional employees who will park in the main Zoo car park alongside existing employees. Other support staff and education staff at the NSCC are already employed by the Zoo and will split their time between the main Zoo site and the NSCC.
- 6.47 It is also stated that transport and access arrangements for educational establishments visiting the NSCC will be confirmed when the visit is booked in. This gives the Zoo control over vehicle arrival and departure patterns at the site, enabling an ongoing management strategy to be put into place to ensure effective and efficient use of the access and the car park. On occasions where a coach is required to transport students to the site, these will be directed to use the main car park for access, and the students will be escorted through the main Zoo site to access the NSCC.
- 6.48 The Applicant has emphasised that the majority of users for the development will already be visiting the Zoo as part of an educational trip and will benefit from the enhanced facilities.
- 6.49 The Applicant also provided visitor data for the majority of 2023, which includes the level of 'educational' and 'other' visits to the Zoo each day. The Applicant

highlighted that days when educational visits occur have a much lower overall number of visitors than at weekends and non-term days. It has also been stated that the proposals is a replacement and enhancement of the existing facilities (the Learning Centre), which the National Science and Conservation Centre (NSCC) is replacing. The Applicant also highlighted that timed ticketing has been introduced at the Zoo meaning arrival times for visitors are managed more effectively.

- 6.50 The Applicant highlighted that the car park for the NSCC has been designed to accommodate long term parking by researchers, lecturers, and some students who remain on-site for three-to-four nights, or, in some cases, potentially up to several months, with the remainder of the spaces being for deliveries, staff, or long-term visitors who are arriving or departing. In light of the above, the Applicant anticipated a typical peak level of 25 vehicles a day using the Orton Hill access when the site is operating at capacity and where the Zoo may have additional lecturers, researchers, and students on-site, and additional staff requirements. It is advised only key parties would park at the NSCC car park with others being directed to park in the main car park.
- 6.51 Overall, the LHA advised that, given the above, it could not demonstrate that the proposals could lead to a severe increase in the level of traffic using either the existing or proposed site access and that the level of parking proposed for the NSCC is considered acceptable, subject to six planning conditions.

Leicestershire Police

- 6.52 On 13 November 2023, Leicestershire Police confirmed that they had no formal objections in principle to the application site. However, Leicestershire Police have made several general recommendations such as ensuring doors, windows, security measures, and lighting through the site are in accordance with the requirements of Building Regulations.

Minerals and Waste

- 6.53 On 25 October 2023, LCC, as the Minerals and Waste Planning Authority, have stated that that they have no comments on the application from a waste perspective.
- 6.54 However, the application site is located within a Mineral Safeguarding Area (MSA) for sand and gravel. Having reviewed the proposals, LCC Minerals consider the development to result in an extension of the existing zoo and its buildings and boundary into the MSA. Consequently, LCC Minerals have requested that the development must be accompanied by a Mineral Assessment of the effect of the proposed development on the mineral resource beneath or adjacent to it, in accordance with Policy M11 of the Leicestershire Minerals and Waste Local Plan.
- 6.55 On 22 November 2023, the Applicant submitted a Mineral Assessment Report, which demonstrated that sand and gravel is the most abundant MSA designation type in the Borough. In addition, the Applicant highlighted that there is ample remaining land remaining safeguarded for sand and gravel in the area that could be used in response to any future demand and therefore the development is not a risk to future supply. The Report also asserted that the proposal is an extension of the well-established existing use of the Zoo, which has previously been found acceptable within the MSA. Ultimately, the Applicant has suggested that, given the significant environmental, economic, and social benefits associated with the development, the application site is acceptable from a mineral perspective and the benefits clearly outweigh any harm to the mineral potential of the land.

6.56 As a result, LCC responded on 22 November 2023 and confirmed that, in light of this further information, the Minerals and Waste Authority have no objection to the application given the context of the proposals and the close proximity to the existing built development and surrounding uses.

NHS England

6.57 As this development does not directly relate to housing dwellings, NHS England is not requesting health funding from this development.

The Theatres Trust

6.58 The Theatres Trust confirmed that, as the development is not utilised for plays or other live performance events, the proposal falls outside of their statutory remit. Therefore, The Theatres Trust has not comment to make on the development.

Pollution

6.59 On 24 October 2023, the Council's Pollution Officer has that the recommendations of the Phase I Risk Assessment should be followed. In addition, the Pollution Officer has requested two planning conditions relating to the investigation into any potential land contamination within the site prior to the commencement of development on site and the investigation of all potential land contamination should contamination not previously identified be found within the site during development.

6.60 No further responses have been received.

7. Policy

7.1 Core Strategy (2009):

- Policy 12: Rural Villages
- Policy 13: Rural Hamlets
- Policy 23: Tourism Development

7.2 Site Allocations and Development Management Policies Development Plan Document (SADMP) (2016):

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM4: Safeguarding the Countryside and Settlement Separation
- Policy DM6: Enhancement of Biodiversity and Geological Interest
- Policy DM7: Preventing Pollution and Flooding
- Policy DM10: Development and Design
- Policy DM11: Protecting and Enhancing the Historic Environment
- Policy DM12: Heritage Assets
- Policy DM13: Preserving the Borough's Archaeology
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards
- Policy DM24: Cultural and Tourism Facilities
- Policy DM25: Community Facilities

7.3 National Planning Policies and Guidance:

- National Planning Policy Framework (NPPF) (December 2023)
- Planning Practice Guidance (PPG)
- National Design Guide (2019)

7.4 Other Relevant Guidance:

- Good Design Guide (2020)
- Landscape Character Assessment (LCA) (2017)

- Landscape Sensitivity Assessment (LSA) (2017)
- Leicestershire Highway Design Guide (LHDG) (2022)
- Replacement Local Plan (RLP) 2020 - 2041

7.5 The RLP can only be given limited weight at this stage because it has not been tested through examination in public.

8. Appraisal

8.1. The key issues in respect of this application are therefore:

- Principle of development
- Design and impact upon the character of the area
- Impact upon residential amenity
- Impact upon parking provision and highway safety
- Drainage and flooding
- Ecology and biodiversity
- Other matters
- Planning balance

Principle of Development

8.2 Paragraph 2 of the National Planning Policy Framework (NPPF) identifies that planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The NPPF is a material planning consideration in planning decisions.

8.3 Paragraph 7 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. The three overarching objectives of sustainable development (economic, social, and environmental) are detailed within Paragraph 8 of the NPPF. Therefore, in accordance with Paragraph 11 of the NPPF, planning decisions should apply a presumption in favour of sustainable development.

8.4 However, Paragraph 12 of the NPPF confirms that the presumption in favour of sustainable development does not change the statutory status of the Development Plan as the starting point for decision making. Where planning applications conflict with an up-to-date plan, development permission should not usually be granted unless other material considerations indicate otherwise.

8.5 The current Development Plan consists of the adopted Core Strategy and the adopted Site Allocations and Development Management Policies (SADMP) Development Plan Document. The spatial distribution of growth across the Borough during the plan period 2006-2026 is set out in the adopted Core Strategy.

8.6 Both the Core Strategy and the SADMP are over 5 years old and were adopted prior to the publication of the current NPPF. Paragraph 33 of the NPPF states that policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary.

8.7 Nevertheless, in accordance with Paragraph 225 of the NPPF, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the NPPF. Due weight should be given to existing policies according to their degree of consistency with the NPPF. Ultimately, the closer the policies in the plan are to the policies in the NPPF, the greater weight they may be

given. Therefore, this report sets out the relevant adopted Core Strategy and SADMP policies and refers to the NPPF and notes any inconsistencies between them.

- 8.8 Section 6 of the NPPF states that planning decisions should help create the conditions in which businesses can invest, expand, and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- 8.9 Paragraph 88 of the NPPF requires planning decisions to enable:
- (a) The sustainable growth and expansion of all types of business in rural areas both through conversion of existing buildings and well-designed new buildings.
 - (b) The development and diversification of agricultural and other land-based rural businesses.
 - (c) Sustainable rural tourism and leisure developments which respect the character of the countryside.
 - (d) The retention of accessible local services and community facilities such as local shops, meeting places, sports venues, open space, cultural buildings, public houses, and places of worship.
- 8.10 Policy 12 of the adopted Core Strategy requires the Council to support the role of Twycross as a tourist destination and encourage the development of the role of Twycross as a gateway to this important tourist destination. Furthermore, Policy 13 of the adopted Core Strategy states that the Council will support development of the tourism industry in line with Policy 23 of the adopted Core Strategy.
- 8.11 Policy 23 of the adopted Core Strategy states that tourism development for new and extended visitor attractions including major facilities such as Twycross Zoo, will be encouraged in suitable locations where:
- The development can help to support existing local community services and facilities.
 - Is of a design and at a scale which is appropriate to minimise and assimilate well with the character of the surrounding area with acceptable landscaping.
 - The development adds to Hinckley and Bosworth's local distinctiveness.
 - Complements the tourism themes of the Borough.
 - The development adds to the economic wellbeing of the area.
- 8.12 This Policy is supplemented by Policy DM24 of the SADMP, which asserts that the Council will seek to support the development of new cultural and tourism facilities across the Borough. Paragraph 16.3 of the SADMP states that tourism provides jobs, is a catalyst for growth, diversifies local economics, supports communities, and helps to maintain and improve national assets. Furthermore, Paragraph 16.5 of the SADMP states that visitor attractions provide a focus for tourism provision in the Borough, support local jobs, raise the Borough's profile, and increase economic activity, particularly in the rural area. They also provide educational services and often preserve and broaden understanding of the history and cultural past of local people.
- 8.13 Draft Policy CLT04 of the RLP supports proposals within the Twycross Zoo Special Policy Area when:
- (a) Development directly relates to the Zoo as a visitor and tourist facility.
 - (b) Proposals are for proportionate facilities related to life sciences and animal conservation, research, and education.

- 8.14 Policy DM25 of the SADMP states that the Council will support the formation of new community facilities across the Borough where they are accessible to the community that they intend to serve by a range of sustainable transport modes. Paragraph 17.4 of the SADMP identifies educational facilities as a community facility.
- 8.15 Paragraph 20(c) of the NPPF requires strategic policies to make sufficient provision for community facilities such as health, education, and cultural infrastructure in line with the presumption of sustainable development.
- 8.16 Outside the defined settlement boundaries, the countryside is not regarded as a sustainable location for new development. Section 15 of the NPPF requires planning policies and decisions to conserve and enhance the natural and local environment. Paragraph 180(b) specifically highlights that this should be achieved by, *“Recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services.”*
- 8.17 Paragraph 180 of the NPPF is supported by Policy DM4 of the SADMP, which states that the Council will protect the intrinsic value, beauty, open character, and landscape character of the countryside from unsustainable development. Policy DM4 of the SADMP only considers development in the countryside sustainable where:
- (a) It is for outdoor sport or recreation purposes (including ancillary buildings) and it can be demonstrated that the proposed scheme cannot be provided within or adjacent to settlement boundaries; or
 - (b) The proposal involves the change of use, re-use or extension of existing buildings which lead to the enhancement of the immediate setting; or
 - (c) It significantly contributes to economic growth, job creation and/or diversification of rural businesses; or
 - (d) It relates to the provision of stand-alone renewable energy developments in line with Policy DM2: Renewable Energy and Low Carbon Development; or
 - (e) It relates to the provision of accommodation for a rural worker in line with Policy DM5 - Enabling Rural Worker Accommodation.
- 8.18 Importantly, Policy DM4 also requires that development meets five further requirements to be considered as sustainable development. These are discussed in detail further in the report.
- 8.19 It is considered that the proposal is located within the Twycross Zoo Special Policy Area and satisfies all the requirements of draft Policy CLT04 of the RLP. In summary, this scheme provides new educational facilities and the expansion of a major tourist facility within the Borough in accordance with Policies DM24 and 25 of the SADMP, Policies 12, 13, and 23 of the adopted Core Strategy, and Paragraph 88 of the NPPF in principle.
- 8.20 Ultimately, this development supports the international conservation of biodiversity and the welfare of endangered animals, which is in accordance with Paragraph 180 and Section 15 of the NPPF in principle. In light of the above, the development is considered to significantly contribute to the economic growth and diversification of a rural business, which is compliant with Policy DM4(c) of the SADMP.
- 8.21 Given the above, the Council considers that the proposal is in accordance with the Development Plan and acceptable in principle, subject to the assessment of all

other material considerations. Other material considerations are set out within the next sections of the report.

Design and Impact upon the Character of the Area

- 8.22 Section 12 of the NPPF confirms that good design is a key aspect of sustainable development, and the creation of high quality, beautiful, and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 135 of the NPPF details the six national policy requirements of development to ensure the creation of well-designed and beautiful places.
- 8.23 Paragraph 139 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.
- 8.24 Policy DM4 of the SADMP states that development in the countryside will be considered sustainable where:
- i.) It does not have a significant adverse effect on the intrinsic value, beauty, open character, and landscape character of the countryside; and
 - ii.) It does not undermine the physical and perceived separation and open character between settlements; and
 - iii.) It does not create or exacerbate ribbon development.
 - iv.) If within a Green Wedge, it protects its role and function in line with Core Strategy Policies 6 and 9; and
 - v.) If within the National Forest, it contributes to the delivery of the National Forest Strategy in line with Core Strategy Policy 21.
- 8.25 Policy DM10(c) of the SADMP states that developments will be permitted where they complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 8.26 Paragraph 136 of the NPPF states that trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning Policies and decisions should ensure that existing trees are retained wherever possible.
- 8.27 To comply with the LCA, development in Landscape Character Area H should retain the areas remoteness, rural character, and dark night skies to ensure that the development respects the rural context of the area.
- 8.28 In accordance with the guidance within the LSA, any new development in Landscape Sensitivity Area 1 should consider the role of this area as a skyline and backdrop across a wide rural landscape in planning for any future change including maintain uncluttered skylines and avoiding prominent vertical elements. Furthermore, any development should provide appropriate measures including tree planting and the conservation of existing field boundaries to help integrate development within the rural landscape.
- 8.29 The development is not located within a designated Green Wedge, nor the National Forest and therefore Policy DM4(iv and v) of the SADMP are not applicable. Furthermore, the development does not expand to the north, east or west and is approximately 2.7km north of Orton on the Hill. Therefore, due its location and siting, the development is not considered to create, not exacerbate ribbon development, or undermine the physical and perceived separation and open

character between settlements in accordance with Policy DM4(ii and iii) of the SADMP.

- 8.30 As a consequence of the presence of the existing built form of Twycross Zoo, the scheme is not considered to result in any significant adverse visual impacts to the surrounding area from the north or northeast.
- 8.31 In addition, due to the existing mature vegetation on the western boundary of the application site, the site is not considered to be particularly visually prominent when travelling south along Orton Hill. Given the limited footpaths and opportunities for pedestrian travel along Orton Hill to the west of the site, this limited visibility is further supported by the fleeting experience of the site whilst travelling along this public highway within a vehicle. Although some of this vegetation is removed, it is considered that sufficient existing landscaping and proposed landscaping shall ensure that the limited prominence of the site is retained.
- 8.32 Furthermore, although the application site is in close proximity to the Orton House Farmhouse, the development is well separated from this heritage asset by Orton Hill and the screening of the existing mature trees. As there is little intervisibility between the heritage asset and the application site, the proposal is not considered to affect the heritage asset, nor its existing open agricultural grounds. As a result, it is considered that the scheme is unlikely to result in any harm to the Listed Building or its setting, and therefore preserves its significance.
- 8.33 Currently, the built form of Twycross Zoo is not visually prominent from the south due to the existing mature vegetation, the existing size and scale of structures within the Zoo and their distance from the public highway. Whilst a couple of several single storey structures are discernible from Orton Hill and Public Right of Way, Footpath T2, this existing situation is not considered to result in any significant harm to these public views in its current state.
- 8.34 To facilitate this development, as per Table 5.1 (Tree Removal) of the Arboricultural Impact Assessment, 19 trees/ tree groups are removed from the site, which includes the majority of the trees in the centre of the site that currently reduces the visual impact of Twycross Zoo from the surrounding area. Only one of these trees is classified as a Category U Tree, whereas half of the groups of trees and four of the individual trees are considered to be Category B Trees. The Applicant has only justified the removal of these trees by stating that it is reasonably necessary for the development to proceed.
- 8.35 Nevertheless, it is noted that no Category A Trees are removed from the site. Furthermore, the Arboricultural Impact Assessment suggests that the Category B White Poplar Tree, identified as T2, and Hybrid Black Poplar Trees, identified as T22, T25, and G15 are not considered to be suitable for busy public areas and that their removal and replacement is likely to be recommended during the ongoing management of the site's safety review.
- 8.36 Whilst the loss of these trees alone is not likely to result in significant adverse harm to the character of the area, the loss of Groups G11, G14, and G15 are likely to significantly increase the visibility of the development, and particularly the Animal Habitat and Visitor Centre, from wider areas. This is exacerbated by the 6m difference in ground height from the southern boundary of the site and the southern elevation of the Centre.

- 8.37 In addition, it is noted that the NSCC and the Animal Habitat and Visitor Centre are significantly larger structures in size, scale, volume, and massing than the existing developments near the application site such as the Tiger Habitat, The Catch fish and chip shop, and the existing Lemur Habitats. Although the retention of the groups of trees may have reduced the visual prominence of the Animal Habitat and Visitor Centre, the NSCC development is significantly closer to the Zoo's southern site boundary beyond these groups of trees.
- 8.38 Notwithstanding this, following concerns raised by the Planning Officer, the Applicant has provided 518.5sqm of additional woodland tree and scrub planting to the south-eastern corner of the NSCC's residential block. The Applicant advised that further planting could not be provided due to the retention of an existing internal access track to the south, and the retention of a separation gap to the north-west that is required to future-proof the development. However, it is noted that the additional landscaping is separated from the residential block by further hedge planting, and the Applicant has confirmed that the existing hedgerows along the southern boundary of the site are retained. It is considered that this soft landscaping scheme is likely to reduce support the reduction in the visual impact of the development from the wider area.
- 8.39 Nevertheless, whilst the soft landscaping may reduce the development's visual impact, it is not considered that these provisions are likely to fully address the visual prominence of the new NSCC facilities, which range from 10.1 to 12.3m in height, and the 13.6m high Animal Habitat and Visitor Centre from Orton Hill and Public Footpath T2. Such prominent structures in these site-specific circumstances are likely to result significant harm to the intrinsic value, beauty, open character, and landscape character of the Landscape Sensitivity Area, the Landscape Character Area, and the wider countryside.
- 8.40 Given the above, it is considered that the development results in significant harm to the intrinsic value, beauty, open character, and landscape character of the Landscape Sensitivity Area, the Landscape Character Area, and the wider countryside to the south of the site and from Public Right of Way Footpath T2 contrary to Policies DM4 and DM10 of the SADMP. Ultimately, this harm should be weighed against the public benefits of the development.

Impact upon Residential Amenity

- 8.41 Paragraph 135(f) of the NPPF requires planning policies and decisions to ensure that developments create places that are safe, inclusive, and accessible, and which promote health and well-being, with a high standard of amenity for existing and future users.
- 8.42 Policy DM10(a) and (b) of the SADMP states development will be permitted provided that it would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting and noise and that the amenity of occupiers would not be adversely affected by activities within the vicinity of the site.
- 8.43 The Good Design Guide requires the way buildings to relate to each other, and their orientation and separation distances, to provide and protect acceptable levels of amenity.
- 8.44 The proposal is an expansion of an existing 32ha zoological park, which has been present at the site since 1963, and the nearest residential dwelling is over 150m

from the application site. In light of the above and given the additional proposed use of the application site as an educational facility, the development is not considered to result in any significant adverse impacts to neighbouring residential amenity as a result of loss of privacy, loss of light, any overbearing or overlooking impacts, nor noise or air pollution impacts. Therefore, the scheme is considered to be in accordance with Policy DM10 of the SADMP and the Good Design Guide.

Impact upon Parking Provision and Highway Safety

- 8.45 Section 9 of the NPPF promotes sustainable transport. Paragraph 114 of the NPPF states that planning decisions should ensure that developments provide appropriate opportunities to promote sustainable transport modes, given the type of development and its location and a safe and suitable access to the site for all users. Any proposal should ensure that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 8.46 Ultimately, development should be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe, in accordance with Paragraph 115 of the NPPF.
- 8.47 Policy DM17 of the SADMP supports development that makes best use of public transport, provides safe walking and cycling access to facilities, does not have an adverse impact upon highway safety. All proposals for new development and changes of use should reflect the highway design standards that are set out in the most up to date guidance adopted by the relevant highway authority (currently this is the Leicestershire Highway Design Guide (LHDG)).
- 8.48 Policy DM18 of the SADMP requires developments to demonstrate an adequate level of off-street parking provision.
- 8.49 Paragraph 3.165 (Dimensions) of Part 3 of the LHDG requires minimum parking sizes to be 2.4m x 5.5m, and an additional 0.5m in width is required the parking space is bounded by a wall, fence, hedge, line of trees or other similar obstructions on one side. This width increases to 1m if the parking space is bounded on both sides.

Highway Safety

- 8.50 Based on available records to the Local Highway Authority (LHA), there have been no recorded Personal Injury Collisions along Orton Hill within 500m either side of the site access within the last five years. Consequently, it is not considered that the proposal is likely to exacerbate any existing highway safety issues.

Internal Layout

- 8.51 The new car park includes 13 standard bays, three accessible bays, two electric vehicle charging bays, and nine minibuss parking bays. A 10-space cycle shelter is also be provided within the site. However, it is noted that the car park is not open to members of the public visiting the Zoo and that coaches will continue to access and park within the site via the existing access on Burton Road.
- 8.52 Given the narrow nature of Orton Hill, which is predominantly a single-track road, the LHA considered that the size of the proposed car park would, in itself, limit the

amount of traffic that can be directed to use the car park at any given time. The LHA stated that it does not wish to see an increase in coach trips along Orton Hill, and therefore it is welcomed that the Applicant intends for coaches to use the existing main car park accessed off Burton Road and will have procedures in place to manage the parking of visitors to the NSCC.

Site Access

- 8.53 The Access Visibility Splay plan at Appendix A of the NSCC Transport Assessment provides details of 2.4m x 43m visibility splays at the site access, which is in accordance with Table DG4 of Part 3 of the LHDG. Notwithstanding this, the LHA have undertaken a site visit and acknowledged that visibility splays exceed this distance in both directions with splays of approximately 2.4m x 90m to the south and 2.4m x 215m plus to the north.
- 8.54 The Applicant has also provided a Swept Path Analysis of the site entrance via Orton Hill at Appendix A of their NSCC Transport Assessment.
- 8.55 Whilst the Swept Path Analysis has been provided, the LHA considered that the drawings still show that vehicles are likely to hit kerb lines on both ingress and egress of the site. Over time, this is likely to cause damage to the highway and the verge. Therefore, it is considered that widening is necessary at the access.
- 8.56 Although the Applicant has submitted reasons to the Local Planning Authority as to why they believe widening is not necessary, including due to the low frequency of refuse collection trips and the low speeds which are likely at the access, the LHA still considered that improvements to the existing access necessary to accommodate such a vehicle as the manoeuvres shown appear to show the vehicle hitting the kerb. Nevertheless, it is considered that this can be dealt with by means of a planning condition and that there is sufficient scope to provide an improved access within land under the Applicant's control and the extents of the public highway.

Trip Generation

- 8.57 The Applicant highlighted that the existing access it used by trade and contract deliveries, which take place around three times per week on average. Furthermore, the proposed car park is only intended to cater for higher education students because school groups visiting the Zoo will continue to access the site via the main entrance to the Zoo on Burton Road. Employees at the NSCC, who are already employed by the Zoo, will also park in the main Zoo car park via Burton Road and will split their time between the Zoo and the NSCC.
- 8.58 The Applicant also provided visitor data for the majority of 2023, which includes the level of 'educational' and 'other' visits to the Zoo each day. The Applicant highlighted that days when educational visits occur have a much lower overall number of visitors than at weekends and non-term days. It has also been stated that the proposals is a replacement and enhancement of the existing facilities (the Learning Centre), which the NSCC is replacing. The Applicant also highlighted that timed ticketing means that arrival times for visitors are managed more effectively.
- 8.59 The Applicant highlighted that the car park for the NSCC has been designed to accommodate long term parking by researchers, lecturers, and some students who remain on-site for three-to-four nights, or, in some cases, potentially up to several months, with the remainder of spaces being for deliveries, staff, or long-term visitors

who are arriving or departing. In light of the above, the Applicant anticipated a typical peak level of 25 vehicles a day using the Orton Hill access when the site is operating at capacity and where the Zoo may have additional lecturers, researchers, and students on-site, and additional staff requirements. It is advised only key parties would park at the NSCC car park with others being directed to park in the main car park.

- 8.60 Overall, it is not considered that it can be demonstrated that the proposals leads to a severe increase in the level of traffic using either the existing or proposed site access and that the level of parking proposed for the NSCC is considered acceptable, subject to planning conditions.
- 8.61 In light of the above, the proposal is not considered to result in an unacceptable impact on highway safety or the road network, in accordance with Policies DM17 and DM18 of the SADMP, and the LHDG.

Drainage and Flooding

- 8.62 Policy DM7 of the SADMP seeks to prevent development from resulting in adverse impacts on flooding by ensuring that development does not create or exacerbate flooding.
- 8.63 Paragraph 173 of the NPPF states that when determining planning applications local planning authorities should ensure that flood risk is not increased elsewhere. Paragraph 175 states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.
- 8.64 The application site lies within Flood Zone 1 on the Environment Agency Flood Maps for Planning, which is at low risk of fluvial flooding and predominantly a very low risk of surface water flooding.
- 8.65 The proposals seek to discharge 10l/s via cellular storage to an on-site watercourse, with permeable paving and full retention separator for car parking. A small area of the car park is proposed to discharge by infiltration via permeable paving.
- 8.66 The Lead Local Flood Authority (LLFA) and the Council's Drainage Officer considered the development to be acceptable, subject to the provision of four planning conditions in relation to surface water drainage systems.
- 8.67 Given the above, the development is not considered to create or exacerbate flooding within the site or elsewhere and is therefore compliant with Policy DM7 of the SAMDP and Paragraphs 167 and 169 of the NPPF, subject to conditions.

Ecology and Biodiversity

- 8.68 Paragraph 180(c) of the NPPF states that development proposals should contribute to and enhance the natural environment by minimising impacts on and providing net gains for biodiversity. This supported by Paragraph 185 of the NPPF, which requires that plans should promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.
- 8.69 Footnote 65 of the NPPF states that Circular 06/2005 provides further guidance in respect of statutory obligations for biodiversity and geological conversation, and their impact within the planning system.

- 8.70 Policy DM6 of the SADMP states that development proposals must demonstrate how they conserve and enhance features of nature conservation and geological value including long term future management.
- 8.71 Ultimately, Paragraph 99 of Circular 06/2005 (Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System) confirms that, *“It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.”*
- 8.72 Notwithstanding this, Paragraph 99 of Circular 06/2005 also states, *“The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted.”*
- 8.73 The Preliminary Ecological Appraisal (PEA) highlight the need to undertake a Great Crested Newt Habitat Sustainability Index Assessment, a Preliminary Bat Roost Assessment, and pre-works Badger Checks.
- 8.74 The Great Crested Newt Habitat Suitability Index Assessment (GCN HSIA) concluded that six ponds had ‘Good’ suitability for breeding great crested newts, including Pond 1 (P1), which is located within the application site, and four further ponds with a ‘Below Average’ suitability. Subsequently, the GCN HSIA and LCC Ecology recommended that Pond 1 should be surveyed for the presence of great crested newts via an Environmental DNA (eDNA) assessment.
- 8.75 Moreover, the Preliminary Bat Roost Assessment (PBRA) identifies that Building 1 (the existing Lemur House) and Tree T21 (Ash Tree) have high potential to support roosting bats. In addition, the PBRA highlights that Building 4 (the ivy-covered shed) and Tree T20 had low potential to support roosting bats. As advised within the PBRA, and as recommended by LCC Ecology, bat activity surveys such as emergence/re-entry surveys are required to determine the presence of roosting bats within these structures.
- 8.76 The Applicant has not undertaken the recommended surveys prior to determination, as advised by LCC Ecology, which means that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, cannot be established.
- 8.77 However, due to the nature of the timescales of the Government funding that is supporting the scheme, the Applicant highlighted that the delays from requiring these surveys pre-determination posed significant risk to the viability of the scheme. The Applicant agreed that there is an undisputable need to undertake further assessment work, but they have also noted that, to date, no physical evidence of confirmed roosting bats has been recorded on site and opportunities are limited to a small number of locations. As such, the Applicant requested a robustly worded pre-commencement condition to prevent any harm to protected species or any wildlife habitats.
- 8.78 Therefore, following discussion with LCC Ecology, in these exceptional circumstances, as described with Paragraph 99 of the ODPM Circular 06/2005, it is considered that two pre-commencement planning conditions that ensure no demolition or development takes place until the results of two bat activity surveys on

both the lemur house and ash tree T21, as well as the results of the great crested newt survey of Pond 1 have been submitted in writing, and approved in writing, by the Local Planning Authority are acceptable. If, after surveys, it is determined no roosts are present, works can likely proceed under precautionary methods of work/RAMMS. The provision of a RAMMS is secured via pre-commencement planning condition.

- 8.79 Moreover, it is acknowledged and agreed with LCC Ecology that the Soft Landscaping Strategy results in significant net biodiversity loss. To ensure optimal biodiversity gain is achieved, a scheme for biodiversity net gain that is accompanied by a biodiversity net gain metric is secured via pre-commencement planning condition to demonstrate that biodiversity net gain has been achieved either via on-site or an off-site approach.
- 8.80 To summarise, whilst the Applicant has not demonstrated at this stage that the scheme does not result in harm to protected species or their habitats, nor that the development can ensure optimal biodiversity gain, in these exceptional site-specific circumstances, it is considered that the scheme can ensure conserve and enhance the natural environment, including biodiversity net-gain as well as safeguarding protected species and their habitats, subject to the suitably worded pre-commencement planning conditions that prevent demolition or development taking place within the site before the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, has been fully established in accordance with Policy DM6 of the SADMP, Section 15 of the NPPF, and Paragraph 99 of the ODPM Circular 06/2005.

Conclusions and Planning Balance

- 8.81 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.82 Sustainable development has three overarching objectives, which are: economic, social, and environmental, as specified within Paragraph 8 of the NPPF.
- 8.83 Due to the scale, size, massing, volume, and siting of the development, the scheme is likely to be visually prominent from the wider area and result in significant harm to the intrinsic value, beauty, open character, and landscape character of the Landscape Sensitivity Area, the Landscape Character Area, and the wider countryside to the south of the site and from Public Right of Way Footpath T2. This is exacerbated by the loss of a number of individual and groups of trees from within the application site. This environmental harm is contrary to Policies DM4 and DM10 of the SADMP and is given significant weight in the planning balance.
- 8.84 Nevertheless, the application site is not adjacent to any areas that are protected under international, national, or local legislation for their ecological, or cultural value that is affected by this development. In addition, the development retains the existing hedgerows along the southern boundary of the site and provides additional planting via a mixture of woodland and scrub planting along this boundary, particularly towards the south-eastern corner of the site, which is likely to reduce the visual impact of the scheme. It is also noted that Twycross Zoo is identified as a key characteristic of Landscape Character H.
- 8.85 Ultimately, the application site is designated as part of a Cultural and Tourism Facility (NOR07) within the SADMP. Twycross Zoo is a major tourism asset to the

Borough, and the development of cultural and tourism facilities is supported by Policy DM24 of the SADMP and Paragraph 84 of the NPPF. The development is also considered to be supported by all the criteria of Policy 23 (Tourism Development) of the adopted Core Strategy, and development that supports the Borough's tourism industry in accordance with Policy 23 of the adopted Core Strategy is also supported by Policies 12 and 13 of the adopted Core Strategy. Therefore, the scheme attracts significant support from planning policy and the social benefits of supporting cultural and tourism facilities are offered significant weight in the planning balance.

- 8.86 It is also considered that the scheme can provide significant economic benefits by supporting the tourism economy within the Borough. This includes raising the profile of the Borough, increasing the provision of new jobs, including construction work, within the local area, and diversifying the local economy. This benefit is considered to attract significant weight in the planning balance.
- 8.87 Given the established nature of the major tourism facility and the siting of the scheme, the proposal is not considered to significantly affect the nearby rural hamlets such as Norton Juxta Twycross and Orton on the Hill, nor the rural village, Twycross, in comparison to the existing stand-alone and commercial use of the Zoological Park. This is given neutral weight in the planning balance.
- 8.88 Moreover, the development of the NSCC supports the formation of a new community facility and educational opportunities within the Borough. It is considered that the provision of new educational facilities is a significant social benefit to the development, which is supported by Policy DM25 of the SADMP and Paragraph 20(c) of the NPPF. This is also considered to attract significant weight in the planning balance.
- 8.89 Overall, it is considered that the significant economic and social benefits of supporting the expansion of this established major tourism facility and its development of a new educational community facility significantly and demonstrably outweighs the potential environmental harm to the character of the countryside and the Landscape Sensitivity Area. In light of the above, it is recommended that planning permission to be granted, subject to the imposition of appropriate conditions.

9. Equality Implications

- 9.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states: -
- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.2 Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.
- 9.3 There are no known equality implications arising directly from this development.

9.4 The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

10. Conclusion

10.1 Taking national and local planning policies into account, and regarding all relevant material considerations, it is recommended that planning permission to be granted, subject to the imposition of appropriate conditions.

11. Recommendation

11.1 Grant planning permission subject to:

- Planning conditions outlined below.
- That the Head of Planning be given powers to determine the final detail of planning conditions.

11.2 Conditions and Reasons

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

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details received by the Local Planning Authority as follows:
 - Combined Masterplan 07 (submitted: 31.01.2024)
 - Demolition Plan 02 (submitted: 13.10.2023)
 - Existing Lemur Habitat P01 (submitted: 13.10.2023)
 - Existing Site Plan 01 (submitted: 13.10.2023)
 - Existing Site Sections 01 (submitted: 13.10.2023)
 - Landscape GA Ground Floor 05 (submitted: 13.10.2023)
 - Landscape GA Upper Floor 03 (submitted: 13.10.2023)
 - Proposed Animal House (01) Elevations and Sections 144-02 (submitted: 13.10.2023)
 - Proposed Animal House (01) Plans 140-03 (submitted: 13.10.2023)
 - Proposed Animal House (02) Elevations and Sections 145-02 (submitted: 13.10.2023)
 - Proposed Animal House (02) Plans 141-03 (submitted: 13.10.2023)
 - Proposed Animal House (03) Plans and Elevations 143-03 (submitted: 13.10.2023)
 - Proposed Animal House (03) Elevations and Sections 148-02 (submitted: 13.10.2023)
 - Proposed Bird Aviary Elevations and Sections 146-02 (submitted: 13.10.2023)
 - Proposed Bird Aviary Plans 142-03 (submitted: 13.10.2023)
 - Proposed Boardwalk Details (Sheet 1) 320 (submitted: 13.10.2023)
 - Proposed Boardwalk Details (Sheet 2) 321 (submitted: 13.10.2023)
 - Proposed Fence Details (Sheet 1) 310 (submitted: 13.10.2023)
 - Proposed Fence Details (Sheet 2) 311 (submitted: 13.10.2023)

- Proposed Fence Details (Sheet 3) 312 (submitted: 13.10.2023)
- Proposed Fence Details (Sheet 4) 313 (submitted: 13.10.2023)
- Proposed Fence Details (Sheet 5) 314 (submitted: 13.10.2023)
- Proposed Fence Details (Sheet 6) 315 (submitted: 13.10.2023)
- Proposed Hard Landscape P03 (submitted: 13.10.2023)
- Proposed Lodge GA Plans and Elevations P01 (submitted: 13.10.2023)
- Proposed Market Stalls Elevations and Sections 147-01 (submitted: 13.10.2023)
- Proposed NSCC Elevations (Sheet 1) P03 (submitted: 13.10.2023)
- Proposed NSCC Elevations (Sheet 2) P02 (submitted: 13.10.2023)
- Proposed NSCC First Floor Plan P08 (submitted: 13.10.2023)
- Proposed NSCC GA Sections (Sheet 1) P03 (submitted: 13.10.2023)
- Proposed NSCC Ground Floor Plan P09 (submitted: 13.10.2023)
- Proposed NSCC Roof Plan P04 (submitted: 13.10.2023)
- Proposed NSCC Site Plan P07 (submitted: 19.01.2024)
- Proposed NSCC Soft Landscaping Plan P03 (submitted: 19.01.2024)
- Proposed Orangutan Habitat Elevations (Sheet 1) P04 (submitted: 13.10.2023)
- Proposed Orangutan Habitat Elevations (Sheet 2) P04 (submitted: 13.10.2023)
- Proposed Orangutan Habitat Elevations (Sheet 3) P04 (submitted: 13.10.2023)
- Proposed Orangutan Habitat First Floor P08 (submitted: 19.01.2024)
- Proposed Orangutan Habitat GA Sections (Sheet 1) P02 (submitted: 13.10.2023)
- Proposed Orangutan Habitat Ground Floor Plan P08 (submitted: 13.10.2023)
- Proposed Orangutan Habitat Roof Plan P04 (submitted: 13.10.2023)
- Proposed Orangutan Habitat Second Floor Plan P06 (submitted: 13.10.2023)
- Proposed Outdoor Classroom Plans and Elevations P02 (submitted: 13.10.2023)
- Proposed Refuse Store GA Plans and Elevations P01 (submitted: 13.10.2023)
- Proposed Residential Block Elevations P03 (submitted: 13.10.2023)
- Proposed Residential Block GA Sections P01 (submitted: 13.10.2023)
- Proposed Site Levels P04 (submitted: 13.10.2023)
- Proposed Site Sections (Sheet 1) 200-03 (submitted: 13.10.2023)
- Proposed Site Sections (Sheet 2) 201-03 (submitted: 13.10.2023)
- Proposed Site Sections (Sheet 3) 202-04 (submitted: 13.10.2023)
- Proposed Sub Station A-GA Plans and Elevations P01 (submitted: 13.10.2023)
- Proposed Sub Station B-GA Plans and Elevations P02 (submitted: 13.10.2023)
- Proposed Zoo Soft Landscaping Plan 02 (submitted: 13.10.2023)
- Render Masterplan 00 (submitted: 13.10.2023)
- Site Location Plan P04 (submitted: 13.10.2023)
- Tree Removal/Retention Plan 04 (submitted: 13.10.2023)
- Waste Management Strategy P01 (submitted: 13.10.2023)

Reason: To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

3. A) No demolition, tree felling or development shall take place until the results of at least two bat activity surveys on the lemur house (B1) and ash tree (T21) (if it is to be removed) (as per the 2023 Middlemarch reports) have been submitted in writing to, and approved in writing by, the Local Planning Authority. B) Should any further bat surveys be required, this should be submitted to and approved by the LPA prior to any identified buildings or trees being demolished/felled. This is to detail whether or not a Natural England licence will be required, any necessary mitigation (including the type and locations of replacement roosting features) or Reasonable Avoidance Measures (RAMs). All works are to proceed strictly in accordance with the approved scheme.

Reason: The pre-commencement planning condition is required in order to protect the protected wildlife species and their habitats that are known to exist on site to accord with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. No demolition or development (including ground works or vegetation clearance) shall take place until the results of a Great Crested Newt survey (traditional or eDNA) of the pond within the application area (P1 as per the October 2023 Middlemarch report) have been submitted in writing to, and approved in writing by, the Local Planning Authority. This is to detail whether or not a Natural England licence will be required, and any necessary mitigation or Reasonable Avoidance Measures (RAMs). All works are to proceed strictly in accordance with the approved scheme.

Reason: The pre-commencement planning condition is required in order to protect the protected wildlife species and their habitats that are known to exist on site to accord with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

5. No development shall take place, including ground works or vegetation clearance, until a Biodiversity Net Gain Plan (the Plan), ensuring no net loss (in line with the provisions of the Environment Act (2021) at the time of the application's submission) in biodiversity is achieved as a result of the development, has been submitted in writing to and agreed in writing by the Local Planning Authority. The Plan shall include the following details:
 - a) Location plan of the area(s) to be used for Biodiversity Net Gain;
 - b) Description of existing habitats on and off site;
 - c) Description of planned habitat creation/enhancement, including species;
 - d) Baseline habitat data used to inform the metric;
 - e) Habitat creation/enhancement plans used to inform the metric;
 - f) Timetable for implementation of habitat creation/enhancement;
 - g) Habitat management and monitoring plan including timetable for management routines and reviews, and strategy for any remedial measures, if and when required;
 - h) Mechanism for securing the implementation of the biodiversity off-setting and its maintenance/management for a period of 30 years in accordance with details approved in the Plan;
 - i) timetables for implementation.

The Plan shall be supported by up to-date Biodiversity Net Gain metric calculations for the application site. The Plan shall be implemented in accordance with the approved details and shall be retained thereafter.

Reason: A pre-commencement condition is required to ensure that the development provide biodiversity enhancement in accordance with Policy DM6 of the Site Allocations and Development Management Policies DPD 2016 and Government guidance contained within the National Planning Policy Framework (Dec 2023).

6. No development approved by this permission shall be commenced until a scheme for the investigation of any potential land contamination on the site has been submitted in writing to, and agreed in writing by, the Local Planning Authority, which shall include details of how any contamination shall be dealt with. The approved scheme shall be implemented in accordance with the agreed details and any remediation works so approved shall be carried out prior to the site first being occupied.

Reason: A pre-commencement planning condition is required to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

7. If during development, contamination not previously identified is found to be present at the site, no further development shall take place until an addendum to the scheme for the investigation of all potential land contamination is submitted in writing to, and approved in writing by, the Local Planning Authority, which shall include details of how the unsuspected contamination shall be dealt with. Any remediation works so approved shall be carried out prior to the site first being occupied.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

8. No development approved by this planning permission shall take place until such time as a surface water drainage scheme has been submitted in writing to, and approved in writing by, the Local Planning Authority. The development must be carried out in accordance with these approved details and completed prior to first occupation. Thereafter surface water shall not drain into the Public Highway and thereafter shall be so maintained.

Reason: A pre-commencement planning condition is required to prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site, and to reduce the possibility of surface water from the site being deposited in the highway causing dangers to road users in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), and the National Planning Policy Framework (Dec 2023).

9. No development approved by this planning permission shall take place until such time as details in relation to the management of surface water on site during construction of the development has been submitted in writing to, and

approved in writing by, the Local Planning Authority. This shall include temporary attenuation, additional treatment, controls, maintenance, and protection. Details regarding the protection of any infiltration areas should also be provided. The construction of the development must be carried out in accordance with these approved details.

Reason: A pre-commencement planning condition is required to prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems through the entire development construction phase in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

10. No use of the development approved by this planning shall take place until such time as details in relation to the long-term maintenance of the surface water drainage system within the development have been submitted in writing to, and approved in writing by, the Local Planning Authority. Details of the SuDS Maintenance Plan should include responsibilities and schedules for routine maintenance, remedial actions, and monitoring of separate elements of the system, and should also include procedures that must be implemented in the event of pollution incidents within the development site. The surface water drainage system shall then be maintained in accordance with these approved details in perpetuity.

Reason: To ensure a suitable maintenance regime, that may be monitored over time, that will ensure the long-term performance, both in terms of flood risk and water quality, of the surface water drainage system (including sustainable drainage systems) within the proposed development in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11. No works or development shall take place until an auditable system of arboricultural site monitoring by the appointed project arboriculturist has been approved in writing by the Local Planning Authority. This scheme will be appropriate to the scale and duration of the works and will include details of:
 - (a) Induction and personnel awareness of arboricultural matters
 - (b) Identification of individual responsibilities and key personnel
 - (c) Statement of delegated powers
 - (d) Timing and methods of site visiting and record keeping, including updates.
 - (e) Procedures for dealing with variations and incidents.
 - (f) The scheme of supervision shall be carried out as agreed.
 - (g) The scheme of supervision will be administered by a qualified arboriculturist instructed by the applicant and approved by the local planning authority.

The development must be carried out in accordance with the approved details of the arboricultural site monitoring scheme.

Reason: A pre-commencement planning condition is required to ensure that the Tree Protection Plan is adequately implemented to ensure that trees on site are retained and adequately protected during and after construction in the interests of the visual amenities of the area and biodiversity in accordance with Policies DM4, DM6, and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016)

12. No development shall commence on the site until such time as a construction traffic management plan, including as a minimum, details of the routing of construction traffic, wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision, has been submitted in writing to, and approved in writing by, the Local Planning Authority. The construction of the development shall thereafter be carried out in accordance with the approved details and timetable.

Reason: A pre-commencement planning condition is required to reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area and in accordance with Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document (2016) and with the National Planning Policy Framework (Dec 2023).

13. Notwithstanding the submitted plans, no part of the development hereby permitted shall be first brought into use until such time as details of a scheme detailing improvements as may be required to the proposed site access at Orton Hill, such as widening or improved junction radii to allow access for refuse collection vehicles, has been submitted in writing to, and agreed in writing, by the Local Planning Authority, unless it can be demonstrated that no works are necessary. Thereafter the approved scheme shall be implemented in full prior to first use of the development.

Reason: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document (2016) and with the National Planning Policy Framework (Dec 2023).

14. The development hereby permitted shall not be occupied until such time as the parking (and turning facilities) have been implemented in accordance with HLM Architects drawing number TWZ-HLM-00-00-DR-L-00001 Rev P07. Thereafter the onsite parking (and turning) provision shall be kept available for such use(s) in perpetuity.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety and in accordance with Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document (2016) and with the National Planning Policy Framework (Dec 2023).

15. Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected within a distance of 5 metres of the highway boundary, nor shall any be

erected within a distance of 5 metres of the highway boundary unless hung to open away from the highway.

Reason: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway in accordance with Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document (2016) and with the National Planning Policy Framework (Dec 2023).

16. The development hereby permitted shall not be occupied until such time as the access drive (and any turning space) has been surfaced with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least 5 metres behind the highway boundary and, once provided, shall be so maintained in perpetuity.

Reason: To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.) in the interests of highway safety and in accordance with Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document (2016) and with the National Planning Policy Framework (Dec 2023).

17. No development above floor plate level shall commence on site until representative samples of the types and colours of materials to be used on the external elevations of the dwelling hereby permitted have been deposited with, and approved in writing by, the Local Planning Authority, and the scheme shall be implemented in accordance with those approved materials.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM10, DM11, and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

18. The development shall be carried out in full accordance with the four recommendations on Page 09 within Section 4.0 of the Phase 1 Preliminary Risk Assessment (submitted: 13.10.2023).

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

19. The development shall be carried out in full accordance with the recommendations within Section 6 (Recommendations) of the Preliminary Arboricultural Assessment (submitted: 27.10.2023), as well as Pages 16 (Tree Retention Plan) and 17 (Tree Protection Plan), and Section 3 (Arboricultural Method Statement) respectively of the Arboricultural Method Statement (submitted: 27.10.2023).

Reason: To ensure that the trees on site are retained and adequately protected during and after construction in the interests of the visual amenities of the area and biodiversity in accordance with Policies DM4, DM6, and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

20. The development shall be carried out in full accordance with the recommendations detailed within Section 6 (Recommendations), including the bat-sensitive Lighting Strategy, of the Preliminary Bat Roost Assessment (submitted: 13.10.2023).

Reason: In order to protect the protected wildlife species and their habitats that are known to exist on site to accord with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

21. The development shall be carried out in full accordance with the recommendations within Section 7 (Recommendations) of the Preliminary Ecological Appraisal (submitted: 27.10.2023).

Reason: In order to protect the protected wildlife species and their habitats that are known to exist on site to accord with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

22. No development above floor plate level shall take place until full details of a scheme of hard and soft landscaping works, consistent with approved plan TWZ-HLM-XX-ZZ-DR-L-45001 Rev P03, including boundary treatments for the site and an implementation scheme, has been submitted in writing to and approved in writing by the Local Planning Authority. The scheme shall be carried out in full accordance with the approved landscaping scheme. 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.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).