

Planning Committee: 7th October 2008

Item No:

Application No: W04/1068

**Registration
Date** 28.05.04

Expiry Date: 23.07.04

Town/Parish Council: Stoneleigh

Case Officer: Martin Haslett

Stoneleigh Park, Stoneleigh Road, Stoneleigh, Kenilworth CV8 2LG

Development and refurbishment of Stoneleigh Park to provide Exhibition, Hotel and Conference Facilities, Showground Facilities, a Business Innovation Park, Visitors Centre, Leisure and ancillary retail and catering facilities, a National Equine Centre and Livestock Facilities together with a new access road and bridge, landscaping, circulation works, an equine bridge and highway improvements.

FOR: Royal Agricultural Society of England

1. Introduction

At its meeting of 14th February 2005 the Planning Committee gave consideration to the above application.

The Committee resolved to grant planning permission subject to reference to the Secretary of State as a departure from the Development Plan and the completion of a legal agreement to cover the following issues:

- a) restriction on occupation of the Innovation Park
- b) restriction of retail space
- c) agreement on a green travel plan
- d) restriction on public events
- e) preparation of a long term landscape management plan
- f) revocation of the previous legal agreement

2. Summary of Proposal

The proposal came forward as a result of the NAC's future as an agricultural showground and demonstration centre becoming increasingly less secure with continuing changes in the rural economy and farming practices. Consideration was given to utilising the existing infrastructure and resource base to provide a new approach to supporting rural enterprise through the creation of a new Centre of Rural Excellence. This was designed to become a national and international centre for customers and producers in agricultural and rural industry and other rural economic activity. The proposal involved sub-dividing the site into broad zones for a range of primary activities. These formed the basis of the Planning Application.

A Zoning Masterplan was submitted as part of the application. This identified the following key zones:

- a) **Innovation Park** – this would offer high quality buildings and infrastructure aiming to provide all the necessary assets for rural and agricultural organisations. It is anticipated that this would include an innovation centre allowing smaller businesses to develop opportunities within rural environments.
- b) **Countryside and Visitor area** – this would be a pedestrianised area with buildings fronting a number of lanes. The zone would act as a gateway and focal point for visitors including an interpretive Visitor Centre featuring educational and interactive displays, a Market Hall with a space for Farmers' Markets and external events and exhibitions. It would involve catering, educational facilities and ancillary retail.
- c) **Countryside Zone** – the Countryside Zone was intended to be an area dedicated to wildlife habitats and woodland planting. Linked buildings would be required for outdoor pursuits support and interpretation.
- d) **Conference and Exhibition Zone** – this zone would be on the southern boundary of the site, broadly in the existing main exhibition area. Buildings would include Exhibition and Conference facilities to complement and partially replace the existing established infrastructure.
- e) **National Equine Centre** – this zone would be one of the major new features of the proposal and would be located in the east of the site, north of the existing main entrance. It was intended that although substantial parts of this zone would remain open there would also be a new indoor events arena, external arenas and associated stabling and veterinary facilities.
- f) **Livestock Zone** – the Livestock Zone would provide facilities for exhibiting and demonstrating (to the public and trade) all classes of livestock relevant to animal husbandry for farming, leisure and sport purposes. This would also include an element of accommodation for organisations involved in animal husbandry.

The site would achieve new vehicular access with junction improvements undertaken on the A46 Stoneleigh Road Junction and a new access road avoiding the Stoneleigh Crossroads bringing vehicles directly to a new main entrance to the site on its north western boundary. This would bring most traffic directly from the by-pass and avoid traffic routing through local roads.

The application was accompanied by an Environmental Statement which was subject to further external assessment by specialist environmental consultants engaged by the Council.

3. Progress since Committee consideration.

- a) **Secretary of State referral** – the application was referred to the Secretary of State who responded in September 2005 stating that the application did not raise issues of such wide significance that would require a determination by him and the decision as to whether to grant planning permission would, therefore, remain

with WDC. In taking this decision the Secretary of State was aware that the District Council had supported the proposal.

- b) **Section 106 Agreement** – since the Committee gave its support to the proposal RASE has been involved in extensive processes in relation to its own internal organisation and in seeking an appropriate development partner to enable its proposals to proceed. These processes have taken a significant period of time and have resulted in Advantage West Midlands taking a significant stake in the proposal by purchasing and committing itself to the development of the Innovation Park element of the scheme. Further progress has now continued with the Section 106 Agreement, much of which has related to securing a satisfactory Green Travel Plan arrangement with the County Council. Agreement has now been reached on the Heads of Terms of the agreement by all parties and in accordance with the wishes of the Committee in February 2005 these are now brought before the present Committee for its consideration. The Heads of Terms are attached as Appendix A. The issues identified in the report for S106 consideration as set out in Section 1 above have been responded to as follows:
- c) Occupation of Rural Innovation Park – restriction on types of use now included in Section 8 of the S106
 - d) Restriction on retail space now included in Planning Conditions 5 and 6
 - e) Entry into a Green Travel Plan – details now resolved with the Highway Authority and included in Section 6 of the S106.
 - f) Use of the Park - now considered to be more appropriate to be dealt with through a Planning Condition – Condition 27 . Restriction on pop concerts incorporated in Section 8 of the S106.
 - g) Long Term Landscape Plan – requirement included in Section 8 of the S106.
 - h) Superseding of previous Legal Agreement – this together with revocation of previous application – dealt with in Section 7 of the S106.

In addition, discussions have taken place on further means of protecting the amenity of local residents in relation to the use of the adjoining Car Park 5. As a result of these negotiations the Section 106 Agreement includes in Section 8 a restriction on the use of Car Park 5 (that immediately adjacent to the new residential development at Stoneleigh Abbey) for only very limited purposes.

I am satisfied that the Heads of Terms of the Legal Agreement as now drafted meet the requirements of the Committee and can be concluded in a final agreement.

4. Other Matters

- a) **Conditions** – the conditions to the grant of permission for this application have been subject to some minor amendments during the course of discussion following Committee's original resolution. The conditions as now proposed to be attached to a grant of permission are now as set out at the end of this report.

The main amendments (in addition to those set out above) are as follows:

- Compliance with pre-commencement conditions to be related to each phase of the site rather than the whole of the site
 - Introduction of management plan to control events involving firearms and fireworks
 - Amendment of the highway conditions (in agreement with The Highways Agency) to require completion of the relevant highway improvements prior to occupation of buildings, rather than commencement of construction as previously proposed
- b) **Master Plan** – Condition 4 requires development to be undertaken in general accordance with the Master Plan submitted with the application. The application considered by Members in 2005 incorporated a general Master Plan indicating in broad terms the manner in which the anticipated uses were to be developed across the site. Since that time there has inevitably been some reappraisal of the manner in which the Master Plan may best serve the objectives of the development and it is proposed that some variations be undertaken to its overall allocation of uses. Plans of the Master Plan as originally approved and the proposed amendments will be displayed at the Committee. The main changes are as follows:
- a) a limited extension of the innovation park area at the northern end of the site
 - b) a compensating reduction in development proposed adjacent to the boundary with Stoneleigh Abbey which should provide an increase in the buffer zone between the Abbey and the Stoneleigh Park Site.
 - c) the amalgamation of the equine and countryside area uses to allow greater flexibility of development within this area
 - d) minor changes in the anticipated internal circulation of roads within the site
 - e) Potential alternative sites for a hotel within the park, rather than the original single site

In addition, some minor amendments have been made to the planning application boundary to facilitate the undertaking of the necessary highway works.

None of these amendments have any adverse effect on traffic, external visual impact or environmental impact issues. They are largely internal amendments to enable the objectives of Stoneleigh Park to have a more realistic opportunity of being brought into effect.

It would be appropriate, however, for Planning Committee to consider the minor changes to the master plan as part of the process of considering the Section 106 and revised conditions.

5 Recommendations:

- a) that the Heads of Terms of the Section 106 agreement be approved
- b) that the minor revisions to the Master Plan as indicated on Plan No. 04012/0027/C be agreed
- c) that planning permission for the Stoneleigh Park Development be issued subject to the conditions set out below and the completion of the Section 106 Agreement in accordance with the Heads of Terms set out in Appendix A.

1 This permission is granted under the provisions of Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995, on an outline application and the further approval of the District Planning Authority shall be required to the undermentioned matters hereby reserved before any development is commenced:-

- (a) the siting, design and external appearance of the proposed development,
- (b) details of landscaping.

REASON : To comply with Section 92 of the Town and Country Planning Act 1990.

2 In the case of the reserved matters specified above, application for approval, accompanied by all detailed drawings and particulars, must be made to the District Planning Authority not later than the expiration of eight years beginning with the date of this permission. **REASON**: To comply with Section 92 of the Town and Country Planning Act 1990.

3 The development to which this permission relates must be begun not later than the expiration of ten years from the date of this permission or within the expiration of two years from the final approval of all reserved matters, whichever is the later. **REASON** : To comply with Section 92 of the Town and Country Planning Act 1990.

4 The reserved matters referred to in conditions 1 to 3 above shall closely follow the principles set out in the illustrative drawings nos. 04012/0027/C and 1925LO/06/Final and in all other respects shall be in broad accordance with all the other plans, specifications and documents which were submitted with the outline application. **REASON** : To ensure that the development is in

conformity with the outline details submitted and does not, therefore, have an unacceptable impact on issues of acknowledged importance.

- 5 The occupants of the retail space shall be limited to retail activity which is ancillary to the main purpose of the food, farming, horticulture and countryside visitor centre and educational/training and leisure facilities. In particular, no motorcars, bulky electrical goods, carpets, bulky DIY goods and building materials, flat pack furniture, kitchen units and bathroom equipment shall be sold from the retail space. **REASON** : To ensure that the development is in conformity with the outline details submitted and does not, therefore, have an unacceptable impact on issues of acknowledged importance.
- 6 The market hall shall not exceed 2,000 sq.m. and shall only be let to individual traders in units of space not exceeding 50 sq. metres, unless otherwise agreed in writing by the District Planning Authority. No other individual retail unit (outside the market area) shall exceed 465 sq.m. unless otherwise agreed in writing by the District Planning Authority. **REASON** : To retain control over the retail use of the site in accordance (principally) with policies PA11, PA13 and UR3 of the West Midlands Regional Spatial Strategy.
- 7 No development within an individual zone shall be commenced until a scheme for the provision of adequate water supplies and fire hydrants , necessary for fire fighting purposes at the site, for that zone has been submitted to and approved in writing by the District Planning Authority. The development shall not then be occupied until the scheme has been implemented to the satisfaction of the District Planning Authority. **REASON** : In the interests of fire safety.
- 8 The reserved matters referred to in condition 1 shall include, for each zone, details of the proposed method of attenuating surface water run-off (including full design details and all necessary calculations). The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To ensure that satisfactory provision is made for surface water run-off.
- 9 There shall be no development or raising of ground levels within the floodplain of the River Avon. **REASON** :To ensure no loss in floodplain storage or interruption to flood flow routes.
- 10 There must be no new buildings, structures (including gates, walls and fences) or raised ground levels within 8 metres of the top of any bank of watercourses, inside or along the boundary of the site, unless agreed otherwise in writing by the Local Planning Authority. **REASON** : To maintain access to the watercourse for maintenance or improvements and provide for overland flood flows.
- 11 There shall be no storage of any materials including soil within that part of the site liable to flood as shown on the attached plan on drawing no. EA1. **REASON** : To ensure that there will be no increased risk of flooding to other land/properties due to impedance of flood flows and/or reduction of flood storage capacity.
- 12 The reserved matters referred to in condition 1 shall include, for each zone, a scheme for the provision of surface water drainage works. The drainage

works shall be completed in accordance with the details and timetable agreed. **REASON** : To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

- 13 The reserved matters referred to in condition 1 shall include, for each zone, a scheme for the improvement and/or extension of the existing sewage disposal works, appropriate for each phase of the development. No buildings (or uses) hereby permitted shall be occupied (or commenced) until such improvements and/or extensions have been commissioned to the reasonable satisfaction of the Local Planning Authority. **REASON** : To prevent pollution of the water environment.
- 14 Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor. **REASON** : To prevent pollution of the water environment.
- 15 Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, vessel or the combined capacity of interconnected tanks or vessels plus 10%. All filling points, associated pipework, vents, gauges and sight glasses must be located within the bund or have separate secondary containment. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank/vessels overflow pipe outlets shall be detailed to discharge downwards into the bund. Please refer to the Oil Storage Regs 2001. **REASON** : To prevent pollution of the water environment.
- 16 No development within an individual zone shall be commenced unless, for this zone:-
- (a) Desk top study has been carried out which shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information, and, using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors has been produced.
 - (b) A site investigation has been designed for the site using the information obtained from the desk top study and any diagrammatical representations (Conceptual Model). This should be submitted to, and approved in writing by the Local Planning Authority prior to that investigation being carried out on the site. The investigation must be comprehensive enough to enable:
 - a risk assessment to be undertaken relating to receptors associated with the proposed new use, those uses that will be retained (if any) and other receptors on and off the site that may be affected, and
 - refinement of the Conceptual Model, and
 - the development of a Method Statement detailing the remediation requirements.
 - (c) The site investigation has been undertaken in accordance with details approved by the Local Planning Authority and a risk assessment undertaken.

(d) A Method Statement detailing the remediation requirements, using the information obtained from the Site Investigation has been submitted to the Local Planning Authority. This should be approved in writing by the Local Planning Authority prior to the remediation being carried out on the site
REASON : To ensure that the proposed site investigations and remediation will not cause pollution of the environment or harm to human health.

- 17 No development within an individual zone shall be carried out until details of a phasing scheme (showing the intended date for commencement and completion for this zone of the site as indicated on plan number 04012/0027/C) have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To ensure that the phasing of the work does not harm issues of acknowledged importance.
- 18 No development within an individual zone shall take place pursuant to this permission until the applicant has secured the implementation of a written programme of archaeological work within this zone, in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the District Planning Authority. **REASON** : To ensure any items of archaeological interest are adequately investigated, recorded and if necessary, protected, in order to satisfy the requirements of Policy DP4 of the Warwick District Local Plan 1996-2011.
- 19 No development within an individual zone shall be carried out on the site pursuant to this permission, until details of the route to be used for all construction traffic (which shall not be through Stoneleigh village) have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To protect the amenity of the occupiers of properties in the vicinity, and to satisfy the requirements of Policy DP2 of the Warwick District Local Plan 1996-2011.
- 20 No development within an individual zone shall be carried out on the site which is pursuant to this permission, until details of a satisfactory signage scheme for that zone have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To protect the amenity of the occupiers of properties in the vicinity, and to satisfy the requirements of Policy DP2 of the Warwick District Local Plan 1996-2011.
- 21 The highway alterations (as listed in conditions below) shall be constructed in accordance with a phasing plan for each zone, to be produced as part of the addendum Transport Assessment to be approved by the relevant Highway Authorities. The phasing plan shall take account of the necessity to implement individual highway alterations in response to (or prior to) reaching identified thresholds or phases of development on the site. **REASON** : In the interests of highway safety, and in accordance with the requirements of policy DP1 of the Warwick District Local Plan, 1996-2011.
- 22 No new external lighting or sound amplification or public address system shall be installed on any external wall or roof of any building or in any open-air location comprised in the application site other than in accordance with details first submitted to and approved in writing by the District Planning

Authority. **REASON** : To protect the amenity of the occupiers of nearby properties, and to satisfy the requirements of Policy DP2 of the Warwick District Local Plan 1996-2011.

- 23 No development shall be carried out on the site which is pursuant to this permission, until details of a traffic noise mitigation scheme have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To protect the amenity of the occupiers of nearby properties, and to satisfy the requirements of Policy DP2 of the Warwick District Local Plan 1996-2011.
- 24 No development within an individual zone shall be carried out on the site which pursuant to this permission, until details of a method of working (for that zone) to minimise the environmental impact of construction and development works have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To protect the amenity of the occupiers of nearby properties, and to satisfy the requirements of Policy DP2 of the Warwick District Local Plan 1996-2011.
- 25 The use of the site for fireworks displays and the use and display of firearms shall not be undertaken until an Event Management Plan relating to such activities to be carried out pursuant to this planning permission has been submitted to and approved in writing by the Planning Authority. Upon receipt of the written approval the agreed Events Management Plan shall be implemented and thereafter all activities taking place pursuant to this planning permission shall be carried out in accordance with its provisions. The plan shall be reviewed, and this review agreed in writing by the Planning Authority every two years following approval. The Plan shall include details of forthcoming and anticipated events, hours of operation, notification procedure of interim booked events, procedures and manning of the facility, the location of zones and structures for such activities to take place therein. Nothing in this condition shall restrict the use of firearms to control vermin and pests. **REASON** : To protect the amenity of the occupiers of nearby properties and to satisfy the requirements of Policy DP2 of the Warwick District Local Plan 1996-2011.
- 26 No use of any part of the site for purposes of events, displays or other types of public occasion shall take place, until details of a noise control protocol have been submitted to and approved by the District Planning Authority. The use shall not take place otherwise than in full accordance with such approved details. **REASON** : To protect the amenity of the occupiers of nearby properties, and to satisfy the requirements of Policy DP2 of the Warwick District Local Plan 1996-2011.
- 27 All public events held pursuant of this permission (other than those in the Conference and Exhibition Zone) shall be related to agriculture and other uses associated with livestock, food production, equine activities or other rural pursuits, unless otherwise agreed in advance (in writing) by the District Planning Authority. **REASON** : To ensure that the development is in conformity with the outline details submitted and does not, therefore, have an unacceptable impact on issues of acknowledged importance and to retain control over the use of the site in accordance (principally) with policies RR1 and UR3 of the West Midlands Regional Spatial Strategy.

- 28 No development hereby permitted shall first be occupied until the highway scheme at C32 Stoneleigh Road junction with the A46 is implemented generally in accordance with drawing number Cz-8014 (Issue 5 by Arup) and approved in writing by the local planning authority in consultation with the Highways Agency. **REASON** : To enable the A46 trunk road to continue to be an effective part of the national system of routes for through traffic, in accordance with Section 10 (2) of the Highways Act 1980 by avoiding disruption to flow on that route by traffic expected to be generated by the development, and to protect the interests of road safety on the trunk road.
- 29 No development hereby permitted shall first be occupied until the highway scheme at the A46/A452 Thickthorn Junction is implemented generally in accordance with drawing number Cz-8002a, (Issue 3 by Arup) and approved in writing by the local planning authority in consultation with the Highways Agency. **REASON** : To enable the A46 trunk road to continue to be an effective part of the national system of routes for through traffic, in accordance with Section 10 (2) of the Highways Act 1980 by avoiding disruption to flow on that route by traffic expected to be generated by the development, and to protect the interests of road safety on the trunk road.
- 30 No development hereby permitted shall first be occupied until the highway scheme at A429/Stoneleigh Road/Gibbett Hill junction is implemented generally in accordance with drawing number Cz-8013 (Issue 1 by Arup) and approved in writing by the local planning authority in consultation with the Highways Agency. **REASON** : To enable the A46 trunk road to continue to be an effective part of the national system of routes for through traffic, in accordance with Section 10 (2) of the Highways Act 1980 by avoiding disruption to flow on that route by traffic expected to be generated by the development, and to protect the interests of road safety on the trunk road.
- 31 No development hereby permitted shall first be occupied until the highway scheme the B4115/Stoneleigh Road Junction is implemented generally in accordance with drawing number Cz-8011 (Issue 2 by Arup) and approved in writing by the local planning authority in consultation with the Highways Agency. **REASON** : To enable the A46 trunk road to continue to be an effective part of the national system of routes for through traffic, in accordance with Section 10 (2) of the Highways Act 1980 by avoiding disruption to flow on that route by traffic expected to be generated by the development, and to protect the interests of road safety on the trunk road.
- 32 No development hereby permitted shall be commenced until the applicant has provided a Construction Traffic Agreement for the development, to the satisfaction of the local planning authority in consultation with the local highway authority and the Highways Agency. **REASON** : To ensure that construction traffic uses approved routes to access the development site thus avoiding Stoneleigh Village and the C32 Stoneleigh Road junction with the A46.