

Miss Timea Nacsá
Nathaniel Lichfield & Partners
Regents Wharf All Saints Street
London
N1 9RL

Application no: SMD/2016/0410

Determined on: 02/09/2016

**Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) England) Order 2015**

FULL PERMISSION FOR DEVELOPMENT

This permission does not carry any approval or consent which may be required under any enactment, bylaw, order or regulation (e.g. in relation to Building Regulations or the Diversion of Footpaths etc) other than Section 57 of the Town and Country Planning Act, 1990.

Location of Development:

Alton Towers Farley Lane Farley Staffordshire ST10 4DB

Description of Development:

Demolition of existing structures and installation of a new ride and construction of associated buildings, along with landscaping works

In pursuance of their power under the above mentioned Act, Staffordshire Moorlands District Council Planning Authority, **HEREBY GRANTS PLANNING PERMISSION** for the development described above subject to the following condition(s):

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 provisions of Section 51 of the Town and Country Planning, Planning and Compulsory Purchase Act, 2004.

2.The development hereby permitted shall be carried out in strict accordance with the submitted plans numbered 373/94.1 (Key Plan); 373/94.2 (Block Plan as Proposed); 373/94.2 4 (Proposed Site Plan); 373/94.2 7 (Sections AA BB Proposed); 373.94 2 8 (Ops Booth & Ride Signs) and amended plan numbered 373/94.2 5 Rev A (Building Plans & Elevations) which was received via email on the 31st August 2016 subject to the following conditions and/or modifications:-

Reason: For clarity and the avoidance of doubt.

3. Notwithstanding any details shown on the approved plans, the development hereby permitted shall not be commenced until full details and samples of all external materials and hard surfacing to be used in the construction of the development including the ride, ride cars, associated building, operators building and pathways have been submitted to any approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason:- To ensure a high quality external appearance and to protect the character and appearance of the Conservation Area and the setting of the Listed Buildings.

4. The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be implemented in accordance with the approved details before the development is first brought into use.

Reason: This is to ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

5. The development shall be carried out in full accordance with the recommendations set out in Section 5 of the Preliminary Ecological Appraisal Report prepared by Baker Consultants dated June 2016.

Reason: In the interest of biodiversity and protected species.

6.1. Before the commencement of development (including any demolition, site clearance, stripping or site establishment) temporary protective fencing and advisory notices for the protection of the existing trees to be retained shall be erected in accordance with guidance in British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction - Recommendations, and as set out in the Tree Heritage Arboricultural Report ref THR-16/145 accompanying the application, and shall be retained in position for the duration of the period that development takes place, unless otherwise agreed by the LPA. Within the fenced areas there shall be no excavation, changes in ground levels, installation of underground services, provision of hard surfacing, passage of vehicles, storage of materials, equipment or site huts, tipping of chemicals, waste or cement, or lighting of fires unless otherwise agreed by the LPA.

Reason: To protect existing trees in the interests of the character and appearance of the Conservation Area

7. Before the commencement of development (including any demolition, site clearance, stripping or site establishment) a landscaping scheme shall be submitted to and approved by the LPA. Such a scheme shall include full details of all new tree and shrub planting, giving specification for species, positions, planting sizes and numbers/densities of all new planting. The landscaping scheme so approved shall be fully implemented before the end of the first available dormant season (November to February inclusive) following completion of the development hereby approved. The trees and shrubs planted in accordance with this landscaping scheme shall be properly maintained for a period of 5 years following planting. Any plants which within this period are damaged, become diseased, die, are removed or otherwise fail to establish shall be replaced during the next suitable season.

Reason: To ensure a satisfactory landscaping scheme in the interests of the character and

appearance of the development and Conservation Area.

8. Unless prior premission has been obtained in writing from the Local Planning Authority all noisy activity during construction and demolition works shall be restricted to the following times of operation: 08:00-18:00 hours Monday to Friday and 08:00 to 13:00 hours Saturday and no working is permitted on Sundays or Bank Holidays. In this instance a noisy activity is defined as any activity which generates noise that is audible at the site boundary.

Reason: To avoid the risk of disturbance to neighbouring dwellings from noise during unsocial hours.

9. The development hereby approved shall be carried out fully in accordance with the submitted Noise Assessment Report carried out by Cahill Design Consultants dated June 2016 and there shall be no variation without the prior written consent of the Local Planning Authority.

Reason: For the avoidance of doubt and in the interests of the residential amenity of local residents.

Informative

1. The development is a sustainable form of development which was subject to pre-application advice and complies with the adopted policies of the development plan and the National Planning Policy Framework.

Signed on behalf of Staffordshire Moorlands District Council

NOTES

1. Approval under the Building Regulations may also be required. Advice in this respect can be obtained by contacting the Councils Building Control Section.
2. Where a vehicle is often driven across a grass verge or kerbed footway to and from premises adjoining a highway, the occupier of the premises may, be required to pay the cost of construction of a crossing, and/or may be required to comply with conditions, imposed by the Authority. You should contact the Highway Authority at Staffordshire County Council.
3. This consent is granted subject to conditions and it is the owner(s) and the person(s) responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond. **A fee is payable to us for the discharge of condition. Please refer to our web site : www.staffsmoorlands.gov.uk for details.** If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development this is called a "condition precedent". The following should be

noted with regards to conditions precedent:

- (a) If a condition precedent is not complied with, the whole of the development will be unauthorised and you may be liable to enforcement action.
 - (b) Where a condition precedent is breached and the development is unauthorised, the only way to rectify the development is the submission of a new application.
4. Other conditions on this permission must also be complied with. Failure to comply with any condition may render the owner(s) and the person(s) responsible for the implementation of the development liable to enforcement action.
5. The permission is granted in strict accordance with the approved plans. It should be noted however that:
 - (a) Any variation from the approved plans following commencement of the development irrespective of the degree of variation will constitute unauthorised development and may be liable to enforcement action.
 - (b) Variation to the approved plans will require the submission of a new planning application.
6. If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
7. If the decision to refuse planning permission is for a householder application, and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice. All other types of development have a 6 month deadline for submission of appeals. Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.gov.uk/pcs. The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.
8. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor

render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.