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C/o Agent

Application no: SMD/2017/0111

Determined on: 2nd June 2017

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

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:

Variation of conditions 2 (plans) and 16 (planting) attached to planning permission SMD/2016/0315 to incorporate an amended path and additional landscaping in association with the approved SW8 ride.

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 carried out in accordance with the following approved plans:
Drawing Nos 373-95-1, 2, 3, 4B 5, 6A, 7B, 8B 10, 11A, 12, 13A, 14, 15A, 16, 17A and 18B 2967 -07, 21, 22, 26, 30, 42 and 48

Reason:- For the avoidance of doubt and in the interests of proper planning.

2. The development shall be carried out strictly in accordance with the following materials;

Building wall construction - Timber clad in Waney Lap Boarding

Building Roof - Timber Cedar Shakes
Hard standing areas - Block Paviour (brindle in colour)
Doors and window frames - Soft wood timber, painted and themed to look aged
Roller coaster materials track and stanchions - Timber construction
Theming features - Timber themed render and steel
Fencing - Timber
Acoustic screens - Timber
Tunnels and ride cars - Combination of timber and steel. Cars themed and painted in wicker brown colour

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

3.The development shall be carried out strictly in accordance with the drainage scheme shown on drawing 617728/COV/007 Rev P4

Reason:- To ensure a satisfactory drainage scheme and to minimise the risk of flooding

4.The development shall be carried out in full accordance with the recommendations set out in Section 5 of the Ecology Report prepared by Baker Consultants dated May 2016 and summarised in Table 9 of the same report.

Reason:- In the interests of biodiversity and protected species

5.External lighting shall be installed strictly in accordance with the Technical specification and details prepared by eos Design Ltd dated 29th November 2016 and shall only be operated between the hours of 7am to 11pm.

Reason:- To protect the character and appearance of the Conservation Area and the setting of the Listed buildings and protected species

6.The development shall be carried out strictly in accordance with the following:-
Written scheme of Investigation (WSI) prepared by Archaeological Research Services Ltd dated October 2016 and the updated Written Scheme of Investigation dated February 2017

Reason:- To safeguard archeological interests

7.The development hereby permitted shall be carried out strictly in accordance with the following documents including the timetables and responsibilities for future management of the wall included therein;

"" A Survey of the Deer Park Wall dated Dec 2016 prepared by Archeological Research Services Ltd.

"" Protocol for Protection of the Deer Park Wall dated February 2017 prepared by Archeological Research Services Ltd.

"" Deer Park Wall Conservation Management Plan dated Nov 2016 prepared by Bakers

Reason:- To ensure the conservation of this heritage asset

8.The development hereby permitted shall be carried out strictly in accordance with the ATR Construction and Environmental Method Statement dated 18th October 2016

Reason: To protect the amenities of the area.

9.The noise generated by the ride and passengers being operated under this permission shall not exceed the noise levels below at the following locations

- (a) 49 dB(A) at nearest Wooton Lane, All Residential Properties,
- (b) 42 dB (A) at nearest Longshaw Lane, All Residential Properties,

For the purposes of a) and b) above and subsequent measurement/comparisons, all levels are to be expressed as Laeq [15mins].

A noise monitoring exercise to determine the compliance status with parts a) to b) of this condition (i.e. as above) shall be undertaken and submitted to the Local Planning Authority for its written approval within four months of the ride being opened to the public.

Reason: To ensure that the reasonable residential amenities of neighbouring properties are adequately protected from noise pollution.

10.In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. Development shall not commence further until an initial investigation and risk assessment has been completed in accordance with a scheme to be agreed by the Local Planning Authority to assess the nature and extent of any contamination on the site. If the initial site risk assessment indicates that potential risks exists to any identified receptors, development shall not commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and the natural and historical environment has been prepared, and approved in writing by the local planning authority. Following completion of measures identified in the approved remediation scheme and prior to bringing the development into first use, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.

11.For the full duration of the construction phase of the development, temporary protective fencing and advisory notices for the protection of the existing trees to be retained shall be erected and retained in position 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 Impact Assessment Report reference THL-R16/8-AIA dated 7th May 2016 and Arboricultural Statement Addendum dated 16 February 2017. 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 in writing by the LPA.

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

12.The planting plan shown on Nichols Brown Webber Site Plan Proposed Showing Landscape drg. No. 373/95/8 Rev B together with accompanying planting schedule drg. No. 373/95/18 Rev B 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, shrubs, herbaceous plants and grass 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 Conservation Area

13.Where the proposed woodland path encroaches across and cannot be aligned to avoid any part of the Root Protection Area of mature Pine tree T55, as indicated on drawing no. THL-0385 Rev 7 of Tree Heritage Arboricultural Impact Assessment report reference THL-R16/8-AIA dated 7th May 2016 this part of the development shall only be constructed using a no dig cellular confinement support system

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

Informative

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

2.Any outflow from the site must be limited to the maximum allowable rate i.e. greenfield site run-off (average figure taken for a mean annual greenfield site run-off rate is 5 l/s/ha) and the system must deal with the surface water run-off from the site on site up to the critical 1% Annual Probability of Flooding (i.e. 1 in a 100-year flood) event, with an 30% allowance for climate change, supported by an indication of the future maintenance of the drainage system. Please contact: Hannah Hogan, Flood Risk Planning & SuDs Officer via e-mail on hannah.hogan@staffordshire.gov.uk or via telephone: 01543 334583 if you would like to discuss this response.

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

X *B.J. Haywood*

Signed by: Ben Haywood

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 at buildingcontrol@staffsmoorlands.gov.uk
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. An application will need to be made to discharge conditions and a fee is payable with the application. For more details please refer to our web site: www.staffsmoorlands.gov.uk 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.

8. If this is a decision to refuse planning permission for a minor commercial 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.
9. If this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.
10. If you want to appeal against your local planning authority's decision for any other type of development, including listed building consents then you must do so within 6 months of the date of this notice Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://acp.planninginspectorate.gov.uk>
11. The Secretary of State can allow a longer period for giving notice of an appeal, but 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 the Secretary of State 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.
12. 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.
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