STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

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Chief Executive

Miss Maddie Lane
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London
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c/o Agent

Application no: SMD/2018/0141

Determined on: 12th July 2018

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:
102 accommodation pods, shower and toilet facility building entrance feature, hard and soft landscaping and parking and drainage 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 accordance with the following approved plans:
373/99 1, 2, 3B, 4, 5B, 6B, 8, 9A, 16, 17C, 18, 19B

1386 501A, 507A, 510A, 511A, 512B, 513

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

Drainage

3.The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA)/Drainage Strategy and the following mitigation measures detailed within the FRA:

- Limiting the surface water run-off generated by Phase 2 to a maximum of 43l/s into the Phase 1 drainage system and not increase the risk of flooding off-site.
- Provision of an appropriate calculated volume of attenuation flood storage on the site to a 100year + climate change standard.
- Confirm which responsible body will maintain the surface water system over the lifetime of the development according to an acceptable maintenance schedule and that is achievable.

Reason:- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. To ensure lifetime maintenance of the system to prevent flooding issues.

Ecology

4 The development shall proceed fully in accordance with the recommendations set out in Section 3 of the Ecological Construction Management plan (ECMP) prepared by Baker Consultants dated May 2018 in respect of Badgers (para 3.1) and Breeding Birds (para 3.2). Bird and Bats boxes shall be installed before the development is first occupied based on the recommendations in the ECMP (para 3.2 and 3.3)

Reason:- In the interests of protected species and biodiversity enhancement

Access

5.Prior to the commencement of development, a Construction Method Statement detailing the times and routes of construction traffic so to avoid peak traffic times from the park shall be submitted to and approved in writing by the Local Planning Authority. Construction shall thereafter proceed fully in accordance with the agreed Statement.

Reason:- To comply with NPPF paragraph 32; to comply with SMDC Core Strategy Policy T1; in the interests of highway safety; in the interests of the efficient use of the highway; in the interests of pedestrian safety.

6. No part of the development hereby approved shall be occupied until the Alton Towers Employee Travel Plan dated June 2014 has been extended and updated to include the development hereby approved and submitted to and approved in writing by the Local Planning Authority

Reason:- To comply with NPPF Policies and in the interests of the efficient use of the highway

Materials

7. Prior to installation of the relevant part of the development samples of the following shall be submitted to and approved in writing by the Local Planning Authority:-

-Proposed roofing material for the pods
-Proposed roofing material for the Facility building
-Proposed materials for the entrance arch

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The development shall thereafter be carried out in accordance with the approved details.
Reason:- To ensure an acceptable external finish and to protect the character and appearance of the Conservation Area.

Trees and Landscaping

8. Before the commencement of development (including any site clearance, site stripping, site establishment or access improvement) 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 reference THR18-15 submitted with the planning 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

9.The planting scheme shown on Nichols Brown Webber "Site Plan Proposed" Drg. No. 373/99/6 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 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:- In the interests of the character and appearance of the Conservation Area and to ensure an acceptable external finish

Archaeology

10. No development shall be commenced until a written scheme of archaeological investigation ('the scheme') has been submitted to and approved in writing by the LPA. The scheme shall provide details of the programme of archaeological works to be carried out within that phase, including post-excavation reporting and appropriate publication and on site interpretation. The approved Scheme shall thereafter be implemented in full in accordance with the approved details
Reason:- To protect archaeological interests.

Noise/residential amenity

11.Unless prior permission has been obtained in writing from the Local Planning Authority, all noisy construction activities shall be restricted to the following times of operations.

- 08:00 - 18:00 hours (Monday to Friday);
- 08:00 - 13:00 hours (Saturday)
- No working is permitted on Sundays or Bank Holidays.

In this instance a noisy activity is defined as any activity (for instance, but not restricted to,

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building construction/demolition operations, refurbishing and landscaping) 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.

12.The machinery, plant or equipment including air condition and ventilation, pumping systems ("machinery") installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated that the noise generated by the operation of the machinery (expressed as dB LAeq), shall not exceed the background noise levels during day time expressed as $L_{A90\ [1hour]}$ (day time 07:00-23:00 hours) and/or (b) $L_{A90\ [5\ mins]}$ during night time (night time 23:00-07:00 hours) at any adjoining noise sensitive locations or premises in separate occupation above that prevailing when the machinery is not operating. Noise measurements for the purpose of this condition shall be pursuant to BS 4142:1997.
Reason: To protect the local amenities from noise.

13. Any amplified sound system used in connection with this permission shall be installed with a suitably calibrated noise limiter so as to prevent the transmission of noise and vibration into any neighbouring premises. The details of the noise limiter should first have been agreed in writing by the Local Planning Authority. This noise limiter shall be maintained in accordance with manufacturer's instructions.
Reason*:* To ensure that the reasonable residential amenities of adjoining properties are adequately protected from noise pollution.

14. No amplified music shall be played outside buildings or entertainment structures (Tipis) as set out in the application *and* no music and/or any amplified sound shall be audible at the boundary of any (noise sensitive) (occupied) premises either attached to or in the vicinity of the premises to which this application refers.
Reason: To ensure that the reasonable residential amenities of adjoining properties are adequately protected from noise pollution.

Lighting
15. Before the installation of any external lighting on the site (including floodlighting, street lighting, lighting to the entrance arch and security lighting) details shall first have been submitted to and approved in writing by the Local Planning Authority. Such details shall be based on guidance set out in the Institute of lighting Engineers (Reduction of Light Pollution) and the recommendations of the Ecological Construction Management plan (ECMP) prepared by Baker Consultants dated May 2018 and endorsed by a suitably qualified ecologist to demonstrate that lighting will not impact on foraging or commuting bats or trees with potential bat roosting features and minimise disturbance to other wildlife. The development shall proceed only in accordance with the agreed details.
Reason:- In the interests of residential amenity, the character and appearance of the Conservation Area and protected species in accordance with Policies NC1, DC1, DC3 of the Core Strategy and the National Planning Policy Framework

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Contamination

16.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 in writing 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. The approved scheme shall be implemented in full prior to the first occupation of the development.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

Informative

1. The scheme is considered to be a sustainable form of development to conform to the provisions of the NPPF.

2. The County Councils Definitive Map of Public Rights of Way shows Public Footpath No 6A Farley and Footpath 45 running within part adjacent to the proposed application site. Any planning permission given does not construe the right to divert, extinguish or obstruct any part of the public path. It is important that users of the path are still able to exercise their Public Rights safely and that the path is reinstated if any damage to the surface occurs as a result of the proposed development. The applicant is advised to contact the Rights of way team at Staffordshire County Council to ensure that the route does not become obstructed. The contact is paul.rochfort@staffordshire.gov.uk

X B.J. Haywood

Signed by: Ben Haywood
On behalf of Staffordshire Moorlands District Council

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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 BControl@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.

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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.
13.