STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Nathan Johnson
Smytheman Architectural Services
High Street
Stoke-on-Trent
Staffs
ST10 4DZ

Mr Kirkham
Merlin Magic Making
Alton Towers Farley Lane
Alton
ST10 4DB

Application no: SMD/2018/0793

Determined on: 11th March 2019

**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:**
The proposal is for the installation of 2 No. of Junior Drop Tower rides with an associated queue line.

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 Section 91(1) of the Town and Country Planning Act 1990 (As Amended)

2. The development hereby permitted shall be carried out in accordance with the

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

following approved plans:
ATHH-SA-XX-XX-M2-A- 0102, 0103 and 0401
ATHH-SA-A-0105 0105,
ATHH-SA-XX-XX-DR -A 0402 and 0603
Reason:- For the avoidance of doubt and in the interests of proper planning, in accordance with the National Planning Policy Framework.

3. No development hereby permitted shall take place except for works of site clearance and demolition until a Construction and Environmental Method Statement has been submitted to and approved in writing by the Local Planning Authority, which shall include the following details:-

I. the method and duration of any pile driving operations (expected starting date and completion date); In the event piling is proposed then a noise mitigation scheme in compliance with BS5228-1&2: Code of practice for noise and vibration control on construction and open sites, noise and vibration shall be submitted.
II. the hours of work, which shall not exceed the following: Construction and associated deliveries to the site shall not take place outside 08:00 to 18:00 hours Mondays to Fridays, and 08:00 to 13:00 hours on Saturdays, nor at any time on Sundays or Bank Holiday;
III. any pile driving required shall not take place outside 09:00 to 16:00 hours Mondays to Fridays, nor at any time on Saturdays, Sundays or Bank Holidays;
IV. the arrangements for prior notification to the occupiers of potentially affected properties;
V. the responsible person (e.g. site manager / office) who could be contacted in the event of complaint;
VI. a scheme to minimise dust emissions arising from construction activities on the site. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development. The approved dust suppression measures shall be maintained in a fully functional condition for the duration of the construction phase;
VII. details of wheel washing facilities. All construction vehicles shall have their wheels cleaned before leaving the site;
VIII. a scheme for recycling/disposal of waste resulting from the construction works;
IX. the parking of vehicles of site operatives and visitors;
X. the loading and unloading of plant and materials;
XI. the storage of plant and materials used in constructing the development;
XII. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
XIII. installation and maintenance of wheel washing facilities, and,
XIV. details of measures to protect the public footpaths and amenity of users of the public footpaths crossing the site during the construction works.

**Simon W. Baker** B.Ed MBA MIMSPA
*Chief Executive*

All works shall be carried out in accordance with the approved details. Any alteration to this Plan shall be approved in writing by the Local Planning Authority prior to any deviation from it.
Reason: To protect the amenities of the area.

4. The noise generated by the ride and passengers being operated under this permission shall not exceed these noise levels at the following locations
(a) 49 dB(A) at nearest Wooton Lane All Residential Properties,
(b) 41 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].
Reason: To ensure that the reasonable residential amenities of neighbouring properties are adequately protected from noise pollution.

5. 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 submitted to 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 submitted to and approved in writing by 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.

6. Any lighting scheme proposed for the ride shall first be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved lighting scheme.
Reason: To protect the local amenities of the local residents by reason of excess of illuminance

STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
*Chief Executive*

**Informative**

1. This is a sustainble form of development which complies with the provisions of the National Planning Policy Framework.

X B.J. Haywood

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

STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

## 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

**Simon W. Baker** B.Ed MBA MIMSPA
*Chief Executive*

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.
13.