STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Mrs Victoria Barrett-Mudhoo
Lichfields
The Minister Building 21
London
Great London
EC3R 7AG

c/o Agent

Application no: SMD/2021/0330

Determined on: 16th August 2021

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:
Installation of a seasonal temporary stage

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. This permission shall be for a temporary period of 3 years only from the date of this decision. The staging and all associated equipment/works hereby permitted shall be fully removed from the sites and the land restored to its former condition on or before 15th August 2024
Reason:- In accordance with Section 72 of the Town and Country Plannign Act 1990 and for the avoidance of doubt as to what is permitted and to enable the Local Planning Authority a trial run to assess the effect of the proposal on the area as per advice in the National Planning Policy Guidance

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

373/103/1
373/103/SUM/1, 2, 3, 4, 6 ,7, 8, 9, 10, 11, 12
373/103/CHR/1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11,12
Reason:- For the avoidance of doubt and in the interests of proper planning, in accordance with the National Planning Policy Framework.

3. Residential Noise Limits– When measured at any noise sensitive property within 500m of the stage, the Stage Entertainment Noise Level when measured as an Laeq (15mins) shall not exceed the Background Noise Level without Stage Entertainment Noise measured as La90 (15mins). In the event of validated complaint and/or on written request of the Local Planning Authority (LPA) the operator shall undertake measurements to show compliance and submit these together with details of noise reduction measures to be undertaken to ensure compliance to the LPA within 4 weeks of the LPA making such a request for its written approval. Any necessary mitigation shall be undertaken within 1 month of approval.

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

4. Low Frequency Sound caused by Stage Entertainment Noise in the 63Hz and 125Hz frequency bands shall not exceed 70dB when measured under Laeq (5mins). In the event of validated complaint and/or on written request from the LPA the operator shall undertake measurements to show compliance and submit these together with details of measures to be undertaken to ensure compliance to the LPA within 4 weeks of the LPA making such a request for its written approval. Measurement shall be taken at the boundary of any noise sensitive residential property within 500m of the stage. Any necessary mitigation shall be undertaken within 1 month of approval.

NOTE: Stage Entertainment Noise Level includes all noise generated by the stage including amplified music, soundtrack and speech), Background Noise Level is the pre-existing noise level without the stage but includes all current park operational noise.

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

5. Stage Noise Limit – The noise level shall not exceed 87dB Laeq 5mins when measured at 10m from the front edge of the stage. Sound checks will be undertaken prior to events commencing to ensure compliance with this limit and the results shall be retained for inspection by the Local Planning Authority upon request.

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

6. The stage hereby permitted shall be only be used between the hours of 11am to 7pm from 1 February to 30 September and between 11am to 9pm during October and between 11am to 8pm from 1 November to 31 January.

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

STAFFORDSHIRE moorlands DISTRICT COUNCIL

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7. The mitigation set out in Chapter 8 of the Sound Assessment Report, April 2021 prepared by Cahill Design Consultants shall be completed in full within 1 month of permission being granted and maintained for the lifetime of the permission.

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

Informative

1. This is a sustainable form of development which complies with the provisions of the NPPF.

2. Please be aware that the responsibility for safe development and secure occupancy of the site rests with the developer.

3. The granting of planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of part III of the Environmental Protection Act 1990 be received.

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

Moorlands House, Stockwell Street, Leek, Staffordshire Moorlands, ST13 6HQ.
www.staffsmoorlands.gov.uk Tel: 0345 605 3010
All correspondence to Staffordshire Moorlands District Council, P O Box 136, Buxton, SK17 1AQ.

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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

1. 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.

2. 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.

3. 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.

4. 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.

5. 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.

6. 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.

7. 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.

8. 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.

9. 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

10. 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.

11. 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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