

**Town and Country Planning Act 1990**  
**Town and Country Planning (Development Management Procedure) (England) Order 2010**

**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.

**Application No:** 13/00861/FUL

To:  
Merlin Attractions Operations Ltd  
c/o Miss Hannah Whitney  
14 Regent's Wharf  
All Saints Street  
London  
N1 9RL

**Location of Development:**  
Alton Towers, Farley Lane, Farley, Staffordshire, ST10 4DB

**Description of Development:**  
Re-theming of Old MacDonald's Farmyard including erection of new buildings, extensions to existing buildings, demolition of Big Top and other structures, associated landscaping and pathways.

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 approved shall be carried out in accordance with the following drawings and documents unless otherwise agreed in writing by the Local Planning Authority: Drawing no. 2813-101F; 102F; 104F; 105F; 112F; 113F; 114F; 117F; 122F; 123F; 127F; 128F; 129F; 130F; 131F; 132F; 133F; 135F; 136F

**Reason:-** To ensure that the development is carried out in accordance with the approved plans.

3. The external facing materials shall match the details specified in the approved plans and there shall be no variation without the prior consent in writing of the Local Planning Authority.

**Reason:-** In the interest of the visual amenities in the area

4. Unless prior permission has been obtained in writing from the Local Planning Authority, all noisy activities during construction and demolition works shall be restricted to the following times of operations: 08:00 - 18:00 hours (Monday to Friday); 08:00 - 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.

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 should 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 is subject to the approval in writing of the Local Planning Authority.

**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

6. The development hereby approved shall be carried out fully in accordance with the submitted Noise Emission Assessment dated 20th August 2013 and there shall be no variation without the prior consent in writing of the Local Planning Authority.

**Reason:-** For the avoidance of doubt and in the interest of the residential amenity of local residents

7. Before the commencement of development, including any demolition, site clearance and stripping, temporary protective fencing and advisory notices for the protection of 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, and shall be retained in position for the duration of the period that development takes place. Within the fenced areas there shall be no excavation, changes in ground levels, 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. In addition the development shall be carried out fully in accordance with the recommendations contained within the submitted arboricultural report from Tree Heritage

**Reason:-** In the interest of the existing trees contained within the site.

8. The planting plan shown on Smytheman Architectural Services Drg. No. 2813 – 132 rev F 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 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:-** For the avoidance of doubt

### **Informative**

1. In considering this proposal, account has been taken of the following development plan policies: Staffordshire Moorlands Local Plan Policy B13, R21, R22 and R23; Policy DC1 and DC3 of the Core Strategy Revised Submission Document and national planning guidance in the form of the National Planning Policy Framework. The proposed development is considered not to adversely impact on the existing building, or the character and appearance of the surrounding area in which it is sited, furthermore it will not have an unacceptable or adverse effect on the enjoyment of any neighbouring dwellings.

2. The Council entered into pre-application discussions with the applicant to secure a revised/improved scheme, as has been submitted and consequently approved. It is therefore considered that the proposals meet the provisions of paragraphs 186-187 of the NPPF

3. During any demolition and construction activities (including landscaping) the contractor should pay due regard to the Building Research Establishment Guidance Document 'Control of Dust from Construction and Demolition Activities' (BR456), and take all reasonable steps to prevent dust formation and prevent any dust formed from leaving the site boundary.

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

- In accordance the Site Waste Management Plans Regulations 2008 any construction project with an estimated cost greater than £300,000 must, before work begins, prepare a Site Waste Management Plan in accordance with the requirement of these regulations.

- Guidance for control of dust and emissions for construction can be found: in
- The control of dust and emissions from construction and demolition Best Practice Guidance, produced by the greater London councils  
<http://www.london.gov.uk/sites/default/files/BPGcontrolofdustandemissions.pdf>

- Building Research Establishment Guidance Document 'Control of Dust from Construction and Demolition Activities' (BR456)

- Contamination risk assessments shall be carried out in accordance with UK policy and with the procedural guidance relating to the contaminated land regime, and should be in accordance with Planning Policy Statement 23 and the CLR Report Series 1-12.
- Submission of reports should also be made to the Environment Agency for comment with regard to their remit to protect ground and surface waters from pollution and their obligations relating to contaminated land.
- The Local Planning Authority will determine the acceptability of reports on the basis of the information made available to it. Please be aware that should a risk of harm from contamination remain post development, where the applicant had prior knowledge of the contamination, the applicant is likely to be liable under Part II (a) of the Environmental Protection Act 1990 and as such become an “appropriate person”. In this event the applicant will be lawfully responsible to remove the risk posed by the contamination.
- Equally if during any site works a pathway for any contaminant on site is created and humans, waters, property or ecological systems are exposed to this, the applicant or those acting on behalf of the applicant will be liable under part II (a) of the Environmental Protection Act 1990 if the risks are not adequately addressed during the site redevelopment.
- During investigation and remediation works the applicant and those acting on behalf of the applicant must ensure that site workers, public property and the environment are protected against noise, dust, odour and fumes
- The applicant is advised that should there be a requirement as part of the Remediation Strategy to treat, reuse or remove contaminated material on the site, the Environment Agency must be consulted, as these activities may need to be licensed or permitted. Contaminated materials identified for removal off site must be disposed of in an appropriately licensed landfill site.
- Staffordshire Moorlands District Council is keen to liaise with all stakeholders involved in this application. As such, we recommend that a proposed scope of works is forwarded to the Environmental Protection Department and agreed in principle prior to site investigation works being undertaken. The Environmental Protection Department is also prepared to review draft copies of reports prior to final submission to the Planning Department in order to ensure that works undertaken are sufficient to discharge the contaminated land conditions.

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**Signed on behalf of Staffordshire Moorlands District Council**

## NOTES

1. 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.
2. 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](http://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.
3. 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.