

Alton Towers  
Alton  
Staffordshire  
ST10 4DB

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Application no: SMD/2013/1105

Determined on: 19<sup>th</sup> June 2014

**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.

**Location of Development:**

ALTON TOWERS FARLEY LANE FARLEY STAFFORDSHIRE ST10 4DB

**Description of Development:**

The erection of outdoor safety fencing at Alton Towers Resort in the Bridge/Dam area, White Bridge area/Upper and Lower Gardens.

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 following approved plans:

373/82 1.5, 373/82 2.5B, 373/82 4B, 373/82 5.1E, 373/82 7E, 373/82 8E, Appendix 1 - Schedule of Proposed works, 373/82 10E, 2.01A 2.02A 2.03A, 3.10.1, 3,10.2, 3,12, 5.01 5.02, 5.04 5.05 5.06, 5.09, 5.10 C, 5.10 1A, 5.10 2A, 5.11 C, 5.11.1, 5.12B and 5.13B, 5.15.1, , 5.17A, 5.20 C, 5.20.1A 5.21 A, 5.23, 5.25A, 5.28 ,5.28.1 ,5.28.2 5.28.3,5.30,5.32,5.33.1

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

3.Within 12 months of the commencement of the development hereby approved a Garden

Management plan (the 'Plan') to include a timescale for its implementation, shall be submitted to and approved in writing by the Local Planning Authority for approval. The Plan shall be implemented in accordance with the approved details and timetable.

Reason:-In the interests of the visual amenity, character and integrity of this Grade 1 Registered Garden.

4.Within one month of the new fencing having been installed at location 5.30, the existing fencing in this location shall be removed from site as per Appendix 1, Schedule of Proposed Work

Reason:-In the interests of the visual amenity, character and integrity of this Grade 1 Registered Garden.

5.The development hereby permitted shall be carried out completely in accordance with the Method Statement - Surface Specific Detail accompanying the application

Reason:-In the interests of the character and integrity of Listed structures

6.Prior to the installation of the fencing at locations 5.12 and 5.13, full details of the specification for the upgrade of the fencing and fixings as per Appendix 1, Schedule of Proposed works shall be submitted to and approved in writing by the Local Planning Authority. The work shall be carried out strictly in accordance with the approved details

Reason:- To ensure an acceptable external finish in the interests of the character and integrity of the Registered Gardens

7.Within 6 months of the commencement of the development hereby approved, the Merboy Statue shall be reinstated and the Roman Baths filled with water

Reason:-In the interests of the character and integrity of the Registered Gardens.

8.Within six months of the commencement of development a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall detail planting to be retained, planting to be removed, new planting and an implementation programme. The development shall be carried out in accordance with the approved details and agreed programme of implementation. Any plants that, within a period of 5 years after planting are removed, die or become seriously damaged or defective shall be replaced with others of similar species, size and number to that originally agreed.

Reason:- To ensure an acceptable external finish in the interests of the character and integrity of the Registered Gardens

9. All existing Urns identified in the approved Schedule of Works shall be retained in situ for the life of the development

Reason:- In the interests of the visual amenity, character and integrity of the Grade 1 Listed building.

### **Informative**

1.The Council has sought (negotiated) a sustainable form of development which complies with the provisions of paragraphs 186-187 of the NPPF.

2. This approval should be read in conjunction with the Planning Obligation entered into under S106 of the Town and Country Planning Act 1990 (as amended) and dated 12<sup>th</sup> June 2014 which accompanies it.

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**Signed 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.
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. **A fee is payable to us for the discharge of condition. Please refer to our web site : [www.staffsmoorlands.gov.uk](http://www.staffsmoorlands.gov.uk) for details.** 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. 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.
8. 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.