

STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL

PLANNING APPLICATIONS COMMITTEE

16th February 2023

Application No:	SMD/2022/0556	
Location	Alton Towers, Farley Lane, Farley, Staffordshire, ST10 4DB	
Proposal	Removal of existing structures and construction of new building to house indoor attraction, associated ground works, infrastructure and landscaping	
Applicant	Merlin Attractions Operations Ltd	
Agent	Sophie Bisby - Lichfields	
Parish/ward	Farley/Alton	Date registered 21 st October 2021
If you have a question about this report please contact: Jo Gregory tel: 01538 395400 or e-mail planning@staffsmoorlands.gov.uk		

1. REFERRAL

The application is referred to Committee as it is a major development

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 2.1 The application site forms part of the Alton Towers Resort accessed off Farley Lane, Alton. It is located within the open countryside and within the Alton and Farley Conservation Area. The application site is located in the south western corner of the resort. It comprises 0.9ha of land that is currently used for general storage that currently has no access for the resort's visitors. The land is relatively level to the north but steps down to the south and gently slopes overall to the east. There are some existing storage containers occupying the site.
- 2.2 The application site is located within an area that has been 'cut out' of the Registered Park and Garden designation. Located to the north west of the site is the Grade II listed Flag Tower. Wrapping around the west and southern site boundary are remains of the Bunbury Hillfort, a Scheduled Monument. The site is south west of the Grade II* listed Alton Towers house. Wrapping around the site to the west and south is Abbey Wood, an ancient woodland designated as a Site of Biological Importance (SBI).

3. DESCRIPTION OF THE PROPOSAL

- 3.1 This full application seeks permission for the removal of existing structures and the erection of a new building / structure to house an indoor attraction with associated ground works, infrastructure and landscaping. Public access (pedestrian only) to the new attraction will be created between the existing Alton Towers 'Dungeons' and 'The World of David Walliams' entrances. The proposal includes an entrance portal, plaza area, queue line(s) and a new portal framed building that will house the attraction. A proposed cable run is located parallel to the northern boundary of the application site and can be seen clearly on the proposed site plan as an extended part of the site boundary.

- 3.2 Proposed plans and elevations have been provided for the attraction building and the entrance portal. The theming, elevational treatment and internal layout of the attraction remains withheld, due to commercial sensitivity, and so the proposed plans seek permission for the position, height, scale and mass of the structures.
- 3.3 The main portion of the proposed building measures 71m in length and 51m in width. It has an additional attached element to the east that has a footprint of a further 40m by 9m. The main building and attached element measure 20m and 14m in height respectively. The entrance portal is located to the far east of the application site and acts as a gateway to the attraction. It will measure 7m by 1m with a height of 5m. The queue line will consist of timber raised platforms and fencing that traverse an area of existing woodland on the site.
- 3.4 The proposed attraction building would be built into the existing topography of the site. This will require a significant amount of excavation – up to 4m to the northern end. Therefore in relation to the existing topography, the structure measures 16m to the ridge to the north and 20m to the south. The roof has a partially hipped form which further reduces the appearance of the building's height to the south.
- 3.5 The application boundary is drawn tightly around the proposed building to the west, north and south. Within this area will be some limited planting and retaining structures.
- 3.6 The proposal will result in the removal of 57 trees within and outside of the application site boundary. This comprises a mix of B, C and U category trees as defined by the arboriculturist, which means that some are considered to have some amenity and arboricultural value. A Landscape Plan and Planting Plan have been requested by officers and now accompany the proposal and includes mitigation of this loss of trees with replacement trees.
- 3.7 The proposed development does not include any new parking or servicing arrangements beyond those that already exist for the wider Alton Towers Resort.
- 3.8 Further documents provided as part of the application include the Planning Statement, Design and Access Statement, Heritage Impact Assessment, Historic Environment Desk Based Assessment, Arboricultural Report, Ecological Assessment, Economic Benefits Assessment Report, Transport Statement, Noise Assessment Report, Drainage Strategy Report and Surface Water Models, Phase 1 Land Contamination Report, Landscape and Visual Appraisal and a Sustainability Statement.
- 3.9 A screening opinion was sought from the Council before the submission of this planning permission. It was confirmed that the proposal was not EIA development albeit it highlighted that there would need to be careful consideration of a number of matters including landscape and heritage as part of any planning application submitted. (SMD/2022/0524).
- 3.10 The application documentation and all representations can be viewed in full at:

<http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=165529>

4. PLANNING POLICIES RELEVANT TO THE DECISION

- 4.1 For the purposes of this planning application, the development plan comprises of the Staffordshire Moorlands Local Plan (2020).
- 4.2 The following Local Plan policies are relevant to this application:
- SS 1 – Development Principles
 - SS 11 – Churnet Valley Strategy
 - SD 1 - Sustainable Use of Resources
 - E 1 – New Employment Development
 - E 4 – Tourism and Cultural Development
 - DC 1 – Design Considerations
 - DC 2 – The Historic Environment
 - DC 3 - Landscape and Settlement Setting
 - C 3 - Green Infrastructure
 - NE 1 - Biodiversity and Geological Resources
 - NE 2 - Trees, Woodland and Hedgerows
 - T 1 - Development and Sustainable Transport
- 4.3 The following documents are material considerations:
- The National Planning Policy Framework (NPPF) 2021
 - The National Planning Practice Guidance (NPPG)
 - The Churnet Valley Masterplan SPD (2014)
 - The Staffordshire Moorlands Design Guide SPD (2018)

5. CONSULTATIONS CARRIED OUT

- 5.1 A Site Notice has been displayed, neighbour letters have been sent and the application advertised in the press.
- 5.2 In accordance with paragraph 132 of the NPPF, the applicant has undertaken pre-application consultation in September 2022, this is detailed within the submitted Planning Statement, chapter 5. This consisted of a meeting with Farley Parish Council, a meeting with Councillors and a public exhibition.
- 5.3 Five letters of objection have been received raising the following matters:
- Queries relating to the submitted noise impact assessment and its consideration of the properties in closest proximity to the application site.
 - Concerns regarding light pollution, especially in winter when the trees lose their leaves.
 - Impact of the proposal in terms of local traffic generation and queries relating to the statement that no additional traffic will be created.
 - Concerns regarding the visual impact of the proposed building from key local viewpoints (Toot Hill, Rainroach, Farley Park, Alton Castle, St Johns Church and Town Head) and Alton village.
 - Proximity of the proposal to the Churnet Valley edge and resulting impact on landscape character
 - Concern regarding the size, height and position of the proposed new building and its visibility above the tree line.
 - Previously rides have been prevented from breaking the tree line
 - Ecological impact on the neighbouring woodland

- Concerns regarding the loss of trees within the Abbey Wood canopy that will make the proposal more visible over time.
- Impact on the historic character and setting of Alton village
- Impact on the nearby listed Flag Tower, Bunbury Hillfort and the wider conservation area.
- The economic benefits have been over exaggerated and local spend will be limited. Jobs created will be seasonal and low paid.
- The Council have declared a climate emergency and should not support proposals that seek profit at the expense of the environment and our beautiful surrounding area.

5.4 Four letters of support have been received raising the following matters:

- A great expansion of the resort that will bring tourists and jobs to the area.
- Support for local investment during the current cost of living crisis
- Support subject to there being low visual impact and consideration of water quality impact

5.5 The following table provides a summary of technical consultee responses:

Consultee	Comment
Alton Parish Council	Object due to proximity to Churnet Valley, the position and size of the structure, landscape visual impact, amenity concerns and impact on heritage assets and ecology. Jobs and investment are supported.
Local Highways Authority	No objection subject to conditions
Environmental Health Officer	No objection subject to conditions
Lead Local Flood Authority	No objection subject to conditions
Severn Trent Water	No objection
Tree Officer	No objection subject to conditions
Staffordshire Wildlife Trust	No objection subject to conditions <ul style="list-style-type: none"> • CEMP to be updated to include bat measures for tree felling and RAMs for amphibians/reptiles • LEMP to be provided • soil movement and landscaping to be detailed (replacement hedgerow requested) • comments on the proposed woodland planting plan - will pass on to agent • consideration to sustainable design and solar powers suggested
Landscape Officer	No objection in principle subject to conditions, but concerns relating to the size and location of the proposal.
Conservation Officer	AWAITING FINAL RESPONSE
Historic England	No objection in principle but concerns relating to the size and location of the proposal given its impacts on nearby heritage assets.
County Archaeologist	No objection in principle subject to conditions, but concerns relating to the size and location of the proposal.

Environment Agency	No objection subject to conditions
Staffordshire County Council (SCC) Planning	No objection
SCC School Organisation Team	No comments to make
Staffordshire Police	No objection subject to queries
Waste operational services	No comment
Regeneration Team	No objection

6. OFFICER COMMENT AND PLANNING BALANCE

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, the Local Authority is required to determine this application in accordance with the policies of the Development Plan unless material considerations indicate otherwise. The NPPF paragraph 11 states that applications that accord with policies within an up-to-date Local Plan should be approved without delay.

Principle of development

- 6.2 In line with the NPPF paragraph 81, the investment, expansion and adaptation of businesses should be encouraged through planning decisions. Significant weight needs to be given to supporting economic growth both locally and nationally. Local policy (SS1) reinforces the national approach placing emphasis on access to, and opportunities for, employment and the effective use of previously developed land.
- 6.3 In this instance the proposal is for the expansion of an existing tourism and leisure business. The applicant describes this development proposal as a key opportunity for investment in the resort in order to create jobs and revitalise its offer in order to maintain their visitor numbers. It should be noted that the number of visitors to the Alton Towers resort has been decreasing over the recent five years, exacerbated by the recent COVID-19 pandemic and as such it is recognised by officers and the applicant that it is an important material consideration to maintain the parks attractiveness to visitors in the medium and long term.
- 6.4 The development of new rides and attractions within the Alton Towers Resort is supported within the policies of the adopted Local Plan within Policy SS 11 – Churnet Valley Strategy and the Churnet Valley Masterplan Supplementary Planning Document (SPD). The latter is a strong material consideration in this case. The policy supports the extension of existing tourist attractions and facilities subject to a requirement for the conservation and enhancement of heritage, landscape and biodiversity.
- 6.5 The application site is within the existing developed part of the wider resort, an area currently used for general storage. It falls within an area identified as Zone 2 of the Churnet Valley Masterplan SPD an area titled ‘South western area, redevelopment/new rides’. Zone 2 is described as follows:

“Potential for redevelopment in this area which is sensitive to distant views, tree canopy, Bunbury Hill Fort and the Flag Tower. Leisure uses including new rides are potentially suitable within this area. Height restrictions should be considered due to this being the high point within the Resort. Any future development should be screened from long distant views and enhance the setting of the Flag Tower.”

- 6.6 This approach is considered to be reflective of Local Plan policy E4 that supports the expansion of tourist facilities in rural areas subject to that proposal being of an appropriate quality, scale and character compatible with the local area. Policy E4 goes on to place importance on protection of the residential amenity of the area, enhancement the heritage, landscape and biodiversity of the area.
- 6.7 National and local policies in conjunction with the Churnet Valley Masterplan SPD therefore establish the principle of the proposed development as acceptable subject to a series of more detailed tests – many of which are covered by other policies within the development plan. Collectively they provide a useful checklist that will be the focus of the remainder of this report.
- 6.8 The following impacts will be assessed:
- Landscape and visual impact
 - Impact on heritage assets
 - Ecology and biodiversity
 - Trees
 - Highways and access
 - Residential amenity
 - Economic impact
 - Drainage and flood risk
 - Design and sustainability
- 6.9 In addition to these policy tests matters of design and sustainability will also be assessed within the overall planning balance.

Landscape and visual impact

- 6.10 Consideration of the impact of the proposed development on the landscape character of the Churnet Valley and key views is central to this decision due to policy tests and public comments received. NPPF paragraph 174a states that proposals should contribute towards and enhance the natural and local environment by protecting and enhancing valued landscapes. Local Plan policy (DC3) identifies the Churnet Valley as being of particular value and enhancement and the protection of its distinctive features and the setting it offers to settlements is emphasised.
- 6.11 The proposed development is located on the edge of the plateau on which the Alton Towers Resort sits. This south western end of the resort is the highest point of the plateau yet the resort remains largely screened by the high canopy trees within Abbey Wood that cover the steep hillsides of the valley of the River Churnet.
- 6.12 The application is accompanied by a Landscape and Visual Appraisal (LVA) that has been prepared in accordance with the guidance set out by the Landscape Institute and is considered to have followed a sensible and robust methodology. Additional views were requested by the landscape officer, based on those requested by members of the public, and have been received to form part of the final assessment.
- 6.13 The LVA categorises the sensitivity of the landscape as medium and the site itself of low sensitivity. The landscape officer concludes that this has been understated, and instead considers that the site's surroundings are of high sensitivity in terms of susceptibility and its ability to accommodate change. With regard to the site itself, he agrees it to be of low sensitivity.

- 6.14 The height of the building and extent of the Abbey Wood tree canopy will result in the proposed development being visible from outside the confines of the resort. The key views from the LVA that will be affected are from the south at Rainroach Rock and Toot Hill (LVA viewpoints 8 and 9). The extent of this visibility is low but will result in the structure being viewed within the context of the Grade II listed Flag Tower. The officer suggests that a reduction in height of 2-3m would result in an absence of change and almost total removal of this harm. The applicant has stated that a reduction in height was made prior to submission of the application following pre-submission consultation. The height of the new building as proposed is considered necessary for the dimensions of the attraction internally. As a result no further reduction in height has been made.
- 6.15 Based on an assessment of the proposal, and taking into account the location of the site within the Conservation Area and its proximity to the Registered Park and Garden, the landscape officer concludes that there will be some adverse visual impact from the proposal. Whilst there will be some impact on the wider landscape character this will be limited due to the localised effect of the proposal. Therefore the overall landscape visual impact is summarised as greater than negligible but minor.
- 6.16 Discussion has been had regarding the use of colour and materials. The applicant has proposed a dark green, metal cladding. Due to the building being visible within some long distance views within the landscape and different levels of visibility due to cloud cover and lighting conditions, the landscape officer has considered that the proposed materials may not be the most suitable and that further and more detailed discussions will be necessary to arrive at an appropriate material. It is considered that materials can be confirmed via planning condition which allows for appropriate discussion in this regard.
- 6.17 The original Landscape Plan submitted by the applicant provided indicative proposals for the development layout and landscaping. Whilst the scheme was considered broadly acceptable, officers requested provision of a Planting Plan and Schedule. This has now been received. In addition, it was also discussed that in order to provide sufficient replacement trees for those lost a strategy would be needed for planting outside of the application site within neighbouring wooded areas in the ownership of the applicant. It is therefore suggested that a Landscape and Woodland Management Plan is to be prepared and implemented through planning condition if the application is approved. This would work in concert with the landscape and planting proposals on site to effectively meet the requirements of the local policy.
- 6.18 The landscape officer has expressed some concern regarding the significant amount of material to be excavated in order to build the new structure into the existing topography. His concerns surround where the excavated material will be deposited as it has been suggested it will be moved to another location on site, of which there are no details currently provided. If placed in an inappropriate location it has the potential to impact on existing trees, vegetation or the registered park and garden. A planning condition is proposed requiring a Soils Management Plan to allow for appropriate control over this matter.

Impact on heritage assets

- 6.19 The proposed development is considered to affect four designated heritage assets. The site is located within the Alton and Farley Conservation Area, directly adjacent to a Grade I Registered Park and Garden, in close proximity to the Grade II listed Flag

Tower and the Bunbury Hillfort Scheduled Monument. All are higher value designated heritage assets as set out by national policy. The Pink Lodge and the Alton Towers house are located in the vicinity of the application site but at such a distance that there is not considered to be potential for impact.

- 6.20 National policy provides a blueprint for how local authorities should approach the determination of development proposals that affect heritage assets. In the first instance, paragraphs 194 and 195 state that the significance of the assets affected should be identified and assessed. Formal responses from the Conservation Officer, Historic England and the County Archaeologist provide detail on the affected assets and set out their significance. Based on this these assets are considered to have high significance as they are formally designated assets of the highest value.
- 6.21 Once the significance of the asset is assessed the level of impact on that significance is to be identified. Where substantial harm to the significance of an asset is identified the proposal should be refused, NPPF paragraph 200. In line with paragraph 202 of the NPPF, where a proposal will lead to less than substantial harm to the significance of the asset the harm should be weighed against the public benefits of the proposal. Part of this consideration should relate to securing optimum viable use of the heritage asset. The conservation of the asset should also be considered, as per paragraph 199 of the NPPF.
- 6.22 It is worth noting that the NPPF paragraph 196 also states that where there is evidence of deliberate neglect of a heritage asset, the deteriorated state of the asset should not be taken into account in any decision – i.e. the significance of the asset should be assessed as if it was in a good state of repair. The Grade II listed Flag Tower and Bunbury Hillfort are considered by the heritage officers who have comments on this application to have been neglected over many years but this does not reduce the level of their significance. The parts of the resort that form part of the wider conservation area have also not been maintained to a high standard, including key assets such as the Alton Towers house and gardens. Again, whilst this level of maintenance is evident it should not be used to reduce the significance of these assets.
- 6.23 The Conservation Officer, County Archaeologist and Historic England have all raised concerns regarding the height and scale of the proposed building and its location at the edge of the Alton Towers resort envelope and adjacent to heritage assets. In response to these concerns the agent reiterated that the site has been home to ride attractions in the past (most recently in the 1990s) and that it was the intention of the applicant to provide a new attraction without the removal of an existing attraction. The area is identified as a potential location for new rides within the Churnet Valley Masterplan. The agent states that the proposed building's scale and mass is a requirement of the scale and nature of the attraction within. The form of the structure was reduced following pre-submission consultation with the Checkley Parish Council. The height of the building's eaves was reduced from 14.6m to 13.1m resulting in a reduced visual bulk intended to lessen impact on views of the proposal from the south. The overall ridge height of the building was not reduced at that stage nor has it been reduced during the course of this application to address concerns from heritage consultees.
- 6.24 Based on the work undertaken on behalf of the applicant and the responses received by the Conservation Officer, County Archaeologist and Historic England the level of harm to the significance of the heritage assets is considered to be less than

substantial, as there is unlikely to be any direct loss or impact on the assets themselves – only their setting. Harm to the heritage assets has been identified due primarily to the position and scale of the new attraction building. Discussions have been had with the applicants agent and no further changes to the proposal were offered.

- 6.25 As set out above, in instances where a proposal has less than substantial harm on heritage assets the harm needs to be weighed against the public benefits of the proposal. The public benefits associated with this proposal, as set out by the applicant, primarily involve the economic benefits of the new attraction in safeguarding their role as a key employer and the wider economic benefits offered by the Alton Towers Resorts contribution to the wider leisure and hospitality sector. These economic factors are set out within the 'Economic impacts' section of this report.
- 6.26 Following further discussions with officers, the public benefits of the proposal also include a heritage project that looks to renovate the Scalloped Wall and Orangery and a woodland management plan for neighbouring portions of Abbey Wood. The consideration of the weight of these factors in the context of the overall planning balance is summed up in the concluding section of this report.
- 6.27 Turning specifically to below ground archaeology, the County Archaeologist has considered the Historic Environment Desk Based Assessment provided by the applicant. The County Archaeologist disagrees with the final conclusion that the survival of archaeological remains within the application site should be discounted, particularly given the site's location adjacent to the Bunbury Hillfort Scheduled Monument. Due to the extent of the groundworks proposed (4m of excavation) there is the significant potential for there to be a negative impact on below ground archaeological remains. Therefore, in this case a planning condition is recommended requiring a written scheme of archaeological investigation to be approved and implemented. This is considered to be a proportionate approach.
- 6.28 Furthermore, in line with national policy (paragraph 206) and given the location of the proposal within the Alton and Farley Conservation Area, a planning condition that seeks to better reveal the significance of this asset through the installation of interpretation boards or activities is proposed to work in conjunction with the heritage projects.
- 6.29 In line with local policy (DC2) the final assessment by the relevant officers at the authority concludes that the proposal causes less than substantial harm. A permission should therefore be subject to a number of planning conditions to mitigate against the impacts and provide appropriate public benefits resulting from the development. These, for clarity include:
- a heritage project within the resort to conserve and enhance the site's heritage assets
 - installation of interpretation boards to better reveal the significance of the Conservation Area
 - conditions to ensure that any below ground archaeology is safeguarded
- 6.30 These conditions are designed to work in conjunction with those relating to landscape and woodland management that relate to the setting of the heritage assets affected by the proposal.

Ecology and biodiversity

- 6.31 National policy, paragraph 174d, supports proposals that minimise impacts on biodiversity whilst providing net gains. Where there is significant harm to biodiversity the presumption in favour of sustainable development does not apply, paragraph 180 of the NPPF.
- 6.32 Local policy supports this approach at the local level by specifying the importance of protecting and enhancing biodiversity and ensuring any harm to regionally and locally designated wildlife sites is avoided (NE1). Any affected wildlife sites are to be conserved and enhanced. There are three key strands to the assessment of the proposal against national and local policy relating to biodiversity; 1. the impact of the proposal on any local wildlife sites, 2. the impact of the proposal on identified protected species on site and finally 3. the need to demonstrate overall biodiversity net gain. This assessment is based on discussions with and feedback from the Staffordshire Wildlife Trust (SWT).
- 6.33 As noted, there are several biodiversity and wildlife designations directly adjacent to the application site. The application site is located in close proximity to Abbey Wood, a Site of Biological Importance (SBI). This woodland wraps around the south western end of the application site, separated from the application site by an existing internal access route. The application site falls within the impact risk zone for the Dimmings Dale and The Ranger SSSI, which is located 900m to the west, however, due to the nature of the proposal and distance from the site no impacts are expected.
- 6.34 The Ecological Appraisal submitted by the applicant outlines a series of protective measures during the construction phase relating to the protection of Abbey Wood that should be secured by planning condition. Furthermore the application is supported by a proposal to update and implement the Woodland Management Plan for parts of Abbey Wood – further details of which are provided within this reports section on trees.
- 6.35 The Ecological Appraisal found evidence of a pipistrelle bat roost located within a small portable retail unit currently on the application site. The relocation of this unit during winter months under the supervision of an ecologist as set out within the Ecological Appraisal and this can be secured by planning condition. Whilst no other protected species were found on site, a series of measures to avoid and reduce potential impacts on reptiles and birds are recommended within the Ecological Appraisal. Bird and bat boxes are proposed to be located within Abbey Wood and the details of this will be agreed and secured via planning condition.
- 6.36 The final policy test to consider is the level of Biodiversity Net Gain (BNG) proposed. The initial planning submission included provision for 3.6% BNG. Following feedback from Staffordshire Wildlife Trust this figure has been increased to 39.89%. This is proposed to be achieved through enhancement of neighbouring woodland (also in the applicant's ownership) through the removal of non-native species, litter and by planting any gaps with native trees and shrubs. As noted the woodland management plan is to be secured via condition.

Trees

- 6.37 The protection of existing trees and woodland is prioritised within the development plan (Local Plan policy NE2). This policy states that the proposed development

should retain and integrate existing trees within the proposal where possible and mitigate any loss through replacement planting.

- 6.38 An Arboricultural Impact Assessment accompanies the application in which over 250 trees were surveyed. The delivery of the proposed development will result in the removal of 44 trees, comprising a mix of category B (2 trees), C (35 trees) and U (7 trees). Outside of the application boundary a further 13 trees are identified for removal, all category U. The tree officer and the landscape officer confirm that removal of these 57 trees will not result in substantial gaps in the upper canopy treeline and would be covered by other surrounding tall trees and as such there is no impact from a landscape or visual perspective. Officers have also confirmed that the trees to be removed are also not considered to be important to the setting of the nearby listed Alton Towers house or the Flag Tower. The tree loss proposed is considered to be acceptable but suitable mitigation of that loss should be secured through a landscape plan and woodland management plan for areas, as also proposed by the landscape officer and detailed in the landscape section of this report. These documents include replacement planting on and adjacent to the site, within Abbey Wood.
- 6.39 The tree officer has assessed the impact of the proposal on retained existing trees, particularly those contained within the Abbey Wood SBI. The proposed distance of the new building from the Abbey Wood is over 30m and since the application site is already a developed functioning part of the resort in terms of activity levels, no harm is anticipated.
- 6.40 Following feedback from the arboricultural officer, an Arboricultural Method Statement has been provided setting out further detail on how trees will be protected during construction. Details have also been added into a revised Construction Environmental management Plan (CEMP). The arboricultural officer has confirmed these documents and the extent of removal and impact on retained trees is acceptable.
- 6.41 Where elements of the proposal interact with root protection areas (RPAs) the impact is reduced through use of boardwalks (the queue line). This is in addition to the use of cellular confinement load support systems in the plaza. Further detail on the specifications of these elements was requested by the tree officer for consideration prior to determination. The applicant subsequently provided an Arboricultural Method Statement that included details of special measures relating to the proposed plaza, boardwalks, hard surfacing and foundations where RPAs are affected. This will be secured by way of a condition.

Highways and access

- 6.42 Local Plan policy T1 seeks to ensure that proposed development reduces reliance on the private car where possible. Given that this proposal represents expansion of an existing tourist facility, the planning system is limited in what influence it can have in this regard. The application site is located within the existing resort and is proposed to have no direct access to the highways network itself. Thus it is reliant on the existing highways access and associated infrastructure that serve the resort as a whole. The potential highways impact of the new attraction - in terms of traffic generation and parking provision - is a consideration however. In line with policy this is assessed on a case by case basis.

- 6.43 The proposed development will be accessed from the main entrance to the resort on Farley Lane. Visitors will arrive by car and public transport using the existing parking, taxi and bus facilities. The application is accompanied by a Transport Report outlining how the proposal forms part of a wider strategy designed to continuously revitalise the resort's offer to maintain visitor numbers. This proposal is therefore not expected to result in a long term increase in visitor numbers.
- 6.44 The Local Highways Authority (LHA) initially raised a number of queries relating to the nature of the proposed attraction, its anticipated trip generation, the resultant need for parking and how this links to the existing travel plan for the Alton Towers Resort. These were queries that had also been raised by members of the public. Following the provision of additional information by the applicant in response to these queries, the LHA is content that the proposal will not generate trips greater than recent existing peak visitor numbers.
- 6.45 As a result the LHA has no objections regarding impact on the highway and no additional parking provision is required as existing provision is sufficient. The proposal should be subject to the existing Alton Towers Resort Travel Plan, for which an update will be required, and the submitted Construction Environmental Management Plan (CEMP) which is considered acceptable from a highways perspective. This is considered to effectively address the concerns raised by local residents in this regard and can be secured via planning condition.

Residential amenity

- 6.46 The expansion of tourist facilities in rural areas is supported by policy E4 subject to the protection of residential amenity of the area. The Churnet Valley Masterplan SPD also supports the expansion of the Alton Towers resort. The key consideration from an amenity perspective is noise and light pollution resulting from the new attraction in addition to any impacts experienced during the construction phase. These are matters that were also raised as concerns by the local community. The proposed development is considered to be located sufficiently far from the nearest residential properties to not result in any amenity impacts in terms of positioning and scale from either being overbearing or overshadowing.
- 6.47 A Noise Impact Assessment was submitted as part of the application and has been reviewed by Environmental Health officers. Based on the findings, officers consider that due to the attraction's location inside the proposed building, any resultant noise will not cause amenity issues. External noises, however, such as the use of ambient music and sounds has been an issue raised by local residents in the past, and is a matter that needs careful consideration. The Noise Impact Assessment contains limits within which the sound is to remain, however, Environmental Health officer considers that a review of this matter coupled with restrictions preventing playing of sounds outside the resorts opening hours to be effectively conditioned. Therefore it is recommended that a strategy for the use of ambient music or soundtracks in conjunction with a noise mitigation scheme is to be submitted to the authority for agreement by way of planning condition. Local residents have raised concerns regarding the impact of artificial lighting. In response it is suggested that a condition is used to ensure a lighting strategy is agreed with the authority prior to installation of any external lighting.
- 6.48 A CEMP has been proposed by the applicant and updated following response from technical consultees, this aims to limit the impact of construction on nearby residents.

The provisions are considered to be sensible and effective. The CEMP can be secured by planning condition.

Economic impact

- 6.49 Sustainable growth and expansion of business in rural areas is strongly supported through national policy, NPPF paragraph 84, subject to the requirement to respect the character of the countryside. Local policy SS1 further supports developments of this type by emphasising the importance of supporting access to jobs and providing opportunities for employment within the district. Policies within the Local Plan encourage the effective use of previously developed land such as this site (SS11). The Churnet Valley Masterplan SPD also recognises the opportunities provided by the Alton Towers Resort, and the role that it plays in the local economy.
- 6.50 Key to this support of economic activity within Staffordshire Moorlands is ensuring that development comes forward in a sustainable manner and enables the enhancement and diversification of the tourism and recreation offer (Objectives SO3 and SO7).
- 6.51 In line with this, Alton Towers Resort's role as a nationally significant attraction and local employer is a key material consideration in this decision. The applicant explains within their submission that revitalising the resort's offer is key in retaining visitor numbers over the medium to long term. This has generally been acknowledged as the case in the past by the authority and adds significant weight in support of the proposed development.
- 6.52 The Staffordshire Moorlands Regeneration Officer in reviewing the submitted Economic Benefits Assessment Report confirms that there will be creation of 143 part time seasonal jobs and 36 permanent full time jobs as a result of the proposal resulting in an increase in local spending from households of the 36 new full time jobs of £50,184 per annum, based on households spending between 4.5-9% of their income within 2-3miles of their place of work. Uplift from the households of those fulfilling the 143 part time jobs is estimated to be up to £65,782 per annum. In terms of construction employment there is some expected local benefit of £1.25m (10% of the total project spend). There is also some benefit from visitors spending in the local area (£39.95 per person per day), this increases when those visitors stay overnight (£75.63 per person per day).
- 6.53 Whilst these figures demonstrate that there will be some local economic benefit resulting from the proposal, the main economic benefits of the proposal relate to the operation of the resort as a whole and its regional and national economic contributions.

Drainage and flood risk

- 6.54 The application site lies within Flood Zone 1 and is not affected by surface water flooding. Due to the proposal being a major application a drainage strategy is required and has been provided by the applicant. This was reviewed by the Lead Local Flood Authority (LLFA) who requested further infiltration testing and updates to the submitted Drainage Strategy. Additional information was provided by the applicant and the LLFA have since reviewed and confirmed they have no objections subject to a condition requiring compliance with the submitted report and plan.

Design and sustainability

- 6.55 The proposed design of the proposal and its sustainability credentials are inextricably linked. National policy reinforces that good design is a crucial aspect of sustainable development (paragraph 126) and it should be ensured that developments function well and make a positive contribution to the overall quality of an area over their lifetime (paragraph 130a).
- 6.56 Local Plan policy DC1 reiterates this approach stating that proposals should respect the site and surroundings through scale, layout, landscaping and careful use of detailing, materials appropriate to local character.
- 6.57 The proposed design is functional in terms of its scale and form, and is a somewhat incongruous form in the landscape and conservation area. As previously noted, the use of materials is proposed to be agreed via planning condition. The landscape officer has suggested colours and materials that would lessen the landscape visual impact and so that should form the basis of such a discussion. When considered specifically against the provision of DC1 then the proposed development does not meet the policy tests.
- 6.58 However, paragraph 134 of the NPPF states that the context, circumstances and purpose of the proposed development should be taken into account when considering whether a proposal is well designed, and that poorly designed proposals should be refused. It should be noted that if the application site was located within a different context and circumstance (i.e. not within the wider Alton Towers Resort) it may be considered to fail on these policy tests. However, the proposal is located within an established theme park and within the context of existing structures associated with other attractions and general storage and maintenance areas, which means that more flexibility can be accommodated on matters of design.
- 6.59 Local policy SD1 and DC1 set out how major applications should demonstrate consideration of energy efficiency, water conservation, sourcing of construction materials and site orientation. Where possible the feasibility of integrating micro-renewables should be considered also. This has also been suggested by SWT.
- 6.60 Due to the commercial sensitivities associated with this application, and the matters that are to be reserved for subsequent approval by condition, it is difficult to understand the sustainability credentials of the new building. The applicant has submitted a Sustainability Statement that provides an overview of how the proposal could incorporate sustainability strategies during construction and operation. The measures referred to include use of local suppliers for materials where possible, reuse of materials and building techniques that allow long term maintenance and replacement of elements, selection of sustainable materials to minimise embodied carbon, reduction of site waste and energy efficient lighting. The building will not be heated, cooled or mechanically ventilated and it will not have a water supply. It is suggested that at the conditions stage, details are provided on the specific sustainability credentials of the building and wider development and an informative is added asking the developer to consider the possibility of solar power.

7. Planning balance

- 7.1 The determination of this application presents a complex and finely balanced case. The following section summarises the key planning matters detailed previously and

sets out a recommendation as to the weight that they should be given in the making of this decision.

- 7.2 The Alton Towers Resort provides a relatively unique context within which such an application is to be considered. The resort is an established theme park of national importance for its economic and tourism value and benefit. Support for existing businesses is given significant weight within paragraph 81 of the NPPF. This includes support for investment, expansion and adaptation. The proposed development represents investment in the resort and expansion of the attractions on offer. The applicant sets out within the Economic Benefits Assessment Report that frequent revitalisation of the resort's offer is key to maintaining visitor numbers over the longer term. Support for this is further provided in the Churnet Valley Masterplan SPD and has been considered important in past applications. The proposal therefore can be seen as part of the resort's work in adapting to ensure this continuation of popularity. The local and national economic contribution of Alton Towers Resort and the role of this proposal in supporting that contribution is therefore considered to carry significant weight in favour of this proposal in this decision.
- 7.3 It is clear that there are policies at the national and local level that support the principle of this form of development both within the wider context of Alton Towers and on this specific site. The use of a previously developed site, the enhancement of rural enterprise and the specific policies in the Churnet Valley Masterplan SPD would all support the provision of a new attraction or ride on this site.
- 7.4 Therefore the assessment moves to the consideration of the potential impact on the technical matters, specifically multiple heritage assets, local biodiversity and the landscape character of the Churnet Valley. This is specifically as a result of the site's relationship with nationally and local designated assets.
- 7.5 Looking first at heritage matters, the NPPF, paragraph 199, confirms that great weight should be given to the conservation of heritage assets and the more important the asset, the greater the weight should be, irrespective of the level of harm identified.
- 7.6 Given the high significance of the heritage assets in the immediate vicinity of the application site, the impact of the proposal on those assets also becomes a matter of principle. Had significant harm been identified the application would have been recommended for refusal in line with national policy. Based on the careful and comprehensive assessment of the Conservation Officer, Historic England and the County Archaeologist, it has been concluded that harm to the heritage assets has been identified. This harm is due primarily to the cumulative impact of the scale and location of the proposal on the setting of a number of designed heritage assets. The level of harm to the significance of the heritage assets has been identified to be less than substantial. In line with paragraph 202 of the NPPF, such harm is to be weighed against the public benefits of the proposal. The public benefits resulting from the proposed development are summarised below:
- Economic benefits resulting from the proposal in terms of localised impacts and the support of the Alton Towers Resort as a whole
 - Heritage projects – Scalloped Wall and Orangery (Details of project TBC)
 - Abbey Wood woodland management plan
 - Interpretation activities associated with the heritage project

- 7.7 Aside from the wider economic benefits, the remaining specific public benefits would be secured via planning condition. It is therefore considered that cumulatively the public benefit resulting from the proposal and the above items is considered to be sufficient to outweigh the identified harm to the nearby heritage assets. In addition to the above items, it is proposed that should permission be given, a planning condition is added that requires demolition of the new building once its current use ceases. The intention behind this condition is to establish a restoration plan for the site that enhances the setting of the nearby listed buildings and the scheduled monument over the long term, recognising that a permission on this site would be as a result of very specific circumstances related to this use by this applicant and should not be used as a basis for further decision making. This approach has been well established for larger portal framed structures in the countryside. With these suggested planning conditions and related projects listed above, the proposal is deemed acceptable from a heritage perspective.
- 7.8 The impact of the proposal on the landscape character of the Churnet Valley has also been a key consideration and one that is of key concern to some members of the public. Whilst the proposed attraction building will be visible from some locations outside of the resort envelope (something that ideally would have been addressed by a reduction in height), the impact of the development has been assessed as minor, although some adverse impact is acknowledged. Therefore whilst some harm to local landscape character is identified it considered that these impacts can be mitigated through the careful use of materials and a carefully considered landscape plan and woodland management plan, both matters that are handled via planning condition.
- 7.9 The remaining technical matters relating to highways, trees, ecology and drainage have all been reviewed and are considered acceptable by the relevant consultees and qualified officers.
- 7.10 On balance having considered the three central matters outlined above (the principle of the development, its impact on heritage and landscape) in addition to the technical matters having been resolved, the application is recommended for approval subject to a series of planning conditions.

8. RECOMMENDATION

8.1 That planning permission is APPROVED subject to the following conditions:-

General matters:

- 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:**
 - Proposed Site Plan (ATPH-SA-XX-XX-DR-A-0103 rev P05)**
 - Proposed elevations (ATPH-SA-XX-XX-DR-A-0401 rev P02)**
 - Entrance Portal Elevations (ATPH-SA-XX-XX-DR-A-0402)**
 - Demolition Plan (ATPH-SA-XX-XX-DR-A-0105 rev P02)**

- Ground Floor Plan (ATPH-SA-XX-XX-DR-A-0201 rev P01)
- Roof Plan (ATPH-SA-XX-XX-DR-A-0202 rev P01)
- Building Sections as Proposed (ATPH-SA-XX-XX-DR-A-0301 rev P04)
- Landscape Plan (373/104/5)
- Planting Plan East (373/104/7)
- Planting Plan North (373/104/8)
- Planting Plan South (373/104/9)
- Planting Plan West (373/104/10)

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

3. **Notwithstanding any details shown on the approved plans, the development hereby permitted shall not be commenced until full details and samples of all external materials and finishes and hard surfacing to be used in the construction of the development, including the attraction building, theming envelopes, entrance portal, fencing, acoustic screens, boardwalks and plaza surfacing have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**

Reason:- To ensure a high quality external appearance of the development and to protect the character and appearance of the Conservation Area, the setting of listed buildings and the wider landscape character.

4. **When the application site ceases to be in the use approved by this permission, the use shall cease and the attraction building erected on the land shall be removed within six calendar months of that date.**

Reason:- To limit the long term landscape visual impact and long term impact on the setting of nearby heritage assets.

Heritage and archaeology conditions:

5. **Prior to any below ground works (excluding demolition) a written scheme of archaeological investigation ('the Scheme') shall be submitted to and approved in writing by the Local Planning Authority. The Scheme should be subject to the following provisions:**
 - a) **The Scheme shall provide details of the programme of archaeological works to be carried out within the site, including post-fieldwork reporting and appropriate publication. The archaeological site work shall thereafter be implemented in full in accordance with the Scheme approved.**
 - b) **Details of the provision of a site investigation and post-fieldwork assessment in accordance with the Scheme approved to be provided prior to the operation of the development hereby approved, complete with provision made for analysis, publication and dissemination of the results and archive deposition has been secured where these are appropriate.**

Reason:- In the interest of protecting below ground archaeology during the construction phase in line with local and national policy

- 6. Prior to commencement of the development hereby permitted, with the exception of demolition works, a Management Plan for works to the Scalloped Wall and Orangery, located within the Alton Towers house garden, shall be submitted to and approved in writing by the Local Planning Authority. The Management Plan should include a schedule of works for the repair of the wall and orangery, proposals for the management of vegetation close to the structures, a timetable for the implementation of the works and continued management. The scope of works should also include inclusion of interpretation techniques to better reveal the significance of the Conservation Area, in line with paragraph 206 of the NPPF. The development shall thereafter be carried out in accordance with the agreed works, details and timetable prior to first use of the attraction.**

Reason:- To ensure conservation of these heritage assets and to provide public benefit from the development.

Highways and drainage conditions:

- 7. The proposed construction works shall be carried out in accordance with the submitted Construction Environmental Management Plan (CEMP) (as updated on 4th January 2023, reference: 03224/09/NT/Sbi V5.0), unless otherwise agreed in writing with the local planning authority.**

Reason:- In order to minimise the impact of construction activity on the surrounding environment; in the interests of highway safety.

- 8. No part of the development hereby approved shall be occupied or operational until the Alton Towers Employee Travel Plan has been extended and updated to include the development hereby approved and submitted to and approved in writing by the Local Planning Authority. The Travel Plan (or any subsequent replacement document) should remain in force for the life of the development hereby approved.**

Reason:- To ensure that the impact of private vehicle travel to and from the site is managed effectively in the interest of minimising traffic flows, especially during peak hours.

- 9. The development hereby permitted shall not be brought into use until the approved drainage scheme shown in the reports below have been implemented:-**
 - Drainage Strategy Report (9834-HBL-XX-XX-RP-D-0001 REV P03), as appended by Drainage Strategy Plan located in Appendix E (9834-HBL-XX-XX-DRD- 0503 REV P03)**

Thereafter, the drainage scheme shall be retained and maintained in accordance with the Drainage Maintenance Schedule (9834-HBL-XX-XXRP- D-0002 REV P03).

Reason:- To reduce the risk of surface water flooding to the development and properties downstream for the lifetime of the development.

Environmental health conditions:

10. **Construction & Demolition Works: Time of operations - Unless prior permission has been obtained in writing from the Local Planning Authority, all noisy 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, building construction/demolition operations, refurbishing and landscaping) which generates noise that is audible at the site boundary.

During construction/demolition phases amplified music and/or radios shall not be audible beyond the site boundary.

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

11. **Construction & Demolition: Pollution Control – The development hereby approved is subject to the following conditions and provisions in the interest of pollution prevention:**
- a) **Any waste material associated with the demolition or construction shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment. All waste transfer records should be retained for inspection by officers of the Local Planning Authority;**
 - b) **No activity hereby permitted shall cause dust to be emitted beyond the site boundary so as to adversely affect adjacent residential properties and/or other sensitive uses and/or the local environment. In the event dust is caused to escape the site boundary the activity shall be stopped until sufficient dust suppression has been undertaken to prevent further escape. There shall always be the appropriate means and sufficient water resources on site for dust suppression. These should be made available for inspection when required by officers of the Local Planning Authority.**
 - c) **During construction/demolition phases amplified music and/or radios shall not be audible beyond the site boundary.**

Reason: To protect the amenities of the area during construction, specifically nearby residential properties

12. **Lighting - Details of all artificial lighting to be installed in connection with this approved development should be submitted to and approved by the Local Planning Authority prior to installation on site. The external artificial lighting**

incorporated into this development shall be designed to not increase the pre-existing illuminance at the adjoining light sensitive locations when the lighting is in operation.

Reason: To protect the local amenities of the residents by reason of excess of illuminance and the interest of protecting the character and appearance of the landscape and setting of the heritage assets

13. The development hereby approved shall not commence (excepting works necessitated to comply with this condition) until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:
- a) A site investigation scheme to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
 - b) The results of the site investigation and the detailed risk assessment referred to in (a) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 - c) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (b) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that the development does not contribute to or is not put at unacceptable risk from/adversely affected by, unacceptable levels of water pollution in line with paragraph 174 of the National Planning Policy Framework.

14. **Unexpected Contamination** - In the event that contamination, including any suspected asbestos containing materials (e.g. bonded cement), 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 exist to any identified receptors, development shall not recommence 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: In the interest of protecting the health and wellbeing of construction workers, visitors, and local residents

15. **Importation of soil or fill material - No top soil or fill material, including for the hard standing, is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development. A suitable methodology for testing this material should be submitted to and agreed by the Local Planning Authority prior to the soils being imported onto site. The methodology should include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and validatory evidence submitted to and approved in writing to 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.

16. **Ambient Music and Soundtrack - Before first use of the approved development, a scheme shall be submitted to and agreed in writing by the local planning authority that specifies the provisions that will be implemented for the control, and where necessary any mitigation, of amplified music and sound noise emanating from the site/ride hereby permitted. Where a noise mitigation scheme is required and specified, it shall be maintained for the life of the approved development and shall not be altered without the prior written approval of the local planning authority.**

Reason: To protect the amenity of the locality, especially for people living and/or working nearby.

Landscape, trees and ecology

17. **The development hereby approved shall be carried out and constructed only in full accordance with the Tree Heritage Ltd Arboricultural Method Statement reference THL-R22-86-AMS dated 20th January 2023 and the PCA Safety Ltd Construction Environmental Management Plan reference 03224/09/NT/SBi Version 7.0 dated 23rd January 2023, unless otherwise agreed in writing by the Local Planning Authority.**

Reason: In the interest of protecting the trees and other landscape on the site during the construction and operational phases of the development

18. **No trees, shrubs or hedgerows shall be removed other than those whose removal is directly required to accommodate the approved development, or as otherwise detailed on the plans hereby approved, unless otherwise approved by the LPA. There shall be no removal of any trees, shrubs or hedgerows during the bird nesting season (nominally March to August inclusive), unless otherwise agreed by the LPA and in this case only following careful inspection by a competent person immediately prior to removal in order to establish that such trees, shrubs or hedgerow are not in active use by nesting wild birds.**

Reason: In order to retain the landscape of the site and in the interest of protecting local ecology and biodiversity.

19. **Prior to any ground works or excavation associated with the development hereby approved, a Soils Management Plan should be submitted that provides due regard to stripping and reserving existing soils or other material from the existing areas prior to spreading at agreed locations on the wider resort. The submitted soils plan require information regarding the reservation and storage of the existing soils on the proposed spreading areas. Spreading areas will require their existing topsoil cover to be stripped, reserved, temporarily stored and re-laid in accordance with the DEFRA Construction Code of Practice for Sustainable Use of Soils on Construction Sites.**

Reason: In order to control the spreading of soils throughout the wider Alton Towers Resort and to ensure that planted areas are effectively protected from inappropriately located spreading of spoil and to further protect against any impacts on the registered garden or other heritage asset.

20. **Any mature tree to be removed or to have substantial crown pruning operations carried out shall first be carefully inspected for the potential to provide bat roosting opportunities. Any tree which has such potential (which could include cavities, splits, decay pockets, hollow stems or branches, areas of loose bark, dense ivy cover or dense epicormic shoots) shall be subject to a further detailed and if necessary climbing inspection by a licensed bat worker immediately prior to felling or pruning, and all felling or pruning of such trees assessed as having moderate or greater potential for roosting shall take place in the presence of the bat worker who can then immediately advise on appropriate measures if bats are encountered during dismantling, felling or pruning operations.**

Reason: To ensure effective protection for protective species (bats).

21. **The planting scheme shown on Nichols Brown Webber Landscape and Planting Scheme Drgs. Nos.373/104/4 Rev A, 373/104/5, 373/104/7, 373/104/8, 373/104/9, 373/104/10, 373/104/11 and 373/104/12 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, shrubs etc 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: To ensure an appropriate landscape solution is delivered and that the replacement trees and planting are delivered and maintained.

22. **Within 6 months of the date of this permission, the existing Alton Towers Long Term Plan Technical Report D: Woodland Management Plan, dated 2011 and covering the period 2011 – 2019, shall be fully reviewed and updated to cover the period 2023 – 2033, including objectives and actions which reflect the evolution and development of Alton Towers since the Woodland Management Plan was first drawn up, and shall be submitted to the local planning authority for approval. The reviewed Woodland Management Plan shall include consideration and proposals for the Abbey Woods 1 and Abbey Woods 3 zones (as set out in the 2011 report) specifically to take account of the landscape, visual and heritage impacts of the**

development hereby approved. Any replacement or reinforcement planting proposed for the Abbey Woods 1 and Abbey Woods 3 zones set out in the updated Woodland Management Plan so approved 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, shrubs etc. planted in accordance with this condition 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: To ensure an appropriate landscape solution is delivered to protect the landscape and visual screening of the development provided by Abbey Wood and to ensure that the long term health of the adjacent Abbey Wood SBI is maintained.

23. Prior to the commencement of development (including any demolition, site clearance, stripping or site establishment) the disused portable retail unit at TN3 is to be moved approximately 25m to the north west, outside of the proposed development area. This is to be undertaken in accordance with the recommendations set out within the Ecological Appraisal (September 2022) prepared by Baker Consultants and undertaken in winter 2022-2023. This is to be supervised by an experienced ecologist following inspection of the structure to ensure no bats are present.

Reason:- To ensure the existing bat roost is appropriately relocated with no harm to the protected species.

24. Prior to occupation, a Landscape and Ecology Management Plan (LEMP) is to be submitted to and agreed in writing by the local planning authority that establishes the long term management of the site and off site compensation areas. This document should work in conjunction with the approved CEMP and consider the 'mitigation hierarchy' avoid, reduce, compensate and enhance, in line with the recommendations of the Ecological Appraisal (September 2022) prepared by Baker Consultants.

Reason:- To secure the long term management of ecological features and habitats on the site and within off site compensation areas.

25. Prior to commencement of development, the Construction Environmental Management Plan (4th January 2023, reference: 03224/09/NT/Sbi V5.0), is to be updated to include bat measures for tree felling and Reasonable Avoidable Measures (RAMs) for amphibians and reptiles. The proposed construction works shall be carried out in accordance with the updated Construction Environmental Management Plan (CEMP) unless otherwise agreed in writing with the local planning authority.

Reason:- In order to minimise the impact of construction activity on the surrounding environment; in the interests of highway safety and ecological impact.

Informatives:

- The Applicant is request to give consideration to sustainable design and solar panel incorporation into the design

Environmental Health:

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

- During any demolition and construction activities (including landscaping) the contractor should take all reasonable steps to prevent dust formation and prevent any dust formed from leaving the site boundary.
 - 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)
- If required, Contamination risk assessments shall be carried out in accordance with UK policy the Land contamination risk management framework (LCRM), published by the Environment Agency <https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm>
 - 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 and "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.

- B. In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/in formatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Development Services has delegated authority to do so in consultation with the Chairman of the Planning Applications Committee, provided that the changes do not exceed the substantive nature of the Committee's Decision.**

