

Important – Planning permission & notices of consent

Compliance with conditions

- Your planning approval or consent is attached. It will contain conditions that you must comply with.
- Please read the conditions and understand their requirements and restrictions, for example submission and approval of details or measures to protect trees.
- Some conditions will require action before you start development and it is imperative that you seek to have these discharged before any work commences.
- Whilst every effort has been made to group conditions logically, it is your responsibility to ensure that you are aware of the requirements and/or restrictions of all conditions.
- If you fail to comply with the conditions this may result in a breach of planning control and this may lead to enforcement action.
- Failure to comply with conditions may also result in the development not being lawful.
- It is in your interests to demonstrate that conditions have been complied with. Failure to do so may cause difficulties if the property is sold or transferred.
- A fee is payable for each request to discharge conditions.
- For advice on any of these matters, please contact Planning, Manchester City Council, PO Box 532, Town Hall, Manchester M60 2LA or email planning@manchester.gov.uk

Town & Country Planning Act 1990 (as amended)

Planning Permission

Applicant

The Island Site (General Partner) Limited
C/o Agent

Agent (if used)

Neil Lucas
Avison Young
Norfolk House
7 Norfolk Street
Manchester
M2 1DW

Part 1 – Particulars of the application/development

Proposal: Demolition of the existing buildings and structures and the erection of a 10-storey plus basement office building (Use Class E(g)), with flexible ground floor and basement uses (Use Class E) and rooftop amenity space, works to facilitate the pedestrianisation of the southern part of Ridgefield and other associated works.

Location: Land Bounded By John Dalton Street, Ridgefield, Bow Street And South King Street, Manchester

Date of application: 26 May 2021

Application number: 130553/FO/2021

Part 2 – Particulars of decision

Manchester City Council gives notice that the development referred to in Part 1 has been **Approved** in accordance with the application and plans submitted subject to the condition(s) listed below (if any).

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Pre application advice has been sought in respect of this matter where early discussions took place regarding the siting/layout, scale, design and appearance of the development along with other considerations. Further work and discussion have taken place with the applicant through the course of the application, particularly in respect of matters arising from the consultation and notification process. As such, the proposal is considered to be acceptable.

Condition(s) attached to this decision

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

Drawings

TIS-CPA-ZA-00-DR-A-0129 Demolition plans P4
TIS-CPA-ZA-00-DR-A-0201 GA Plan - Ground Floor P3
TIS-CPA-ZA-01-DR-A-0202 GA Plan - First Floor P2
TIS-CPA-ZA-02-DR-A-0203 GA Plan - Second Floor P3
TIS-CPA-ZA-03-DR-A-0204 GA Plan - Third Floor P3
TIS-CPA-ZA-04-DR-A-0205 GA Plan - Fourth Floor P3
TIS-CPA-ZA-05-DR-A-0206 GA Plan - Fifth Floor P3
TIS-CPA-ZA-06-DR-A-0207 GA Plan - Sixth Floor P3
TIS-CPA-ZA-07-DR-A-0208 GA Plan - Seventh Floor P3
TIS-CPA-ZA-08-DR-A-0209 GA Plan - Eighth Floor P3
TIS-CPA-ZA-09-DR-A-0210 GA Plan - Ninth Floor P3
TIS-CPA-ZA-10-DR-A-0211 GA Plan - Level 10 P3
TIS-CPA-ZA-B1-DR-A-0200 GA Plan - Basement P3
TIS-CPA-ZA-RF-DR-A-0212 GA Plan - Roof P2
TIS-CPA-ZA-ZZ-DR-A-0126 Site Location Plan P6
TIS-CPA-ZA-ZZ-DR-A-0127 Proposed Site Plan P5
TIS-CPA-ZA-ZZ-DR-A-0130 Demolition elevations - North/East P3
TIS-CPA-ZA-ZZ-DR-A-0131 Demolition Elevation - South/West P3
TIS-CPA-ZZ-ZZ-DR-A-0310 Bay Study - Base P2
TIS-CPA-ZZ-ZZ-DR-A-0311 Bay Study - South P2
TIS-CPA-ZZ-ZZ-DR-A-0312 Bay Study - Corner P2
TIS-CPA-ZZ-ZZ-DR-A-0313 Bay Study - East/West P2
TIS-CPA-ZZ-ZZ-DR-A-0314 Bay Study - North P2
TIS-CPA-ZZ-ZZ-DR-A-0604 GA Elevation - North (Coloured) P4
TIS-CPA-ZZ-ZZ-DR-A-0605 GA Elevation - East (Coloured) P4
TIS-CPA-ZZ-ZZ-DR-A-0606 GA Elevation - South (Coloured) P4
TIS-CPA-ZZ-ZZ-DR-A-0607 GA Elevation - West (Coloured) P4
TIS-CPA-ZZ-ZZ-DR-A-0610 GA Context Elevation - North & East P3
TIS-CPA-ZZ-ZZ-DR-A-0611 GA Context Elevation - South & West P3
TIS-CPA-ZZ-ZZ-DR-A-0700 GA Section - AA P2
TIS-CPA-ZZ-ZZ-DR-A-0701 GA Section - BB P2

Documents

Air Quality Assessment prepared by Cundall dated 9th June 2021
Archaeological Desk-Based Assessment prepared by Orion Heritage dated April 2021
Crime Impact Statement prepared by Greater Manchester Police dated 29th April 2021
Design and Access Statement prepared by Cartwright Pickard dated May 2021 Rev E
Demolition Method Statement prepared by Curtins dated 31 March 2021
Preliminary Ecological Appraisal prepared by Middlemarch dated April 2021
Preliminary Bat Roost Assessment prepared by Middlemarch dated April 2021
Energy and Sustainability Statement prepared by Cundall dated 11 May 2021
Environmental Standards Statement prepared by Watt Energy dated 10 May 2021
Detailed Drainage Strategy prepared by Curtins dated 20 April 2021
Heritage Statement (including Townscape Assessment) prepared by Stephen Levrant Heritage Architecture dated May 2021
Phase 1 Preliminary Risk Assessment prepared by Curtins dated 16 April 2021
Noise Impact Assessment prepared by Cundall dated 7 May 2021

Supporting Planning Statement prepared by Avison Young dated May 2021
Transport Statement prepared by Mode Transport dated May 2021
Framework Travel Plan prepared by Mode Transport dated May 2021
Ventilation Strategy prepared by Cundall dated 15 April 2021
Desktop Wind Microclimate Study prepared by GIA dated 14 April 2021
Daylight and Sunlight Amenity Report prepared by Avison Young dated March 2021
Waste Proforma prepared by Cartwright Pickard 19/07/21
Waste Strategy prepared by Cartwright Pickard dated 19/07/21 Rev A
Materials - 834-CPA-XX-XX-RP-A-9003 rev A

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Core Strategy.

3) Prior to the commencement of the any above ground works associated with the development, all material to be used on all external elevations of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include the submission of samples (including a panel) and specifications of all materials to be used on all external elevations of the development along with jointing and fixing details, details of the drips to be used to prevent staining, details of ventilation/air bricks, and a strategy for quality control management.

The approved materials shall then be implemented as part of the development.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, pursuant to policies SP1 and DM1 of the Core Strategy.

4) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, Sunday/Bank Holiday the times shall be confined to 10:00 to 18:00

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

5) Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority before the use commences; any works approved shall be implemented before the use commences.

Mixed use schemes shall ensure provision for internal ducting in risers that terminate at roof level. Schemes that are outside the scope of such developments shall ensure that flues terminate at least 1m above the eave level and/or any openable windows/ventilation intakes of nearby properties. Details of any required filters will need to be included.

Reason - In the interests of the amenities of occupiers of nearby properties, pursuant to policies SP1 and DM1 of the Core Strategy.

6) Prior to the commencement of development, a detailed construction management plan outlining working practices during development shall be submitted to and approved in writing by the Local Planning Authority, which for the avoidance of doubt shall include: *Display of an emergency contact number; *Details of Wheel Washing; *Dust

suppression measures; *Compound locations where relevant; *Location, removal and recycling of waste; *Vehicular routing and phasing strategy and swept path analysis; *Parking of construction vehicles and staff; *Complaint procedure and stakeholder / neighbour engagement strategy, and *Sheeting over of construction vehicles; and Development shall be carried out in accordance with the approved construction management plan.

Reason - To safeguard the amenities of nearby residents and highway safety, pursuant to policies SP1, EN9, EN19 and DM1 of the Manchester Core Strategy.

7) a) The premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 10dB below the LA90 (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location, and internal noise levels at structurally adjoined residential properties in the 63Hz and 125Hz octave frequency bands shall be controlled so as not to exceed (in habitable rooms) 47dB and 41dB, respectively.

b) Prior to occupation of the development a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that acceptable criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - In the interests of the amenities of occupiers of nearby properties, pursuant to policies SP1 and DM1 of the Core Strategy.

8) The use of external areas within the application site shall only commence in accordance with a Management Plan, including capacity, intended use and a schedule of days and hours of operation, to be submitted to and approved in writing by the City Council as local planning authority, and shall not allow for the use of amplified sound or any music in these external areas at any time.

Reason - Reason - In the interests of the amenities of occupiers of nearby properties, pursuant to policies SP1 and DM1 of the Core Strategy

9) a) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. Prior to commencement of the use hereby approved the scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site.

b) Prior to occupation of the development a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the

work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site.

10) Prior to the first use of each commercial unit, details of the opening hours shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved opening hours shall then become the operating hours for each respective unit and shall thereafter be retained and maintained.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

11) Full details of any proposed lighting scheme shall be submitted to, and approved in writing by, the City Council, as local planning authority, prior to installation. The details shall include location and design of fixtures and fittings, together with levels of luminance. External lighting shall be designed and installed so as to control glare and overspill onto nearby residential properties.

Reason - To safeguard the amenities of the occupiers of nearby properties, pursuant to policies SP1 and DM1 of the Core Strategy.

12) Before the development commences a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

New developments shall have refuse storage space for segregated waste collection and recycling, including pulpable and food waste. Internal and external storage areas are required.

Reason - In the interests of amenity and public health pursuant to policies SP1 and DM1 of the Core Strategy.

13) a) Prior to commencement of the development mitigation measures to safeguard local air quality shall be submitted to and approved in writing by the City Council as local planning authority.

b) Prior to occupation of the development any agreed mitigation measures shall be implemented and verified as such in writing by the City Council as local planning authority and shall remain in situ whilst the use or development is in operation.

Reason: To secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution, pursuant to policies EN16, SP1 and DM1 of the Core Strategy.

14) a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

An intrusive ground investigation is required, inclusive of ground conditions assessment, UXO assessment, and ground gas risk assessment, together with a remediation strategy, if required.

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

b) The development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies SP1 and DM1 of the Core Strategy.

15) Within six months from first occupation of the development, details of the measures to be incorporated into the development to demonstrate how secure by design accreditation will be achieved, and written confirmation of a secure by design accreditation shall be submitted to, and approved in writing by, the City Council as local planning authority. The development shall only be carried out in accordance with these approved details.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy.

16) No demolition shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with a Written Scheme of Investigation (WSI)

submitted to and approved in writing by the Local Planning Authority. The WSI shall cover the following:

1. Informed by the updated North West Regional Research Framework, a phased programme and methodology of investigation and recording to include:
 - a) historic building recording of Old Colony House to Historic England Level 1, inclusive of a rapid internal survey and investigation of the extent of basements.
 - b) informed by the above, a watching brief undertaken during removal of foundation slabs over un-basemented areas, to allow for observation of earlier structures.
 - c) informed by the above, targeted evaluation trenching to inform extent and survival of earlier structures.
2. A programme for post investigation assessment to include:
 - analysis of the site investigations records and finds
 - production of a final report(s) on the investigation results.
3. Deposition of the final report(s) with the Greater Manchester Historic Environment Record.
4. Dissemination of the results commensurate with their significance.
5. Provision for archive deposition of the report and records of the site investigation.
6. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason: In accordance with NPPF Section 16, Paragraph 199 - To record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.

17) Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the City Council, as local planning authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. In the event of surface water draining to the combined public sewer, the pass forward flow rate to the public sewer must be restricted to 8.3 l/s.

The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to policies SP1 and DM1 of the Core Strategy.

18) The development hereby permitted shall not be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to, and approved in writing, by the City Council, as local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- o Verification report providing photographic evidence of construction as per design drawings;

- o As built construction drawings if different from design construction drawings;
- o Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development, pursuant to policies SP1 and DM1 of the Core Strategy.

19) Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution, pursuant to policies SP1 and DM1 of the Core Strategy.

20) a) Prior to the commencement of the development, details of a Local Benefit Proposal, in order to demonstrate commitment to recruit local labour for the duration of the construction of the development, shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved document shall be implemented as part of the construction of the development.

In this condition a Local Benefit Proposal means a document which includes:

- i) the measures proposed to recruit local people including apprenticeships
- ii) mechanisms for the implementation and delivery of the Local Benefit Proposal
- iii) measures to monitor and review the effectiveness of the Local Benefit Proposal in achieving the objective of recruiting and supporting local labour objectives

b) Within one month prior to construction work being completed, a detailed report which takes into account the information and outcomes about local labour recruitment pursuant to items (i) and (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority.

Reason - The applicant has demonstrated a commitment to recruiting local labour pursuant to policies SP1, EC1 and DM1 of the Manchester Core Strategy (2012).

21) Before first occupation of the development, a Travel Plan, including details of how the plan will be funded, implemented and monitored for effectiveness, shall be submitted to and approved in writing by the City Council as local planning authority. The strategy shall outline procedures and policies that the developer and occupants of the site will adopt to secure the objectives of the overall site's Travel Plan Strategy. Additionally, the strategy shall outline the monitoring procedures and review mechanisms that are to be put in place to ensure that the strategy and its implementation remain effective. The results of the monitoring and review processes shall be submitted in writing to the local planning authority and any measures that are identified that can improve the effectiveness of the Travel Plan Strategy shall be adopted and implemented. The Travel Plan shall be fully implemented, prior to first occupation of the development, and shall be kept in operation at all times thereafter.

Reason - In accordance with the provisions contained within planning policy guidance and in order to promote a choice of means of transport, pursuant to policies T2 and EN16 of the Core Strategy.

22) Prior to the first occupation of the development, the provision of 70 cycle spaces shall be implemented, and retained and maintained in situ for as long as the development remains in use.

Reason - To ensure there is sufficient cycles stand provision at the development and the residents in order to support modal shift measures pursuant to policies SP1, T1, T2 and DM1 of the Manchester Core Strategy.

23) No highways works shall commence unless and until full details of all highway works, including all hard landscape works and samples and specifications of materials, together with a layout plan identifying the location of the materials, have been submitted to and approved in writing by the City Council as local planning authority.

The approved scheme shall be implemented not later than 12 months from the date the building is first occupied

Reason: To ensure that a satisfactory highway and landscaping scheme is carried out pursuant to policy DM1 of the Core Strategy and the Guide to Development

24) No externally mounted telecommunications equipment shall be mounted on any part of the buildings hereby approved, including the roofs, unless otherwise agreed in writing by the City Council as local planning authority.

Reason: In the interest of visual amenity and pursuant to policy DC18.1 of the Unitary Development Plan for the City of Manchester.

25) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of 'excellent'. A post construction review certificate shall be submitted to and approved in writing by the City Council as local planning authority prior to occupancy of the development.

Reason: In order to minimise the environmental impact of the development pursuant to the principles contained in the Guide to Development in Manchester 2 and policies SP1, DM1 and EN8 of the Core Strategy

26) Notwithstanding the General Permitted Development Order 2015 as amended by the Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020 or any legislation amending or replacing the same, no further development in the form of upward extensions to the building shall be undertaken other than that expressly authorised by the granting of planning permission.

Reason - In the interests of protecting residential amenity and visual amenity of the area in which the development is located pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

Informatives

Building Regulations 2010

This permission does not grant approval under Building Regulations.

Street Naming & Numbering Requirements

Manchester City Council is responsible for allocating street naming and numbering within Manchester for new developments or property conversions. Individuals or businesses are not permitted to allocate their own property numbers, building or street names.

If your development includes the creation of new dwellings (either new build or conversion of existing buildings), creation of new commercial properties or the subdivision of existing properties you must ensure that you request new or changes to addresses through us so they can be officially allocated and registered in accordance with the Public Health Act 1925 Sections 17-19 & Greater Manchester Act 1981 Section 22.

Failure to do this may result in difficulties for the developer/occupier when requiring services such as connections to utilities, phone lines and postal services and may delay your development.

You can apply online at the following address:

http://www.manchester.gov.uk/info/100011/roads_parking_and_transport/1988/naming_and_numbering_of_houses_buildings_streets_and_roads/2

Mining Information

The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Please read the Standing Advice from the Coal Authority in Appendix A.

Date: 27 September 2021

Signed:



Julie Roscoe
Director of Planning, Building Control & Licensing

Manchester City Council, P O Box 532, Town Hall, Manchester M60 2LA

Notes

1. This permission refers only to that required under the Town and Country Planning Act 1990 does not include any consent or approval under any other enactment, byelaw, order or regulation.

2 If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, they may appeal to the Secretary of State in accordance with Section 78(1) of the Town and Country Planning Act 1990 within six months of the date of the notice of the decision.

The Planning Inspectorate have introduced an online appeals service that can be used to make appeals online. This service is available through the gov.uk website – www.gov.uk/planning-inspectorate. The Inspectorate will publish details of your appeal on the internet. Alternatively If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but they will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the City Council (planning@manchester.gov.uk) and the Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

3. The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70(1) and 72(1) of the Act.

4. 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 they 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 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

5. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to them. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

Appendix A



The Coal
Authority

Any Planning Enquiries should be directed to:

Planning and Local Authority Liaison

Telephone: 01623 637 119

Email: planningconsultation@coal.gov.uk

Website: www.gov.uk/government/organisations/the-coal-authority

STANDING ADVICE - DEVELOPMENT LOW RISK AREA

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

This Standing Advice is valid from 1st January 2021 until 31st December 2022