MANCHESTER CITY COUNCIL

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

MANCHESTER CITY COUNCIL

Town & Country Planning Act 1990 (as amended)
Town & Country Planning General Regulations 1992
Town & Country Planning (Environmental Impact Assessment) Regulations 2011
Planning Permission

Applicant

Stockport MBC, Cheshire East Council
& Manchester City Council
C/o Agent

Agent (if used)

Mr Sam Rosillo
URS Infrastructure & Environment UK Limited
Bridgewater House
58 - 60 Whitworth Street Manchester
M1 6LT

Part 1 – Particulars of the application/development

Proposal: Construction of the A6 to Manchester Airport Relief Road, incorporating within the City of Manchester one new road junction; one new rail bridge crossing; one balancing pond for drainage purposes; a pedestrian and cycle route and associated landscaping, lighting, engineering and infrastructure works

Location: Land To The South Of Ringway Road; The East & West Of Styal Road And West Of The Styal Railway Line, Manchester

Date of application: 4 November 2013

Application number: 104094/FO/2013/S2

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 31 Declaration

Officers have worked with the applicant in a positive and proactive manner to resolve any problems arising in relation to dealing with the planning application.

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 documents:

1. Environmental Statement: Volume 1 - Main Text (1007/6.15.2/189)
2. Environmental Statement: Volume 2 - Figures (1007/6.15.2/190)
3. Environmental Statement: Volume 3 - Appendices (1007/6.15.2/191)
4. Design and Access Statement - Volume 1 (1007/6.15.2/180)
5. Design and Access Statement - Volume 2 (Structures Reports)
6. (1007/6.15.2/181)
7. Transport Assessment - 1007/6.15.2/183
8. Socio-economic Impacts Report - 1007/6.15.2/173
9. Flood Risk Assessment - 1007/6.7/061
10. Tree Survey -1007/6.15.2/185
11. Street Lighting Design Statement - 1007/10.7/105
12. Health Impact Assessment - 1007/6.15.2/186
13. Drainage Strategy Report - 1007/6.7/062
14. Airport Safeguarding - 1007/11.01/165
15. Sustainability Statement - 1007/13.5/164
16. Equalities Impact Assessment - 1007/6.15.2/187
17. Soft Landscape Specification - 1007/5.7/097
18. Landscape Management Plan - 1007/5.7/098
19. Code of Construction Practice - 1007/10.4/134

and drawings:

Location Plan

1. Planning Application Location Plan (1007/2D/DF7/A6-MA/PALP/269)
2. Planning Application Location Plan (1007/2D/DF7/A6-MA/PALP/270)
3. Planning Application Location Plan - Local Authority Boundary Locations (1007/2D/DF7/A6-MA/PALP/271)

Existings Plans

1. Planning Application Block Plans - Existing Sheet 1 (1007/3D/DF7/A6-MA/PABP/E/001)
2. Planning Application Block Plans - Existing Sheet 2 (1007/3D/DF7/A6-MA/PABP/E/002

Proposed Block Plans

1. Planning Application Block Plans - Proposed Sheet 1 (1007/3D/DF7/A6-MA/PABP/P/023)
2. Planning Application Block Plans - Proposed Sheet 2 (1007/3D/DF7/A6-MA/PABP/P/024)

General Arrangement Plans

1. Planning Application General Arrangement Sheet Location Plan (1007/3D/DF7/A6-MA/GA/200)
2. Planning Application General Arrangement - Sheet 9 of 9 (1007/3D/DF7/A6-MA/GA/209)

Tree Survey Plans

1. Tree Survey Plan, Sheet 1 of 19 (47064524 - T2, Rev B)
2. Tree Survey Plan, Sheet 2 of 19 (47064524 - T2, Rev B)

Cross Sections

1. Cross Sections Key Plan (1007/3D/DF7/A6-MA/XS/257)
2. Preferred Scheme - Cross Sections Sheet 1 (1007/3D/DF7/A6-MA/XS/258)

Proposed Structures General Arrangements

1. Retaining Wall TR1M General Arrangement (1007/3D/DF7/A6-MA/TR1M/011 Rev A)
2. Retaining Wall R011 General Arrangement (1007/3D/DF7/A6-MA/R011/009 Rev A)
3. General Arrangement R016 Retaining Wall (1007/3D/DF5/A6-MA/R016/729 Rev B)
4. Styal Road Relief Road Scheme GA - Option 1 (1007/3D/DF5/A6-MA/B014/714-1)

Speed Limit Plans

1. Existing and Proposed Speed Limits Sheet Location Plan (1007/3D/DF7/A6-MA/SL/246)
2. Existing and Proposed Speed Limits - Sheet 4 of 4 (1007/3D/DF7/A6-MA/SL/245)

Public Rights of Way Plans

1. Public Rights of Way Sheet Location Plan (1007/3D/DF7/A6-MA/PROW/247)
2. Existing and Proposed Public Rights of Way Sheet 5 of 5 (1007/3D/DF7/A6-MA/PROW/214)

Landscape Mitigation Plans

1. Landscape Mitigation Proposals - Legend (Figure 5.29.1)
2. Landscape Mitigation Proposals - Sheet 14 (Figure 5.43.1)
3. Landscape Mitigation Proposals - Sheet 15 (Figure 5.44.1)

Landscape Design Plans

1. Landscape Design Sheet Location Plan (1007/3D/DF7/A6-MA/LD/249
2. Landscape Design Sheet 11 of 12 (1007/3D/DF7/A6-MA/LD/225)
3. Landscape Design Sheet 12 of 12 (1007/3D/DF7/A6-MA/LD/226)

Proposed Lighting Plans

1. Proposed Lighting Sheet Layout (60248122_1300_001 Rev E)
2. Proposed Lighting - Ringway Road West Junction - Sheet 1 of 9 (60248122_1300_002 Rev D)
3. Proposed Lighting - Styal Road Junction - Sheet 2 of 9 (60248122_1300_003 Rev E)

Drainage Plans

1. Drainage layout Sheet 15 (60212470-HIG-0515 Rev P05)
2. Drainage layout Sheet 16 (60212470-HIG-0516 Rev P05)

3. Summary of Proposed Drainage Networks (60212470-HIG-0535 Rev P03)

Signage Plans

1. Proposed Mainline Signing Sheet Location Plan (1007/3D/DF7/A6-MA/PMS/228)
2. Proposed Mainline Signing Styal Road Junction (1007/3D/DF7/A6-MA/PMS/238)
3. Proposed Mainline Signing Manchester Airport (1007/3D/DF7/A6-MA/PMS/239)

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) No development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on the development, including retaining walls, lighting columns and fencing, have been submitted to and approved in writing by the City Council as local planning authority.

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, as specified in policies SP1 and DM1 of the Core Strategy.

4) Prior to the development hereby approved being brought into use a scheme detailing a package of mitigation measures (intended to restrain, alleviate and manage traffic flow increases at locations identified and to levels indicated through enhanced mitigation as shown in Table 9.3a and figures 9.6 and 9.7 in the submitted Transport Assessment) has been submitted to and agreed in writing with the Local Planning Authority. Such scheme shall include details of and a methodology and timetable for delivery of the measures, a programme for review, surveys and monitoring of the impact of the measures and if required reappraisal of and addition to the agreed package of measures. The new sections of road shall not be brought into use until the measures have been implemented in accordance with the approved details unless the prior written consent of the Local Planning Authority has been obtained.

Reason - In the interests of pedestrian and highway safety, pursuant to Policy DM1 in the Core Strategy Development Plan Document.

5) Prior to the commencement of the development hereby approved, a Stage 2 Road Safety Audit shall be submitted to and approved in writing by the City Council as local planning authority.

Reason - In the interests of pedestrian and highway safety, pursuant to Policy DM1 in the Core Strategy Development Plan Document.

6) No installation of lighting (permanent or temporary) shall commence until full details of the proposed lighting scheme have been submitted to and approved in writing by the City Council as Local Planning Authority. The development shall be subsequently carried out in accordance with the approved details.

Reason - To avoid endangering the safe operation of aircraft, pursuant to Circular 1/2003 Safeguarding Aerodromes, Technical Sites and Military Explosives Storage Areas: the Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) Direction 2002 and Policy DM2 in the Core Strategy Development Plan Document.

7) The installation of any signage shall not commence until full details of the signage scheme have been submitted to and approved in writing by the City Council as Local Planning Authority. The development shall be subsequently carried out in accordance with the approved details.

Reason - To avoid endangering the safe operation of aircraft, pursuant to Circular 1/2003 Safeguarding Aerodromes, Technical Sites and Military Explosives Storage Areas: the Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) Direction 2002 and Policy DM2 in the Core Strategy Development Plan Document.

8) The installation of the Styal Attenuation Pond as identified on drawing reference 1007/3D/DF7/A6-MA/PABP/P/024 shall not commence until full details of the bird control measures that are to be used have been submitted to and approved in writing by the City Council as Local Planning Authority. The development shall be subsequently carried out in accordance with the approved details.

Reason - To avoid endangering the safe operation of aircraft through the attraction of birds, pursuant to Circular 1/2003 Safeguarding Aerodromes, Technical Sites and Military Explosives Storage Areas: the Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) Direction 2002 and Policy DM2 in the Core Strategy Development Plan Document.

9) No development shall commence until the full technical detailed design of the approved development has been submitted to and approved in writing by the City Council as Local Planning Authority. The development shall be subsequently carried out in accordance with the approved details.

Reason - To ensure the proposals satisfactorily address the approach lighting associated with the operation of Manchester Airport and avoid endangering the safe operation of aircraft, pursuant to Circular 1/2003 Safeguarding Aerodromes, Technical Sites and Military Explosives Storage Areas: the Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) Direction 2002 and Policy DM2 in the Core Strategy Development Plan Document.

10) The development hereby approved shall have foul and surface water drained in accordance with the principles outlined in the submitted Flood Risk Assessment which was prepared by AECOM Ltd Ref: 1007/6.7/061 rev 5, dated 2nd October 2013 and the submitted Drainage Strategy Report and associated plans (prepared by AECOM Ltd ref: 60212470/HIG/001, dated August 2011). For the avoidance of doubt, any foul water must drain separately to surface water and no surface water will be permitted to discharge directly or indirectly into the public foul or combined sewer. Any surface water draining from the site must be restricted to the rates as set out within the submitted Drainage Strategy Report prepared by AECOM Ltd ref 602124470/HIG/001 dated August 2011

Reason - To prevent the increased risk of flooding, pursuant to Policy DM1 in the Core Strategy Development Plan Document.

11) The development shall be carried out in accordance with the approved noise mitigation measures which shall be in-situ before the development is operational. The applicant will produce and display a map showing all eligible properties that qualify under the Noise Insulation Regulations (1988). Eligible residents must be informed and insulation works should be carried out as specified in the Regulations.'

Reason - To safeguard the amenities of the occupiers of nearby noise sensitive properties, pursuant to policies SP1 and DM1 in the Core Strategy Development Plan Document.

12) No demolition or development ground works shall take place until the applicant or their agents or their successors in title has secured the implementation of a programme of archaeological works in accordance with a Written Scheme of Investigation (WSI) which has been submitted to and approved in writing by the local planning authority. The WSI shall cover the following:

1. A phased programme and methodology to include:
- an agreed scope of mitigation for each historic building and archaeological site affected by the scheme, including as appropriate the following elements
- archaeological evaluation
- where the above identifies significant remains, targeted archaeological excavation
- watching brief
- palaeo-environmental sampling and analysis
- historic building survey
2. A programme for post investigation assessment to include:
- analysis of the site investigation records and finds
- production of a final report on the significance of the heritage interest represented.
3. Provision for archive deposition of the report, finds and records of the site investigation.
4. Dissemination of the results through publication and other media.
5. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason - In accordance with NPPF policy 12, paragraph 141, "to record and advance the understanding of the significance of any heritage assets to be lost (wholly or in part) and "to make this evidence (and any archive generated) publicly accessible".

13) No development shall take place until a schedule for the undertaking of a pre-commencement survey of bat roost activity has been submitted to and approved by the City Council as Local Planning Authority. The bat roost activity survey shall be subsequently undertaken in accordance with the approved schedule.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended in order to comply with policy EN15 of the Core Strategy.

14) No development shall take place until detailed mitigation/compensation strategies for the following species have been submitted to and approved by the City Council as Local Planning Authority:

Great crested newts (each meta-population)
Bats
Breeding birds

The strategies shall be based on up-to date survey data and where appropriate the strategies shall include details such as: measures to avoid direct impact on individual species; timings of works; location and design of compensatory habitats; measures to avoid/reduce disturbance of individual species or destruction of terrestrial habitat, measures to reduce road mortality, and a monitoring program to assess the outcomes

of these strategies. The approved strategies shall be subsequently implemented in full within a timescale previously approved in writing by the City Council as local planning authority.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended in order to comply with policy EN15 of the Core Strategy.

15) No development shall take place until detailed landscape/ecological mitigation plans, including replacement trees and woodland, hedgerows, grassland and ponds utilising locally native species has been submitted to and approved by the City Council as Local Planning Authority. The approved details shall be subsequently implemented in full within a timescale previously approved in writing by the City Council as local planning authority.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended in order to comply with policy EN15 of the Core Strategy.

16) No site clearance or vegetation clearance work should be undertaken in the bird nesting season (March - August inclusive) unless it can be otherwise demonstrated that no birds are breeding on the site.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended in order to comply with policy EN15 of the Core Strategy.

17) No development shall take place until a method statement for the control and eradication of invasive species such as Japanese knotweed and Himalayan balsam has been submitted to and approved by the City Council as Local Planning Authority. The submitted method statement shall include location maps for all stands and method of control, including timings of the work and disposal of any contaminated material. The development shall be subsequently carried out in accordance with the approved details.

Reason - To prevent the spread of invasive species, pursuant to the Wildlife and Countryside Act 1981 or as subsequently amended and in order to comply with policy EN15 of the Core Strategy.

18) Any buildings, other built structures or trees, assessed as being more than low risk for bat habitation, which are not removed prior to March 2016 shall be re-assessed for bat habitation and the information and any mitigation required shall be submitted to and be approved by the City Council as Local Planning Authority.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended in order to comply with policy EN15 of the Core Strategy.

19) Any ponds within the footprint of the development or that fall inside the exclusion fencing that have not been removed by March 2016 shall be reassessed and/or surveyed for great crested newts habitation and the information and any mitigation required shall be submitted to and be approved by the City Council as Local Planning Authority

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended in order to comply with policy EN15 of the Core Strategy.

20) Prior to the commencement of the development hereby approved, a scheme that includes the following components to deal with the risks associated with contamination of the site shall be submitted to and approved, in writing, by the City Council as local planning authority:

a) A preliminary risk assessment which has identified:
- all previous uses potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

b) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

c) The results of the site investigation and detailed risk assessment referred to in (2) 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.

d) 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 (3) 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 express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason - To ensure a safe form of development which poses no unacceptable risk of pollution, pursuant to Policy DM1 in the Core Strategy Development Plan Document.

21) If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted and received approval for a remediation strategy to the City Council as local planning authority detailing how this unsuspected contamination shall be dealt. The remediation strategy shall be implemented as approved.

Reason - To ensure a safe form of development which poses no unacceptable risk of pollution, pursuant to Policy DM1 in the Core Strategy Development Plan Document.

22) Prior to the commencement of the development hereby approved a Construction Environmental Management Plan (CEMP) must be submitted to and be approved by the City Council as local planning authority. The CEMP must include: a detailed assessment in accordance with British Standard 5228 as part of the finalisation of working methods and informed by the specific plant and machinery which will be used to show how the main construction effects of the development are to be minimised; Noise mitigation, that will include, as a minimum, all the points stated in Section 13.5.29 of the Environmental Statement referred to in condition no. 2 above. The development shall thereafter be constructed in accordance with approved details.

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

23) No development shall take place, including any works of demolition, until a Construction Management Plan (CMP) with detailed method statements of construction, including details of and position of any proposed cranes to be used on the site, a detailed programme of the works and risk assessments, has been submitted to, and approved in writing by the Local Planning Authority. The approved CMP shall include agreed safe methods of working adjacent to the Metrolink Hazard Zone and shall be adhered to throughout the construction period. The CMP shall provide for: -

1. the designated route for construction and delivery vehicles
2. the parking of vehicles of site operatives and visitors;
3. loading and unloading of plant and materials;
4. storage of plant and materials used in constructing the development;
5. construction and demolition methods to be used; including the use of cranes
6. the erection and maintenance of security hoarding;
7. measures to control the emission of dust and dirt during construction and;
8. a scheme for recycling/disposing of waste resulting from demolition and construction works
9. a bird hazard management .

Reason - In the interests of highway safety, to safeguard the amenities of the locality and to ensure that the developer complies with all the necessary system clearances and agrees safe methods of working to meet the safety requirements of working above and adjacent to the Metrolink system, pursuant to policies SP1 and DM1 in the Core Strategy Development Plan Document.

Informatives

This permission does not grant approval under Building Regulations.

No building shall be erected within 3 metres of any existing public sewer and no development shall occur within 10m of any existing service reservoirs.

From an aerodrome safeguarding perspective, the principal matters that require assessment are the height of the lighting columns and direction of lighting. With regard to the height of the lighting columns, they must be designed so as not to infringe any of Manchester Airport's protected Obstacle Limitation Surfaces (as detailed in CAA publication CAP 168: Licensing of Aerodromes). Obstacle Limitation Surfaces protect Visual and Instrument Flight Paths and represent the lower limit of the blocks of protected airspace in the area immediately around an aerodrome. With regard to the direction of lighting, the lighting should be designed so that it is of flat glass, full cut off design with horizontal mountings and no light spill above the horizontal. These lighting requirements are applicable to both the permanent scheme lighting and any temporary flood lighting that is proposed during the construction period.

Further information required: The areas closest to Manchester Airport are the most crucial from a physical safeguarding perspective - sections 1 and 2 of the route, as shown on the interactive map. To enable accurate safeguarding assessments we will need the grid reference, to six figures Eastings and Northings, of each proposed lighting column on drawing no. 60248122_1300_002 Rev D (Proposed Lighting Ringway Road West Junction Sheet 1 of 9) and drawing no. 60248122_1300_003 Rev E (Proposed Lighting Styal Road Junction Sheet 2 of 9), together with the proposed height of the

columns and the ground level at these points taking any new landscaping into consideration.

From an aerodrome safeguarding perspective, the principal area for consideration is the height of the proposed signage. The height of the signs must not infringe any of Manchester Airport's protected Obstacle Limitation Surfaces (as detailed in CAA publication CAP 168: Licensing of Aerodromes). Obstacle Limitation Surfaces protect Visual and Instrument Flight Paths and represent the lower limit of the blocks of protected airspace in the area immediately around an aerodrome.

Further Information Required: As with the lighting columns, the Safeguarding Authority for Manchester Airport will require further details regarding the location (to six figures of Eastings and Northings) and height of all proposed signs within section 1 and 2 of the route, as well as the height of ground level at these points. We presume that these signs will be located at the road side rather than on an overhead gantry.

Date: 2 July 2014

Signed: 

Julie Roscoe
Head 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, he may appeal to the First 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 Appeals area of the Planning Portal – www.planningportal.gov.uk/pcs. The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal).

This may include a copy of the original planning application form and any supporting documents supplied to the local planning authority. By you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information, that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission. More detailed information about data protection and privacy matters is available on the Planning Portal.

Alternatively, appeals can be made on a form which is obtainable from Planning Inspectorate, Customer Support Unit, Room 3/15, Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 or by telephone 0117 372 6372.

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

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 of the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council 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 First Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.