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)

Planning Permission

Applicant

Mr Krell
28 Edge Lane
Manchester
M21 9JY

Agent (if used)

Mr Matthew Mcnulty
Mcnulty Architects
12 Hartington Road
Manchester
M21 8UY

Part 1 – Particulars of the application/development

Proposal: Erection or a terrace of four 3 storey dwellinghouses, following the demolition of Barway Court; conversion and erection of a 3 storey extension to the side and part single/part two storey rear extension to the side of no. 28 Edge Lane to form a terrace of three dwellinghouses, with associated car parking and landscaping.

Location: 28 Edge Lane, Manchester, M21 9JY

Date of application: 28 January 2025

Application number: 139878/FO/2024

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 issues arising from the consideration of this 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 drawings and documents:

a) Drawing - Site Plan 1729-1000 A - EXISTING, received on 24 Oct 2024

b) Drawing - Site Plan 1729-1001 K - PROPOSED, received on 24 Oct 2024

c) Drawing - Proposed 1729-1002 A - SITE CONTEXT PLAN, received on 24 Oct 2024
d) Drawing - Location Plan 1729-1003 - LOCATION PLAN, received on 25 Apr 2024
e) Drawing - Proposed 1729-110 A - BASEMENT PLAN BUILDING B, received on 28 Jan 2025
f) Drawing - Proposed 1729-111 C - GF PLAN BUILDING B, received on 28 Jan 2025
g) Drawing - Proposed 1729-112 C - FIRST FLOOR PLAN BUILDING B, received on 28 Jan 2025
h) Drawing - Proposed 1729-113 C - SECOND FLOOR PLAN BUILDING B, received on 28 Jan 2025
i) Drawing - Proposed 1729-120 C - GROUND FLOOR PLAN BUILDING A, received on 28 Jan 2025
j) Drawing - Proposed 1729-121 B - FIRST FLOOR PLAN BUILDING A, received on 28 Jan 2025
k) Drawing - Proposed 1729-122 B - SECOND FLOOR PLAN BUILDING A, received on 28 Jan 2025
l) Drawing - Proposed 1729-200 E - ELEVATION, received on 25 Jul 2025

m) Drawing - Proposed 1729-201 D - ELEVATION, received on 24 Jul 2025

n) Drawing - Proposed 1729-202 D - ELEVATION, received on 25 Apr 2024

o) Drawing - Proposed 1729-203 D - ELEVATION, received on 25 Apr 2024

p) Drawing - Proposed 1729-210 C - ELEVATION, received on 25 Apr 2024

q) Drawing - Proposed 1729-211 E - ELEVATION, received on 25 Jul 2025

r) Drawing - Proposed 1729-212 D - ELEVATION, received on 24 Jul 2025

s) Drawing - Proposed 1729-311 - DETAILS OF MATERIALS, received on 25 Apr 2024
t) Tree Survey and Arboricultural Impact Assessment, received on 12 Mar 2025
u) Ecology report - PRELIMINARY ROOST ASSESSMENT, received on 25 Apr 2024
v) Ecology report - BAT SURVEY, received on 24 Oct 2024
w) Ecology report - BAT PRESENCE-ABSENCE SURVEY, received on 27 Jan 2025
x) Ecology report - PRELIMINARY ECOLOGICAL APPRAISAL, received on 28 Jan 2025

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

3) No above ground works shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority. The development shall be carried out in accordance with the agreed details.

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 Manchester Core Strategy.

4) No above ground works shall commence until details of the measures to be incorporated into the development (or phase thereof) to demonstrate how Secured by Design accreditation will be achieved have been 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. The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a Secured by Design accreditation.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

5) Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the City Council as Local Planning Authority. The drainage schemes must include:

(i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
(ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
(iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
(iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
(v) Foul and surface water shall drain on separate systems.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to national policies within the NPPF and Policies EN8 and EN14 in the Manchester Core Strategy. .

6) a) Prior to the commencement of above ground works, a scheme for acoustically insulating the proposed residential accommodation against noise from Edge Lane shall be submitted to and approved in writing by the City Council as Local Planning Authority. There may be other actual or potential sources of noise which require consideration on or near the site, including any local commercial/industrial premises.

The potential for overheating shall also be assessed and the noise insulation scheme shall take this into account. The approved noise insulation and ventilation scheme shall be completed before any of the dwelling units are occupied.

b) Prior to first occupation of the residential units, a verification report shall 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 the internal noise criteria have been met. Any instances of non-conformity with the recommendations in the verification report shall be detailed along with any measures required to be undertaken prior to first occupation of the residential units to ensure compliance with the internal noise criteria.

Reason - In order to secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance and to reduce the potential for overheating, pursuant to Policy DM1 in the Manchester Core Strategy.

7) a) All 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. 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.

b) Prior to the operation of the scheme 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 verification report shall be detailed along with any measures required to be undertaken prior to operation of the scheme 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, pursuant to saved UDP Policy DC26 and Policy DM1 in the Manchester Core Strategy.

8) a) Prior to the commencement of above ground works 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.

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

b) 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.

Reason - In the interests of amenity and public health, pursuant to Policy DM1 in the Manchester Core Strategy.

9) 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).

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 the 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.

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 DM1 and EN18 of the Manchester Core Strategy.

10) Prior to the occupation of the development hereby approved, a Contaminated Land Verification Report shall be submitted to the City Council as local planning authority.

Reason - To confirm that appropriate remedial action has been taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Manchester Core Strategy.

11) The car parking hereby approved shall be laid out, demarcated and made available prior to the occupation of the residential accommodation hereby approved.

Reason - In the interests of pedestrian and highways safety and to ensure the satisfactory development of the site, pursuant to Policy DM1 in the Manchester Core Strategy.

12) Notwithstanding the details contained with the Sustainability Report, received on 25 Apr 2024, above-ground construction works shall not commence until details of the measures to be incorporated into the development to allow for the provision of electric vehicle charging points to all car parking spaces hereby approved have been submitted to and approved by the City Council as Local Planning Authority. The development shall be implemented and thereafter maintained in accordance with the approved details

Reason - To promote sustainable development and in the interests of residential amenity, pursuant to Policies DM1 and EN16 in the Manchester Core Strategy.

13) The residential use hereby approved shall be used only as a private dwelling (which description shall not include serviced properties or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights) and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - In the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for private residential purposes and to ensure the achievement of the public benefit identified pursuant to policies SP1, DM1, EN3 , H1, H6 and H11 of the Manchester Core Strategy and the guidance contained within National Planning Policy Framework including section 16.

14) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no garages, outbuildings or extensions shall be erected other than those expressly authorised by this permission.

Reason - To ensure the satisfactory development of the site and in the interest of residential and visual amenity, pursuant to policy DM1 of the Manchester Core Strategy.

15) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no windows shall be inserted into the elevations of the dwelling houses hereby approved other than those shown on the approved drawings listed in condition 2.

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 of the Manchester Core Strategy.

16) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)
(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.
(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with Policies EN9 and EN15 of the Manchester Core Strategy.

17) No removal of or works to any hedgerows, trees or shrubs shall take place during the main bird breeding season 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the 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 Manchester Core Strategy.

18) Prior to the commencement of above ground works, a detailed hard and soft landscaping treatment scheme (including details of boundary treatment) shall be 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 buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Manchester Core Strategy.

19) Above grounds works shall not commence until details of biodiversity enhancements (bird boxes and bat bricks), including a timetable for their installation and maintenance regime, have been submitted to and been approved by the City Council as local planning authority. The development shall be carried out in accordance with the agreed details.

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 Manchester Core Strategy.

20) Prior to any site clearance or construction works a Reasonable Avoidance Measures (RAM) method statement, in relation to badgers, hedgehog and other mammals, shall be submitted to and approved in writing by the City Council as local planning authority. The approved RAMS shall be implemented as part of the development and remain in place for the duration of the construction period.

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

21) Prior to the commencement of above ground works a 30 year Habitat Management and Monitoring Plan shall be submitted to and agreed in writing by the City Council as Local Planning Authority. The development shall be implemented in accordance the approved Habitat Management and Monitoring Plan.

Reason - In the interests of biodiversity net gain being achieved off site pursuant to Policy EN15 of the Manchester Core Strategy, Policies JP-G8 of Places for Everyone, National Planning Policy Framework (NPPF) and Schedule 7A of the Town and Country Planning Act 1990 (as amended).

22) Notwithstanding the submitted information, prior to the commencement of above ground works a detailed Environmental Standards Statement, which addresses sustainability ratings and the provision of renewable energy within the development, shall be submitted for approval in writing by the City Council, as Local Planning Authority. The development shall be carried out in accordance with those details.

Within 3 months of the completion of the construction of the authorised development a verification statement shall be submitted to and approved in writing, by the City Council as local planning authority, confirming the incorporation of the specified measures,

including dated photographic documentary evidence of the implementation and completion of required works.

Reason - In order to minimise the environmental impact of the development pursuant to policies SP1, T1-T3, EN4, EN6 and DM1 of the Manchester Core Strategy and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

23) Before the first occupation of the authorised development, full details and specifications of all off-site highways works, including footpath reinstatement to the perimeter of the application site (on Barway Road and Edge Lane, with tactile paving to the junction of Barway Road and Edge Lane) together with a timescale for their implementation shall be submitted to the City Council as local planning authority. The required works shall be fully implemented prior to the first occupation of any part of the development.

Reason - In the interest of pedestrian and highway safety and in the interests of local amenity, as specified in policies SP1, EN19, T2 and DM1 of the Manchester Core Strategy and guidance contained within the National Planning Policy Framework.

24) Before first occupation of the development hereby approved, the windows to the side elevation of Building B, as shown on plan 1729-202 D, received on received on 25 Apr 2024, shall be obscurely glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Manchester Core Strategy.

25) Prior to the commencement of development a Construction Management Plan shall be submitted to and approved by the Council. The Construction Management Plan shall contain the following:

- Details of Wheel Washing;
- Dust suppression measures;
- Compound locations where relevant;
- Location, removal and recycling of waste;
- Routing strategy and swept path analysis;
- Parking of construction vehicles and staff;
- Hours of working

The development shall be carried out in accordance with approved details.

Reason - To safeguard the amenities of the occupiers of nearby residential and commercial properties during the construction/demolition phase, pursuant to Policy DM1 in 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

Informative for Condition 5 - The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

To safeguard the amenities of nearby residents, construction and demolition works shall be confined to the following hours:

Monday - Friday: 7.30am - 6pm
Saturday: 8.30am - 2pm
Sunday / Bank holidays: No work

Informative for Condition 6 - Noise survey data shall include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary. The following noise criteria shall be required to be achieved when providing adequate ventilation as defined by Approved Document F of the Building Regulations (whole dwelling ventilation):

Bedrooms (night time - 23.00 - 07.00) 30 dB LAeq (individual noise events shall not exceed 45 dB LAmax,F by more than 10 times)
Living Rooms (daytime - 07.00 - 23.00) 35 dB LAeq
Gardens and terraces (daytime) 55 dB LAeq

Higher internal noise levels than those specified above may be allowed when higher rates of ventilation are required in relation to the overheating condition.

An acoustic report has been submitted (Nova Acoustics, 20/12/2021), the report has suggested that further mitigation measures may be required with regards to overheating, as such a TM59 assessment is required to determine if MVHR or other mechanical ventilation also needs to be installed in the development if opening the windows at night comprises the acoustic comfort of the occupiers. The TM59

assessment needs to be considered alongside the acoustic assessment and not in isolation. This needs to be undertaken to cover part a) of this condition

Bats - Whilst the buildings to be demolished have been found to be very low risk for bats, the applicant is reminded that under the 2019 Regulations it is an offence to disturb, harm or kill bats. If a bat is found during demolition all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s).

Highway Informative - a) In order to gain vehicular access into the site, a vehicular crossover will be required from Barway Road. This will be subject to necessary Highways Agreements. Any modifications / improvements to the public highway or footpath the applicant will require an agreement with MCC's Highways teams. This will be funded at the applicant's expense. The following
link provides access:

https://www.manchester.gov.uk/directory_record/287709/permission_to_work_on_the_highways_-_section_278_agreements/category/355/highways_and_pavements

b) The applicant is required to discuss and agree any requirements for licensing, hoarding / scaffolding, and skips with MCC's Highways Licensing Team via email to:

highwaylicences@manchester.gov.uk

c) The applicant is required to discuss and agree any requirements for temporary traffic and pedestrian management with MCC's Event and Traffic Management Team via email to:

highwaynetworkmanagement@manchester.gov.uk

d) Should there be any basement excavations proposed adjacent to the highway structural drawings and calculations for the temporary and permanent support works must be submitted for checking (for a fee) to MCC Bridges/Structures Section. The applicant is advised to contact:

highways.structures@manchester.gov.uk.

Date: 28 July 2025

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/appeal-planning-decision 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 of 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.