

Town & Country Planning Act 1990 (as amended)
Planning (Listed Building & Conservation Area) Act 1990 (as amended)

Partial approval of details reserved by condition

Applicant

Mr Mark Barnes
Casey Construction
Rydings Road
Rochdale
OL12 9PS

Agent (if used)

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Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 3 (materials), 6 (CMP), 7 (highway works), 8a (waste management), 10 (drainage), 12a (noise), 13a (ground conditions), 15a (air quality), 19 (renewable technology), 24 (CEMP) and 29 (part i, ii and iii) (affordable housing) attached to planning permission referenced 135802/FO/2022

Location: Land At Whitemoss Road And Woodmere Drive, Manchester, M9 6LX

Date of application: 19 December 2024

Application number: CDN/24/1185

Part 2 – Particulars of decision (a)

Manchester City Council gives notice that the following detail(s) referred to in Part 1 are **approved** in accordance with the information set out below.

CONDITION 3 - Materials

The following information has been submitted in respect of planning condition 3 (materials):

-Application for Approval of Details Reserved by Condition, stamped and received by the City Council as Local Planning Authority on 19 December 2024.

-Supporting Information- Proposed Materials, stamped and received by the City Council as Local Planning Authority on 19 December 2024.

The above details are considered to be acceptable to discharge the condition 3 attached to planning permission referenced 135802/FO/2022 on the basis the development is fully implemented in accordance with the approved details.

CONDITION 8A - WASTE

a) The following information has been submitted in respect of planning condition 8a (waste management):

- Application for Approval of Details Reserved by Condition, stamped and received by the City Council as Local Planning Authority on 19 December 2024.
- Waste Management Plan, numbered PL.031, stamped and received by the City Council as Local Planning Authority on 19 December 2024.
- Supporting Information- S38 Vehicular Tracking, numbered WMR AJP ZZ 00 DR C - 1570, stamped and received by the City Council as Local Planning Authority on 19 December 2024.
- Waste Management- C8- 5.5M Road Confirmation, numbered PL.033, stamped and received by the City Council as Local Planning Authority on 4 February 2025.

The above details are considered to be acceptable to discharge the condition 8a attached to planning permission referenced 135802/FO/2022 on the basis the development is fully implemented in accordance with the approved details.

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.

CONDITION 29 - AFFORDABLE (PART I- III)

The following information has been submitted in respect of planning condition 29 (part i, ii, iii) (affordable housing):

- Application for Approval of Details Reserved by Condition, stamped and received by the City Council as Local Planning Authority on 19 December 2024.
- Supporting Information- Affordable Housing Statement, stamped and received by the City Council as Local Planning Authority on 6 February 2025.

The above details are considered to be acceptable to discharge the condition 29 attached to planning permission referenced 135802/FO/2022 on the basis the development is fully implemented in accordance with the approved details.

v. The approved affordable housing scheme shall be implemented as part of the development and thereafter observed in perpetuity subject to the exclusions and exemptions set out in the approved affordable housing scheme.

Part 2 – Particulars of decision (b)

Manchester City Council gives notice that the following detail(s) referred to in Part 1 are **refused** in accordance with the information set out below.

CONDITION 6 - CMP

The following information has been submitted in respect of planning condition 6 (CMP):

- Application for Approval of Details Reserved by Condition, stamped and received by the City Council as Local Planning Authority on 19 December 2024.
- Supporting Information- Construction Environmental Management Plan for Whitemoss Road, stamped and received by the City Council as Local Planning Authority on 19 December 2024.
- Supporting Information- Construction Environmental Management Plan for Whitemoss Road, stamped and received by the City Council as Local Planning Authority on 4 February 2025.
- Traffic Management Plan- Whitemoss Road (Casey), stamped and received by the City Council as Local Planning Authority on 4 February 2025.

The information submitted to discharge condition 6 is not sufficient.

The outstanding evidence is required:

-MCC's Event and Traffic Management Team have been consulted and confirmed that the applicant will need to apply for a TTROs for these closures and ensure there has been consultation with residents. The applicant is required to contact MCC's Event and Traffic Management Team for the temporary pedestrian and traffic management via Email:

highwaynetworkmanagement@manchester.gov.uk

-Site access gates will be installed at the entrance of the S38 access road. It should be ensured that all access gates (with the exception of fire exits) open inward away from the adopted highway.

-Information is requested on the utility connections to the site including location and any impacts to the adopted Highway.

-Phasing and quantification / classification of vehicular activity during the construction phase.

-Routing of vehicles both within the site and on the adjacent highway should be demonstrated on a plan.

-Swept-path assessment of the largest construction/delivery/refuse vehicle accessing the site, manoeuvring and egressing in a forward gear.

-Noise limits must be provided at the boundary with the receptors. This will need to be established by using the ABC method as outlined in BS5528. The CMP will need to be revised to include the noise limits at the boundary with existing receptors.

Until such details are received and agreed, condition 6 cannot be discharged.

CONDITION 7 - Highways Works

The following information has been submitted in respect of planning condition 7 (Highway Works):

-Application for Approval of Details Reserved by Condition, stamped and received by the City Council as Local Planning Authority on 19 December 2024.

-Drawing- Proposed- Section 38 Road Setting Out, numbered WMR-AJP-ZZ-00-DR-C-1500-P03, stamped and received by the City Council as Local Planning Authority on 19 December 2024.

-Drawing- Proposed- Section 38 Longsections, numbered WMR-AJP-ZZ-00-DR-C-1510-P01, stamped and received by the City Council as Local Planning Authority on 19 December 2024.

-Drawing- Proposed- Section 38 Typical Highway Details, numbered WMR-AJP-ZZ-00-DR-C-1530-P01, stamped and received by the City Council as Local Planning Authority on 19 December 2024.

-Drawing- Proposed- Section 38 Typical Highway Details, numbered WMR-AJP-ZZ-00-DR-C-1531-P01, stamped and received by the City Council as Local Planning Authority on 19 December 2024.

-Drawing- Proposed- Section 38&278 Kerbing Plan, numbered AJP-ZZ-00-DR-C-1540-P03, stamped and received by the City Council as Local Planning Authority on 19 December 2024.

-Drawing- Proposed- Section 38&278 Kerbing Plan, numbered WMR-AJP-ZZ-00-DR-C-1541-P02, stamped and received by the City Council as Local Planning Authority on 19 December 2024.

-Drawing- Proposed- Section 38 Vehicular Tracking, numbered WMR-AJP-ZZ-00-DR-C-1570-P04, stamped and received by the City Council as Local Planning Authority on 19 December 2024.

-Drawing- Proposed- Section 38&278 Agreement Layout, numbered WMR-AJP-ZZ-00-DR-C-1590-P05, stamped and received by the City Council as Local Planning Authority on 19 December 2024.

- Drawing- Proposed- Section 38&278 Agreement Layout, numbered WMR-AJP-ZZ-00-DR-C-1591-P03, stamped and received by the City Council as Local Planning Authority on 19 December 2024.
- Correspondence- C7- Agent Email re Street Trees, stamped and received by the City Council as Local Planning Authority on 4 February 2025.
- Correspondence- Email re. Highways Stopping Up Progress, stamped and received by the City Council as Local Planning Authority on 18 February 2025.

The information submitted to discharge condition 7 is not sufficient.

The following information is required:

- MCC's Statutory Approvals Team were consulted for a comment and have confirmed that further information is required from the developer to discharge this condition. It is recommended that the applicant/developer continue discussions with the MCC's Statutory Approval Team.
- Stopping Up Order: A permanent stopping up of Wanley Walk is being pursued. MCC's Statutory Approvals Team were consulted for a comment and confirmed that Guinness Partnership have been advised how to instigate a commission online and pay the deposit but, as yet, this has not been established. It is recommended that the applicant/developer continue discussions with MCC's Statutory Approvals Team regarding the Stopping Up Order on Wanley Walk.

Until such details are received and agreed, condition 7 cannot be discharged.

CONDITION 10 - DRAINAGE

The following information has been submitted in respect of planning condition 10 (drainage):

- Application for Approval of Details Reserved by Condition,
- Drawing- Proposed- Outline Drainage Layout, numbered WMR-AJP-ZZ-00-DR-C-1000-P05,
- Drawing- Proposed- Outline Drainage Layout, numbered WMR-AJP-ZZ-00-DR-C-1001-P05,
- Drawing- Proposed- Domestic Drainage Plan, numbered WMR-AJP-ZZ-00-DR-C-1002-P03,
- Drawing- Proposed- Domestic Drainage Plan, numbered WMR-AJP-ZZ-00-DR-C-1003-P03,
- Drawing- Proposed- S104 Manhole Schedules, numbered WMR-AJP-ZZ-00- DR-C-1010-P01,
- Drawing- Proposed- Private Manhole Schedules, numbered WMR-AJP-ZZ-00-DR-C-1011-P01,
- Drawing- Proposed- S.W Catchment Areas, numbered WMR-AJP-ZZ-00-DR-C-1040-P03,
- Drawing- Proposed- S104 Land Registry Plan, numbered WMR-AJP-ZZ-00-DR-C-1050-P03,
- Drawing- Proposed- Typical Drainage Details, numbered WMR-AJP-ZZ-00-DR-C-1060-P01,
- Drawing- Proposed- Typical Drainage Details, numbered WMR-AJP-ZZ-00-DR-C-1061-P01,
- Drawing- Proposed- Flood Routing Plan, numbered WMR-AJP-ZZ-00-DR-C-1070-P04,
- Drawing- Proposed- Flood Routing Plan, numbered WMR-AJP-ZZ00-DR-C-1071-P04,
- Drawing- Proposed- Attenuation Tank Details, numbered WMR-AJP-ZZ-00-DR-C-1072-P01,
- Drawing- Proposed- Attenuation Tank Details, numbered WMR-AJP-ZZ-00-DR-C-1073-P01,

-Drawing- Proposed- Control Manhole Details, numbered WMR-AJP-ZZ-00-DR-C-1090-P01,
-Drawing- Proposed- Manhole Schedules, numbered WMR-AJP-ZZ-00-DR-C-1100-P01 1-20,
Above stamped and received by the City Council as Local Planning Authority on 19 December 2024.

The information submitted to discharge condition 10 is not sufficient.

The following information is required:

- United Utilities invite the applicant to contact wastewaterdeveloperservices@uuplc.co.uk to discuss works, as elements of the S104 sewers would not be acceptable to United Utilities.
- A finalised drainage layout showing all components, outfalls, levels and connectivity is required.
- The type of permeable paving and any connectivity with the surface water drainage system must be confirmed and illustrated on the finalised drainage layout.
- The applicant must present a consistent package to discharge this condition (Including all layouts and calculations). The layout and calculations must be jointly updated to account for any edits required. When preparing a resubmission, the applicant must ensure that the drainage layout and hydraulic calculations correspond, and that they can be cross-referenced for checks. This includes layout annotations and schedule printouts.
- Maximised integration of green SuDS components (utilising attenuation) if practicable.
- Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for 45% climate change in any part of a building. The proposed drainage layout has changed, therefore updated hydraulic modelling is required, including printouts, modelling parameters and manhole schedules.
- Where surface water is connected to the public sewer, agreement in principle from United Utilities is required that there is adequate spare capacity in the existing system taking future development requirements into account. An email of acceptance of proposed flows and/or new connection will suffice. Evidence of United Utilities' agreement in principle must correspond to the proposed connection point.
- Hydraulic calculation of the proposed drainage system; the proposed drainage layout has changed, therefore updated hydraulic modelling is required, including printouts, modelling parameters and manhole schedules.
- Construction details of proposed permeable paving.

Until such details are received and agreed, condition 10 cannot be discharged.

CONDITION 12 - NOISE- PART A

a) The following information has been submitted in respect of planning condition 12a (noise):

- Noise Impact Assessment- Charlestown Phase 2, ref: 50-477-R1-1 (dated November 2021), stamped and received by the City Council as Local Planning Authority on 19 December 2024.
- Supporting Information- Discharge of Condition 12 White Moss Road, ref: 50-477-TN2-1 (dated 6 December 2024), stamped and received by the City Council as Local Planning Authority on 19 December 2024.
- Drawing- Proposed- Boundary Treatments, numbered PL.008G, stamped and received by the City Council as Local Planning Authority on 4 February 2025.

-Supporting Information- Whitemoss Rd- SAP Strategy & Ventilation Requirements, stamped and received by the City Council as Local Planning Authority on 4 February 2025.

-Supporting Information- Maintenance Plan, stamped and received by the City Council as Local Planning Authority on 27 February 2025.

The information submitted to discharge condition 12a is not sufficient.

The following information is required:

1. Whilst the criteria can be met with windows closed based on the glazing specification recommended, the criteria will not be met with windows open so an alternative scheme of ventilation will be required so occupants do not need to rely on opening windows for ventilation other than for purge ventilation. Comments suggest that the developer will install whole house ventilation so Environmental Health need details of the proposed system providing and comment from the consultant to confirm that it is suitable to ensure that occupants do not need to open windows for ventilation purposes.
2. Assessment of the system will also be required to confirm that when in full operation the alternative ventilation system will not exceed the internal noise criteria and details of any necessary insulation of the units / system should be recommended.
3. Any penetrations to the building façade to accommodate any louvres etc for the ventilation system will require assessment and details of any necessary insulation of these areas to ensure the penetration does not compromise the acoustic integrity of the façade.
4. Units 21-23 exceed the overheating criteria at night time so overheating assessment will be required and mitigation measures need to be provided for these units.

Until such details are received and agreed, condition 12a cannot be discharged.

CONDITION 13 - GROUND CONDITIONS- PART A

a) The following information has been submitted in respect of planning condition 13a (ground conditions):

- Drawing- Proposed- BEK - Asbestos Management Plan,
 - Whitemoss Rd, Blakley - Ref BEK-24070-2, December 2024,
 - Ground Survey- BEK - Remediation & Enabling Works Strategy - Whitemoss Rd, Blakley - Ref BEK-24070- 1, December 2024_Optimized,
 - Waste Management Plan, numbered PL.031,
- Above stamped and received by the City Council as Local Planning Authority on 19 December 2024.
- White Moss Road- Phase 1 Preliminary Risk Assessment, ref: 077873-CUR-00-XX-RP-GE-007 V01,
 - White Moss Road- Phase 1 Dam Head Drive Comp, ref: 077873-CUR-00-XX-RP-GE-009 V01,
 - White Moss Road Letter Report Phase 2 ref: 077873-CUR-00-XX-RP-GE-040 P01,
 - Dam Head Drive Letter Report Phase 2, ref: 077873-CUR-00-XX-RP-GE-042 P01,
 - Drawing- Proposed- BEK - Asbestos Management Plan, ref: BEK-24070-2,
 - Ground Survey- BEK - Remediation & Enabling Works Strategy - Whitemoss Rd, Blakley - Ref BEK-24070- 1 (REV A) dated January 2025,
- Above stamped and received by the City Council as Local Planning Authority on 4 February 2025.
- Ground Survey- BEK - Remediation & Enabling Works Strategy - Whitemoss Rd, Blackley - Ref BEK-24070- 1 (REV B), March 2025, stamped and received by the City Council as Local Planning Authority on 6 March 2025.

The information submitted to discharge condition 13a is not sufficient.

The following information is required:

1. The remediation strategy recommends that a 600mm clean cover system with geo textile no dig layer is be installed in residential gardens and 400mm clean cover with geo textile membrane in areas of soft landscaping around the site which Environmental Health can accept. The remediation strategy includes sampling and verification proposals which Environmental Health can also accept.
2. Gas protection measures are required in the Northern section of the site, Whitemoss Road and those properties on or adjacent to the former infilled ponds identified in the report. The remediation strategy includes recommendations for the necessary measures required to meet the requirements of CS2 classification in these areas which Environmental Health can accept and uprated vapour protection in areas surrounding the pond. Figure 4 identifies which gas protection system is required for the Northern section and the area of the infilled ponds which Environmental Health can accept. The report also includes verification stages which will formulate the final validation report which we can also accept.
3. Environmental Health will need comment and recommendations with regard to how contaminated soil arisings, including those from the area of the former ponds will be stored prior to disposal to ensure they do not lead to cross contamination such as delineation, placed on a visqueen membrane, covered, labelled etc. Comment will be required in the validation proposals to confirm how these measures (once recommended) have been complied with and how compliance will be demonstrated (photos, WTNs etc)
4. Recommendations should be included for contractor safety measures / precautions during any excavation work within area of contaminated soils.
5. The March report advises that a UK water supplier risk assessment was completed in January and established that PE Barrier Type A water supply pipe will be required. The UK water supplier risk assessment will need to be submitted for review. Environmental Health will also need recommendations for the requirements for any clean service trenches / corridors (depth, materials etc) and confirmation of how this will be verified.
6. The verification section will need to include confirmation that waste transfer notes will be retained and provided within the verification report.

Until such details are received and agreed, condition 13a cannot be discharged.

CONDITION 15 - AIR QUALITY- PART A

a) The following information has been submitted in respect of planning condition 15a (air quality):

- Application for Approval of Details Reserved by Condition,
- Supporting Information PEA_Unit 1,
- Supporting Information PEA_Unit 2,
- Supporting Information PEA_Unit 3,
- Supporting Information PEA_Unit 4,
- Supporting Information PEA_Unit 5,
- Supporting Information PEA_Unit 6,
- Supporting Information PEA_Unit 7,
- Supporting Information PEA_Unit 8,
- Supporting Information PEA_Unit 9,
- Supporting Information PEA_Unit 10,
- Supporting Information PEA_Unit 11,
- Supporting Information PEA_Unit 12,
- Supporting Information PEA_Unit 13,
- Supporting Information PEA_Unit 14,
- Supporting Information PEA_Unit 15,
- Supporting Information PEA_Unit 16,

- Supporting Information PEA_Unit 17,
 - Supporting Information PEA_Unit 18,
 - Supporting Information PEA_Unit 19,
 - Supporting Information PEA_Unit 20,
 - Supporting Information PEA_Unit 21,
 - Supporting Information PEA_Unit 22,
 - Supporting Information PEA_Unit 23,
 - Supporting Information PEA_Unit 24,
 - Supporting Information PEA_Unit 25,
 - Supporting Information PEA_Unit 26,
 - Supporting Information PEA_Unit 27,
 - Supporting Information PEA_Unit 28,
 - Supporting Information PEA_Unit 29,
 - Supporting Information PEA_Unit 30,
 - Supporting Information- Summary for Input Data, Unit 1_3B5P,
 - Supporting Information- Summary for Input Data, Unit 2_3B5P,
 - Supporting Information- Summary for Input Data, Unit 3_3B5P,
 - Supporting Information- Summary for Input Data, Unit 4_3B5P,
 - Supporting Information- Summary for Input Data, Unit 5_3B5P,
 - Supporting Information- Summary for Input Data, Unit 6_3B5P,
 - Supporting Information- Summary for Input Data, Unit 7_3B5P,
 - Supporting Information- Summary for Input Data, Unit 8_3B5P,
 - Supporting Information- Summary for Input Data, Unit 9_3B5P,
 - Supporting Information- Summary for Input Data, Unit 10_3B5P,
 - Supporting Information- Summary for Input Data, Unit 11_3B5P,
 - Supporting Information- Summary for Input Data, Unit 12_3B5P,
 - Supporting Information- Summary for Input Data, Unit 13_3B5P,
 - Supporting Information- Summary for Input Data, Unit 14_3B5P,
 - Supporting Information- Summary for Input Data, Unit 15_3B5P,
 - Supporting Information- Summary for Input Data, Unit 16_3B5P,
 - Supporting Information- Summary for Input Data, Unit 17_3B5P,
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 - Supporting Information- Summary for Input Data, Unit 24_3B5P,
 - Supporting Information- Summary for Input Data, Unit 25_3B5P,
 - Supporting Information- Summary for Input Data, Unit 26_3B5P,
 - Supporting Information- Summary for Input Data, Unit 27_3B5P,
 - Supporting Information- Summary for Input Data, Unit 28_3B5P,
 - Supporting Information- Summary for Input Data, Unit 29_3B5P,
 - Supporting Information- Summary for Input Data, Unit 30_3B5P,
- stamped and received by the City Council as Local Planning Authority on 19 December 2024.
- Drawing- Proposed- EV Charging Point Plan, numbered PL.032O, stamped and received by the City Council as Local Planning Authority on 11 March 2025.

The information submitted to discharge condition 15a is not sufficient.

The following information is required:

- The submitted plan 'EV Charging Point Plan, numbered PL.032O' shows inaccuracies. This includes the installation of a charging point in the garden of unit 4 and no charging point for unit 6.

-The information supplied a tethered lead charging unit. It is unsure how the product will operate in those circumstances where the EV charging point is not attached to the dwellinghouse. Further information is required, including a product specification.

Until such details are received and agreed, condition 15a cannot be discharged.

CONDITION 19 - RENEWABLES

The following information has been submitted in respect of planning condition 19 (renewable technology):

- Application for Approval of Details Reserved by Condition,
- Photo (Example of PV panels on different scheme),
- Drawing- Visuals- Site with PV panels, stamped and received by the City Council as Local Planning Authority on 19 December 2024.
- Drawing- Proposed- PV Plan, numbered PL.034,
- Drawing- Proposed- ASHP Plan 1 of 2, numbered PL.035,
- Drawing- Proposed- ASHP Plan 2 of 2, numbered PL.036,
- Supporting Information- Product Specification- Daikin Altherma 3 High Capacity Monobloc,
- Supporting Information- Hi-Mo LR5- 54HTM (PV Panels), stamped and received by the City Council as Local Planning Authority on 4 February 2025.
- Supporting Information- ASHP Gravel Surrounds, numbered PL.038, stamped and received by the City Council as Local Planning Authority on 5 March 2025.

The information submitted to discharge condition 19 is not sufficient.

The following information is required:

- Whilst information is supplied for the proposed ASHPs and PV panel system, no confirmation in writing has been provided as to whether acoustic enclosures are required for the proposed ASHPs.

Until such details are received and agreed, condition 19 cannot be discharged.

CONDITION 24 - CEMP

The following information has been submitted in respect of planning condition 24 (CEMP):

- Application for Approval of Details Reserved by Condition, stamped and received by the City Council as Local Planning Authority on 19 December 2024.
- Supporting Information- Construction Environmental Management Plan for Whitemoss Road, stamped and received by the City Council as Local Planning Authority on 19 December 2024.
- Supporting Information- Construction Environmental Management Plan for Whitemoss Road, stamped and received by the City Council as Local Planning Authority on 4 February 2025.
- Traffic Management Plan- Whitemoss Road (Casey), stamped and received by the City Council as Local Planning Authority on 4 February 2025.

The information submitted to discharge condition 24 is not sufficient.

The outstanding evidence is required:

- MCC's Event and Traffic Management Team have been consulted and confirmed that the applicant will need to apply for a TTROs for these closures and ensure there has been consultation with residents. The applicant is required to contact MCC's Event and

Traffic Management Team for the temporary pedestrian and traffic management via Email:

highwaynetworkmanagement@manchester.gov.uk

- Site access gates will be installed at the entrance of the S38 access road. It should be ensured that all access gates (with the exception of fire exits) open inward away from the adopted highway.
- Information is requested on the utility connections to the site including location and any impacts to the adopted Highway.
- Phasing and quantification / classification of vehicular activity during the construction phase.
- Routeing of vehicles both within the site and on the adjacent highway should be demonstrated on a plan.
- Swept-path assessment of the largest construction/delivery/refuse vehicle accessing the site, manoeuvring and egressing in a forward gear.
- The submitted CEMP appears to be a general one for construction activities and not for the protection of biodiversity as required. The only real mention of biodiversity is a section on badgers at the end but this includes no recommendations for protection measures.
- Noise limits must be provided at the boundary with the receptors. This will need to be established by using the ABC method as outlined in BS5528. The CMP will need to be revised to include the noise limits at the boundary with existing receptors.

Until such details are received and agreed, condition 24 cannot be discharged.

Date: 12 March 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 decision relates only to that required under the Town and Country Planning Act 1990 (as amended) or Planning (Listed Building & Conservation Area) Act 1990 (as amended) 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 or sections 20 and 21 of the Planning (Listed Building & Conservation Area) Act 1990 within six months of the date of the notice of the decision. However, if an enforcement notice has been served for the same or very similar development within the previous 2 years, the time limit is:

- 28 days from the date of the LPA decision if the enforcement notice was served before the decision was made yet not longer than 2 years before the application was made.
- 28 days from the date the enforcement notice was served if served on or after the date the decision was made (unless this extends the appeal period beyond 6 months).

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-inspectorate. The Inspectorate will publish details of your appeal on the internet.

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 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.

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 their 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.