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.
- 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

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

Listed Building Consent

Applicant

Mr Adam Wlodarczyk Black
Clearbell UK Strategic Partnership
Freetrade Exchange
37 Peter Street
Manchester
M2 5GB

Agent (if used)

Mr Don Murphy
Paul Butler Associates
31 Blackfriars Road
Salford
M3 7AQ

Part 1 – Particulars of the application/development

Proposal: Refurbishment and alteration works to office building comprising the reconfiguration of main entrance and expansion of reception area, use of lower ground floor as a bar (sui generis), removal of glazed canopy over main entrance, infill of enclosed area at 5th floor level (creating 37 sqm Use Class E(g)(i) office space), replacement of existing glazed entrance screen; repainting of modern ground floor feature western elevation, guardrails, and window frames; replacement of external lighting and removal of redundant lighting; installation of platform lifts; removal of car lift, roller shutter door and louver to vehicle entrance to north elevation of building and creation of additional glazed entrance and reception; installation of upgraded toilet facilities; use of basement for bike store, gym, sauna, changing facilities, toilets and showers ancillary to existing office use of building; other internal works to enable enhancement of internal spaces; removal of redundant plant to roof level and installation of new plant and PV panels

Location: Freetrade Exchange, 37 Peter Street, Manchester, M2 5GB

Date of application: 4 March 2022

Application number: 133282/LO/2022

Part 2 – Particulars of decision

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

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Pre application advice has been sought in respect of this development where early discussions took place regarding the design, appearance and extent of the development. The proposal is considered to be acceptable and therefore determined within a timely manner.

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 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

- Location Plan (Drawing MLA.AR(SK)100, undated) - Received 04 March 2022
- Existing Layout Basement (CFM.AR(99)001 Revision A dated September 2021) - Received 04 March 2022
- Existing Layout Lower Ground Floor (Drawing CFM.AR(99)002 Revision A dated September 2021) - Received 04 March 2022
- Existing Layout Ground Floor (Drawing CFM.AR(99)003 Revision A dated September 2021) - Received 04 March 2022
- Existing Layout First Floor (Drawing CFM.AR(99)004 Revision A dated September 2021) - Received 04 March 2022
- Existing Layout Second Floor (Drawing CFM.AR(99)005 Revision A dated February 2022) - Received 04 March 2022
- Existing Layout Third Floor (Drawing CFM.AR(99)006 Revision A dated September 2021) - Received 04 March 2022
- Existing Layout Fourth Floor (Drawing CFM.AR(99)007 Revision A dated September 2021) - Received 04 March 2022
- Existing Layout Fifth Floor (Drawing CFM.AR(99)008 Revision A dated September 2021) - Received 04 March 2022
- Existing Layout Roof (Drawing CFM.AR(99)009 Revision A dated September 2021) - Received 04 March 2022
- Existing Sections General Arrangement (CFM.AR(99)010 Revision A dated November 2021) - Received 04 March 2022
- Existing RCP Basement (Drawing CFM.AR(35)001 Revision A dated February 2022) - Received 04 March 2022
- Existing RCP Lower Ground Floor (Drawing CFM.AR(35)002 Revision A dated September 2021) - Received 04 March 2022
- Existing RCP Ground Floor (Drawing CFM.AR(35)003 Revision A dated February 2022) - Received 04 March 2022
- Existing RCP First Floor (Drawing CFM.AR(35)004 Revision A dated February 2022) - Received 04 March 2022
- Existing RCP Second Floor (Drawing CFM/AR(35)005 Revision A dated February 2022) - Received 04 March 2022
- Existing RCP Third Floor (Drawing CFM.AR(35)006 Revision A dated February 2022) - Received 04 March 2022
- Existing RCP Fourth Floor (Drawing CFM.AR(35)007 Revision A dated February 2022) - Received 04 March 2022
- Existing RCP Fifth Floor (Drawing CFM.AR(35)008 Revision A dated February 2022) - Received 04 March 2022
- Existing with Downtakings North Elevation (Drawing CFM.AR(10)021 Revision B dated November 2021) - Received 04 March 2022
- Existing Elevation with Downtakings South & East Elevation (Drawing CFM.AR(10)020 Revision C dated November 2021) - Received 08 June 2022
- Proposed Elevations (South and East) (Drawing CFM.AR(99)020 Revision C dated November 2021) - Received 08 June 2022

- Proposed Elevations (North Elevation) (Drawing CFM.AR(99)021 Revision E dated November 2021) - Received 08 June 2022
- Proposed Elevations South Elevation Main Entrance Study (Drawing CFM/AR(PL)101 Revision A dated February 2022) - Received 07 July 2022
- Proposed Sections General Arrangement (Drawing CFM.AR(99)022 Revision A dated November 2021) - Received 04 March 2022
- Proposed Layout Rear Entrance Cycle Store Provision (drawing CFM.AR(PL)105 Revision A dated September 2021) - Received 04 March 2022
- Notional Lighting Layout External Façade (Drawing EX-DR-E-0404 , undated) - Received 08 June 2022
- Proposed External Glazed Screen South Elevation Peter Street Main Entrance Typical Details (Drawing CFM.AR(21)104 Revision A dated July 2022) - Received 21 July 2022
- Proposed External Glazed Screen South Elevation Peter Street Main Entrance (Drawing CFM/AR(21)101 Revision A) - Received 21 July 2022
- Proposed External Glazed Screen South Elevation - Peter Street Main Entrance Elevation & Section (Drawing CFM.AR(21)102 Revision A) - Received 21 July 2022
- Proposed External Glazed Screen South Elevation Peter Street Main Entrance Typical Details (Drawing CFM/AR(21)103 Revision A dated July 2022) - Received 21 July 2022
- Proposed External Glazed Screen South Elevation Peter Street LGF Entrance Plan, Elevations and Section (Drawing CFM/AR(21)105 Revision A dated July 2022) - Received 21 July 2022
- Proposed External Glazed Screen South Elevation Peter Street LGF Entrance Typical Details (Drawing CFM.AR(21)106 Revision A dated July 2022) - Received 21 July 2022
- Proposed External Glazed Screen South Elevation Peter Street Rear Entrance Plans, Elevations and Section (Drawing CFM.AR(21)107 Revision A dated July 2022) - Received 21 July 2022
- Proposed External Glazed Screen South Elevation Peter Street Rear Entrance Typical Details (Drawing CFM.AR(21)108 Revision A dated July 2022) - Received 21 July 2022
- Proposed Interface Details New Ceiling & Partitions Basement (Drawing CFM.AR(PL)110 Revision A dated June 2022) - Received 08 June 2022
- Proposed Interface Details New Ceiling & Partitions Lower Ground Floor (Drawing CFM.AR(PL)111 Revision A dated June 2022) - Received 08 June 2022
- Proposed Interface Details New Ceiling & Partitions Typical Floor (Ground to Third) (Drawing CFM.AR(PL)112 Revision A dated June 2022) - Received 08 June 2022
- Proposed Interface Details New Ceiling & Partitions (Fourth Floor) (Drawing CFM.AR(PL)113 Revision A dated June 2022) - Received 08 June 2022
- Proposed Interface Details New Ceiling & Partition Typical Details (Drawing CFM.AR(PL)114 Revision A dated June 2022) - Received 08 June 2022
- Scoping Plan Basement Internal Partition Types (Drawing CFM.AR(22)011 Revision C dated February 2022) - Received 08 June 2022
- Scoping Plan Lower Ground Floor Internal Partition Types (CFM.AR(22)012 Revision C dated February 2022) - Received 08 June 2022
- Scoping Plan Ground Floor Internal Partition Types (Drawing CFM.AR(22)013 Revision C dated February 2022) - Received 08 June 2022
- Scoping Plan First Floor Internal Partition Types (Drawing CFM.AR(22)014 Revision A dated September 2021) - Received 04 March 2022
- Scoping Plan Second Floor Internal Partition Types (Drawing CFM.AR(22)015 Revision A dated February 2022) - Received 04 March 2022

- Scoping Plan Third Floor Internal Partition Types (Drawing CFM.AR(22)016 Revision A dated February 2022) - Received 04 March 2022
- Scoping Plan Fourth Floor Internal Partition Types (Drawing CFM.AR(22)017 Revision A dated February 2022) - Received 04 March 2022
- Scoping Plan Fifth Floor Internal Partition Types (Drawing CFM.AR(22)018 Revision A dated February 2022) - Received 04 March 2022
- Proposed Basement Layout (Drawing CFM.AR(99)011 Revision A dated September 2021) - Received 04 March 2022
- Proposed Lower Ground Floor Layout (Drawing CFM.AR(99)011 Revision A dated September 2021) - Received 04 March 2022
- Proposed Ground Floor Layout (Drawing CFM.AR(99)013 Revision C dated September 2021) - Received 08 June 2022
- Proposed Layout First Floor (Drawing CFM.AR(99)014 Revision A dated September 2021) - Received 04 March 2022
- Proposed Layout Second Floor (Drawing CFM.AR(99)015 Revision A dated September 2021) - Received 04 March 2022
- Proposed Layout Third Floor (Drawing CFM.AR(99)016 Revision A dated September 2021) - Received 04 March 2022
- Proposed Fourth Floor Layout (Drawing CDM.AR(99)017 Revision A dated September 2021) - Received 04 March 2022
- Proposed Layout Fifth Floor (Drawing CFM.AR(99_018 Revision A dated September 2021) - Received 04 March 2022
- Proposed Layout Roof (Drawing CFM.AR(99)019 Revision A dated September 2021) - Received 04 March 2022
- Scoping Plan Basement RAF/Screed (Drawing CFM.AR(33)011 Revision A dated September 2021) - Received 04 March 2022
- Scoping Plan Lower Ground Floor RAF/Screed (Drawing CFM.AR(33)012 Revision A dated September 2021) - Received 04 March 2022
- Scoping Plan Ground Floor RAF/Screed (Drawing CFM.AR(33)013 Revision A dated September 2021) - Received 04 March 2022
- Scoping Plan First Floor RAF/Screed (Drawing CFM.AR(33)014 Revision A dated September 2021) - Received 04 March 2022
- Scoping Plan Second Floor RAF/Screed (Drawing CFM.AR(33)015 Revision A dated September 2021) - Received 04 March 2022
- Scoping Plan Third Floor RAF/Screed (Drawing CFM.AR(33)016 Revision A dated September 2021) - Received 04 March 2022
- Scoping Plan Fourth Floor RAF/Screed (Drawing CFM.AR(33)017 Revision A dated September 2021) - Received 04 March 2022
- Scoping Plan Fifth Floor RAF/Screed (Drawing CFM.AR(33)018 Revision A dated September 2021) - Received 04 March 2022
- Proposed RCP Basement (Drawing CFM.AR(35)011 Revision A dated January 2022) - Received 04 March 2022
- Proposed RCP Lower Ground Floor (Drawing CFM.AR(35)012 Revision A dated January 2022) - Received 04 March 2022
- Proposed RCP Ground Floor (Drawing CFM.AR(35)013 Revision A dated January 2022) - Received 04 March 2022
- Proposed RCP First Floor (Drawing CFM.AR(35)014 Revision A dated January 2022) - Received 04 March 2022
- Proposed RCP Second Floor (Drawing CFM.AR(35)015 Revision A dated January 2022) - Received 04 March 2022
- Proposed RCP Third Floor (Drawing CFM.AR(35)016 Revision A dated January 2022) - Received 04 March 2022
- Proposed RCP Fourth Floor (Drawing CFM.AR(35)017 Revision A dated January 2022) - Received 04 March 2022

- Proposed RCP Fifth Floor (Drawing CFM.AR(35)018 Revision A dated January 2022) - Received 04 March 2022
- Ground Floor Office Lighting Layout (Drawing XX-DR-E-0400, undated) - Received 04 March 2022
- Typical Floor Office Lighting Layout (Drawing XX-DR-E-0400, undated) - Received 04 March 2022
- Basement Level MEP Plant & Riser Space (Drawing BL-DR-PS-0101, undated) - Received 04 March 2022
- Lower Ground Floor MEP Plant & Riser Space (Drawing LG-DR-PS-0102, undated) - Received 04 March 2022
- Ground Floor MEP Plant & Riser Space (Drawing GF-DR-PS-0103, undated) - Received 04 March 2022
- Typical Floor MEP Plant & Riser Space (Drawing XX-DR-PS-0104, undated) - Received 04 March 2022
- Roof Level MEP Plant & Riser Space (Drawing RL-DR-PS-0105, undated) - Received 04 March 2022
- Basement Level MEP Builders Work (drawing BL-DR-PS-0201, undated) - Received 04 March 2022
- Typical Floor High Level MEP Services (Drawing XX-DR-PS-0106, undated) - Received 04 March 2022
- Typical Floor MEP Services Section (Drawing XX-DR-PS-0107, undated) - Received 04 March 2022
- Typical Floor MEP Services Section (Drawing XX-DR-PS-0107, undated) - Received 04 March 2022
- Proposed Wall Finishes Basement (Drawing CFM.AR(42)011 Revision C dated September 2021) - Received 07 June 2022
- Proposed Wall Finishes Lower Ground Floor (Drawing CFM.AR(42)012 Revision B dated September 2021) - Received 07 June 2022
- Proposed Wall Finishes Ground Floor (Drawing CFM.AR(42)013 Revision B dated September 2021) - Received 07 June 2022
- Proposed Wall Finishes First Floor (Drawing CFM.AR(42)014 Revision B dated September 2021) - Received 07 June 2022
- Proposed Wall Finishes Second Floor (Drawing CFM.AR(42)015 Revision B dated September 2021) - Received 07 June 2022
- Proposed Wall Finishes Third Floor (Drawing CFM.AR(42)016 Revision B dated September 2021) - Received 07 June 2022
- Proposed Wall Finishes Fourth Floor (Drawing CFM.AR(42)017 Revision B dated September 2021) - Received 07 June 2022
- Proposed Wall Finishes Fifth Floor (Drawing CFM.AR(42)018 Revision B dated September 2021) - Received 07 June 2022
- Proposed Basement Floor Finishes (Drawing CFM.AR(43)001 Revision A dated September 2021) - Received 04 March 2022
- Proposed Lower Ground Floor Finishes (Drawing CFM.AR(43)002 Revision A dated September 2021) - Received 04 March 2022
- Proposed Ground Floor Finishes (Drawing CFM.AR(43)003 Revision A dated September 2021) - Received 04 March 2022
- Proposed First Floor Finishes (Drawing CFM.AR(43)004 Revision A dated September 2021) - Received 04 March 2022
- Proposed Second Floor Finishes (Drawing CFM.AR(43)005 Revision A dated September 2021) - Received 04 March 2022
- Proposed Third Floor Finishes (Drawing CFM.AR(43)006 Revision A dated September 2021) - Received 04 March 2022
- Proposed Fourth Floor Finishes (Drawing CFM.AR(43)007 Revision A dated September 2021) - Received 04 March 2022

- Proposed Fifth Floor Finishes (Drawing CFM.AR(43)008 Revision A dated September 2021) - Received 04 March 2022
- Hard Strip Out Basement Existing Layout With Downtakings (Drawing CFM.AR(10)011 Revision A dated October 2021) - Received 04 March 2022
- Hard Strip Out Lower Ground Floor Existing Layout with Downtakings (Drawing CFM.AR(10)012 Revision A dated October 2021) - Received 04 March 2022
- Hard Strip Out Ground Floor Existing Layout with Downtakings (Drawing CFM.AR(10)013 Revision A dated October 2021) - Received 04 March 2022
- Hard Strip Out First Floor Existing Layout with Downtakings (Drawing CFM.AR(10)014 Revision B dated October 2021) - Received 04 March 2022
- Hard Strip Out Second Floor Existing Layout with Downtakings (Drawing CFM.AR(10)015 Revision A dated October 2021) - Received 04 March 2022
- Hard Strip Out Third Floor Existing Layout with Dawntakings (Drawing CFM.AR(10)016 Revision A dated October 2021) - Received 04 March 2022
- Hard Strip Out Fourth Floor Existing Layout with Downtakings (Drawing CFM.AR(10)017 Revision A dated October 2021) - Received 04 March 2022
- Hard Strip Out Fifth Floor Existing Layout with Downtakings (Drawing CFM.AR(10)018 Revision A dated October 2021) - Received 04 March 2022
- Hard Strip Out Roof Existing Layout with Downtakings (Drawing CFM.AR(10)019 Revision A dated October 2021) - Received 04 March 2022
- Indicative BCO Zones Typical Upper Floor (Drawing XX-DR-M-1101, undated) - Received 04 March 2022
- Indicative Comfort Cooling Layout Typical Upper Floor (Drawing XX-DR-M-0211, undated) - Received 04 March 2022
- Suspended Ceiling Details prepared by Ecophon (Reference Ecophon Solo Rectangle dated 30 May 2022) - Received 07 June 2022
- Louvred Grills Information prepared by Lang and Fulton (Reference Pressure Locked and Electrofused Products, undated) - Received 07 June 2022
- Environmental Noise and Noise Impact Assessment (Reference 29443/NIA1 dated 04 May 2022) - Received 09 May 2022
- Crime Impact Statement (Reference 2021/0631/CIS/02 Version A dated 12 January 2022) - Received 04 March 2022
- Ventilation Statement (Reference 3882-HAN-ZZ-XX-RP-MEP-005 dated 08 February 2022) - Received 04 March 2022
- External Lighting Statement prepared for Clearbell UK (Reference 3882-HAN-ZZ-XX-RP-MEP-004 Issue 06 dated 07 June 2022) - Received 07 June 2022
- Heritage Statement prepared by Stephen Levrant Heritage Architecture (Reference Clearbell Capital LLP dated June 2022) - Received 07 June 2022
- Highways Statement prepared by Vectos (Reference VN222287, dated 04 May 2022) - Received 05 May 2022

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) Notwithstanding the submitted plans and documents as specified in condition 2, prior to the commencement of the development of the rooftop extension and rooftop plant equipment (not including erection of any external scaffolding required) the following shall be submitted to and approved in writing by the City Council, as local planning authority:

(i) A programme for the issue of samples and specifications of all material to be used on the external elevations of the rooftop extension of the development (including external plant equipment). The programme shall include timings for the submission of samples and specifications of all materials to be used on all external parts of the development;

(ii) full and final details including clearly annotated detailed cross-sectional drawings with all relevant jointing and fixing details; and
(iii) a strategy for quality control management.
(b) All samples and specifications shall then be submitted and approved in writing by the City Council as local planning authority in accordance with the programme, as agreed in the above part a of this condition, and the development shall be fully implemented in accordance with the approved materials or details thereafter.

Reason - In the interests of visual amenity and because the proposed works affect designated heritage assets and careful attention to building work is required to protect the character and appearance of the listed building and designated Conservation Area in accordance with policies SP1, CC9, EN3 and DM1 of the City of Manchester Core Strategy and saved policies DC18 and DC19 of the Unitary Development Plan for the City of Manchester.

4) Notwithstanding the details shown on/within the approved drawings and documents listed in condition 2 and 3, the following information shall be submitted to and approved in writing by the City Council as Local Planning Authority prior to each particular aspect of the specific specified works commencing:

- Full and final details of external lighting equipment including wiring and connections to historic fabric.
- Method and full and final details relating to the removal of any redundant fixtures and fittings to the exterior of the building (including the canopy to the building's front elevation) and the making good external fabric.
- Full and final details of any painting/treatments to external surfaces, including metalwork
- Full and final details of framing and glazing systems to entrances
- Full details and methodology of any intrusive works to investigate sources of damp in the basement and details of any works required to rectify/solve damp source.
The works shall be carried out in accordance with the approved details.

Reason - In the interests of visual amenity and because the proposed works affect designated heritage assets and careful attention to building work is required to protect the character and appearance of the listed building and designated Conservation Area in accordance with policies SP1, CC9, EN3 and DM1 of the City of Manchester Core Strategy and saved policies DC18 and DC19 of the Unitary Development Plan for the City of Manchester.

5) Prior to the commencement of any works to the existing external facade, a scheme, including a detailed methodology and specification, for any scaffolding and support structures required in order to carry out the approved works shall be submitted to and approved in writing by the City Council as local planning authority.

The scheme shall explore options considered in order to minimise any potential harm to the asset, and include details of any means of affixing to the building, location of any associated fixings to the building, details of how the building fabric would be protected from potential damage as a result of the erection of the scaffolding and details of making good to the building fabric following the removal of the scaffold. Any associated scaffold shall be fully implemented and subsequently removed in accordance with the approved scheme.

Reason - In the interests of visual amenity and because the proposed works affect designated heritage assets and careful attention to building work is required to protect

the character and appearance of the listed building and designated Conservation Area in accordance with policies SP1, CC9, EN3 and DM1 of the City of Manchester Core Strategy and saved policies DC18 and DC19 of the Unitary Development Plan for the City of Manchester

Informatives

Building Regulations 2010
This permission does not grant approval under Building Regulations.

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

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

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

You can apply online at the following address:
http://www.manchester.gov.uk/info/100011/roads_parking_and_transport/1988/naming_and_numbering_of_houses_buildings_streets_and_roads/2

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

Date: 26 July 2022

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 Planning (Listed Buildings and Conservation Areas) 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 Secretary of State in accordance with sections 20 and 21 of the Act within six months of the date of the notice of the decision.

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

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

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

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

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

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase 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.