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TOWN AND COUNTRY PLANNING ACT 1990

OUTLINE

Reference: H16-0521-23 **Date of Decision:** 20th October 2023

Applicant: Alcan Properties Ltd.
555-557 Cranbrook Road
Gants Hill
Ilford
Essex
IG2 6HE

Location: Land North Of B1173 Barrier Bank And West Of A16 Spalding (Lincs Gateway) Spalding

Description: Erection of buildings to comprise up to 70,000 square metres (Gross Internal Area) of Class B8 (storage or distribution) floorspace to include ancillary Class E(g) (office) floorspace and provision of associated infrastructure including utilising existing vehicular access from B1173. Outline with means of access to be considered.

South Holland District Council hereby give notice that permission has been GRANTED (or equivalent) subject to the following condition(s):

1 Application for approval of reserved matters must be made not later than three years beginning with the date of this permission, and the development must be begun before the expiration of two years from the final approval of reserved matters or in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: As required by Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2 No development shall take place without the prior written approval of the Local Planning Authority of all details of the following matters:
i) the layout
ii) scale

iii) external appearance of the building (including a schedule of all external materials to be used); and
iv) the landscaping of the site (including boundary treatments).

The development shall be carried out as approved.

Reason: To meet the requirements of Section 92 of the Town and Country Planning Act 1990.

3 Unless where required or allowed by other conditions attached to this permission, the development hereby approved shall be carried out in accordance with the information provided on the application form and the following plans/drawings/documents -

Documents:
Planning Application Form
Statement of Community Involvement
Design and Access Statement
Transport Statement
Framework Travel Plan
Ecological Appraisal
Landscape and Visual Appraisal
Noise Impact Assessment
Lighting Impact Assessment
Air Quality Assessment
Flood Risk Assessment
Archaeological Evaluation
Geotechnical and Geo-Environmental Site Investigation

Plans:
Site Location Plan - 22119-UMC-ZZZZ-SI-DR-A-0501-P03

Reason: For the avoidance of doubt, in the interests of proper planning and to define the permission.

4 Notwithstanding the detail submitted in the illustrative landscape masterplan dated 17/05/2023 (ref. 08011 rev A), when application is made to the Local Planning Authority for approval of reserved matters, that application shall be accompanied by a scheme of landscaping and tree planting indicating, inter alia, the number, species, heights on planting and positions of all trees in respect of the land to which that application relates, together with details of post- planting maintenance and such a scheme shall require the approval of the Local Planning Authority before any development is commenced. Such scheme as is approved by the Local Planning Authority shall be carried out and completed in its entirety during the first planting season following practical completion of the development. All trees, shrubs and bushes shall be maintained by the owner or owners of the land on which they are situated for the period of five years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary.

Reason: To ensure that the development is adequately landscaped, in the interests of its visual amenity and that of the area in which it is set. This issue is integral to the

DC_FINAL_DECISION - ODB:14

development and therefore full details need to be finalised prior to the commencement of works.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

5 When application is made to the Local Planning Authority for approval of reserved matters, that application shall be accompanied by full details of waste removal from the site including bin store detail and recycling.

Reason: in the interests of flood risk, residential amenity and design.
This Condition is imposed in accordance with Policy 4 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, 2023.

6 When application is made to the Local Planning Authority for approval of reserved matters, that application shall be accompanied by full details of the existing and proposed site levels and proposed floor levels of the buildings, hard surfaced areas and landscaped areas, including any mitigation measures arising as a consequence (for example increased height of boundary treatment), shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed and retained in accordance with the details so approved.

Reason: in the interests of flood risk, residential amenity and design.
This Condition is imposed in accordance with Policy 4 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, 2023.

7 When an application is made for Reserved Matters approval, the submission shall include a scheme of works for the management, improvement and replacement where necessary, of the existing riparian watercourses that pass through and run along the northern edge of the Application Site. The submitted scheme shall be designed to ensure that suitable provision is included for the practical future maintenance of these watercourses. The works, as approved by the Local Planning Authority, shall be completed prior to the execution of any other work on the site that could have the potential to compromise the continued operation of these watercourses and the drainage of the wider area.

Reason: In the interests of ensuring that the construction and operation of the permitted development does not cause flooding of adjoining land and properties by interrupting the operation of the existing surface water drainage infrastructure for the area.
This Condition is imposed in accordance with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Sections 14 and 15 of the National Planning Policy Framework, 2023.

8 No development shall take place until a method statement for the demolition and/or construction of that part of the overall development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The demolition and construction works shall be carried out in accordance with the approved method statement. The statement shall provide for:
-the routeing and management of construction traffic;
-the parking of vehicles of site operatives and visitors;

DC_FINAL_DECISION - ODB:14

-loading and unloading of plant and materials;
-storage of plant and materials used in constructing the development;
-the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
-wheel cleaning facilities;
-measures to control the emission of dust and dirt during construction;
-protection of Public Rights of Way;
-details of noise reduction measures;
-a scheme for recycling/disposing of waste resulting from demolition and construction works;
-the hours during which machinery may be operated, vehicles may enter and leave, and works may be carried out on the site;
-Precautions to be taken to prevent the deposit of mud on public highways by vehicles travelling from the site during construction of the development.

Reason: In the interests of highway safety and the amenity of nearby residents.
This condition is imposed in accordance with Section 12 of the National Planning Policy Framework.

9 No development shall take place until a Construction Management Plan and Method Statement that shall first be approved in writing has been submitted to and approved in writing by the Local Planning Authority. The Plan and Statement shall indicate measures to mitigate the adverse impacts of vehicle activity and the means to manage the drainage of the site during the construction stage of the permitted development. It shall include;

-the phasing of the development to include access construction;
-the on-site parking of all vehicles of site operatives and visitors;
-the on-site loading and unloading of all plant and materials;
-the on-site storage of all plant and materials used in constructing the development;
-wheel washing facilities;
-a strategy stating how surface water run off on and from the development will be managed during construction and protection measures for any sustainable drainage features. This should include drawings) showing how the drainage systems (temporary or permanent) connect to an outfall (temporary or permanent) during construction.

Reason: In the interests of the safety and free passage of those using the adjacent public highway and to ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development during construction.

10 Demolition/ground works/construction works/ deliveries and collections during the construction phase of the development, shall not take place outside the following hours:

-Monday to Friday 08.00 - 18.00hrs
-Saturday 08.00-13.00hrs
-There shall be no work on Sundays or Public Holidays

Reason: In the interests of highway safety and the amenity of nearby residents. This condition is imposed in accordance with Section 12 of the National Planning Policy Framework 2023.

DC_FINAL_DECISION - ODB:14

11 No development shall take place until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be completed before the development is used. The scheme shall:

-be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development;
-provide flood exceedance routing for storm event greater than 1 in 100 year;
-provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the run-off rate for the undeveloped site;
-provide attenuation details and discharge rates which shall be restricted to 1.4 litres per second per hectare unless a higher rate of discharge is agreed with the surface water receiving body;
-provide details of the timetable for and any phasing of implementation for the drainage scheme; and
-provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.

No part of the development hereby permitted shall be occupied until the approved scheme has been completed or provided on the site in accordance with the approved phasing. The approved scheme shall be retained and maintained in full, in accordance with the approved details.

Reason: To ensure that the site can be adequately drained.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 15 of the National Planning Policy Framework, 2023.

12 No building hereby permitted shall be first occupied until details of the design, implementation, maintenance and management of foul water drainage works have been submitted to and approved in writing by the local planning authority.

Reason: To ensure development would not result in unacceptable risk of pollution or harm to the environment or landscape
This Condition is imposed in accordance with Policies 3 and 4 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, 2023.

13 No development shall take place above ground level until a detailed scheme for the recommendations from Section 10 of the Spectrum Acoustic Consultants Noise Impact Assessment Report ref. ARC7208/22426/V2, have been submitted to and approved in writing by the Local Planning Authority. These are:-
-1. Install a 2m high close boarded timber fence on top of the existing bunding just inside the northwest site boundary
-2. Upgrade the sound insulation of the west/north walls and roof of the nearest unit to NSR 1 to Rw 38 and 30 respectively.

-3. Provide a noise attenuation package of a combination of acoustic screening/acoustic louvres/silencers/acoustic lagging for each of the large mechanical plant zones to reduce sound power level from LwA 100dB to 90 dB.
-4. Provide an extensive arrangement of effective acoustic bunding and barriers.

The approved detailed scheme shall be implemented in full before the occupation of the first unit as approved by any subsequent Reserved Matters application. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To ensure development would not result in unacceptable impact on residential amenity
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 15 of the National Planning Policy Framework, 2023.

14 The rating level of the noise emitted from industrial and manufacturing process, fixed plant and equipment (mechanical and electrical), loading and unloading of goods & mobile plant and vehicles located at the site shall not exceed the existing background level at any premises used for residential purposes surrounding the site when assessed in accordance with BS 4142:2014+A1(2019).

Reason: To ensure development would not result in unacceptable impact on residential amenity
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 15 of the National Planning Policy Framework, 2023.

15 A written method statement detailing the remediation strategy for land contamination and/or pollution of controlled waters affecting the site and a timetable for their completion shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of the proposed verification plan including compliance criteria and monitoring details. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority. If during redevelopment contamination not previously considered is identified, then the Local Planning Authority shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspected contamination has been submitted to and agreed in writing by the Local Planning Authority.

Reason: To assess whether the site is polluted and to address any pollution to ensure a satisfactory development. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works.
This Condition is imposed in accordance with Policy 30 of the South East Lincolnshire Local Plan, 2019.

16 Accordance with Condition 15 above and remediation is required, two full copies of a verification report shall be submitted to and approved in writing by the LPA prior to the first occupation of the development. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post-remediation sampling and monitoring results shall be included

in the closure report to demonstrate that the required remediation objectives and criteria has been fully met. Note: All work should be carried out in accordance with the procedural guidance of the Environmental Protection Act 1990 Part IIA.

Reason: To assess whether the site is polluted and to address any pollution to ensure a satisfactory development. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works.
This Condition is imposed in accordance with Policy 30 of the South East Lincolnshire Local Plan, 2019.

17 No development above ground floor slab level of any part of the development hereby permitted shall take place until samples of all materials to be used in the construction of the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority, including (where applicable):

-samples of all brick/facing material, render and tiling (including details of the colour of render/paintwork to be used)
-samples of all hard surfacing materials
-Sample materials of boundary treatments

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

Reason: To ensure that the Local Planning Authority retains control over the external materials of construction of the development in the interests of the character and appearance of the development and the visual amenity of the area in which it is set.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and the provisions of the National Planning Policy Framework 2023.

18 Notwithstanding the information contained in the submitted Biodiversity Net Gain Assessment dated July 2023 and the updated Ecological Appraisal dated July 2023, prior to the occupation of development hereby permitted a specification (including methodology and programme of implementation) of compensation and enhancement measures for biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The specification shall include details of initial aftercare and long-term maintenance as well and details of monitoring and remedial measures. The works so approved shall be carried out in accordance with the approved programme of implementation and be retained thereafter for the lifetime of the development. On completion of the agreed compensation and enhancement measure in accordance with the approved programme of implementation, required as part of this condition, the development shall be inspected by a qualified ecologist and a statement of conformity and a copy of any Natural England protected species licenses as appropriate shall be submitted to the Local Planning Authority to confirm whether all of the measures for enhancing biodiversity have been implemented in accordance with the details approved under this condition.

Reason: To enhance biodiversity
This Condition is imposed in accordance with Policy 28 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 15 of the National Planning Policy Framework, 2023.

DC_FINAL_DECISION - ODB:14

19 No development shall commence on site until an Employment, Skills and Local Procurement Strategy shall be submitted to and approved in writing by the Local Planning Authority. This strategy shall set out measures to provide local employment, skills and business opportunities during the construction phase of the development hereby approved. The development shall be carried out in accordance with the details so approved.

Within 12 months of the development hereby approved being first brought into use, a Statement of Conformity shall be submitted to the Local Planning Authority, setting out how the approved measures were implemented and shall include a review of Employment, Skills and Procurement outcomes arising from the approved Strategy.

Reason: To ensure that the development provides opportunities for local employment and training opportunities
This Condition is imposed in accordance with Policy 2 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in the National Planning Policy Framework, 2023.

20 Prior to its required installation, details of the proposed boundary treatments, including a schedule of fencing levels, heights and materials, and details of the size and species of any hedging, shall be submitted to and approved in writing by the Local Planning Authority, and the details so approved shall be implemented in full before the development is first brought into use and retained thereafter.

Note: Where levels are raised above existing ground levels, the submission shall be supported by cross-sectional drawings showing the relationship with adjoining uses and buildings to enable the Local Planning Authority to be satisfied that sufficient mitigation measures will be in place.

Reason: In the interests of the character and appearance of the development and the amenity of the area in which it is set including the amenity of nearby occupiers.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

21 Notwithstanding the submitted lighting details, before the development hereby permitted is first occupied details of any external lighting to be provided in association with the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall include times when the external lighting will not be switched on. Only external lighting in accordance with approved details shall be provided on the application site. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) there shall be no other external lighting provided on the application site.

Reason: To ensure that the Local Planning Authority retains control over these matters, in the interests of the visual amenity of the overall development, to prevent light pollution and to ensure that the development is adequately lit.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and the provisions of the National Planning Policy Framework 2023.

22 The development hereby permitted shall be carried out in accordance with the measures set out in the Flood Risk Assessment by LIN Consulting dated May 2023 forming part of this planning application, unless otherwise agreed in writing by the Local Planning Authority, in particular the following measures shall be fully implemented before the property is first occupied:

i)The finished floor level of all of the proposed buildings shall be raised at least 700mm above the existing ground level.

These mitigation measures shall be fully implemented prior to occupation of the first unit as approved by any subsequent Reserved Matters and subsequently in accordance with the scheme's timing/ phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To ensure that the development does not increase the risk of flooding or be at risk of flooding.

This Condition is imposed in accordance with Policies 3 and 4 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework 2023.

Notes:

The Local Planning Authority has acted positively and proactively in determining this application by assessing it against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise, and by identifying matters of concern within the application and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal.

This decision notice, the relevant accompanying report and the determined plans can be viewed online at http://planning.sholland.gov.uk/OcellaWeb/planningSearch

This planning permission is subject to a Unilateral Undertaking under Section 106 of the Town & Country Planning Act 1990 dated 16th October 2023 and can only be implemented as a consequence of meeting the provisions of that undertaking.

All wild bird species are legally protected under the Wildlife and Countryside Act 1981 (as amended) from any form of disturbance between the onset of nest building and until such time as any dependent young have left the nest, principally from the beginning of March to the end of August.

Please contact the Lincolnshire County Council Streetworks and Permitting Team an 01522 782070 to discuss any proposed statutory utility connections, Section 50 licences and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works.

In order to minimise any nuisance from noise, vibration and dust during the construction phase the applicant should refer to the WRS Demolition & Construction Guidance and ensure its recommendations are complied with.

The Applicants attention is brought to the comments received by Anglian Water dated 17th June 2023 which are summarised as follows:

-Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore, the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

-The foul drainage from this development is in the catchment of Spalding Water Recycling Centre which currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission.

-Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

-Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

-Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.

-Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.

-The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact the Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

-An application to discharge trade effluent must be made to Anglian Water and must have been obtained before any discharge of trade effluent can be made to the public sewer.

-Anglian Water recommends that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of such facilities could result in pollution of the local watercourse and may constitute an offence.

-Anglian Water also recommends the installation of a properly maintained fat traps on all catering establishments. Failure to do so may result in this and other properties suffering blocked drains, sewage flooding and consequential environmental and amenity impact and may also constitute an offence under section 111 of the Water Industry Act 1991.

The Applicants attention is brought to the comments received from the Lincolnshire Police Designing out Crime Officer received 19th June 2023.

The indicative proposals show an intention to cut a new watercourse along the northern boundary of the site which would run parallel with, and just inside of, the existing watercourse that forms that northern boundary. The Internal Drainage Board and the Lead Local Flood Authority have concerned that this arrangement would compromise the ability to undertake routine maintenance of the existing watercourse and would therefore prefer that a far simpler scheme of just re-cutting and widening the existing watercourse is undertaken. This would both clear the existing reed growth and provide the additional capacity required for the development.



Phil Norman
Head of Planning
South Holland District Council

BUILDING REGULATIONS:
This decision refers only to planning permission as granted under the Town and Country Planning Act 1990. The works that you are proposing may also require Building Regulations and this planning permission does not give authority under Building Regulations to commence work. Please contact the Building Control section for further information on 01775 764557 or bcadmin@sholland.gov.uk

RIGHTS OF APPEAL

Appeals to the Secretary of State

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or grant consent subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990 or Section 20 of the Planning (Listed Building and Conservation Areas) Act 1990.

Timescales for appealing

The deadlines for appeals are calculated from the **date of decision** and are as follows for the types of applications below:

12 Weeks	6 Months	8 Weeks
Householder Applications	Planning Permission	Consent to Display Adverts
Minor Commercial Development	Listed Building Consent	
Agricultural Determinations	Other Prior Approval Applications	
Householder Prior Approval Applications		

https://www.gov.uk/appeal-householder-planning-decision

https://www.gov.uk/appeal-planning-decision

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

Enforcement Notices

If an enforcement notice was served prior to the planning application being determined then the deadline for appealing is 28 days from the date of the **planning refusal**.

If an enforcement notice is served after the planning application is determined then the deadline for appealing is 28 days from the date of the **enforcement notice** OR **the timescales stated above for each application type** from the date of the planning refusal - whichever is sooner.

Appeals can be made online at: https://www.gov.uk/planning-inspectorate. 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 can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in

giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under the order.

Purchase Notices

If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grant 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 can he 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 the Part VI of the Town and Country Planning Act 1990 or Section 32 of the Planning (Listed Building and Conservation Areas) Act 1990.

Compensation

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.

These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990 and Section 27 of the Planning (Listed Building and Conservation Areas) Act 1990.