
Changes to legislation: There are currently no known outstanding effects for the Channel Tunnel Rail Link Act 1996, Paragraph 17. (See end of Document for details)

SCHEDULES

SCHEDULE 6

PLANNING CONDITIONS

PART III

DEVELOPMENT IN ESSEX OR KENT

District conditions: qualifying authority

- 17 (1) No work to which this paragraph applies shall be brought into use without the approval of the district planning authority.
- (2) The works to which this paragraph applies are—
- (a) any scheduled work,
 - (b) any station constructed in exercise of the powers conferred by this Part of this Act, and
 - (c) any depot constructed in exercise of those powers for use for or in connection with the maintenance of railway vehicles or track, whether or not constructed for use also for other purposes.
- (3) The district planning authority shall, at the request of the nominated undertaker, grant approval for the purposes of sub-paragraph (1) above if—
- (a) it considers that there are no reasonably practicable measures which need to be taken for the purpose of mitigating the effect of the work or its operation on the local environment or local amenity, or
 - (b) it has approved, at the request of the nominated undertaker, a scheme consisting of provision with respect to the taking of measures for that purpose.
- (4) The district planning authority shall not refuse to approve, nor impose conditions on the approval of, a scheme submitted for the purposes of sub-paragraph (3)(b) above unless it is satisfied that it is expedient to do so on the ground that the scheme ought to be modified—
- (a) to preserve the local environment or local amenity,
 - (b) to preserve a site of archaeological or historic interest, or
 - (c) in the interests of nature conservation,
- and that the scheme is reasonably capable of being so modified.
- (5) In this paragraph, “railway vehicle” and “track” have the same meanings as in Part I of the ^{M1}Railways Act 1993.

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Marginal Citations

M1 [1993 c. 43.](#)

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