

SCHEDULES

SCHEDULE 7

PLANNING CONDITIONS

PART 2

DEVELOPMENT IN THE AREA OF A UNITARY AUTHORITY

Conditions: qualifying authority

- 6 (1) To the extent that development consists of any operation or work mentioned in column (1) of the table in sub-paragraph (4), it shall be carried out in accordance with plans and specifications for the time being approved by the local planning authority at the request of the nominated undertaker.
- (2) The local planning authority may, on approving a plan or specification for the purposes of this paragraph, specify any respect in which it requires there to be submitted for approval additional details of the operation or work which gives rise to the need for approval under sub-paragraph (1).
- (3) Where the local planning authority exercises the power conferred by sub-paragraph (2), the plans and specifications in accordance with which the development is required under sub-paragraph (1) to be carried out shall, as regards the specified respect, include a plan or specification showing the additional details.
- (4) The only ground on which the local planning authority may refuse to approve for the purposes of this paragraph plans or specifications of any operation or work mentioned in column (1) of the following table is a ground specified in relation to it in column (2) of the table.

<i>(1)</i>	<i>(2)</i>
<i>Operation or work</i>	<i>Grounds</i>
1. <i>Construction works</i>	That the design or external appearance of the works ought to be modified—
(a) The erection, construction, alteration or extension of any building (except for anything within (b) or (c) or item 2 or 4) or road vehicle park.	(a) to preserve the local environment or local amenity,
(b) The construction, alteration or extension of any terracing, cuttings, embankments or other earth works.	(b) to prevent or reduce prejudicial effects on road safety or on the free flow of traffic in the local area, or
(c) The erection, construction, alteration or extension of any fences, walls or other barriers (including bunds) for visual or noise screening or dust suppression.	(c) to preserve a site of archaeological or historic interest or nature conservation value,
	and is reasonably capable of being so modified.

Status: This is the original version (as it was originally enacted).

<i>(1)</i> <i>Operation or work</i>	<i>(2)</i> <i>Grounds</i>
	That the development ought to, and could reasonably, be carried out elsewhere within the limits of the land on which the works of which it forms part may be carried out under this Act.
<i>2. Minor construction works</i> The erection, construction, alteration or extension of any transformers, telecommunications masts or pedestrian accesses to railway lines.	That the design or external appearance of the works ought to be modified to preserve the local environment or local amenity, and is reasonably capable of being so modified. That the development ought to, and could reasonably, be carried out on land elsewhere within the relevant limits.
<i>3. Fences and walls</i> The erection, construction, alteration or extension of any fences or walls (except for anything within item 1(c)).	That the development ought to, and could reasonably, be carried out on land elsewhere within the relevant limits.
<i>4. Artificial lighting</i> The erection, construction or installation of lighting equipment.	That the design of the equipment, with respect to the emission of light, ought to be modified to preserve the local environment or local amenity, and is reasonably capable of being so modified. That the development ought to, and could reasonably, be carried out elsewhere within the limits of land on which the works of which it forms part may be carried out under this Act.
<i>5. Waste and spoil disposal</i> The disposal of waste or spoil.	That— (a) the design or external appearance of disposal sites on land within the relevant limits, (b) the methods by which such sites are worked, or (c) the noise, dust, vibration or screening arrangements during the operation of such sites, ought to be modified, and are reasonably capable of being modified. That— (a) to preserve the local environment or local amenity, (b) to prevent or reduce prejudicial effects on road safety or on the free flow of traffic in the local area, or (c) to preserve a site of archaeological or historic interest or nature conservation value,

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<i>(1)</i> <i>Operation or work</i>	<i>(2)</i> <i>Grounds</i>
<p>6. <i>Borrow pits</i> The excavation of bulk materials from borrow pits.</p>	<p>the development ought to be carried out on land elsewhere within the relevant limits, and is reasonably capable of being so carried out.</p> <p>That—</p> <ul style="list-style-type: none"> (a) the design or external appearance of borrow pits on land within the relevant limits, (b) the methods by which such pits are worked, or (c) the noise, dust, vibration or screening arrangements during the operation of such pits, <p>ought to be modified, and are reasonably capable of being modified.</p> <p>That—</p> <ul style="list-style-type: none"> (a) to preserve the local environment or local amenity, (b) to prevent or reduce prejudicial effects on road safety or on the free flow of traffic in the local area, or (c) to preserve a site of archaeological or historic interest or nature conservation value, <p>the development ought to be carried out on land elsewhere within the relevant limits, and is reasonably capable of being so carried out.</p>

- (5) In the case of items 1(b) and (c) and 4 in column (1) of the table in sub-paragraph (4), the second of the grounds specified in relation to the item in column (2) of the table does not apply in relation to development which forms part of a scheduled work.
- (6) In the case of items 5 and 6 in column (1) of the table in sub-paragraph (4), the second of the grounds specified in relation to it in column (2) of the table does not apply in relation to development which—
 - (a) is within the limits of deviation for the scheduled works, or
 - (b) consists of the use of land specified in columns (1) and (2) of Part 1 of Schedule 6 for a purpose specified in relation to the land in column (3) of that Part.
- (7) Any reference in column (1) of the table in sub-paragraph (4) to a description of works does not include works of that description of a temporary nature; and for this purpose, a building ancillary to a scheduled work is only to be regarded as being of a temporary nature if it is intended to remain in place for no longer than two years after the date on which the scheduled work is brought into general use.
- (8) Sub-paragraph (4) (as it has effect with sub-paragraphs (5) to (7)) shall apply in relation to the imposition of conditions on approval as it applies in relation to the refusal of approval.