SCHEDULES

SCHEDULE 7

PLANNING CONDITIONS

PART 2

DEVELOPMENT IN THE AREA OF A UNITARY AUTHORITY

Conditions: qualifying authority

9 (1) No work to which this paragraph applies shall be brought into use without the approval of the local planning authority.

(2) The works to which this paragraph applies are—

(a) any scheduled work, except for—

(i) a station, or

(ii) so much of any work constructed in a tunnel as is at least 9 metres below the surface of the land in which it is constructed, and

(b) any depot constructed, in exercise of the powers conferred by this Act, 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 local planning authority shall, at the request of the nominated undertaker, grant approval for the purposes of sub-paragraph (1) 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 local 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) 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.

Modifications etc. (not altering text)

C1 Sch. 7 paras. 6-11 applied (with modifications) (E.W.S.) (11.3.2014) by The Crossrail (Paddington Station Bakerloo Line Connection) Order 2014 (S.I. 2014/310), arts. 1, 18, **Sch. 6 paras. 1-3**

C2 Sch. 7 paras. 6-11 applied (with modifications) (21.4.2015) by The Crossrail (Plumstead Sidings) Order 2015 (S.I. 2015/781), art. 1, Sch. 4 paras. 1(c), 3(3)**(4)**

Changes to legislation:
There are currently no known outstanding effects for the Crossrail Act 2008, Paragraph 9.