
Changes to legislation: There are currently no known outstanding effects for the High Speed Rail (West Midlands - Crewe) Act 2021, Paragraph 6. (See end of Document for details)

SCHEDULES

SCHEDULE 17

CONDITIONS OF DEEMED PLANNING PERMISSION

PART 1

CONDITIONS

Condition relating to road transport

- 6 (1) Where—
- (a) the relevant planning authority is a qualifying authority, and
 - (b) development consists of the use of an authorised site,
- arrangements relating to the routes by which anything is to be transported to the site on a highway by a large goods vehicle must be approved by the relevant planning authority.
- (2) In this paragraph, “authorised site” means—
- (a) a working or storage site,
 - (b) a site where anything transported to the site will be re-used, or
 - (c) a waste disposal site.
- (3) Where a route to an authorised site includes a special road or trunk road, subparagraph (1) requires arrangements to be approved only in relation to transportation on so much of the route as lies between (but does not include) the site and—
- (a) the special road or trunk road, or
 - (b) where the route includes more than one special road or trunk road, the last such road before reaching the site.
- (4) In this paragraph “relevant planning authority” means the unitary authority or, in a non-unitary area, the county council in whose area the development is carried out.
- (5) The relevant planning authority may only refuse to approve arrangements for the purposes of this paragraph on the ground that—
- (a) the arrangements relate to development which, for the purposes of regulating the matter in question, ought to and can reasonably be considered in conjunction with development which has deemed planning permission under section 17(1) and which is to be carried out in the authority's area, or
 - (b) the arrangements ought to be modified—
 - (i) to preserve the local environment or local amenity,
 - (ii) to prevent or reduce prejudicial effects on road safety or on the free flow of traffic in the local area, or
 - (iii) to preserve a site of archaeological or historic interest or nature conservation value,

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and are reasonably capable of being so modified.

- (6) The relevant planning authority may only impose conditions on approval for the purposes of this paragraph—
- (a) with the agreement of the nominated undertaker, and
 - (b) on the ground referred to in sub-paragraph (5)(b).
- (7) Sub-paragraph (1) does not require arrangements to be approved in relation to transportation to an authorised site where the number of large goods vehicle movements (whether to or from the site) does not on any day exceed 24.
- (8) In this paragraph—
- “large goods vehicle” has the same meaning as in Part 4 of the Road Traffic Act 1988;
 - “special road” and “trunk road” have the same meaning as in the Highways Act 1980.

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