SCHEDULES

SCHEDULE 7

PLANNING CONDITIONS

PART 3

DEVELOPMENT NOT IN THE AREA OF A UNITARY AUTHORITY

District conditions: qualifying authority

15 (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 district planning authority at the request of the nominated undertaker.

(2) The district 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 district 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 district 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.

(1)	***(2)***
Operation or work	***Grounds***
1. *Construction works* (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. (b) The construction, alteration or extension of any terracing, cuttings, embankments or other earth works. (spara)(c) The erection, construction, alteration of extension of any fences, walls or other barriers (including bunds)	That the design or external appearance of the works ought to be modified— (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, and is reasonably capable of being so modified.

for visual or noise screening or dust suppression.	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.
2. *Minor construction works* The erection, construction, alteration or extension of any transformers, **[**[F1]electronic communications 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.
3. *Fences and walls* 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.
4. *Artificial lighting* 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.

(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) 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.

(7) Sub-paragraph (4) (as it has effect with sub-paragraphs (5) and (6)) shall apply in relation to the imposition of conditions on approval as it applies in relation to the refusal of approval.

Textual Amendments

F1 Words in Sch. 7 para. 15(4) substituted (28.12.2017) by The Communications Act 2003 and the Digital Economy Act 2017 (Consequential Amendments to Primary Legislation) Regulations 2017 (S.I. 2017/1285), reg. 1(1), **Sch. 1 para. 11(2)(b)**

Changes to legislation:
There are currently no known outstanding effects for the Crossrail Act 2008, Paragraph 15.