

HS2 Phase One Planning Forum

Planning Forum Note 5: Model Conditions

1. Paragraphs 2(7), 3(7), 4(7), 6(6) and 7(10) of Schedule 16 to the High Speed 2 Phase One Bill allow planning authorities to attach conditions to approvals. Paragraphs 2(3), 3(4) and 7(4) of Schedule 16 give planning authorities the ability to require additional details of the operation or work subject to the approval be submitted for approval.
2. The purpose of this note is to present some model conditions and wording for requirements for additional details that a planning authority may apply when granting consents under Schedule 16. The note does not address model conditions for consents under paragraph 9.
3. In the preparation of this note regard has been paid to the following principles which stem from the Schedule and the Schedule 16 Statutory Guidance:
 - a. conditions must be relevant to the development or matter subject to the consent;
 - b. conditions must be relevant to the grounds relevant to the consideration of the consent;
 - c. conditions should not replicate other controls or commitments, including the High Speed Two Environmental Minimum Requirements; and
 - d. conditions should not pre-empt future requests for approval or agreement.

Model Conditions

Additional Details

Under the terms of paragraphs [2 (3), 3(4) or 7(4) – delete as appropriate] of Schedule 16 to the High Speed Rail (London – West Midlands) Act 201X, the following additional details are required to be submitted to, and approved in writing by the local planning authority prior to their installation:

- samples of[materials / finishes – delete as appropriate] to be used at [insert name of building or works]

or

Prior to the installation of [materials / finishes – delete as appropriate], details of those [materials / finishes – delete as appropriate] shall be submitted to and approved in writing by, the local planning authority, in accordance with paragraphs [2 (7), 3(7) or 7(4) – delete as appropriate] of Schedule 16 of the High Speed Rail (London – West Midlands) Act 201X.

Plans and Specifications

Artificial Lighting

The lighting hereby approved shall be designed and installed to minimise spillage of light beyond the site in terms of luminosity and direction.

In some circumstances where lighting will only be used occasionally, the wording above could be altered/supplemented to reflect this:

The lighting shall only be activated when the site is occupied for maintenance or emergency [or other – insert as appropriate] purposes.

Conditions Relating to Construction Arrangements

Storage Sites

Storage areas will be located where practicable to avoid intruding on adjoining residential properties.

The height of material stores will where practicable be limited to avoid intruding on adjoining residential properties.