

INDEPENDENT 2a PLANNING FORUM FOR HS2

PLANNING FORUM NOTE 5

MODEL CONDITIONS

Introduction

1. Paragraphs 2(7), 3(7), 4(7), 6(6) and 7(10) of Schedule 17 to the High Speed Rail (West Midlands – Crewe) Act allows planning authorities to attach conditions to approvals. Paragraphs 2(3), 3(4) and 7(4) of Schedule 17 gives planning authorities the ability to require additional details of the operation or work subject to the approval being submitted for approval.
2. There may be certain requests for approval that require further information, Annex 1 to PFN17 provides general guidance on the level and type of information which may be appropriate to Schedule 17 decisions. Through pre-application discussions planning authorities should identify to the nominated undertaker any additional information it considers is necessary to make a decision on the forthcoming application.
3. The purpose of this note is to present model conditions¹ and wording for requirements for additional details that a planning authority may apply when granting consents under Schedule 17. This note does not address model conditions for consents under paragraph 9 of Schedule 17.
4. In the preparation of this note regard has been paid to the following principles which stem from Schedule 17 and the Schedule 17 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 Phase 2a 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 17 to the High Speed Rail (West Midlands – Crewe) Act 2021, the following additional details are required to be submitted to, and approved in writing by the 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 planning

¹ For the purpose of this note, model conditions refers to conditions imposed under paragraphs 2(7), 3(7), 4(7), 6(6) and 7(10) of Schedule 17, and requirements for additional details under paragraphs 2(3), 3(4) or 7(4) of Schedule 17.

authority, in accordance with paragraphs **[2(7), 3(7) or 7(4) – delete as appropriate]** of Schedule 17 of the High Speed Rail (West Midlands – Crewe) Act 2021.

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.