

# Highways and Transport: Post-Planning Processes

Part 1: Guidance on Highways and Transport Planning  
Conditions



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 **Norfolk** County Council

Revised November 2019



# Norfolk County Council

Norfolk County Council (NCC) is the Local Authority for the whole of Norfolk. We provide a range of services for people who live, work, do business or visit here. They include education, social services, highway maintenance, waste disposal, libraries, museums, fire and rescue, economic development and trading standards.

For further details of our services please visit [www.norfolk.gov.uk](http://www.norfolk.gov.uk).

Most planning applications are determined by the relevant Local Planning Authority (LPA), which is the District/Borough/City Council or the Broads Authority. The County Council (CC), as County Planning Authority (CPA), grants permission for specific developments including minerals extraction, waste management and disposal together with NCC's own development, such as schools and libraries.

In instances where development is likely to affect the transport network, the LPA's consults NCC as Local Highway Authority (LHA). Following detailed assessment we may request conditions and measures to be undertaken to mitigate the impacts of development.

**This document is divided into two parts and sets out information on the following: -**

**Part 1: Interpreting highway conditions and how to satisfy the relevant requirements of your planning permission.**

Part 2: The processes to complete highways and transport measures, such as off-site highway improvements, on-site requirements, public transport interventions, travel planning, etc.

Within the document where the term LPA is used, this also includes reference to the CPA.

If you need this document in large print, audio, Braille, alternative format or in a different language please contact Highways Development Management on 0344 800 8020, text relay 18001 0344 800 8020 or [developer.services@norfolk.gov.uk](mailto:developer.services@norfolk.gov.uk) and we will do our best to help.



# Foreword

In order to provide an inspirational place with a clear sense of identity and community, NCC recognises that not only is the quality of buildings around us extremely important but so too is the quality of place in which those buildings are situated.

Highways connect communities and play a vital part in the overall quality of life, affecting the way in which we access services and opportunities. They also play an essential part in the economic vibrancy and strength of our economy.

**This document offers guidance on how planning requirements can be timely and effectively delivered; it should be read in conjunction with our Aims and Guidance publication *Safe, Sustainable Development (SSD)* which offers advice to stakeholders prior to the submission of a planning application.**

Please visit [www.norfolk.gov.uk](http://www.norfolk.gov.uk) for further information.



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## List of Abbreviations

<b>CC</b>	County Council
<b>CPA</b>	County Planning Authority
<b>DfT</b>	Department for Transport
<b>IDB</b>	Internal Drainage Board
<b>LHA</b>	Local Highway Authority
<b>LLA</b>	Local Lighting Authority
<b>LPA</b>	Local Planning Authority
<b>NCC</b>	Norfolk County Council
<b><i>NPPF</i></b>	<i>National Planning Policy Framework</i>
<b>RSA</b>	Road Safety Audit
<b><i>SSD</i></b>	<i>Safe, Sustainable Development</i>
<b>TRO</b>	Traffic Regulation Order

# Conditions



## 1 Conditions

Planning conditions enable many development proposals to proceed where it would otherwise have been necessary to refuse planning permission. Conditions are listed on the planning Decision Notice issued by the relevant LPA together with the reason for their use.

## 2 What do my conditions mean?

Highway related conditions cover a wide range of matters to support the delivery of appropriate development. Conditions are only requested and imposed where they are deemed necessary; relevant to planning and the development permitted; enforceable; precise and reasonable in all other respects (as defined in the *National Planning Policy Framework (NPPF)*).

In certain instances, where it is not possible to secure matters by condition, a Planning Obligation may be necessary to secure enhanced public transport provision etc. Planning Obligations are secured through Section 106 of The Town & Country Planning Act (1990). All contributions sought must accord with the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) relating directly to the site and the development. Planning Obligations typically relate to a requirement to fund or contribute to services.

As the development is brought forward, certain conditions will have been met and accordingly can be discharged in full. Other conditions will either remain in perpetuity or are only capable of being discharged in part.

This guide looks at commonly used conditions and provides guidance outlining what each means and what is required in order to discharge the condition. The condition reference numbers are those used by NCC as LHA and may be different to those used by the LPA. In some instances a non-standard condition may be necessary to ensure that a bespoke issue can be addressed through the planning process. Conditions of development are often accompanied by Informative Notes. These aim to offer guidance as to how the condition can be discharged.

In order to discharge planning conditions an application needs to be made to the LPA stating how the requirements have been met. In most cases where the approval is straightforward the LHA will respond to requests to discharge conditions within 21 days. In all instances Developers are recommended to liaise with the LHA in advance of applying to discharge conditions.

Whilst we always seek to proactively resolve matters through considered liaison and negotiation with all interested parties, it should be noted that development in breach of planning conditions may be subject to appropriate enforcement.

### 3 Standard estate road conditions

These conditions are imposed to make sure road infrastructure is built to a proper standard to ensure safe and full use and the roads/footways are thereafter suitably maintained for that purpose.

Estate road conditions cover not just residential roads but can also cover industrial/commercial developments. Industrial estates generally don't serve a public function so whilst they need to be built to a high standard, the LHA does not normally adopt them.

*SHC 00 No dwelling shall be occupied until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act (1980) or a Private Management and Maintenance Company has been established.*

*Reason: To ensure safe, suitable and satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable standard.*

#### **What does it mean?**

This is a Department for Transport (DfT) sanctioned condition. It aims to protect future residents (or occupiers) of a development from having roads which are not subsequently maintained to an appropriate condition by a recognised and accountable body.

#### **How is it discharged?**

This condition is discharged either by entering into a legal agreement with the LHA (normally a Section 38 Road Adoption Agreement) where the LHA becomes responsible for the road by adopting it (Section 38 Agreements are covered in greater depth in Part 2, Section 3) or by a management company set up to look after roads and footways in perpetuity. If a management company is used evidence is required as to what form this will take including information on the proposed maintenance regime. Details of a temporary management company may also be required if a Section 38 Road Adoption Agreement has not been completed, but the road is intended for future adoption.

The following conditions *SHC 01, 02, 03A* and *03B* are always used in combination with each other.

*SHC 01 No works shall commence on the site until such time as detailed plans of the roads, footways, cycleways, street lighting, foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. All construction works shall be carried out in accordance with the approved plans.*

*Reason: This needs to be a pre-commencement condition to ensure fundamental elements of the development that cannot be retrospectively designed and built are planned for at the earliest possible stage in the development and therefore will not lead to expensive remedial action and adversely impact on the viability of the development.*

### **What does it mean?**

When a Planning Application is submitted, plans are generally indicative and do not include full construction details, cross sections and/or longitudinal sections etc. The purpose of this condition is to ensure that highway infrastructure is brought forward in an acceptable manner. Following planning approval, detailed drawings will be required by the LHA for approval to ensure the roads, footways and sewers are built to an appropriate standard where the LHA is in a position to adopt them. As soon as these drawings are received the LHA will consult with the Town/Parish Council regarding their requirements as Local Lighting Authority (LLA).

### **How is it discharged?**

Detailed construction drawings which should include longitudinal section drawings, cross section and layout plans of roads, footways and sewers need to be submitted to the LHA in accordance with approved specifications. Further advice can be found in the *Norfolk Street Design Guide* which will be available soon at [www.norfolk.gov.uk](http://www.norfolk.gov.uk). Technical approval is necessary as this piece of infrastructure is normally required at the outset of development.



*SHC 02 Prior to the construction/occupation of the final dwelling all works shall be carried out on roads/footways/cycleways/street lighting/foul and surface water sewers in accordance with the approved specification to the satisfaction of the Local Planning Authority.*

*Reason: To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway.*

### **What does it mean?**

Roads/footways need to be built in accordance with the drawings which were submitted and approved as detailed in Condition *SHC 01*. They need to be constructed prior to either the construction or the occupation (as specified within the condition) of the final dwelling/industrial unit. The condition ensures that roads are constructed to a suitable standard.

### **How is it discharged?**

In most instances when the roads/footways/cycleways/surface water sewers are built they are inspected by the LHA. Subject to their compliance with the approved drawings the LHA will recommend that the condition be discharged.

*SHC 03A Before any dwelling/industrial unit is first occupied the road(s)/footway(s)/cycleway(s) shall be constructed to binder course surfacing level from the dwelling/industrial unit to the adjoining County road in accordance with the details to be approved in writing by the Local Planning Authority.*

*Reason: To ensure satisfactory development of the site.*

### **What does it mean?**



Whilst development is being built, units will inevitably be occupied. Therefore the roads/footways need to be constructed to a suitable temporary standard to be used by residents which is normally the course below the surface course (binder course). The surface course is not laid until construction has finished but must be laid prior to Condition *SHC 02* being discharged.

On roads that do not have a binder course, such as when block paving is used, the block paving must be laid prior to condition *SHC 03A* being discharged. This condition ensures that the roads/footways are constructed to a standard which is suitable to serve residents in the short term.

### **How is it discharged?**

When the road/footways/cycleways are built, they are generally inspected by the LHA and if they have been constructed to this standard, the LHA will recommend that the condition be discharged.

*SHC 03B All footway(s) and cycleway(s) shall be fully surfaced in accordance with a phasing plan to be approved in writing prior to the commencement of development by the Local Planning Authority.*

*Reason: To ensure satisfactory development of the site.*

### **What does it mean?**

Many larger scale developments may take several years before the development is fully complete. Accordingly consideration is given to how the development is built out and when and how various phases are surfaced as some parts of the development may be surfaced as properties become occupied. This is to ensure that safe and convenient routes for pedestrians and cyclists are provided from occupied dwellings to the adjacent highway.

### **How is it discharged?**

In most instances the site is inspected by the LHA and once surfacing is in accordance with the approved phasing plan, the LHA can recommend that the condition be discharged.

*SHC 04 No works shall commence on site until an off-site surface water drainage system has been constructed to the specification and satisfaction of the Local Planning Authority from the site to the position indicated on the approved plan.*

*Reason: This needs to be a pre-commencement condition given the fundamental details linked to drainage which need to be planned for at the earliest stage in the development and cannot be retrospectively designed and built and to avoid expensive remedial action which adversely impacts on the viability of the development.*

### What does it mean?

To prevent roads and properties from flooding this condition is used primarily when drainage of a site includes third party land or off site land. It means that the drainage is put in prior to any construction.



### How is it discharged?

In most cases, the LHA will inspect the construction of the drainage system and provided it is built correctly, the condition can be discharged.

## 4 Access conditions

Every development requires access in some way. The following conditions allow for a number of different ways to access a site including the closure of an existing access when a new access is to be constructed or rationalised.

### New access (over verge/ditch/watercourse/footway)

*SHC 05 Prior to the first occupation/use of the development hereby permitted the vehicular/pedestrian/cyclist access/crossing over the verge/ditch/watercourse/footway shall be constructed in accordance with a detailed scheme to be agreed in writing with the Local Planning Authority in accordance with the highways specification (TRAD 1/2/3/4/5) and thereafter retained at the position shown on the approved plan. Arrangement shall be made for surface water drainage to be intercepted and disposal of separately so that it does not discharge from or onto the highway.*

*Reason: To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety.*

### What does it mean?

This condition aims to prevent loose unbound material from being carried onto the live carriageway by adhering to the tyres of exiting vehicles. Loose material represents a skidding hazard, particularly to cyclists and motorcycles and can also lead to stone chips to windscreens. The hard surfacing of the access (as required by the condition) will also provide suitable traction for breaking and accelerating of vehicles when entering the highway.

The LHA is responsible for the future maintenance of the public highway and therefore needs to ensure that materials are of a suitable standard to be used within the highway.

Watercourses and ditches adjacent to the public highway are presumed at common law to be the responsibility of the adjacent Landowner. However the LHA has a prescriptive right of drainage into these watercourses. Any vehicle access constructed over the watercourse needs to be designed and constructed so that it does not result in impediment to the free flow of surface water which could cause flooding to the highway.

### **How is it discharged?**

Works in the public highway can only be carried out in accordance with details agreed by the LHA. Prior to any works being carried out they should be discussed with and agreed by the LHA.

For access over a watercourse/ditch, the Applicant will also need to apply to either to the Internal Drainage Board (IDB) if the watercourse falls within an Internal Drainage District or the Flood and Water Management Team at NCC for the remainder of the County for permission to culvert the ditch. Further information is available at [www.norfolk.gov.uk](http://www.norfolk.gov.uk).

If an access has been constructed by NCC a certificate will be issued to the Developer which should be sent to the LPA which allows them to discharge the condition. Otherwise the LHA will inspect the access and, if the works are acceptable will recommend to the LPA that the condition be discharged.

### **Access - combined, configuration and gates/bollards**

*SHC 06 Prior to the first occupation/use of the development hereby permitted the accesses shall be grouped together in pairs.*

*Reason: In the interests of highway safety.*

### **What does it mean?**

This condition is required when details have been agreed as part of the planning application. Providing multiple points of access in close proximity to each other has the potential to cause conflicting traffic movements. This condition seeks to remove that source of conflict by rationalising the number of access points.

### **How is it discharged?**

When the access has been inspected by the LPA and found to be in accordance with the approved plans.

*SHC 07 Any access gates/bollard/chain/other means of obstruction shall be hung to open inwards, set back, and thereafter retained a minimum distance of 5 (domestic)/8 (agricultural) metres from the near channel edge of the adjacent carriageway. Any sidewalls/fences/hedges adjacent to the access shall be splayed at an angle of 45 degrees from each of the outside gateposts to the front boundary of the site.*

*Reason: In the interests of highway safety enabling vehicles to safely draw off the highway before the gates/obstruction is opened.*

### **What does it mean?**

The condition requires vehicular access gates (or other form of entry control) to be positioned at an agreed distance from the edge of the carriageway to minimise the impact on the highway. This allows vehicles to wait for the barrier to be removed without blocking the highway.

### **How is it discharged?**

The condition can only be partially discharged. The first part of the condition is discharged when the LPA has inspected the site and the barrier has been constructed correctly. The rest of the condition remains in perpetuity.

### **Existing access - closure**

*SHC 08 Vehicular/pedestrian/cyclist access to and egress from the adjoining highway shall be limited to the access(s) shown on Drawing No ..... only. Any other access or egress shall be permanently closed, and the footway/highway verge shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority concurrently with the bringing into use of the new access.*

*Reason: In the interests of highway safety.*

### **What does it mean?**

Applications which require an existing access/egress to be closed must ensure the verge/footway is re-instated to an appropriate standard. A drawing needs to be submitted to the LHA detailing what is proposed. The reinstatement should then be constructed to the agreed specification.

### **How is it discharged?**

If the works have been constructed by NCC a certificate will be issued which can be sent to the LPA which allows them to discharge the condition. In other circumstances the works will be inspected and checked that they have been undertaken by an accredited company.

### **Existing access - widened or improved**

*SHC 09 Prior to the commencement of the use hereby permitted the vehicular access indicated for improvement on Drawing No ..... shall be upgraded/widened to a minimum width of ..... metres and provided with kerb radii of ..... metres in accordance with the Norfolk County Council residential/industrial access construction specification for the first ..... metres as measured back from the near channel edge of the adjacent carriageway/constructed in accordance with the approved plan/details to be agreed in writing by the Local Planning Authority. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.*

*Reason: To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety and traffic movement.*

### **What does it mean?**

This condition aims to ensure that the existing access proposed to serve the development is of sufficient width and has appropriate radii to cater for the vehicles that will use it.

### **How is it discharged?**

The site is inspected by the LPA and if the access is constructed in accordance with the above condition then the first part can be discharged. The rest of the condition remains in perpetuity.

## **Access - gradient**

*SHC 10 The gradient of the vehicular access shall not exceed 1:12 (or other specified gradient) for the first 5 (or longer if in connection with a commercial development) metres into the site as measured from the near channel edge of the adjacent carriageway.*

*Reason: In the interests of the safety of persons using the access and users of the highway.*

### **What does it mean?**

This condition seeks to prevent vehicles from sliding into the highway in adverse weather conditions. A grit bin, which will require a commuted sum for maintenance, should be provided where gradients are less than 1:20.

Various factors are taken into account when considering the effects of the gradient and these are detailed in NCC's SSD document.

### **How is it discharged?**

The LPA discharges the condition once the site has been inspected.

## **Access gates - restriction**

*SHC 11 Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order (2015), (or any Order revoking, amending or re-enacting that Order) no gates/bollard/chain/other means of obstruction shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.*

*Reason: In the interests of highway safety.*

### **What does it mean?**

Certain development can take place without the need for planning permission (permitted development rights). In instances where it is considered a vehicle parked on the adjacent highway would cause an obstruction while waiting for gates (or similar) to be opened, this condition is imposed removing the rights to erect gates and other obstructions across the access without obtaining written permission from the LPA to do so in advance.

### **How is it discharged?**

This condition cannot be discharged.

### **Access - limited to specified road or prohibition**

*SHC 12 Means of access to and egress from the development hereby permitted shall be derived from and to (road name and number) only.*

*Reason: In the interests of highway safety and traffic movement.*

*SHC 13 There shall be no direct vehicular or pedestrian access from or onto (road name and number).*

*Reason: In the interests of highway safety and traffic movement.*

### **What do they mean?**

These conditions restrict traffic to the most appropriate route.

### **How are they discharged?**

These conditions can only be discharged if the Applicant can agree an acceptable alternative.

### **New access gates, doors - inward opening**

*SHC 14 No part of the proposed structure (to include fascia board/rainwater guttering) shall overhang or encroach upon highway land and no gate/door/ground floor window shall open outwards over the highway.*

*Reason: In the interests of highway safety.*

### **What does it mean?**

This condition prevents unauthorised obstruction of the highway and seeks to ensure pedestrians and/or other highway users are not put at danger.

### **How is it discharged?**

This condition cannot be discharged unless suitable revisions can be made.

### **Private access road - width**

*SHC 15 Notwithstanding the submitted details unless otherwise agreed in writing by the Local Planning Authority the proposed private drive shall be maintained in perpetuity at a minimum width of 4.2/4.5 metres for its complete length and shall be constructed perpendicular to the highway carriageway for a minimum length of 10 metres as measured from the near edge of the highway carriageway.*

*Reason: In the interests of highway safety and traffic movement.*

#### **What does it mean?**

This condition aims to ensure that the private access road proposed to serve the development is of sufficient width to cater for the vehicles that will use it to minimise the impact of stationary vehicles on the highway. It also needs to meet the highway carriageway at right angles to ensure exiting drivers have a clear view in each direction.

#### **How is it discharged?**

The site is inspected by the LPA and if the private access road is constructed in accordance with the above condition then it can be discharged in part. The rest of the condition remains in perpetuity.

### **5 Vertical clearance above the highway**

*SHC 16 A minimum vertical clearance of 1.98/3.1/5.2/6.75 metres shall be maintained at all times between the proposed structure and the level of the adjacent public highway.*

*Reason: In the interests of highway safety.*

(See G3.16 & G3.17 in NCC's SSD document to determine.)

#### **What does it mean?**

Adherence to height restrictions ensures that the public's right of free and safe passage is not impeded.

#### **How is it discharged?**

This condition cannot be discharged.

## 6 Access visibility

Probably the most important contribution to road safety is the provision of adequate visibility. New accesses and junctions, (or existing accesses and junctions subject to a material change in traffic or use) must be safe. Importance is placed not only on those using the access, but also on the safety of other road users.

Details of layout will vary according to the environment through which the highway passes e.g. whether the highway is a 'road' or a 'street'; the volume of traffic; and also the speed of traffic on the road from which the access is taken.

The visibility splay at a junction ensures there is adequate inter-visibility between vehicles on the major and minor arms. The following conditions deal with sight line requirements. Further guidance can be found in NCC's publication SSD aims and guidance document.

### Provision of visibility splays - dimensioned in condition or on approved plan

*SHC 17 Prior to the first occupation/use of the development hereby permitted*

- *visibility splays shall be provided in full accordance with the details indicated on the approved plan.*
- *visibility splays measuring ..... metres x ..... metres shall be provided to each side of the access where it meets the highway.*
- *a 2/2.4 metre wide parallel visibility splay (as measured back from the near edge of the adjacent highway carriageway) shall be provided across the whole of the site's roadside frontage (and additionally along the flank frontage of the adjacent property as outlined in blue on the submitted details).*

*The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 0.225/0.6/1.05 metres above the level of the adjacent highway carriageway.*

*Reason: In the interests of highway safety in accordance with the principles of the NPPF.*

### What does it mean?

This condition allows: -

- The visibility to be secured in perpetuity against an approved drawing; or
- When visibility is not detailed on a plan, but acceptable visibility is achievable utilising land either within the public highway or under the Applicant's direct control. The dimensions required are specified in the condition; or

- When on rare occasions it might be impossible to provide visibility splays that satisfy the safety requirements set out within guidance standards but at the same time the local context is such that a parallel visibility splay (even though offering restricted visibility) is sufficient. In these instances, at the discretion of the LHA, a 2/2.4m parallel visibility splay may be allowed in lieu of the minimum standard.

### **How is it discharged?**

Only the first part of this condition can be discharged as it allows for the delivery of the visibility. The second part cannot be discharged as it remains in perpetuity.

### **Access - one-way system**

*SHC 18 Before the development is brought into use, signs in compliance with the Traffic Signs Regulations and General Directions (2016) (or any Order/Act revoking, amending or re-enacting those Regulations) shall be provided and thereafter retained at the means of ingress and egress in accordance with a scheme to be submitted to and approved by the Local Planning Authority.*

*Reason: In the interests of highway safety and traffic movement.*

### **What does it mean?**

Adherence to a one-way system is sometimes required to ensure the safe movement of traffic through a development. The condition ensures that the correct signing is provided in order to ensure compliance with the one-way system.

### **How is it discharged?**

This condition cannot be discharged.

## **7 Driveways, garages and parking for cars and cycles**



Conditions need to be applied which ensure that a development allows for the safe parking, turning and manoeuvring of vehicles. The following conditions aim to ensure that sufficient space and facilities are provided and that vulnerable road users are not impeded.

### **Driveway length**

*SHC 19 The driveway length in front of the garage(s) shall be at least 6 metres as measured from the garage doors to the highway boundary.*

*Reason To ensure parked vehicles do not overhang the adjoining public highway, thereby adversely affecting highway users.*

#### **What does it mean?**

This condition ensures that sufficient space is available to ensure that a vehicle does not overhang the highway and force pedestrians to walk within the road.

#### **How is it discharged?**

The site is inspected by the LPA and if it is in accordance with the above condition then the first part can be discharged. The rest of the condition remains in perpetuity.

### **Garages - size and retention for vehicle parking**

*SHC 20 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order (2015), or any amendments thereto, garage accommodation on the site shall be provided with minimum internal dimensions measuring 3 metres x 7 metres.*

*Reason: To minimise the likelihood for on-street parking and thereby safeguard the interest of safety and convenience of road users.*

#### **What does it mean?**

This condition is only imposed when a garage is used to count towards the minimum number of parking spaces required under adopted standards. Garages will be counted as car parking spaces where they are large enough to function as a car parking space (allowing the driver to get in/out of the car). It is considered that the minimum internal dimensions of a garage should be 3m x 7m.

#### **How is it discharged?**

This condition is discharged by the LPA upon inspection of the site.

## **Provision of parking and servicing areas**

*SHC 21 Prior to the first occupation/use of the development hereby permitted the proposed access/on-site car and cycle parking/servicing/loading/unloading/turning/waiting area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.*

*Or... not shown on plan but achievable.*

*Space sufficient to the satisfaction of the Local Planning Authority shall be provided within the site to enable one/two/three car(s)/HGV/Light goods vehicle/delivery vehicle to park, turn and re-enter the highway in forward gear. This area shall be levelled, surfaced, drained and be retained thereafter available for that specific use.*

*Reason: To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety.*

### **What does it mean?**

It is important to make sure vehicles do not park on the highway in such a manner as to cause an obstruction. In addition, vehicles need to enter the highway in a safe manner. Reversing onto high speed roads is not considered safe and in such circumstances sites must be laid out so as to provide adequate space to easily turn round a vehicle.

The condition ensures that the parking (and turning) areas are provided in perpetuity (e.g. they are not subsequently incorporated within landscaping areas etc.).

### **How is it discharged?**

This condition can only be discharged in part, once the site has been built in accordance with either an approved plan or a plan which is submitted post planning consent. The site is inspected by the LPA and if it is in accordance with the approved plan, the first part can be discharged. The rest of the condition remains in perpetuity.

## Cycle parking - not shown on plan but achievable

*SHC 22 Prior to first occupation/use of the development hereby permitted a scheme for the parking of cycles shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.*

*Reason: To ensure the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport.*

### What does it mean?

This condition is used for development, where the LHA expects a certain level of cycle parking to be provided, for example in schools, large retail developments, office developments and car free developments. This condition requires a scheme to be submitted for cycle parking, including such things as the method of enclosure/the type and number of stands/location etc. The cycle parking is then built/implemented.

### How is it discharged?

Once the cycle parking has been constructed in accordance with the approved plan, the LPA inspects the cycle parking and if it is in accordance with the plan, the first part of the condition can be discharged. However the last part of the condition remains in perpetuity.

## 8 Construction traffic - parking and routing

Sometimes the construction of a development requires some control over where construction workers park their vehicles and how construction related traffic is routed to ensure that disruption to the highway is minimised. This information can either be provided separately or can form part of a Construction Traffic Management Plan.



### **Construction traffic (parking)**

*SHC 23 Development shall not commence until a scheme detailing provision for on-site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.*

*Reason: To ensure adequate off-street parking during construction in the interests of highway safety. This needs to be a pre-commencement condition as it deals with the construction period of the development.*

#### **What does it mean?**

In some cases construction workers need to have a dedicated parking area for their vehicles as this prevents them from inappropriate parking on the highway or in adjacent residential streets. The LHA requires a scheme detailing the location of the construction workers parking.

#### **How is it discharged?**

Once a scheme detailing the location of the parking has been submitted and approved, the LHA can recommend to the LPA that the first part of condition can be discharged. The second part of the condition remains in force until construction of the development is completed.

### **Construction traffic management and routing/exceptional wear and tear**

*SHC 24A Prior to the commencement of any works a Construction Traffic Management Plan and Access Route which shall incorporate adequate provision for addressing any abnormal wear and tear to the highway together with wheel cleaning facilities shall be submitted to and approved in writing by the Local Planning Authority together with proposals to control and manage construction traffic using the 'Construction Traffic Access Route' and to ensure no other local roads are used by construction traffic.*

*Reason: In the interests of maintaining highway efficiency and safety. This needs to be a pre-commencement condition as it deals with safeguards associated with the construction period of the development.*

### **What does this mean?**

This condition ensures that construction traffic, particularly HGVs, access the site via the most appropriate route and that any damage to that route is repaired by the Developer.

Section 59 of the Highways Act (1980) enables the LHA to recover its costs in making good extraordinary damage to the highway. This condition requires the Developer to enter into an agreement with the LHA in advance, stipulating how any abnormal wear and tear will be monitored and rectified. Reaching agreement in advance provides clarity to both parties of what is expected and helps avoid costly disputes at a later date.

In addition, this condition aims to ensure that on site safety is considered and that in some cases, segregation occurs between construction traffic and existing traffic (e.g. development at, or near to, schools). The Construction Traffic Management Plan and Access Route should also ensure that the most appropriate route to access the site is used.

The above condition must also be used to prevent extraneous material from being deposited on the highway. Wheel cleaning facilities are required either temporarily or permanently depending upon the nature of the development.

### **How is it discharged?**

The Construction Traffic Management Plan and Access Route should set out the most appropriate route for construction traffic to access the site and show the signs both positive and negative in wording that will be used to keep traffic on the selected route and away from roads that must not be used.

Once the LHA has approved the information supplied, and any necessary Section 59 Agreement has been completed, the LHA recommends to the LPA that the condition be discharged.

*SHC 24B For the duration of the construction period all traffic associated with (the construction of) the development will comply with the Construction Traffic Management Plan and use only the 'Construction Traffic Access Route' and no other local roads unless approved in writing with the Local Planning Authority.*

*Reason: In the interests of maintaining highway efficiency and safety.*

### What does it mean?

Part B of Condition 24 requires that the construction traffic will comply with the information submitted in Part A.

### How is it discharged?

Part B can only be discharged once construction has finished. The LPA can discharge the condition once the LHA has recommended its discharge.

## 9 Traffic routing



This condition is typically used for developments which will generate large volumes of HGVs when the development is in operation such as minerals and waste sites/anaerobic digester plants/large scale development. They are used where control is required to ensure that vehicles are routed on the appropriate road network when accessing/leaving the site in order to

minimise disruption to the highway. HGV routing may also be contained in the Construction Traffic Management Plan.

*SHC 25 Prior to any operations commencing on the site the Applicant shall submit to the Local Planning Authority a HGV Management Plan for the routing of HGVs to and from the site. The Plan shall thereafter be implemented as approved and make provision for: -*

- Monitoring of the approved arrangements during the life of the site.*
- Ensuring that all drivers of vehicles under the control of the Applicant are made aware of the approved arrangements.*
- The disciplinary steps that will be exercised in the event of a default.*
- Appropriate signage, details to be approved by the Local Highway Authority and erected advising drivers of the vehicle routes agreed with the Local Highway Authority.*
- Wheel cleaning facilities and their use/retention.*

*Reason: In the interests of maintaining highway efficiency and safety. This needs to be a pre-commencement condition as it deals with safeguards associated with the construction period of the development.*

### What does it mean?

This condition aims to ensure that vehicles accessing a development use the agreed route(s) to the site and that the Applicant promotes, monitors and takes reasonable steps to ensure that the route is adhered to and kept safe. An HGV Management Plan needs to be submitted to the LPA who then consults with the LHA.



### How is it discharged?

Once the HGV Management Plan has been approved, the LHA will recommend to the LPA that the condition can be discharged in part. The rest of the condition remains in perpetuity or for the life of the associated planning permission.

## 10 Ancillary occupation condition

An ancillary condition is used where there are site constraints in relation to access/parking which would render further separate development unacceptable in highway terms. However, as long as the additional accommodation is incidental to the main accommodation and cannot be used as a separate dwelling, the LHA would not have an objection.

*SHC 26 The living accommodation hereby approved shall be incidental to the use of the main dwelling and shall not be occupied at any time as a separate and un-associated unit of accommodation.*

*Reason: In the interests of highway safety.\**

(\*Need to specify individual issue.)

### What does it mean?

The creation of an annexe/ancillary accommodation does not generally create additional traffic movements as opportunities arise for linked trips and also mutual visitors to the site.

### How is it discharged?

This cannot be discharged and remains in perpetuity unless the constraints can be addressed.

## 11 Sources of illumination and non-illuminated advertisement signs

Lighting and illumination is often required particularly for commercial uses or for sports facilities etc. The level of lighting permitted depends on the area where the development is located. Rural areas have different lighting levels to urban areas.

*SHC 27 The level of illumination of the floodlighting/illuminated sign shall not at any time exceed ..... cd/m<sup>2</sup>. No part of the source of the illumination shall at any time be directly visible to users of the adjacent public highway.*

*Reason: In the interests of highway safety*

### What does it mean?

The level of illumination is dependent on where the development is located. The level of illumination is determined in order that drivers are not distracted.

### How is it discharged?

Whilst the requirements of the condition can be met, the condition itself cannot be discharged and remains with the development as long as illumination is provided.

*SHC 28 No external lighting shall be installed other than in accordance with the lighting plan as illustrated and described on the submitted plans/design and access statement and will not cause glare beyond the site boundaries.*

*Reason: In the interests of highway safety.*

### What does it mean?

This condition permits a certain level of illumination which is dependent on where the development is located as to not distract drivers.

### How is it discharged?

Whilst the requirements of the condition can be met, the condition itself cannot be discharged as it remains with the development as long as illumination is provided.

*SHC 29 The proposed sign shall be finished and thereafter retained in non-reflective materials.*

*Reason: To avoid undue distraction to motorists and to avoid possible resemblance to and confusion with bona-fide road signs.*

#### **What does it mean?**

The condition allows a sign to be erected but it should not cause glare or distraction to motorists. The sign must not resemble a bona-fide road sign.

#### **How is it discharged?**

Whilst the requirements of the condition can be met, the condition itself cannot be discharged as it will remain with the development as long as the sign is retained.

### **12 Protection of highway boundary**

In some instances the precise line of a new or altered boundary with the public highway may be unclear - e.g. where it passes through an area of public open space but it is desirable to delineate the bounds of responsibility.

*SHC 30 The proposed new highway boundary shall be marked out on site prior to commencement of construction/occupation of any part of the development fronting the highway.*

*Reason: To prevent structures being erected within the highway boundary.*

#### **What does it mean?**

The condition is designed to delineate the extent of the highway by using approved boundary marker posts. In most instances the condition will require the markers to be erected prior to occupation, however there may be very rare occasions when physical features on site will be demolished or removed as part of the construction phase. In these cases if features are used as datum points for delineating the boundary, then this condition will need to be prior to commencement to ensure the datum point is not lost.

#### **How is it discharged?**

On inspection of the site by the LHA, provided the boundary has been marked on the correct alignment and that no structure has been erected on the highway, the condition can be recommended for discharge by the LPA.

*SHC 31 The improvement line illustrated on the approved plan indicates the approximate extent of land to be safeguarded for future road improvements and all development on the Application Site including any boundary walls/fences shall be set back behind this line. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order (2015), (or any Order revoking or re-enacting that Order), no buildings or structures shall be erected between the said line and the public highway without the express permission of the Local Planning Authority.*

*Reason: To ensure that the development does not prejudice future road improvements.*

### **What does it mean?**

Where there is already a protected improvement scheme, this condition endeavours to protect the land which may be required for any future road improvements.

### **How is it discharged?**

This condition cannot be discharged until either (i) the highway improvement is built or (ii) the improvement scheme is rescinded by the LHA (i.e. the improvement is no-longer going to take place).

### **13 Stopping up (removal) of highway rights**

Occasionally development may be constructed on land forming part of the Public Highway. If this is the case then a legal order is required (known as a Stopping Up Order) to remove the highway rights of way over the land. Development cannot proceed until the Stopping Up Order is made.



*SHC 32 No works shall commence on site until such time as a Stopping Up Order to remove all highway rights subsisting in the highway land coloured ..... on the attached plan has been granted and all highway rights over the ..... land has been successfully removed.*

*Reason: To remove the highway rights of way over the land. In order to comply with statutory provisions this must take place prior to commencement.*

### **What does it mean?**

If there is an intention to build on any land forming part of the public highway, then any highway rights of way which exist over the surface of the land (regardless of who may own freehold title) need to be removed by means of a legal order.

The condition included in the planning consent seeks to safeguard the public use of the highway until the Stopping Up Order has been made by the Secretary of State. NOTE: - There is no guarantee an Order will be granted - in such circumstances where an Order is not made, any development on highway land cannot progress.

The Secretary of State cannot grant an Order in retrospect. If work takes place on the highway before an Order is granted, then an application may need to be made instead to the Magistrates' Court under different legislation. There will be a fee for retrospective applications made under Section 116 of the Highways Act (1980). The Magistrates can only grant an Order if it is proven that the area of highway is unnecessary for public use and not simply that the Developer requires the land to build upon. If the application relates to an unclassified highway, then the Parish Council has a right of veto, preventing an application from being made at the Magistrates' Court.

If an Order is **not** granted by the court (regardless of the reason), then irrespective of any planning consent, the Developer would have to remove any part of the unauthorised development which encroaches onto the highway and then reinstate the highway land at his/her own expense.

### **How is it discharged?**

Applications for stopping up highway land associated with new development are normally made to the DfT under the Town and Country Planning Act (1990) Section 247 for Roads and Byways Open to All Traffic (BOAT); and under Section 257 for Footpaths, Bridleways and Restricted Byways.

When the LPA receives confirmation from the DfT that the Stopping Up Order has been ratified, the condition can be discharged. For general background information please note the advice from the DfT below.

There are no costs in relation to a Stopping Up Order application under the Town and Country Planning Act (1990). We (DfT) would aim to process a Stopping Up Order application within 13 weeks. If there are a large number of objections this process may take a little longer.

The stopping up of the highway takes place only when the development takes place. The Order itself only gives the authority to stop up the highway. This authority to carry out the development and stop up the highway is given once the made Order is published. We do however, advise Developers that any work they carry out during the high court period is at their own risk should the Order be challenged.

#### **14 Highway improvements - off-site**

For some development, particularly large scale proposals, off-site mitigation works are often required. These are delivered in a variety of ways depending on the scale, cost and location of works. The conditions require the delivery of a scheme detailing the works to be undertaken; and the delivery of the works themselves. The scheme is usually delivered by a legal agreement between the Developer and the LHA.

Sometimes these conditions may be repeated throughout the decision notice at various trigger points when the mitigation package(s) are delivered in phases rather than before first occupation.

*SHC 33A Notwithstanding the details indicated on the submitted drawings no works above slab level shall commence on site unless otherwise agreed in writing until detailed drawings for the off-site highway improvement works as indicated on Drawing No(s) ..... has/have been submitted to and approved in writing by the Local Planning Authority.*

*Reason: To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor.*

*SHC 33B Prior to the first occupation/use of the development hereby permitted the off-site highway improvement works (including Public Rights of Way works) referred to in Part A of this condition shall be completed to the written satisfaction of the Local Planning Authority.*

*Reason: To ensure that the highway network is adequate to cater for the development proposed.*

### **What does it mean?**

In order to make a development acceptable in highway terms, off-site highway works are sometimes required, for example, pedestrian provision/ghost island right-hand turn lane/roundabout to deal with direct traffic impacts.

At the planning stage Developers often submit indicative plans to show their intentions, however detailed construction drawings of a scheme are required which will include a number of drawings as detailed below. Environmental considerations relating to the delivery of off-site works should also be considered.

There are two parts to this condition and each part requires different things. Part A relates to the detailed design of any off-site works that are required as part of the mitigation package of the development.

Part B relates to the delivery of the scheme. All permissions and agreements need to be in place prior to any construction can take place on the highway. These include Streetworks Permits which are obtained from the appropriate Streetworks Co-ordinator. The construction of the scheme usually needs to be completed prior to the first occupation or commencement of use depending on the development or as otherwise required for phased developments.

### **How is it discharged?**

In order for Part A to be discharged, a set of drawings need to be completed and approved by the LHA. Only the LHA can approve the drawings as they normally require works that affect the public highway. The drawings should comprise some or all of the following: -

- General arrangement plan (showing overall scheme layout).
- Kerbing.
- Pavement construction/surfacing.
- Drainage.
- Road markings.
- Street lighting (as necessary).
- Traffic signs (including Appendix 12/1).
- Site clearance.

- Landscaping.
- Traffic signals.
- Long sections/cross sections (pavement and drainage).
- Construction details (i.e. gullies, kerbing, street furniture etc.).
- Extents of Traffic Regulation Orders (TROs).
- Public Rights of Way.

Where the value of the scheme is more than £20,000, and involves Intelligent Transport Systems (traffic lights/vehicle activated signs etc.) the LHA will design the scheme at the Developer's expense. This also applies to schemes located on roads forming part of the Strategic Route Hierarchy where the highway works are considered complex by the LHA. Proposals on these routes will be determined on a case by case basis. In all other instances, the Developer (or their consultants) can design the scheme with final checking by the LHA funded by the Developer.

Part B is discharged once the scheme has been built and a Stage 3 Road Safety Audit (RSA) completed and any amendments undertaken. In order for the scheme to be constructed the appropriate legal agreement must be completed.

For works whose value is less than £20,000 a Small Highway Works Agreement is normally used. This is a pro-forma Section 278 Agreement and requires payment of a fee along with a deposit that is determined according to the estimated value of the works. The deposit is refunded on satisfactory completion of the work, including any matters arising from Stage 3 RSA.

For larger schemes of over £20,000 in value, or complex smaller schemes, a full Section 278 Agreement is required. This will require the LHA to engage its design staff to review and approve the highway design and solicitors to negotiate the Agreement.

To enable the LHA to work on behalf of the Developer and allow the design checking to progress, an Abortive Cost Agreement is required to be completed by both parties and for the Developer to provide an up-front fee deposit, as the LHA is only able to proceed with funds in hand. Alternatively, the LHA is able to provide a full design service, that would similarly require completion of an Abortive Cost Agreement and payment of an up-front fee deposit. The Developer is also expected to provide a solicitor's undertaking to pay the LHA's reasonable legal fees incurred to complete the Section 278 Agreement.

The completed Section 278 Agreement will need to be supported by a surety to protect the LHA from financial risk and will also require payment of an administration fee, along with a contribution towards maintenance of new infrastructure.

The Agreement will also require the Developer to pay the LHA's fees for inspecting the works, assessing any design changes and conducting RSAs etc.

Before any works can be started on the highway, permission must be sought from the Streetworks Co-ordinator. Whilst the scheme may be approved, it cannot be commenced until road space has been booked and Permits obtained from the Streetworks Co-ordinator.



## 15 Traffic Regulation Orders

Development in certain locations will only be acceptable if waiting/loading restrictions are imposed or the speed limit is changed. In order to do this, a legal order is required, known as a Traffic Regulation Order (TRO).

*SHC 34 No works shall commence on the site until the Traffic Regulation Order for ..... has been secured/promoted by the Local Highway Authority.*

*Reason: In the interests of highway safety. This needs to be a pre-commencement condition as the impact applies to traffic associated with both the constriction phase and also daily running of the site.*

### What does it mean?

Some schemes are highly dependent on the TRO, for example where a 30mph limit needs to be introduced to make a new access safe. In this instance the condition will read that the TRO needs to be 'secured'. In all other cases the TRO can be 'promoted' by the Developer before works can start on site. The LHA will then concurrently seek to 'secure' the TRO whilst the development is in progress.

Only the LHA has the necessary legal powers to promote/secure a TRO so the Developer must enter into a legal agreement with the LHA in advance. All costs will be reasonably born by the Developer.

## How is it discharged?

If the condition requires the TRO to be 'secured', it can only be discharged when the full legal process has been completed. If the legal process is not completed it is likely that the development cannot proceed under the extant planning permission. A Section 73 modification to the planning permission would have to be



sought by the Developer from the LPA with a scheme that does not need the TRO.

If the condition requires the TRO to be 'promoted', the condition will be considered discharged once the Developer has completed an Abortive

Cost Agreement with LHA for the TRO to be promoted and has made an up-front fee deposit. The CC will then complete the legal process to 'secure' the TRO. If the legal process fails to complete, the development can still progress if all planning stakeholders accept any risk that the intended highway works may not be delivered.

## 16 Travel Plans

Travel Plans form an integral part of large developments. They are a useful tool in delivering sustainable transport and trying to encourage modal shift from the private car to more sustainable modes. Travel Plans can be voluntary or where they are a key part in achieving lower trips, they are compulsory. Travel Plans are very rarely approved prior to permission being granted, as often the end user is not known.



Because each development is different, the Travel Plan condition below is only a guide and when used, care should be taken to insert the correct type of Travel Plan and what it is to be used for.

*SHC 35A Upon commencement of construction of the development hereby permitted an Interim Travel Plan shall be submitted to and approved by the Local Planning Authority.*

*Reason: To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment.*

*SHC 35B No part of the development hereby permitted shall be occupied prior to implementation of the Interim Travel Plan referred to in Part A of this condition. During the first year of occupation an approved Full Travel Plan based on the Interim Travel Plan referred to in Part A of this condition shall be submitted to and approved in writing by the Local Planning Authority. The approved Full Travel Plan shall be implemented in accordance with the timetable and targets contained therein and shall continue to be implemented as long as any part of the development is occupied subject to approved modifications agreed by the Local Planning Authority as part of the annual review.*

*Reason: To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment.*

### **What does it mean?**

This is a standard Travel Plan condition which is used for single developments such as a residential development or a single retail development. It is important that the Travel Plan is written before works commence on site as it needs to be agreed and in place prior to any commencement of use.



### **How is it discharged?**

The first part can be discharged once the Travel Plan has been submitted and approved by the LHA and a surety has been provided. Alternatively, the LHA may be able to deliver a Residential Travel Plan on behalf of the Developer; in this case a surety is not required and the first part of the condition can be discharged on receipt by the LHA of the agreed fee. The second part can never be discharged as the Travel Plan remains with the development for as long as it is occupied.

### **Travel Plans for schools**

All schools should have a Travel Plan. They are an integral part in promoting and delivering the health agenda and in ensuring that the philosophy of sustainable transport is delivered at an early age. The following condition is for school travel plans only.

*SHC 35C Within 6 months of the first occupation of the development hereby permitted a review of the existing school travel plan shall be submitted to and approved in writing by the County Planning Authority. The travel plan shall be implemented in accordance with the timetables and targets contained therein and shall continue to be implemented subject to any modifications agreed by the County Planning Authority in writing as part of an annual review. The travel plan reviews shall monitor pupil numbers and provide accordingly for the phased development of the future cycle parking.*

*Reason: To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment.*

#### **What does it mean?**

This is a standard Travel Plan condition used for all school developments which result in increased pupil role or staff levels on site. The condition aims to ensure that the existing travel plan is updated within 6 months of the development first being used to allow the Applicant time to monitor the updated transport choices/ patterns of pupils and staff and amend the travel plan accordingly.

#### **How is it discharged?**

The first part can be discharged once the Travel has been submitted and approved by the LHA. The second part cannot be discharged as the school are required to review its Travel Plan annually for as long as it is occupied.

#### **17 Requirement for traffic monitoring and additional Transport Assessments**

Large scale developments are often built out over a number of years. When the development is permitted, it is based on certain levels of predicted traffic. In order to monitor the levels of traffic being generated and to understand whether any additional mitigation is required (or in some cases if less mitigation is required) traffic monitoring is requested. This is normally produced in the form of an additional Transport Assessment. Hence the following two conditions are often used together.

Sometimes these conditions may be repeated throughout the Decision Notice at various trigger points.

*SHC 36 Prior to first occupation of the development hereby permitted a monitoring programme to assess the level of traffic generation at defined intervals of occupancy shall be submitted to and approved in writing by the Local Planning Authority. The monitoring programme shall be implemented as agreed unless the Local Planning Authority gives written approval to any variation.*

*Reason: To ensure that agreed traffic levels are not breached and thus the highway network is adequate to cater for the development proposed.*

### **What does it mean?**

Sometimes when a large development is approved, it may be based on a certain amount of traffic being permitted. Therefore monitoring is required to ensure that the agreed levels of traffic are not breached.



### **How is it discharged?**

The condition is discharged once the period of monitoring is completed and the results have been received and approved by the LPA in consultation with the LHA.

### **Requirement for an additional Transport Assessment**

*SHC 37 No further development shall take place until a Transport Assessment, based upon the traffic generation rates demonstrated by the monitoring programme approved pursuant to Condition SHC 36 above and including a package of mitigation measures, has been submitted to and approved in writing by the Local Planning Authority. The further development shall not take place until the mitigation measures are implemented as approved.*

*Reason: To ensure that the highway network is adequate to cater for the development proposed.*

### **What does it mean?**

With large scale developments that are anticipated to be developed out over a period of many years, it is not possible to accurately predict the level of traffic produced by the development or the mitigation that will be required. Therefore at various points throughout the build out, a new Transport Assessment is required to demonstrate what the levels of traffic are, how close they are to previously predicted traffic and whether any revised mitigation is required.

## How is it discharged?

The condition is discharged once the Transport Assessment has been submitted to the LPA and any revised mitigation measures have been approved by the LHA in consultation with the LPA.

## 18 Provision of bus service

Large scale developments are often required to deliver improved bus services. This may help a site become more sustainable. Bus services are better delivered by condition as it allows the Developer to secure the service.



*SHC 38 Upon commencement of the development, to procure for a period of ..... years from the first occupation/from opening of the development a bus service of ..... minute frequency between the development and ..... town centre between the hours of ..... - ..... Monday to Friday, ..... - ..... on Saturday and ..... - ..... on Sunday (or such other hours as the Local Planning Authority may from time to time approve). Such service is to be provided by a bus operator or operators with details of the service and operators to be approved in advance in writing by the Local Planning Authority.*

*Reason: To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment.*

## What does it mean?

Large scale developments are often asked to provide an appropriate level of bus service. This condition requires a certain level of service to be delivered. It is easier to condition this than ask for a financial contribution as it means that the Developer can approach a number of operators in order to secure the service.

## How is it discharged?

Details of the operator/service will need to be provided. The condition is discharged once the agreed period of service has been completed.

## 19 Development caps for outline permissions

Where development is located on constrained highway network it may be necessary to limit the traffic impact of a development by restricting land uses.

*SHC 39 The development shall be limited to ..... dwellings/the following gross floor areas within the Use Class categories defined by the Schedule to the Town and Country Planning (Use Classes) Order, 1987 (as amended), (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). Use: Class B1 - ..... sq. metres; Class B2 - ..... sq. metres; Class B8 - ..... sq. metres.*

*Reason: To ensure that the highway network is adequate to cater for the development proposed.*

### **What does it mean?**

This condition seeks to limit the scale/impact of development on constrained highway networks to ensure the highway is not unduly compromised.

### **How is it discharged?**

The condition will usually remain in perpetuity.