

# CROSSRAIL ACT 2008

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## EXPLANATORY NOTES

### COMMENTARY ON SCHEDULES

#### *Schedule 7 – Planning Conditions*

##### **Part 4 – Supplementary**

217. *Paragraph 25* provides that the local planning authority is not required to entertain a request for detailed planning permission unless the nominated undertaker has first submitted to that authority a programme of the permissions it intends to seek from the authority in question, and an explanation of how the matters dealt with in the permission sought fit into the wider Crossrail scheme.
218. *Paragraph 26* sets out a process for local planning authorities, where they consider a request for detailed planning permission relates to matters which may affect nature conservation, the conservation of the natural beauty or amenity of the countryside, or a site of archaeological or historic interest, to seek the views of Natural England or the Historic Buildings and Monuments Commission for England (commonly known as English Heritage), as appropriate. Those bodies are to have 21 days to comment on any such request.
219. *Paragraph 27* sets out a similar consultation provision in respect of the Environment Agency.
220. *Paragraphs 28 and 29* set out a mechanism for the Secretary of State for Transport, and the Secretary of State for Communities and Local Government, acting jointly, to issue directions either restricting a local planning authority's powers under the Schedule, or to "call-in" a particular request for approval under the Schedule.
221. *Paragraphs 30-35* set out a mechanism for the nominated undertaker to appeal decisions by local planning authorities under the Schedule to the Secretary of State for Transport, and the Secretary of State for Communities and Local Government, acting jointly.
222. *Paragraph 36* empowers the Secretary of State, by order subject to negative resolution, to amend Schedule 7 to allow the Olympic Delivery Authority to become a "qualifying authority" in connection with Crossrail. A qualifying authority is a local planning authority which has given the Secretary of State undertakings concerning the handling of planning applications for Crossrail.