

# SCHEDULES

## SCHEDULE 7

### PLANNING CONDITIONS

#### PART 2

##### DEVELOPMENT IN THE AREA OF A UNITARY AUTHORITY

###### *Conditions: qualifying authority*

- 8 (1) To the extent that development consists of—
- (a) the disposal of waste or spoil, or
  - (b) the excavation of bulk materials from borrow pits,
- it shall not be begun unless the local planning authority has, at the request of the nominated undertaker, approved a scheme for the restoration of the land on which the development is to be carried out.
- (2) The only ground on which the local planning authority may refuse to approve, or impose conditions on the approval of, a scheme for the purposes of this paragraph is that the scheme ought to be modified, and is reasonably capable of being modified.
- (3) The nominated undertaker shall carry out a scheme approved for the purposes of this paragraph once it has completed its use of the land to which the scheme relates for the purpose of carrying out development of a kind to which sub-paragraph (1) applies.
- (4) In sub-paragraph (1), the reference to restoration includes a reference to restoration in the longer term; and, accordingly, a scheme for the restoration of land may include provision about aftercare.