

Appendix 4

Use and Enforcement of Conditions – Suggested Principles

In response to the comments of the July Task and Finish Group meeting, the Principles have been amended for the purpose of clarity and reordered to reflect a sequence of events.

Principle 1

Keep the number of conditions imposed to the minimum necessary to ensure good quality sustainable development.

- Use standard conditions for consistency and supporting enforceability
- Amend conditions to make them appropriate to the proposal
- Rationalise conditions that relate to similar matters
- Don't impose a condition that duplicates stated 'materials of construction' and 'landscaping' detail in the application submission.
- Avoid conflicting conditions

Principle 2

Discuss matters to be covered by a condition with the applicant/agent so that they are familiar with all the conditions that are being proposed

Principle 3

Use of prescriptive conditions to set out what would make the detail of a scheme acceptable

- state what would constitute an acceptable detail/method; and
- use of standard conditions that refer to acceptable design approaches where appropriate.

Principle 4

Planning enforcement to be included in discussion of phasing conditions on Major applications

Principle 5

Conditions requiring the submission of details should take account of development phasing and construction sequencing

Principle 6

Conditions to be set out in the Decision Notice under headings; to group conditions by type;

- to make it clear which conditions relate to which phase of the development, those which relate to the development as a whole, those requiring further details to be approved by the LPA and conditions which require continuing compliance

Principle 7

Wherever practical, a condition will be used to secure a requirement in preference to a planning obligation to save time and cost.

Principle 8

Conditions will be monitored in relation to:

- Major development sites; and
- Sites attracting an enforcement complaint.

Principle 9

The Conditions Monitoring module, in the Uniform database system, to be used by Planning Enforcement to monitor conditions; and conditions discharged to be updated by Development Management in the related DM record;

- DOC decisions to be uploaded to the planning permission to which it relates to complete the site history

Principle 10

Planning enforcement to keep third parties, neighbourhood planning groups, the ward Member and Parish Councils informed of the ongoing monitoring of conditions in relation to its monitoring of Majors and complaints relating to conditions.