Worcestershire County Council's (WCC's) Response to Inspector's withoutprejudice observations on WCC's Response to Inspector's previous queries about suggested planning conditions

2024.11.13

1. Question 2 Condition 4 – appeal decisions do not include 'informatives'.

Yes noted, the extract from County Highways is relating to an email exchange at the planning application stage. The purpose of this extract was to demonstrate that Officers had queried with County Highways whether they were content with the drawing titled: 'Proposed Site Access Preliminary Design Layout', given that it refers to "Preliminary Design". It was not the intention of the Council to recommend the imposition of an informative relating to a Section 278 Agreement, require maintenance of paths in perpetuity or for the duration of the development ?

The Council consider that as the permission would run with the land, the way the condition is worded in its current format, is that it would require the maintenance of the paths in perpetuity, as the condition refers to the paths being *"provided and maintained in accordance with the approved details, and shall remain in situ and available for public use".*

3. Question 8 Condition 21 -