

apparently unfettered statutory discretion to impose conditions on planning permissions. However, the House of Lords has narrowed that discretion considerably, holding that the power must be construed as limited to matters relevant to planning policy: *Fawcett v Buckinghamshire CC* [1961] 1 AC 636. Further, in *Pyx Granite v MHLG* [1958] 1 QB 554, Lord Denning held:

“Although the planning authorities are given very wide powers to impose “such conditions as they think fit,” nevertheless the law says that those conditions, to be valid, must fairly and reasonably relate to the permitted development. The planning authority are not at liberty to use their powers for an ulterior object, however desirable that object may seem to them to be in the public interest.”

Therefore, the three interlocking elements of “soul”: construing the Act; exercising the discretion to further its purpose; and excluding from consideration matters irrelevant to that purpose, are not only understood but applied in planning on a daily basis.