

SCHEDULE 2

Conditions

PART 1

General

Operator and exclusions

1. Development may only be carried out by or on behalf of the Scottish Ministers [^{F1}or a border department].

Textual Amendments

F1 Words in [sch. 2 para. 1](#) inserted (1.10.2021) by [The the Town and Country Planning \(Cairnryan Border Control Posts\) \(EU Exit\) \(Scotland\) Special Development Amendment Order 2021 \(S.S.I. 2021/293\)](#), arts. 1, [5\(a\)](#)

Commencement Information

I1 [Sch. 2 para. 1](#) in force at 25.3.2021, see [art. 1\(1\)](#)

2. A building on the site may only be removed if the Scottish Ministers have agreed to its removal in writing.

Commencement Information

I2 [Sch. 2 para. 2](#) in force at 25.3.2021, see [art. 1\(1\)](#)

3. The site must not be used for the storage of fuel or for refuelling, other than as ancillary to the use of the site pursuant to article 3(1).

Commencement Information

I3 [Sch. 2 para. 3](#) in force at 25.3.2021, see [art. 1\(1\)](#)

4. The site must not be used for the stationing of vehicles carrying—

- (a) Category I/II nuclear material as defined in regulation 3 of the Nuclear Industries Security Regulations 2003 ^{M1}, or
- (b) High Consequence Dangerous Goods as defined in section 1.10.3.1 of Annex A to the edition of the European Agreement concerning the International Carriage of Dangerous Goods by Road published in 2019 ^{M2}.

Commencement Information

I4 [Sch. 2 para. 4](#) in force at 25.3.2021, see [art. 1\(1\)](#)

Marginal Citations

M1 [S.I. 2003/403](#) as relevantly amended by [S.I. 2016/795](#).

Changes to legislation: There are currently no known outstanding effects for the *The Town and Country Planning (Cairnryan Border Control Posts) (EU Exit) (Scotland) Special Development Order 2021, PART 1*. (See end of Document for details)

M2 Copies can be obtained at <http://www.unece.org/trans/danger/publi/adr/adr2019/19contentse.html>

Development (construction, operation and reinstatement phases)

5. Any artificial lighting must be arranged so the main beam angle of each installation is directed downward and away from the closest boundary so as to minimise light spill.

Commencement Information

I5 Sch. 2 para. 5 in force at 25.3.2021, see art. 1(1)

6. Any fire hydrants and emergency water supplies must be kept in good repair and any defects must be repaired as soon as practicable.

Commencement Information

I6 Sch. 2 para. 6 in force at 25.3.2021, see art. 1(1)

7. Any surface water and foul water drainage system must be kept in good repair.

Commencement Information

I7 Sch. 2 para. 7 in force at 25.3.2021, see art. 1(1)

8. Temporary structures collecting sewage that are not attached to mains sewers must be emptied regularly.

Commencement Information

I8 Sch. 2 para. 8 in force at 25.3.2021, see art. 1(1)

9. Development must not adversely affect any ancient woodland contained in the Ancient Woodland Inventory.

Commencement Information

I9 Sch. 2 para. 9 in force at 25.3.2021, see art. 1(1)

10. There must be no net increase in the rate or volume of surface water discharge from the site.

Commencement Information

I10 Sch. 2 para. 10 in force at 25.3.2021, see art. 1(1)

11. Surface water discharged from the site must not adversely affect the quality of receiving water bodies.

Commencement Information

I11 [Sch. 2 para. 11](#) in force at 25.3.2021, see [art. 1\(1\)](#)

12. Subject to condition 13, the height of any building (other than an existing building) must not exceed 15 metres.

Commencement Information

I12 [Sch. 2 para. 12](#) in force at 25.3.2021, see [art. 1\(1\)](#)

13. The height of any gate, fence, wall or other means of enclosure erected or constructed, other than noise attenuation measures, must not exceed 4.5 metres.

Commencement Information

I13 [Sch. 2 para. 13](#) in force at 25.3.2021, see [art. 1\(1\)](#)

14. No building other than plant, machinery, gates, fences, walls or other means of enclosure, or noise attenuation measures, may be erected or extended within 25 metres of the boundary of the curtilage of any residential dwelling.

Commencement Information

I14 [Sch. 2 para. 14](#) in force at 25.3.2021, see [art. 1\(1\)](#)

15. Where there is a risk of groundwater contamination, hard surfacing must not be made or porous materials.

Commencement Information

I15 [Sch. 2 para. 15](#) in force at 25.3.2021, see [art. 1\(1\)](#)

16. Where a condition in Parts 2 to 5 of this schedule requires the publication of any document, reasonable steps must be taken to ensure the document is available to persons likely to have an interest in the matters to which the document relates.

Commencement Information

I16 [Sch. 2 para. 16](#) in force at 25.3.2021, see [art. 1\(1\)](#)

Stationing of vehicles

17. The stationing of vehicles is only permitted on hard surfacing.

Commencement Information

I17 [Sch. 2 para. 17](#) in force at 25.3.2021, see [art. 1\(1\)](#)

Changes to legislation: There are currently no known outstanding effects for the The Town and Country Planning (Cairnryan Border Control Posts) (EU Exit) (Scotland) Special Development Order 2021, PART 1. (See end of Document for details)

18. When stationed, a vehicle must not have its engine idling without the express authority of the site operator.

Commencement Information

I18 Sch. 2 para. 18 in force at 25.3.2021, see [art. 1\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Town and Country Planning (Cairnryan Border Control Posts) (EU Exit) (Scotland) Special Development Order 2021, PART 1.