

## SCHEDULE 2

### PART 30

#### TOLL ROAD FACILITIES

##### *Class A*

##### **A.2 Conditions**

**A.2** In the case of any article 1(5) land, development is permitted by Class A subject to the following conditions—

- (a) the developer shall, before beginning the development, apply to the local planning authority for a determination as to whether the prior approval of the authority will be required to the siting, design and external appearance of the facilities for the collection of tolls;
  - (b) the application shall be accompanied by a written description, together with plans and elevations, of the proposed development and any fee required to be paid;
  - (c) the development shall not be begun before the occurrence of one of the following—
    - (i) the receipt by the applicant from the local planning authority of a written notice of their determination that such prior approval is not required;
    - (ii) where the local planning authority give the applicant notice within 28 days following the date of receiving his application of their determination that such prior approval is required, the giving of such approval; or
    - (iii) the expiry of 28 days following the date on which the application was received by the local planning authority without the local planning authority making any determination as to whether such approval is required or notifying the applicant of their determination;
  - (d) the development shall, except to the extent that the local planning authority otherwise agree in writing, be carried out—
    - (i) where prior approval is required, in accordance with the details approved;
    - (ii) where prior approval is not required, in accordance with the details submitted with the application;
- and
- (e) the development shall be carried out—
    - (i) where approval has been given by the local planning authority, within a period of five years from the date on which the approval was given;
    - (ii) in any other case, within a period of five years from the date on which the local planning authority were given the information referred to in sub-paragraph (b).