
STATUTORY INSTRUMENTS

2019 No. 1230

**The Town and Country Planning (Waterbrook
Ashford) (EU Exit) Special Development Order 2019**

Conditions

- 5.—(1) Development permitted by article 3 is subject to the following conditions—
- (a) subject to paragraph (2), no more than 950 goods vehicles to be stationed on parking areas A and B at any time;
 - (b) any hard standing on the land to be used for the stationing of goods vehicles must be kept in good repair;
 - (c) the surface water and foul water drainage system must be kept in good repair;
 - (d) when stationed each goods vehicle must not have its engine idling;
 - (e) fire hydrants and emergency water supplies must be kept in good repair and any defects must be repaired as soon as practicable;
 - (f) any artificial lighting must not exceed 6 metres in height and 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;
 - (g) any temporary structure (excluding artificial lighting) must not exceed 4.5 metres in height;
 - (h) temporary structures collecting sewage that are not attached to mains sewers must be emptied regularly;
 - (i) a copy of the OMP must be kept on the land at all times and operations on the land must be managed in accordance with the OMP; and
 - (j) building works on the land must comply with the policies and procedures in the CMP.
- (2) Where the site operator intends to station goods vehicles on parts of the land other than parking areas A and B the approval in writing of the Secretary of State must be obtained.
- (3) Development permitted by article 3(1)(a) is subject to the condition that, in relation to each calendar month the land is in use, the site operator must send a monitoring report to the Secretary of State, the local highways authority and Highways England, no later than 7 working days after the end of that month, setting out the findings from the monitoring programme.
- (4) Where a monitoring report under paragraph (3) indicates an adverse impact on the immediate road network from goods vehicles using the land, the site operator must—
- (a) include in the report measures which the site operator considers would mitigate the effects of the impact and the period within which the measures could be implemented; and
 - (b) where the Secretary of State notifies the site operator that the proposed measures are approved, implement the measures within that period.
- (5) Development permitted by article 3(1)(a) may not take place until the following conditions are satisfied—

- (a) the site operator reports to the Secretary of State that the roadworks to junction 10A of the M20 are sufficiently advanced and the Secretary of State agrees in writing;
 - (b) the development permitted by article 3(1)(c) is completed;
 - (c) the OMP is approved in writing by the Secretary of State.
- (6) Development permitted by article 3(1)(c) may not take place until the height, design and material specifications of the acoustic fencing are approved in writing by the Secretary of State;
- (7) Development permitted by article 3(1)(c), (e) or (f) may not take place until the CMP is approved in writing by the Secretary of State.
- (8) As soon as reasonably practicable after the land is no longer needed for the stationing and processing of vehicles, and in any event no later than 31st March 2021, all temporary structures, plant or machinery brought on to the land on or after the commencement date pursuant to the planning permission granted under this Order must be removed, except for any structures, works, plant or machinery which the Secretary of State in writing agrees may remain.