STATUTORY INSTRUMENTS

2015 No. 1635

TOWN AND COUNTRY PLANNING, ENGLAND

The Town and Country Planning (Operation Stack) Special Development Order 2015

Made - - - -	*28th August 2015*
Laid before Parliament	*1st September 2015*
Coming into force - -	*2nd September 2015*

The Secretary of State, in exercise of the powers conferred by sections 59 and 60 of the Town and Country Planning Act 1990(**1**), makes the following Order:

Citation, commencement and application

1.—(1) This Order may be cited as the Town and Country Planning (Operation Stack) Special Development Order 2015 and comes into force on 2nd September 2015.

(2) This Order applies to land comprising the freight holding area at Manston Airport, Manston Road, Manston in Kent.

Interpretation

2. For the purposes of this Order—

"freight holding area" means the area which is part of Manston Airport shown on the Map bounded externally by the outer edge of the bold black line and references in this Order to "the land" are to be construed as references to that land;

"goods vehicle" has the meaning in section 192 of the Road Traffic Act 1988 (general interpretation)(**2**);

"Highways England" means Highways England Company Limited, a company limited by shares and incorporated in England and Wales under company number 9346363;

"the Map" means the map marked "Map referred to in the Town and Country Planning (Operation Stack) Special Development Order 2015" a copy of which, signed by a member of the Senior Civil Service in the Department for Communities and Local Government, is available for inspection at—

(**1**) 1990 c.8. Section 59 was amended by section 1 of, and Schedule 1 to, the Growth and Infrastructure Act 2013 (c. 27) and section 60 was amended by section 4(1) of the Growth and Infrastructure Act 2013.
(**2**) 1988 c.52.

(a) Planning Directorate, Department for Communities and Local Government, 2 Marsham Street, London, SW1P 4DF; and

(b) Thanet District Council, Cecil Street, Margate, Kent, CT9 1XZ; and

"Operation Stack" means the operation, administered by Kent Police and Highways England, for the purpose of relieving congestion on the M20 motorway.

Temporary planning permission

3.—(1) Subject to the following provisions of this Order, planning permission is granted for development consisting of—

(a) use of the land for the stationing of goods vehicles;

(b) the provision on the land of any temporary structures, works, plant or machinery in connection with that use including the provision of facilities for drivers of goods vehicles stationed on the land; and

(c) use of the air traffic control tower building on the land as a centre for control and co-ordination of activities on the land.

(2) The planning permission granted by paragraph (1) ceases on 1st June 2016 and accordingly immediately thereafter the land reverts to its previous lawful use.

Conditions and limitations

4.—(1) Development is not permitted by article 3 for—

(a) the use of the land for the stationing of goods vehicles otherwise than in relation to those vehicles directed to use the freight holding area under Operation Stack;

(b) the use of the land for the stationing of goods vehicles otherwise than on areas of hard standing;

(c) the use of the land for the refuelling or unloading of goods vehicles;

(d) the provision on the land of any structure, works, plant or machinery otherwise than on areas of hard standing;

(e) the provision on the land of any structure, works, plant or machinery which exceeds 3 metres in height;

(f) the use of the air traffic control tower building otherwise than as a centre for control and co-ordination of activities on the land relating to Operation Stack; and

(g) the use of any building on the land (other than the air traffic control tower or any structure brought on to the land on or after 5th August 2015 for the purposes of Operation Stack).

(2) Development permitted by article 3 is subject to the following conditions—

(a) any hard standing must be kept in good repair and any defects in the hard standing which may allow surface water or other liquids to penetrate beneath the hard standing must be repaired, so the hard standing is impermeable, as soon as practicable;

(b) the surface water drainage system must be kept in good repair and any defects or blockages to that system must be repaired or removed as soon as practicable;

(c) the foul water drainage system must be kept in good repair and any defects or blockages to the foul water drainage systems must be repaired or removed as soon as practicable;

(d) a plan identifying the foul water sewers and surface water drainage system, including the location of access points to deploy emergency stop valves, must be kept on the land at all times; and