

**WORK IN PROGRESS DOCUMENT
SUBJECT TO ONGOING DISCUSSION
DRAFT CONDITIONS**

Conditions to be attached to Permission Y06/1648/SH (Runway Extension)

A. DEFINITIONS

The following definitions apply to the terms used in this planning permission

Aeroplane	means an aircraft with a fixed wing and which is powered by propellers or turbojet engine or turbofan engine
Airport	means London Ashford Airport of Lydd, Romney Marsh, Kent, TN29 9QL
Air Show	means any air show or organised flying display held at the Airport.
ATC	means the air traffic control function at the Airport
Bird Control Management Plan	means the Bird Control Management Plan, prepared by Airfield Wildlife Management Limited, dated December 2010 and contained within Appendix 2 to the Proof of Evidence of Nigel Deacon, reference LAA/6/C
Commenced or Commencement	means the commencement of any material operation (as defined in section 56(4) of the Town and Country Planning Act 1990 (as amended)) forming part of the Runway Extension which is not a Preparatory Operation;
Completion	means in relation to any development works forming part of the Runway Extension, the date of issue of a certificate of practical completion of those works
Draft Airfield Biodiversity Action Plan	means the draft Airfield Biodiversity Action Plan, prepared by Gutteridge Haskins Davy Ltd, December 2009 and contained within Appendix 3 of the Response to Shepway District Council's Letter dated 15 October 2009 submitted to the Local Planning Authority in December 2009 and as updated by Appendix 4 to LAA/9/C
Draft Construction Environmental Management Plan	means the construction environmental management plan prepared by Parsons Brinckerhoff and contained within Appendix 6 of Volume 6 to the supplementary information submitted to the Local Planning Authority in August 2008
Emergency and Governmental Activities	means: <ol style="list-style-type: none">1. activities to assist in the relief of any danger to the life or health of any person or animal including any emergency activities associated with the movement of organ transplants;2. activities (for both operational and training purposes) of the:<ol style="list-style-type: none">2.1 naval, military and air force aircraft of any country;2.2 customs authorities of any country;

- 2.3 police of any country;
 - 2.4 search and rescue of any country;
 - 2.5 fire fighting authorities of any country;
 - 2.6 coastguard of any country;
 - 2.7 immigration authorities of any country;
- or any other similar activities or services of any country;
- 3. the diversion of any aircraft from another airport to the Airport due to adverse weather conditions, technical problems, security alerts or onboard emergency or for any other emergency that the Airport may be informed of;
 - 4. activities carried out by or on behalf of Her Majesty's Government of the United Kingdom of Great Britain and Northern Ireland;
 - 5. activities involving any aircraft being constructed for the naval military or air force of any country; and
 - 6. activities involving any aircraft in respect of which there is in force a certificate issued by the Secretary of State for Transport that the aircraft is to be treated for the purposes of the Air Navigation Order 2009 (statutory instrument 2009/3015) as a naval, military or air force aircraft of any country

English Heritage means the body known as English Heritage being the Government's statutory adviser on the historic environment or any statutory successor or replacement body forming a similar function from time to time

Environment Agency means the body known as the Environment Agency established pursuant to the Environment Act 1995 or any statutory successor or replacement body forming a similar function from time to time

Flight Movements means the taking-off or landing of any Aeroplane and helicopter

Internal Drainage Board means the Romney Marsh Area Internal Drainage Board

LAA/9/C means the appendices to the Proof of Evidence of Dr Mark McLellan submitted in support of the application and given reference number LAA/9/C

Landscape Strategy means the landscape strategy prepared by Parsons Brinckerhoff and contained within Volume 4 to the supplementary information submitted to the Local Planning Authority in August 2008

Lighting Impact Assessment means the lighting impact assessment prepared by Parsons Brinckerhoff and contained within Volume 5 to the supplementary information submitted to the Local Planning

Authority in August 2008

Local Authority	means Shepway District Council or any successor body in either case acting as the administrative authority for the area in which the Airport is located
Local Planning Authority	means Shepway District Council or any successor body in either case acting as the local planning authority for the area in which the Airport is located
Natural England	means the body known as Natural England established pursuant to the Natural Environment & Rural Communities Act 2006 or any statutory successor or replacement body forming a similar function from time to time
Night Time Period	means between the hours of 23:00 and 07:00 hours local time
Occupation	means first occupation or use of the Terminal Building as a building to process passengers to enable them to board a Public Transport Aircraft but not including occupation by personnel engaged in construction, testing, fitting out, finishing or decoration, or occupation for marketing or display or occupation in relation to security operations
Operation	means the use of the Runway Extension by Aeroplanes departing from the Airport
Pond A	means the pond marked on drawing [REDACTED] as "Pond A"
ppa	means Public Transport Aircraft passengers per annum in any Calendar Year
Preparatory Operation	means an operation or item of work of or connected with or ancillary to archaeological investigations, exploratory boreholes, trial pits, surveys of existing structures, demolition, site clearance, excavation, site preparation, site reclamation, investigations for the purpose of assessing ground conditions, remedial work in respect of any contamination or other adverse ground conditions, preliminary landscaping, diversion decommissioning and/or laying of services, erection of any temporary means of enclosure, the temporary display of site notices or advertisements, erection of hoardings and scaffolding, the construction of temporary access(es) and service roads, and other works and site establishment preparatory to the commencement of construction including temporary and/or permanent extinguishment and closure of public rights affecting the Airport Site and operations permitted by the Town and Country Planning (General Permitted Development) Order 1995
Public Transport Aircraft	means: <ol style="list-style-type: none">1. an Aeroplane flying, or intended by the operator of the Aeroplane to fly, for the purpose of a commercial air transport flight (as defined in article 255(1) of the Air Navigation Order 2009 (statutory instrument 2009/3015); and2. an Aeroplane flying, or intended by the operator of the Aeroplane to fly, for the purpose of a public transport flight (as defined in article 255(1) of the Air Navigation Order 2009 (statutory instrument 2009/3015) <p>excluding Aeroplanes flying or intended to fly for the Air Show, Emergency and Governmental Activities, charity flights,</p>

parachuting, training and support activities

Runway Extension means the extension of the existing runway at the Airport by 294 metres at the northern end with a further 150 metres acting as a starter extension as more fully described in an application for planning permission submitted to Shepway District Council on 15 December 2006 and given reference number Y06/1648/SH

Runway Extension Updated Travel Plan means a revised travel plan document based on and consistent with the Travel Plan that identifies the sustainable transport methods the Airport will promote in reaching a throughput of 300,000ppa

SAC means the Dungeness Special Area of Conservation (Natura 2000 site code: UK 0013059)

SSSI means the Dungeness, Romney Marsh and Rye Bay Site of Special Scientific Interest (National Grid Reference TR069201)

Surface Water Drainage Strategy means the surface water drainage strategy prepared by WSP and contained within Appendix 5 of Volume 5 to the supplementary information submitted to the Local Planning Authority in March 2009

Travel Plan means the travel plan contained within Appendix 15 to Volume 8 of the Supplementary Environmental Information dated August 2008 submitted in support of planning applications Y06/1647/SH and Y06/1648/SH

B. GENERAL

1. Time Condition

The development hereby permitted shall be Commenced within five years from the date of this permission.

2. Approval of drawings and documents and carrying out of development

Unless minor variations are otherwise agreed in writing by the Local Planning Authority, the development hereby permitted shall be carried out in accordance with the following drawings and documents submitted:

Drawings

- 2.1 Drawing number FSB92590A/204 – Existing Runway, prepared by Parsons Brinckerhoff, December 2006;
- 2.2 Drawing number FSB92590A/205 – Site of Proposed Runway Extension, prepared by Parsons Brinckerhoff, December 2006;
- 2.3 Drawing number FSB92590A/206 – Existing Runway with Proposed Extension, prepared by Parsons Brinckerhoff, December 2006;
- 2.4 Drawing number FSB92590A/207 – Proposed Runway Extension General Arrangement, prepared by Parsons Brinckerhoff, December 2006; and
- 2.5 Drawing number FSB92590A/PL0018 Rev B – Site Plan, prepared by Parsons Brinckerhoff, December 2006.

Documents

- 2.6 Revised Outline Travel Plan, prepared by Steer Davies Gleave, August 2008;
- 2.7 Schedule of Mitigation Measures prepared by Indigo Planning, March 2010
- 2.8 Planning Control Measures, prepared by Indigo Planning, February 2010
- 2.9 Draft Construction Environmental Management Plan;
- 2.10 Draft Airfield Biodiversity Action Plan
- 2.11 Landscape Strategy
- 2.12 Lighting Impact Assessment
- 2.13 Surface Water Drainage Strategy
- 2.14 Bird Control Management Plan

together with the description of development contained in the application and any other plans, drawings, documents, details, schemes or strategies when approved by the Local Planning Authority pursuant to the conditions to this permission.

C. CONSTRUCTION

3. Construction Environmental Management Plan

Prior to the Commencement of development, a Construction Environmental Management Plan (**CEMP**) shall be submitted to and approved in writing by the Local Planning Authority (in consultation with Natural England).

The CEMP shall include the measures set out in the Draft Construction Environmental Management Plan submitted in support of the application and shall include the following details:-

- 3.1 monitoring of, and measures to control, the environmental impact of the development during the construction phase including control of contamination, water-resource protection and control of noise, vibration and dust emissions from plant and machinery and construction traffic (including wheel washing);
- 3.2 a dust-ecology inspection strategy for specific areas of ecological sensitivity (such areas to be agreed as part of the submission process for the CEMP) covering:-
 - 3.2.1 dust particle monitoring; and
 - 3.2.2 the implementation of an active alarm threshold for the dust particle monitoring
- 3.3 a habitat management plan to protect important flora and fauna habitats during the construction phase;
- 3.4 a Solid Waste Management Plan; and
- 3.5 construction method statements including details of how any soil and ground arising will be managed and re-distributed.

The development shall be carried out in accordance with the approved CEMP.

4. **Construction Health and Safety Management Plan**

Prior to the Commencement of development, a Construction Health and Safety Plan (**CHSP**) shall be submitted to and approved in writing by the Local Planning Authority. The CHSP shall include details of measures to protect the health and safety of construction workers, staff at and visitors to the site during the construction phase. The development shall be carried out in accordance with the approved CHSP.

5. **Geomorphology**

Prior to the Commencement of development, a scheme of geological monitoring and recording and a programme of archaeological work shall be submitted to and approved in writing by the Local Planning Authority (in consultation with English Heritage and Natural England). Such scheme and programme shall include the identity of the appointed contractor, the methodology for the geological monitoring and archaeological work, timetable and reporting requirements for such monitoring and work, including the completion of a geomorphological survey below the proposed Runway Extension footprint plus a 10m offset surrounding it, and a watching brief where any additional groundworks or permanent hardstands are required. The scheme and programme shall also include:-

- 5.1 a methodology setting out details of the survey to be completed in order to document the topography and sedimentology of the buried gravel and the overlying marsh sediments;
- 5.2 a methodology for dating and for laboratory analyses which are to be undertaken as part of documenting the nature of the overlying marsh sediments should Holocene marsh sediments of significance to the SSSI designation be found (such as datable peat beds and/or bracketing sands above and below the gravel);
- 5.3 details of how a site archive is to be delivered that will include all records, reports and photographs produced from the scheme of geological monitoring and recording and a programme of archaeological work; and
- 5.4 the format of the monitoring and recording.

The scheme of geological monitoring and recording and programme of archaeological work shall be carried out in accordance with the approved details.

6. **Foundations and below ground excavation**

Prior to the Commencement of development, details of foundations designs and any other proposals involving below ground excavation shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

7. **Hours of work**

The hours of construction shall be 07.30 to 18.00 Monday to Friday and 08.00 to 13.30 on Saturdays. Unless otherwise approved by the Local Authority under S.61 of the Control of Pollution Act 1974, there shall be no work outside these hours nor on Sundays and Public and Bank Holidays are to be treated as Sundays.

D. ENVIRONMENTAL MANAGEMENT

8. **Environmental Management System**

Prior to the Runway Extension coming into Operation, an Environmental Management System (**EMS**) shall be submitted to and approved in writing by the Local Planning Authority. This system shall include details of solid waste management and details of procedures to prevent spill and risk control measures to avoid any potential contaminants entering watercourses. The development shall be carried out in accordance with the approved EMS and an Environmental Management System Manager shall be assigned prior to the Runway Extension coming into Operation and shall manage, monitor and review the EMS and its operation in cooperation with the Local Planning Authority and relevant stakeholders.

9. **Surface water drainage**

Prior to Commencement of development a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, shall be submitted to and approved in writing by the Local Planning Authority (in consultation with the Environment Agency and the Internal Drainage Board). The scheme shall include details of how the scheme shall be maintained and managed after completion and how site drainage is operated during emergencies. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

10. **Ground water protection**

Prior to the Commencement of development, a ground water quality monitoring programme to be undertaken within the vicinity of the Runway Extension shall be submitted to and approved in writing by the Local Planning Authority. Any protective measures required to safeguard such groundwater quality shall be submitted to and approved in writing by the Local Planning Authority prior to Commencement of development. The development shall be carried out in accordance with the approved details.

11. **Control of discharges to water**

There shall be no discharge of contaminated drainage from the development site into either groundwater or any surface waters, whether direct or via soak ways.

12. **Control of the storage of chemical materials**

Prior to Commencement of development details of the facilities required for any storage of oils, fuels, or chemicals in connection with the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

E. ECOLOGY

13. **Great Crested Newt**

Prior to the Commencement of development:-

13.1 relative population estimate surveys of great crested newts shall be undertaken of the water bodies within the Airport boundary, including the area to be used as mitigation and the terrestrial habitat around drainage ditches to be lost/realigned pursuant to the development hereby approved. The methods recommended in *Great Crested Newt Mitigation Guidelines* (English Nature 2001) for the Great Crested Newt population size-class assessment shall be adopted as the minimum standards of survey.

13.2 the following details, which may be submitted as part of the wider Biodiversity Action Plan required pursuant to this planning permission, shall

be submitted to and approved in writing by the Local Planning Authority (in consultation with Natural England):-

- 13.2.1 full details of the location and construction of Great Crested Newt refugia (hibernacula) including size and construction material (as proposed in Appendix 3 to LAA/9/C);
- 13.2.2 full details of the mitigation water body proposed in the area labelled Habitat Creation Area on the plan contained in Appendix 2 to LAA/9/C, including design of the water body, proposed access route, proposed machinery type and proposed methods of avoiding disturbance to the nearby SSSI vegetation;
- 13.2.3 full details of exclusion methods and any amphibian fencing proposed;
- 13.2.4 the timing for carrying out all the details submitted pursuant to 13.2.1 to 13.2.3; and
- 13.2.5 a schedule of ongoing great crested newt monitoring of both new water bodies and of existing water bodies within the Airport boundary to assess the success of the proposed mitigation and to prevent water quality decline to existing newt breeding sites. The monitoring shall be carried out annually for the first three years following commencement of development and every five years thereafter with the results of such monitoring submitted to the Local Planning Authority. The monitoring should be designed in accordance with best practice methods.

The development shall be carried out in accordance with the approved details.

14. **Water Vole**

Prior to the Commencement of development:-

- 14.1 relative population estimate surveys of water voles shall be undertaken of the ditches to be lost/realigned pursuant to the development hereby approved, such surveys to be of the full ditch length not just the parts directly proposed to be under the Runway Extension footprint and reference is to be made to *The Water Vole Conservation Handbook 2nd Edition* (Strachan and Moorhouse).
- 14.2 the following details, which may be submitted as part of the wider Biodiversity Action Plan required pursuant to this planning permission, shall be submitted to and approved in writing by the Local Planning Authority (in consultation with Natural England):-
 - 14.2.1 full details of the proposed mitigation (as proposed in Appendix 3 to LAA/9/C) for water vole, such mitigation to be designed in accordance with best practice methods and include the methodology of any proposed translocation, capacity of the receptor site, a monitoring plan of both the receptor site and the new/realigned ditches proposed, any exclusion measures for the development site and a plan for the ongoing positive management for the new/realigned ditches proposed which integrates the habitat requirements of the various protected species; and
 - 14.2.2 a schedule of ongoing water vole monitoring of the new/realigned ditches and any translocation or other mitigation water body to assess the success of the proposed mitigation. The monitoring

shall be carried out annually for the first three years following commencement of development and every five years thereafter with the results of such monitoring submitted to the Local Planning Authority. The monitoring should be designed in accordance with best practice methods.

The mitigation and monitoring shall be carried out in accordance with the details approved pursuant to this condition.

15. **Reptiles**

Prior to the Commencement of development:-

- 15.1 relative population estimate surveys of widespread reptiles shall be undertaken of the development site, such survey effort should make reference to the Herpetofauna Groups of Britain and Ireland advisory note (1998) – *Evaluation local mitigation/translocation programmes: maintaining best practice and lawful standards.*
- 15.2 Phase I habitat surveys shall be undertaken of the development site, such survey effort should make reference to the Herpetofauna Groups of Britain and Ireland advisory note (1998) – *Evaluation local mitigation/translocation programmes: maintaining best practice and lawful standards.*
- 15.3 the following details, which may be submitted as part of the wider Biodiversity Action Plan required pursuant to this planning permission, shall be submitted to and approved in writing by the Local Planning Authority (in consultation with Natural England):-
 - 15.3.1 full details of the proposed mitigation (as proposed in Appendix 3 to LAA/9/C) for widespread reptiles, such mitigation to be designed in accordance with best practice methods and include the methodology of any proposed translocation, capacity of the receptor site, a monitoring plan of the receptor site, any exclusion measures for the development site and a plan for the ongoing positive management for the receptor site; and
 - 15.3.2 a schedule of ongoing reptile monitoring to assess the success of the proposed mitigation. The monitoring shall be carried out annually for the first three years following commencement of development and every five years thereafter with the results of such monitoring submitted to the Local Planning Authority. The monitoring should be designed in accordance with best practice methods.

The mitigation and monitoring shall be carried out in accordance with the details approved pursuant to this condition.

16. **Medicinal Leech**

Prior to the Commencement of development:-

- 16.1 relative population estimate surveys of medicinal leech shall be undertaken of the water bodies within the Airport boundary, including the area to be used as mitigation and the ditches to be lost/realigned pursuant to the development hereby approved, such surveys to be carried out following the methodology used in the environmental statement surveys submitted in support of the application and should include survey maps and include some night time torch searches.

- 16.2 the following details, which may be submitted as part of the wider Biodiversity Action Plan required pursuant to this planning permission, shall be submitted to and approved in writing by the Local Planning Authority (in consultation with Natural England):-
- 16.2.1 full details of the proposed mitigation (as proposed in Appendix 3 to LAA/9/C) for medicinal leech including a plan for the ongoing positive management for the water bodies within the Airport site; and
 - 16.2.2 a schedule of ongoing medicinal leech monitoring of both new water bodies and of existing water bodies within the Airport boundary (including a chemical analysis of Pond A) to assess the success of the proposed mitigation and to prevent water quality decline. The monitoring shall be carried out annually for the first three years following commencement of development and every five years thereafter with the results of such monitoring submitted to the Local Planning Authority. The monitoring should be designed in accordance with best practice methods.

The mitigation and monitoring shall be carried out in accordance with the details approved pursuant to this condition.

17. Invertebrates and their Ditch and Pond Habitats

- 17.1 Prior to the Commencement of development:-
- 17.1.1 aquatic habitat chemical analyses of the ditches and ponds within the Airport boundary shall be conducted to determine water pH, BOD (Biological oxygen demand), turbidity, and chemical analysis to determine nitrogen, potassium, phosphate, calcium, and other soluble element contents such as magnesium and sodium as part of a wide chemical spectrum analysis including particulate and dissolved organic matter.
 - 17.1.2 surveys of aquatic invertebrates to species level shall be conducted at ponds and along ditch sections of 100 metres within the Airport boundary to enable comparisons to be made with the invertebrate survey results submitted in support of the application and subsequent monitoring results, the number of replicated sections for each ditch and the methodology for such surveys to be agreed with the Local Planning Authority (in consultation with Natural England).
 - 17.1.3 surveys of the aquatic emergent and bank vegetation of the ponds and ditches within the Airport boundary shall be conducted with identification of higher plants, macrophytes and including stonewort algae to species level. The amounts and distribution of each plant species shall be assessed using the DAFOR system and % cover, estimate of constancy of occurrence, and density including height of plant growth.
- 17.2 Following Completion of the development:-
- 17.2.1 aquatic habitat chemical analyses of the retained ponds, ditch sections and new ditches within the Airport boundary shall be conducted for the same chemical and physical conditions and using the same methods as specified in condition 17.1.1. Such analyses shall be conducted annually for a period of five years following Completion of the development.

- 17.2.2 surveys of aquatic invertebrates to species level shall be conducted at ponds and along ditch sections of 100 metres within the Airport Boundary, the methodology of such surveys and the number of replicated sections to be the same as approved under condition 17.1.2. The surveys shall be conducted annually for a period of five years following Completion of the development and carried out at the same times of the year as the surveys carried out under condition 17.1.2 to enable valid comparisons of results between years to be made for the detection of changes in species assemblages.
- 17.2.3 surveys of the aquatic emergent and bank ditch vegetation of the ponds and ditches within the Airport Boundary shall be conducted with identification of higher plants, macrophytes and including stonewort algae to species level, the methodology of such surveys to be the same as under condition 17.1.3. The surveys shall be conducted annually for a period of five years following Completion of the development.
- 17.3 The surveys and analyses carried out pursuant to conditions 17.1 and 17.2 shall record any changes in habitat or other relevant conditions that could affect the invertebrate fauna of the ponds and ditches. These shall include water quality and pollution, exceptionally high turbidity, the recent occurrence of dredging and bank vegetation cutting, shading by woody vegetation, and excessive numbers of water birds or other wildlife including large fish, American Mink and other noteworthy fauna.
- 17.4 Samples of invertebrates that cannot be identified during the surveys and analyses carried out pursuant to conditions 17.1 and 17.2 shall be retained for laboratory identification and preserved for the duration of monitoring to be carried out pursuant to conditions 17.1 and 17.2.
- 17.5 All results from the surveys and analyses carried out pursuant to conditions 17.1 and 17.2 shall be retained in duplicate and annual reports prepared for submission to the Local Planning Authority and Natural England. The submission of such reports shall be with the intention of adding to the accumulating biodiversity and ecological condition data bank of the Airport part of the designated Dungeness sites and to the accumulating knowledge and ecological understanding of Dungeness which is needed for ongoing nature conservation at the Site.

The development shall be carried out in accordance with the approved details.

18. **Biodiversity Action Plan**

Prior to the Commencement of development, an Airfield Biodiversity Action Plan (**ABAP**) shall be submitted to and approved in writing by the Local Planning Authority (in consultation with Natural England). The ABAP, which shall be in accordance with the Draft Airfield Biodiversity Action Plan submitted to support the application, shall address the following:-

- 18.1 habitat management for vegetated shingle; and
- 18.2 supporting bird species which do not constitute birdstrike hazard; and
- 18.3 the mitigation measures for night flying moths, such measures to be in accordance with the proposals set out in the Lighting Impact Assessment submitted in support of the application.

The ABAP shall set out a timetable for implementation of these measures and may also include the mitigation details required by this permission in respect of great crested newts, water voles, reptiles and medicinal leech. The ABAP shall be monitored annually for the first three years following commencement of development and thereafter every five years with the results of such monitoring submitted to the Local Planning Authority. The monitoring should be designed in accordance with best practice methods.

The development shall be carried out in accordance with the approved ABAP.

19. **Bird Control Management Plan**

A bird control management plan (**BCMP**) including details of a bird hazard safeguarding system shall be submitted to the Local Planning Authority and the Runway Extension will not be brought into Operation until the BCMP has been approved by the Local Planning Authority (in consultation with Natural England and the Royal Society for the Protection of Birds). The BCMP, which shall be in accordance with the Bird Control Management Plan dated December 2010 submitted to support the application, shall contain details as to:-

- 19.1 the Airport's habitat management programme to minimise the attraction of the airfield and its environs for birds;
- 19.2 the continuous surveillance throughout operating hours of the airfield surface and the airspace overhead and immediately around the airfield for hazardous concentrations and movements of birds;
- 19.3 the active dispersal of birds from the airfield by mobile patrols;
- 19.4 how warnings will be passed to ATC from the bird control team of hazardous concentrations and movements of birds that cannot be immediately dispersed;
- 19.5 the bird scaring techniques that are to be employed from within the Airport; and
- 19.6 how the Airport will maintain operational standards and produce a sound and current background of knowledge on which to base and update bird control policy, including through intelligence gathering, record keeping, surveys of the local area, and data analysis.

The BCMP shall be monitored annually for the first three years following commencement of development and thereafter every five years with the results of such monitoring submitted to the Local Planning Authority. The monitoring should be designed in accordance with best practice methods.

The development shall be carried out in accordance with the approved details.

F. **OPERATIONAL MANAGEMENT**

20. **Calendar Year aircraft movements**

Following the Runway Extension coming into Operation, the annual number of Aeroplane movements shall not exceed 40,000 movements per annum in any Calendar Year (excluding Emergency and Governmental Activities and the Air Show). The annual number of helicopter movements shall be limited to 1,200 movements per annum in any Calendar Year (excluding Emergency and Governmental Activities and the Air Show).

21. **Calendar Year passenger numbers**

Following the Runway Extension coming into Operation and until the Terminal Building is in Occupation, passenger numbers using the Airport shall not exceed 300,000 ppa in any Calendar Year.

22. **Air Show**

There shall be no more than one Air Show in any Calendar Year.

23. **Aeroplane weight**

No aircraft exceeding 80 tonnes maximum take-off weight shall be permitted to land or take-off at the Airport.

24. **Night-Time Period**

Following the Runway Extension coming into Operation, no Flight Movements, except in relation to Emergency and Governmental Activities as defined, shall be permitted from the Airport between 23.00 and 07.00 hours.

25. **Hammonds Corner**

Following the Runway Extension coming into Operation and prior to reaching a throughput at the Airport of 30,000 ppa, details for improvement works to the highway at the junction of the B2075 and A259 (known as Hammonds Corner) shall be submitted to and approved in writing by the Local Planning Authority. The throughput of passengers at the Airport shall not exceed 30,000 ppa in any Calendar Year until the approved improvements works have been carried out.

26. **Lighting Scheme**

Prior to the Runway Extension coming into Operation, a lighting scheme for the car park areas and associated roads shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be in accordance with the Lighting Impact Assessment submitted in support of the application. The development shall be carried out in accordance with the approved details.

Conditions to be attached to Permission Y06/1647/SH (Terminal Building)

A. DEFINITIONS

The following definitions apply to the terms used in this planning permission

Aeroplane	means an aircraft with a fixed wing and which is powered by propellers or turbojet engine or turbofan engine
Airport	means London Ashford Airport of Lydd, Romney Marsh, Kent, TN29 9QL
Air Show	means any air show or organised flying display held at the Airport.
ATC	means the air traffic control function at the Airport
Calendar Year	means 12 months in any given year, commencing on 1 January and ending on 31 December
Commenced or Commencement	means the commencement of any material operation (as defined in section 56(4) of the Town and Country Planning Act 1990 (as amended)) forming part of the Terminal Building which is not a Preparatory Operation;
Completion	means in relation to any development works forming part of the Terminal Building, the date of issue of a certificate of practical completion of those works
Draft Construction Environmental Management Plan	means the construction environmental management plan prepared by Parsons Brinckerhoff and contained within Appendix 6 of Volume 6 to the supplementary information submitted to the Local Planning Authority in August 2008
Emergency and Governmental Activities	<p>means:</p> <ol style="list-style-type: none">1. activities to assist in the relief of any danger to the life or health of any person or animal including any emergency activities associated with the movement of organ transplants;2. activities (for both operational and training purposes) of the:<ol style="list-style-type: none">2.1 naval, military and air force aircraft of any country;2.2 customs authorities of any country;2.3 police of any country;2.4 search and rescue of any country;2.5 fire fighting authorities of any country;2.6 coastguard of any country;2.7 immigration authorities of any country;or any other similar activities or services of any country;3. the diversion of any aircraft from another airport to the Airport due to adverse weather conditions, technical problems, security alerts or onboard emergency or for any

other emergency that the Airport may be informed of;

4. activities carried out by or on behalf of Her Majesty's Government of the United Kingdom of Great Britain and Northern Ireland;
5. activities involving any aircraft being constructed for the naval military or air force of any country; and
6. activities involving any aircraft in respect of which there is in force a certificate issued by the Secretary of State for Transport that the aircraft is to be treated for the purposes of the Air Navigation Order 2009 (statutory instrument 2009/3015) as a naval, military or air force aircraft of any country

Flight Movements	means the taking-off or landing of any Aeroplane and helicopter
Landscape Strategy	means the landscape strategy prepared by Parsons Brinckerhoff and contained within Volume 4 to the supplementary information submitted to the Local Planning Authority in August 2008
Lighting Impact Assessment	means the lighting impact assessment prepared by Parsons Brinckerhoff and contained within Volume 5 to the supplementary information submitted to the Local Planning Authority in August 2008
Local Authority	means Shepway District Council or any successor body in either case acting as the administrative authority for the area in which the Airport is located
Local Planning Authority	means Shepway District Council or any successor body in either case acting as the local planning authority for the area in which the Airport is located
Night Time Period	means between the hours of 23:00 and 07:00 hours local time
Occupation	means first occupation or use of the Terminal Building as a building to process passengers to enable them to board a Public Transport Aircraft but not including occupation by personnel engaged in construction, testing, fitting out, finishing or decoration, or occupation for marketing or display or occupation in relation to security operations
Operation	means the use of the Runway Extension by Aeroplanes departing from the Airport
ppa	means Public Transport Aircraft passengers per annum in any Calendar Year
Preparatory Operation	means an operation or item of work of or connected with or ancillary to archaeological investigations, exploratory boreholes, trial pits, surveys of existing structures, demolition, site clearance, excavation, site preparation, site reclamation, investigations for the purpose of assessing ground conditions, remedial work in respect of any contamination or other adverse ground conditions, preliminary landscaping, diversion decommissioning and/or laying of services, erection of any temporary means of enclosure, the temporary display of site notices or advertisements, erection of hoardings and scaffolding, the construction of temporary access(es) and service roads, and other works and site establishment preparatory to the commencement of construction including

temporary and/or permanent extinguishment and closure of public rights affecting the Airport Site and operations permitted by the Town and Country Planning (General Permitted Development) Order 1995

Public Transport Aircraft

means:

1. an Aeroplane flying, or intended by the operator of the Aeroplane to fly, for the purpose of a commercial air transport flight (as defined in article 255(1) of the Air Navigation Order 2009 (statutory instrument 2009/3015); and
2. an Aeroplane flying, or intended by the operator of the Aeroplane to fly, for the purpose of a public transport flight (as defined in article 255(1) of the Air Navigation Order 2009 (statutory instrument 2009/3015)

excluding Aeroplanes flying or intended to fly for the Air Show, Emergency and Governmental Activities, charity flights, parachuting, training and support activities

Terminal Building

means the erection of a three storey terminal building on an existing area of hardstanding adjacent to bravo apron together with all other ancillary infrastructure and facilities as more fully described in an application for planning permission submitted to Shepway District Council on 15 December 2006 and given reference number Y06/1647/SH

Terminal Building Updated Travel Plan

means a revised travel plan document based on and consistent with the Travel Plan that identifies the sustainable transport methods the Airport will promote in reaching a throughput of 500,000ppa

Travel Plan

means the travel plan contained within Appendix 15 to Volume 8 of the Supplementary Environmental Information dated August 2008 submitted in support of planning applications Y06/1647/SH and Y06/1648/SH

B. GENERAL

1. Time Condition

The development hereby permitted shall be Commenced within ten years from the date of this permission.

2. Approval of drawings and documents and carrying out of development

Unless minor variations are otherwise agreed in writing by the Local Planning Authority, the development hereby permitted shall be carried out in accordance with the following drawings and documents submitted:

Drawings

- 2.1 Drawing number FSB92590A/001 Rev B – Location Plan, prepared by Parsons Brinckerhoff, December 2006;
- 2.2 Drawing number FSB92590A/002 Rev D – Proposed Site Plan, prepared by Parsons Brinckerhoff, August 2008;

- 2.3 Drawing number FSB92590A/003 Rev C – Proposed Site Plan, prepared by Parsons Brinckerhoff, August 2008;
- 2.4 Drawing number FSB92590A/004 Rev C – Proposed Ground Floor Plan, prepared by Parsons Brinckerhoff, August 2008;
- 2.5 Drawing number FSB92590A/005 Rev C – Proposed Part Ground Floor Plan, prepared by Parsons Brinckerhoff, August 2008;
- 2.6 Drawing number FSB92590A/006 Rev C – Proposed Part Ground Floor Plan, prepared by Parsons Brinckerhoff, August 2008;
- 2.7 Drawing number FSB92590A/007 Rev C – Proposed First Floor Plan, prepared by Parsons Brinckerhoff, August 2008;
- 2.8 Drawing number FSB92590A/008 Rev C – Proposed Part First Floor Plan, prepared by Parsons Brinckerhoff, August 2008;
- 2.9 Drawing number FSB92590A/009 Rev C – Proposed Part First Floor Plan, prepared by Parsons Brinckerhoff, August 2008;
- 2.10 Drawing number FSB92590A/010 Rev C – Proposed Part Plant Level Plan, prepared by Parsons Brinckerhoff, August 2008;
- 2.11 Drawing number FSB92590A/011 Rev C – Proposed Roof Level Plan, prepared by Parsons Brinckerhoff, August 2008;
- 2.12 Drawing number FSB92590A/012 Rev C – Existing Site Sections, prepared by Parsons Brinckerhoff, August 2008;
- 2.13 Drawing number FSB92590A/013 Rev C – Proposed Site Sections, prepared by Parsons Brinckerhoff, August 2008;
- 2.14 Drawing number FSB92590A/014 Rev C – Proposed Elevations, prepared by Parsons Brinckerhoff, August 2008;
- 2.15 Drawing number FSB92590A/015 Rev C – Proposed Elevations, prepared by Parsons Brinckerhoff, August 2008;
- 2.16 Drawing number FSB92590A/016 Rev C – Proposed Elevations, prepared by Parsons Brinckerhoff, August 2008;
- 2.17 Drawing number FSB92590A/017 Rev B – Site Location Plan, prepared by Parsons Brinckerhoff, December 2006; and
- 2.18 Drawing number FSB92590A/018 Rev B – Site Plan, prepared by Parsons Brinckerhoff, December 2006.

Documents

- 2.19 Revised Outline Travel Plan, prepared by Steer Davies Gleave, August 2008;
- 2.20 Schedule of Mitigation Measures, prepared by Indigo Planning, March 2009;
- 2.21 Planning Control Measures, prepared by Indigo Planning, February 2010;
- 2.22 Draft Construction Environmental Management Plan;

- 2.23 Landscape Strategy;
- 2.24 Lighting Impact Assessment;
- 2.25 Proposed Foul Water Sewerage Solutions, prepared by Parsons Brinckerhoff, March 2009

together with the description of development contained in the application and any other plans, drawings, documents, details, schemes or strategies when approved by the Local Planning Authority pursuant to the conditions to this permission.

C. CONSTRUCTION

3. External Materials

Prior to the Commencement of development, samples of the external finishing materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

4. Construction Environmental Management Plan

Prior to the Commencement of development, a Construction Environmental Management Plan (**CEMP**) shall be submitted to and approved in writing by the Local Planning Authority (in consultation with Natural England).

The CEMP shall include the measures set out in the Draft Construction Environmental Management Plan submitted in support of the application and shall include the following details:-

- 4.1 monitoring of, and measures to control, the environmental impact of the development during the construction phase including control of contamination, water-resource protection and control of noise, vibration and dust emissions from plant and machinery and construction traffic (including wheel washing);
- 4.2 a dust-ecology inspection strategy for specific areas of ecological sensitivity (such areas to be agreed as part of the submission process for the CEMP) covering:-
 - 4.2.1 dust particle monitoring; and
 - 4.2.2 the implementation of an active alarm threshold for the dust particle monitoring
- 4.3 a habitat management plan to protect important flora and fauna habitats during the construction phase;
- 4.4 a Solid Waste Management Plan; and
- 4.5 construction method statements including details of how any soil and ground arising will be managed and re-distributed.

The development shall be carried out in accordance with the approved CEMP.

5. Construction Health and Safety Management Plan

Prior to the Commencement of development, a Construction Health and Safety Plan (**CHSP**) shall be submitted to and approved in writing by the Local Planning Authority.

The CHSP shall include details of measures to protect the health and safety of construction workers, staff at and visitors to the site during the construction phase. The development shall be carried out in accordance with the approved CHSP.

6. Programme of archaeological work

Prior to the Commencement of development, a programme of archaeological work shall be submitted to and approved in writing by the Local Planning Authority and shall be carried out and completed in accordance with a written specification and timetable approved in writing by the Local Planning Authority.

7. Contamination – Remediation Strategy

Prior to the Commencement of development, the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:-

- 7.1 A preliminary risk assessment which has identified:
 - 7.1.1 all previous uses;
 - 7.1.2 potential contaminants associated with those uses;
 - 7.1.3 a conceptual model of the site indicating sources, pathways and receptors;
 - 7.1.4 potentially unacceptable risks arising from contamination at the site.
- 7.2 A site investigation scheme, based on 7.1, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 7.3 The site investigation results and the detailed risk assessment carried out pursuant to the site investigation scheme referred to in 7.2 and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- 7.4 A verification plan providing details of the data that will be collected in order to demonstrate that the remediation measures set out in 7.3 are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

8. Contamination – Verification Report

Prior to Commencement of development, a verification report demonstrating completion of the works set out in the remediation strategy approved pursuant to condition 7 of this planning permission and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan (approved pursuant to condition 7 of this planning permission) to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

9. **Contamination – Unidentified Contamination**

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy approved pursuant to condition 7 of this planning permission detailing how this unsuspected contamination shall be dealt with.

10. **Foundations**

Prior to the Commencement of development, details of foundations designs and any other proposals involving below ground excavation shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

11. **Hours of work**

The hours of construction shall be 07.30 to 18.00 Monday to Friday and 08.00 to 13.30 on Saturdays. Unless otherwise approved by the Local Authority under S.61 of the Control of Pollution Act 1974, there shall be no work outside these hours nor on Sundays and Public and Bank Holidays are to be treated as Sundays.

D. **ENVIRONMENTAL MANAGEMENT**

12. **Environmental Management System**

Prior to Occupation of the Terminal Building, an Environmental Management System (**EMS**) shall be submitted to and approved in writing by the Local Planning Authority. This system shall include details of solid waste management and details of procedures to prevent spill and risk control measures to avoid any potential contaminants entering watercourses. The development shall be carried out in accordance with the approved EMS and an Environmental Management System Manager shall be assigned prior to the Runway Extension coming into Operation and shall manage, monitor and review the EMS and its operation in cooperation with the Local Planning Authority and relevant stakeholders.

13. **Foul water disposal**

Following Occupation of the Terminal Building and prior to reaching a throughput of 300,000 passengers per annum, a scheme for the disposal of foul water, which shall be in accordance with the draft Foul Water Sewerage Solutions submitted in support of the application, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

14. **Drainage Management Plan**

Before any new permanent surface drainage infrastructure is installed in connection with the development, a Drainage Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

15. **Ground water protection**

Prior to the Commencement of development, a ground water quality monitoring programme to be undertaken within the vicinity of the Runway Extension shall be submitted to and approved in writing by the Local Planning Authority. Any protective measures required to safeguard such groundwater quality shall be submitted to and approved in writing by the Local Planning Authority prior to Commencement of

development. The development shall be carried out in accordance with the approved details.

16. Control of discharges to water

There shall be no discharge of contaminated drainage from the development site into either groundwater or any surface waters, whether direct or via soak ways.

17. Control of the storage of chemical materials

Prior to Commencement of development details of the facilities required for any storage of oils, fuels, or chemicals in connection with the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details

E. LANDSCAPING

18. Hard and soft landscaping

Prior to the Commencement of development, details of any hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. These details, which shall be in accordance with the draft Landscape Strategy submitted in support of the application, shall include:-

- 18.1 the location and species of all trees and other vegetation to be retained;
- 18.2 proposed planting, including species, size and provenance, in respect of a soil source compatible to that on the site, of stock and planting densities;
- 18.3 the size, type and appearance of all paving or other hard surfaces, including a sample of the materials to be used; and
- 18.4 management arrangements, particularly for retained and/or created ecological habitats

The hard and soft landscaping works shall be carried out in accordance with the approved details prior to the Occupation of the Terminal Building.

F. OPERATIONAL MANAGEMENT

19. Calendar Year aircraft movements

Following Occupation of the Terminal Building, the annual number of Aeroplane movements shall not exceed 40,000 movements per annum in any Calendar Year (excluding Emergency and Governmental Activities and the Air Show). The annual number of helicopter movements shall be limited to 1,200 movements per annum in any Calendar Year (excluding Emergency and Governmental Activities and the Air Show).

20. Calendar Year passenger numbers

Following Occupation of the Terminal Building, passenger numbers using the Airport shall not exceed 500,000 ppa in any Calendar Year.

21. Air Show

There shall be no more than one Air Show in any Calendar Year.

22. Aeroplane weight

No aircraft exceeding 80 tonnes maximum take-off weight shall be permitted to land or take-off at the Airport.

23. **Night-Time Period**

Following Occupation of the Terminal Building, no Flight Movements, except in relation to Emergency and Governmental Activities as defined, shall be permitted from the Airport between 23.00 and 07.00 hours.

24. **Lighting Scheme**

Prior to the Commencement of development, a lighting scheme for the Terminal Building and car park areas and associated roads, which shall be in accordance with the approved details set out in the Light Impact Assessment submitted in support of the application, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.