

SCHEDULES

SCHEDULE 2

Article 10(5)

RESTRICTIONS ON WORKS

1. In this Schedule, “building” does not include any form of crane or flood lighting column or similar such structure.

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Commencement Information

I1 Sch. 2 para. 1 in force at 16.5.2008, see [art. 1](#)

Containers and associated equipment

2. Within the port premises, containers may not be stacked above an elevation of 35 metres AOD.

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Commencement Information

I2 Sch. 2 para. 2 in force at 16.5.2008, see [art. 1](#)

3. Within the port premises, gantry cranes used for stacking or otherwise handling containers may not be installed or used above an elevation of 48 metres AOD.

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Commencement Information

I3 Sch. 2 para. 3 in force at 16.5.2008, see [art. 1](#)

4. Quayside container cranes may only be used in the area hatched brown on the planning restrictions plan and must not—

- (a) exceed 35 in number;
- (b) have an elevation (with boom up) exceeding 145 metres AOD; or
- (c) have an elevation (with boom down in operating condition) exceeding 100 metres AOD.

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Commencement Information

I4 Sch. 2 para. 4 in force at 16.5.2008, see [art. 1](#)

5. Quayside equipment other than container cranes, such as general cargo cranes and oil products loading arms, may only be installed and operated in the area hatched brown on the planning restrictions plan and may not have an elevation exceeding 137 metres AOD.

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Commencement Information

I5 Sch. 2 para. 5 in force at 16.5.2008, see [art. 1](#)

Other height restrictions

6. Subject to paragraph 10, in the area washed in yellow on the planning restrictions plan, buildings may not be constructed above an elevation of 40 metres AOD.

Commencement Information

16 Sch. 2 para. 6 in force at 16.5.2008, see [art. 1](#)

7. In the area washed in blue on the planning restrictions plan, buildings may not be constructed above an elevation of 13 metres AOD except for one building to be used for port marine control purposes and its associated radio and radar masts and antennae, which may be constructed to a maximum elevation of 60 metres AOD.

Commencement Information

17 Sch. 2 para. 7 in force at 16.5.2008, see [art. 1](#)

8. Material dredged pursuant to article 13 (power to dredge) may only be stored or stockpiled in the area stippled on the planning restrictions plan and up to an elevation of 25 metres AOD.

Commencement Information

18 Sch. 2 para. 8 in force at 16.5.2008, see [art. 1](#)

9. Within the port premises, internal harbour security fencing shall not exceed 4 metres in height above ground level.

Commencement Information

19 Sch. 2 para. 9 in force at 16.5.2008, see [art. 1](#)

Railways

10. In the area cross-hatched on the planning restrictions plan, railway lines and associated railway plant, machinery, bridges and buildings may not be constructed above an elevation of 20 metres AOD.

Commencement Information

110 Sch. 2 para. 10 in force at 16.5.2008, see [art. 1](#)

11. Only in the area cross-hatched on the planning restrictions plan may the following take place—

- (a) the construction, operation, re-laying, improvement and reconstruction of at grade and grade-separated crossings of rail and road; and
- (b) the relocation or reconstruction, for the purposes of the operation of the undertaking, of the works described in Work No. 10.

Commencement Information

I11 Sch. 2 para. 11 in force at 16.5.2008, see [art. 1](#)

Other construction restrictions

12. No flood lighting columns shall be constructed within 50 metres of the riverward boundaries of the port premises but this shall not prevent the use of lights on equipment referred to in paragraphs 4 and 5.

Commencement Information

I12 Sch. 2 para. 12 in force at 16.5.2008, see [art. 1](#)

13. No more than five entry and exit complexes with associated gate facilities, barriers, fencing, inspection and security huts to serve the port premises are permitted.

Commencement Information

I13 Sch. 2 para. 13 in force at 16.5.2008, see [art. 1](#)

14. No more than one multi-storey car storage facility is permitted with a maximum gross internal floor space of 425,000 square metres and a maximum height of 20 metres AOD.

Commencement Information

I14 Sch. 2 para. 14 in force at 16.5.2008, see [art. 1](#)

15. No more than one multi-storey car park is permitted with a maximum gross internal floor space of 20,000 square metres and a maximum height of 20 metres AOD.

Commencement Information

I15 Sch. 2 para. 15 in force at 16.5.2008, see [art. 1](#)

Activities permitted for construction or operational purposes only

16. Once constructed—

- (a) no part of the water frontage of the authorised works may be used other than for the berthing of vessels; and
- (b) no part of the water frontage of the authorised works between Coordinates Reference 1 and Coordinates Reference 7 as shown on Sheet No. 216 of the deposited plans may be used for the berthing of container vessels or roll-on roll-off ships.

Commencement Information

I16 Sch. 2 para. 16 in force at 16.5.2008, see [art. 1](#)

17. Construction plant, concrete batching plant, temporary grading, washing and weighing plant, temporary bridges, conveyor systems, haul roads, accesses, temporary buildings and offices and plant working spaces are only permitted to facilitate the construction or maintenance of the authorised works and for no other purpose and shall be removed once the use for which they were installed has ceased.

Commencement Information

I17 Sch. 2 para. 17 in force at 16.5.2008, see [art. 1](#)

18. Storage of fuels including diesel, petroleum or liquid petroleum gas within the port premises is only permitted for the purposes of the operation of the undertaking.

Commencement Information

I18 Sch. 2 para. 18 in force at 16.5.2008, see [art. 1](#)

19. The underground storage and pumping of storm, surface and waste water, and the construction of pump houses, foul sewage pumping stations and drainage systems is only permitted within the port premises to the extent that those activities and facilities are required for the purposes of the operation of the undertaking.

Commencement Information

I19 Sch. 2 para. 19 in force at 16.5.2008, see [art. 1](#)

20. The construction and operation of electricity sub-stations is only permitted within the port premises to the extent required for the purposes of the operation of the undertaking.

Commencement Information

I20 Sch. 2 para. 20 in force at 16.5.2008, see [art. 1](#)

21. No signage is permitted within the port premises other than that which is required for the purposes of the operation of the undertaking. This may include, without limitation, directional signage, signage required for health and safety purposes as well as logos and branding on structures or apparatus.

Commencement Information

I21 Sch. 2 para. 21 in force at 16.5.2008, see [art. 1](#)

22. No relocation, reconstruction or improvement of the existing bitumen and aviation fuel pipeline within the port premises is permitted other than for the purposes of the construction of the authorised works.

Commencement Information

I22 Sch. 2 para. 22 in force at 16.5.2008, see [art. 1](#)

23. Subject to paragraph 24, the area of jurisdiction shall not be used for any purpose other than as a harbour for container handling together with ancillary cargo and other uses incidental to the functions of the Harbour Authority and such other uses as are authorised by this Order.

Commencement Information

I23 Sch. 2 para. 23 in force at 16.5.2008, see [art. 1](#)

24. Paragraph 23 shall not preclude—

- (a) the permanent use of no more than 36 hectares of the area of jurisdiction for Ro-Ro use, including car import and export and ancillary uses;
- (b) the temporary use of the whole or part of the area of jurisdiction in excess of 36 hectares for Ro-Ro use, for separate periods for each part, or for the whole, of no more than five years in any one case;
- (c) the permanent use of facilities and land within the area of jurisdiction for the handling of oil and other fuel products; or
- (d) the use during construction of any part of the area of jurisdiction for the stockpiling, storage and handling of dredged materials by way of an aggregates wharf.

Commencement Information

I24 Sch. 2 para. 24 in force at 16.5.2008, see [art. 1](#)

Application of Town and Country Planning legislation

25. The provisions of this Schedule shall be deemed to be conditions subject to which a planning permission was granted under section 70 of the 1990 Act and, accordingly, they shall be subject to the provisions of that Act and all associated legislation and, in particular, they may be varied in their application to the authorised works in accordance with sections 73, 73A and 97 of the 1990 Act and the Town and Country Planning (General Development Procedure) Order 1995(1).

Commencement Information

I25 Sch. 2 para. 25 in force at 16.5.2008, see [art. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The London Gateway Port Harbour Empowerment Order 2008, SCHEDULE 2.