
WELSH STATUTORY INSTRUMENTS

2023 No. 256

The Town and Country Planning (North Wales Border Control Post) (EU Exit) Special Development Order 2023

Interpretation

2.—(1) In this Order—

“border department” (“*adran y ffin*”) means any of—

- (a) the Welsh Ministers;
- (b) the port health authority for the Port of Holyhead;
- (c) the Commissioners for His Majesty’s Revenue and Customs;
- (d) the Secretary of State for Business, Energy and Industrial Strategy;
- (e) the Secretary of State for Environment, Food and Rural Affairs;
- (f) the Secretary of State for Transport.

“building” (“*adeilad*”) includes any structure or erection, and any part of a building as so defined, but does not include plant or machinery comprised in a building;

“the developable area” (“*yr ardal ddatblygadwy*”) means the area shown on the map as “Developable area” and bounded externally by the outer edge of the black dashed border;

“developer” (“*datblygwr*”) means the local authority or a border department or a person carrying out the development on behalf of a local authority or border department at the relevant time;

“development” (“*datblygu*”) has the same meaning as in section 55(1) of the Town and Country Planning Act 1990, carried out pursuant to the planning permission granted by article 3;

“emergency access road” (“*ffordd fynediad argyfwng*”) means any road from the emergency access point on the highway marked by the blue arrows on the map, to the nearest hardstanding;

“existing landscaping” (“*tirlunio presennol*”) means the existing trees and vegetation running from the south west of the boundary edge of the land to the south east of the boundary edge of the land including behind the existing pond and identified on the map—

- (a) as “Existing Landscaping to be retained”, and
- (b) shaded orange with a repeating right angle pattern;

“goods” (“*nwyddau*”) includes plants and animals;

“hard surfacing” (“*arwyneb caled*”) includes any artificial surfacing and may be permeable or impermeable as specified;

“hazardous waste” (“*gwastraff peryglus*”) has the meaning given in regulation 6 of the Hazardous Waste (Wales) Regulations 2005(1);

“the land” (“*y tir*”) means the land comprising Plot 9, Parc Cybi, Holyhead, LL65 2YQ shown bounded externally by the outer edge of a bold red line on the map;

“landscaping” (“*tirlunio*”) means—

- (a) the planting and maintenance of trees, hedges, shrubs or grass;
- (b) the formation of banks or other changes to ground levels;

“local authority” (“*awdurdod lleol*”) has the meaning given in section 336 of the Town and Country Planning Act 1990(2);

“local planning authority” (“*awdurdod cynllunio lleol*”) has the meaning given in Part 1 of the Town and Country Planning Act 1990(3);

“the map” (“*y map*”) means the map marked “Map referred to in the Town and Country Planning (North Wales Border Control Post) (EU Exit) Special Development Order 2023, drawing number: BCP22-006-05-01 revision P01.11” a copy of which, signed by a member of the Senior Civil Service in the Welsh Government Planning Directorate, is available for inspection at—

- (a) The Welsh Government, Cathays Park, Cardiff, CF10 3NQ,
- (b) www.gov.wales(4), and
- (c) Isle of Anglesey County Council, Planning and Building Control Department, Council Offices, Llangefni, Anglesey, LL77 7TW;

“new landscaping area” (“*ardal dirlunio newydd*”) means the area marked on the map as “Indicative Landscape Buffer Screening” and shaded in green with cross-hatching;

“residential receptors” (“*derbynyddion preswyl*”) means the residential dwellings at the following street addresses in Holyhead—

- (a) Kingsland Road;
- (b) Penrhyn Geiriol;
- (c) Lôn Trefnath;

“rocky outcrop” (“*brigiad creigiog*”) means the area shown on the map as “Rocky Outcrop” and shaded dark green with a repeating triangle pattern;

“site entrance” (“*mynedfa’r safle*”) means the location shown on the map as “Permissible site entrance” and by the two red arrows;

“Zone A” (“*Parth A*”) means the area shown on the map as “Zone A – 23m” and shaded purple with a repeating wave pattern;

“Zone B” (“*Parth B*”) means the area shown on the map as “Zone B – 33m” and shaded light green with a repeating diagonal line pattern.

(2) Any reference in this Order to the height of a building is a reference to its height when measured from ordnance datum.

(3) Any reference in this Order to a measurement from a boundary is a reference to a linear measurement that is perpendicular to any point on the boundary in question.

(4) Any reference in this Order to noise limits not exceeding specified decibels (dB) is a reference to the time averaged A-weighted sound pressure level for a one-hour time interval (LAeq, 1hr).

(2) Section 336 was amended by section 78 of, and paragraph 32(13) of Schedule 10 to, the Environment Act 1995 (c. 25), section 117(1) of, and paragraph 9 of Schedule 13 to, the Local Government Finance Act 1992 (c. 14) and section 53(1) of, and paragraph 72 of Schedule 1 to, the Fire and Rescue Services Act 2004 (c. 21). There are other amendments but none are relevant.

(3) Section 1(1B) was inserted by section 18 of the Local Government (Wales) Act 1994 (c. 19). Section 4A was inserted by section 67(1) of the Environment Act 1995 (c. 25).

(4) <https://www.gov.wales/special-development-order-holyhead-border-control-post>.