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STATUTORY INSTRUMENTS

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**1994 No. 2716**

**The Conservation (Natural Habitats, &c.) Regulations 1994**

**PART IV**

**ADAPTATION OF PLANNING AND OTHER CONTROLS**

*Highways and roads*

**Construction or improvement of highways or roads**

**69.**—(1) Regulations 48 and 49 (requirement to consider effect on European site) apply in relation to any plan or project—

(a) by the Secretary of State—

(i) to construct a new highway or to improve, within the meaning of the Highways Act 1980<sup>(1)</sup>, an existing highway, or

(ii) to construct a new road or to improve, within the meaning of the Roads (Scotland) Act 1984<sup>(2)</sup>, an existing road; or

(b) by a local highway authority or local roads authority, to carry out within the boundaries of a road any works required for the improvement of the road.

(2) Regulations 50 and 51 (requirement to review certain decisions and consents, &c.) apply to any such plan or project as is mentioned in paragraph (1) unless the works have been completed before the site became a European site or, if later, the commencement of these Regulations.

**Cycle tracks and other ancillary works**

**70.** As from the commencement of these Regulations, section 3(10) of the Cycle Tracks Act 1984<sup>(3)</sup> and section 152(4) of the Roads (Scotland) Act 1984 shall cease to have effect to deem planning permission to be granted for development which—

(a) is likely to have a significant effect on a European site in Great Britain (either alone or in combination with other plans or projects), and

(b) is not directly connected with or necessary to the management of the site,

whether or not the development authorised by the permission has been begun.

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<sup>(1)</sup> 1980 c. 66; the expression “improvement” is defined in section 329(1) of the Act.

<sup>(2)</sup> 1984 c. 54; the expression “improvement” is defined in section 151(1) of the Act.

<sup>(3)</sup> 1984 c. 38.