

## SCHEDULE 4

### APPLICATION OF PERMITTED DEVELOPMENT RIGHTS

## PART 2

### Habitats Regulations

**2.** Subject to paragraph 3 regulation 73 of the Conservation of Habitats and Species Regulations 2010<sup>(1)</sup> (the “Habitats Regulations”) shall not apply to any planning permission which relates to the works authorised by this Order and which is granted by article 3(1) of the 1995 Order for the class of development described as permitted development in Part 11 of Schedule 2 to that Order.

**3.** Paragraph 2 does not apply if and to the extent that the works—

- (a) do not form part of the plan or project which was subject to an appropriate assessment in accordance with regulation 61 of the Habitats Regulations in connection with the making of this Order; and
- (b) are not subject to further consent, permission or authorisation by a competent authority as defined in the Habitats Regulations.

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<sup>(1)</sup> S.I. 2010/490.