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STATUTORY INSTRUMENTS

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**2010 No. 490**

**The Conservation of Habitats and Species Regulations 2010**

**PART 6**

**ASSESSMENT OF PLANS AND PROJECTS**

**CHAPTER 3**

**HIGHWAYS AND ROADS**

**Construction or improvement of highways or roads**

- 84.**—(1) The assessment provisions apply in relation to any plan or project—
- (a) by the appropriate authority to construct a new highway or to improve, within the meaning of the Highways Act 1980<sup>(1)</sup>, an existing highway; or
  - (b) by a local highway authority to carry out within the boundaries of a road any works required for the improvement of the road.
- (2) The review provisions apply to any such plan or project as is mentioned in paragraph (1) unless—
- (a) the works have been completed before the site became a European site or a European offshore marine site; or
  - (b) the works were completed before 30th October 1994.

**Cycle tracks and other ancillary works**

- 85.** Subsection (10) of section 3 of the Cycle Tracks Act 1984<sup>(2)</sup> (conversion of footpaths into cycle tracks) is not to be taken to deem planning permission to be granted for development which—
- (a) is likely to have a significant effect on a European site (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; see definition of “improvement” in section 329(1).

<sup>(2)</sup> 1984 c. 38; section 3(10) was amended by the Planning (Consequential Provisions) Act 1990 (c. 11), paragraph 66 of Schedule 2.