
STATUTORY INSTRUMENTS

2010 No. 490

The Conservation of Habitats and Species Regulations 2010

PART 6

ASSESSMENT OF PLANS AND PROJECTS

CHAPTER 8

LAND USE PLANS

Planning Act 2008

National policy statements

106.—(1) This Chapter applies—

- (a) in relation to a national policy statement under Part 2 (national policy statements) of the Planning Act 2008⁽¹⁾ as it applies in relation to a land use plan, and
- (b) in relation to the Secretary of State when exercising powers under Part 2 of that Act as it applies in relation to a plan-making authority,

with the modifications specified in paragraphs (2) and (3).

(2) Any reference in this Chapter to giving effect to a land use plan, in relation to a national policy statement, is to be taken to be a reference to the designation of a statement as a national policy statement or an amendment of a national policy statement under Part 2 of the Planning Act 2008.

(3) Where this Chapter applies by virtue of paragraph (1)—

- (a) regulations 102(5), 103(4) to (7) and 104 do not apply; and
- (b) in regulation 105, for the reference to the appropriate authority substitute a reference to the Secretary of State.