

SCHEDULE 2

THRESHOLDS FOR IDENTIFICATION OF PROJECTS LIKELY TO HAVE SIGNIFICANT EFFECTS ON THE ENVIRONMENT

Consideration of thresholds in other cases where project adjoins or is near another project

4.—(1) The facts—

- (a) that a project is or would be adjoining or, in the opinion of the Commissioners or (as the case may be) the Scottish Ministers, near another project of any type specified in regulation 3(2), and
- (b) that, for any reason, the case in question does not fall within paragraph 3 above,

may be regarded by the Commissioners or the Scottish Ministers as rendering the circumstances of that project exceptional for the purposes of regulation 6(3) or (as the case may be) 7(6).

(2) This paragraph—

- (a) shall not affect the application of those regulations in a case which does fall within paragraph 3; and
- (b) shall not be interpreted as limiting the generality of the references in those regulations to circumstances which are, in the opinion of the Commissioners or (as the case may be) the Scottish Ministers, exceptional.