

## SCHEDULE 2

### MITIGATION MEASURES

#### **Permitted development rights**

1.—(1) In their application to the works, article 3 of, and Class 29 in Part II of Schedule 1 to, the 1992 Order (which permit development authorised by a harbour revision order designating specifically both the nature of the development authorised and the land on which it may be carried out) have effect as if the planning permission granted by that Order were—

- (a) subject to the restrictions contained in this Schedule; and
- (b) did not apply to any permanent alteration, enlargement, replacement, relaying, extension or reconstruction authorised by article 5(3) that may in the opinion of the planning authority have significant adverse effects on the environment.

(2) In their application to other development carried out on land which falls to be treated as operational land of a dock or harbour undertaker by virtue of this Order, article 3 of, and Class 35 in Part II of Schedule 1 to the 1992 Order, have effect as if planning permission granted by that Order were subject to the restrictions contained in this Schedule.

(3) Except to the extent specified, the restrictions contained in this Schedule do not apply to temporary construction activity.

(4) For the purpose of the 1997 Act, the restrictions contained in paragraphs 2 to 4 of this Schedule are deemed to be conditions imposed on the grant of planning permission.