



Planning Act 2008

2008 CHAPTER 29

PART 3

NATIONALLY SIGNIFICANT INFRASTRUCTURE PROJECTS

Transport

24 Harbour facilities

- (1) The construction of harbour facilities is within section 14(1)(j) only if (when constructed) the harbour facilities—
 - (a) will be in England or Wales or in waters adjacent to England or Wales up to the seaward limits of the territorial sea, and
 - (b) are expected to be capable of handling the embarkation or disembarkation of at least the relevant quantity of material per year.
- (2) The alteration of harbour facilities is within section 14(1)(j) only if—
 - (a) the harbour facilities are in England or Wales or in waters adjacent to England or Wales up to the seaward limits of the territorial sea, and
 - (b) the effect of the alteration is expected to be to increase by at least the relevant quantity per year the quantity of material the embarkation or disembarkation of which the facilities are capable of handling.
- (3) “The relevant quantity” is—
 - (a) in the case of facilities for container ships, 500,000 TEU;
 - (b) in the case of facilities for ro-ro ships, 250,000 units;
 - (c) in the case of facilities for cargo ships of any other description, 5 million tonnes;
 - (d) in the case of facilities for more than one of the types of ships mentioned in paragraphs (a) to (c), an equivalent quantity of material.
- (4) For the purposes of subsection (3)(d), facilities are capable of handling an equivalent quantity of material if the sum of the relevant fractions is one or more.

Status: This is the original version (as it was originally enacted).

(5) The relevant fractions are—

(a) to the extent that the facilities are for container ships—

$$\frac{x}{500,000}$$

where x is the number of TEU that the facilities are capable of handling;

(b) to the extent that the facilities are for ro-ro ships—

$$\frac{y}{250,000}$$

where y is the number of units that the facilities are capable of handling;

(c) to the extent that the facilities are for cargo ships of any other description—

$$\frac{z}{5,000,000}$$

where z is the number of tonnes of material that the facilities are capable of handling.

(6) In this section—

“cargo ship” means a ship which is used for carrying cargo;

“container ship” means a cargo ship which carries all or most of its cargo in containers;

“ro-ro ship” means a ship which is used for carrying wheeled cargo;

“TEU” means a twenty-foot equivalent unit;

“unit” in relation to a ro-ro ship means any item of wheeled cargo (whether or not self-propelled).