
STATUTORY INSTRUMENTS

2009 No. 2325

The Penzance Harbour Revision Order 2009

PART 3

MISCELLANEOUS AND GENERAL

Disapplication of regulation 60 of the Conservation (Natural Habitats, &c.) Regulations 1994

38.—(1) Regulation 60 of the Conservation (Natural Habitats, &c.) Regulations 1994⁽¹⁾ (“the Habitats Regulations”) shall not apply to any planning permission which relates to the works authorised by this Order and which is granted by article 3(1) of the Town and Country Planning (General Permitted Development) Order 1995⁽²⁾ for the class of development described as permitted development in Part 11 of Schedule 2 to that Order.

(2) Paragraph (1) does not apply if and to the extent that the works—

- (a) do not form part of the plan and project which was subject to an appropriate assessment in accordance with regulation 48 of the Habitats Regulations in connection with the making of this Order; and
- (b) are not subject to a further consent, permission or authorisation by a competent authority as defined in the Habitats Regulations.

(1) S.I. 1994/2716.
(2) S.I. 1995/418