
STATUTORY INSTRUMENTS

2017 No. 1012

The Conservation of Habitats and Species Regulations 2017

PART 6

Assessment of plans and projects

CHAPTER 3

Highways and roads

Construction or improvement of highways or roads

- 87.**—(1) The assessment provisions apply in relation to any plan or project—
- (a) by the appropriate authority or a strategic highways company to construct a new highway or to improve, within the meaning of the Highways Act 1980 ^{M1}, an existing highway; or
 - (b) by a local highway authority to carry out within the boundaries of a road any works required for the improvement of the road.
- (2) The review provisions apply to any such plan or project as is mentioned in paragraph (1) unless—
- (a) the works were completed before 30th October 1994; or
 - (b) the works have been completed before the site became a European site or a European offshore marine site.
- (3) In paragraph (1)(a) “strategic highways company” means a company for the time being appointed under Part 1 of the Infrastructure Act 2015 ^{M2}.

Marginal Citations

M1 1980 c. 66. See the definition of “improvement” in section 329(1).

M2 2015 c. 7.

[^{F1}Cycle tracks and other ancillary works

- 88.**—(1) Subject to paragraph (2), the assessment provisions apply to section 3(10) of the Cycle Tracks Act 1984.
- (2) Regulation 64 (Considerations of overriding public interest) does not apply to section 3(10) of that Act.
- (3) Section 3(10) of that Act is not to be taken to deem planning permission to be granted for development which—
- (a) is likely to have a significant effect on a European site (either alone or in combination with other plans or projects), and
 - (b) is not directly connected with or necessary to the management of the site,

Status: Point in time view as at 26/12/2023.

Changes to legislation: The Conservation of Habitats and Species Regulations 2017, CHAPTER 3 is up to date with all changes known to be in force on or before 08 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

whether or not the development authorised by the permission has been begun, unless the competent authority has agreed to the plan or project in accordance with the assessment provisions.]

Textual Amendments

- F1** Reg. 88 substituted (28.12.2018) by [The Conservation of Habitats and Species and Planning \(Various Amendments\) \(England and Wales\) Regulations 2018 \(S.I. 2018/1307\)](#), regs. 1(1), **2(8)**

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