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"Attributing 'Priority' to Habitats"

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A close scrutiny of a European Community directive on habitats and of the statutory instrument by which it is implemented in Britain reveals small but nevertheless significant concessions towards an ecocentric approach. Planning law now allows interference in the habitats of protected species only when human interests are demonstrably overriding. Recent decisions of the European Court of Justice have given a very restrictive interpretation of the circumstances in which such interference may be permitted. The implications for further ecocentric influence in environmental law are discussed.

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