



# Flood Risk Management (Scotland) Act 2009

2009 asp 6

## PART 4

### FLOOD RISK MANAGEMENT: LOCAL AUTHORITY FUNCTIONS

#### *Deemed planning permission*

#### **65 Deemed planning permission for scheme work**

In section 57 of the Town and Country Planning (Scotland) Act 1997 (c. 8) (deemed planning permission), after subsection (2A) insert—

“(2B) On—

- (a) confirming a flood protection scheme under paragraph 7(4) of schedule 2 to the [Flood Risk Management \(Scotland\) Act 2009 \(asp 6\)](#) in respect of any operation which would constitute development, or
- (b) a local authority confirming such a scheme under paragraph 4(1) or 9(1) of that schedule,

the Scottish Ministers must direct that planning permission for that development shall be deemed to be granted, subject to such conditions (if any) as may be specified in the direction.”.