

Forth Crossing Act 2011

2011 asp 2

PART 8

PLANNING PERMISSION, LISTED BUILDINGS AND CONSERVATION AREAS

62 Planning permission

- (1) Planning permission for the carrying out of the Forth Crossing works is deemed to have been granted by Ministers on an application referred to them under section 46 of the 1997 Act.
- (2) That planning permission expires 5 years after Royal Assent if the Forth Crossing works are not begun during that period.
- (3) The 1997 Act (except section 58 and Part 11) and all other enactments relating to planning permission apply accordingly.

Commencement Information

- II** [S. 62](#) in force at 18.3.2011 by [S.S.I. 2011/38](#), [art. 2](#), [Sch.](#)

63 Relaxation of listed building controls

- (1) Section 6 of the Listed Buildings Act does not apply to authorised listed building works.
- (2) A listed building enforcement notice served in relation to an affected listing building has no effect in so far as it requires the taking of steps which would be rendered wholly or substantially ineffective by authorised listed building works (and, accordingly, no such steps may be taken under section 38(1) of the Listed Buildings Act).
- (3) No works may be executed under section 49 of the Listed Buildings Act in relation to an affected listing building if those works would be rendered wholly or substantially ineffective by authorised listed building works.
- (4) Section 53 of the Listed Buildings Act does not apply to anything done for the purposes of carrying out authorised listed building works.

Changes to legislation: There are currently no known outstanding effects for the Forth Crossing Act 2011, Part 8. (See end of Document for details)

(5) In this section—

“affected listed building” means—

- (a) any listed building which was not such a building immediately before 1 January 2009, and
- (b) the buildings specified in the table in schedule 11 (each being a listed building immediately before that date), and

“authorised listed building works” means—

- (a) in relation to a listed building which was not such a building immediately before 1 January 2009, any works carried out in pursuance of this Act, and
- (b) in relation to a listed building specified in the table in schedule 11, the works described in the third column of that table.

Commencement Information

I2 S. 63 in force at 18.3.2011 by [S.S.I. 2011/38](#), art. 2, [Sch.](#)

64 Demolition in conservation areas

Section 66 of the Listed Buildings Act does not apply to the demolition in pursuance of this Act of a building which—

- (a) is included in a conservation area after 1 January 2009 (but was not so included immediately before that date), and
- (b) is not a listed building.

Commencement Information

I3 S. 64 in force at 18.3.2011 by [S.S.I. 2011/38](#), art. 2, [Sch.](#)

65 Interpretation of Part 8

In this Part, “the Listed Buildings Act” means the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (c.9). The following terms have the same meaning in this Part as they have in that Act—

- “building”
- “conservation area”
- “listed building”
- “listed building enforcement notice”

Commencement Information

I4 S. 65 in force at 18.3.2011 by [S.S.I. 2011/38](#), art. 2, [Sch.](#)

Changes to legislation:

There are currently no known outstanding effects for the Forth Crossing Act 2011, Part 8.