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SCOTTISH STATUTORY INSTRUMENTS

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**1999 No. 1**

**The Environmental Impact Assessment  
(Scotland) Regulations 1999**

**PART II**

**TOWN AND COUNTRY PLANNING**

**CHAPTER 7**

**DEVELOPMENT BY PLANNING AUTHORITIES**

**Granting of planning permission to planning authority**

**25.—**(1) No planning permission shall be deemed to have been granted under regulation 5(1) of the 1981 Regulations where, if the development were the subject of an application for planning permission, it would be an EIA application.

(2) Where paragraph (1) applies, the provisions of regulation 6 of the 1981 Regulations shall apply as if the development were one of the classes of case specified in paragraph (1) of regulation 6 of the 1981 Regulations.

(3) When complying with the provisions of regulation 6 of the 1981 Regulations in respect of a development to which paragraph (1) of this regulation applies, the planning authority shall accompany their notice of intention to develop with a copy of the environmental statement and the Scottish Ministers shall consider the environmental statement and issue a decision as to whether or not to require the planning authority to make an application to them for planning permission and shall state in their decision that they have considered the statement.