
STATUTORY RULES OF NORTHERN IRELAND

2015 No. 174

LAND DEVELOPMENT VALUES

The Certificates of Alternative Development
Value Regulations (Northern Ireland) 2015

Made - - - - 23rd March 2015

Coming into operation 15th April 2015

The Department of the Environment makes the following Regulations in exercise of the powers conferred on it by Article 17 of the Land Compensation (Northern Ireland) Order 1982(1).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Certificates of Alternative Development Value Regulations (Northern Ireland) 2015 and shall come into operation on 15th April 2015.

(2) In these Regulations—

“the 1982 Order” means the Land Compensation (Northern Ireland) Order 1982;

“the commission” means the planning appeals commission; and

“the council” means a district council.

Application for and issue of certificates

2.—(1) An application to the council within whose district the land is situated for a certificate under Article 15 of the 1982 Order shall be in writing and shall (as well as complying with the requirements of Article 15(3)) include a plan or map sufficient to identify the land to which the application relates.

(2) If the council issues a certificate otherwise than for the class or classes of development specified in the application made to it, or contrary to representations in writing made to it by a party directly concerned, it shall in that certificate include a statement of the reasons for so doing, and give particulars of the manner within which an appeal may be made to the commission under Article 16 of the 1982 Order.

Appeals

3.—(1) Notice of appeal under said Article 16 shall be given in writing to the commission within two months from receipt of the certificate.

(2) A copy of the notice of appeal shall be sent by the appellant to the other parties directly concerned and to the council.

Revocation

4. The Certificates of Alternative Development Value Regulations (Northern Ireland) 1987(2) are revoked.

Sealed with the Official Seal of the Department of the Environment on 23rd March 2015.



Angus Kerr
A senior officer of the
Department of the Environment

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for the application for and issue of certificates of alternative development value under Article 15 of the Land Compensation (Northern Ireland) Order 1982 (the 1982 Order).

A certificate of alternative development is issued to assist in establishing a value for land which is being acquired by an authority possessing powers of compulsory acquisition.

An application for a certificate of alternative development must be made in writing to the council within whose district the land is situated and include a plan or map to identify the land to which the application relates (regulation 2(1)). If the council issues a certificate for development which differs from that which was applied for, or contrary to written representations from a party directly concerned, it shall include in the certificate its reasons for so doing and how an appeal may be made (regulation 2(2)).

The time for giving notice of an appeal to the Planning Appeals Commission under Article 16 of the 1982 Order against a certificate of alternative development shall be within two months of receipt of the certificate. Notice of the appeal shall be in writing (regulation 3(1)). A copy of the notice of appeal is to be sent by the appellant to the other parties directly concerned and to the council (regulation 3(2)).

The Certificates of Alternative Development Value Regulations (Northern Ireland) 1987 are hereby revoked (regulation 4).

These Regulations apply only to certificates of alternative development value which are issued on or after the date of the coming into operation of these Regulations.