
STATUTORY RULES OF NORTHERN IRELAND

2015 No. 344

**The Planning (Hazardous Substances)
(No. 2) Regulations (Northern Ireland) 2015**

PART 3

Consent

Notification of decision

13.—(1) Subject to paragraph (6), for the purposes of section 115(7) (appeals) the prescribed period by which the council must give notice to the applicant of its decision on the application or give notice that the application has been referred to the Department under section 114 (call in of certain applications for hazardous substances consent to Department) is 8 weeks from the date when the application is received by the council.

(2) The council or, as the case may be, the Department shall, as soon as is practicable, inform every person who made representations which it was required to take into account under regulation 9 of its decision on the application.

(3) When the council gives the applicant notice of its decision on an application, the notice must, where hazardous substances consent is refused or is granted subject to conditions—

- (a) state, clearly and precisely, the full reasons for the refusal or for any condition imposed; and
- (b) include a statement to the effect that if the applicant is aggrieved by the decision the applicant may appeal to the planning appeals commission in accordance with section 115.

(4) The council or, as the case may be, the Department shall, as soon as is practicable, inform the following of the terms of their decision—

- (i) the Health and Safety Executive for Northern Ireland; and
- (ii) any other consultees who have made representations to them on the application.

(5) The council must make available for inspection at its offices—

- (i) the content of the decision and the reasons on which it is based, including any subsequent updates; and
- (ii) the results of the consultations held before the decision was taken and an explanation of how they were taken into account in that decision.

(6) Where a section 235 (national security) certificate is issued the prescribed period is 8 weeks from the date on which that notice is issued to the council or, as the case may be, the Department.

(7) In this regulation a “section 235 certificate” means a certificate issued by the Secretary of State under section 235(1) or by the Department of Justice under section 235(4).

Changes to legislation:

There are currently no known outstanding effects for the The Planning (Hazardous Substances) (No. 2) Regulations (Northern Ireland) 2015, Section 13.