
STATUTORY RULES OF NORTHERN IRELAND

2015 No. 74

**The Planning (Environmental Impact
Assessment) Regulations (Northern Ireland) 2015**

PART 1

General

Appeals under Section 58 or Section 60 of the 2011 Act

6.—(1) Where an appeal is made to the Commission under section 58 (appeals) or 60 (appeal against failure to take planning decision), the functions conferred on the council or on the Department by Part 3 to Part 7 of these Regulations shall be exercisable by the Commission in respect of that appeal.

(2) For the purposes of paragraph (1), regulations 16(3) and 17(3) shall have effect as if substituted by the following provision—

“(3) An appellant receiving a notification pursuant to paragraph (1) shall, within 4 weeks from the date of the determination, inform the Commission, in writing, that the appellant—

- (a) accepts the Commission’s determination and proposes to provide an environmental statement; or
- (b) does not accept the Commission’s determination.”

(3) For the purposes of paragraph (1), regulations 16(5) and 17(5) do not apply.

(4) For the purposes of paragraph (1), the phrase “and the deemed refusal shall not give rise to an appeal to the Commission by virtue of section 58 (appeals) or section 60 (appeal against failure to take planning decision)” contained in regulations 16(4), 16(6) and 23(3) shall not have effect.