



2011 CHAPTER 25

PROSPECTIVE

Part 12

Correction of errors

Modifications etc. (not altering text)

- C1 Pts. 10-12: transfer of functions (8.5.2016) by [The Departments \(Transfer of Functions\) Order \(Northern Ireland\) 2016 \(S.R. 2016/76\)](#), art. 1(2), [Sch. 5 Pt. 2](#) (with art. 9(2))

Correction of errors in decision documents

- 219.**—(1) This section applies if—
- (a) a council issues a decision document which contains a correctable error;
or
 - (b) the Department issues a decision document (other than a document referred to in section 222(2)(d) or (e)) which contains a correctable error.
- (2) The council may correct the error—
- (a) if it is requested to do so in writing by any person;
 - (b) if it sends a statement in writing to the applicant which explains the error and states that it is considering making the correction.
- (3) But the council must not correct the error unless not later than the end of the relevant period it—
- (a) receives a request mentioned in subsection (2)(a); or

Status: This version of this part contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the Planning Act (Northern Ireland) 2011, Part 12. (See end of Document for details)

(b) sends a statement mentioned in subsection (2)(b).

(4) The relevant period is the period specified for the purposes of subsection (3) in a development order.

(5) In this section references to “the council” means—

- (a) in relation to a decision document issued by a council, the council which issued the document;
- (b) in relation to a decision document issued by the Department, the council within whose district the land to which the decision document relates is situated.

Correction notice

220.—(1) If paragraph (a) or (b) of section 219(2) applies the council must as soon as practicable after making any correction or deciding not to make any correction issue a notice in writing (a correction notice) which—

- (a) specifies the correction of the error; or
- (b) gives notice of its decision not to correct such an error.

(2) The council must give the correction notice to—

- (a) the applicant;
- (b) if the applicant is not the owner of the land in respect of which the original decision was made, the owner;
- (c) if the correction was requested by any other person, that person.

Effect of correction

221.—(1) If a correction is made in pursuance of section 219—

- (a) the original decision is taken not to have been made;
- (b) the decision is taken for all purposes to have been made on the date the correction notice is issued.

(2) If a correction is not made—

- (a) the original decision continues to have full force and effect;
- (b) nothing in this Part affects anything done in pursuance of or in respect of the decision.

Supplementary

222.—(1) This section applies for the purposes of this Part.

(2) A decision document is a document which records any of the following decisions—

- (a) a decision to grant or refuse planning permission;

Status: This version of this part contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the Planning Act (Northern Ireland) 2011, Part 12. (See end of Document for details)

- (b) a decision to grant outline planning permission;
 - (c) a decision to approve reserved matters (within the meaning of section 62);
 - (d) a decision to grant or to refuse to grant a certificate under section 169 or 170;
 - (e) any decision relating—
 - (i) to an application for consent under a tree preservation order,
 - (ii) to an application for consent under any regulations made under section 130, or
 - (iii) to any certificate or direction under any such order or regulations;
 - (f) a decision on an application for listed building consent under section 85(2) or (3);
 - (g) a decision relating to any consent under section 105 (conservation area consent);
 - (h) a decision under section 110 (determination of applications for hazardous substances consent);
 - (i) any other decision under this Act which is of a description specified by the Department in a development order.
- (3) A correctable error is an error—
- (a) which is contained in any part of the decision document which records the decision; but
 - (b) which is not part of any reasons given for the decision.
- (4) The applicant is in the case of a decision made on an application under this Act, the person who made the application.
- (5) Error includes omission.

Status:

This version of this part contains provisions that are prospective.

Changes to legislation:

There are currently no known outstanding effects for the Planning Act (Northern Ireland) 2011, Part 12.