

Status: Point in time view as at 13/02/2015. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Planning Act (Northern Ireland) 2011, Section 189. (See end of Document for details)



2011 CHAPTER 25

Part 6

Compensation

Compensation: failure of consultee to respond under section 229

189 Where a consultee fails to respond to a council or departmental consultation in accordance with section 229(3) and—

- (a) that council or, as the case may be, the Department—
 - (i) takes a decision under this Act to grant planning permission in the absence of such a response; and
 - (ii) subsequently receives information which the council or the Department could reasonably expect to have been included in that response; and
 - (iii) decides to revoke or modify planning permission under section 68, or make an order under section 73, due to the information referred to in sub-paragraph (ii); and
- (b) compensation is payable by a council under section 26 of the Act of 1965 in connection with the decision under sub-paragraph (iii),

the sponsoring department (if any) shall pay to the council the amount of compensation payable.

Commencement Information

- II** [S. 189](#) in operation at 13.2.2015 for specified purposes by [S.R. 2015/49](#), [art. 2](#), [Sch. 1](#)

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