



2011 CHAPTER 25

PART 3

PLANNING CONTROL

Determination of planning applications

Power of Department to decline to determine overlapping application

49.—(1) The Department may decline to determine an application for planning permission for the development of any land made to it in accordance with section 26(5) which is—

- (a) made on the same day as a similar application; or
- (b) made at a time when a similar application is under consideration by the Department.

(2) An application for planning permission is similar to another application if (and only if) the Department thinks that the development and the land to which the applications relate are the same or substantially the same.

(3) If the Department exercises its power under subsection (1)(a) to decline to determine an application made on the same day as a similar application, it may not also exercise that power to decline to determine the similar application.