



## 2011 CHAPTER 25

### **Part 3**

#### Planning control

##### *Duration of planning permission*

#### **Power of Department to make section 73 orders**

**75.**—(1) If it appears to the Department that it is expedient that an order should be made under section 73, it may make such an order.

(2) Such an order made by the Department shall have the same effect as if it had been made by the relevant council and confirmed by the Department.

(3) The Department must not make such an order without consulting the relevant council.

(4) Where the Department proposes to make such an order it shall serve notice on the relevant council.

(5) The notice must specify the period within which the council may require an opportunity of appearing before and being heard by the planning appeals commission.

(6) If within that period the council so requires, before the Department makes the order it shall give the council such an opportunity.

(7) The period referred to in subsection (5) must not be less than 28 days from the date of the service of the notice.

(8) The provisions of this Part and of any regulations or order made under this Act with respect to the procedure to be followed in connection with the submission by a council of any order under section 73, its confirmation by the

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*Changes to legislation:* There are currently no known outstanding effects for the Planning Act (Northern Ireland) 2011, Section 75. (See end of Document for details)

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Department and the service of copies of it as confirmed shall have effect, subject to any necessary modifications, in relation to any proposal by the Department to make such an order, its making by the Department and the service of copies of it.

(9) In this section, “relevant council” means the council for the district in which the land to which the order relates is situated.

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**Modifications etc. (not altering text)**

- C1** Pt. 3 applied with modification(s) (1.4.2015) by [The Planning General Regulations \(Northern Ireland\) 2015 \(S.R. 2015/39\)](#), regs. 1(1), **2** (with regs. 3-10)
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**Commencement Information**

- I1** S. 75 in operation at 1.2.2015 for specified purposes by [S.R. 2015/25](#), **art. 2**
- I2** S. 75 in operation at 1.4.2015 in so far as not already in operation by [S.R. 2015/25](#), **art. 3**

**Changes to legislation:**

There are currently no known outstanding effects for the Planning Act (Northern Ireland) 2011, Section 75.