

*These notes refer to the Houses in Multiple Occupation Act (Northern Ireland) 2016 (c.22) which received Royal Assent on 12 May 2016*

# Houses in Multiple Occupation Act (Northern Ireland) 2016

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 2: Licensing of Houses in Multiple Occupation**

##### ***Section 9: Breach of planning control***

Section 8(2)(a), as read with the definition in section 9, provides that an application will be refused if the council feels there has been a breach of planning control. Carrying out development without the planning permission required, or failing to comply with any condition or limitation subject to which planning permission has been granted, constitutes a breach of planning control. Refusals on this ground are treated slightly differently from refusals on other grounds. In particular, the refusal must be made within 28 days of the application and there is no appeal to the county court. However, if the applicant can show that there is no breach of planning control, they can make a renewed application for no additional fee.