

## SCHEDULES

### SCHEDULE 15

Regulation 31

#### APPEALS FROM DECISIONS WITH RESPECT TO PERMITS

1.—(1) A person who wishes to appeal to the Planning Appeals Commission under regulation 31 shall give to the Planning Appeals Commission written notice of the appeal, together with a statement of the grounds of the appeal.

(2) An appellant may withdraw an appeal by notifying the Planning Appeals Commission in writing.

2. Notice of appeal in accordance with paragraph 1 is to be given—

- (a) in the case of an appeal under regulation 31(1) (a) to (e), before the expiry of the period of six months beginning with the date of the decision or deemed decision which is the subject matter of the appeal;
- (b) in the case of an appeal under regulation 31(1)(f), before the expiry of the period of 21 days beginning with the date on which the determination is notified to the person concerned or the determination is deemed to have been made under regulation 35(4);
- (c) in the case of an appeal under regulation 31(2) against a revocation notice, before the date on which the revocation takes effect; or
- (d) in the case of an appeal under regulation 31(2) against a variation notice, an enforcement notice or a suspension notice, before the expiry of the period of two months beginning with the date of that notice.

3. The enforcing authority shall, within 14 days of receipt of notification of an appeal from the Planning Appeals Commission, provide the Planning Appeals Commission with the names and addresses of—

- (a) any person who was required to be given notice of the subject matter of the appeal under paragraph 12 of Schedule 4 or paragraph 5(3)(b) or 12(3)(c) of Schedule 7;
- (b) any person who made representations to the enforcing authority with respect to the subject matter of the appeal; and
- (c) any person who appears to the enforcing authority to have a particular interest in the subject matter of the appeal.

4.—(1) The Planning Appeals Commission shall determine the appeal and paragraphs (1), (3), (4) and (5) of Article 111 of the Planning (Northern Ireland) Order 1991 shall apply in relation to the determination of the appeal as they apply in relation to the determination of an appeal under that Order.

(2) If either party to the appeal so requests, the Planning Appeals Commission shall afford to each of them an opportunity of appearing before and being heard by the Planning Appeals Commission.

(3) A hearing held under sub-paragraph (2) may, if the Planning Appeals Commission so decides, be held wholly or held to any extent, in private.