
STATUTORY RULES OF NORTHERN IRELAND

2015 No. 72

**The Planning (General Development
Procedure) Order (Northern Ireland) 2015**

Permission to develop land without compliance with conditions previously attached

21.—(1) Where an application under section 54 of the 2011 Act is made to the Department then for the purpose of considering representations made in respect of that application made under section 54 of the 2011 Act, the Department may cause a public local inquiry to be held by—

- (a) the planning appeals commission; or
- (b) a person appointed by the Department for the purpose.

(2) Where a public local inquiry is not held under paragraph (1), the Department must, before determining the application, serve a notice in writing on the applicant and the appropriate council indicating the decision which it proposes to make on the application and, if within such period as may be specified in that behalf in the notice (not being less than 28 days from the date of service of the notice), the applicant or the council so requests in writing, the Department must afford to each of them an opportunity of appearing before and being heard by—

- (a) the planning appeals commission; or
- (b) a person appointed by the Department for the purpose.

(3) In determining an application made in respect of which section 54 applies, the Department must, where any inquiry or hearing is held, take into account any report of the planning appeals commission or a person appointed by the Department for the purposes of the inquiry or hearing, as the case may be.

(4) The decision of the Department on an application made in respect of which section 54 applies shall be final.