
Changes to legislation: There are currently no known outstanding effects for the Planning Act (Northern Ireland) 2011, Paragraph 36. (See end of Document for details)

SCHEDULES

SCHEDULE 6

MINOR AND CONSEQUENTIAL AMENDMENTS

The Planning Blight (Compensation) (Northern Ireland) Order 1981 (NI 16)

36 In Article 3—

(a) in paragraph (1)—

(i) in sub-paragraph (g) for the words from “indicated” to “Order” substitute “ indicated in a development plan document (within the meaning of section 6(2) of the Planning Act) ”;

(ii) for sub-paragraph (h) substitute—

“(h) is land indicated in a plan (not being a local development plan) as land which may be required for the purposes of any function of a government department, district council or authority possessing compulsory purchase powers, being land in respect of which the council intends to exercise its powers of planning control under Part 3 of the Planning Act by reference to such a plan;”;

(iii) for sub-paragraph (i) substitute—

“(i) is land in respect of which a council—

(a) has resolved to take action to safeguard it for development for the purposes of any function mentioned in sub-paragraph (h); or

(b) has been directed by the Department to restrict the grant of planning permission in order to safeguard it for such development;”;

(b) for paragraph (2) substitute—

“(2) In paragraph (1)(g) the reference to a development plan document is a reference to—

(a) a development plan document adopted or approved for the purposes of Part 2 of the Planning Act;

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- (b) a revision of a development plan document in pursuance of section 14 of the Planning Act which is adopted or approved for the purposes of Part 2 of that Act;
- (c) a development plan document which has been submitted to the Department for independent examination under section 10 of the Planning Act;
- (d) a revision of a development plan document in pursuance of section 14 of the Planning Act if the document has been submitted to the Department for independent examination under section 10 of that Act.

(2A) But paragraph (2)(c) and (d) does not apply if the document is withdrawn under section 11 of the Planning Act at any time after it has been submitted for independent examination.

(2B) In paragraph (2)(c) and (d) the submission of a development plan document to the Department for independent examination is to be taken to include the holding of an independent examination by the planning appeals commission or a person appointed by the Department.”;”;

- (c) in paragraph (4) for “adopted by the Department” substitute “ adopted or approved ”;
- (d) in paragraph (5) after “adopted”, wherever that word occurs, insert “ or approved ”.

Commencement Information

- I1** Sch. 6 para. 36 in operation at 13.2.2015 for specified purposes by [S.R. 2015/49](#), art. 2, **Sch. 1**
- I2** Sch. 6 para. 36 in operation at 1.4.2015 in so far as not already in operation by [S.R. 2015/49](#), art. 3, **Sch. 1** (with [Sch. 2](#)) (as amended (16.3.2016) by [S.R. 2016/159](#), art. 2)

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