

STATUTORY INSTRUMENTS

1978 No. 1048 (N.I. 18)

Planning (Amendment) (Northern Ireland) Order 1978

- - - - - [25th July 1978]

PART I
INTRODUCTORY

Citation and commencement

1.—(1) This Order may be cited as the Planning (Amendment) (Northern Ireland) Order 1978^{F1}

(2) Article 4 shall come into operation on such day as the head of the Department of the Environment may by order appoint^{F2} and the remaining provisions of this Order shall come into operation at the expiration of the period of one month from the day on which it is made.

- F1** 1991 NI 11
F2 fully exercised by SR 1988/4

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954 shall apply to the interpretation of Article 1 and the following provisions of this Order as it applies to the interpretation of a Measure of the Northern Ireland Assembly.

(2) In this Order—

“the Department” means the Department of the Environment;

^{F3} . . .

(3) Any expression used in Part II and in [^{F4}the Planning Act (Northern Ireland) 2011] has the same meaning in that Part as in [^{F5}that Act].

- F3** Words in art. 2(2) omitted (1.4.2015) by virtue of [Planning Act \(Northern-Ireland\) 2011 \(c. 25\), s. 254\(1\)\(2\), Sch. 6 para. 16](#) (with s. 211); S.R. 2015/49, art. 3, Sch. 1 (with Sch. 2) (as amended (16.3.2016) by S.R. 2016/159, art. 2)
- F4** Words in art. 2(3) substituted (13.2.2015 for specified purposes, 1.4.2015 in so far as not already in operation) by [Planning Act \(Northern-Ireland\) 2011 \(c. 25\), s. 254\(1\)\(2\), Sch. 6 para. 17\(a\)](#) (with s. 211); S.R. 2015/49, arts. 2, 3, Sch. 1 (with Sch. 2 (as amended (16.3.2016) by S.R. 2016/159, art.2))

F5 Words in art. 2(3) substituted (13.2.2015 for specified purposes, 1.4.2015 in so far as not already in operation) by [Planning Act \(Northern-Ireland\) 2011 \(c. 25\)](#), s. 254(1)(2), [Sch. 6 para. 17\(b\)](#) (with s. 211); S.R. 2015/49, arts. 2, 3, Sch. 1 (with [Sch. 2](#) (as amended (16.3.2016) by S.R. 2016/159, art. 2))

PART II

PLANNING

Exclusion of compensation in certain cases where planning permission is revoked

3. Where—

- (a) planning permission granted under [^{F6}Part 3 of the Planning Act (Northern Ireland) 2011] is revoked with the consent of a person entitled to a compensatable estate in the land to which the permission related (in this Article referred to as “the original land”);
- (b) planning permission is granted under that Part on or after the date of the revocation referred to in paragraph (a) in relation to land other than the original land, for development similar to the development permitted by the revoked permission; and
- (c) the permission first referred to in paragraph (b) specifies that it is in substitution for the permission referred to in paragraph (a);

no compensation shall be payable under section 26 of the Land Development Values (Compensation) Act (Northern Ireland) 1965 in respect of the revocation referred to in paragraph (a) to a person who has consented under that paragraph to the revocation.

F6 Words in art. 3(a) substituted (13.2.2015 for specified purposes, 1.4.2015 in so far as not already in operation) by [Planning Act \(Northern-Ireland\) 2011 \(c. 25\)](#), s. 254(1)(2), [Sch. 6 para. 18](#) (with s. 211); S.R. 2015/49, arts. 2, 3, Sch. 1 (with [Sch. 2](#) (as amended (16.3.2016) by S.R. 2016/159 art. 2))

Arts. 4#6 rep. by 1991 NI 11

Art. 7 rep. by 1982 NI 20

Art. 8 rep. by 1991 NI 11

Art. 9 rep. by 1980 NI 11

Art. 10 rep. by 1990 NI 14

Arts. 11#14 rep. by 1991 NI 11

Arts. 15, 16 rep. by 1981 NI 16

Art. 17 rep. by 1991 NI 11

Part IV—Art. 18 amends s.43 of 1965 c.23 (NI).

Art. 19 rep. by 1991 NI 11

Art. 20 rep. by 1990 NI 14

Changes to legislation:

There are currently no known outstanding effects for the Planning (Amendment) (Northern Ireland) Order 1978.