
STATUTORY INSTRUMENTS

2003 No. 430

The Planning (Amendment) (Northern Ireland) Order 2003

Miscellaneous

Status of development plans

30. In Article 4 of the principal Order (development plans) after paragraph (2) there is inserted—

“(2A) Where, in making any determination under this Order, regard is to be had to the development plan, the determination shall be made in general conformity with the plan unless material considerations indicate otherwise.”.

Powers of Department before the acquisition of land for planning purposes

31. After Article 91 of the principal Order (development of land held for planning purposes) there is inserted—

“Powers of Department before the acquisition of land for planning purposes

91A.—(1) Where the Department proposes to acquire land compulsorily for planning purposes it may, at any time after the date of the publication of the notice mentioned in paragraph 2(a) of Schedule 6 to the Local Government Act (Northern Ireland) Act 1972 (as applied by Article 87(3)) in relation to that land—

- (a) enter into an agreement with any person for securing the disposal of the land (in accordance with Article 90) after that land has been acquired for planning purposes;
- (b) exercise the power under paragraph (2) of Article 91 in relation to the land as if the land were land to which that Article applies.”.

Planning Appeals Commission

32.—(1) In paragraph (2)(a) of Article 110 of the principal Order (Planning Appeals Commission) after “chief commissioner” there is inserted “and deputy chief commissioner”.

(2) After paragraph (5) of Article 111 of that Order (procedure of appeals commission) there is inserted—

“(5A) Rules under paragraph (5) which provide for the taking of any decision may, in particular, provide for that decision to be taken by a panel of not fewer than 4 commissioners.

(5B) Rules under paragraph (5) which provide for the making of any report may, in particular, provide for that report to be made—

- (a) by a panel of commissioners;
- (b) by a single commissioner.”.

Grants for research and bursaries

33. In paragraph (1) of Article 119 of the principal Order (grants for research and bursaries) after “physical” there is inserted “or built”.

Grants to bodies providing assistance in relation to certain development proposals

34. In Article 120 of the principal Order (grants to bodies providing assistance in relation to certain development proposals)—

(a) after paragraph (1) there is inserted—

“(1A) The Department may make grants to any body of persons (not being a body carried on for profit) which appears to the Department to have among its principal objectives furthering the preservation, conservation and regeneration of historic buildings.”;

(b) in paragraph (2), after “(1)” there is inserted “or (1A)”.

Planning register

35. In paragraph (1) of Article 124 of the principal Order (planning register) after sub-paragraph (i) there is added—

- “(j) notices under Article 66A;
- (k) breach of condition notices;
- (l) certificates under Article 83A or 83B;
- (m) building preservation notices.”.

Home loss payments following planning blight

36. In Article 30 of the [Land Acquisition and Compensation \(Northern Ireland\) Order 1973 \(NI 21\)](#) (right to home loss payment)—

(a) after paragraph (3) there is inserted—

“(3AA) For the purposes of this Article a person shall be deemed to have been displaced from a dwelling in consequence of the compulsory acquisition of an interest therein if the acquisition is in pursuance of the service by him of a blight notice, within the meaning of Article 2(2) of the Planning Blight (Compensation) (Northern Ireland) Order 1981, served on or after the date of the coming into operation of Article 36 of the Planning (Amendment) (Northern Ireland) Order 2003.”;

(b) in paragraph (10), after the word “Article” there is inserted “except paragraph (3AA)”.

Minor and consequential amendments and repeals

37.—(1) The statutory provisions set out in Schedule 1 shall have effect subject to the minor and consequential amendments specified in that Schedule.

(2) The statutory provisions set out in the first column of Schedule 2 are repealed to the extent set out in the second column of that Schedule.