

*Status: Point in time view as at 15/03/2016. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Planning Act (Northern Ireland) 2011, Section 97. (See end of Document for details)*



## 2011 CHAPTER 25

### Part 4

#### Additional planning control

##### Chapter 1

##### Listed buildings and conservation areas

##### *Power to decline to determine application for listed building consent*

#### **Appeal against failure to take decision**

**97** Where any such application as is mentioned in section 96(1) is made to a council, then unless within such period as may be prescribed, or within such extended period as may be agreed upon in writing between the applicant and the council, the council gives notice to the applicant of its decision on the application or gives notice to the applicant that it has exercised its power under section 92 or 93 to decline to determine the application, section 96 shall apply in relation to the application—

- (a) as if the consent or approval to which it relates had been refused by the council; and
- (b) as if notification of the council's decision had been received by the applicant at the end of the prescribed period, or at the end of the extended period, as the case may be.

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**Modifications etc. (not altering text)**

- C1** Pt. 4 chapter 1 (except ss. 92-93 102) applied with modification(s) (1.4.2015) by [The Planning \(Conservation Areas\) \(Demolition\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/107\)](#), regs. 1, **11**
- C2** Pt. 4 (except chpts. 1, 2) applied with modification(s) (1.4.2015) by [The Planning General Regulations \(Northern Ireland\) 2015 \(S.R. 2015/39\)](#), regs. 1(1), **2** (with regs. 3-10)
- C3** S. 97 applied (1.4.2015) by [The Planning \(Listed Buildings\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/108\)](#), regs. 1(1), 5, **Sch. 1**
- C4** Ss. 92-101 applied with modification(s) (1.4.2015) by [The Planning \(Conservation Areas\) \(Demolition\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/107\)](#), regs. 1, 15, **Sch. 2**

**Commencement Information**

- I1** S. 97 in operation at 13.2.2015 for specified purposes by [S.R. 2015/49](#), art. 2, **Sch. 1**
- I2** S. 97 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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