
STATUTORY INSTRUMENTS

1991 No. 1220

The Planning (Northern Ireland) Order 1991

PART IV

PLANNING CONTROL

Determination of planning applications

[^{F1}Power to decline to determine overlapping application

25AA.—(1) The Department may decline to determine an application for planning permission for the development of any land which is made at a time when any of the conditions in paragraphs (2) to (4) applies in relation to a similar application.

(2) The condition is that a similar application is under consideration by the Department and the determination period for that application has not expired.

(3) The condition is that a similar application is under consideration by—

- (a) the Department in pursuance of Article 31; or
- (b) the planning appeals commission on an appeal under Article 32 or 33,

and the Department or, as the case may be, the planning appeals commission, has not issued its decision.

(4) The condition is that a similar application—

- (a) has been granted by the Department;
- (b) has been refused by the Department; or
- (c) has not been determined by the Department within the determination period,

and the time within which an appeal could be made to the planning appeals commission under Article 32 or 33 has not expired.

(5) An application for planning permission is similar to another application if (and only if) the Department thinks that the development and the land to which the applications relate are the same or substantially the same.

(6) The determination period is—

- (a) the period specified by the development order for the determination of the application; or
- (b) such longer period as the applicant and the Department have agreed for the determination of the application.]

F1 [Arts. 25A, 25AA](#) substituted (10.6.2006) for art. 25A by [Planning Reform \(Northern Ireland\) Order 2006 \(S.I. 2006/1252 \(N.I. 7\)\)](#), arts. 1(4), **9(1)** (with art. 9(5))

Status:

Point in time view as at 10/06/2006. This version of this provision has been superseded.

Changes to legislation:

The Planning (Northern Ireland) Order 1991, Section 25AA is up to date with all changes known to be in force on or before 27 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.