
STATUTORY RULES OF NORTHERN IRELAND

2015 No. 107

**The Planning (Conservation Areas) (Demolition)
Regulations (Northern Ireland) 2015**

Applications to the Department for consent to execute works without compliance with conditions previously attached

10.—(1) Where an application under section 95 is required to be made to the Department, regulations 5, 6(1) and 9(1), (2) and (3) shall apply to that application and references to a council shall be construed as a reference to the Department.

(2) Where an application under section 95 is made to the Department it shall consult the appropriate council.

(3) For the purpose of considering representations made in respect of an application under section 95 the Department may cause a public local inquiry to be held by—

- (a) the planning appeals commission;
- (b) a person appointed by the Department for the purpose.

(4) Where a public local inquiry is not held under paragraph (3) the Department must, before determining the application, serve a notice on the applicant and the appropriate council indicating the decision which it proposes to make on the application; and if within such period as may be specified in that behalf in the notice (not being less than 28 days from the date of service of the notice), the applicant or the council so requests in writing, the Department shall afford to each of them an opportunity of appearing before and being heard by—

- (a) the planning appeals commission; or
- (b) a person appointed by the Department for the purpose.

(5) In determining an application under section 95 the Department must, where any inquiry or hearing is held, take into account any report of the planning appeals commission or a person appointed by the Department for the purposes of the inquiry or hearing, as the case may be.

(6) The decision of the Department on an application under section 95 shall be final.