
EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 77 of the Planning Act (Northern Ireland) 2011 enables a person against whom a planning agreement is enforceable to apply to the relevant authority (the Department or appropriate council) to have the agreement modified or discharged. Section 78 of that Act provides for an appeal to the planning appeals commission if such an application is refused or not determined.

These Regulations make provision with respect to—

- (a) the form and content of such applications (regulation 2);
- (b) the notification of and publicity for such applications (regulations 3 and 4);
- (c) the determination of such applications (regulation 5);
- (d) appeals to the planning appeals commission against the relevant authority's determination on such applications including a revised appeal period of 4 months (regulation 6);
- (e) transitional arrangements in relation to planning agreement and appeal functions exercised prior to the date on which these Regulations come into operation, by the Department, which will be exercised after that date by the appropriate council (regulation 7 and Schedule 2). Schedule 2 sets out the planning agreement for which responsibility remains with the Department.
- (f) revocation of the Planning (Modification and Discharge of Planning Agreements) Regulations (Northern Ireland) 2005 (regulation 8);

A regulatory impact assessment has been prepared in relation to these Regulations. A copy may be obtained from the Department of the Environment, Causeway Exchange, 1-7 Bedford Street, Belfast, BT2 7EG. Telephone (028 90 823536) or accessed at www.doeni.gov.uk

The Explanatory Memorandum is available alongside the regulations on the government's website www.legislation.gov.uk