
STATUTORY RULES OF NORTHERN IRELAND

2015 No. 72

**The Planning (General Development
Procedure) Order (Northern Ireland) 2015**

Consultations as to applications for planning permission

13.—(1) Before determining an application for planning permission the council, or as the case may be, the Department shall consult in accordance with this Article and Schedule 3, except where—

- (a) the consultee has advised the council or, as the case may be, the Department in writing that they do not wish to be consulted;
- (b) the development is subject to any standing advice provided by the consultee to the council or, as the case may be, the Department in relation to the category of development; or
- (c) the development is not EIA development and is the subject of an application to which Article 14 applies.

(2) The exception in paragraph 1(a) shall not apply where, in the opinion of the council or, as the case may be, the Department, development falls within paragraph 2(b)(ii) of Part 1 or paragraph 2(b)(ii) of Part 2 in Schedule 3.

(3) The exception in paragraph 1(b) shall not apply where—

- (a) the development is EIA development; or
- (b) the standing advice was issued more than 2 years before the date on which notification of the application was issued to the consultee and the guidance has not been amended or confirmed as being extant by the consultee in that period.

(4) Where, the council or as the case may be, the Department is required by this Article to consult one or more consultee(s) before determining the application—

- (a) it shall give notice of the application together with information specified under Article 15(4) to the consultee; and
- (b) notwithstanding Article 8(1)(d) subject to paragraph (5), the council or, as the case may be, the Department shall not determine the application—
 - (i) before 21 days after the date on which notice is given under sub-paragraph (a) and development is not EIA development,
 - (ii) before 28 days where the development is EIA development, or
 - (iii) any other date agreed in writing between the consultee and the council or, as the case may be, the Department in accordance with Article 15(2)(b),

whichever is the latest.

(5) Sub-paragraph (4)(b) does not apply if, before the end of the period referred to in that sub-paragraph the council or, as the case may be, the Department has received a substantive response required by virtue of paragraph (1) concerning the application from each consultee from whom a response was sought.

(6) The council or, as the case may be, the Department shall, in determining the application, take into account any response from a consultee required by virtue of paragraph (1).