

SCHEDULES

SCHEDULE 8

Article 70(8)

Appeals to Planning Appeals Commission (Northern Ireland)

1.—(1) A person who wishes to appeal under article 65 to the Planning Appeals Commission (Northern Ireland) against a decision of the Regulator must give to the Planning Appeals Commission—

- (a) written notice of the appeal; and
- (b) a statement of the grounds of appeal.

(2) The notice of appeal must be accompanied by any fee for the appeal prescribed in regulations made under section 223(7)(b) of the Planning Act (Northern Ireland) 2011⁽¹⁾; and for that purpose, section 223(7)(b) has effect as if the reference to an appeal under that Act included a reference to an appeal under this Order.

(3) The Planning Appeals Commission must as soon as reasonably practicable send a copy of the notice of appeal and the statement of grounds to the Regulator.

Commencement Information

I1 Sch. 8 para. 1 in force at 26.5.2021, see [art. 1](#)

2. A notice of appeal under paragraph 1 must be given before the expiry of the period of 47 days beginning with the [^{F1}date of the relevant notice for appeal under article 65(1)(b) or date of deemed refusal].

Textual Amendments

F1 Words in [Sch. 8 para. 2](#) substituted (9.11.2022) by [The Air Navigation \(Carbon Offsetting and Reduction Scheme for International Aviation\) \(Amendment\) Order 2022 \(S.I. 2022/1050\)](#), arts. 1, [37](#)

Commencement Information

I2 Sch. 8 para. 2 in force at 26.5.2021, see [art. 1](#)

3.—(1) An appellant may withdraw an appeal by giving notice to the Planning Appeals Commission.

(2) If an appellant withdraws an appeal, the Planning Appeals Commission must give notice to the Regulator of the withdrawal as soon as reasonably practicable.

Commencement Information

I3 Sch. 8 para. 3 in force at 26.5.2021, see [art. 1](#)

(1) 2011 c. 25.

Changes to legislation: There are currently no known outstanding effects for the The Air Navigation (Carbon Offsetting and Reduction Scheme for International Aviation) Order 2021, SCHEDULE 8. (See end of Document for details)

4.—(1) The Planning Appeals Commission must determine the appeal; and section 204(1), (3) and (4) of the Planning Act (Northern Ireland) 2011 applies in relation to the determination of the appeal as it applies in relation to the determination of an appeal in accordance with that Act.

(2) The Planning Appeals Commission must—

- (a) determine the process for determining the appeal; and
- (b) when doing so, take into account any requests by either party to the appeal.

Commencement Information

I4 Sch. 8 para. 4 in force at 26.5.2021, see [art. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Air Navigation (Carbon Offsetting and Reduction Scheme for International Aviation) Order 2021, SCHEDULE 8.