

Regional Planning Governance & Legislation



Department for

**Infrastructure**

An Roinn

**Bonneagair**

Department for

**Infrastructure**

[www.infrastructure-ni.gov.uk](http://www.infrastructure-ni.gov.uk)

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Your reference:  
Our reference: DfIPG 154/23

06 June 2023

Dear Mr Blackwood

**Planning Appeals Commission Decision 2021-A0081**

You wrote to Alistair Beggs on 17<sup>th</sup> May 2023 regarding a recent Planning Appeals Commission (PAC) decision 2021-A0081 in relation to planning application A/2014/0035/RM which had initially been refused by Derry City & Strabane District Council (the Council).

As you know the Department has been aware of the issues relating to this proposed development and the decision by the Council to treat it as unauthorised environmental impact assessment (EIA) development. Indeed, the Department engaged directly with the Council prior to its determination to understand more fully the issues relating to the proposal.

In terms of the oversight of the two-tier planning system the Department is satisfied that the Council appears to have properly exercised its statutory functions in the management of this case. The lawfulness of the decision of the PAC is a matter first and foremost for the consideration of the Council as the original determining authority with the detailed knowledge of the case, and is in line with the transfer of planning powers to local government.

Yours sincerely

**DR KATHRYN McFERRAN**  
(Acting) Director

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