



Ms Suzanne Wylie
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Your reference:

Our reference: COR/1829/2015

4 March 2016

Dear Ms Wylie

Thank you for your letter of 9th September 2015 regarding petroleum exploration at Woodburn Forest. I apologise for the delay in replying.

Infrastrata Ltd obtained Permitted Development to drill an exploratory well under Permitted Development Rights as outlined in Part 16 of the Planning (General Development) Order (NI) 1993.

Following the transfer of planning functions to local government, the Woodburn PD notification is now a matter for the Mid and East Antrim Borough Council. The legal position is that Article 8 of the Planning (General Permitted Development) Order (NI) 2015 provides that anything done by or in relation to the Department in connection with its functions under Schedule 1 to the Planning (General Development) Order (NI) 1993 (the previous PD legislation) is to be treated as if it had been done by, to or in relation to the appropriate council in connection with its functions under the Schedule to the 2015 Order. As such the PD notification should be treated as if it had been made to the council in the first instance.

I am advised that the only means of potentially removing PD rights at this stage is for the council to carry out a further EIA screening exercise in relation to the notification, taking into account whatever further information it considers appropriate. This course of action would likely require consultation with other bodies.

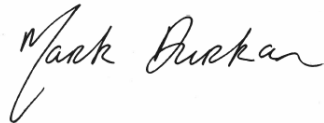
I have written directly to Mid and East Antrim Council requesting that they undertake their own review of the file and have forwarded on correspondence I have received from third parties in relation to this matter.

Section 29 (1) of the 2011 Act allows the Department to direct that an individual application or applications be referred to the Department instead of being dealt with by a council. This provision allows the Department to call-in any planning application for determination. However this 'call in' option is only applicable to a planning

application. The Woodburn Part 16 Notification is not deemed to be a planning application in the first instance and the Department has already confirmed the operations fall within the scope of the permitted development rights. Therefore in this instance; this is not an option available to the Department.

You may wish to convey this information to elected members.

Yours sincerely

A handwritten signature in black ink that reads "Mark Durkan". The signature is written in a cursive style with a large, sweeping initial 'M'.

MARK H DURKAN MLA
Minister of the Environment