

## SCHEDULE 4

### PART 2

#### SECTIONS 40, 43, 44, 58, 59, 60, 68 AND 70 OF THE PLANNING ACT (NORTHERN IRELAND) 2011 AS MODIFIED

##### **Appeal against failure to take planning decision**

60.—(1) Where any such application as is mentioned in section 58(1) as applied and modified by the Planning (Control of Advertisements) Regulations (Northern Ireland) 2015 is made to a council, then unless within such period as may be specified by the Regulations, or within such extended period as may be agreed upon in writing between the applicant and the council, the council gives notice to the applicant of its decision on the application, section 58 shall apply in relation to the application—

- (i) as if the consent to which it relates had been refused by the council; and
- (ii) as if notification of the council's decision had been received by the applicant at the end of the period so specified, or at the end of the said extended period, as the case may be.