
STATUTORY INSTRUMENTS

2015 No. 595

The Town and Country Planning (Development Management Procedure) (England) Order 2015

Part 5

Applications made under a planning condition

Deemed discharge

28.—(1) Subject to article 30, a planning condition to which section 74A(2) of the 1990 Act applies is deemed to be discharged⁽¹⁾ with effect from the date provided for paragraph (2) where—

- (a) the applicant has applied to the local planning authority under article 27; and
- (b) the applicant has given notice, in relation to that condition, in accordance with article 29; and
- (c) the period for the authority to give notice to the applicant of their decision on the application has elapsed without the authority giving notice to the applicant of their decision.

(2) Deemed discharge takes effect on the date specified in the notice given under article 29 or on such later date as may be agreed by the applicant and the authority in writing, unless the authority has given notice to the applicant of their decision on the application under article 27 before that date.

⁽¹⁾ See section 74A(3) for the definition of deemed discharge.