



# Town and Country Planning Act 1971

## 1971 CHAPTER 78

### PART VIII

#### COMPENSATION FOR OTHER PLANNING RESTRICTIONS

##### *Other restrictions*

#### **172 Compensation where listed building consent revoked or modified**

(1) Where listed building consent is revoked or modified by an order under paragraph 10 of Schedule, 11 to this Act (other than an order which takes effect by virtue of paragraph 12 of that Schedule and without being confirmed by the Secretary of State), then if on a claim made to the local planning authority within the time and in the manner prescribed by regulations under this Act, it is shown that a person interested in the building—

- (a) has incurred expenditure in carrying out works which are rendered abortive by the revocation or modification ; or
- (b) has otherwise sustained loss or damage which is directly attributable to the revocation or modification,

the authority shall pay to that person compensation in respect of that expenditure, loss or damage.

(2) For the purposes of this section, any expenditure incurred in the preparation of plans for the purposes of any works, or upon other similar matters preparatory thereto, shall be taken to be included in the expenditure incurred in carrying out those works.

(3) Subject to subsection (2) of this section, no compensation shall be paid under this section in respect of any works carried out before the grant of the listed building consent which is revoked or modified, or in respect of any other loss or damage (not being loss or damage consisting of depreciation of the value of an interest in land) arising out of anything done or omitted to be done before the grant of that consent.