



Town and Country Planning (Scotland) Act 1972

1972 CHAPTER 52

PART IV

ADDITIONAL CONTROL IN SPECIAL CASES

Industrial development

68 Restrictions or conditions attached to certificates

- (1) An industrial development certificate in respect of any development may be issued subject to such restrictions on the making of an application for planning permission for that development (whether as to the period within which, or the persons by whom, such an application may be made, or otherwise) as the Secretary of State considers appropriate having regard to the proper distribution of industry; and where an industrial development certificate in respect of any development is issued subject to any such restrictions, and an application for planning permission for that development is made which does not comply with those restrictions, the provisions of section 65 of this Act shall apply in relation to that application as if no such certificate had been issued.
- (2) Without prejudice to subsection (1) of this section, an industrial development certificate may be issued either unconditionally or subject to such conditions as the Secretary of State considers appropriate having regard to the proper distribution of industry; and any reference in this section to conditions attached to an industrial development certificate is a reference to conditions subject to which such a certificate is issued.
- (3) Without prejudice to the generality of subsection (2) of this section, conditions may be attached to an industrial development certificate—
 - (a) for requiring the removal of any building or the discontinuance of any use of land to which the certificate relates at the end of a specified period and the

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

carrying out of any works required for the reinstatement of land at the end of that period;

- (b) restricting the amount of office floor space (as defined in section 82 of this Act whether or not that section has ceased to have effect) to be contained in any building to which the certificate relates, or precluding it from containing any office floor space (as so defined);

and conditions of the kind mentioned in paragraph (b) of this subsection may be framed so as to apply (either or both) to the building as originally erected or as subsequently extended or altered.

- (4) In so far as any of the conditions attached to an industrial development certificate are of such a description that (apart from this section) they could not have been imposed under this Act, this Act shall apply in relation to any application for planning permission for the purposes of which that certificate is required, and to any planning permission granted on such an application, as if the powers conferred by this Act included power to impose conditions of that description.
- (5) Where conditions are attached to an industrial development certificate, and, on an application for planning permission for the purposes of which that certificate is required, planning permission is granted, the authority granting the permission shall grant it subject to those conditions, with or without other conditions.
- (6) Planning permission to which subsection (5) of this section applies shall not be invalid by reason only that the requirements of that subsection are not complied with; but where any such planning permission is granted without complying with the requirements of that subsection the planning permission shall be deemed to have been granted subject to the conditions attached to the industrial development certificate, or (if any other conditions were imposed by the authority granting the permission) to have been granted subject to the conditions attached to the certificate in addition to the other conditions.