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# Land Development Values (Compensation) Act (Northern Ireland) 1965

## CHAPTER 23

### LAND DEVELOPMENT VALUES (COMPENSATION) ACT (NORTHERN IRELAND) 1965

#### PART I

##### DEVELOPMENT VALUE OF LAND

- 1 Development value of land.
- 2 Meaning of “unrestricted” and “restricted” value.
- 3 Basis of calculation of restricted and unrestricted values of land.
- 4 Land held by public bodies.
- 5 Applications for ascertainment of development value.
- 6 Restrictions on determination of Part I applications.
- 7 Regulations as to Part I applications.

#### PART II

##### COMPENSATION FOR PLANNING DECISIONS RESTRICTING NEW DEVELOPMENT

##### ATTRIBUTION OF DEVELOPMENT VALUE TO LAND

- 8 Interpretation (Part II).
- 9 Reduction or extinguishment of development value following planning compensation.
- 10 Reduction or extinguishment of development value on initiation of new development.
- 11 Reduction or extinguishment of development value following severance or injurious affection.

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- 12 Supplementary provisions as to deductions from development value.
- 13 Information relating to development value.

#### RIGHT TO COMPENSATION

- 14 Right to compensation arising out of certain planning decisions.
- 15 Exclusion of compensation in certain cases.
- 16 Exclusion of compensation where permission for alternative development is available.

#### MEASURE OF COMPENSATION

- 17 Amount of compensation.
- 18 Assessment of depreciation.
- 19 Further provisions as to calculation of depreciation.
- 20 Claims for compensation.
- 21 Apportionment of compensation.
- 22 Payment of compensation.
- 23 Determination of claims.
- 24 Recovery of compensation on subsequent development.
- 25 Amounts repayable in relation to balances of development value.

### PART III

#### COMPENSATION FOR OTHER PLANNING RESTRICTIONS

- 26 Compensation where planning permission is revoked or modified.
- 27 Registration and apportionment of compensation for depreciation.  
S. 28 rep. by 2001 c. 2 (NI)
- 29 Compensation for planning decisions restricting development other than new development.
- 30 Public bodies in relation to compensation under section 26.
- 31 Reference of disputes under Part III to the Lands Tribunal.

### PART IV

#### MISCELLANEOUS PROVISIONS

- S. 32 rep. by 2001 c. 2 (NI)
- 33 Calculation of value.  
Ss. 34#36 rep. by 1972 NI 17
- 37 Application of s.24 to compensation payable otherwise than under Part II.  
Ss. 38, 39 rep. by 2001 c. 2 (NI)
- 40 Powers of entry.
- 41 Regulations, etc.
- 42 Expenses.
- 43 Interpretation.  
S. 44 spent  
S. 45, with Schedule 5, effects repeals
- 46 Short title.

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## SCHEDULES

### SCHEDULE 1 — DEVELOPMENT NOT CONSTITUTING NEW DEVELOPMENT

- 1 (1) The carrying out of any of the following works, that is to say— (a)...
- 2 The use as two or more separate dwelling houses of any building which at a...
- 3 (1) Subject to sub-paragraph (2), the enlargement, improvement or other alteration, as often as occasion...  
Para. 4 rep. by 1972 NI 17
- 5 The getting, on land held or occupied with land used for the purposes of agriculture,...
- 6 In the case of a building or other land which, at a material date, was...
- 7 In the case of any building or other land which, at a material date, was...
- 8 The deposit of waste materials or refuse in connection with the working of minerals, on...
- 9 For the purposes of this Schedule cubic content shall be ascertained by external measurement.
- 10 Where, after the passing of this Act— (a) any building or works have been erected...
- 11 For the purposes of paragraph 3— (a) the erection, on land within the curtilage of...
- 12 (1) In this Schedule “at a material date” means at either of the following dates—...

### SCHEDULE 2 — USE CLASSES FOR PURPOSES OF PARAGRAPH 6 OF SCHEDULE 1

#### PART I — GENERAL

- 1 (1) In this Schedule— “article” means an article of any description, including a ship or...
- 2 (1) Where a group of contiguous or adjacent buildings used as parts of a single...

#### PART II — USE CLASSES

- 1 Use as a shop for any purpose except as— (a) a fish and chip shop;...
- 2 Use as an office for any purpose.
- 3 Use as a light industrial building for any purpose.
- 4 Use as a general industrial building for any purpose.
- 5 (1) Use for any work which is registrable under the Alkali, & co. Works Regulation...
- 6 Use for any of the following processes so far as not included in paragraph 5...
- 7 Use, so far as not included in paragraph 5, for the production or employment of...
- 8 Use for any of the following purposes, so far as not included in paragraph 5:—...
- 9 Use for carrying on any of following industries, businesses or trades so far as not...
- 10 Use as a wholesale warehouse or repository for any purpose.
- 11 Use as a boarding or guest house, a residential club, or a hotel providing sleeping...
- 12 Use as a residential or boarding school or a residential college.

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- 13 Use as a building for public worship or religious instruction or for the social or...
- 14 Use as a home or institution providing for the boarding, care and maintenance of children,...
- 15 Use (other than residentially) as a health centre, a school treatment centre, a clinic, a...
- 16 Use as an art gallery (other than for business purposes), a museum, a public library...
- 17 Use as a theatre, a cinema, a music hall, a dance hall, a skating rink,...

— Schedule 3 rep. by 2001 c. 2 ( NI

— Schedule 4 spent

— Schedule 5 Part I rep. by SLR 1973; Part II—Repeals

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