



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

## 1965 CHAPTER 23

### <sup>F1</sup>PART II

#### <sup>F1</sup>COMPENSATION FOR PLANNING DECISIONS RESTRICTING NEW DEVELOPMENT

##### RIGHT TO COMPENSATION

- 16** <sup>F1</sup>**Exclusion of compensation where permission for alternative development is available.**
- (1) Compensation shall not be payable under this Part in respect of a compensatable estate subsisting in land which is the subject of a planning decision whereby permission for the carrying out of any new development is refused if, notwithstanding the refusal, there is available with respect to that land permission for development to which this subsection applies, but where the permission is available with respect to part only of the land, this subsection shall have effect with respect only to that part.
  - (2) Where a claim for any Part II compensation is made in respect of a compensatable estate subsisting in any land, permission for development to which subsection (1) applies shall, for the purposes of that subsection, be taken to be available with respect to that land or a part thereof, if immediately before the Ministry gives notice of its findings in respect of that claim there is in force with respect to that land or part, a grant of, or an undertaking by the Ministry to grant, some such permission, subject to no conditions other than such as are mentioned in section 15(4).
  - (3) Subsection (1) applies to any development of a residential, commercial or industrial character, being development which consists wholly or mainly of houses, flats, shop or office premises, or industrial buildings (including warehouses), or any combination thereof.

**Changes to legislation:** *There are currently no known outstanding effects for the Land Development Values (Compensation) Act (Northern Ireland) 1965, Section 16. (See end of Document for details)*

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**Annotations:**

**F1** rep. with saving by [2001 c. 2 \(NI\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Land Development Values (Compensation) Act (Northern Ireland) 1965, Section 16.