

*These notes refer to the Planning Act (Northern Ireland)  
2011 (c.25) which received Royal Assent on 4 May 2011*

# Planning Act (Northern Ireland) 2011

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 6: Compensation**

##### *Section 180: Modification of the Act of 1965 in relation to minerals*

This section makes provision corresponding to Article 97 of the Planning (Northern Ireland) Order 1972. It modifies section 26(1) of the 1965 Act so that a claim for expenditure or loss when planning permission for the winning and working of minerals is revoked or modified shall not be entertained in respect of buildings plant or machinery unless the claimant can prove that they are unable to use them except at the loss claimed. The reason is that such machinery can often be moved and the provision ensures that only the net loss is paid on revocation.