

---

STATUTORY INSTRUMENTS

---

**1972 No. 1634**

**Planning (Northern Ireland) Order 1972**

**PART VIII**

**COMPENSATION**

**Compensation where planning permission required under this Order but not under the Act of 1944**

**68.**—(1) This Article shall apply—

(a) where the development of land was permitted before<sup>[F1]</sup> 1st October 1973] by virtue of Article 4 of, and paragraph 5 of the Schedule to, the Planning (Interim Development) Order (Northern Ireland) 1944 (development by mining undertakers); or

(b) where by virtue of section 9(1)(i) of the Act of 1944, the erection before<sup>[F1]</sup> 1st October 1973] of certain buildings for the purpose of agriculture did not constitute development,

if in either such case, by virtue of<sup>[F1]</sup> the Planning <sup>[F2]</sup>Act], planning permission is required, and that permission is refused or granted subject to conditions.

(2) In a case falling within paragraph (1), section 26 of the Act of 1965 shall apply as if—

(a) planning permission had been granted for the development; and

(b) on the date of the planning decision in question that permission had been revoked or modified under Article 29.

**Annotations:**

**F1** 1991 NI 11

**F2** Word in art. 68(1) substituted (13.2.2015 for specified purposes, 1.4.2015 in so far as not already in operation) by [Planning Act \(Northern Ireland\) 2011 \(c. 25\), s. 254\(1\)\(2\), Sch. 6 para. 10](#) (with s. 211); [S.R. 2015/49, arts. 2, 3, Sch. 1](#) (with [Sch. 2](#)) (as amended (16.3.2016) by [S.R. 2016/159, art. 2](#))

**Changes to legislation:**

There are currently no known outstanding effects for the Planning (Northern Ireland) Order 1972, Section 68.