
STATUTORY INSTRUMENTS

1982 No. 712

The Land Compensation (Northern Ireland) Order 1982

PART III

PROVISIONS DETERMINING AMOUNT OF COMPENSATION

Assumptions as to planning permission

Assumptions as to grant of planning permission

13.—(1) In a case where—

- (a) the interest is to be compulsorily acquired for purposes which involve the carrying out of proposals of the acquiring authority for development of the land in which the interest subsists or part of it, and
- (b) on the date on which the vesting order becomes operative there is not in force planning permission for that development,

it shall be assumed that planning permission would be granted in respect of that land or that part of it, as the case may be, such as would permit development of it in accordance with the proposals of the acquiring authority.

(2) It shall be assumed that planning permission would be granted in respect of that land or any part of it, for development of any class specified in Schedule 1 to the Land Development Values (Compensation) Act (Northern Ireland) 1965^{F1} (development not constituting new development).

(3) Where a certificate is issued under Article 15 or 17, it shall be assumed that any planning permission which, according to the certificate might reasonably have been expected to be granted in respect of that land or part of it would be so granted, but, where any conditions are, in accordance with those Articles, specified in the certificate, only subject to those conditions and, if any future time is so specified, only at that time.

F1 1965 c. 23 (NI)

Modifications etc. (not altering text)

C1 Art. 13 modified (13.2.2015 for specified purposes, 1.4.2015 in so far as not already in operation) by [Planning Act \(Northern Ireland\) 2011 \(c. 25\)](#), [ss. 196\(7\), 254\(1\), \(2\)](#) (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:

The Land Compensation (Northern Ireland) Order 1982, Section 13 is up to date with all changes known to be in force on or before 15 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- art. 6(2)-(4) applied (by S.I. 1996/725 (N.I.), art. 18B 18C (as inserted)) by [2022 c. 46 s. 64\(2\)](#)