



# Town and Country Planning Act 1968

## 1968 CHAPTER 72

### PART VI

#### MISCELLANEOUS CHANGES IN PLANNING LAW

##### *Control of office development*

#### **83 Partial abrogation of dual control of office development.**

- (1) Without prejudice to section 23 of the Industrial Development Act 1966 (restrictions or conditions which may be attached to industrial development certificates issued by the Board of Trade under section 38 of the principal Act) the conditions which the Board of Trade may under that section attach to an industrial development certificate shall include conditions restricting the amount of office floor space to be contained in any building which is the subject of the development, or precluding it from containing any office floor space; and the conditions may be framed so as to apply (either or both) to the building as originally erected or as subsequently extended or altered.
- (2) Notwithstanding section 5(1) of the Control of Office and Industrial Development Act 1965 (of which the effect is that an industrial development certificate under section 38 of the principal Act as well as an office development permit under section 1(3) of the said Act of 1965 is required in support of an application for planning permission for development which is not only industrial but involves the provision of office premises), compliance with the said section 1(3) shall not be required in respect of an application for planning permission for industrial development to which this section applies, where there has been issued by the Board of Trade and furnished to the local planning authority with the application a copy of an industrial development certificate with conditions attached thereto by virtue of subsection (1) above.
- (3) The said Act of 1965 is hereafter in this Act referred to as " the Act of 1965
- (4) In this section, " industrial development " means the development of land in any manner specified in section 38(1) of the principal Act (requirement of Board of Trade industrial development certificate to support application for planning permission for development involving provision of industrial building or change in the use of

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premises so that a building becomes industrial); and this section applies to industrial development only if there will result therefrom no office premises except such as are comprised within the curtilage of an industrial building and are used or designed for use for providing services or facilities ancillary to the use of other premises in the same building or curtilage.

- (5) Development in respect of which there has been issued by the Board of Trade an industrial development certificate with conditions attached thereto by virtue of subsection (1) of this section shall be treated as not included in any reference to " related development " in section 2 of the Act of 1965 (which makes an office development permit unnecessary if the amount of office floor space to be created is below the prescribed exemption limit, but for this purpose requires that space to be aggregated with office floor space created, or to be created, in the course of other development affecting the same building or site).