



Town and Country Planning Act 1962

1962 CHAPTER 38 10 and 11 Eliz 2

PART VII

COMPENSATION FOR OTHER PLANNING RESTRICTIONS

Revocation or modification of planning permission

122 Recovery, on subsequent development, of compensation under s.118

- (1) In relation to notices registered under the provisions of section one hundred and twelve of this Act, as applied by the preceding provisions of this Part of this Act, sections one hundred and thirteen and one hundred and fourteen of this Act shall have effect as they have effect in relation to compensation notices registered as therein mentioned:

Provided that, in a case where the compensation under section one hundred and eighteen of this Act specified in such a notice became payable in respect of an order modifying planning permission, the said sections shall not apply to development in accordance with that permission as modified by the order.

- (2) Subject to the next following subsection, any sum recovered by the Minister under section one hundred and thirteen of this Act, as applied by the preceding subsection, shall be paid to the local planning authority who paid the compensation to which that sum relates.
- (3) In paying any such sum to the local planning authority, the Minister shall deduct therefrom—
- (a) the amount of any contribution paid by him under the last preceding section in respect of the compensation to which the sum relates ;
 - (b) the amount of any grant paid by him under Part XII of this Act in respect of that compensation:

Provided that, if the sum recovered by the Minister is an instalment of the total sum recoverable, or is recovered by reference to development of part of the land in respect of which the compensation was payable, any deduction to be made under paragraph (a)

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or paragraph (b) of this subsection shall be a deduction of such amount as the Minister may determine to be the proper proportion of the amount referred to in that paragraph.