



Town and Country Planning Act 1962

1962 CHAPTER 38 10 and 11 Eliz 2

PART III

PLANNING CONTROL

Planning permission

13 Development requiring planning permission

- (1) Subject to the provisions of this section, planning permission is required for the carrying out of any development of land.
- (2) Where on the first day of July, nineteen hundred and forty-eight (in this Act referred to as “the appointed day”), land was being used temporarily for a purpose other than the purpose for which it was normally used, planning permission is not required for the resumption of the use of the land for the last-mentioned purpose.
- (3) Where on the appointed day land was normally used for one purpose and was also used on occasions, whether at regular intervals or not, for another purpose, planning permission is not required in respect of the use of the land for that other purpose on similar occasions.
- (4) Where land was unoccupied on the appointed day, but had before that day been occupied at some time on or after the seventh day of January, nineteen hundred and thirty-seven, planning permission is not required in respect of the use of the land for the purpose for which it was last used before the appointed day.
- (5) Where planning permission to develop land has been granted for a limited period, planning permission is not required for the resumption, at the end of that period, of the use of the land for the purpose for which it was normally used before the permission was granted.
- (6) In determining, for the purposes of subsections (2) and (4) of this section respectively, what were the purposes for which land was normally used or last used, no account shall be taken of any use of the land begun in contravention of previous planning control;

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and in determining, for the purposes of the last preceding subsection, what were the purposes for which land was normally used before the grant of planning permission, no account shall be taken of any use of the land begun in contravention of the provisions of this Part of this Act or in contravention of previous planning control.

- (7) Notwithstanding anything in subsections (2) to (4) of this section, the use of land as a caravan site shall not, by virtue of any of those subsections, be treated as a use for which planning permission is not required, unless the land was so used on one occasion at least during the period of two years ending with the ninth day of March, nineteen hundred and sixty.
- (8) Where by a development order planning permission to develop land has been granted subject to limitations, planning permission is not required for the use of that land which (apart from its use in accordance with that permission) is the normal use of that land, unless the last-mentioned use was begun in contravention of the provisions of this Part of this Act or in contravention of previous planning control.
- (9) Where an enforcement notice has been served in respect of any development of land, planning permission is not required for the use of that land for the purpose for which (in accordance with the provisions of this Part of this Act) it could lawfully have been used if that development had not been carried out.
- (10) For the purposes of this section a use of land shall be taken to have been begun in contravention of previous planning control if—
- (a) it was 'begun in contravention of the provisions of Part III of the Act of 1947, or
 - (b) at the material time the land was subject to a resolution to prepare a planning scheme, and the use was begun otherwise than in accordance with permission granted in that behalf by or under the interim development order, or
 - (c) at the material time the land was subject to a planning scheme, and the use was begun otherwise than in conformity with the provisions of the scheme or of permission granted thereunder.

In this subsection “planning scheme ” means a scheme under the Town and Country Planning Act, 1932, or any enactment repealed by that Act, and “interim development order ” means an order made under subsection (1) of section ten of that Act.