



# Town and Country Planning Act 1962

1962 CHAPTER 38 10 and 11 Eliz 2

## PART VIII

### PROVISIONS ENABLING OWNER TO REQUIRE PURCHASE OF HIS INTEREST

#### *Interests of owner-occupiers affected by planning proposals*

#### **150 General interpretation of these provisions**

- (1) Subject to the following provisions of this section, in these provisions the following expressions have the meanings hereby assigned to them respectively, that is to say:—

“the affected area”, in relation to an agricultural unit, means so much of that unit as, on the date of service, consists of land falling within any of the specified descriptions;

“agricultural unit” means land which is occupied as a unit for agricultural purposes, including any dwellinghouse or other building occupied by the same person for the purpose of farming the land;

“annual value”, in relation to a hereditament, means the value which, on the date of service, is shown in the valuation list as the rateable value of that hereditament, except that, where the rateable value differs from the net annual value, it means the value which on that date is shown in the valuation list as the net annual value thereof;

“the claimant” has the meaning assigned to it by subsection (4) of section one hundred and thirty-nine of this Act;

“hereditament” means the aggregate of the land which forms the subject of a single entry in the valuation list for the time being in force for a rating area;

“special enactment” means a local enactment, or a provision contained in an Act other than a local or private Act, being a local enactment or provision authorising the compulsory acquisition of land specifically identified therein; and in this definition “local enactment” means a local or private Act, or an order confirmed by Parliament or brought into operation in accordance with special parliamentary procedure;

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*Status: This is the original version (as it was originally enacted). This  
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“the specified descriptions ” and “these provisions ” have the meanings assigned to them respectively by subsection (5) of section one hundred and thirty-eight of this Act.

- (2) Where any land is on the boundary between two or more rating areas, and accordingly—
  - (a) different parts of that land form the subject of single entries in the valuation lists for the time being in force for those areas respectively, but
  - (b) if the whole of that land had been in one of those areas, it would have formed the subject of a single entry in the valuation list for that area,the whole of that land shall be treated, for the purposes of the definition of “hereditament” in the preceding subsection, as if it formed the subject of a single entry in the valuation list for a rating area.
- (3) Land which forms the subject of an entry in the valuation list by reason only that it is land over which any shooting, fishing or other sporting rights are exercisable, or that it is land over which a right of exhibiting advertisements is let out or reserved, shall not be taken to be a hereditament within the said definition.
- (4) Where, in accordance with subsection (2) of this section, land whereof different parts form the subject of single entries in the valuation lists for the time being in force for two or more rating areas is treated as if it formed the subject of a single entry in the valuation list for a rating area, the definition of “annual value ” in subsection (1) of this section shall apply as if any reference therein to a value shown in the valuation list were a reference to the aggregate of the values shown (as rateable values or as net annual values, as the case may be) in those valuation lists in relation to the different parts of that land.
- (5) Any reference in these provisions to a development plan is a reference to such a plan in the form in which (whether as originally made or approved by the Minister or as subsequently amended) that plan is for the time being in force.