



Town and Country Planning Act 1962

1962 CHAPTER 38 10 and 11 Eliz 2

PART III

PLANNING CONTROL

Special provisions as to industrial development

38 Industrial development certificates

- (1) Subject to the provisions of this and the next following section, an application to the local planning authority for permission to develop land by—
 - (a) the erection thereon of an industrial building of one of the prescribed classes, or
 - (b) a change of use whereby premises, not being an industrial building of one of the prescribed classes, will become such an industrial building,shall be of no effect unless a certificate (in this Act referred to as an “industrial development certificate”) is issued under this section by the Board of Trade, certifying that the development in question can be carried out consistently with the proper distribution of industry, and a copy of the certificate is furnished to the local planning authority together with the application.
- (2) In considering whether any development for which an industrial development certificate is applied for can be carried out consistently with the proper distribution of industry, the Board of Trade shall have particular regard to the need for providing appropriate employment in development districts.
- (3) An industrial development certificate shall not be required for the extension of an industrial building if the extension, taken by itself, would not be an industrial building of one of the prescribed classes, but (subject to the provisions of the next following section) an industrial development certificate shall be required for the extension of any building if the extension, taken by itself, would be such an industrial building.
- (4) The preceding provisions of this section shall have effect without prejudice to any provisions for restricting the granting of planning permission by local planning

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

authorities which are included in a development order by virtue of section nineteen of this Act.

- (5) Nothing in section twenty of this Act shall be construed as requiring an industrial development certificate on an application for permission for the retention on land of an industrial building or for the continuance of any use of land.
- (6) In this and the next following section “the prescribed classes ” means such classes of industrial buildings as may be prescribed by regulations made for the purposes of this section by the Board of Trade, “development district” has the meaning assigned to it by subsection (2) of section one of the Local Employment Act, 1960, and subsection (4) of that section (which provides for treating certain areas not forming part of a development district as forming part of such a district) shall apply as if this section were included among the provisions of that Act referred to in that subsection.