



Town and Country Planning Act 1962

1962 CHAPTER 38 10 and 11 Eliz 2

PART II

DEVELOPMENT PLANS

9 Modification of development plans in relation to land designated as subject to compulsory acquisition

- (1) Where any land is designated by a development plan as subject to compulsory acquisition, and, at the end of the period of twelve years from the date on which the plan, or the amendment of the plan, by virtue of which the land was first so designated came into operation, any of that land has not been acquired by a Minister, local authority or statutory undertakers who could be authorised to acquire it compulsorily under the provisions of this Act, any owner of the land may, within the prescribed time and in the prescribed manner, serve on the local planning authority a notice requiring his interest in the land to be so acquired.
- (2) Where a notice has been served under the preceding subsection, then, unless within the period of six months after the service of the notice either—
 - (a) notice to treat in respect of the interest to which the notice relates has been served by any such Minister, local authority or statutory undertakers as are mentioned in that subsection, or
 - (b) an offer has been made to the owner of the interest by any such Minister, local authority or statutory undertakers to acquire it on terms that the price payable for it shall be equal to (and shall be determined, in default of agreement, in like manner as) the compensation which would be payable in respect of that interest if it were acquired compulsorily,the development plan shall have effect, after the end of that period, as if the land were not designated as subject to compulsory acquisition.
- (3) The power conferred by section thirty-one of the Land Compensation Act, 1961, to withdraw a notice to treat shall not be exercisable in the case of a notice to treat which is served as mentioned in paragraph (a) of the last preceding subsection.

Status: This is the original version (as it was originally enacted).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

- (4) Where any land is designated by a development plan as subject to compulsory acquisition by the appropriate local authority (not being land comprised in an area defined by the plan as an area of comprehensive development) then if planning permission is granted for any development of the land so designated, or any part thereof, and that development is carried out in accordance with the permission so granted, the development plan shall have effect as if the land to which the permission relates were not designated as subject to compulsory acquisition:

Provided that, in the case of planning permission granted for a limited period, the provisions of this subsection shall cease to have effect in relation to the land at the end of the period for which the permission was granted.

- (5) In relation to agricultural land within the meaning of the Rating and Valuation (Apportionment) Act, 1928, subsection (1) of this section shall have effect as if for the words “twelve years ” there were substituted the words “eight years ”.