



Town and Country Planning Act 1959

1959 CHAPTER 53

PART I

COMPENSATION FOR COMPULSORY ACQUISITION OF LAND

2 Assumptions as to planning permission

- (1) For the purpose of assessing compensation in respect of any compulsory acquisition to which section one of this Act applies, such one or more of the assumptions mentioned in sections three and four of this Act as are applicable to the relevant land or any part thereof shall be made in ascertaining the value of the relevant interest.
- (2) Any planning permission which, in accordance with any of the provisions of those sections, is to be assumed as therein mentioned is in addition to any planning permission which may already be in force at the date of service of the notice to treat.
- (3) Nothing in those provisions shall be construed as requiring it to be assumed that planning permission would necessarily be refused for any development, notwithstanding that it is not development for which in accordance with those provisions the granting of planning permission is to be assumed; but, in determining whether planning permission for any development could in any particular circumstances reasonably have been expected to be granted in respect of any land, regard shall be had to any contrary opinion expressed in relation to that land in any certificate issued under the following provisions of this Part of this Act.
- (4) For the purposes of any reference in this section, or in section three of this Act, to planning permission which is in force on the date of service of the notice to treat, it is immaterial whether the planning permission in question was granted—
 - (a) unconditionally or subject to conditions, or
 - (b) in respect of the land in question taken by itself or in respect of an area including that land, or
 - (c) on an ordinary application or on an outline application or by virtue of a development order,

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or is planning permission which, in accordance with any direction or provision given or made by or under any enactment, is deemed to have been granted.