



Land Compensation Act 1961

1961 CHAPTER 33

PART IV

COMPENSATION IN CERTAIN CASES OF DEVELOPMENT AFTER ACQUISITION

29 Interpretation of Part IV

(1) In this Part of this Act—

" additional development ", in relation to an acquisition or sale of an interest in land, means any development of the land other than the following, that is to say—

- (a) where the acquiring authority are a local authority, and acquired the interest for the purposes of any of their functions, development for the purposes of the functions for which they acquired it;
- (b) where the acquiring authority are not a local authority, development for the purposes of the project in connection with which they acquired the interest;
- (c) development for which planning permission was in force on the relevant date ; and
- (d) development for which—
 - (i) in the case of a compulsory acquisition, it was, for the purpose of assessing compensation in respect thereof, assumed (in accordance with the provisions of sections fourteen to sixteen of this Act) that planning permission would be granted, or
 - (ii) in the case of a sale by agreement it would have been so assumed that planning permission would be granted if the interest (instead of being sold by agreement) had been compulsorily acquired by the acquiring authority in pursuance of a notice to treat served on the relevant date;

" date of completion ", in relation to an acquisition or sale of an interest in land, means the date on which the acquisition or sale is completed by the vesting of that interest in the acquiring authority;

Status: This is the original version (as it was originally enacted).

" local authority " means the council of a county, county borough, metropolitan borough or county district, the Common Council of the City of London and any other authority being a local authority within the meaning of the Local Loans Act, 1875, and includes any drainage board and any joint board or joint committee if all the constituent authorities are such local authorities as aforesaid;

" prescribed " means prescribed by regulations under this Part of this Act;

" the relevant date ", in relation to a compulsory acquisition of an interest in land, means the date of service of the notice to treat, and, in relation to a sale of such an interest by agreement, means the date of the making of the contract in pursuance of which the sale was effected.

- (2) In this Part of this Act any reference to the granting of permission for the carrying out of development of any land is a reference to the granting of permission for that development—
- (a) either unconditionally or subject to conditions, and
 - (b) either in respect of that land taken by itself or in respect of an area including that land, and
 - (c) either on an ordinary application or on an outline application,
- and any reference to an area defined in a development plan is a reference to an area defined in such a plan in the form in which (whether as originally approved or made by the Minister or as subsequently amended) that plan was in force on the relevant date.