



Town and Country Planning Act 1971

1971 CHAPTER 78

PART IV

ADDITIONAL CONTROL IN SPECIAL CASES

Industrial development

71 Provisions as to conditions imposed under s.70

- (1) This section applies to any condition subject to which planning permission is granted in accordance with the provisions of section 70 of this Act, or subject to which planning permission is by virtue of that section deemed to have been granted, whether it is a condition which could have been imposed apart from that section or not.
- (2) If the planning permission is or was granted by the local planning authority, the Secretary of State shall not be required to entertain an appeal under section 36 of this Act from the decision of the local planning authority, in so far as that decision relates or related to any condition to which this section applies.
- (3) If any condition imposed by an authority granting planning permission is inconsistent with any condition to which this section applies, the last-mentioned condition shall prevail so far as it is inconsistent with the condition so imposed.
- (4) Where on an application made as mentioned in section 32(1) of this Act (as modified by section 67 of this Act) planning permission is granted (either unconditionally or subject to conditions) for a building to be retained, or a use of a building to be continued, without complying with a condition to which this section applies (that condition being one subject to which a previous planning permission was granted or is deemed to have been granted), nothing in section 70 of this Act or in the foregoing provisions of this section shall be construed as preventing the subsequent planning permission from operating so as to extinguish or modify that condition, as the case may be.