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## STATUTORY INSTRUMENTS

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# 1972 No. 1634

## Planning (Northern Ireland) Order 1972

### PART VIII

#### COMPENSATION

#### Compensation where planning permission required under this Order but not under the Act of 1944

**68.**—(1) This Article shall apply—

(a) where the development of land was permitted before<sup>[F1]</sup> 1st October 1973] by virtue of Article 4 of, and paragraph 5 of the Schedule to, the Planning (Interim Development) Order (Northern Ireland) 1944 (development by mining undertakers); or

(b) where by virtue of section 9(1)(i) of the Act of 1944, the erection before<sup>[F1]</sup> 1st October 1973] of certain buildings for the purpose of agriculture did not constitute development,

if in either such case, by virtue of<sup>[F1]</sup> the Planning [<sup>[F2]</sup>Act]] , planning permission is required, and that permission is refused or granted subject to conditions.

(2) In a case falling within paragraph (1), section 26 of the Act of 1965 shall apply as if—

(a) planning permission had been granted for the development; and

(b) on the date of the planning decision in question that permission had been revoked or modified under Article 29.

**F1** 1991 NI 11

**F2** Word in art. 68(1) substituted (13.2.2015 for specified purposes) by [Planning Act \(Northern Ireland\) 2011 \(c. 25\)](#), s. 254(1)(2), [Sch. 6 para. 10](#) (with s. 211); [S.R. 2015/49](#), art. 2, Sch. 1

**Status:**

Point in time view as at 13/02/2015. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Planning (Northern Ireland) Order 1972, Section 68.