



2011 CHAPTER 25

Part 6

Compensation

Modification of the Act of 1965 in relation to minerals

180.—(1) Where any planning permission for development consisting of the winning and working of minerals is revoked or modified, a claim for expenditure or loss shall not be entertained under section 26(1) of the Act of 1965 in respect of buildings, plant or machinery unless the claimant proves that he or she is unable to use the buildings, plant or machinery or (as the case may be) to use them except at the loss claimed.

(2) For the purposes of a claim for expenditure or loss to which subsection (1) applies the Lands Tribunal may give a direction that the claim be severed from the remainder of the claim and be dealt with at such later date as may be fixed by the Tribunal either in such direction or subsequently on application by either party.

Commencement Information

- I1** S. 180 in operation at 13.2.2015 for specified purposes by [S.R. 2015/49, art. 2, Sch. 1](#)
- I2** S. 180 in operation at 1.4.2015 in so far as not already in operation by [S.R. 2015/49, art. 3, Sch. 1](#) (with [Sch. 2](#)) (as amended (16.3.2016) by [S.R. 2016/159, art. 2](#))

Changes to legislation:

There are currently no known outstanding effects for the Planning Act (Northern Ireland) 2011, Section 180.