
STATUTORY INSTRUMENTS

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^[F1] 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^[F1] 1st October 1973] of certain buildings for the purpose of agriculture did not constitute development,

if in either such case, by virtue of^[F1] the Planning [^{F2}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- (b) on the date of the planning decision in question that permission had been revoked or modified under Article 29.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, 1.4.2015 in so far as not already in operation) by [Planning Act \(Northern Ireland\) 2011 \(c. 25\)](#), s. 254(1)(2), [Sch. 6 para. 10](#) (with s. 211); [S.R. 2015/49](#), arts. 2, 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 (Northern Ireland) Order 1972, Section 68.