



# Town and Country Planning Act 1954

## 1954 CHAPTER 72

### PART III

#### COMPENSATION FOR COMPULSORY ACQUISITION OF LAND

#### **32 Additional compensation for works**

- (1) The provisions of this section shall have effect as respects a compulsory acquisition to which this Part of this Act applies where compensation on the basis of existing use is payable in respect of the acquisition of the relevant interest and, on or after the first day of July, nineteen hundred and forty-eight, but before the date of service of the notice to treat, buildings have been erected or works constructed in accordance with planning permission, either on the relevant land, or on other land, or partly in the one way and partly in the other, at the expense of a person who, at a time when the buildings or works were erected or constructed, was entitled to an interest in the relevant land or some part thereof:

Provided that this section shall not apply—

- (a) if the operation of subsection (4) of section fifty-one of the principal Act (which provides, with certain exceptions, for disregarding planning permission granted before the date of the notice to treat) is excluded in respect of that permission by virtue of the exception contained in paragraph (a) of that subsection or by virtue of any provision of this Act; or
- (b) if the compensation on the basis of existing use payable in respect of the acquisition would be the same whether or not the said subsection (4) operated ;

and where, if the notice to treat had extended to a part only of the relevant land, the amount of the compensation on the basis of existing use payable in respect of the relevant interest in so far as it subsisted in that part would have been the same whether or not the said subsection (4) operated, this section shall have effect as respects the acquisition of the relevant interest as if the notice to treat had extended only to the remainder of the relevant land.

- (2) If the value of the relevant interest immediately before the service of the notice to treat, with the benefit of any planning permission having effect at that time, is greater than

---

*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

---

it would have been at that time with the benefit of such permission if the buildings or works had not been erected or constructed, there shall be added to the compensation payable in respect of the acquisition of the relevant interest apart from the provisions of this section a sum equal to the amount of the difference.

- (3) Where the last preceding subsection applies, then, in calculating the compensation on the basis of existing use which is payable in respect of the acquisition, it shall be ascertained whether that compensation is less than it would have been, or greater than it would have been, if the buildings or works had not been erected or constructed, and if so—
- (a) the amount of the deficiency, or of the excess, as the case may be, shall be computed; and
  - (b) the sum referred to in the last preceding subsection shall be increased by the amount of the deficiency, or reduced by the amount of the excess, as the case may be.