



# Town and Country Planning (Scotland) Act 1954

## CHAPTER 73

### TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1954

#### PART I

##### SPECIAL PAYMENTS FOR DEPRECIATION OF LAND VALUES

- 1 Payments by reference to established claims
- 2 Claim holdings, their areas and values, and apportionment of values between parts of areas
- 3 Payment where development charge incurred by claimholder or his predecessor in title (Case A)
- 4 Supplementary provisions relating to development charges
- 5 Payment where land compulsorily acquired or sold at price wholly or partly excluding development value (Case B)
- 6 Supplementary provisions relating to compulsory acquisitions and to sales
- 7 Payment where land disposed of by gift (Case C)
- 8 Payment where claim holding purchased (Case D)
- 9 Payment under Case A, B or C to person deriving title to claim holding from original claim-holder
- 10 Payments in cases analogous to Case B
- 11 Residual payments in cases analogous to Cases A and B
- 12 Payments not to exceed value of claim holdings
- 13 Applications for payments under Part I
- 14 Payments to be made by Central Land Board
- 15 Effect of payments on claim holdings

## **PART II**

### COMPENSATION FOR REFUSAL, OR CONDITIONAL GRANT, OF PLANNING PERMISSION

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- 17 Unexpended balance of established development value
- 18 Reduction or extinguishment of balance
- 19 Right to compensation in respect of planning decisions
- 20 Compensation excluded in respect of certain matters
- 21 Compensation excluded if certain other development permitted
- 22 General provisions as to claims for compensation
- 23 Review of planning decisions where compensation claimed
- 24 Supplementary provisions as to review of planning decisions
- 25 General provisions as to amount of compensation
- 26 Measure of depreciation for assessing compensation
- 27 Determination of claims for compensation
- 28 Apportionment of compensation
- 29 Recording of notices relating to compensation
- 30 Recovery of compensation on subsequent development

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### COMPENSATION FOR COMPULSORY ACQUISITION OF LAND

- 31 Application of Part III
- 32 Compensation to include unexpended balance of established development value
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- 36 Additional payments in cases where no claim for development value has been established
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- 38 Effect of Part III on unexpended balance of established development value
- 39 Assessment of compensation in certain cases

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- 40 Amendment of s. 20 of principal Act
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- 44 Scope of Part V

- 45 Right to compensation in respect of past planning decisions or past revocations and c. of planning permission
- 46 General provisions as to amount of compensation for past planning decisions, revocations and c
- 47 Claims for compensation under Part V, and review of past decisions and orders
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- 58 Recovery, on subsequent development, of payments under s. 56 of principal Act
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- 60 Assignations and settlements by will of claims under Part V of principal Act
- 61 Crown land
- 62 Consideration in respect of discharge of acquired land from feu-duty, ground annual, and c
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## SCHEDULES

### FIRST SCHEDULE — Modification of provisions of principal Act as to development value

#### *Modification in certain cases where land acquired by public authority*

- 1 (1) The three next following paragraphs shall have effect where...
- 2 Where any works for the erection or alteration of a...
- 3 Where after the notice to treat was served or the...
- 4 Where the acquisition or purchase was not completed until after...
- 5 Subsection (3) of section eighty-seven of the principal Act (which...

*Requisitioned land*

- 6 Where land was requisitioned land on the first day of...
- 7 Where in the case of any requisitioned land the period...

*Compensation for abortive expenditure*

- 8 Where the development value of an interest in land, determined...

*Other modifications*

- 9 In determining the development value of an interest in land—...
- 10 Where, in determining the development value of an interest in...
- 11 Where a claim was made for a payment under the...

SECOND — Claims assigned to Central Land Board as security for  
 SCHEDULE development charges

- 1 (1) In this Schedule, and in the other provisions of...
- 2 (1) Where a claim holding was assigned to the Central...
- 3 Without prejudice to the last preceding paragraph, where an  
 assignation...
- 4 Where an assignation to the Central Land Board comprised only...
- 5 (1) The provisions of this paragraph shall have effect in...

THIRD SCHEDULE — Payments under section fifty-six of principal Act

- 1 (1) This Schedule applies to payments which have become payable,...
- 2 The provisions of this Schedule shall have effect where a...
- 3 If the payment area is identical with the area of...
- 4 (1) If the payment area forms part of the area...
- 5 If the payment area includes the area of the claim...
- 6 If the payment area includes part of the area of...

FOURTH SCHEDULE — Calculation of value of previous development of land

- 1 Where under any provision of this Act the value of...
- 2 The said value shall be calculated by reference to prices...
- 3 If the development was initiated in pursuance of planning permission...
- 4 If the permission referred to in the last preceding paragraph...
- 5 In the application of the preceding provisions of this Schedule...

FIFTH SCHEDULE — Apportionment of unexpended balance of established  
 development value

*Determination of relevant area*

- 1 (1) Where, in the case of a compulsory acquisition to...

*Preliminary calculations*

- 2 In the case of the interest of the lessor under...

*Apportionment of unexpended balance between interests*

- 3 Where two or more interests, other than excepted interests, subsist...

*Interpretation*

- 4 In this Schedule the expression " lease " does not...

SIXTH SCHEDULE — Special classes of land for which planning permission is to be included in compensation on compulsory acquisition

- 1 Land which, on the date of service of the notice...
- 2 Land acquired by a local planning authority under Part I...
- 3 Land acquired by a development corporation under the New Towns...
- 4 Land which, on the date of service of the notice...
- 5 Land which, on the date of service of the notice...
- 6 Land to which section eighty-two of the principal Act applies...
- 7 Land which would have been such land as is referred...
- 8 Land to which, by virtue of a direction of the...

SEVENTH — Compensation, on compulsory acquisition, for severance and  
SCHEDULE injurious affection

- 1 In this Schedule the following expressions have the following meanings...
- 2 If neither the land affected, taken as a whole, nor...
- 3 If the land affected, taken as a whole, satisfies the...
- 4 If the land affected, taken as a whole, does not...
- 5 In calculating value for any of the purposes of the...
- 6 Where— (a) the compensation includes an amount paid in respect...
- 7 If in a case such as is mentioned in paragraph...

EIGHTH SCHEDULE — Enactments amended

*The Town and Country Planning (Scotland) Act, 1947(10 II Geo. 6. c. 53)*

- 1 In section eighteen, in subsection (4), at the end there...
- 2 In section ninety-one, in subsection (3), for the words "...
- 3 The following subsection shall be substituted for subsection (2) of...
- 4 In the Third Schedule— (a) in paragraph 1 of Part...

*The Town and Country Planning Act, 1953(1&2 Eliz. 2. c. 16)*

- 5 In section two, in paragraph (b) of the proviso to...

NINTH SCHEDULE — Enactments repealed