



Town and Country Planning Act 1932

1932 CHAPTER 48

Compensation and Betterment.

18 Provisions as to compensation for injurious affection, &c.

- (1) Subject to the provisions of this Act, any person—
- (a) whose property is injuriously affected by the coming into operation of any provision contained in a scheme, or by the execution of any work under a scheme, or by the coming into operation of an order under section seventeen of this Act, being a provision, work or order which infringes or curtails his legal rights in respect of that property; or
 - (b) who suffers damage by reason of any action taken by a responsible authority under section thirteen of this Act; or
 - (c) who for the purpose of complying with any provision contained in a scheme, or in making or resisting a claim under the provisions of this Act relating to compensation and betterment, has incurred expenditure which is rendered abortive by a subsequent variation or revocation of the scheme,

shall, if he makes a claim within the time limited for the purpose by this Act, be entitled to recover as compensation from the responsible authority, or, if his claim arises out of the coming into operation of an order under section seventeen of this Act, from the council by whom the order was made, the amount by which his property is decreased in value, and, in the case of property on which he has carried on a trade or business or profession, the amount of any resulting injury to that trade or business or profession, or the amount of his damage, or, so far as it was reasonably incurred, the amount of the abortive expenditure, as the case may be.

- (2) In awarding any compensation payable in respect of property injuriously affected by the coming into operation of any provision contained in a scheme, account shall be taken of any additional injurious affection of the property by reason that since the commencement of this Act the Minister has refused, on an appeal made to him under an interim development order, to grant an application for permission to develop the property, or that the Minister has imposed any conditions on the grant of such an application made since that date.