



# Town and Country Planning Act 1971

## 1971 CHAPTER 78

### PART IV

#### ADDITIONAL CONTROL IN SPECIAL CASES

##### *Office development*

#### **78 Planning permission for erection of building where no office development permit required**

(1) The provisions of this section shall, subject to subsection (4) of this section, have effect with respect to any planning permission for the erection of a building on land which is within a controlled area when the planning permission is granted and was also within such an area when the application for planning permission was made.

(2) If the case is the following, that is to say—

- (a) either the proposed erection of the building is not development to which these provisions apply or it is such development but no office development permit is required for it; and
- (b) the building will have a floor space of twice or more than twice, the prescribed exemption limit,

the planning permission for the erection of the building shall be granted subject to the condition specified in subsection (3) of this section (in addition to any other conditions imposed by the authority granting the permission).

(3) The said condition is that the use of the building, whether as originally erected or as subsequently extended or altered, shall be restricted so that (whether in consequence of a change of use or otherwise) it does not at any time contain office premises having an aggregate office floor space which exceeds the prescribed exemption limit.

(4) In the following two cases this section shall not apply—

- (a) where the planning permission is in respect of a building which is wholly residential; and

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- (b) where the planning permission is subject to conditions by virtue of section 70(5) or (6) of this Act and those conditions either restrict the office floor space which the building may contain or preclude it from containing any office floor space.