

SCHEDULE 2

PART 19

DEVELOPMENT ANCILLARY TO MINING OPERATIONS

Class B

B Permitted development

B. The carrying out, on land used as a mine or on ancillary mining land, with the prior approval of the mineral planning authority, of operations for the erection, installation, extension, rearrangement, replacement, repair or other alteration of any—

- (a) **plant or machinery,**
- (b) **buildings, or**
- (c) **structures or erections.**

B.1 Development not permitted

B.1 Development is not permitted by Class B—

- (a) in relation to land at an underground mine—
 - (i) on land which is not an approved site; or
 - (ii) on land to which the description in paragraph D.1(b) applies, unless a plan of that land was deposited with the mineral planning authority before 5th June 1989;or
- (b) if the principal purpose of the development would be any purpose other than—
 - (i) purposes in connection with the operation of the mine,
 - (ii) the treatment, preparation for sale, consumption or utilization of minerals won or brought to the surface at that mine, or
 - (iii) the storage or removal from the mine of such minerals, their products or waste materials derived from them.

B.2 The prior approval referred to in Class B shall not be refused or granted subject to conditions unless the authority are satisfied that it is expedient to do so because—

- (a) the proposed development would injure the amenity of the neighbourhood and modifications can reasonably be made or conditions reasonably imposed in order to avoid or reduce that injury, or
- (b) the proposed development ought to be, and could reasonably be, sited elsewhere.

B.3 Condition

B.3 Development is permitted by Class B subject to the condition that before the end of the period of 24 months from the date when the mining operations have permanently ceased, or any longer period which the mineral planning authority agree in writing—

- (a) all buildings, plant, machinery, structures and erections permitted by Class B shall be removed from the land unless the mineral planning authority have otherwise agreed in writing; and

Status: *This is the original version (as it was originally made).*

- (b) the land shall be restored, so far as is practicable, to its condition before the development took place or restored to such condition as may have been agreed in writing between the mineral planning authority and the developer.