

SCHEDULE 2

PART 20

BRITISH COAL MINING DEVELOPMENT

Class E

Interpretation of Part 20

F.2.—(1) Subject to sub-paragraph (2), land is an authorised site for the purposes of Part 20 if—

- (a) it is identified in a grant of planning permission or any instrument by virtue of which planning permission is deemed to be granted as land which may be used for development described in this Part; or
- (b) in any other case, it is land immediately adjoining an active access which, on the date of coming into force of this order, was in use for the purposes of that mine in connection with coal industry activities.

(2) For the purposes of sub-paragraph (1), land is not to be regarded as in use in connection with coal industry activities if—

- (a) it is used for the permanent deposit of waste derived from the winning and working of minerals; or
- (b) there is on, over or under it a railway, conveyor, aerial ropeway, roadway, overhead power line or pipeline which is not itself surrounded by other land used for those purposes.