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STATUTORY INSTRUMENTS

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**1994 No. 2595**

**The Town and Country Planning General  
Development (Amendment) (No. 2) Order 1994**

**Transitionals and savings**

7.—(1) Any notice which has been given for the purposes of article 13 of the 1988 Order by the British Coal Corporation before the date of the coming into force of this Order shall be treated as if it were a notice given for the purposes of that article by the Coal Authority on or after that date, and, in relation to a particular application for planning permission made before that date, the mineral planning authority are not required to notify the Coal Authority, before determining the application, if they have already notified the British Coal Corporation that that application has been made.

(2) For the purposes of paragraph (i) of the table in article 18 of the 1988 Order, where an area of coal working has been notified by the British Coal Corporation to the local planning authority before the date of the coming into force of this Order, such notification shall be treated as if it had been made by the Coal Authority on or after that date, and, in relation to a particular application for planning permission made before that date, the local planning authority are not required to consult the Coal Authority if they have already consulted the British Coal Corporation.

- (a) (3) (a) Class A of Part 20 of Schedule 2 to the 1988 Order, as substituted by article 5(b) of this Order, shall not apply with respect to development by licensees of the British Coal Corporation, and accordingly the provisions of Class A of Part 20 of Schedule 2 to the 1988 Order shall continue to apply to such development in the form in which they were in force immediately before the date of the coming into force of this Order subject to the amendments in paragraph (3)(b) below.
- (b) For the purposes of paragraph (3)(a) of this article, Class A of Part 20 of Schedule 2 to the 1988 Order, in the form in which it was in force immediately before the date of the coming into force of this Order, is amended as follows—
- (i) in paragraph A, for “the British Coal Corporation, their lessees and licensees”, substitute “a licensee of the British Coal Corporation”;
  - (ii) in paragraph A.2, in the definition of “coal-related minerals”, for “referred to in paragraph 1(2) of Schedule 1 to the Coal Industry Nationalisation Act 1946”(1), substitute “which can only be economically worked in association with the working of coal or which can only be economically brought to the surface by the use of a mine of coal;”;
  - (iii) at the end of paragraph A.2, insert ““a licensee of the British Coal Corporation” means any person who is for the time being authorised by virtue of section 25(3) of the Coal Industry Act 1994 to carry on coal-mining operations to which section 25 of that Act applies”.
- (c) In paragraph (3)(a) “licensees of the British Coal Corporation” means persons who are for the time being authorised by virtue of section 25(3) of the Coal Industry Act 1994 to carry on coal-mining operations to which section 25 of that Act applies.

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(1) 1946 c. 59; Schedule 1 is repealed by section 67 of, and Part II of Schedule 11 to, the Coal Industry Act 1994 (c. 21) with effect from 31st October 1994.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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