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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the Town and Country Planning General Development Order 1988 (“the 1988 Order”) as a result of the restructuring of the coal industry, and the establishment of the Coal Authority and a new licensing system, by the Coal Industry Act 1994 (c. 21).

Articles 2 and 3 make amendments to articles 13 and 18 of the 1988 Order (notification and consultation provisions).

Article 4 amends Part 19 of Schedule 2 to the 1988 Order (development ancillary to mining operations), including defining minerals to include coal which is not the subject of coal-mining operations which have to be carried on in accordance with a licence (see section 25(2) of the 1994 Act).

Article 5 amends Part 20 of Schedule 2 to the 1988 Order (coal mining development). It substitutes a new Class A, providing new permitted development rights for certain underground coal mining development by Coal Authority licensees. It includes provisions for the reinstatement, restoration or aftercare (or a combination of these) of any land which is an authorised site and has been used at any time in connection with previous coal-mining operations at the mine, in accordance with an approved restoration scheme. Provision is made for restoration where no restoration scheme has been approved. There are transitional and saving provisions, which do not include restoration provisions, for underground coal mining development by British Coal licensees (see article 7).

Article 6 makes minor amendments to Part 21 of Schedule 2 to the 1988 Order (waste tipping at a mine).