

Changes to legislation: Environment Act 1995, Cross Heading: Interpretation is up to date with all changes known to be in force on or before 29 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

[^{F1}SCHEDULE 14

PERIODIC REVIEW OF MINERAL PLANNING PERMISSIONS]

Textual Amendments

F1 Sch. 14 repealed (S.) (27.5.1997) by 1997 c. 11, ss. 3, 6(2), Sch. 1 Pt. II (with s. 5, Sch. 3)

Modifications etc. (not altering text)

C1 Sch. 14: power to amend conferred (26.12.2023) by Levelling-up and Regeneration Act 2023 (c. 55), ss. 132, 255(3)(a) (with s. 247)

[^{F1} Interpretation]

Textual Amendments

F1 Sch. 14 repealed (S.) (27.5.1997) by 1997 c. 11, ss. 3, 6(2), Sch. 1 Pt. II (with s. 5, Sch. 3)

[^{F2} 2 (1) For the purposes of this Schedule—

[^{F3}“first review date”—

- (a) in relation to a mineral planning authority for an area in England, has the meaning given by paragraph 2A below, and
- (b) in relation to a mineral planning authority for an area in Wales, has the meaning given by paragraph 2B below;]

“ mineral permission ” means any planning permission, other than a planning permission granted by a development order, for minerals development;

“ mineral planning authority ”—

- (a) ^{F4} . . . , means a mineral planning authority within the meaning of the 1990 Act, ^{F5} . . .
- (b) ^{F5}

“ mining site ” means—

- (a) in a case where it appears to the mineral planning authority to be expedient to treat as a single site the aggregate of the land to which any two or more mineral permissions relate, the aggregate of the land to which those permissions relate; and
- (b) in any other case, the land to which a mineral permission relates;

“ old mining permission ” has the meaning given—

- (a) ^{F4} . . . , by section 22(1) of the 1991 Act, ^{F5} . . .
- (b) ^{F5}

“ owner ”, in relation to any land—

Changes to legislation: Environment Act 1995, Cross Heading: Interpretation is up to date with all changes known to be in force on or before 29 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (a) ^{F4} . . . , means any person who—
- (i) is the estate owner in respect of the fee simple, or
 - (ii) is entitled to a tenancy granted or extended for a term of years certain of which not less than seven years remains unexpired; ^{F5} . . .
- (b) ^{F5}
- (2) In determining whether it appears to them to be expedient to treat as a single site the aggregate of the land to which two or more mineral permissions relate a mineral planning authority shall have regard to any guidance issued for the purpose by the Secretary of State.
- (3) Any reference (however expressed) in this Schedule to a mining site being a site to which relates—
- (a) an old mining permission; or
 - (b) a mineral permission,
- is a reference to the mining site, or some part of it, being the land to which the permission relates.
- (4) For the purposes of this Schedule, an application made under paragraph 6 below is finally determined when—
- (a) the proceedings on the application, including any proceedings on or in consequence of an application under section 288 of the 1990 Act ^{F6} . . . , have been determined, and
 - (b) any time for appealing under paragraph 9(1) below, or applying or further applying under paragraph 6 below, (where there is a right to do so) has expired.]
- [^{F7}(5) Where an electronic communication is used to make an application to a mineral planning authority under paragraph 5 or 6 below, the applicant shall be taken to have agreed—
- (a) to the use of electronic communications for all purposes relating to his application which are capable of being effected using such communications, unless he gives notice in writing to the mineral planning authority in accordance with sub-paragraph (6) below; and
 - (b) that his address for the purposes of such communications is the address incorporated into, or otherwise logically associated with, his application (or such other address as he may notify in writing to the mineral planning authority).
- (6) An applicant may give notice that he is no longer to be taken to have agreed to the use of electronic communications for the purposes mentioned in paragraph (a) of sub-paragraph (5).
- (7) Any such notice shall take effect from the date specified in it being not less than seven days from the date on which it is given.]

Textual Amendments

- F2** Sch. 14 repealed (S.) (27.5.1997) by 1997 c. 11, ss. 3, 6(2), **Sch. 1 Pt. II** (with s. 5, Sch. 3)
- F3** Words in **Sch. 14 para. 2(1)** substituted (25.6.2013) by **Growth and Infrastructure Act 2013 (c. 27)**, s. 35(1), **Sch. 3 para. 4** (with s. 10); S.I. 2013/1488, art. 3(d)
- F4** Words in Sch. 14 para. 2(1) repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), **Sch. 1 Pt. III** (with s. 5, Sch. 3)

Changes to legislation: Environment Act 1995, Cross Heading: Interpretation is up to date with all changes known to be in force on or before 29 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- F5** Words in Sch. 14 para. 2(1) repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), **Sch. 1 Pt. III** (with s. 5, Sch. 3)
- F6** Words in Sch. 14 para. 2(4) repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), **Sch. 1 Pt. III** (with s. 5, Sch. 3)
- F7** Sch. 14 para. 2(5)-(7) added (E.) (31.3.2003) by [Town and Country Planning \(Electronic Communications\) \(England\) Order 2003 \(S.I. 2003/956\)](#), arts. 1(1), **10(3)(a)** and added (W.) (1.1.2005) by [The Town and Country Planning \(Electronic Communications\) \(Wales\) \(No. 1\) Order 2004 \(S.I. 2004/3156\)](#), **art. 10(3)(a)** (with art. 14)

Commencement Information

- I1** Sch. 14 wholly in force at 1.1.1997; Sch. 14 not in force at Royal Assent see s. 125(3); Sch. 14 in force for E.W. at 1.11.1995 by [S.I. 1995/2765](#), **art. 2**; Sch. 14 in force for S. at 1.1.1997 by [S.I. 1996/2857](#), **art. 2**

Changes to legislation:

Environment Act 1995, Cross Heading: Interpretation is up to date with all changes known to be in force on or before 29 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 82(1A) inserted by [2024 asc 2 s. 16\(3\)](#)
- s. 83B inserted by [2024 asc 2 s. 17\(1\)](#)
- s. 85(3)(e)(f) inserted by [2024 asc 2 s. 18\(b\)](#)
- Sch. 7 para. 7(4A)(4B) inserted by [2007 c. 28 Sch. 14 para. 4\(3\)](#)