

SCHEDULE 2

PART 20

BRITISH COAL MINING DEVELOPMENT

Class C

Permitted development

C. Any development required for the purposes of a mine which is carried out on an authorised site at that mine by the British Coal Corporation, their lessees or licensees in connection with coal industry activities and with the prior approval of the mineral planning authority.

Development not permitted

C.1. Development is not permitted by Class C if—

- (a) it would be for the purpose of creating a new surface access or improving an existing access (which is not an active access) to underground workings; or
- (b) from a date 6 months after the coming into force of this order, it would be carried out on land within the definition in paragraph F.2(1)(b), and a plan of that land has not before that date, been deposited with the mineral planning authority.

Condition

C.2. Development is permitted by Class C 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 and machinery, structures or erections or deposits of minerals or waste permitted by this class shall be removed from the land, unless the mineral planning authority have otherwise agreed in writing; and
- (b) the land shall, so far as is practicable, be restored to its condition before the development took place or to such condition as may have been agreed in writing between the mineral planning authority and the developer.

Interpretation

C.3. The prior approval referred to in Class C 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 could 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.