

SCHEDULE 3

ACTIVITIES EXEMPT FROM WASTE MANAGEMENT LICENSING

35.—(1) The deposit of waste consisting of excavated material from a borehole or other excavation made for the purpose of mineral exploration if—

- (a) it is deposited in or on land at the place where it is excavated; and
- (b) the total quantity of waste so deposited over any period of 24 months does not exceed 45,000 cubic metres per hectare.

(2) Sub-paragraph (1) above only applies if—

- (a) the drilling of the borehole or the making of any other excavation is development for which planning permission is granted by article 3 of, and Class A or B of Part 22 of Schedule 2 to, the Town and Country Planning General Development Order 1988⁽¹⁾ or, in Scotland, which is permitted by Class 53, 54 or 61 of Schedule 1 to the Town and Country Planning (General Permitted Development) (Scotland) Order 1992⁽²⁾; and
- (b) the conditions subject to which the development is permitted are observed.

(3) Expressions used in this paragraph which are also used in the Town and Country Planning General Development Order 1988 or, in Scotland, the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, shall have the same meaning as in the relevant Order.

(1) S.I.1988/2293.

(2) S.I. 1984/862.