

SCHEDULE 2

PART 20

COAL MINING DEVELOPMENT BY THE COAL AUTHORITY AND LICENSED OPERATORS

Class E

F.2 Interpretation of Part 20

F.2

- (1) Subject to sub-paragraph (2), land is an authorised site for the purposes of Part 20 if—
 - (a) it is identified in a grant of planning permission or any instrument by virtue of which planning permission is deemed to be granted as land which may be used for development described in this Part; or
 - (b) in any other case, it is land immediately adjoining an active access which, on 5th December 1988, was in use for the purposes of that mine in connection with coal-mining operations.
- (2) For the purposes of sub-paragraph (1), land is not to be regarded as in use in connection with coal-mining operations if—
 - (a) it is used for the permanent deposit of waste derived from the winning and working of minerals; or
 - (b) there is on, over or under it a railway, conveyor, aerial ropeway, roadway, overhead power line or pipe-line which is not itself surrounded by other land used for those purposes.