

Status: Point in time view as at 15/11/2011.

Changes to legislation: Town and Country Planning Act 1990, Cross Heading: Preliminary is up to date with all changes known to be in force on or before 20 June 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)

SCHEDULES

SCHEDULE 1 **E+W**

LOCAL PLANNING AUTHORITIES: DISTRIBUTION OF FUNCTIONS

Preliminary

- 1 (1) In this Schedule “county matter” means in relation to any application, order or notice—
- (a) the winning and working of minerals in, on or under land (whether by surface or underground working) or the erection of any building, plant or machinery—
 - (i) which it is proposed to use in connection with the winning and working of minerals or with their treatment or disposal in or on land adjoining the site of the working; or
 - (ii) which a person engaged in mining operations proposes to use in connection with the grading, washing, grinding or crushing of minerals;
 - (b) the use of land, or the erection of any building, plant or machinery on land, for the carrying out of any process for the preparation or adaptation for sale of any mineral or the manufacture of any article from a mineral where—
 - (i) the land forms part of or adjoins a site used or proposed to be used for the winning and working of minerals; or
 - (ii) the mineral is, or is proposed to be, brought to the land from a site used, or proposed to be used, for the winning and working of minerals by means of a pipeline, conveyor belt, aerial ropeway, or similar plant or machinery, or by private road, private waterway or private railway;
 - (c) the carrying out of searches and tests of mineral deposits or the erection of any building, plant or machinery which it is proposed to use in connection with them;
 - (d) the [^{F1}depositing] of mineral waste;
 - (e) the use of land for any purpose required in connection with the transport by rail or water of aggregates (that is to say, any of the following, namely—
 - (i) sand and gravel;
 - (ii) crushed rock;
 - (iii) artificial materials of appearance similar to sand, gravel or crushed rock and manufactured or otherwise derived from iron or steel slags, pulverised fuel ash, clay or mineral waste),or the erection of any building, plant or machinery which it is proposed to use in connection with them;
 - (f) the erection of any building, plant or machinery which it is proposed to use for the coating of roadstone or the production of concrete or of concrete products or artificial aggregates, where the building, plant or machinery is to

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be erected in or on land which forms part of or adjoins a site used or proposed to be used—

- (i) for the winning and working of minerals; or
- (ii) for any of the purposes mentioned in paragraph (e) above;
- (g) the erection of any building, plant or machinery which it is proposed to use for the manufacture of cement;
- (h) the carrying out of operations in, on, over or under land, or a use of land, where the land is or forms part of a site used or formerly used for the winning and working of minerals and where the operations or use would conflict with or prejudice compliance with a restoration condition or an aftercare condition;
- (i) the carrying out of operations in, on, over or under land, or any use of land, which is situated partly in and partly outside a National Park;
- (j) the carrying out of any operation which is, as respects the area in question, a prescribed operation or an operation of a prescribed class or any use which is, as respects that area, a prescribed use or use of a prescribed class.

^{F2}(2)

Textual Amendments

- F1** Words in Sch. 1 para. 1(1)(d) substituted (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 21, [Sch. 1 para. 13\(a\)](#) (with s. 84(5)); S.I. 1991/2067, [art.3](#) (subject to art. 4)
- F2** Sch. 1 para. 1(2) repealed (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 21 , 84(6), [Sch. 1 para. 13\(b\)](#), [Sch. 19 Pt.I](#) (with s. 84(5)); S.I. 1991/2067, [art.3](#) (subject to art. 4)

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