
STATUTORY INSTRUMENTS

1994 No. 1442

The Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 1994

British Coal Corporation mining development

3.—(1) For Class 58 (underground development) of Schedule 1 to the 1992 Order there shall be substituted the following:—

“**Class 58.**—(1) Development by the British Coal Corporation, their lessees or licensees, in a mine started before 1st July 1948, consisting of—

- (a) the winning and working underground of coal or coal-related minerals in a designated seam area; or
- (b) the carrying out of development underground which is required in order to gain access to and work coal or coal-related minerals in a designated seam area.

(2) Development is not permitted by this class in a designated seam area after 1 September 1994 unless a seam plan for that area has, before that date, been deposited with the planning authority.

(3) For the purposes of this class—

“designated seam area” means—

- (i) where no seam plan has been deposited with the planning authority for a mine, land comprising the maximum extent of the coal seam or seams that can be worked from shafts or drifts existing at the mine at 29th June 1994, without further development on an authorised site other than development permitted by Class 59 of Schedule 1 to this Order; or
- (ii) where a seam plan has been so deposited, land identified in that seam plan in accordance with paragraph (i) of the definition of “seam plan”;

“coal related minerals” means minerals other than coal referred to in paragraph 1(2) of Schedule 1 to the Coal Industry Nationalisation Act 1946(**(1)**);

“seam plan” means a plan or plans on a scale of not less than 1 to 25,000 showing—

- (i) land comprising the maximum extent of the coal seam or seams that can be worked from shafts or drifts existing at a mine at 29th June 1994, without further development on an authorised site other than development permitted by Class 59 of Schedule 1 to this Order;
- (ii) any active access used in connection with the land referred to in paragraph (i);
- (iii) the National Grid lines and reference numbers shown on Ordnance Survey Maps;
- (iv) a typical stratigraphic column showing the approximate depths of the coal seams referred to in paragraph (i).”

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(2) Class 61 (prospecting for coal workable by opencast methods) of Schedule 1 to the 1992 Order shall be deleted.