

SCHEDULE 2

Permitted development rights

PART 17

Mining and mineral exploration

Class F – coal-mining development on an authorised site

Permitted development

F. *Any development required for the purposes of a mine which is carried out on an authorised site at that mine by a licensed operator in connection with coal-mining operations.*

Development not permitted

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

- (a) the external appearance of the mine would be materially affected;
- (b) any building, plant or machinery, structure or erection or any deposit of minerals or waste—
 - (i) would exceed a height of 15 metres above ground level, or
 - (ii) where a building, plant or machinery would be rearranged, replaced or repaired, the resulting development would exceed a height of 15 metres above ground level or the height of what was rearranged, replaced or repaired, whichever is the greater;
- (c) any building erected (other than a replacement building) would have a floor space exceeding 1,000 square metres;
- (d) the cubic content of any replaced, extended or altered building would exceed by more than 25% the cubic content of the building replaced, extended or altered or the floor space would exceed by more than 1,000 square metres, the floor space of that building;
- (e) it would be for the purpose of creating a new surface access to underground workings or of improving an existing access (which is not an active access) to underground workings; or
- (f) it would be carried out on land to which the description in paragraph N.2(2)(b) of this Part applies, and a plan of that land had not been deposited with the mineral planning authority^{M1} before 5th June 1989.

Marginal Citations

M1 See section 1(4) of the Act.

Conditions

F.2 Development is permitted by Class F 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, machinery, structures and erections and deposits of minerals or waste permitted by Class F are removed from the land unless the mineral planning authority have otherwise agreed in writing; and

Changes to legislation: *There are currently no known outstanding effects for the The Town and Country Planning (General Permitted Development) (England) Order 2015, Cross Heading: Class F – coal-mining development on an authorised site. (See end of Document for details)*

- (b) the land is, so far as is practicable, 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.

F.3—(1) Subject to sub-paragraphs (2) and (3), development is permitted by Class F subject to the prior approval of the mineral planning authority of detailed proposals for the siting, design and external appearance of any building, plant or machinery proposed to be erected, installed, extended or altered.

(2) The prior approval referred to in sub-paragraph (1) is not required for any building, plant or machinery which does not exceed the limits set out in paragraph F.1(b), (c) or (d).

(3) The prior approval referred to in sub-paragraph (1) may 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.

Changes to legislation:

There are currently no known outstanding effects for the The Town and Country Planning (General Permitted Development) (England) Order 2015, Cross Heading: Class F – coal-mining development on an authorised site.