

SCHEDULE 2

PART 20

COAL MINING DEVELOPMENT BY THE COAL AUTHORITY AND LICENSED OPERATORS

Class D

D.3 Interpretation of Class D

D.3 The prior approval referred to in Class D shall 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.