



# Environment Act 1995

## 1995 CHAPTER 25

### PART V

#### MISCELLANEOUS, GENERAL AND SUPPLEMENTAL PROVISIONS

##### *Waste*

#### [<sup>F1</sup>96 Mineral planning permissions

- (1) Schedules 13 and 14 to this Act shall have effect.
- (2) This section, those Schedules [<sup>F2</sup>as they apply to England and Wales], and the 1990 Act shall have effect as if this section and those Schedules [<sup>F2</sup>(as so applying)] were included in Part III of that Act.  
[ This section, those Schedules as they apply to Scotland, and the 1972 Act shall have <sup>F3</sup>(3) effect as if this section and those Schedules (as so applying) were included in Part III of that Act.]
- (4) Section 105 of the 1990 Act [<sup>F4</sup>and section 251A of the 1972 Act] shall cease to have effect.
- (5) Without prejudice to the generality of sections 59 to 61 of the 1990 Act [<sup>F4</sup>or, as the case may be, section 21 of the 1972 Act], a development order may make, in relation to any planning permission which is granted by a development order for minerals development, provision similar to any provision made by Schedule 13 or 14 to this Act.
- (6) In this section and those Schedules—  
[<sup>F5</sup>“the 1972 Act” means the <sup>M1</sup>Town and Country Planning (Scotland) Act 1972;]  
“the 1990 Act” means the <sup>M2</sup>Town and Country Planning Act 1990;  
“the 1991 Act” means the <sup>M3</sup>Planning and Compensation Act 1991; and  
“minerals development” means development consisting of the winning and working of minerals, or involving the depositing of mineral waste.]

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*Changes to legislation: Environment Act 1995, Section 96 is up to date with all changes known to be in force on or before 10 May 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) View outstanding changes*

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### Textual Amendments

- F1** S. 96 repealed (S.) (27.5.1997) by 1997 c. 11, ss. 3, 6(2), **Sch. 1 Pt. II** (with s. 5, Sch. 3)
- F2** Words in s. 96(2) repealed (E.W.) (27.5.1997) by 1997 c. 11, ss. 3, 6(2), **Sch. 1 Pt. III** (with s. 5, Sch. 3)
- F3** S. 96(3) repealed (E.W.) (27.5.1997) by 1997 c. 11, ss. 3, 6(2), **Sch. 1 Pt. III** (with s. 5, Sch. 3)
- F4** Words in s. 96(4)(5) repealed (E.W.) (27.5.1997) by 1995 c. 25, ss. 3, 6(2), **Sch. 1 Pt. III** (with s. 5, Sch. 3)
- F5** Definition of “the 1972 Act” in s. 96(6) repealed (E.W.) (27.5.1997) by 1997 c. 11, ss. 3, 6(2), **Sch. 1 Pt. III** (with s. 5, Sch. 3)

### Modifications etc. (not altering text)

- C1** S. 96: power to amend conferred (26.12.2023) by **Levelling-up and Regeneration Act 2023 (c. 55), ss. 132, 255(3)(a)** (with s. 247)

### Commencement Information

- I1** S. 96 wholly in force at 1.1.1997; s. 96 not in force at Royal Assent see s. 125(3); s. 96(2) wholly in force and s. 96(1)(5)(6) in force for E.W. and s. 96(4) in force for specified purposes at 1.11.1995 by **S.I. 1995/2765, art. 2**; s. 96(1)(5)(6) in force for S. and s. 96(3) wholly in force and s. 96(4) in force for further specified purposes at 1.1.1997 by **S.I. 1996/2857, art. 2**

### Marginal Citations

- M1** 1972 c. 52.
- M2** 1990 c. 8.
- M3** 1991 c. 34.

**Changes to legislation:**

Environment Act 1995, Section 96 is up to date with all changes known to be in force on or before 10 May 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.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 41(1)(s) inserted by [2021 c. 30 s. 57\(8\)](#)
- s. 82(1A) inserted by [2024 asc 2 s. 16\(3\)](#)
- s. 83B inserted by [2024 asc 2 s. 17\(1\)](#)
- s. 85(3)(e)(f) inserted by [2024 asc 2 s. 18\(b\)](#)
- Sch. 7 para. 7(4A)(4B) inserted by [2007 c. 28 Sch. 14 para. 4\(3\)](#)