
STATUTORY INSTRUMENTS

2012 No. 767

**The Town and Country Planning (Local
Planning) (England) Regulations 2012**

PART 5

Supplementary planning documents

Application and interpretation of Part 5

11.—(1) This Part applies to supplementary planning documents only.

(2) In this Part—

“adoption statement” means a statement specifying—

- (a) the date on which a supplementary planning document was adopted,
- (b) if applicable, any modifications made pursuant to section 23(1) of the Act,
- (c) that any person with sufficient interest in the decision to adopt the supplementary planning document may apply to the High Court for permission to apply for judicial review of that decision, and
- (d) that any such application must be made promptly and in any event not later than 3 months after the date on which the supplementary planning document was adopted; and

“consultation statement” means the statement prepared under regulation 12(a).

Public participation

12. Before a local planning authority adopt a supplementary planning document it must—

- (a) prepare a statement setting out—
 - (i) the persons the local planning authority consulted when preparing the supplementary planning document;
 - (ii) a summary of the main issues raised by those persons; and
 - (iii) how those issues have been addressed in the supplementary planning document; and
- (b) for the purpose of seeking representations under regulation 13, make copies of that statement and the supplementary planning document available in accordance with regulation 35 together with details of—
 - (i) the date by which representations must be made (being not less than 4 weeks from the date the local planning authority complies with this paragraph), and
 - (ii) the address to which they must be sent.

Representations on supplementary planning documents

13.—(1) Any person may make representations about a supplementary planning document.

(2) Any such representations must be received by the local planning authority by the date specified pursuant to regulation 12(b).

Adoption of supplementary planning documents

14. As soon as reasonably practicable after the local planning authority adopt a supplementary planning document they must—

- (a) make available in accordance with regulation 35—
 - (i) the supplementary planning document; and
 - (ii) an adoption statement; and
- (b) send a copy of the adoption statement to any person who has asked to be notified of the adoption of the supplementary planning document.

Revocation or withdrawal of a supplementary planning document

15.—(1) Where a supplementary planning document is withdrawn pursuant to section 22 of the Act the local planning authority must as soon as reasonably practicable—

- (a) make available a statement of that fact in accordance with regulation 35;
- (b) send, to each of the bodies or persons which made representations under regulation 13(2) on the supplementary planning document, notification that the supplementary planning document has been withdrawn, and
- (c) cease to make any documents relating to the withdrawn supplementary planning document (other than the statement mentioned in paragraph (1)(a)) available in accordance with regulation 35.

(2) A local planning authority may revoke any supplementary planning document.

(3) Where a supplementary planning document is revoked pursuant to section 25 of the Act the local planning authority must as soon as reasonably practicable—

- (a) cease to make any documents relating to the revoked supplementary planning document available in accordance with regulation 35; and
- (b) take such other steps as it considers necessary to draw the revocation of the supplementary planning document to the attention of persons living or working in their area.

Direction in respect of a supplementary planning document

16.—(1) The Secretary of State may at any time direct a local planning authority —

- (a) not to adopt a supplementary planning document until the Secretary of State decides whether to give a direction under section 21(1) of the Act; and
- (b) to send to the Secretary of State a copy of the supplementary planning document made available under regulation 12(b).

(2) A direction made under paragraph (1) is treated as withdrawn on the date on which the local planning authority receive—

- (a) a statement that the Secretary of State does not intend to give a direction under section 21(1) of the Act; or
- (b) a direction from the Secretary of State under section 21(1) of the Act.

(3) If the Secretary of State gives a direction under section 21(1) of the Act in respect of a supplementary planning document, the local planning authority must—

- (a) make a copy of the direction and the supplementary planning document available in accordance with regulation 35; and
- (b) at the time they comply with regulation 14, make—
 - (i) the supplementary planning document; and
 - (ii) a statement that the Secretary of State has withdrawn the direction, or a copy of the Secretary of State’s notice under section 21(2)(b) of the Act, available in accordance with regulation 35.