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STATUTORY INSTRUMENTS

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**2012 No. 767**

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

PART 1

General

**Citation, commencement and application**

1.—(1) These Regulations may be cited as the Town and Country Planning (Local Planning) (England) Regulations 2012 and come into force on 6th April 2012.

(2) These Regulations apply in relation to England only.

**Interpretation**

2.—(1) In these Regulations—

“the Act” means the Planning and Compulsory Purchase Act 2004;

“address” in relation to electronic communications means any number or address used for the purposes of such communications;

“adopted policies map” means a document of the description referred to in regulation 9;

“electronic communication” has the same meaning as in section 15(1) of the Electronic Communications Act 2000<sup>(1)</sup>;

“electronic communications apparatus” has the same meaning as in paragraph 1(1) of the electronic communications code;

“electronic communications code” has the same meaning as in section 106(1) of the Communications Act 2003<sup>(2)</sup>;

“general consultation bodies” means the following—

- (a) voluntary bodies some or all of whose activities benefit any part of the local planning authority’s area,
- (b) bodies which represent the interests of different racial, ethnic or national groups in the local planning authority’s area,
- (c) bodies which represent the interests of different religious groups in the local planning authority’s area,
- (d) bodies which represent the interests of disabled persons in the local planning authority’s area,
- (e) bodies which represent the interests of persons carrying on business in the local planning authority’s area;

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(1) 2000 c.7.  
(2) 2003 c.21.

“inspection” means inspection by the public;

“local plan” means any document of the description referred to in regulation 5(1)(a)(i), (ii) or (iv) or 5(2)(a) or (b), and for the purposes of section 17(7)(a) of the Act these documents are prescribed as development plan documents;

“local policing body” means—

- (a) a police and crime commissioner (in relation to a police area listed in Schedule 1 to the Police Act 1996<sup>(3)</sup>);
- (b) the Mayor’s Office for Policing and Crime (in relation to the metropolitan police district);
- (c) the Common Council (in relation to the City of London police area);

“Ordnance Survey map” means an Ordnance Map or a map on a similar base at a registered scale;

“relevant authority” means—

- (a) a local planning authority ,
- (b) a county council referred to in section 16(1) of the Act,
- (c) a parish council,
- (d) a local policing body;

“site allocation policy” means a policy which allocates a site for a particular use or development;

“specific consultation bodies” means the following—

- (a) the Coal Authority<sup>(4)</sup>,
- (b) the Environment Agency<sup>(5)</sup>,
- (c) the Historic Buildings and Monuments Commission for England (known as English Heritage)<sup>(6)</sup>,
- (d) the Marine Management Organisation<sup>(7)</sup>,
- (e) Natural England<sup>(8)</sup>,
- (f) Network Rail Infrastructure Limited (company number 2904587),
- (g) the Highways Agency,
- (h) a relevant authority any part of whose area is in or adjoins the local planning authority’s area,
- (i) any person—
  - (i) to whom the electronic communications code applies by virtue of a direction given under section 106(3)(a) of the Communications Act 2003, and
  - (ii) who owns or controls electronic communications apparatus situated in any part of the local planning authority’s area,
- (j) if it exercises functions in any part of the local planning authority’s area—
  - (i) a Primary Care Trust established under section 18 of the National Health Service Act 2006<sup>(9)</sup> or continued in existence by virtue of that section;

<sup>(3)</sup> 1996 c.16.

<sup>(4)</sup> See section 1 of the Coal Industry Act 1994 (c.21).

<sup>(5)</sup> See section 1 of the Environment Act 1995 (c.25).

<sup>(6)</sup> See section 32 of the National Heritage Act 1983 (c.47).

<sup>(7)</sup> See section 1 of the Marine and Coastal Access Act 2009 (c.23).

<sup>(8)</sup> See section 1 of the Natural Environment and Rural Communities Act 2006 (c.16).

<sup>(9)</sup> 2006 c.41.

- (ii) a person to whom a licence has been granted under section 6(1)(b) or (c) of the Electricity Act 1989<sup>(10)</sup>;
- (iii) a person to whom a licence has been granted under section 7(2) of the Gas Act 1986<sup>(11)</sup>;
- (iv) a sewerage undertaker; and
- (v) a water undertaker;

(k) the Homes and Communities Agency<sup>(12)</sup>; and

(l) where the local planning authority are a London borough council, the Mayor of London; “submission policies map” means a map which accompanies a local plan submitted to the Secretary of State under section 20(1) of the Act and which shows how the adopted policies map would be amended by the accompanying local plan, if it were adopted;

“supplementary planning document” means any document of a description referred to in regulation 5 (except an adopted policies map or a statement of community involvement) which is not a local plan; and

“sustainability appraisal report” means the report prepared pursuant to section 19(5)(b) of the Act.

(2) These Regulations have effect in relation to the revision of a local plan or a supplementary planning document as they apply to the preparation of a local plan or a supplementary planning document.

(3) These Regulations have effect in relation to a minerals and waste development scheme as they have effect in relation to a local development scheme and for that purpose—

- (a) references to a local development scheme include references to a minerals and waste development scheme, and
- (b) references to a local planning authority include references to a county council within the meaning of section 16(1) of the Act.

### **Electronic communications**

3.—(1) Where within these Regulations—

- (a) a person is required to—
  - (i) send a document, a copy of a document or any notice to another person,
  - (ii) notify another person of any matter; and
- (b) that other person has an address for the purposes of electronic communications;

the document, copy, notice or notification may be sent or made by way of electronic communications.

(2) Where within these Regulations a person may make representations on any matter or document, those representations may be made—

- (a) in writing, or
- (b) by way of electronic communications.

(3) Where—

- (a) an electronic communication is used as mentioned in paragraphs (1) and (2), and
- (b) the communication is received by the recipient outside the recipient’s office hours, it is to be taken to have been received on the next working day, and in this regulation “working

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<sup>(10)</sup> 1989 c.29. There are amendments to these provisions which are not relevant to these Regulations.

<sup>(11)</sup> 1986 c.44. There are amendments to these provisions which are not relevant to these Regulations.

<sup>(12)</sup> See section 2 of the Housing and Regeneration Act 2008 (c.17).

day” means a day which is not a Saturday, Sunday, bank holiday under the Banking and Financial Dealings Act 1971(13) or other public holiday in England.