

## STATUTORY INSTRUMENTS

### 2012 No. 767

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

### PART 9

#### Availability of documents

##### Availability of documents: general

- 35.**—(1) A document is to be taken to be made available by a local planning authority when—
- (a) made available for inspection, at their principal office and at such other places within their area as the local planning authority consider appropriate, during normal office hours, and
  - (b) published on the local planning authority's website,
- (2) In relation to any document made available under these Regulations, except a local plan or supplementary planning document which has been adopted or approved, the local planning authority may cease to make the document available once the period specified in paragraph (3) has expired.
- (3) The period mentioned in paragraph (2)—
- (a) where the document relates to a supplementary planning document or to the local planning authority's statement of community involvement, is 3 months after the day on which the supplementary planning document or statement of community involvement is adopted;
  - (b) where the document relates to a local plan, is the 6 week period referred to in section [F<sup>1</sup>113(3B)] of the Act that applies as regards the local plan concerned.
- [F<sup>2</sup>(4) Where—
- (a) a local planning authority adopt, or the Secretary of State, the Mayor of London [F<sup>3</sup>, a combined authority or an upper-tier county council] approves, a revision to a local plan; or
  - (b) a local planning authority adopt, or the Secretary of State approves, a supplementary planning document,

as soon as reasonably practicable after the adoption or approval, the local planning authority must incorporate the revision into the local plan or make the supplementary planning document available in accordance with this regulation.]

##### Textual Amendments

- F1** Word in reg. 35(3)(b) substituted (12.8.2020) by [The Town and Country Planning \(Local Planning\) \(England\) \(Coronavirus\) \(Amendment\) Regulations 2020 \(S.I. 2020/731\)](#), regs. 1(2), **2(2)**
- F2** Reg. 35(4) substituted (1.10.2016) by [The Town and Country Planning \(Local Planning\) \(England\) \(Amendment\) Regulations 2016 \(S.I. 2016/871\)](#), regs. 1(2), **8**
- F3** Words in reg. 35(4)(a) substituted (15.1.2018) by [The Town and Country Planning \(Local Planning\) \(England\) \(Amendment\) Regulations 2017 \(S.I. 2017/1244\)](#), regs. 1(2), **9**

### Copies of documents

**36.**—(1) A person may request from the local planning authority a copy of a document made available in accordance with regulation 35.

(2) The local planning authority must provide a copy of the document to that person as soon as reasonably practicable after receipt of that person's request.

(3) The local planning authority may make a reasonable charge for a copy of a document—

- (a) provided in accordance with paragraph (2), or
- (b) published as required by or under Part 2 of the Act.

### [<sup>F4</sup>Coronavirus: temporary modifications of Part 9

**36A.**—(1) During the relevant period—

- (a) regulation 35 has effect as if paragraph (1)(a) were omitted; and
- (b) regulation 36 has effect as if paragraphs (1), (2) and (3)(a) were omitted.

(2) In this regulation and regulation 36B, “the relevant period” means the period beginning with 16th July 2020 and ending with [<sup>F5</sup>31st December 2021].

#### Textual Amendments

- F4** Regs. 36A, 36B inserted (16.7.2020) by [The Town and Country Planning \(Local Planning\) \(England\) \(Coronavirus\) \(Amendment\) Regulations 2020 \(S.I. 2020/731\)](#), regs. 1(2), **2(3)**
- F5** Words in reg. 36A(2) substituted (24.12.2020) by [The Town and Country Planning \(Local Planning, Development Management Procedure, Listed Buildings etc.\) \(England\) \(Coronavirus\) \(Amendment\) Regulations 2020 \(S.I. 2020/1398\)](#), regs. 1(2), **3(2)**

### Coronavirus: transitional provision in respect of documents made available during the relevant period

**36B.**—(1) Paragraph (2) applies where a local planning authority—

- (a) makes a document available in accordance with regulation 35(1)(b) during the relevant period; and
- (b) continues to make the document so available after the end of that period.

(2) As soon as reasonably practicable after the end of the relevant period, the local planning authority must also make the document available in accordance with regulation 35(1)(a) until the local planning authority ceases to be required to make the document available under these Regulations.]

#### Textual Amendments

- F4** Regs. 36A, 36B inserted (16.7.2020) by [The Town and Country Planning \(Local Planning\) \(England\) \(Coronavirus\) \(Amendment\) Regulations 2020 \(S.I. 2020/731\)](#), regs. 1(2), **2(3)**

**Changes to legislation:**

There are currently no known outstanding effects for the The Town and Country Planning (Local Planning) (England) Regulations 2012, PART 9.