
STATUTORY INSTRUMENTS

2015 No. 627

**TOWN AND COUNTRY PLANNING, ENGLAND
INFRASTRUCTURE PLANNING**

The Planning (Hazardous Substances) Regulations 2015

Made - - - - *18th March 2015*
Laid before Parliament *24th March 2015*
Coming into force *1st June 2015*

**THE PLANNING (HAZARDOUS
SUBSTANCES) REGULATIONS 2015**

PART 1

General

1. Citation, commencement and application
2. Interpretation

PART 2

Hazardous substances, controlled quantities and exemptions

3. Hazardous substances and controlled quantities
4. Exemptions

PART 3

Hazardous substances consent procedures

5. Applications for hazardous substances consent
6. Publication of notices of applications
7. Notification of applications to owners
8. Inspection of applications
9. Receipt of applications by hazardous substances authority
10. Consultation before the grant of hazardous substances consent
11. Determination of applications for hazardous substances consent
12. Notice of reference of applications to the Secretary of State
13. Appeals

Status: This is the original version (as it was originally made).

PART 4

Enforcement

14. Hazardous substances contravention notices
15. Appeals against hazardous substances contravention notices
16. Appeals: supplementary
17. Effect of hazardous substances contravention notices, etc
18. Enforcement register
19. Validity

PART 5

Other matters relating to hazardous substances consent and enforcement

20. Consents register
21. Fees for applications
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23. Application of the Act to hazardous substances authorities

PART 6

Policies and public participation

24. Policies
25. Plans and programmes
26. Other planning approvals for projects
27. Interpretation of Part 6

PART 7

Revocations, amendments, savings, transitional provisions, Crown application and review

28. Revocations
29. Transitional applications and appeals
30. Interpretation of existing consents
31. Saving for deemed consent conditions
32. Notification of other establishments
33. Amendments
34. Application to the Crown
35. Review
Signature

SCHEDULES

SCHEDULE 1 — Hazardous substances and controlled quantities

PART 1 — Categories of substances

PART 2 — Named hazardous substances

PART 3 — Substances used in processes

PART 4 — Notes to Parts 1 to 3

1. Substances and mixtures are classified in accordance with the CLP...
2. Mixtures shall be treated in the same way as pure...
3. Expressions appearing both in this Schedule and in the Directive...
4. The controlled quantities set out in Parts 1 to 3...
5. The following rule governing the addition of hazardous substances, or...

6. In the case of hazardous substances which are not covered...
7. In the case of hazardous substances with properties giving rise...
8. Hazardous substances that fall within Acute Toxic Category 3 via...
9. The hazard class Explosives includes explosive articles (see Section 2.1...
10. Testing for explosive properties of substances and mixtures is only...
11. If Explosives of Division 1.4 are unpacked or repacked, they...
12. (1) Flammable aerosols are classified in accordance with the Council...
13. According to paragraph 2.6.4.5 in Annex I to the CLP...
14. Ammonium nitrate (5,000/10,000): fertilisers capable of self-sustaining decomposition This applies...
15. Ammonium nitrate (1,250/5,000): fertiliser grade This applies to straight ammonium...
16. Ammonium nitrate (350/2,500): technical grade This applies to ammonium nitrate...
17. Ammonium nitrate (10/50): 'off-specs' material and fertilisers not fulfilling the...
18. Potassium nitrate (5,000/10,000) This applies to those composite potassium-nitrate based...
19. Potassium nitrate (1,250/5,000) This applies to those composite potassium-nitrate based...
20. Upgraded biogas For the purpose of the implementation of these...
21. Polychlorodibenzofurans and polychlorodibenzodioxins The quantities of polychlorodibenzofurans and polychlorodibenzodioxins are...
22. In cases where this hazardous substance falls within category P5a...
23. Where a hazardous substance falls within both Parts 1 and...
24. In relation to Part 3— (a) where S also falls...

SCHEDULE 2 — Exemptions

1. Loading, unloading and intermediate storage
2. Paragraph 1 does not apply if the substance referred to...
3. Pipelines
4. Emergency unloading from ships
5. For the purpose of paragraph 4, a substance is to...
6. Landfill sites
7. Paragraph 6 does not apply to— (a) a site used...
8. Nuclear sites
9. Minerals
10. Hazardous substances consent is not required for the presence of...
11. Explosives
12. Hazardous substance consent is not required where an explosive license...
13. Presence of established substances
14. Paragraph 13 does not apply where the quantity of the...
15. Presence of exempted substances
16. Presence of small quantities of substances
17. Minor changes to types and quantities of substances
18. The conditions are— (a) that before the relevant minor change...
19. Interpretation of this Schedule
20. Expressions appearing both in this Schedule and in the Directive...

SCHEDULE 3 — Prescribed forms, notices and certificates

SCHEDULE 4 — Enforcement – application of the principal Act

PART 1 — Appeals against hazardous substances contravention notices

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1. Section 174 of the principal Act (appeals against enforcement notice)...
2. Section 175 of the principal Act (appeals: supplementary provisions) applies...
3. Section 176 of the principal Act (general provisions relating to...
4. Section 177 of the principal Act (grant or modification of...
PART 2 — Effect of hazardous substances contravention notices, etc.
5. Section 178 of the principal Act (execution and cost of...
6. Section 179 (offence where enforcement notice not complied with) has...
7. Section 180 (effect of planning permission etc. on enforcement or...
8. Section 181 (enforcement notice to have effect against subsequent development)...
- PART 3 — Registers
9. Section 188 of the principal Act (register of enforcement and...
PART 4 — Validity
10. Section 285 of the principal Act (validity of enforcement notices...
11. Section 289 of the principal Act (appeals to the High...

SCHEDULE 5 — Amendments

1. Amendment of the Town and Country Planning (London Spatial Development Strategy) Regulations 2000
2. Amendment of the Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006
3. Amendment of the Town and Country Planning (Mayor of London) Order 2008
4. Amendment of the Town and Country Planning (Local Planning) (England) Regulations 2012

Explanatory Note