

SCHEDULES

SCHEDULE 5

Regulation 33

Amendments

Amendment of the Town and Country Planning (London Spatial Development Strategy) Regulations 2000

1.—(1) The Town and Country Planning (London Spatial Development Strategy) Regulations 2000⁽¹⁾ are amended as follows.

(2) In regulation 6 (regard to be had to certain matters and statement of regard)—

(a) in paragraph (1), for paragraphs (b) and (c) substitute—

“(b) the objectives of preventing major accidents and limiting the consequences of such accidents for human health and the environment;

(c) the need, in the long term—

(i) to maintain appropriate safety distances between establishments and residential areas, buildings and areas of public use, recreational areas, and, as far as possible, major transport routes;

(ii) to protect areas of particular natural sensitivity or interest in the vicinity of establishments, where appropriate through appropriate safety distances or other relevant measures;

(iii) in the case of existing establishments, to take additional technical measures, in accordance with Article 5 of Directive 2012/18/EU of the European Parliament and of the Council on the control of major-accident hazards involving dangerous substances, so as not to increase the risks to human health and the environment.”

(b) in paragraph (2), for “Council [Directive 96/82/EC](#)” substitute “[Directive 2012/18/EU](#)”.

Amendment of the Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006

2.—(1) The Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006⁽²⁾ are amended as follows.

(2) In rule 10 (documents accompanying application), in paragraph (7)—

(a) omit subparagraph (a); and

(b) in subparagraph (b), for “in such one or more of regulations 5(1)(b), 5(2)(b) and 5(3)(b) of those Regulations” substitute “regulation 5(1)(c), 5(1)(d), 5(2)(c) to (h) and 5(3)(c) to (g) of the Planning (Hazardous Substances) Regulations 2015”.

(3) In the table in Schedule 5 (those to be served with a copy of the application and documents), after the row numbered 21, insert—

(1) [S.I. 2000/1491](#).

(2) [S.I. 2006/1466](#).

“21A. A relevant project as defined in regulation 26(5) of the Planning (Hazardous Substances) Regulations 2015.	21A. The COMAH competent authority as defined in regulation 2(1) of those Regulations.”
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Amendment of the Town and Country Planning (Mayor of London) Order 2008

3.—(1) The Town and Country Planning (Mayor of London) Order 2008(3) is amended as follows.

(2) In article 6 (Mayor’s power to direct refusal of a PSI application) for paragraphs (2)(h) and (2)(i), substitute—

- “(h) the objectives of preventing major accidents and limiting the consequences of such accidents for human health and the environment;
- (i) the need, in the long term—
 - (i) to maintain appropriate safety distances between establishments and residential areas, buildings and areas of public use, recreational areas, and, as far as possible, major transport routes;
 - (ii) to protect areas of particular natural sensitivity or interest in the vicinity of establishments, where appropriate through appropriate safety distances or other relevant measures; and
 - (iii) in the case of existing establishments, to take additional technical measures, in accordance with Article 5 of Directive 2012/18/EU of the European Parliament and of the Council on the control of major-accident hazards involving dangerous substances, so as not to increase the risks to human health and the environment.”

(3) In paragraph (3), for “Council [Directive 96/82/EC](#)” substitute “Directive 2012/18/EU”.

Amendment of the Town and Country Planning (Local Planning) (England) Regulations 2012

4.—(1) The Town and Country Planning (Local Planning) (England) Regulations 2012(4) are amended as follows.

(2) In regulation 10 (Local plans and supplementary planning documents: additional matters to which regard is to be had)—

- (a) for paragraph (1)(b) substitute—
 - “(b) the objectives of preventing major accidents and limiting the consequences of such accidents for human health and the environment by pursuing those objectives through the controls described in Article 13 of Council Directive 2012/18/EU;”
- (b) for paragraph (1)(c) substitute—
 - “(c) the need, in the long term—
 - (i) to maintain appropriate safety distances between establishments and residential areas, buildings and areas of public use, recreational areas, and, as far as possible, major transport routes;
 - (ii) to protect areas of particular natural sensitivity or interest in the vicinity of establishments, where appropriate through appropriate safety distances or other relevant measures;

(3) [S.I. 2008/580](#).

(4) [S.I. 2012/767](#).

- (ii) in the case of existing establishments, to take additional technical measures, in accordance with Article 5 of Directive 2012/18/EU of the European Parliament and of the Council on the control of major-accident hazards involving dangerous substances, so as not to increase the risks to human health and the environment.”
- (c) in paragraph (2), for “Council Directive 96/82/EC (as amended by Council [Directive 2003/105/EC](#))” substitute “Directive 2012/18/EU”.