STATUTORY INSTRUMENTS

# 2017 No. 365

# TOWN AND COUNTRY PLANNING, ENGLAND

## The Planning (Hazardous Substances) (Amendment) Regulations 2017

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| *Made - - - -* | *13th March 2017* |
| *Laid before Parliament* | *15th March 2017* |
| *Coming into force - -* | *6th April 2017* |

The Secretary of State, in exercise of the powers conferred by section 5 of the Planning (Hazardous Substances) Act 1990(**1**), makes the following Regulations:

### Citation and commencement

**1.** These Regulations may be cited as the Planning (Hazardous Substances) (Amendment) Regulations 2017 and come into force on 6th April 2017.

### Controlled quantities

**2.**—(1) In Part 4 of Schedule 1 to the Planning (Hazardous Substances) Regulations 2015(**2**), for note 5 substitute—

"**5.**—(1) In the case of an establishment where two or more below-threshold substances in the same hazard group are present, the rule in paragraph (3) applies to those substances.

(2) In this note—

"below-threshold substances" are substances falling within Part 1 or 2 of this Schedule which are present in quantities below the quantities corresponding to those substances specified in column 2 of those Parts;

"hazard group" means each of the following groups of substances—

(a) substances listed in Part 2 of this Schedule which fall within acute toxicity category 1, 2 or 3 (inhalation route) or STOT SE category 1 and substances which fall within section H, entries H1 to H3 of Part 1;

(b) substances listed in Part 2 of this Schedule that are explosives, flammable gases, flammable aerosols, oxidising gases, flammable liquids, self-reactive substances

(**1**) 1990 c.10.
(**2**) S.I. 2015/627. Schedule 1 was amended by S.I. 2015/1359.