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7 September 2007

Dear Helen

PLANNING & COMPULSORY PURCHASE ACT 2004

I am writing with reference to your application of 29 March 2007 applying for a direction under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004 in respect of policies in the Newcastle Under Lyme Local Plan.

The Secretary of State's Direction and accompanying schedule is attached. Those policies not listed in the Direction will expire on 27th September 2007.

The Secretary of State's assessment of whether saved policies should be extended is based upon the criteria set out in Planning Policy Statement 12 and Communities and Local Government Protocol on saving policies. The Secretary of State's decisions concern some policies where there have been representations from a third party expressing views that differ from those of your authority or where her views differ from those of your authority. Where these circumstances apply the Secretary of State's reasons for the decision are set out in the table at the end of this letter.

The extension of saved policies listed in this Direction does not indicate that the Secretary of State would endorse these policies if presented to her as new policy. It is only intended to ensure continuity in the plan-led system and a stable planning framework locally, and in particular, a continual supply of land for development.

Local planning authorities should not suppose that a regulatory local plan style approach will be supported in forthcoming Development Plan Documents. Local Planning Authorities should adopt a positive spatial strategy led approach to DPD preparation and not seek to reintroduce the numerous policies of many local plans.

The exercise of extending saved policies is not an opportunity to delay DPD preparation. LPAs should make good progress with local development

frameworks according to timetables in local development schemes. Policies have been extended in the expectation that they will be replaced promptly and by fewer policies in DPDs. Maximum use should be made of national and regional policy especially given the development plan status of the Regional Spatial Strategy.

Following 27 September 2007 the saved policies should be read in context. Where policies were originally adopted some time ago, it is likely that material considerations, in particular the emergence of new national and regional policy and also new evidence, will be afforded considerable weight in decisions. In particular, we would draw your attention to the importance of reflecting policy in Planning Policy Statement 3 *Housing* and Strategic Housing Land Availability Assessments in relevant decisions.

Policy Ref	Reason	Decision
H11 Affordable Housing – General Policy	The policy is inconsistent with PPS3	Not Extended
H20 Planning Applications for Gypsy Sites	The policy is not necessary. The criteria are adequately covered in Circular 1/2006: Planning for Gypsy and Traveller Caravan Sites	Not Extended
N15 Protected Species	The policy is contrary to paragraph 15 of PPS9	Not Extended

Signed by authority of the
Secretary of State



DAVID MARR
HEAD OF PLANNING AND HOUSING
GOVERNMENT OFFICE FOR THE WEST MIDLANDS

**DIRECTION UNDER PARAGRAPH 1(3) OF SCHEDULE 8 TO THE
PLANNING AND COMPULSORY PURCHASE ACT 2004
POLICIES CONTAINED IN NEWCASTLE UNDER LYME LOCAL PLAN
ADOPTED OCTOBER 2003**

The Secretary of State for Communities and Local Government in exercise of the power conferred by paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004 directs that for the purposes of the policies specified in the Schedule to this direction, paragraph 1(2)(a) of Schedule 8 to the Planning and Compulsory Purchase Act 2004 does not apply.

Signed by authority of the
Secretary of State

A handwritten signature in black ink, appearing to read 'D Marr', is positioned below the text 'Signed by authority of the Secretary of State'.

DAVID MARR
HEAD OF PLANNING AND HOUSING
GOVERNMENT OFFICE FOR THE WEST MIDLANDS

7 September 2007

SCHEDULE

POLICIES CONTAINED IN NEWCASTLE UNDER LYME LOCAL PLAN

ADOPTED OCTOBER 2003

Policy Number	Policy Name
S3	Development in the Green Belt
H1	Residential Development: Sustainable Location and Protection of The Countryside
H3	Residential Development -Priority to Brownfield Sites
H4	Housing Development and Retention of Parking Facilities
H6	Encouragement of The Provision of Living Accommodation By The Conversion of Existing Non-Residential Urban Buildings
H7	Protection of Areas of Special Character
H8	Large Residential Buildings
H9	Conversion of Rural Buildings For Living Accommodation
H10	Renewal of Existing Permissions for Residential Development
H12	Affordable Housing in Rural Areas
H13	Supported Housing
H15	Small Additional Dwelling Units Within The Curtilages of Existing Dwellings
H18	Design of Residential Extensions, Where Subject to Planning Control
E2	Chatterley Valley
E3	Lymedale Park Extension
E4	London Road, Chesterton
E5	Church Lane, Knutton
E6	Chemical Lane
E7	Kidsgrove Station Yard
E8	Keele University and Keele Science Park

Policy Number	Policy Name
E9	Renewal of Planning Permissions for Employment Development
E11	Development of Employment Land for Other Uses
E12	The Conversion of Rural Buildings
R1	Major Retail and Leisure Development – The Sequential Approach
R12	Development in Kidsgrove Town Centre
R13	Non- Retail Uses in Kidsgrove Town Centre
R14	Development in District Centres
R15	Non- Retail Uses in District Centres and Other Groups of Shops
T9	Rail Freight
T10	Taxi and Private Hire Bases
T11	Canals
T12	M6 Corridor
T16	Development – General Parking Requirements
T17	Parking in Town and District Centres
T18	Development – Servicing Requirements
T19	Telecommunications Development – General Concerns
T20	Telecommunications Development – Required Information
C2	Retention of Allotment Gardens
C3	Publicly Accessible Open Space, Poolfields, Newcastle
C4	Open Space in New Housing Areas
C8	Country Parks
C9	Countryside Parks
C11	New Footpaths, Horse Routes and Cycleways
C13	Additional Facilities at Apedale Community Country Park
C14	Extension of The Keele Conference Centre at The Hawthorns

Policy Number	Policy Name
C16	Restrictions On Self-Catering Holiday Accommodation
C17	Camping and Caravan Sites
C19	Burial Ground Bradwell
C20	Madeley Village Hall
C21	White Rock – Apedale Road
C22	Protection of Community Facilities
N2	Development and Nature Conservation - Site Surveys
N3	Development and Nature Conservation – Protection and Enhancement Measures
N4	Development and Nature Conservation – Use of Local Species
N7	Protection of Local Sites
N8	Protection of Key Habitats
N9	Community Woodland Zones
N10	New Woodland – Considerations
N12	Development and The Protection of Trees
N13	Felling and Pruning of Trees
N14	Protection of Landscape Features of Major Importance to Flora and Fauna
N16	Protection of a Green Heritage Network
N17	Landscape Character - General Considerations
N18	Areas of Active Landscape Conservation
N19	Landscape Maintenance Areas
N20	Areas of Landscape Enhancement
N21	Areas of Landscape Restoration
N22	Areas of Landscape Regeneration
N24	Water Based Landscape Features
B2	Scheduled Ancient Monuments

Policy Number	Policy Name
B3	Other Archaeological Sites
B4	Demolition of Listed Buildings
B5	Control of Development Affecting The Setting of a Listed Building
B6	Extension Or Alteration of Listed Buildings
B7	Listed Buildings - Change of Use
B8	Other Buildings of Historic Or Architectural Interest
B9	Prevention of Harm to Conservation Areas.
B10	The Requirement to Preserve Or Enhance The Character Or Appearance of a Conservation Area
B11	Demolition in Conservation Areas
B12	Provision of Services in Conservation Areas
B13	Design and Development in Conservation Areas
B14	Development in Or Adjoining The Boundary of Conservation Areas
B15	Trees and Landscape in Conservation Areas
B16	Shop Fronts in Conservation Areas
B17	Awnings, Canopies and Blinds in Conservation Areas
B18	Security Shutters in Conservation Areas
B19	Illuminated Signs in Conservation Areas
B20	Illuminated Fascia and Other Signs in Conservation Areas
IM1	Provision of Essential Supporting Infrastructure and Community Facilities.
IM2	Compliance with Policy Concerns