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21 September 2007

Our Ref:
Your Ref:

Dear Mr McCutcheon

**PLANNING AND COMPULSORY PURCHASE ACT 2004
MEDWAY LOCAL PLAN 2003 SAVED POLICIES APPLICATION**

I am writing with reference to your application of 14 March on behalf of Medway Council for a direction under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004 in respect of policies in the Medway Local Plan.

The Secretary of State's Direction is attached. Those policies not listed in the Direction will expire on 27 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: *Local Development Frameworks* and the Department for 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. Also, her decisions in respect of some policies have the effect of saving policies that an authority requested should not be extended. For clarity, where either or both of these two circumstances apply, the Secretary of State's reasons 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 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 (DPDs). LPAs 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 the timetables in their 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 extended policies should be read in context. Where policies were 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 the Housing Green Paper – *Homes for the future: more affordable, more sustainable* in relevant decisions.

Policy Ref	Policy Title	Reason	Extended	Not Extended
BNE34	Areas of Local Landscape Importance	This policy has been extended to afford the LPA the opportunity to justify the retention of this local landscape designation through the local development framework process.	√	
BNE25	Development in the Countryside	This policy has been extended as it is not contrary to government policies.	√	
H11	Residential Development in Rural Settlements	This policy has been extended as it is not contrary	√	

		to government policies.		
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Yours sincerely

John Cheston
Senior Planning Officer

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

John Cheston
Senior Planning Officer
Housing and Planning Directorate
Government Office for the South East

21 September 2007

SCHEDULE

POLICIES CONTAINED IN THE MEDWAY LOCAL PLAN 2003

Policy Number	Policy Title/Purpose
S1	Development Strategy
S2	Strategic Principles
S4	Landscape and Urban Design Guidance
S5	Medway's 'City' Centre
S6	Planning Obligations
S7	Rochester Riverside Action Area
S8	Chatham Maritime
S9	Chatham Historic Dockyard
S10	Strood Waterfront Action Area
S12	Kingsnorth
S13	Isle of Grain
S14	Ministry of Defence Estate, Chattenden
BNE1	General Principles for Built Development
BNE2	Amenity Protection
BNE3	Noise Standards
BNE4	Energy Efficiency
BNE5	Lighting
BNE6	Landscape Design
BNE7	Access for All
BNE8	Security and Personal Safety
BNE9	Design of Commercial Frontages
BNE10	Advertisements
BNE11	Hoardings



INVESTOR IN PEOPLE



POSITIVE ABOUT
DISABLED PEOPLE

Policy Number	Policy Title/Purpose
BNE12	Conservation Areas
BNE13	Demolition in Conservation Areas
BNE14	Development in Conservation Areas
BNE15	Advertisements in Conservation Areas
BNE16	Demolition of Listed Buildings
BNE17	Alterations to Listed Buildings
BNE18	Setting of Listed Buildings
BNE19	Advertisements on Listed Buildings
BNE20	Scheduled Ancient Monuments
BNE21	Archaeological Sites
BNE22	Environmental Enhancement
BNE23	Contaminated Land
BNE24	Air Quality
BNE25	Development in the Countryside
BNE26	Business Development in Rural Settlements
BNE27	Re-use of Buildings in the Countryside
BNE28	Farm Diversification
BNE29	Farm Shops
BNE30	Metropolitan Green Belt
BNE31	Strategic Gap
BNE32	Areas of Outstanding Natural Beauty
BNE33	Special Landscape Areas
BNE34	Areas of Local Landscape Importance
BNE35	International and National Nature Conservation Sites
BNE36	Strategic and Local Nature Conservation Sites
BNE37	Wildlife Habitats

Policy Number	Policy Title/Purpose
BNE38	Wildlife Corridors and Stepping Stones
BNE39	Protected Species
BNE40	Cliffe Conservation Park
BNE41	Tree Preservation Orders
BNE42	Hedgerow Retention
BNE43	Trees and Development Sites
BNE44	Community Woodlands
BNE45	Undeveloped Coast
BNE46	Developed Coast
BNE47	Rural Lanes
BNE49	Agricultural Dwellings
BNE50	Agricultural Occupancy
BNE51	Equestrian developments
ED1	Existing Employment Sites
ED2	Employment in Action Areas and Mixed Use Areas
ED3	Other Employment Sites
ED4	Elm Court
ED5	Proposed Employment Areas
ED6	Small Business Complexes
ED7	Special Industrial Uses
ED8	Industrial Uses not in a Use Class
ED9	Chatham Port
ED10	Working from Home
ED11	Existing Tourist Facilities
ED12	New Tourist Facilities
ED13	Hotels

Policy Number	Policy Title/Purpose
ED14	Bed & Breakfast Accommodation and Guest Houses
ED15	Self-catering Accommodation
ED16	Tourist Facilities for Walkers and Cyclists
H1	New Residential Development
H2	Retention of Housing
H3	Affordable Housing
H4	Housing in Urban Areas
H5	High Density Housing
H6	Flat Conversions
H7	Multiple Occupation
H8	Residential Institutions
H9	Backland and Tandem Development
H10	Housing Mix
H11	Residential Development in Rural Settlements
H12	Mobile Home Parks
H13	Gypsy Caravan Sites and Travelling Showpeople's Quarters
R1	Chatham – Comparison Retailing
R2	Chatham – Convenience Retailing
R3	Chatham – The Brook and High Street
R4	Retailing in Strood
R5	Retailing in Gillingham
R6	Retailing in Rainham
R7	Hampstead Valley Shopping Centre
R8	Rochester City Centre
R9	Retail Provision in New Residential Developments
R10	Local Centres, Village Shops and Neighbourhood Centres

Policy Number	Policy Title/Purpose
R11	Town Centre Uses and the Sequential Approach
R12	Mixed Use Schemes
R13	Retail Uses and the Sequential Approach
R14	Ancillary Retail Development
R15	Amusement Arcades, etc
R16	Restrictions on Goods for Sale
R17	A2 and A3 Uses and Change of Use
R18	Takeaway Hotfood Shops, Restaurants, Cafés, Bars and Public Houses
R19	Vehicle Sales and Showrooms
L1	Existing Leisure Facilities
L2	New Leisure Facilities
L3	Protection of Open Space
L4	Provision of Open Space in New Residential developments
L5	Open Space in Employment Areas
L6	Open Space Allocations
L7	New Playing Fields
L8	Dual Use of Recreational Facilities
L9	Country Parks
L10	Public Rights of Way
L11	Riverside Path and Cycleway
L13	Water Based Leisure
T1	Impact of Development
T2	Access to the Highway
T3	Provision for Pedestrians
T4	Cycle Facilities
T5	Bus Preference Measures



INVESTOR IN PEOPLE



Policy Number	Policy Title/Purpose
T6	Provision for Public Transport
T7	The Rail Network
T9	River Buses and Piers
T10	Wharves
T11	Development Funded Transport Improvements
T12	Traffic Management
T13	Vehicle Parking Standards
T14	Travel Plans
T15	Parking Strategy
T16	Rainham Town Centre Parking
T17	Park and Ride
T18	New Transport Infrastructure
T19	Road Schemes
T20	Development Related Road Schemes
T21	Motorway Service Areas
T22	Provision for People with Disabilities
T23	Aviation Related Development
CF1	Community Facilities
CF2	New Community Facilities
CF3	Sites for Local Healthcare Facilities
CF4	Primary Healthcare Facilities
CF5	Nursing and Special Care
CF6	Primary Schools
CF7	Further, Higher and Adult Education
CF8	Cemetery Extension
CF10	Overhead Supply Lines

Policy Number	Policy Title/Purpose
CF11	Renewable Energy
CF12	Water Supply
CF13	Tidal Flood Areas
CF14	Telecommunications