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26 September 2007

Our Ref: Your Ref:

Dear Mr Bevan

**PLANNING AND COMPULSORY PURCHASE ACT 2004
WEST SUSSEX STRUCTURE PLAN 2001-2016 SAVED POLICIES APPLICATION**

I am writing with reference to your application on behalf of West Sussex County Council of 30 March for a direction under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004 in respect of policies in the West Sussex Structure 2001-2016. This letter supersedes my letter on the same subject of 21 September.

The Secretary of State's Direction is attached. Those policies not listed in the Direction will expire on 27 September 2007. We would also point that there is no mechanism by which to save the appendices of the Structure Plan.

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 the local authority. Also, her decisions in respect of some policies have the effect of saving policies that the 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

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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	Reason	Extended	Not Extended

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 WEST SUSSEX STRUCTURE PLAN 2001-2016

ADOPTED OCTOBER 2004

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

26 September 2007

SCHEDULE

POLICIES CONTAINED IN THE WEST SUSSEX STRUCTURE PLAN 2001-2016

Policy Number	Policy Title/Purpose
CH1	Character
CH2	Areas of Outstanding Natural Beauty
CHS	Settlement pattern and strategic gaps
CH4	Conservation areas and historic towns and villages
CHS	Buildings of architectural or historic interest
CH6	Historic parks and gardens
CH7	Archaeology
DEV1	High quality development
DEV2	Mixed uses
DEV3	Infrastructure requirements
DEV4	Travel needs and choices
DEV5	Parking provision
DEV6	Strategic locations and urban extensions
ERA1	Making the best use of land
ERA2	Nature conservation
ERAS	The coast
ERA4	Flooding and coastal defence
ERAS	Air, soil and water
ERA6	Minerals Note: Policies ERA 7&8 (Energy and Waste) not continued
LOC1	Locational strategy
LOC2	The countryside
NE1	Level of residential and employment development
NE3	Subsidised housing