



GOVERNMENT OFFICE
FOR THE SOUTH WEST

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Our reference: SW/THM/5823/10
Your reference:

5 October 2007

Dear Mr Phillips

**DIRECTION UNDER PARAGRAPH 1(3) OF SCHEDULE 8 TO THE
PLANNING AND COMPULSORY PURCHASE ACT 2004
POLICIES CONTAINED IN THE GLOUCESTERSHIRE WASTE LOCAL
PLAN 2002-2012**

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

Thoss Shearer
Deputy Regional Director
Regional Strategies, Housing and Planning
Government Office South West



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Dear Mr Phillips

I am writing with reference to your application of 28 March 2007 for a direction under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004 in respect of policies in the Gloucestershire Waste Local Plan 2002-2012.

The Secretary of State's Direction is attached. Those policies not listed in the Direction will expire on 10th October 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 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 your authority requested should not be extended. For clarity, where the Secretary of State's decisions differ from the views of your authority those 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. 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 advanced position of many regional spatial strategies and the development plan status of the Regional Spatial Strategy/Spatial Development 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 Strategic Housing Land Availability Assessments in relevant decisions.

Policy Ref	Reason	Extended	Not Extended
4	This policy refers to BPEO which has been superseded by PPS10		Not extended
5	This policy refers to BPEO which has been superseded by PPS10		Not extended
6	This policy refers to BPEO which has been superseded by PPS10		Not extended
7	This policy refers to BPEO which has been superseded by PPS10		Not extended
18	This policy refers to BPEO which has been superseded by PPS10		Not extended
21	This policy refers to BPEO which has been superseded by PPS10		Not extended
26	This policy refers to BPEO which has been superseded by PPS10		Not extended

34	This policy has been superseded by PPS25		Not extended
35	This policy refers to BPEO which has been superseded by PPS10		Not extended
Chapter 4	The Secretary of State is only empowered to save policies under the 2004 Act		Not extended

Please note that if you have any queries concerning the contents of this letter they should be directed to Tim McCombe, Senior Planning Manager, Gloucestershire and Wiltshire 0117 900 1859
Tim.McCombe@gosw.gsi.gov.uk.

Yours sincerely



Thoss Shearer
Deputy Regional Director
Regional Strategies, Housing and Planning



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SCHEDULE

POLICIES CONTAINED IN THE GLOUCESTERSHIRE WASTE LOCAL

PLAN 2002-2012

Policy No.	Name
8	Anaerobic digestion
9	Composting
10	Household waste recycling centres
11	Waste Collection Facilities
12	Inert recovery and recycling
15	Waste to energy recovery
16	Special waste facilities
17	Mining of waste
19	Sewage and water treatment
22	Land-spreading
24	Locally designated sites for nature conservation
25	Nature Conservation outside designated sites
28	Sites of National Archaeological Importance
29	Sites of Local Archaeological Importance
31	Historic heritage
33	Water resources – pollution control
36	Waste minimisation
37	Proximity to other land uses
38	Hours of operation
39	Transport
40	Traffic
41	Public Rights of Way
42	Reinstatement
43	After use
45	Planning Obligations