



GOVERNMENT OFFICE
FOR THE SOUTH WEST

EAST DEVON DISTRICT COUNCIL ENVIRONMENT DIRECTORATE			
19 JUN 2009			
ACK	CIRC	SEEN	FILE

18 June 2009

Mr J. Maidment
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District Council
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Dear Mr Maidment

I am writing with reference to your application of 16 January 2009 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 East Devon Local Plan 1995 to 2011, adopted 19 July 2006.

The Secretary of State's Direction is attached. Those policies not listed in the Direction will expire on 19 July 2009.

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 Communities and Local Government protocol on saving policies.

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.

LPAs should make good progress with local development frameworks according to timetables in local development schemes. The exercise of extending saved policies is not an opportunity to delay DPD preparation. 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 post 2004 status of the Regional Spatial Strategy.

Following 19 July 2009 the extended 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, your attention is drawn to Planning Policy Statement 3 *Housing* (paragraphs 6 and 68) and the Housing Green Paper - *Homes for the future: more affordable, more sustainable* (chapter 2, paragraph 15).

It has been decided to set out below reasons for the Secretary of State's decision where one or more of the following applies:

- the Secretary of State's view differs from that of your authority;
- there have been representations from a third party expressing views that differ from those of your authority;
- the Secretary of State's decision has the effect of saving policies that your authority requested should not be extended

Policy Ref	Reason	Extended	Not Extended
H12	Covered by circular 01/06		Not extended

Yours sincerely



T M H SHEARER