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24 September 2007

Our Ref: GOSE 102/002/MAID/SAVE
Your Ref: 604/23/01

Dear Mr Thornton

**PLANNING AND COMPULSORY PURCHASE ACT 2004
MAIDSTONE BOROUGH - WIDE LOCAL PLAN 2000 SAVED POLICIES APPLICATION**

I am writing with reference to your application on behalf of Maidstone Borough Council of 29 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 Maidstone Borough - Wide Local Plan 2000.

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 the local 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.

In relation to pages 56 & 57 of your Council's March 2007 Local Development Scheme, we would point out that there is no mechanism for saving supplementary planning guidance. Where the relevant parent policy has been saved, however, then supplementary planning guidance which was prepared in the proper manner may remain capable of being a material consideration.

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	Reason	Extended	Not Extended
H3, H8, H11, H12, H13 & H16	It is considered important to save these policies for unimplemented site allocations as they support the delivery of housing.	√	
CF6	This policy should be saved as a consequence of extending Policies H1 and H12.	√	

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 MAIDSTONE BOROUGH - WIDE LOCAL PLAN 2000
ADOPTED DECEMBER 2000**

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

24 September 2007

SCHEDULE

POLICIES CONTAINED IN THE MAIDSTONE BOROUGH- WIDE LOCAL PLAN 2000

Policy Number	Policy Title/Purpose
ENV6	Landscaping, Surfacing and Boundary Treatment
ENV7	Riverside Zone of Special Townscape
ENV8	Advertising and Retail Frontage
ENV21	Strategic Transportation Corridors
ENV22	Urban Open Space
ENV23	Loss of Open Space and Recreation Facilities
ENV24	Site Specific Public Open Space Allocations
ENV25	Allotments
ENV26	Development Affecting Public Footpaths and Public Rights of Way
ENV27	New Footpath, Cycleway and Bridleway Proposals
ENV28	Development In the Countryside
ENV30	Metropolitan Green Belt
ENV31	Strategic Gap
ENV32	Southern Anti-Coalescence Belt
ENV33	Kent Downs Area of Outstanding Natural Beauty
ENV34	Special Landscape Areas
ENV35	Areas Of Local Landscape Importance
ENV41	Ponds, Wetlands and Marshlands
ENV42	Roadside Verges
ENV43	Agricultural Buildings
ENV44	Conversion of Rural Buildings for Commercial, Industrial, Recreation and Tourism Purposes
ENV45	Conversion Of Rural Buildings for Residential Purposes

Policy Number	Policy Title/Purpose
ENV46	Equestrian Development
ENV49	External Lighting
H1	Housing Land Allocations
H3	North of Sutton Road, Maidstone/Otham
H8	Langley Park Farm West, Boughton Monchelsea/Langley
H9	Beaconsfield Road/Eccleston Road/Wharf Road, Tovil
H10	Hart Street, Lockmeadow, Maidstone
H11	Hook Lane, Harrietsham
H12	East of Hermitage Lane, Maidstone
H13	Bridge Nursery, Maidstone
H14	Hayle Place, Tovil
H15	West of Royal Engineers' Road, Maidstone
H16	Oliver Road, Staplehurst
H18	Extension To Residential Properties
H21	Self-Contained Flats
H22	Houses In Multiple Occupation
H25	Sheltered Accommodation
H26	Nursing and Residential Care Homes
H27	Rural Settlements (Minor Development)
H28	Rural Settlements (Allocations)
H31	Changes of Use from Agricultural to Domestic Garden
H32	Replacement Dwellings in the Countryside
H33	Extensions to Dwellings in the Countryside
H35	Temporary Accommodation for Agricultural Workers
ED1	Allocations of Employment Land
ED2	Retention of Employment Sites

Policy Number	Policy Title/Purpose
ED5	St Michael's Close, near Aylesford
ED7	Lockmeadow
ED8	Maidstone East Railway Station
ED9	Storage and Distribution Uses
ED11	Zeneca Works, Yalding
ED12	Detling Airfield Industrial Estate
ED13	Brake Bros, Rose Lane, Lenham Heath
ED14	Lenham Storage, Ham Lane, Lenham
ED15	Marley Works, Lenham
ED16	Open Storage of Private Caravans
ED17	Serviced and Self Catered Tourist Accommodation
ED18	Town Centre Hotel Sites
ED19	Loss of Tourist Accommodation
ED20	Holiday Caravan & Camping Sites
ED21	Conference or Exhibition Centre
ED25	Mooring Facilities
T1	Integrated Transport Strategy
T2	Public Transport Preference Measures
T3	Public Transport
T7	Safeguarding Railway Lines
T13	Parking Standards
T15	Non-Residential Parking in Town Centres
T17	Park-and-Ride
T18	Highways Construction, Widening and Junction Improvements
T19	Boat Yard
T20	Headcorn Airfield

Policy Number	Policy Title/Purpose
T21	Accessibility of New Development
T23	Need for Highway/Public Transport Improvements
R1	Maintaining and Enhancing Existing Retail Facilities
R2	Major Retail Proposals Exceeding 500 sq. m.
R3	Maidstone Town Centre
R4	Fremlin Centre
R6	Maidstone East Railway Centre
R7	Core Shopping Area in the Town Centre
R8	Secondary Shopping Areas in the Town Centre
R9	Tertiary Town Centre Areas
R10	Local Centres
R11	Local Convenience Shops, Post Offices and Pharmacies
R12	Retail Proposals Outside Defined Built-Up Areas
R16	Amusement Arcades
R17	Takeaways, Restaurants, Cafés, Bars and Pubs
R18	Car Showrooms
R19	Living Over the Shop
CF1	Seeking New Community Facilities
CF2	Re-Using Public Land and Community Facilities
CF3	Loss of Community Facilities
CF6	Medical Service Provision on Allocated Housing Sites
CF8	Primary Schools
CF9	Dual Use of School Facilities
CF12	Community Halls
CF14	Nightclubs, Sports, Leisure and Entertainment Uses
CF16	Off-Site Sewers