



GOVERNMENT OFFICE
FOR THE WEST MIDLANDS

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9 July 2009

Dear Rosie

PLANNING & COMPULSORY PURCHASE ACT 2004

With reference to your application of 30 December 2008 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 Malvern Local Plan.

The Secretary of State's Direction and accompanying schedule is attached. Those policies not listed in the Direction will expire on 11 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 and 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 as new policy. It is only 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. Local Planning Authorities 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 timetables in 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 11 July 2009 the saved 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, 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.

Signed by authority of the
Secretary of State

A handwritten signature in black ink, appearing to be 'IAN SMITH', written in a cursive style.

IAN SMITH
ACTING HEAD OF PLANNING
GOVERNMENT OFFICE FOR THE WEST MIDLANDS

**DIRECTION UNDER PARAGRAPH 1(3) OF SCHEDULE 8 TO THE
PLANNING AND COMPULSORY PURCHASE ACT 2004
POLICIES CONTAINED IN THE MALVERN LOCAL PLAN
ADOPTED 12 JULY 2006**

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



IAN SMITH
ACTING HEAD OF PLANNING
GOVERNMENT OFFICE FOR THE WEST MIDLANDS

9 July 2009

SCHEDULE

POLICIES CONTAINED IN MALVERN LOCAL PLAN

ADOPTED 12 JULY 2006

Policy Number	Policy Name
DS1	The Location of Development
DS3	Generic Development Requirements
DS4	Meeting the Strategic Housing Requirement
DS5	Housing Sites within the Malvern Urban Area
DS7	North Site
DS8	The Strategic Employment Land Requirement
DS9	Meeting the Strategic Employment Land Requirement
DS10	Development Associated with the A38 Technology Belt
DS11	Rural Settlements
DS12	Housing in Category 1 - 4 Settlements
DS13	Employment Development within or immediately adjacent to Rural Settlements
DS14	Housing Development in the Open Countryside
DS15	Employment Development in Category 3 Settlements and Open Countryside
DS17	Significant Gaps
DS18	Planning Obligations
EP1	Protection of Existing Employment Land and Uses
EP2	The Redevelopment or Expansion of Employment Sites and Buildings
EP6	The Re-use of Rural Buildings
EP7	Farm Diversification
EP8	Agricultural and Forestry Development
EP9	Town and District Centres
EP10	Primary and Secondary Shopping Frontages

Policy Number	Policy Name
EP12	Upper Floors in Town Centres
EP13	Garden Centres and Farm Shops
EP14	Visitor Accommodation
EP15	Static and Touring Caravans, Chalets and Camping Sites
EP16	Marinas, Moorings and Unpowered Boating Facilities
EP17	Edith Walk, Great Malvern
EP18	Tenbury Cattle Market/Teme Street
EP20	Seaford Court, (Malvern Community Hospital)
EP21	Three Counties Showground
QL1	Design of New Buildings and Related Development
QL2	Protection and Enhancement of Greenspace in and adjacent to Malvern
QL3	Shopfronts
QL4	Advertisement Signs
QL5	Walls, gates, Fences or Other Means of Enclosure
QL6	Telecommunications
QL7	New Development in Conservation Areas
QL8	Demolition of Buildings in Conservation Area
QL9	Settings of Conservation Areas
QL10	Alterations and Extensions to Listed Buildings
QL11	Demolition of a Listed Building
QL12	Alternative Uses for Listed Buildings
QL13	New Development Affecting the Setting of listed Buildings
QL13A	Enabling Development
QL14	Scheduled Ancient Monuments and other Archaeological Sites
QL15	Historic Parks and Gardens
QL16	Sites of Special Scientific Interest (SSSIs)

Policy Number	Policy Name
QL17	Sites of Regional or Local Wildlife Importance
QL19	Protection of Wider Biodiversity
QL20	Creation of Habitats
QL21	Landscaping
QL22	Protection of Trees, Woodland and Hedgerows
ST1	Safeguarding Land for Transport Infrastructure
CN1	Dwelling Mix
CN2	Providing Affordable Housing in New Housing Development
CN3	Rural Exception Sites
CN4	Rural Workers Dwellings
CN5	Removal of Rural Workers Occupancy Conditions
CN7	Sub-division of Existing Dwellings
CN8	Replacement Dwellings in the Open Countryside
CN9	Extension and Alterations to Dwellings and the Erection of Outbuildings within the Domestic Curtilage
CN10	Dependant Relatives Accommodation
CN12	Provision of Public Open Space
CN13	Protection of Open Space, Sport and Recreational Facilities
CN14	Recreation, Sports and Leisure Facilities
CN15	Provision of New Local Shopping Facilities
CN16	Provision of New Community Facilities
CN17	Retention of Local Facilities