

Ms Rosemary Morton
Planner
Berkshire Unitary Authorities
Joint Strategic Planning Unit
St Mary's House, c/o Town Hall
St Ives Road, Maidenhead
SL6 1RF

Housing & Planning Directorate
Bridge House
1 Walnut Tree Close
Guildford
GU1 4GA

Switchboard: 01483 882 255
Tel: 01483 882 266
Fax: 01483 882 489

e-mail: John.Cheston@gose.gsi.gov.uk
www.gose.gov.uk

24 September 2007

Our Ref:
Your Ref:

Dear Ms Morton

**PLANNING AND COMPULSORY PURCHASE ACT 2004
WASTE LOCAL PLAN FOR BERKSHIRE DECEMBER 1998
SAVED POLICIES APPLICATION**

I am writing with reference to your application of 21 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 Waste Local Plan for Berkshire.

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.

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 relation to the Berkshire Structure Plan 2001, this is saved until July 2008 and we have decided to defer consideration of the minerals and waste policies which you have suggested should not be saved until nearer this time.

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 WASTE LOCAL PLAN FOR BERKSHIRE
ADOPTED IN DECEMBER 1998

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
Government Office for the South East

24 September 2007

SCHEDULE

POLICIES CONTAINED IN THE WASTE LOCAL PLAN FOR BERKSHIRE

ADOPTED DECEMBER 1998

Policy Number	Policy Name/Purpose
1	Sustainable Development
3	Phasing out putrescible/polluting waste
11	Proposed preferred areas
13	Local facilities
14	Sites for engineered landfill
15	Temporary sites for engineered landfill
16	Waste management facilities – non landfill
17	Green waste composting
18	Sewage works
19	Farm and stable waste
20	Other landfill sites for putrescible/polluting waste
21	Safeguarding sites for waste management
23	Temporary local separation sorting and recycling sites
24	Temporary recycling facilities on inert waste landfill sites
25	Disposal of inert waste by landfilling
26	Controls on landfill permissions to secure inert waste recycling
27	Is development needed?
28	Non identified sites for waste management development
29	Non identified sites for waste management development outside preferred areas
30	Assessing the impact of development proposals
31	Information to be provided with application

Policy Number	Policy Name/Purpose
33	Environmental improvements and wider benefits
34	Land raising