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7 September 2007

Dear Mark

## **PLANNING & COMPULSORY PURCHASE ACT 2004**

I am writing with reference to your application of 15<sup>th</sup> February 2007 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 County of Hereford and Worcester Minerals Local Plan.

The Secretary of State's Direction and accompanying schedule is attached. Those policies not listed in the Direction will expire on 27<sup>th</sup> 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 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 to her 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 mineral and waste development frameworks according to timetables in 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 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.

Signed by authority of the  
Secretary of State

A handwritten signature in black ink, appearing to read 'D Marr', written in a cursive style.

DAVID MARR  
HEAD OF PLANNING AND HOUSING  
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 COUNTY OF HEREFORD AND  
WORCESTER MINERALS LOCAL PLAN  
ADOPTED APRIL 1997.**

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

A handwritten signature in black ink, appearing to read 'D Marr', is positioned above the printed name of the signatory.

DAVID MARR  
HEAD OF PLANNING AND HOUSING  
GOVERNMENT OFFICE FOR THE WEST MIDLANDS

7 September 2007

**SCHEDULE**  
**POLICIES CONTAINED IN THE COUNTY OF HEREFORD AND**  
**WORCESTER MINERALS LOCAL PLAN**  
**ADOPTED APRIL 1997.**

| <b>Policy Number</b> | <b>Policy Name</b>                           |
|----------------------|--|
| 1                    | Preferred Areas (S&G)                        |
| 2                    | Other Sand and Gravel Deposits               |
| 5.                   | Abberley Hills Quarrying Policy              |
| 6.                   | Extraction of Minerals Other than Aggregates |
| 7.                   | Preferred Hard Rock Extension Areas          |