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Dear Ms Cooper

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

I am writing with reference to your application of 24 February 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 Harlow Local Plan.

The Secretary of State's Direction (Schedule 1) is attached. Those policies not listed in the Direction will expire on 12 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 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 your authority. Also, her decisions in respect of some policies have the effect of saving policies that your 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.


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. Local planning authorities 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.

Following 12 July 2009 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 Strategic Housing Land Availability Assessments in relevant decisions.

Policy Ref	Reason	Extended	Not Extended
L5	Elements of this policy are not implemented	√	

Signed by the authority of the  
Secretary of State




**Tim Freathy**  
**Deputy Regional Director of Development & Infrastructure**  
**Government Office for the East of England**  
**12 May 2009**



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

**ADOPTED 13 July 2006**

The Secretary of State for Communities and Local Government in the exercise of the power conferred by paragraph 1(3) of Schedule 8 to the Planning and Compulsory Act 2004 directs that for the purposes of the policies specified in 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 the authority of the  
Secretary of State  
Tim Freathy  
Deputy Regional Director of Development & Infrastructure  
Government Office for the East of England

## SCHEDULE 1

### POLICIES CONTAINED IN HARLOW LOCAL PLAN

<b>Policy Number</b>	<b>Policy Subject</b>
SD2	Regeneration
SD3	Applying Sequential Test
SD4	Mixed Uses: Integrating Development and Travel
SD5	Mixed Uses: Integrating Development and Travel
SD6	Mixed Uses: Integrating Development and Travel
SD9	Waste Reduction, Re-Use and Recovery
H2	Housing allocations
H3	Strategic Housing Site
H4	House Types
H5	Affordable Housing
H6	Affordable housing
H7	Special Needs Housing
H8	Special Needs Housing
H10	Existing Housing Areas
H11	Existing Housing Areas
H12	Existing Housing Areas
H13	Existing Housing Areas
ER1	Priority Area for Economic Regeneration
ER2	New Employment Land
ER3	New Employment Land
ER5	Existing Employment Area
ER6	Retaining Existing Employment Areas
ER7	Retaining Existing Employment Areas
ER9	The Knowledge Driven Sector
ER10	Economic Diversity
ER11	Mixed Use
ER12	Storage and Distribution
ER13	Education, Training and Childcare
T3	Transport Impact Assessments
T4	Green Commuter Plans
T6	Cycling and Walking
T7	Cycling and Walking
T8	Passenger Transport
T9	Vehicle Parking
T11	Road Planning
T13	Freight
T14	Freight
L1	Playing Fields
L2	Open Space/ Playgrounds/ Play Areas
L3	Retaining, Improving and Developing Recreation

L4	Retaining, Improving and Developing Recreation
L5	"Wet and Dry" Sport and Recreation Centre
L9	Local Recreation Provision
L10	Latton Farm
L11	Water Based Recreation
L12	Allotments
L13	Public Rights of Way
L14	Arts, Culture and Entertainment
L15	Arts, Culture and Entertainment
L16	Golf Courses and Large Scale Open Uses
NE1	Green Wedge
NE2	New Green Wedges
NE3	Metropolitan Green Belt
NE4	Extensions to Existing Dwellings in the Green Belt
NE5	Special Restraint Areas
NE6	Special Restraint Areas
NE7	Internal Open Spaces
NE8	Agricultural Housing
NE9	Re-use of Rural Buildings
NE10	Accessible Natural Greenspaces
NE11	Trees and Hedgerows
NE12	Landscaping
NE13	Water Environment
NE14	Landscape Conservation
NE15	Biodiversity and Nature Conservation
NE17	Wildlife Sites
NE18	Wildlife Sites
NE19	Protected Wildlife Verges
NE20	Protected and Rare Species
BE1	Achieving a Sense of Character and Identity
BE2	Providing High Quality, Legible and Successful Public Realm
BE3	Sustainable Development by Design
BE4	Accessibility in the Built Environment
BE5	Crime Prevention and Personal Safety
BE6	Listed Buildings
BE7	Listed Buildings
BE8	Listed Buildings
BE9	Conservation Areas
BE10	Conservation Areas
BE11	Historic Parks and Gardens
BE12	Archaeology
BE13	Archaeology
BE14	Archaeology
BE15	Contaminated Land
BE16	Light Pollution
BE17	Noise Pollution
BE19	Environmental Improvements

BE20	Design of Shopfronts, Signs and Advertisement
BE21	New Hall Plan
RTCS1	The Sequential Approach
RTCS3	Town Centre and Regeneration
RTCS4	Town Centre and Regeneration
RTCS5	Town Centre North
RTCS6	Town Centre North
RTCS7	Town Centre Central
RTCS8	Playhouse Square Site
RTCS9	Magistrates Court Site
RTCS10	Primary and Secondary Frontages
RTCS11	Primary and Secondary Frontages
RTCS12	Primary and Secondary Frontages
RTCS13	Edge-of-Town Centre
RTCS14	Neighbourhood Centres and Hatches
RTCS15	Change of use in Neighbour -hood Centres and Hatches
RTCS16	The Stow and Bush Fair Neighbour-hood Centres
RTCS17	Hatches
RTCS18	New Hall
RTCS19	Retail Warehouse Parks
CP1	Community -facilities
CP2	Community - infrastructure
CP4	Community -hospital
CP5	Community -health care
CP6	Community -loss of facilities
CP7	Community -education / college
CP9	Public Utilities-infrastructure
CP10	Public Utilities-Telecoms.
CP11	Public Utilities-television
CP12	Public Utilities-flooding
CP13	Public Utilities-hazardous substances
IMP1	Planning Obligations