



GOVERNMENT OFFICE
FOR LONDON

Peter Martin
Head of Planning Strategy and Heritage
London Borough of Bromley
Civic Centre
Stockwell Close
Bromley
BR1 3UH

East London Plans and
Casework
9th Floor
Riverwalk House
157-166 Millbank
London
SW1P 4RR

16th July 2009

Dear Mr Martin

I am writing with reference to the letter from Terri Holding of 12 January 2009, relating to your Council's application for a direction under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004 in respect of policies in the Bromley Council Unitary Development Plan 2006.

The Secretary of State's Direction is attached. Those policies not listed in the Direction will expire on 20 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 include some policies where there have been representations from a third party expressing views that differ from those of your authority. For clarity, where this applies and where the Secretary of State has taken a different view from your Authority, 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 him 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. LPAs should adopt a positive spatial strategy led approach to DPD preparation and not seek to reintroduce the numerous policies of many local plans. In addition you will be aware Regulation 13(5) of the Local Development Regulations 2004 requires that a DPD identifies those saved policies within the existing development plan which are to be superseded.

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 Spatial Development Strategy.



GOVERNMENT OFFICE
FOR LONDON

Following 20 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.

Yours sincerely

Pamela Roberts
Head of East London Planning and Casework

Policy Ref	Reason	Extended	Not Extended
H1 – Housing supply	This policy does not conflict with the third criteria of PPS12 paragraph 9.2 (i) (and the CLG protocol) and can be saved.	✓	
H2 – Affordable housing	This policy does not conflict with the third criteria of PPS12 paragraph 9.2 (i) (and the CLG protocol) and can be saved.	✓	
H5 – Accessible housing	This policy does not comply with the third criteria of PPS12 paragraph 9.2 (i) (and the CLG protocol) and can be allowed to expire.		✓
H7 – Housing density and design	This policy does not conflict with the third criteria of PPS12 paragraph 9.2 (i) (and the CLG protocol) and can be saved.	✓	
ER1 – Waste management	This policy does not comply with the third criteria of PPS12 paragraph 9.2 (i) (and the CLG protocol) and can be allowed to expire.		✓



GOVERNMENT OFFICE
FOR LONDON

ER3 – Promoting recycling	This policy does not comply with the third criteria of PPS12 paragraph 9.2 (i) (and the CLG protocol) and can be allowed to expire.		✓
ER4 – Sustainable and energy efficient development	This policy does not comply with the third criteria of PPS12 paragraph 9.2 (i) (and the CLG protocol) and can be allowed to expire.		✓
ER5 – Air quality	This policy does not comply with the third criteria of PPS12 paragraph 9.2 (i) (and the CLG protocol) and can be allowed to expire.		✓
ER6 – Potentially polluting development	This policy does not comply with the third criteria of PPS12 paragraph 9.2 (i) (and the CLG protocol) and can be allowed to expire.		✓
ER8 – Noise pollution	This policy does not comply with the third criteria of PPS12 paragraph 9.2 (i) (and the CLG protocol) and can be allowed to expire.		✓
ER12 – Controlling development in flood risk areas	This policy does not comply with the third criteria of PPS12 paragraph 9.2 (i) (and the CLG protocol) and can be allowed to expire.		✓
ER13 – Foul and surface water discharge from development	This policy does not comply with the third criteria of PPS12 paragraph 9.2 (i) (and the CLG protocol) and can be allowed to expire.		✓
ER14 – Surface and groundwater quality	This policy does not comply with the third criteria of PPS12 paragraph 9.2 (i) (and the CLG protocol) and can be allowed to expire.		✓
ER15 – Conservation of water resources	This policy does not comply with the third criteria of PPS12 paragraph 9.2 (i) (and the CLG protocol) and can be allowed to expire.		✓