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25 September 2007

Our Ref
Your Ref PL1/60/13

Dear Mr Evans

**PLANNING AND COMPULSORY PURCHASE ACT 2004
CHERWELL LOCAL PLAN 1996 SAVED POLICIES APPLICATION**

I am writing with reference to your application on behalf of Cherwell District Council of 27 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 Cherwell Local Plan and the Central Oxfordshire Local Plan

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 particular, we would draw your attention to the importance of reflecting policy in Planning Policy Statement 3 *Housing* and the Housing Green Paper – *Homes for the future more affordable, more sustainable* in relevant decisions

Policy Ref	Reason	Extended	Not Extended

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 CHERWELL LOCAL PLAN
ADOPTED NOVEMBER 1996
AND THE CENTRAL OXFORDSHIRE LOCAL PLAN
ADOPTED 1992**

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
Housing and Planning Directorate
Government Office for the South East

25 September 2007

SCHEDULE

POLICIES CONTAINED IN THE CHERWELL LOCAL PLAN 1996

Policy Number	Policy Title/Purpose
GB1	Development in the Green Belt
GB2	Outdoor Recreation in the Green Belt
GB3	Major Development Sites in the Green Belt
H1	Allocation of sites for housing
H4	Housing schemes for the elderly and disabled
H5	Affordable Housing
H6	Rural Exception Sites
H12	Housing in the rural areas
H13	Residential development in category 1 settlements
H14	Residential development in category 2 settlements
H15	Residential development in category 3 settlements
H16	White land at Yarnton
H17	Replacement dwellings
H18	New dwellings in the countryside
H19	Conversion of buildings in the countryside
H20	Conversion of farmstead buildings
H21	Conversion of buildings in settlements
H23	Residential Caravans
H25	Sites for travelling showpeople
H26	Residential canal moorings
EMP1	Allocation of sites for employment generating development
EMP3	Employment generating development at Kidlington, Yarnton and Begbroke (East)
EMP4	Employment generating development in the rural areas

Policy Number	Policy Title/Purpose
S2	Proposals for retail development in the shopping centre and town centre, Banbury
S3	Primary shopping frontages, Banbury
S8	Redevelopment of land north of Bridge Street and east of the inner relief road, Banbury for recreational or cultural use
S9	Change of use of residential buildings in Banbury town centre
S10	Development in Banbury commercial areas
S12	Development proposals in Bicester town centre
S13	Primary shopping frontages, Bicester
S15	Redevelopment of land at Franklin's Yard, Bicester
S21	Development in Kidlington shopping centre
S22	Provision of rear servicing, Kidlington
S25	Retail development in the rural areas
S26	Small scale ancillary retail outlets in the rural areas
S27	Garden centres in the rural areas
S28	Proposals for small shops and extensions to existing shops outside Banbury, Bicester and Kidlington shopping centres
S29	Loss of existing village services
TR1	Transportation funding
TR7	Development attracting traffic on minor roads
TR8	Commercial facilities for the motorist
TR10	Heavy Goods vehicles
TR11	Oxford Canal
TR14	Formation of new accesses to the inner relief road and Hennef Way, Banbury
TR16	Access Improvements in the vicinity of Banbury Railway Station
TR20	Reservation of land for road schemes at Bicester
TR22	Reservation of land for road schemes in the countryside
R1	Allocation of land for recreation use

Policy Number	Policy Title/Purpose
R5	Use of redundant railway lines and disused quarries for recreation purposes
R7	Protection and enhancement of the recreational roles of the Oxford Canal and River Cherwell
R9	Facilities for canal users
R12	Provision of public open space in association with new residential development
R14	Reservation of land for community buildings in association with housing developments at Hanwell Fields, Banbury and Slade Farm, Bicester
T2	Proposals for hotels, motels, guest houses and restaurants within settlements
T3	Land reserved for hotel and associated tourist or leisure based development, in vicinity of junction 11 of the M40, Banbury
T5	Proposals for new hotels, motels, guesthouses and restaurants in the countryside
T7	Conversion of buildings beyond settlements to self-catering holiday accommodation
AG2	Construction of farm buildings
AG3	Siting of new or extension to existing intensive livestock and poultry units
AG4	Waste disposal from intensive livestock and poultry units
AG5	Development involving horses
C1	Protection of sites of nature conservation value
C2	Development affecting protected species
C4	Creation of new habitats
C5	Protection of ecological value and rural character of specified features of value in the district
C6	Development proposals adjacent to the River Thames
C7	Landscape conservation
C8	Sporadic development in the open countryside
C9	Scale of development compatible with a rural location
C10	Historic landscapes, parks and gardens and historic battlefields
C11	Protection of the vista and setting of Rousham Park

Policy Number	Policy Title/Purpose
C12	Development in the Cotswold Area of Outstanding Natural Beauty
C13	Areas of High Landscape Value
C14	Countryside Management Projects
C15	Prevention of coalescence of settlements
C17	Enhancement of the urban fringe through tree and woodland planting
C18	Development proposals affecting a listed building
C21	Proposals for re-use of a listed building
C23	Retention of features contributing to character or appearance of a conservation area
C25	Development affecting the site or setting of a schedule ancient monument
C27	Development in villages to respect historic settlement pattern
C28	Layout, design and external appearance of new development
C29	Appearance of development adjacent to the Oxford Canal
C30	Design of new residential development
C31	Compatibility of proposals in residential areas
C32	Provision of facilities for disabled people
C33	Protection of important gaps of undeveloped land
C34	Protection of views of St Mary's Church, Banbury
C38	Satellite dishes in conservation areas and on listed buildings
C39	Telecommunication masts and structures
ENV1	Development likely to cause detrimental levels of pollution
ENV2	Redevelopment of sites causing serious detriment to local amenity
ENV6	Development at Oxford Airport, Kidlington likely to increase noise nuisance
ENV7	Development affecting water quality
ENV10	Development proposals likely to damage or be at risk from hazardous installations
ENV11	Proposals for installations handling hazardous substances

Policy Number	Policy Title/Purpose
ENV12	Development on contaminated land
OA2	Protection of land at Yarnton Road Recreation ground, Kidlington for a new primary school

SCHEDULE

POLICIES CONTAINED IN THE CENTRAL OXFORDSHIRE LOCAL PLAN 1992

Policy Number	Policy Title/Purpose
GB1	Development in the Green Belt