

TORBAY LOCAL DEVELOPMENT FRAMEWORK

Great Parks, Paignton: Phase 2 Planning Brief

Issues and Options

Supplementary Planning Document

Pre - Regulation 17 Draft

Local Development Document LDD9

TORBAY COUNCIL

July 2006

The Great Parks, Paignton: Phase 2 Planning Brief Supplementary Planning Document (Issues and Options) is available:

On the Torbay Council Website:
www.torbay.gov.uk/ldf

At the Torbay Council Offices (at Roebuck House, Torquay or any of the Council Libraries and Connections Offices in Torquay, Paignton or Brixham)

If you would like any further information about this document or any aspect of the Torbay Local Development Framework please contact us. You can also **register your interest** in the emerging Torbay Local Development Framework (LDF). Your details will be added to our LDF consultation database and you will be kept informed about the various the Local Development Documents as they are produced.

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Other links that will provide more detailed background information on the planning system include:

Office of the Deputy Prime Minister: Planning Policy Statement 12- Local Development Frameworks: www.communities.gov.uk
The Planning Portal www.planningportal.gov.uk is the Government's online service for planning which includes advice and information on the plan-led system and emerging Local Development Framework.

To request a copy in another format or language phone 01803 208804

We value your views relating to the Great Parks, Paignton: Phase 2 Planning Brief Supplementary Planning Document (Issues and Options), which will be available for four weeks informal stakeholder consultation from Monday 31st July 2006.

Please send your comments by post, fax or e-mail. These must be received by the Strategic Planning Team (details above) by 4.00pm on Friday 25th August 2006

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Key Terms and Abbreviations

Local Development Framework (LDF)

Local Development Scheme (LDS)

Sustainability Appraisal (SA)

Local Development Document (LDD)

Department for Communities and Local Government (DCLG). [DCLG has taken responsibility for planning, formerly carried out by ODPM].

Development Plan Document (DPD)

Office of the Deputy Prime Minister (ODPM).

Section 106 Agreement (s106)

Supplementary Planning Document (SPD)

1.0 Introduction and summary

1.1 This Planning Brief sets out principles for the second (undeveloped) phase of development at Great Parks, Paignton, as identified in the Adopted Torbay Local Plan 1995-2011. The first phase of the development is now largely completed and was governed by a planning brief adopted by the Council in 1994. However, there are a number of outstanding issues that need to be addressed in the Phase 2 Brief.

1.2 The Planning Brief is a Supplementary Planning Document (SPD), which forms part of the Torbay Local Development Framework. It does not make policy in its own rights but rather sets out more detailed guidance on the implementation of the Great Parks housing proposals in the Adopted Torbay Local Plan. These are Proposals H1.11, H1.12 and H1.13.

1.3 This document represents the Pre-Regulation 17 Stage of its preparation. This is an early stage in the process, which seeks comments on appropriate issues and options for the SPD to address. It looks at matters that the Brief should address in order to achieve sustainable development of the site.

1.4 It is envisaged that the Brief should seek to:

- Deliver a sustainable, mixed and balanced development that provides a choice of mix and types of dwellings.
- Develop the area at densities that make the most efficient use of land.
- Successfully integrate affordable housing into the community.
- Provide an appropriate range of community facilities. An important priority for the SPD will be ensuring the implementation of the Local Centre.
- Provide public open space / play park (Local Plan Proposals R6.2 / R7.6).
- Determine the future of the proposed CF8.6 school site..
- Respect and enhance the landscape setting and ecology of the area; particularly the northern ridge and western boundaries.
- Incorporate sustainable drainage (SUDS) measures.
- Provide a high quality design of development, which reflects local distinctiveness.
- Protect and provides measures to enhance wildlife habitats.
- Provide a safe environment that incorporates design measures that reduce crime (see Policy CF2).
- Promote alternatives to the private car.
- Seek to minimise carbon emissions, for example, by energy efficient design and use of planting to off-set carbon emissions.

1.5 These measures are discussed in more detail in section 5.

2.0 Site description

2.1 Great Parks is a 1990s housing estate located to the west of Kings Ash Road (the Torbay Ring Road) on the outskirts of Paignton (Great Parks Phase 1 in the 1994 Planning Brief). The Phase 1 housing is nearly complete and comprises about 450 dwellings, although an area of about 1 hectare north of Luscombe Lane remains to be developed for about 47 dwellings. The new housing estate is also called "Heritage Park".

2.2 The area is set on a plateau within a valley system. The land to the west of Great Parks slopes downward into the Great Parks Valley, and to the north east into the Westerland Valley. A smaller valley, known as Luscombe Valley is within the built up area of Great Parks Phase 1. The Great Parks area is bounded on the north by

Hilltop Nursery and some low density residential development at Kings Ash to the north west. These areas to the west and north east are within the Countryside Zone (Policy L4) and Area of Great Landscape Value (Policy L2). There is a 1970s social housing estate known as Queen Elizabeth Drive to the South of Great Parks. Land to the east (i.e. the Paignton side of Kings Ash Road, is predominantly residential.

- 2.3 Three areas at Great Parks are allocated for Phase 2 development in the 1994 Planning Brief and the Adopted Torbay Local Plan 1995-2011. **H1.11** comprises land at Smallcombe Cross to the north of Phase 1 housing and next to King Ash Road. The area is about 5.2ha in size although 1.5ha is allocated for a school (CF8.6) and 0.36 ha for public open space (CF8.6, R7.6). Secondly, **H1.12** comprises fields to the west of Phase 1 housing and directly south of Kings Ash, this area is 4.2ha in size. Thirdly, **H1.13** is about 2.1ha and located to the south of the existing Phase 1 housing and west of housing on Kings Ash Road. The Local Plan allocation includes several existing houses and parts of gardens. An extract from the Adopted Torbay Local Plan Proposals Map is reproduced at **Appendix 1**.

3.0 Policy framework

National Policy

- 3.1 A brief summary of the national and regional planning policy framework affecting the development of Great Parks Phase 2 is set out in **Appendix 4** below. In particular, Government guidance requires that developments promote sustainable development, that meets social, economic, environmental and resource conservation objectives.

Torbay Local Plan 1995-2011 (Adopted April 2004)

- 3.2 This is a 'saved' Local Plan under the Planning and Compulsory Purchase Act 2004 and is the most relevant document to this SPD. The following policies set out the development plan proposals for Great Parks Phase 2:

3.3 **H1: New Housing on Identified Sites**

A total of 365 dwellings are proposed at Great Parks Phase 2 as follows:

H1.11 Great Parks Phase 2	185 dwellings
H1.12 Great Parks Phase 2	115 dwellings
H1.13 Great Parks Phase 2	65 dwellings

- 3.4 These proposals are subject to the following notes:

- A) *All are subject to a 30% affordable housing target (Policy H5 refers).*
- B) *A Planning Brief is required.*
- C) *A Detailed Phasing Agreement is needed.*
- E) *There is a physical infrastructure requirement (Policies IN5, IN1 and WS refer).*
- F) *Community infrastructure provision is needed (Policy CF5, CF6, CF7, S11 and H11 refer).*
- G) *There is a strategic landscaping requirement (Policy L10).*
- S) *The site has been identified by the Environment Agency as requiring care to avoid flooding. Sustainable drainage measures should be employed (Policy EP11 refers).*

- 3.5 The Local Plan's Explanation refers to the need to ensure that development does not overload the Western Corridor (Para 3.62) and that Great Parks Lakes would be

suitable for a surface water drainage scheme as part of sustainable drainage measures.

3.6 Policy H1A: The Management of New Housing Through Phasing.

Development on the greenfield sites listed in Table 1 of Policy H1 (noted in the third column) will be phased. Permission will not be granted for the second phase (commencing April 2006) unless there is evidence of a likely material under-provision of dwellings measured through the monitoring of completions in accordance with Policies HS, H1 and H5.

If monitoring reveals a materially higher capacity for development on previously developed (brownfield) land than assumed in the Plan (Figure 10), including on those sites annotated B in Table, permission will not be granted for the development of Phase 2 sites unless and until there is a requirement for the development of Phase 2 sites to achieve the total Local Plan housing provision required by Policy H1.

In addition, consideration will be given to the serving of completion notices on Greenfield sites where development has ceased and where planning permission would not be granted for the renewal of any permission in accordance with the policies of this plan.

3.7 Great Parks Phase 2 is the subject of this phasing policy and this Brief will need to ascertain that it is appropriate to release the land for housing.

3.8 In addition, the Local Plan contains the following site specific proposals at Great Parks:

- Policy CF8.6 New Primary School
- Policy CF14/S11.2 New Local Centre
- Policy R6.2/R7.6 Play Area / Amenity Open Space

3.9 **Great Parks Planning Brief – Adopted September 1994.** This sets out principles for the Great Parks Development and primarily deals with Phase 1. However, it envisaged Phase 2 would be developed between 1998 and 2002 and contains the following notes on this stage:

Type of development	Area (Acres)	Dwellings	Comments	Infrastructure and other off-site requirements
Housing on west of Kings Ash Road and north of Luscombe Road Site H2A	8	125	Medium density including one cluster of social housing in vicinity of primary school.	1 – Completion of primary school. 2 – Completion of local centre. 3 – Landscaping to northern ridge. 4 – Open space provision to north of Luscombe Lane. 5 – Landscaping to Kings Ash Road.
Housing to west of Luscombe Road. Site H2B	11	170	Medium density, one cluster of social housing close to play area.	1 – Landscaping to western and northern boundaries. 2 – Play area and central landscaping belt.
Housing to east of Luscombe Road. Site H2C	5	80	Medium to high density including one cluster of social housing.	1 – Landscaping to eastern ridge.
PHASE 2 TOTAL	24	375		

- 3.10 The Brief contains a master plan, which sets indicative access points for Great Parks Phase 2 as well as landscaping and other principles for development. Most of these principles have been incorporated into the Tobay Local Plan Proposals Map (see Appendix 1). The Great Parks Brief also contained a map which assessed the environmental constraints pertaining to the site. This is reproduced at **Appendix 2** of this document.
- 3.11 To some extent the principles in the 1994 Brief need to be updated. For example there is now more emphasis on 'pepper potting' affordable housing and providing sustainable drainage and CO₂ emission reduction measures.
- 3.12 There is also a need to ensure that a clear implementation mechanism is put in place to ensure the delivery of community infrastructure.

Emerging Torbay Local Development Framework

- 3.13 The Torbay Local Development Framework will eventually replace the Adopted Torbay Local Plan. The Core Strategy will set an overall development strategy for Torbay, and must be in conformity with the Regional Spatial Strategy.
- 3.14 As noted above, the Government requires that local authorities carry out assessments of the housing potential of all the land within their boundaries. This includes greenfield sites, rather than just brownfield land. Therefore there **may** be scope to develop land on the plateau at the north of the development (some of which is brownfield), and land to the south where there are amenity problems for a further phase of housing. However, this is beyond the scope of the Great Parks Phase 2 SPD and would have to be proposed and appraised through the Local Development Framework Core Strategy (LDD2) and Site Specific Policies and Proposals (LDD 4).
- 3.15 The LDF will contain a number of relevant Supplementary Planning Documents, in particular: Planning Contributions and Affordable Housing (LDD6), Urban Design Guide (LDD7), and Greenspace Strategy (LDD8).

4.0 Great Parks Agreements

- 4.1 The development of Great Parks (both Phases 1 and 2) was the subject of two Section 106 Legal Agreements, dated the 24th May 1991 and 12th May 1995. The location of the area and boundary of the Development Area is indicated at **Appendix 3**. It will be noted that this map envisages the completion of the Phase 3 of Torbay Ring Road, which was subsequently deleted from the Torbay Local Plan 1995-2011 prior to its adoption.
- 4.2 **Agreement re: Great Parks Paignton Devon between the Council of the Borough of Torbay, Devon County Council and David Wilson Homes, dated the 24th May 1991.** This Agreement sought to facilitate the proper development of Great Parks and to arrange for the proper investment of infrastructure (Recitals Page 3). It states that David Wilson Homes were (as at 1991) the only housebuilder with a present interest in the Development Area and agreed to provide infrastructure and to set up a scheme for the equitable sharing of the burden of the cost of such infrastructure amongst all owners of and forming part of the Development Area (Recital 10, P4).
- 4.3 The Agreement sets out detailed arrangements for the repayment of infrastructure and calculation of interest.

- 4.4 As well as the detailed Agreement on infrastructure, the 1991 Agreement also provides for a balancing pond and lagoon, drainage, highway works and dedication, social housing, provision of play areas and a primary school site.
- 4.5 **Further Agreement between the Council of the Borough of Torbay, Devon County Council and David Wilson Homes Limited, dated 12th May 1995.** The Great Parks Further Agreement is a revision of the 1991 Agreement. It contains provisions for traffic signage, a balancing lagoon, social housing (20-25% of the development, defined as Registered Social Landlord Housing (Clause 15)), and provision of a play area.
- 4.6 The Further Agreement sets out detailed provisions for the education funding on the basis of a per dwelling contribution for the construction of a school site.
- 4.8 Paragraph 18.12 of the Agreement sets out – *“If the County Council has not purchased a School Site within the Development Area by the time that the 401st dwelling unit to be constructed on the Development Area is occupied then the County Council as Education Authority shall give to the Borough Council and to Wilsons notice of how it intends to use these Unit Levies actually received in order to provide educational facilities to serve the Development Area”.*
- 4.9 The Further Agreement indicates that the alternative use of the site allocated as a school site in the Brief (and Adopted Torbay Local Plan) is “private residential”.
- 4.10 The Further Agreement also sets out revisions to the payment of infrastructure clauses and requires the Borough Council to use its best endeavours to secure that other landowners enter into Agreements to pay infrastructure.
- 4.11 It is emphasised that the above is intended to provide a non-legal summary of the Great Parks Agreements. There are complex legal matters that need to be resolved. These are noted at section 5 of this paper.
- 5.0 **Sustainable development considerations**
- 5.1 The following paragraphs set out sustainable development and related considerations that the Great Parks Supplementary Planning Document will need to address, and against which the possible options in section 6 below should be assessed.

Social Considerations

- 5.1 The development should deliver a mix of dwelling types and tenures. Torbay has a very pressing need for affordable housing. Great Parks Phase 2 offers one of the relatively few sites in the Adopted Torbay Local Plan that is able to provide affordable housing. Conversely, development should be provided as a mixed and balanced community, and avoid the over concentration of social housing that could create areas of deprivation.
- 5.2 At present the site allocated for a local centre (S11.2) and health centre (CF 14) has not been developed. The Local Plan indicates that public open space needs to be provided as part of Great Parks Phase 2. The Brief should examine ways of ensuring the provision of appropriate community facilities. This could be in the form of relocating them to another part of the development, or providing enabling development.

Education Considerations

- 5.3 There is localised education deprivation in the Blatchcombe area. However Children's Services have indicated that there is no need for a school on the site allocated in the Local Plan (CF8.6). This would increase the amount of land for housing. However given that there is a significant amount of development in the Great Parks and Foxhole areas, the Brief must ensure that adequate provision is made for education and lifelong learning.

Economic Considerations

- 5.4 The emerging Regional Spatial Strategy has identified an imperative for job creation to keep pace with new housing. Great Parks is allocated for housing and therefore its capacity to create jobs is relatively limited. However there could be possibilities to provide employment development as part of a mixed use development around the local centre.
- 5.5 There is evidence that the lack of opportunities for affordable home ownership may be harming the local economy and exacerbating the out migration of young people. Therefore there is a need to provide low cost homeownership options as well as social rented housing.

Environmental Considerations

- 5.6 The Great Parks Phase 2 sites will need to be properly landscaped and appropriate measures put in place to protect wildlife. The 1994 Brief set out principal environmental factors. These include trees, hedgerows, a need to screen the impact of development from the AGLV particularly on the steeply sloping contours of the Luscombe Valley. The 1994 Brief envisages the development of neighbourhood clusters that reflect hedgerow patterns.
- 5.7 There will be a need to ensure that development does not disturb cirl bunting sites during the nesting season. Potential conflicts between the nature conservation and recreation use of open spaces will need to be addressed.
- 5.8 The area is not directly vulnerable to sea level rise. However the development should incorporate greenhouse gas reduction measures wherever possible.
- 5.9 Development will need to incorporate sustainable drainage measures. The 1994 Brief indicates a drainage lagoon in the Luscombe Valley, which may also serve as public recreation and wildlife area. In addition it is desirable that the development should incorporate measures such as rain water harvesting, low flush cisterns, and porous surfaces where technically feasible.

Access and Transportation Considerations

- 5.10 The Great Parks area is on the edge of Paignton and not easy to access by non-car modes of travel. However, traffic congestion on the Western Corridor is a serious problem and reduces the viability of employment sites located along the Ring Road.
- 5.11 Development at Great Parks Phase 2 should seek to minimise car dependence by:
- Encouraging walking and cycling
 - Providing for bus penetration and further improvements to services.
 - Providing as many day to day facilities as is realistic within the local centre to reduce local trips.

- 5.12 The road access to Kings Ash Road is established and an indicative road lay out for the whole of the development is set out in the 1994 Brief. This indicates that roads should be constructed along topographical constraints and be residential roads with appropriate traffic calming.

Prudent Use of Natural Resources

- 5.13 In order to make the best use of scarce housing land, the development at Great Parks Phase 2 should be developed at densities set out in emerging PPS3. This envisages densities of 35-55 dwellings per hectare in areas that are predominantly residential in character.
- 5.15 The total area of Great Parks Phase 2 is about 11.1 ha. The Local Plan housing numbers assumes densities of about 30 dwellings per hectare (i.e 365 dwellings divided by 11.1ha). There is scope to provide more housing than this exists through increasing the density, in line with PPG3 and draft PPS3. This would make better use of scarce land.
- 5.16 There may also be scope for higher density development around the local centre in order to pump prime the achievement of community facilities

Legal Issues

- 5.17 As noted in Paragraph 4.11 above, the site is governed by S106 Agreements dated 1991 and 1995. These make the delivery of development complicated and expensive and do not meet current sustainability standards. For example, the definition and amount of affordable housing is now out of date. There is concern (from adjoining landowners) about the cost of infrastructure payments and issues over the ability of the Agreements to bind non-signatories. The Great Parks Agreements also envisage completion of the Ring Road Phase 3, which is no longer proposed. It may be possible to consolidate the agreements into an up to date S106 Agreement for the Phase 2 land, subject to legal advice.
- 5.18 The land is in different ownerships. Although this is not thought likely to pose an impediment to development per se, there have been difficulties in the past in ensuring a fair division of infrastructure payments and the location of lower value uses.
- 5.19 The current land owners and developers of Great Parks Phase 2 were not signatories of the Great Parks Agreements. David Wilson Homes did not build Phase 1, but retain an interest in the land.

Governance Issues

- 5.20 This brief is intended to provide the basis for a debate about how to achieve sustainable development in the Phase 2 of Great Parks. It would be against the interests of sustainable development for the legal difficulties noted above to prevent development.

6.0 Options for the development of Great Parks Phase 2

- 6.1 The framework for the development of Great Parks Phase 2 is largely established in the Adopted Torbay Local Plan and 1994 Planning Brief. Moreover there are clear constraints such as a need to protect the landscape character of the Area of Great Landscape Value to the west. Therefore, options are relatively limited. For example, a “no development option” would not be practicable as it would conflict with the

Adopted Local Plan and be liable to challenge at appeal. Nor would the no development approach deliver needed housing.

- 6.2 As noted in paragraph 3.14 above, any proposal to change significantly the development boundaries or nature of development from that set out in the Adopted Torbay Local Plan, would need to be assessed through the emerging Local Development Framework. Options considered to be appropriate are as follows:

1) Constrained/Phased Approach

- 6.3 This would delay the development of Great Parks until such a time as monitoring of the take up of brownfield development indicated it was needed for housing (in strict adherence to Phasing Policy H1A - paragraph 3.6 above). This approach would only be appropriate if the Council opted to take a constrained approach to development in its emerging Local Development Framework Core Strategy.
- 6.4 However, this approach contravenes emerging Government Guidance (particularly in PPS3) and would do nothing to provide affordable housing, or enable the development of other community facilities at Great Parks.

2) Work to 1994 Great Parks Planning Brief and existing Agreements

- 6.5 This could be characterised as a “business as usual” approach. This approach would simply rely on the adopted Torbay Local Plan, 1994 Great Parks Planning Brief and existing S106 Agreements. However (unlike the Constrained Approach), it would not seek to restrict or delay the commencement of Phase 2 of the Great Parks development taking place. The 1994 Brief contains a robust framework for layout and landscaping. However it is somewhat out of date in terms of affordable housing (20-25% social housing is sought by the Great Parks Agreement) and other sustainable development matters.
- 6.6 The S106 Agreements are complicated and do not fully resolve infrastructure difficulties. Persevering with these may therefore stifle development.

3) Expedient updating of the existing scheme

- 6.7 This would update the 1994 Brief and S106 Agreements to meet the Council’s normal requirements for affordable housing, public transport contributions etc.
- 6.8 This approach may allow some increase in housing numbers from the Local Plan targets in line with modern density requirements (i.e 35-50 per hectare). However the layout of the brief would remain much as per the 1994 Brief, and the design of development is likely to be relatively conventional. The Local Centre (S11.2) would need to be provided, possibly through S106 Obligations

4) Sustainable communities approach

- 6.9 This approach would seek to develop at higher densities and try to embrace more fully current sustainability standards. In particular a larger mixed use development could be promoted to enable a local centre. The scheme could consider the possibility of being carbon neutral, for example by off-site planting, passive solar alignment etc.
- 6.10 Such a development would be more expensive than a more conventional layout and may only be achievable through public funding or providing affordable housing as intermediate rather than social rented.

7. Sustainability Appraisal

- 7.1 The Great Parks Phase 2 Planning Brief SPD is the subject of a Sustainability Appraisal that looks at the economic, social and environmental impacts of the development options in more detail. The first version of this Appraisal is published alongside this SPD for consultation.

8. Timetable

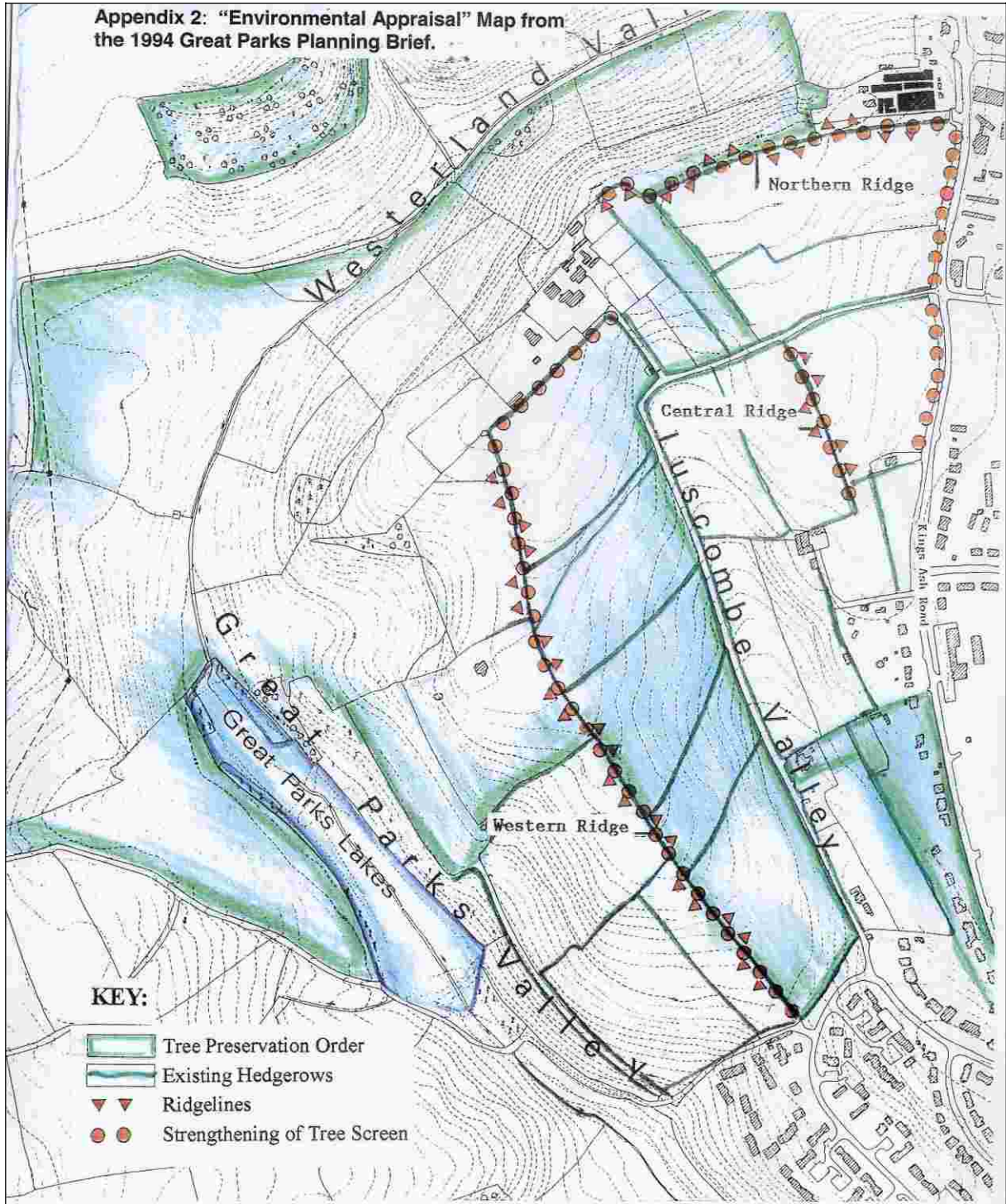
- 8.1 The Torbay Local Development Scheme (LDS) sets out a timetable for preparation of the Great Parks Planning Brief. This is set out as follows:
- Consideration of issues and options (Pre-Regulation 17 Draft). Feb – July 2006. (THIS STAGE.)
 - Consultation and preparation of draft SPD (Regulation 17 Draft). August – October 2006.
 - Consideration of representations on proposals (Regulation 18) November – December 2007.
 - Preparation of final SPD Jan – Feb 2007
 - Adoption of SPD March 2007

9.0 How can you get involved?

- 9.1 This document is the 'Pre-Regulation 17' Draft version of the SPD. Its purpose is to discuss various alternative options available for developing Phase 2 of Great Parks.
- 9.2 This early stage of consultation is intended highlight the key issues relating to development of the site in order to speed up the later stages of development.
- 9.3 We value your views on the Issues and Options relating to preparation of this Draft Planning Brief, or any other part of the Local Development Framework. Please contact us using the details below, and we will keep you informed. A register of interest form is also available on the web page below.
- 9.4 The Great Parks Phase 2 Planning Brief Pre-Regulation 17 Draft SPD will be published for a four week consultation period, which starts on 31st July 2006 Your comments must be received by the Strategic Planning Group (details below) by 4.00pm on 25th August.
- 9.5 Your comments will feed into the formal Regulation 17 Draft Great Parks Planning Brief, which is due to be published later in the year.
- 9.6 Please send your comments by post, fax or email.

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Appendix 2: "Environmental Appraisal" Map from the 1994 Great Parks Planning Brief.



Appendix 4: The Planning Policy Framework

National Policy

- A.1 The Government's planning policy is set out formally in a series of Planning Policy Statements (PPSs). These are replacing Planning Policy Guidance notes (PPGs). A number of other documents set out the Government's intentions. In particular the Sustainable Communities Plan (2003) and daughter documents are relevant. The land at Great Parks should be developed in accordance with principles set out in Government and Local Planning Guidance. Those of particular relevance are highlighted below.
- A.2 **Planning Policy Statement 1: Delivering Sustainable Development (2005)** This requires that planning fosters sustainable development that meets social, economic, environmental and resource conservation needs.
- A.3 **Planning Policy Guidance Note 3 (PPG3): Housing (2000)** This sets out detailed planning policy on a range of housing issues, in particular linking development with public transport, high quality design and making the best use of land. Residential areas should usually achieve 30 – 50 dwellings per hectare. PPG3 also sets out policy on affordable housing.
- A.4 **Draft Planning Policy Statement 3 (PPS3): Housing (2005)** This is a detailed consultation on emerging planning policy on housing. Annex C suggests that sub urban areas of medium housing density which are predominantly residential in character should be developed at densities of 35 – 55 dwellings per hectare, subject to a number of considerations such as the promotion of high quality design.
- PPS3 requires local authorities to carry out housing land availability assessments (HLAAs) which consider the potential of all land (including greenfield sites) for housing.
- A.5 **Planning Policy Statement 9 (PPS 9): Nature Conservation (2005)** This states the Government's planning policies on the protection of biodiversity and geological conservation.
- A.6 **Planning Policy Guidance Note 13 (PPG13): Transport (March 2001)**. PPG13 seeks to
- *promote more sustainable transport choices for both people and for moving freight;*
 - *promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling; and*
 - *reduce the need to travel, especially by car.*

The guidance emphasises the need to integrate planning and transport to make full use of public transport, and to focus generators of travel demand near to major public transport interchanges. When planning major developments local authorities should ensure that they offer 'realistic, safe and easy access' by a range of transport modes and not exclusively by car (paragraph 19). The use of maximum parking standards is advocated as a way of limiting car use.

'**Transport Assessments**' are required to indicate how access to a site can be maximised by all modes of transport; and they should propose measures such as Travel Plans to improve access by walking, cycling and public transport. Travel Plans are advocated as a means of addressing particular local traffic problems that might otherwise have to be refused on local traffic grounds (paragraph 89).

A.7 **Planning Policy Guidance Note 16 (PPG16) Archaeology and Planning (November 1990)**. This sets out Government policy on archaeological remains on land and how they should be preserved and recorded.

A.8 **Planning Policy Guidance Note 25 (PPG 25) Development and Flood Risk (July 2001)**. This PPG introduces a robust approach to locating development away from flood plains or other areas prone to flooding through a sequential test.

Sustainable Urban Drainage (SUDs) methods, which seek to mimic natural drainage and minimise run-off and pollution, are strongly promoted. Examples of SUDs include, lagoons, porous surfaces, reed beds, lakes and berms and swales (levelled areas between slopes).

A.9 **Sustainable Communities Plan (2003)** and subsequent “daughter” documents “**Homes for All**”, “**Building for the Future**”, and “**People Places and Prosperity**” (2005) and the Barker Review of Housing Supply (2004). There is an increased emphasis on housing, both numbers and quality, and especially on affordable housing provision.

There is an emphasis on creating sustainable communities which are defined as being:

- **Environmentally sensitive** – providing places for people to live that are considerate of the environment, through seeking to minimise climate change; minimising pollution; minimising waste; making use of natural resources; protecting bio-diversity; promoting walking and cycling and reducing car dependence; creating cleaner, safer, greener neighbourhoods.
- **Well designed and built** – featuring a high quality built and natural environment, through creating a sense of place; ensuring a sufficient range of affordability and accessibility in the housing market; promoting mixed use developments where possible; promoting high quality materials and buildings; crime reduction through design; and accessibility of jobs, key services and facilities by public transport, walking and cycling.
- **Well connected** – with good transport services and communication linking people to jobs, schools, health and other services, with good transport services and communication linking people to jobs, schools, health and other services, including appropriate transport arrangements in accordance with local plans [including LTPs and development plans]; good access to communications networks.
- **Thriving** - with a flourishing and diverse local economy, including a wide range of jobs and training opportunities; sufficient suitable land and buildings to support economic prosperity and change; dynamic job and business creation, with benefits for the local community; strong business community links into the wider economy; and economically viable and attractive town centres.
- **Well served** – with public, private, community and voluntary services that are appropriate to people’s needs and accessible to all.
- **Fair to everyone** – including those in other communities, now and in the future, having due regard for the needs of future generations in current decisions and actions.

The Development Plan

- A.10 **Regional Planning Guidance for the South West (RPG10) September (2001).** Torbay is designated as a Principal Urban Area and identified as an Area of Special Need, due to structural decline in tourism and fishing.
- A.11 **Draft Regional Spatial Strategy for the South West 2006 - 2026 (RSS) (June 2006).** The Draft Regional Spatial Strategy sets out a broad strategic level of growth for Torbay to 2026.

Policy SR37 states:

To stimulate economic development at Torbay (Torquay, Brixham and Paignton) provision for job growth in the Torbay TTWA should be made for about 11,700 jobs over the plan period. Provision should be made for an average of about 500 dwellings per annum within and adjoining Torbay's urban area over the plan period.

Development at Torbay will focus on the intensification of its existing urban area through the re-use of previously developed land and buildings, including urban renewal, maximising densities whilst seeking high quality design standards. Where capacity constraints within the urban area restrict the ability to deliver the required housing and employment provision, urban extensions should be brought forward through the Torbay LDF, to complement this urban focus approach, assessing locations immediately adjoining the Torbay urban area.

Investment will be made in key infrastructure to enable the achievement of the development proposed in this Policy.

The emerging Torbay Spatial Strategy has been the subject of technical advice from Torbay Council (**First Detailed Proposals, (September 2005)** and the **Sub-Regional Joint Study Area Working Party (June 2005)**).

- A.12 **Devon Structure Plan 2001-2016 (Adopted October 2004).** Torbay is designated as a Principal Urban Area. **Policy ST13** sets a strategy for Torbay and promotes the development and diversification of the economy. **Policy ST17** sets out a requirement for around 290 dwellings per year in Torbay between 2001-2016. Policy **ST18** seeks adequate provision of affordable housing.
- A.13 **Adopted Torbay Local Plan 1995-2011** - this is highlighted in the main text.