

**Torbay Local Plan- A landscape for success: The Plan for Torbay 2012-32 and beyond
Schedule of representations By Organisatio/Name (Alphabetical)**

Consultee ID	File No.	Person / Organisation
468625	LA1	Devon County Council
438382	LA2	South Hams District Council
438373	LA3	Teignbridge District Council



Planning, Transportation and Environment
Devon County Council
County Hall
Topsham Road
Exeter
EX2 4QD

Tel: [REDACTED]

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4th April 2014

Dear Sir/Madam,

RE: Torbay Local Plan – Proposed Submission Plan

Thank you for the opportunity to comment on the proposed submission version of your Local Plan. On behalf of Devon County Council I am pleased to offer our support for this document and can confirm that we have no specific issues regarding the soundness of the plan at this stage.

As neighbouring Education Authority we look forward to close working on delivery aspects of the plan, with the need for cross boundary pupil place planning. Similarly, as neighbouring Highway Authority, we have worked collaboratively on a joint Local Transport Plan with Torbay Council and will continue to work with the Authority on matters of transport planning and delivery in future.

Below is some commentary regarding the ongoing cross boundary working on minerals and waste matters and how they are addressed within the plan.

Waste

Devon County Council confirms that it has been given extensive opportunities to contribute to the development of those parts of the Torbay Local Plan addressing waste matters. The County Council has developed its new Waste Plan (submitted for examination on 3rd April 2014) in parallel with the Local Plan, including exchanging iterations of the respective evidence documents, sharing a common approach to waste data and site appraisal, and meeting to discuss cross-boundary waste issues.

The submitted Devon Waste Plan makes provision for the management through energy recovery and disposal of commercial and industrial waste arising in Torbay, and for the disposal of local authority collected waste, in view of the limited scope for these wastes to be managed within Torbay.

Devon County Council supports the application of the waste hierarchy to all development in Policy W1, and the protection of existing waste management capacity through Policy W3.

The provision for new waste management capacity to be delivered in Torbay through Policy W4 is supported, and the clarification in paragraph 6.5.3.14 that suitable sites cannot be identified for significant recovery or landfill capacity is consistent with the provisions for cross-boundary movements made in the Devon Waste Plan.

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www.devon.gov.uk

Strategic Director Place Heather Barnes

Minerals

Due to the limited scope for aggregate mineral extraction in Torbay (and Plymouth, Dartmoor National Park and Exmoor National Park), planning for aggregates has been undertaken informally on a county-wide basis. Devon County Council prepares a county-wide Local Aggregate Assessment¹ in discussion with the other Devon mineral planning authorities, and this recognises the limited scope for aggregates extraction to occur within Torbay (the only issue identified for Torbay in Table 7.2 of the LAA being the maintenance of processing capacity for recycled aggregates, recognising the presence of such a facility at Yalberton Tor Quarry).

Devon County Council has been involved as a mineral planning authority at all stages in the preparation of the Torbay Local Plan. Apart from the issue of aggregates supply addressed through the Local Aggregate Assessment, the only other cross-boundary issues are (a) the safeguarding of mineral resources through Mineral safeguarding Areas, and (b) the supply of building stone. Discussions on these issues have been held to ensure a consistent approach between Torbay and Devon.

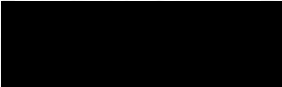
Devon County Council supports Policy M1. While the scope for new aggregates extraction within Torbay is limited, the positive approach to the supply of building stone is welcomed.

The positive approach to supply of recycled and secondary aggregates in Policy M2 is supported, as this will assist in conserving Devon's resources of land-won aggregates.

Devon County Council supports the approach in Policy M3 to the safeguarding of limestone and building stone resources, with the extent of the area proposed for the safeguarding of limestone being consistent with the definition of Mineral Safeguarding Areas in the emerging Devon Minerals Plan.

We look forward to continuing our dialogue.

Yours faithfully,

A black rectangular redaction box covering the signature of Joe Keech.

Joe Keech
Chief Planner

¹ Available at www.devon.gov.uk/laa

Torbay Local Plan 2012 to 2032 and beyond: A landscape for success**A response by South Hams District Council**

1. South Hams appreciates the opportunity to respond to the Proposed Submission Torbay Local Plan. Overall, this Council welcomes the changes that address issues previously raised on the draft Local Plan. Some comments previously made are reiterated below as they equally apply to the submission stage.

Part 1: Introduction

2. We welcome recognition that Torbay functions within a wider area and that what happens within Torbay has impacts elsewhere. Since the previous draft, this Council has engaged in discussions with Torbay through the Duty to Cooperate, particularly in relation to Collaton St Mary and the A385 corridor to Totnes and the potential impact this will have within the District's boundary. Further comments are provided on this issue below.
3. We are aware that delivery of the plan will be through three Neighbourhood Plans of Torbay, Paignton and Brixton and associated masterplanning. It is important that the District and the communities are consulted with and our views taken into account through their preparation.

Part 3: Vision and Ambition

4. We support the aspirations of the plan, particularly securing economic recovery and protecting and enhancing a superb environment. We welcome the inclusion of "including the wider landscape character and setting or proposals" as suggested in our previous response to aspiration 3.
5. Aspiration 3 includes no reference to Areas of Outstanding Natural Beauty, given their highest status of protection in the NPPF we consider a specific bullet point referencing their importance is essential.

Part 4: Spatial Strategy and Policies for Strategic Direction

6. The Council supports a balanced and sustainable approach to growth proposed in the plan, with Torbay meeting its development needs within its administrative boundaries as long as it does not lead to unacceptable impacts on the residents of this District. Furthermore, we support the approach of focusing development in urban areas first, prioritising development on brownfield sites, urban regeneration and the need to deliver sustainable, balanced communities. We support the acknowledgement of the environmental capacity of the bay, this equally applies to those areas immediately adjoining the border of the bay.

Policy SS1

7. We support identified areas of improvements to AONB, countryside and green infrastructure. Critically, we also support that for major development proposals, outside the built up area and Future Growth Areas will need to be subject to environmental assessment and take account of the impacts of the proposed development and any cumulative impacts.

Policy SS5, SS6 & SS7

8. The approach to delivering employment land in a managed way with identified areas of growth provides more certainty than in the previous draft. The delivery of key infrastructure, particularly sustainable transport in phase with employment development is crucial. To this end, policies SS6 and SS7 are supported.
9. It is worth reiterating comments previously made that development within Torbay's boundary is likely to have an impact on the A385 corridor and Totnes (which already faces congestion and air quality issues). The Council wishes to play an active role alongside Torbay and Devon County Council in planning for the on line improvements and traffic management schemes along the Western Corridor promoted by this policy (SS6). We would expect community infrastructure levy and other developer obligations to fund suitable mitigation measures within South Hams as well as Torbay where a transport related impact arising from development in Torbay is identified.
10. We welcome the inclusion of **paras 4.3.16 and 4.3.17**, it is essential that improvements occur to the A385 corridor, without this development at Collaton St Mary would be unacceptable. Principally evidence is required to assess the impacts and identify necessary mitigation measures related to this development. In para 4.3.17 we suggest the following text is added "..also alleviate congestion, including in Totnes and reduce.", to make it clear that the impact on Totnes itself needs to be considered.
11. Furthermore, we welcome the acknowledgement that improvements to the A385 should also alleviate congestion and rat-running through Marldon/Berry Pomeroy. We welcome that these improvements will be carried out in cooperation with this Council and Devon County Council.

Policy SS8

12. Supported, particularly the reference to South Devon Area of Outstanding Natural Beauty and the additional clause that development occurring outside of the AONB being assessed for its impact on the AONB.
13. Landscape character extends beyond the administrative boundary of Torbay and the policy should contain reference to the South Devon Landscape Character Assessment as well as Torbay Landscape Character Assessment and attention drawn to it when proposals close to the boundary are considered.

Policy SS9

14. Positive approach to Green Infrastructure (GI) is supported and the GI led approach to securing links between Great Parks, Collaton St Mary and White Rock. South Hams District Council is a member of the Torbay Green Infrastructure Partnership and we support the statement in the supporting text to work with neighbouring authorities to improve green infrastructure links into and beyond Torbay.

SDP3: Paignton North and Western Area

15. In our previous response to the draft plan we had raised concerns over development in this location. This was linked to the highway impacts on the A385 corridor and the road network of Totnes. Given the strategic way these sites are considered it is still difficult to judge the potential impact from the level of detail included in the plan. Our previous comment still stands that in terms of options, consolidation of development in the vicinity of the Torquay Gateway would be preferred to further development in Paignton West.
16. However, we have considered this growth area through the duty to cooperate discussions and this Council is content that additional text has been added to the plan that identifies these issues (set out in the response are some minor suggested changes to the wording), principally the need for highways evidence to consider the impacts and identify required mitigation measures. This applies to the A385 corridor, the Totnes road

network and the western corridor. SHDC is keen to work in partnership with Torbay Council and Devon County Council on the identified improvements to the A385, for which paragraph 5.2.2.3 is supported. Given this we would not support the development coming forward without these infrastructure improvements. This Council supports the intention to comprehensively plan for these areas and would, we assume, be a key consultee in masterplanning and neighbourhood plans. This needs clarification.

17. SDP3 – South Hams suggests that proposed levels of development are included in the policy to provide certainty on delivery. We request the following sentence is amended to read: “Development should be accompanied by upgraded infrastructure, including along the Western Corridor and A385 Totnes Road to ensure no adverse impact on the road network within or outside Torbay, and..”
18. We note that other policies in the plan will apply to development in the location, namely conservation and enhancement of the AONB and using Landscape Character Assessment in judging landscape and visual impact. Proposals for Paignton West have the potential for significant visual impact unless well located and designed [including taking account of light spill], taking into account topography, landform and location. For completeness it would be useful to acknowledge this in the policy through a clause on landscape impact.

SDB3

19. The conservation and preservation of the AONB and coastal fringe is supported, in addition to enhancing green infrastructure assets.

Policy C1

20. It is noted that specific reference to strategic green wedges has been removed from this policy and there is no policy reference to them elsewhere in the plan. South Hams previously made representations supporting the green wedge designations and their importance to the landscape character of S Hams and the setting of Marldon and Compton. The cross reference to Policy SS8 and reference to the AONB that have been included in the text of submission draft is welcomed, to ensure consistency of approach. However, the purpose and role of green wedges should be specifically included in Policy C1.

Greater Horseshoe Bat Mitigation

21. We welcome the measures to protect the integrity of the South Hams SAC, the Greater Horseshoe Bat and the need for mitigation plans to support the relevant planning applications. We are pleased that in combination effects are acknowledged in the policy.

Part 7 : Delivery and Monitoring - Section 7.5 Monitoring and Review

22. The statement in paragraph 2.2.11 regarding reserve sites in the South Hams is open to interpretation. South Hams suggest that paragraphs 2.2.11 and 1.1.16 are rephrased to be in line with paragraph 7.5.16, that sets out that South Hams Council will be involved in joint monitoring arrangements and to consider housing delivery in the sub-region but there is not an undertaken that reserve sites will be released in the South Hams. This will ensure that arrangements under the Duty to Cooperate are formalised, housing need is considered on a strategic basis by the three authorities and each Council maintains its responsibilities for their planning areas.
23. p.121 – 2nd last line – change English Nature to Natural England.

Please Ask For: Simon Thornley
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438373



My Ref: 438373
Your Ref:

7 April 2014

Mr S Turner
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Strategic Planning Team
Place and Resources
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Torquay TQ1 3DR

Dear Steve

Torbay Local Plan - A Landscape for Success: The Plan for Torbay - 2012 to 2032 and beyond: Publication of the Proposed Submission Plan

Thank you for the opportunity to comment on the Proposed Submission version of the Torbay Local Plan. The following comments are officer responses; there has not been the opportunity to secure endorsement by our members.

Overall the proposed strategy for Torbay is supported. We particularly welcome the policies that support the key links between Torbay and Teignbridge, including: the South Devon Link Road (Policy SS6); maintenance of the strategic green break with Kingskerswell (Policy SDT1); cycle routes (Policy TA1); and green infrastructure networks (Policy SS9), including the Aller Valley Trail and the strategic bat flyways that form part of the South Hams Special Area of Conservation.

We reaffirm our commitment to work with Torbay and South Hams to undertake coordinated and positive reviews of our Local Plans every five years, taking account of joint monitoring and evidence.

The Duty to Cooperate statement produced in June 2013 for the Teignbridge Local Plan Submission is still considered to be relevant and we think that your Plan is in line with the statement.

Yours sincerely

Simon Thornley

Simon Thornley
Business Manager Strategic Place

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