

Torbay Local Plan

A LANDSCAPE FOR SUCCESS

The Plan for Torbay to 2032 and beyond

SUBMISSION PLAN

DUTY TO COOPERATE STATEMENT

Approved: 29 July 2014

Signed:

A handwritten signature in black ink, appearing to read 'David Thomas', written over a light blue horizontal line.

Cllr David Thomas

Deputy Mayor and Executive Lead for Spatial Planning, Housing and Energy

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1. Introduction

1.1. Legal and National context

The Duty to Cooperate is set out in Section 33A of the Planning and Compulsory Purchase Act 2004, inserted by the Localism Act 2011, and was enacted on 15th November 2011. The Planning Inspector appointed to conduct the Independent Examination of the Torbay Local Plan must consider whether the Council has complied with the Duty to Cooperate, which requires that the Council engages constructively, actively and on an ongoing basis with other local authorities and certain prescribed organisations in relation to strategic matters when preparing its local plan. Strategic matters are development of land and provision of infrastructure with a significant impact on at least two planning areas. This paper sets out how this duty has been met by Torbay Council in preparing the Torbay Local Plan 2012 – 2032 and beyond.

The NPPF reflects this duty, stating that plans should be based on co-operation between neighbouring authorities. In particular, (NPPF #181):

“Local planning authorities will be expected to demonstrate evidence of having effectively cooperated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination. This could be by way of plans or policies prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy which is presented as evidence of an agreed position. Cooperation should be a continuous process of engagement from initial thinking through to implementation, resulting in a final position where plans are in place to provide the land and infrastructure necessary to support current and projected future levels of development.”

Further guidance on the duty is provided in National Planning Practice Guidance, dated April 2014.

1.2. Local Context

In economic, social and environmental terms, Torbay functions as part of a much wider area than that covered by its three constituent towns. Inevitably, preparation and delivery of this Plan has involved and will continue to involve issues that don't conform to administrative boundaries. The geographic markets for housing and employment land, for example, clearly overlap administrative boundaries. In addition, there are examples of strategic infrastructure that cannot be delivered locally. Similarly, a number of retail centres depend on wider than local planning authority expenditure. Where spatial planning has influences beyond Torbay, there is therefore a need to continue to work with adjoining and nearby local authorities, statutory bodies and other relevant organisations.

Torbay has been involved in a wide range of cross-boundary work for many years as part of its development plan work. As a Unitary Authority, Torbay was a key partner in the preparation of the Devon Structure Plan (2004) and the Torbay & South Devon Sub-Regional Study (2005). The Council recognises that a clear strategic planning context is essential to securing major infrastructure investment and therefore fully supports these requirements. It is also

understood that the local authority is required to take the lead tackling the big issues that impact on the 'wider than local area'.

In order to promote a culture of change and an ethos of partnership, and to increase the overall sustainability, deliverability and effectiveness of the Plan, the preparation of 'A Landscape for Success' has involved and continues to involve consultation and cooperation across a wide range of strategic topics. This process is on-going and subject to further and continuing development. These activities are summarised below under the Plan's five principal aspirations.

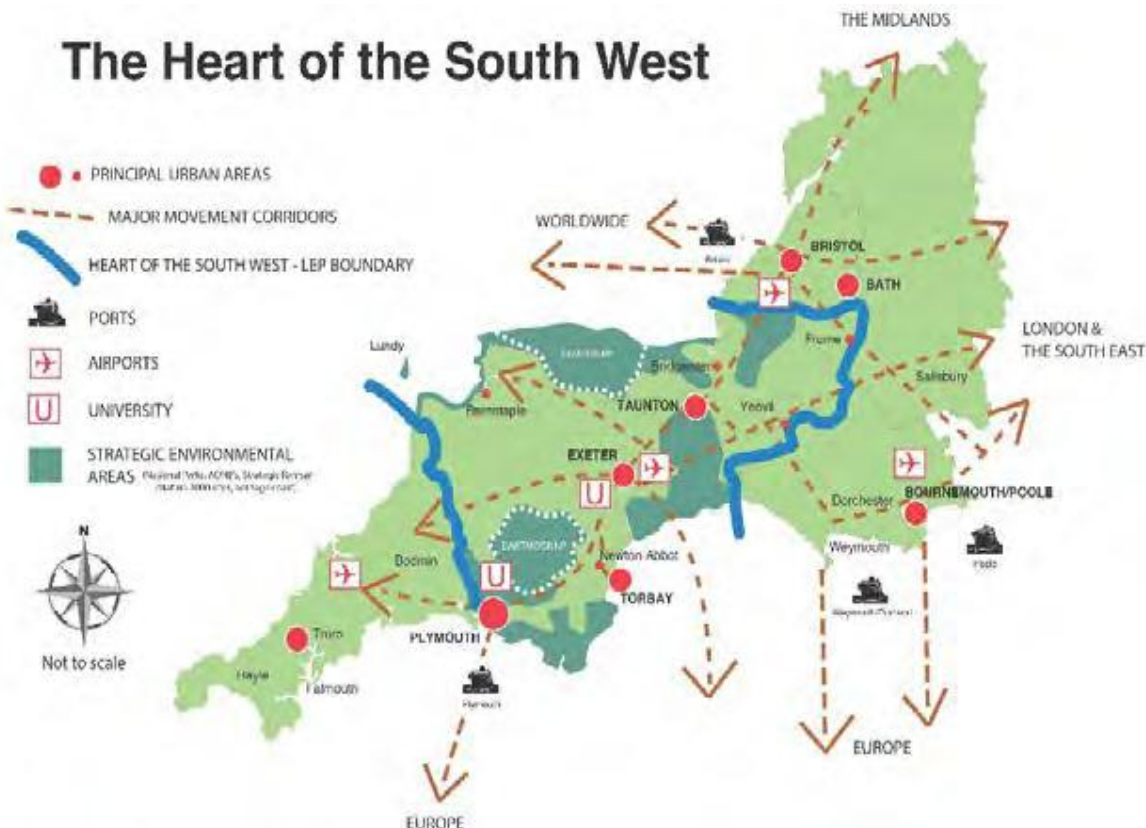
This statement sets out the areas of agreement between Torbay and various organisations, at Member and officer level, but does not provide an exhaustive list of the work involved or meetings at which such matters were discussed. The statement shows there is agreement on the strategic matters between the various parties, and that the duty to cooperate has been satisfactorily met in relation to the Torbay Local Plan.

The planning authorities in Devon have completed work on a Duty to Cooperate protocol, which sets out steps to ensure that strategic issues are dealt with appropriately in the light of the duty to cooperate. This work has been co-ordinated by Devon County Council and steered by the Devon Planning Officers Group (DPOG).

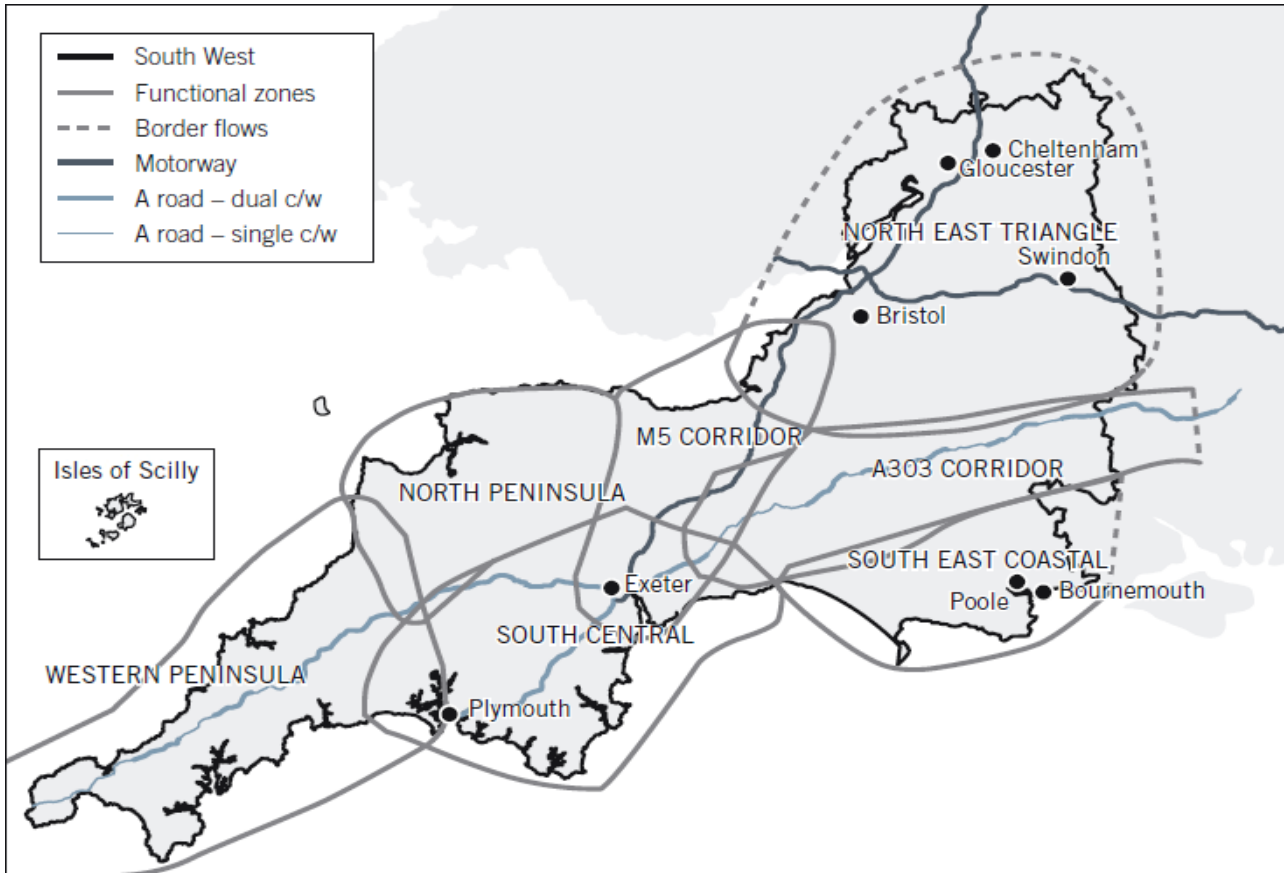
It is also useful that Teignbridge District Council's Duty to Cooperate statement was considered and evidently accepted by the Inspector as part of the examination of its Local Plan in late 2013. There is, as is to be expected, quite a number of overlaps between issues covered in this statement and the statement produced by Teignbridge District Council.

The following maps illustrate the key relevant strategic and geographical relationships:

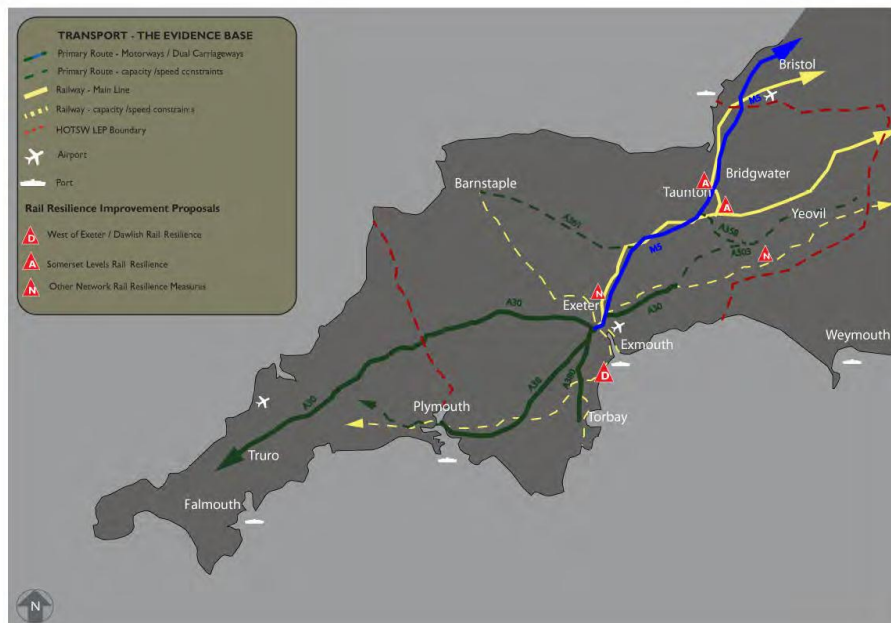
Extract from the Heart of South West LEP Strategic Economic Plan (March 2014)



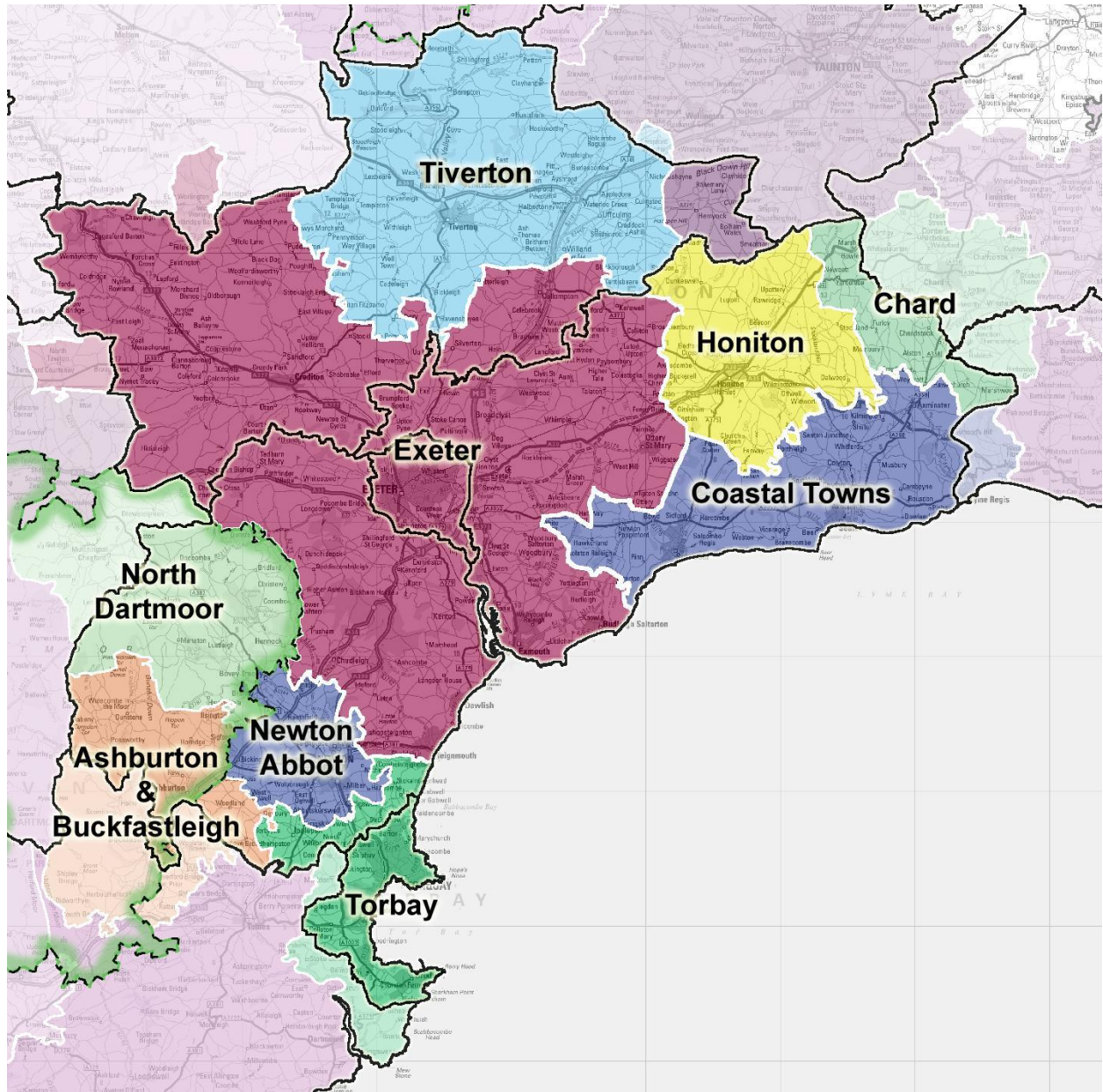
Extract for DTZ's analysis of Spatial Dynamics in the South West (2006), showing functional economic areas



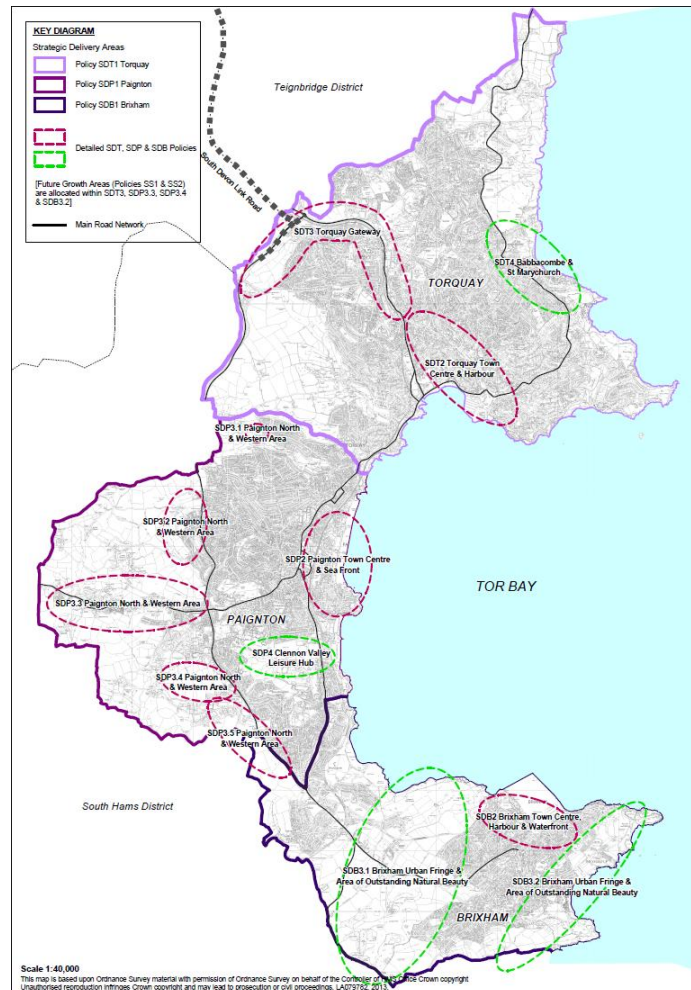
Extract from Heart of the South West LEP Strategic Economic Plan (March 2014), showing strategic transport routes



Functional Housing Market Areas (SHMA 2007), updated 2011



The Key Diagram, included in the Submission Version Local Plan, shows some of the more immediate relationships with neighbouring Authorities.



2. Joint Plans and Policies

A specific requirement of the Duty to Co-operate is to consider whether joint plans or other policies are necessary. This is clearly an important consideration for a small Unitary Authority.

It is our view that there is no need, at present, for Torbay and Teignbridge to produce a joint plan, as a result of the following factors:

1. Differences in the planning functions would create difficulties in preparing such a plan – Torbay is a unitary authority and therefore deals with minerals and waste planning, unlike Teignbridge. This difference would make the document cumbersome and awkward in places.
2. There is concern that different timescales and political processes would delay the preparation of any joint plan to the detriment of one or other of the authorities.

3. Given the level of agreement and co-operation between the two authorities, there does not appear to be any over-riding benefit in producing a joint plan.
4. Given the progress achieved by the councils in preparing their separate documents, it would appear that an attempt to produce a joint strategy at a late stage would lead to further delay.

Similarly, we discussed the role of jointly prepared development plans and their potential benefits with South Hams. The issues covered in that discussion included the status of existing local plans / core strategies, current work programmes, timescales for new development plans already agreed, common issues that might suggest the need for a joint approach plus the functional responsibilities of our respective authorities (District in a two tier arrangement with Devon County Council, and Unitary Authority).

It was noted that under the new shared governance arrangements between South Hams District Council (SHDC) and West Devon District Council (WDDC), the two authorities had agreed to prepare a new joint local plan. We discussed the position in Torbay and clarified that the authority is publishing a single local plan, supported by three Neighbourhood Plans (for Torquay, Paignton and Brixham) covering 100% of Torbay. The Proposed Submission (Publication) Torbay Local Plan was due to be published in summer 2014. It was also noted that Plymouth City Council was now moving towards preparation of its own single local plan. There are, as there were with Teignbridge District Council, quite different timescales for each Authority to produce a Local Plan.

Our conclusion was that there were very good reasons why a joint local plan approach would not be appropriate for our two authorities. Historically, there had always been a very good working relationship at officer level with regard to plan making and this had proved to be very effective in raising and maintaining awareness of key policy issues, and ensuring consistency in policy making. The most recent example is the SHDC response, in February 2014, to the Submission Local Plan. Earlier, in 2006, the Torbay and South Devon Joint Sub-Regional Study was produced jointly by Torbay, SHDC and Teignbridge District Council with Member involvement. This resulted in a joined up approach to establishing the preferred level of growth in the sub-region as the basis for input to the then emerging RSS.

Consequently, it was agreed that working together on individual plans and maintaining a long established ethos of cooperation in plan making was likely to continue to be the most effective way of addressing and managing strategic cross border planning issues. In addition Torbay Council is setting up a Delivery Review Panel (see Para 7.5.17 of the Submission Version Local Plan), which will include a range of public and private sector partners across South Devon.

In relation to Waste Planning, the Council recognises the sub-regional dimension of waste production and movement. The County has taken the lead by developing a Devon Waste Plan that promotes a mixed spatial approach for waste facility location to reflect needs and movements across Torbay, Plymouth and the County. There were a number of factors influencing the decision not to produce a single Devon and Torbay Waste Plan. This included timing and format of plan production at both authorities.

As a Unitary Authority, Torbay's waste policies form part of a wider Local Plan with full policy coverage. It would therefore not be appropriate for policies forming part of the development plan for Torbay to be included in a separate document, as this would potentially make policy interpretation more difficult, and make the development plan a less user friendly document. Locating all policies in a single document is clearly a more effective format for such a plan, and the view supported by central government.

However, there has been a significant level of liaison between Torbay and Devon officers and Members in the evolution of the Devon Waste Plan and Submission Local Plan, culminating in an MoU for managing and planning cross-boundary waste movements.

In relation to transport there is a history of formal joint plan preparation with Devon County Council with regard to Strategic Transport issues. This has developed following the granting of Unitary Authority status to Torbay in 1998. Successive Local and Transport Plans have been prepared jointly by the two Authorities, an approach recognised as being a highly effective way of addressing strategic cross-boundary transport issues, their funding and delivery.

3. Strategic issues of cross boundary significance

The following are considered to be the key issues of cross boundary and strategic significance to spatial planning in Torbay and the delivery of sustainable development for local communities:

Housing - delivery of new housing to meet need and housing market requirements

Economy - provision of jobs to regenerate the local economy, including the tourism industry

Retail – the role of the town centres in the wider sub-region

Transport – improvements to connectivity within the sub-region and remainder of the UK

Landscape – protection and management of the strategic landscape, including the South Devon AONB

Green Infrastructure – delivery of a sustainable GI framework across the sub-region

Flooding and Water Management – management of flood risk including coastal erosion and inundation; water capacity and quality.

Waste – managing waste treatment across the sub-region

Education – provision of facilities and training opportunities across the sub-region

Health – meeting healthcare needs across the sub-region

Each of these strategic, cross-boundary issues is covered, in this document, in relation to each of the aspirations set out in the Submission Version Local Plan, allowing for an easy 'read across' between Torbay's ongoing responsibilities under the requirements of the Duty to Cooperate and the aspirations of the Plan to 2032 and beyond.

Those aspirations are:

1. **Economic recovery and success** – covering the strategic issues of economy and town centres.
2. **Better connected, accessible Torbay and essential infrastructure** – covering the strategic issue of transport.
3. **Protect and enhance a superb environment** – covering the strategic issues of green infrastructure and landscape.
4. **Create more sustainable communities and better places** – covering the strategic issues of housing, health and education.
5. **Respond to climate change** – covering the strategic issues of flooding and waste.

Torbay Council is a Unitary authority and has responsibility for discharging the full range of local government services. This places the Council in a good position for direct involvement and influence in a wide range of services that contribute directly to place making both within Torbay, across Devon and the wider sub-region and the south west. The Local Planning Authority as a consequence works with a considerable number of partnerships and bodies, both statutory and non-statutory, as an inherent part of the Council's Plan preparation work. These reflect the wide range of strategic / cross boundary matters that need to be addressed.

There are a number of organisations with whom continuous and essential informal consultations are undertaken. Torbay planning officers, and in many instances Members, are in regular contact with those of the adjoining Local Planning Authorities (including the County Council) and key statutory bodies on cross boundary and strategic planning matters. This is reflected below.

4. Cross boundary and partnership relationships – how Torbay is working across boundaries

Aspiration 1: Economic recovery and success

Economy

Strategic / Cross boundary nature of issue

The extract map from DTZ's Spatial Dynamics analysis, which was used to inform the former Regional Economic Strategy and Regional Spatial Strategy, is based on travel to work areas and on journeys to/from services (such as health) and retail. The map shows that, in these respects, Torbay has a strong relationship with Exeter, Plymouth, Totnes, Newton Abbot and rural parts of South Devon.

The Heart of the South West LEP's Strategic Economic Plan (2014 – 2030) recognises that over 40% of the population (of the LEP area) lives in urban areas. As such those urban areas play a crucial role in driving economic development and growth. The recent designation of Assisted Area Status for wards in Torbay, South Hams and Teignbridge not only show a common denominator – economic need and opportunity – but also confirms the contiguous, cross-boundary nature of economic recovery and success.

Torbay supports a cluster of high technology advanced electronics businesses that operate in a global market. Some of these businesses spun out of the presence of Nortel, which at its peak employed some 5,000 workers at its Paignton but closed in 2001.

In addition to advanced electronics, the area supports clusters of call centre businesses, marine businesses, emerging environmental science and marine technology sectors, and healthcare research and technology sectors. This is seen as complimentary to business provision in Newton Abbot, specifically close to the A380, where there is a concentration of storage and distribution businesses, and to the marine sector in Plymouth.

However, Torbay is dominated by tourism, which supports around 13,000 jobs (about 20% of all jobs in the Bay). The success of tourism is due to an attractive landscape (which includes South Hams and Teignbridge), high quality beaches and surrounding small valleys and ridges. The small port of Brixham handles the highest value of catch of any fishing port in England and Wales and is reliant on national and international connectivity for this success.

The Local Plan Evidence Base provides an extensive evidence of different growth projections, their strengths and weaknesses. In total, 5,000 – 6,000 net additional jobs are projected in Torbay to 2032 reflecting the most ambitious projection in the evidence base and the ability of Torbay to deliver economic recovery and success. This is reflected in Policies SS1 and SS4 of the Submission Local Plan.

Existing joint working arrangements in place

Torbay Council has set up the Torbay Development Agency (TDA) as a company to deliver regeneration and promote the Bay as an outstanding business destination. The TDA is helping existing and potential investors to deliver enterprise and job growth to become an economically sustainable location and improving the quality of life within the area. The TDA's mission is to bring about the regeneration of Torbay and deliver the economic benefits to the whole community through two main objectives:

- Promoting Torbay as a business location, attracting investment and providing support for existing businesses to develop and grow
- Working with partners, enabling local people to benefit from improved employment opportunities generated by economic development

The work of the TDA includes information and guidance for start-up businesses, and facilitating other businesses investments through regulation and planning support, linking businesses through network and supply chains, and in identifying investment opportunities including new business accommodation and funding for strategic infrastructure. This is in addition to managing strategic projects which will deliver infrastructure, public buildings and land that will catalyse further investments. This is a unique service in that the TDA is a specifically tasked company for supporting local growth, which is not available in most of local authority districts in England and Wales.

Teignbridge and Torbay, in partnership with other Councils and partners (including business representatives, Homes & Communities Agency, Highways Agency), have established the

Enterprise Task Force, which considers economic issues across South Devon and helps ensure a co-ordinated approach to economic recovery and growth.

The Torbay Hi-Tech Forum originally started life as the Torbay Electronics Forum in Autumn 2010. In January 2011 the members moved to change to the Hi-Tech Forum to encompass more of the leading edge businesses in Torbay and the wider South Devon area where technology is a key driver.

Advanced manufacturing, electronics, photonics, GPS, fibre optics, RF & wireless manufacturing, renewables, tooling & multi shot injection moulding, environmental marine research are sectors already represented amongst the membership. These combined sector voices represent the interests of over 1000 local employees. The views of these businesses / sectors inform the Forum, which in turn inform the TDA's Economic Strategy and, as such, the Local Plan.

Teignbridge and South Hams are fully supportive of the economic and regeneration objectives of Torbay Council, because a prosperous, growing economy in Torbay will clearly be beneficial to those Councils and their residents. There are cross-boundary flows between the two authorities by commuters and for other purposes, and the proximity of main urban areas, such as Newton Abbot and Totnes, to Torbay mean that this will undoubtedly continue.

In addition, and by way of illustration of the joint working arrangements in place, Torbay Council has an active and positive working relationships, at officer and Member level, with the following organisations

- Heart of South West LEP Board (and associated sub groups);
- Torbay & South Devon Enterprise Task;
- Torbay & South Devon Hi Tech Forum;
- British Ports Association;
- UK Harbour Masters Association;
- SW Regional Ports Association;
- National Sea Advisory Group; and
- Torbay & South Devon Employment & Skills Board

Joint work outcomes

Torbay's economy remains the weakest economy in the south-west. It is only two thirds as wealthy as the national average and in the last five years Torbay experienced only half of the growth of the rest of Devon. However, a range of projects are being delivered, through a partnership approach, which will help to stimulate growth in the Torbay economy. These range from new road schemes to softer business support and inward investment activities being delivered by Torbay Development Agency and partners. Some examples of projects / initiatives are:

- South Devon Link Road - At present there is serious congestion on the A380 at the Penn Inn roundabout in Newton Abbot, through Kingskerswell and also on part of the A380

Torbay Ring Road at Collaton St.Mary. This is seen by the business community as being one of the main constraints to economic growth in the area. The £110 million, 5.5km South Devon Link Road scheme should help to mitigate these constraints. By linking from the Penn Inn roundabout to the Kerswell Gardens junction at the northern end of the Torbay Link Road, the Link Road will provide the 'missing link' in the existing high quality road links between the M5 at Exeter and the Torbay area. Construction is well advanced and the road is expected to open by December 2015.

- Torbay Gateway and Town Centre and Torbay's Western Corridor – Approximately £7.3 million has been secured from the LEP for improvements to the Western Corridor. This funding will deliver junction enhancement, highway alterations and public transport interchange modifications. An additional funding bid has been submitted to the LEP, and has initial support through the Growth Deal, for improvements to the Gateway and Town Centre route. The overall purpose of these schemes is to increase the capacity from the A380 into the town centre and to help to stimulate investment into employment sites and premises along the A3022. In addition to these road schemes, a share of a pot of £3m has been secured from the LEP, and also has support in the Growth Deal, for the development of a new railway station at Edginswell.
- Torbay Development Agency (TDA) – is leading the drive to diversify the economy by targeting both inward investment and supporting indigenous business start-ups and cluster growth, along with delivering key regeneration projects. The “Invest in Torbay” initiative is marketing the area as a business destination and held an event at Westminster to spread the message to key business and political representatives. An advertising campaign is about to commence (July 2014) at Exeter and Bristol airports. Furthermore, TDA is hosting national business conferences in the Bay and the TDA has been marketing Torbay to investors and businesses in North America. In addition to these efforts, it is recognised that the key to achieving sustainable economic growth is through nurturing indigenous business growth. In order to support this, the TDA has developed a package of premises and business advice, including a network of three innovation centres in Torbay, as well as a Growth Fund to support business relocation to or business growth in Torbay. Plus, a range of other projects are being identified through the Torbay Business Forum, Hi Tech Forum, Employment and Skills Board and other strategic partnerships.
- South Devon College – The FE/HE College has seen significant expansion at its campus at Long Road, Paignton, in recent years. The expansion has included the opening in 2011 of the £8 million University Centre. As well as providing teaching facilities, the building also includes a research centre and an Ideas Lab for links with local businesses. In addition to this investment, a £5m South West Energy Centre has just been opened. This facility provides a leading edge, state of the art, training facility and interactive centre. It will be a regional hub providing training, advice and information about green and sustainable energy.

How partnership working informed and influenced plan

The most recent consultation, in Spring 2014, on the Submission Version Local Plan secured strong support from the business community, business representative organisations and from

public sector partners such as Devon County Council, Teignbridge District Council and South Hams District Council. This is itself testament to partnership working and cooperation across boundaries.

The Council's Planning Service has spent considerable time working with businesses and business representative organisations, such as Torbay's Business Forum, to secure their input to the Local Plan. Consequently the Local Plan reflects business needs, for example in relation to the location of employment space and growth sectors, but does not seek to be overly prescriptive – as this could stifle business growth, innovation and entrepreneurial solutions.

The need for and deliverability of business growth, increased employment and regeneration, the broad locations for economic growth is reflected in Policies SS1, SS2, SS4, SS5 and place specific policies in the Local Plan.

Position agreed

Teignbridge and South Hams are fully supportive of the economic and regeneration objectives set out in the Local Plan, because a prosperous, growing economy in Torbay will clearly be beneficial to those Councils and their residents. There are cross-boundary flows between the two authorities by commuters and for other purposes, and the proximity of main urban areas, such as Newton Abbot and Totnes, to Torbay mean that this will undoubtedly continue.

Ongoing co-operation

The joint working arrangements in place at present, as set out above, will continue for the foreseeable future.

In addition, close cooperation between private and public sector partners is needed to deliver the projects illustrated above.

The Council is setting up a Delivery Review Panel (see Para 7.5.17 of the Submission Version Local Plan), which will include a range of public and private sector partners across South Devon. The monitoring and reporting role of this Panel will include economic performance.

Town Centres

Strategic / Cross boundary nature of issue

In the 1960's Torquay was the leading retail destination in the West Country, south of Bristol. That is not the case now. Torquay and Paignton Town Centres are declining in the way that many other seaside town centres are. But Torbay Council and its partners, which include the Torbay Town Centres Company and BID teams and the English Riviera Tourism Company, remain positive about the future of the town centres and the catalytic impact of the South Devon Link Road. The ambition is for Torbay's town centres to once again be amongst the leading town centres in the West Country, offering new opportunities and experiences, business space, homes, quality retail provision and public space, social activity and major events – making the most of its special marine setting.

Torbay lies behind Exeter and Plymouth as a retail location, due to smaller catchment area, division of retail spend into three town centres, and a poorer road network. In addition, the relatively recent completion of Princesshay (Exeter) and Drakes Circus (Plymouth) has reinforced the dominant role of these two cities within the sub-region.

Torquay is the largest town centre in the Bay, and the main focus for comparison (non food) goods stores (ranked 133rd in the UK). Torquay is well provided for bulky retail and the Willows is a popular destination, serving a market far wider than Torquay.

Paignton is about half the size of Torquay town centre and has also suffered from high level of vacancies. (It is ranked 507th in the UK).

Brixham is the smallest town centre (ranked 1,246th in the UK), with significant trade leaking to Paignton, the Willows and to Totnes. However, due to the number of independent retailers, the town centre seems to be performing better, in a poor economic climate.

The viability of town centres remains constrained by lower expenditure growth and the continued rise of internet shopping. However, the completion of the South Devon Link Road by December 2015 will provide an opportunity for increased expenditure in town centres, but could also see more shoppers travel outside Torbay to meet their retail needs. Torbay Council will, by September 2014, have completed masterplans for Torquay and Paignton Town centres

The extract map from DTZ's Spatial Dynamics analysis is based on travel to work areas and on journeys to/from services (such as health) and retail. The map shows that, in these respects, Torbay has a strong relationship with Exeter, Plymouth, Totnes, Newton Abbot and rural parts of South Devon. The catchment area for retail is substantial, extending far beyond Torbay's boundaries.

Existing joint working arrangements in place

Torbay's Planning Services works closely with the Torbay Town Centres Company and BID teams, for example in undertaking retail monitoring work and masterplanning, and the English Riviera Tourism Company, for example in relation to policies for tourism, events and major developments.

Torbay's Planning Service has ensured, through the masterplanning process, strong involvement in defining the future of Torquay and Paignton Town Centres from businesses, volunteers, residents and partner organisations (such as English Heritage and Environment Agency).

Joint work outcomes and agreed position

Torbay and Teignbridge planning authorities support the national approach to retail policy, which emphasises the "town centre first" approach, reflected through the use of sequential tests and retail impact assessments. These policies are contained within the Teignbridge and Torbay Local plans. The Councils agree that there is potential for the town centres in Torbay and Teignbridge to expand and enhance their offer and that it is not for the planning system to

prevent healthy competition between town centres, in the interests of customers and the local economy. This competition can be reflected in proposals within respective Local Plans. Ensuring that town centres meet the objectively assessed development needs of each local authority area will ensure an appropriate balance of retail development. This position is reflected in the Submission Version Local Plan, specifically in Policies TC1 - TC5 (inclusive).

Torbay Council and South Hams have discussed the importance of retaining the core functions of town centres and of developing a sustainable role and future for them, particularly in the face of stiff competition from polarisation of retail investment in mainly larger centres and from e-retailing. Whilst there was some overlap of major convenience foodstore catchment areas between Totnes, Paignton and Brixham, each town had a reasonably clearly defined role in the retail hierarchy that did not appear to be threatened at a sub-regional level by any planned retail investment in these towns. Indeed, traders in Totnes appeared to be seeking to consolidate its already strong representation of independent retailers rather than encouraging significant investment by major 'high street' names.

It is agreed with South Hams District Council that there were no key cross-boundary strategic issues relating to these topics that required specific action by either authority.

Ongoing co-operation

The Council is setting up a Delivery Review Panel (see Para 7.5.17 of the Submission Version Local Plan), which will include a range of public and private sector partners across South Devon. The monitoring and reporting role of this Panel will include demographic trends, economic performance, market and social signals and, by implication, the health of town centres.

Aspiration 2: A better connected, accessible Torbay and essential infrastructure

Transport

Strategic / Cross boundary nature of issue

Good connections in and around the Bay, and between Torbay and national or international markets, are critical to the Bay's success. Transport has a significant role in addressing the development challenges faced by Torbay now and in the future. The quality of life of Torbay's residents depends on having convenient access to jobs, shopping, leisure facilities and services.

Torbay needs a high quality and integrated infrastructure system to support a strong and prosperous economy in the Bay. With the growing importance of the internet, the provision of superfast broadband connections is vital to an area's prosperity.

The extract plans, at the front end of this document, from the Heart of the South West LEP's Strategic Economic Plan (March 2014) illustrate the importance of transport as an issue for Torbay. This is particularly in relation to national and international markets, by rail, road, sea

and air, but also to more local destinations, such as Exeter, Plymouth, Newton Abbot and Totnes.

The completion of the South Devon Link Road is a fundamental element of the infrastructure needed to deliver the Local Plan objective of creating a more prosperous Bay. It will provide vital improvement to the links with the sub region and beyond, increasing the accessibility of the Bay for business travellers, freight operators and tourists whilst improving economic prosperity. In turn, this will create opportunities for business growth and for improving links for existing business and industries of the Bay.

The Western Corridor (defined as the A380 and A3022) is one the two Torbay principal routes connecting it to the M5, Exeter, Newton Abbot and wider Devon area in the north, to Paignton, and then Brixham via Torquay in the south, as well as westwards to Totnes and Plymouth via the A385. It is a vital economic and social link important to sustaining Torbay which otherwise is isolated from national transport networks. The route is heavily congested at peak times and often difficult to use during inter peak times, and delays are rising, and perceived to be significant inward investment barriers. Without improvement, the regeneration and revitalisation of much of Torbay but especially Paignton, outlined to receive significant growth in the emerging new Local Plan, cannot be sustained and opportunities brought about by the new South Devon Link Road will fail to be realised.

Edginswell station is part of the wider Devon Metro scheme, designed to provide high quality modern public transport within and between Torbay, Exeter and Exmouth. New stations are planned at Edginswell (Torquay) Marsh Barton and Newcourt (near Exeter). Edginswell station will serve Torbay Hospital, The Willows retail park, Edginswell Business Park, and the Torquay Gateway development area, as well as large areas of new and existing residential developments. Edginswell station will connect to new and existing cycle networks (including the NCN28) and bus services including Torbay's flagship route, Service 12. It will offer realistic alternative commuting options along the A380 corridor and especially to Newton Abbot and Exeter, reducing the need to travel by private car.

Existing joint working arrangements in place

There are good working relationships in place, between Local Authorities and specifically in relation to the Local Transport Board, which operates across the Heart of the South West LEP area. The Local Transport Board (LTB) was set up by partner organisations to manage funding that is likely to be devolved from the Department for Transport for major local transport schemes across Devon, Somerset, Plymouth and Torbay. The LTB is an independent body that works closely with the LEP and Local Authorities to secure funding for transport schemes.

In addition to the LTB, Torbay Council works with other organisations on transport and infrastructure issues. These include:

Roads

South Devon Link Road Devon Project Board; Devon and Torbay Local Transport Plan Project Board; Devon County Council; Regional Local Authorities Freight Quality Partnership

Buses

Torbay Bus Operators Group; South West Smartcard Alliance (SWSAL); Association of Transport Co-ordination Officers (ATCO); South West Passenger Transport Information Group; Devon County Council

Trains

Train Operator Companies Group; South West Travelwatch; South West Passenger Focus; Torbay Rail User Group; Devon County Council; Plymouth City Council; Network Rail

Walking

ACT Travelwise; Living Streets; Torbay Coast and Countryside Trust; Torbay Care Trust; Devon County Council; Plymouth City Council

Cycling

SUSTRANS; ACT Travelwise; Torbay Cycle Forum; Torbay Coast and Countryside Trust; Torbay Care Trust; Devon County Council; Plymouth City Council

Other infrastructure

Devon and Cornwall Constabulary; Devon & Somerset Fire & Rescue Service; Wales and West Utilities (gas); Western Power (electricity); South West Water

Joint work outcomes

The partnership work identified above has not only resulted in construction of the South Devon Link Road and improvements to the Western Corridor, but also, as announced in the Government's Growth Deal (July 2014) for the HoSW LEP Area, in significant investment in improved transport and connectivity. This is specifically in relation to a range of town centre and gateway improvements in Torbay, Plymouth, North Devon, Yeovil and Exeter; and to improving access to key employment and housing sites in Exeter, Sherford and Plymouth.

For Torbay this funding will provide £3.4m for improvement to junctions around Torquay Gateway; £0.4m for improved access to Torquay town centre; £0.6m for Marsh Barton/Edginswell stations adding to the funding already received via the Local Transport Board funding and providing enough overall to deliver both stations.

How partnership work informed and influenced plan

The schemes and outcomes identified and funded through partnership are included in Policy SS6 of the Submission Local Plan. They help ensure that growth identified in the Local Plan can be delivered.

Position agreed

A key area of support for the regeneration of Torbay has been Teignbridge's long term support for the Kingskerswell Bypass/South Devon Link Road. The funding for this is now confirmed and the project is underway, and due to be completed by December 2015. The road brings local benefits to the village of Kingskerswell, but also wider benefits through the economic regeneration of the Torbay economy, as set out above. As planning authorities, Teignbridge and Torbay have provided funding towards the bypass both via Planning Obligations on development, have agreed to use New Homes Bonus or other funding for the scheme as a whole and to retain a junction within the approved scheme, which would further enhance the economic benefits of the road.

The work on the Devon Metro scheme has mainly involved the transport authorities of Devon and Torbay, but Teignbridge is in full support of the concept, which will significantly enhance the potential for local rail journeys within Devon. As part of this scheme, there is potential for a new rail halt at Edginswell, which is an expanding employment location at the northern edge of Torquay, on the border with Teignbridge. There may also be potential, in the longer term, to reopen the rail halt at Kingskerswell which is reflected in the Adopted Teignbridge Local Plan. Torbay has expressed concern that there may not be potential for both stations on the line. The Councils have agreed that the viability of the Edginswell rail proposal is greater than the one at Kingskerswell at present, and therefore support its provision. However, it is important to retain the future potential of rail provision at Kingskerswell and this longer term potential is reflected in the Teignbridge Local Plan.

Ongoing co-operation

The LTB will continue to function, to advise the LEP and to help secure funding for transport schemes across the HoSW LEP area.

Torbay Council will continue to work with the range of organisations, representing different transport interests, to improve connectivity within Torbay and between Torbay, the sub-region, nation and international markets.

The Council is setting up a Delivery Review Panel (see Para 7.5.17 of the Submission Local Plan), which will include a range of public and private sector partners across South Devon. The monitoring and reporting role of this Panel will include provision of key infrastructure.

Aspiration 3: Protect and enhance a superb environment

Green Infrastructure and Landscape

Strategic / Cross boundary nature of issue

Torbay has a spectacular natural environment, with a superb Bay and nationally or internationally important landscapes. There is rare wildlife, important rock and coral formations. Torbay's environment supports much of the Bay's economic activity and investment. It's vital that's not undermined. Indeed, this Plan promotes significant environmental enhancement, for example through new Green Infrastructure.

Torbay has a natural environment of international importance in terms of its biodiversity, geodiversity and landscape beauty. There is a high concentration of designated conservation sites, including two European Special Areas of Conservation, a National Nature Reserve and a number of Sites of Special Scientific Interest. About 31 square kilometres of Torbay is rural, about 45% of the Torbay Unitary Authority area. There are 45 kilometres of coastline and over 20 public beaches. About 42 square kilometres of sea are within Torbay's boundary.

Torbay's natural environment is of great importance for its own sake, but also of considerable value as a tourist attraction. The English Riviera is the only urban Global Geopark designated by UNESCO, recognising Torbay's varied, internationally significant geology across a range of geological periods.

There is much support for an improved green infrastructure network, made up of interconnected open spaces that provide environmental, social and economic benefits. These spaces connect the urban landscape with the wider countryside; they provide a range of functions, from walking, cycling, education, wildlife management, flood alleviation, local food production, energy production and value to Torbay's ecosystem.

There are green infrastructure links with both neighbouring authorities, such as the Aller Valley GI link and cycle link (Teignbridge District Council), and enhanced access to and within the Kingswear Peninsular (South Hams District Council).

With Torbay, there are Country Parks at Cockington (Torquay), Occombe (Paignton) and Berry Head (Brixham). There are also existing Geopark Access Hubs at Kents Cavern (Torquay), Occombe (Paignton), Goodrington (Paignton) and Berry Head (Brixham).

Existing joint working arrangements in place

The Council works with key partners such as the Torbay Coast and Countryside Trust and Natural England, together with the wider South Devon Green Infrastructure Partnership (which includes South Hams District Council), to improve Torbay's rich terrestrial and marine environments. This takes a network approach going beyond looking at individual sites to the bigger picture, including the links between spaces, the multiple purposes they can have and wider environmental benefits.

The partners involved in the natural environment, green infrastructure and related historic environment work are set out in greater detail below:

Natural environment and green infrastructure

South Devon Green Infrastructure Partnership; Greenspace South West

Countryside and coast

Devon Landscape Officers Group; South Devon AONB Partnership; SeaTorbay (Torbay Coastal Management Partnership); Devon Maritime Forum

Nature conservation

South Devon Greater Horseshoe Bat SAC Steering Group; South Devon Biodiversity Offsetting Group; Devon Local Nature Partnership; Devon RIGS Group

Historic environment

Devon Historic Buildings Trust; National Trust; Institute of Historic Buildings; Association of Local Government Archaeology Officers; Design Council / CABE; Devon and Cornwall Architecture Centre; Georgian Society; Victorian Society; 20th Century Society; Heritage Lottery Fund; Architectural Heritage Fund; Spectrum Housing Association

Joint work outcomes

In 2010 a partnership was formed by Torbay Council, Natural England and Torbay Coast and Countryside Trust with the aim of bringing together all the elements of green infrastructure and producing a clear document to guide and outline how it will be delivered in Torbay. The Torbay Green Infrastructure Delivery Plan has been produced through a process of stakeholder engagement and consultation, and in partnership with both Devon County Council and the neighbouring authorities of Teignbridge and South Hams. The Delivery Plan is part of the South West Green Infrastructure Network, which provides information and shares good practice between green infrastructure champions across the South West.

The Green Infrastructure Strategy for Teignbridge 'Heart of Teignbridge' has been produced in synergy with the Torbay Green Infrastructure Delivery Plan, helping to ensure cross-border delivery. A Green Infrastructure Strategy has been produced for Devon by Devon County Council, which provides Devon-wide guidance for 'planning and safeguarding natural environment assets in a sustainable way'.

Torbay Council has produced a Landscape Character Assessment (2010). Numerous people and organisations assisted with the preparation of this landscape character assessment. This included members of the Devon Landscape Policy Group, who assisted with the co-ordination of the study with adjoining landscape areas and the Devon wide character assessment.

In addition, other plans give guidance on landscape and related management matters. These include the South Devon AONB Management Plan, Torbay Biodiversity Action Plan, River Basin Management Plan (South West River Basin District), Brixham Urban Fringe Study and Shoreline Management Plan.

How partnership working informed and influenced plan

The plans referred to (in the paragraph above) provide very valuable evidence for the Submission Local Plan and have underpinned the spatial strategy and a range of policies.

The Local Plan identifies, for example, opportunities for further Country Parks and Access Hubs at Maidencombe, Watcombe, Cockington, Great Parks, White Rock, Lupton (Churston) and Sharkham. Additional Country Parks are to be delivered at Maidencombe and Great Parks, the

latter adjoining and as part of new housing development. A Countryside Access and Enhancement Scheme will be delivered as part of new development at White Rock. Further similar opportunities may be available elsewhere, particularly as part of proposals coming forward within strategic delivery areas. The Green Infrastructure Delivery Plan, along with the neighbourhood planning process, will empower communities to identify key priorities for green infrastructure development over the next 20 years.

Position agreed

Torbay Council and Teignbridge District Council have a joint strategy for environmental protection on the border between the two authorities. The concept of a strategic gap between Kingskerswell and Torbay is set out in the Teignbridge Local Plan, and this is fully supported by Torbay as “essential in order to retain local identity and to prevent urban sprawl and possible coalescence.” Torbay Council also supported the approach to the protection of the undeveloped coast, and in particular the stretch between Maidencombe in Torbay to Shaldon.

The Torbay and Teignbridge Local Plans both seek, albeit through slightly different approaches, to protect important and attractive landscapes.

The co-operation goes further, and in particular the proposal for a cycle path/green infrastructure link between Torbay and Newton Abbot, via Kingskerswell, is a joint project between Teignbridge, Devon County Council and Torbay. This is reflected in the Teignbridge Local Plan and in Torbay Council's Local Plan proposals. The Torbay comments on the Teignbridge Local Plan confirm this joint approach and support. The agreement arises from long term work between the two authorities on their respective Green Infrastructure strategies. Joint work also continues via the South Devon Green Infrastructure Partnership, hosted by the Torbay Coast and Countryside Trust (TCCT) and co-funded by Torbay Council and each of the other partners.

Torbay Council and South Hams District Council both recognise how much work has already been undertaken in relation to landscape and countryside planning, including the Devon Landscape Policy Officers Group work relating to Landscape Character Area Assessment, the emerging Local Nature Partnership and Renewable Energy, and to Torbay's own LCAA, the Brixham Urban Fringe Study and the long established South Devon AONB Management Partnership. More recently the context for this work had been broadened through the work of the South Devon Green Infrastructure Partnership and its delivery of the Torbay and Heart of Teignbridge GI Plans.

Torbay and South Hams agree that these cross boundary matters are being addressed in a satisfactory way and that the current level of partnership working should be maintained to retain this focus. To ensure continued delivery, the Partnership employs a Green Infrastructure Co-ordinator who works with both Torbay Council and South Hams District Council.

Ongoing co-operation

The partnership working identified above will continue.

In addition, the Council is setting up a Delivery Review Panel (see Para 7.5.17 of the Submission Version Local Plan), which will include a range of public and private sector partners across South Devon. The monitoring and reporting role of this Panel will include landscape and biodiversity impacts.

Aspiration 4: Create more sustainable communities and better places

HOUSING

Strategic / Cross boundary nature of issue

The Housing Market Areas Map (see page 6) shows the interrelationships between housing market areas. The NPPF requires that authorities within a Housing Market Assessment cooperate to meet housing needs. While Torbay is largely a separate Housing Market Area, other than a small part (Kingskerswell) of Teignbridge District Council, it is nevertheless a large area and adjoins Teignbridge and South Hams.

It is also the case that the principal driver of population growth in South Devon is inward migration, mainly for retirement purposes but there are also a large number of economically active migrants. This underlines the need to consider the cross-boundary housing issues.

The Exeter and Torbay Housing sub-region comprises two of the Housing Market Areas (HMAs) identified by the South West Regional Housing Board, namely:

- **Exeter HMA**, covering the local authority areas of East Devon, Exeter, Mid Devon and Teignbridge, including the area of the Dartmoor National Park Authority that falls within the Teignbridge boundary; and
- **Torbay HMA**, covering the same area as the Torbay unitary authority.

Evidence of housing need and demand is set out in the Strategic Housing Market Assessment (2007 and 2011 update) and Torbay Housing Requirement Report (PBA, 2013). The Strategic Housing Land Availability Assessment sets out a range of available sites, with options for increasing housing supply. The Council believes that the delivery of around 8,000-10,000 new homes is a good and reasonable balance of the need for new homes, economic growth, and environmental and infrastructure capacity limits. This would meet the requirement as measured by the 2011 based (released 2013) DCLG Household Projections, which would equate to 8,800 dwellings if extrapolated to 2031. The figure will need to be reviewed through monitoring, and adjusted for changes in migration rates, household size and economic performance.

The provision of accommodation for gypsies and travellers in Torbay is not considered by the Council to be a strategic cross-boundary planning issue. Submission Document SD52 outlines the position concerning demand for such accommodation in Torbay, which is very low. However, it is recognized that the movement of gypsies and travellers clearly has a cross-boundary dimension and the Council is currently involved with other Devon Authorities in a county-wide assessment, which is currently in preparation.

Existing joint working arrangements in place

There is a range of joint working arrangements in place on this important issue. The partners involved in that include: Devon Strategic Housing Group; South West Development Group; Enabling and Development Group; Devon Home Choice Management Board; Devon Housing Options Partnership; Exeter and Torbay HMA Officer Steering Group; Heart of the South West LEP.

Torbay and Teignbridge, in partnership with other local authorities in the Housing Market Area, jointly commissioned a Strategic Housing Market Assessment, in 2007, to ensure an objective assessment of housing needs. The Exeter and Torbay Housing Market Assessment recognised the separateness of the Housing Market Areas. The more detailed analysis, in particular, confirmed that Torbay and Newton Abbot had their own, separate “sub-market areas”, and most of Teignbridge was within the large Exeter sub-market area. Torbay Council refreshed the SHMA in 2011 and has, more recently (May 2013), undertaken a further refresh of this evidence.

How partnership working informed and influenced plan

The plans / assessments referred to (in this section) provide very valuable evidence for the Submission Version Local Plan. They have underpinned the growth strategy (Policy SS1), the spatial strategy (Policies SS1 and SS2) and a range of policies.

Position agreed

Torbay and Teignbridge Councils have agreed to a coordinated and positive review of the Councils’ Local Plans every five years taking account of joint monitoring, also involving South Hams District Council as the other planning authority which adjoins Torbay. This review will consider the need for and location of further development on a sub-regional basis taking account of jointly prepared and consistent evidence, in order to inform future reviews of the three Local Plans. This is reflected in Teignbridge District Council’s Duty to Cooperate Statement.

It is agreed that South Hams and Torbay comprise separate housing market areas as defined in the 2007 ETHMA. However, in relation to proposed levels and locations of growth in the Torbay Local Plan, South Hams has expressed concern about the potential impacts of additional development feeding onto the strategic road corridor linking Torbay to the A38 via Totnes. The impacts of development on the functioning of the strategic route network is being assessed in broad terms in the ongoing masterplanning work for Collaton St Mary. Even though sites may come forward late in the plan period, there was a need to understand the strategic transport implications of development across the southern part of the urban area. This is an ongoing area of work. South Hams has also expressed concern that any development south of White Rock needs to consider visual impact on the AONB and landscape character.

Ongoing co-operation

An overarching component of the Council’s approach to Local Plan monitoring and review will therefore be the systematic cross-boundary assessment of housing and commercial need, land

availability and development sustainability. Torbay and the adjoining Teignbridge District Council have agreed to a coordinated and positive review of the Councils' Local Plans every five years, taking account of joint monitoring. This process will also involve the other adjoining local planning authority, South Hams District Council.

The review will involve the creation of a South Devon Delivery Review Panel comprising the three local authorities, relevant infrastructure and environmental agencies, and housing and development interests. This body will oversee the need for and location of further development, including jobs and homes, on a sub-regional basis, taking account of jointly prepared and consistent evidence. This will be necessary in order to inform future reviews of the Local Plans of each of the three local planning authorities.

HEALTH AND EDUCATION

Strategic / Cross boundary nature of issue

Residents of Torbay, Teignbridge and South Hams rely on recreation, education and health services / facilities across the three Districts. However, planning policy has a relatively limited ability to impact on those cross boundary movements. Torbay, as a Unitary Authority, works closely with Devon County Council on the provision of education facilities and with a range of health care providers, especially South Devon NHS Healthcare Foundation Trust, in relation to Health. Torbay Council's Planning Service has, for example, been regular meetings with:

- the Trust on future plans for Torbay Hospital, which is reflected in policy SDT3;
- with South Devon College, which is reflected in Policy SC3, and
- with education providers (Children's Services) in Torbay; which is reflected in Policy SC3 and its supporting text.

Health indicators for Torbay show a mixed pattern strongly related to demographics and levels of deprivation. Overall, average life expectancy in Torbay is in line with national figures but at a ward level, there is a difference as large as 7 years for both males and females between the most prosperous and most disadvantaged wards. The major causes of early mortality remain cancer and cardiovascular disease but early deaths from these illnesses have been steadily falling in Torbay for some time. Smoking remains the major cause of preventable disease and alcohol misuse in men is a particular lifestyle issue that translates into a high number of alcohol-related hospital admissions in Torbay compared when benchmarked against the whole of the South West. The rate of teenage conceptions also continues to be a priority concern – the teenage conception rate was 64.9 conceptions per 1,000 young women aged 15-17 years in Torbay, significantly above the South West average of 34.7.

Critical to the success of Torbay and its communities (existing and future) is education and skills provision. Successful and sustainable economic growth will depend on increasing the demand for higher level skills from businesses (Improving Business Performance) and ensuring that skill and knowledge levels within the workforce continually improves. Education provision in the Bay must help address barriers to work in Torbay, improve skills and employability and stimulate continued development of the workforce. Torbay's high level of self-containment (that is, the number of working age people who live and work in the same area) underlines the importance of ensuring that people in Torbay have the skills needed by growing and new businesses.

Existing joint working arrangements in place

The partners involved in joint working on issues relating to health and education include:

Sport and Recreation

Active Devon County Sports Network; Sport England (Devon); Devon Sports Development Officer Group; Devon Games to Inspire; Devon FA; Torbay Access Forum

Health

Regional and Peninsula Health Network; Sexual Health Regional Network; South Devon and Torbay Clinical Commissioning Group; Public Health Finance Network; South Devon NHS Healthcare Foundation Trust

Child poverty

Torbay Child Poverty Commission.

There is a draft compact agreement for joint working between Torbay Health and Wellbeing Board and Natural Devon (Devon Local Nature Partnership), replicating a similar agreement with Devon Health and Wellbeing Board. It is expected that this draft agreement will be completed and operational in the near future.

How partnership working informed and influenced plan

Health, well-being and the built environment are inextricably linked. Torbay Council, South Devon NHS Healthcare Foundation Trust and other partners are working together to narrow the gaps that exist between the least and most disadvantaged communities in the Bay, in line with the Marmot Review (2010). This is reflected in Policies SS10, SC1, SC2, SC3, SC4 and SC5.

Position agreed

Public Health colleagues, within the Council, support the Local Plan.

Ongoing co-operation

The Council, in partnership with Public Health, has established and implemented (1 July 2014) a Senior Planning and Public Health post, to help ensure ongoing partnership working and the delivery of policies within the Local Plan.

Aspiration 5: Respond to climate change

FLOODING & WATER MANAGEMENT

Strategic / Cross boundary nature of issue

Torbay is within the South Devon Catchment Flood Management Plan. The South Devon Catchment Flood Management Plan contains long term actions to reduce the number of people and properties at risk from inland flooding

The risk from flooding is very low in most parts of Torbay. But due to the Bay's topography, climate, proximity to the sea, nature of watercourses and sewers, flooding can occur rapidly giving people little time to react.

The Council has also had regard to whether there are any constraints on growth for the area that may be imposed by water cycle / management issues. Partnership work, with South West Water and the Environment Agency for example, has established that there are no over-riding issues in relation to future development and water resource supply.

Existing joint working arrangements in place

The partners involved in joint working on issues relating to flooding include:

Environment Agency; Torbay Council Flood Steering Group; South West Flood Risk Managers Group; Devon Strategic Drainage Group

How partnership working informed and influenced plan

Torbay Council's Planning Service has worked closely with the Environment Agency and South West Water during all stages of plan production. Indeed, most recently (June/July 2014), the Planning Service has worked closely with South West Water on the Torbay Hydraulic Modelling of Sewer Capacity, which has included an assessment of the impact of storm / surface water and has recommended increased use of storm water attenuation. This will not only reduce the risks of flooding but also have significant benefits for sewer capacity.

The Council has, working closely with the Environment Agency, undertaken Level 1 and Level 2 Strategic Flood Risk Assessments to inform the Local Plan.

Similar partnership arrangements, with Environment Agency, South West Water and Torbay Council Flood Steering Group, have underpinned the production of the Torbay Water Cycle Study (2012), which has influenced the evolution of a number of growth related policies, but in particular Policy SS7 of the Submission Local Plan.

The work undertaken with partners, including the Environment Agency and South West Water, also formed the basis of Policies ER1 and W5 of the Submission Local Plan.

Position agreed

The Environment Agency has not raised any substantive objections to the Local Plan.

South West Water has not objected to the Local Plan.

Ongoing co-operation

The partnership working identified above will continue, to ensure flood risk continues to be managed and that appropriate water supply / infrastructure is in place for new development.

In addition, the Council is setting up a Delivery Review Panel (see Para 7.5.17 of the Submission Version Local Plan), which will include a range of public and private sector partners

across South Devon. The monitoring and reporting role of this Panel will include flood prevention / mitigation and drainage infrastructure.

WASTE

Strategic / Cross boundary nature of issue

As a Waste Planning Authority (WPA), Torbay is required to produce waste planning policies under national planning legislation. However, Torbay is dependent upon Devon for much of its waste management.

Existing joint working arrangements in place

Torbay Council and Devon County Council signed (May 2014) a Memorandum of Understanding (included as Appendix 2 to this document). The purpose of this MoU is to establish a framework (outlining the roles and responsibilities) of Devon County Council (DCC), and Torbay Council with regard to fulfilling the Duty to Cooperate and appropriately planning to meet the waste management needs of the area through the preparation of planning policy documents. This seeks to ensure that sufficient waste management capacity can be provided to meet the needs of the authorities to 2031.

Other partners involved in the production of waste related policies in the Submission Local Plan include:

Waste

South West Waste Technical Advisory Body; South West Devon Waste Partnership; Devon Authorities Waste Reduction and Recycling Committee; Devon Environmental Services Managers Group; Devon Officer Waste Working Group

Minerals

South West Regional Aggregates Working Party; Devon Officer Minerals Working Group

How partnership working informed and influenced plan

The Devon Waste Plan was published in pre-submission stage in December 2013. Waste Topic Paper 2: Duty to Cooperate: an assessment of Cross Boundary Waste Movements has been prepared by DCC to assess cross boundary issues. This acknowledges the lack of suitable sites within Torbay and makes provision for 38-40,000 tonnes of CIW (commercial and industrial waste) per annum by 2031. This figure assumes that Torbay is successful in reducing waste and achieving 50% recycling rate by 2031. It also assumes that Torbay's residual local authority collected waste (LACW) will be delivered at the Plymouth Dockyard energy from waste incinerator which is currently under construction. This facility will process approximately 32,000 tonnes of residual waste from Torbay.

South West Water is responsible for submitting its Asset Management Plan to Ofwat, which sets out a capital maintenance plan and infrastructure required for new development. The current

Asset Management Plan, covering 2015-2020, was submitted to Ofwat in December 2013. Advice from South West Water arising from on-going discussion with the Council is that it does not envisage significant constraints in delivering the overall growth expected within Torbay to 2020. However, the need to upgrade local infrastructure may influence the starting point and timing of any development post 2020, until the extra capacity has been delivered.

Torbay Council and South West Water worked closely together on the Torbay Infrastructure Delivery Study (2011). This study suggests that there is likely to be a requirement to upgrade sewers in Paignton over the Plan period. This study has been supplemented by the Torbay Hydraulic Modelling of Sewer Capacity study, which has included an assessment of the impact of storm / surface water and has recommended increased use of storm water attenuation. Upgrading to existing sewers would be part of South West Water's capital maintenance programme. New development will be required to minimise run-off into the shared sewer, for example through the use of sustainable drainage measures.

Torbay Council has worked with Teignbridge District Council in relation to planned growth in the Edginswell area of Torquay. This area is served by Buckland Waste Water Treatment works, located on the Teign Estuary. It is likely that the Buckland facility will require upgrading within the Plan period (possibly 5-10 years). This is located within the Teignbridge District Council area and serves homes in both authorities.

Position agreed

It is agreed that development proposals in the north of Torbay, for example in the Torquay Gateway area, that require use the Buckland Waste Water Treatment works may be required to provide financial contributions towards its enhancement.

Devon County Council supports the waste policies in the Submission Plan.

Ongoing co-operation

The MoU is in place and partnership working identified above will continue.

5. Other duty to cooperate bodies

Heart of the South West Local Enterprise Partnership

The Council is a member of HoSW LEP Board and is represented on the LEP's Place and Business Leadership Groups. The Council is also represented on the Local Transport Board, providing advice to the LEP on strategic transport issues and funding. The Council contributed significantly to production of the LEP's Strategic Economic Plan and Growth Deal. There is a history of partnership between the Council and the LEP, including key projects such as the South Devon Link Road. The LEP have been engaged in and support Torbay's aspirations for economic recovery and growth and support the Local Plan.

Devon Local Nature Partnership

The Devon Local Nature Partnership was set up in July 2012 and became a Duty to Cooperate Partner in November 2012. The Council is represented on the Partnership's Executive Board and has been heavily involved in The State of the Environment Report. As such the Submission Local Plan makes a strong contribution to the Partnership's priorities around protecting and improving the natural environment, growing the 'green' economy and reconnecting people with nature.

Environment Agency

The Environment Agency has been engaged in all stages of Local Plan production and, specifically, in relation to discussions about the scale and spatial distribution of growth in the Bay. The Environment Agency was involved in a number of the strategic studies / evidence base work to support the Plan, including the Strategic Flood Risk Assessment work, and continue to be involved in major projects delivering change and growth in the Bay.

The Environment Agency has not raised any substantive objections to the Local Plan.

English Heritage

English Heritage has been engaged in all stages of Plan production. The concerns expressed by English Heritage in relation to the Submission Local Plan have been resolved, through further engagement, and English Heritage has no objections to the Plan.

Natural England

Natural England has been engaged in a range of studies to inform the Local Plan, such as the Brixham Urban Fringe Study and Green Infrastructure Delivery Plan, and at every stage of Plan production. This has been extremely valuable, given the number and importance of sensitive habitats in the Bay – from sea grasses to Greater Horseshoe Bats. Natural England has also been involved in the parallel production of the Habitats Regulation Assessment (HRA) and the continued refinement of that Assessment. Natural England had no objections to all iterations of the Plan until the Submission Plan was published. Work is ongoing in relation to some technical issues associated with identified growth areas and, as such, the HRA refinement. However, both parties expect these to be resolved shortly before or just after formal submission of the Local Plan.

Civil Aviation Authority

There are no relevant issues for the Civil Aviation Authority in the Local Plan.

Homes and Communities Agency

The Homes and Communities Agency (HCA) has been engaged in Local Plan production and, specifically, in relation to economic and housing growth. The Agency was involved in the SHMA

work and was invited to SHLAA workshops. The HCA supports the Local Plan, particularly the approach to affordable housing. The Agency also supports, in principle, the self-build housing policy and the promotion, in the Plan, of mixed use town centre regeneration.

South Devon NHS Healthcare Foundation Trust

The Planning Service has worked with the Trust and Public Health in relation to specific policies in the Local Plan. Public Health colleagues in Torbay Council support the Plan. The Council, in partnership with Public Health, has established and implemented (1 July 2014) a Senior Planning and Public Health post, to help ensure ongoing partnership working and the delivery of policies within the Local Plan

Office of Rail Regulation

There are no relevant issues for the ORR in the Local Plan.

Network Rail

Network Rail has engaged in Local Plan production. It supports the Devon Metro proposals.

Highways Agency

The Highways Agency has been engaged at every stage of Plan production and has expressed support for the draft Local Plan.

Marine Management Organisation

The MMO has been engaged in Local Plan production and has no objections to the Plan.

The Council and MMO were involved in an appraisal of local plan policies reflecting marine issues, during preparation of the Draft Local Plan. Subsequently there have been discussions with the MMO on revised policies, prior to publication of the Submission Local Plan. Similarly, the MMO has engaged with Torbay Council on the draft South Marine Plan.

National Grid

The National Grid has been engaged in Local Plan production and has no objections, subject to development staying clear of the gas pipeline to the north of Torquay Gateway Growth Area.

Sport England

Sport England supports the Local Plan, but recognises that the Sports Facilities Strategy and Playing Pitch Strategy need to be updated. This work is nearing completion.

6. The public, community and neighbourhood groups

'A Landscape for Success' is a Local Plan for the people of Torbay. Community involvement is therefore essential and has already informed the Submission Plan. People living in, working in and visiting in Torbay move in and out of the area, from place to place as part of their normal daily activities. Visitors use key services in the course of their stay in the resort. The strategy for growth and policy and proposals set out in the Plan therefore help to shape the lives of all of those who use the area.

For this reason, preparation of the Local Plan is based on detailed and continuous engagement with the public. The Local Planning Authority maintains an extensive consultee database, including some 300 organisations and individuals on the 'general consultees' list and around 60 on the 'specifics' list (including statutory bodies, government bodies, adjoining Parish Councils, Neighbourhood Forums and related Community Partnerships).

Torbay has an extensive network of Community Partnerships across Torbay (12), a Town Council (Brixham) plus three Neighbourhood Forums, one for each of the Bay's towns of Torquay, Paignton and Brixham. They are currently actively engaged in preparation of three Neighbourhood Plans, one for each of the three towns. The Council works in partnership with the three Forums through the Neighbourhood Forum Steering Group, which directly informs and influences the content of the Local Plan. Those Forums will, through their Neighbourhood Plans, be key partners in the delivery of the Local Plan.

7. Duty to co-operate and the future

The Council has made considerable efforts to ensure that appropriate partnership arrangements are in place and working to underpin the preparation of the new Local Plan and in particular to embrace effectively the related key strategic and cross boundary planning policy issues. Existing arrangements should be flexible enough to respond to most new issues arising – where new partnerships are clearly required, these will be constituted with an appropriate mandate. The establishment of a South Devon Development Review Panel, referred to elsewhere in this statement, is a good example of that.