

**From:** Turner, Steve  
**Sent:** 01 October 2014 11:10  
**To:** Young, Robert  
**Cc:** Steward, Pat  
**Subject:** Torquay Local Plan - implications of recent decision by elected Mayor

I refer to our conversation yesterday regarding the above. As you appreciate, we want to maintain an open dialogue with you and Keith Holland.

An issue has arisen in the last week with regard to a major site in the Bay, which is identified in the Local Plan, is in our 5 year housing land supply and is in Council ownership. We are sure this sort of issue is fairly typical and one you're used to. But we want to ensure you're aware of it and are able to give us advice about any implications. If Keith doesn't believe there are any implications then there is no need for a meeting between us, but if he considers there are implications we'd appreciate a face to face discussion with him – in Bristol if necessary – within the next two weeks.

Last Thursday the Council considered a petition from Churston & Galmpton Community Partnership. The petition requests that a Covenant is entered into not to allow development on Churston Golf Course (in Churston, Brixham) without first obtaining the agreement of the majority of the residents of the ward at a referendum. The Council approved, around 18 months ago, a development for 132 new homes on the 1<sup>st</sup> & 18<sup>th</sup> holes of the golf course. There is a current planning inquiry into the Council's refusal of permission for a new clubhouse elsewhere on the golf course. The Covenant, if approved, would effectively prevent those developments from going ahead (given what we know about local community opinion) and would require us – we believe – to remove the 1<sup>st</sup> & 18<sup>th</sup> from our 5 year land supply. Whilst the Council voted against the petition, a decision to accept the petition and enter into a covenant was approved by the Mayor. The Mayor's decision will be challenged and, as such, a formal and legal decision on the petition has not yet been made and we don't yet know whether the Mayor's decision at Council will be upheld. We suspect the matter will be discussed, in detail, at the next Council meetings in October and December.

Officers provided advice to the Council on the petition, specifically regarding the risks to the new Local Plan – which remains very much supported by the Council and communities. That advice is publically available and can be found on:

<http://www.torbay.gov.uk/DemocraticServices/documents/b9977/Churston%20Covenant%20Officer%20Report%20Thursday%2025-Sep-2014%2014.00%20Council.pdf?T=9>

Officer advice flags up the risk that other parties, observing the Mayor's opinion of the Churston petition, could take a similar approach to development proposals on other Council owned sites. This could have a knock on effect on a number of sites that currently form part of the Local Plan development strategy. To date we have had no indication from any communities that they wish to pursue such an approach – but clearly we can't rule it out. Indeed, what we have heard is a huge amount of support for the content and progress of the Local Plan.

Over the next three weeks there is likely to be a formal challenge to the Mayor's decision and, as per Council policy, an Overview and Scrutiny Panel will be convened (within that three week period) to review the issues and make recommendations. Those recommendations will be considered at a future Council meeting. Hence the request for an opinion, within the next two weeks, from Keith, or a meeting with him, about the Mayor's decision in relation to the Local Plan.

I would therefore be grateful, in the interests of transparency, if you could draw this matter to the attention of our Examination Inspector Keith Holland. If he feels this is a significant issue, we feel

that a meeting would be an appropriate forum in which officers could further explain matters to him and receive feedback. As indicated to you, the Council is happy to travel to a suitable venue outside Torbay if this would be more convenient for Keith Holland, given his workload and other PINS commitments.

**Steve Turner**  
**Team Leader - Strategic Planning**

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**From:** Young, Robert  
**Sent:** 01 October 2014 13:55  
**To:** Turner, Steve  
**Cc:** Steward, Pat  
**Subject:** RE: Torquay Local Plan - implications of recent decision by elected Mayor

The Inspector has asked me to pass on the following response on his behalf –

“Potentially a problem as this will presumably impact on the 5 year land supply and the deliverability of the plan. Extent of the problem will of course be increased if other sites also affected. Council needs to consider how big the impact is and if necessary find substitute site or sites. These will then have to be advertised and the Council will also need to consider impact on SA work done. I can’t advise further but looks ominously as though the examination may have to be delayed for this extra work to be done. There is little point in the Council proceeding without a clear 5 year housing land supply.

As I am the appointed inspector I cannot have a private meeting with the Council to discuss the content of their plan. Better if they arrange to discuss with Mary Travers in Bristol who is now in charge of local plan work.”

Robert Young  
Programme Officer  
Torbay Local Plan Examination

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**From:** Turner, Steve  
**Sent:** 01 October 2014 17:06  
**To:** Young, Robert  
**Cc:** Steward, Pat  
**Subject:** RE: Torquay Local Plan - implications of recent decision by elected Mayor

Please pass on our thanks to Mr. Holland for a rapid and clear response. This has been very helpful.

We wish to assure the Inspector that, even without the housing site at Churston Golf Course, we have a 5 year supply of deliverable housing sites. That is our official position, as set out in public documents. In addition, yesterday we granted planning permission, subject to a S106, for another major development (including 165 new homes). We also have another outline application before us, for 75 new homes on a site that we're very keen to see developed. So I'm confident we can go into the Hearing with a robust 5 year housing land supply.

We are aware, from representations made to the Local Plan, that other parties will want to promote major sites during the hearing. We are undertaking additional work on those sites in order to assist the Inspector during the Hearing. We certainly do not consider that new sites will or need to be introduced before the Hearing.

On this basis we don't believe the Examination needs to be delayed, but would be grateful for the Inspector's confirmation.

**Steve Turner**  
**Team Leader - Strategic Planning**