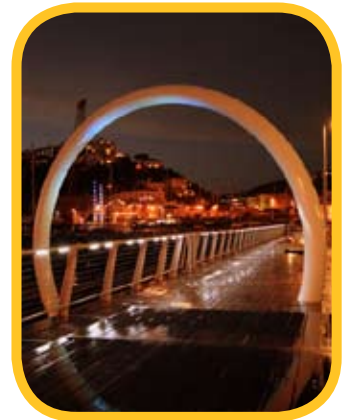


Torquay Harbour Area Action Plan

Development Plan Document

Phasing and Delivery Schedule
(Amendments to Chapter 6)



Regulation 27
Pre-Submission Publication



LDD3

February
2011

The **Torquay Harbour Area Action Plan (THAAP)** will provide a framework for the regeneration, conservation and enhancement of a visually and economically important area of Torbay. It embraces a large number of existing strategies and projects in a cohesive manner in order to provide certainty and clarity for future development in this location.

This further Regulation 27 consultation on a 'Phasing and Delivery Schedule' and accompanying Appropriate Assessment Report has been prepared for a formal six week public consultation.

The Strategic Planning Team welcomes Representations on this further Regulation 27 consultation document.

A 'Guide to making representations on Development Plan Documents' has been prepared that may assist you.

We would encourage you to make your Representations using the Council's online Limehouse Consultation portal by visiting www.torbay.gov.uk/ldf. You may also send comments by e-mail to ldf@torbay.gov.uk and in writing. Paper Representation Forms have also been prepared and are available online and at the deposit locations: listed below.

Representation Forms and all documents relating to this consultation can be downloaded and printed from the website.

This consultation period runs from **Monday 7 February to Friday 18 March 2011**.

Prepared by:

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For further information regarding this document or to request an alternative format or language please contact Strategic Planning on tel. 01803 208804 or e-mail ldf@torbay.gov.uk

Reference copies of the THAAP 'Phasing and Delivery Schedule,' 'Appropriate Assessment Report' and 'Guide to making representations on Development Plan Documents' are available on the Council's website www.torbay.gov.uk/ldf and at the following locations during the consultation period:-

Roebuck House Reception, Abbey Road, Torquay TQ2 5TF
Connections (Torquay), Town Hall, Castle Circus, Torquay TQ1 3DR
Connections (Brixham), New Road, Brixham TQ5 8TA
Torquay Reference Library, Lymington Road, Torquay TQ1 3DT
Paignton Library/ Connections, Great Western Road, Paignton TQ3 5AG
Churston Library, Broadsands Road, Paignton TQ4 6LL
Brixham Library, Market Street, Brixham TQ5 8LZ

1. Introduction

- 1.1 The Strategic Planning Team published a Pre-Submission version of the Torquay Harbour Area Action Plan (THAAP) in November 2010, providing a six week consultation period to make formal representations on the Plan. This followed previous consultations in 2006 and 2009. The November 2010 'Pre-Submission' document is the version of the Plan the Council intends to formally submit to the Secretary of State later this year. Details of that consultation and supporting documents, and previous versions of THAAP, can be viewed at www.torbay.gov.uk/thaap.
- 1.2 In their response to the THAAP consultation of Autumn 2010, the Planning Inspectorate (PINS) identified a concern about a reference in paragraph 6.4 to deferring publication of a detailed phasing and delivery schedule to the Submission stage. PINS has advised that this needs to be set out at the 'Regulation 27' stage and not be left until the Submission stage as indicated. The Council has therefore agreed to the publication of a detailed phasing and delivery schedule for formal representations.
- 1.3 This further consultation on a phasing and delivery schedule is not leading to wider work on the Plan being delayed. The Strategic Planning Team is currently collating and analysing the representations received to last year's consultation. Comments received during the earlier Regulation 27 THAAP consultations do not need to be re-sent.
- 1.4 It is intended the Submission document will be published in the Summer, to be followed by a Public Examination (although at the time of writing precise dates are not known).
- 1.5 The following draft **Phasing and Delivery Schedule** has collated existing knowledge relating to the individual sites, ownership, details of proposals, potential delivery mechanisms and timing, risks and contingencies.
- 1.6 It should be emphasised that this additional material replaces paragraphs 6.3 to 6.18 (inclusive) in Chapter 6 'Implementation and Monitoring' in the existing Regulation 27 document, published in November 2010. As a consequence of the insertion of this additional text, paragraphs 6.19 to 6.30 (inclusive) are re-numbered accordingly.
- 1.7 The inserted text should therefore be read *in conjunction* with last November's published document.
- 1.8 We are consulting on this change to Chapter 6 as a further formal six week consultation from **Monday 7 February to Friday 18 March 2011**. This consultation has been published in parallel with the findings of an Appropriate Assessment Report to determine whether the THAAP either alone or in combination with other plans or projects, is likely to have a significant adverse effect on the Lyme Bay and Torbay candidate Special Area of Conservation (cSAC).

Chapter 6 Implementation and Monitoring

Additional text to the Regulation 27 Pre-Submission Publication (November 2010) to provide a 'Phasing and Delivery Schedule'

6.1 No change to text – ie. unchanged

6.2 No change to text – ie. unchanged

Replace existing paragraphs 6.3 to 6.18 (inclusive) with additional text below:

- 6.3 The Plan aims to provide certainty and clarity over future development and a clear steer for investors, whilst at the same time maintaining sufficient flexibility to be able to adapt to a rapidly changing economic climate.
- 6.4 The Vision, suite of Torquay Harbour Objectives and Strategic Harbour Policies THS, TH1 & 2 will be relevant considerations for all planning applications in the Harbour area, once the AAP is adopted.
- 6.5 The Site Allocations TH4-TH15 will be delivered to different timescales, but in most cases development could commence in the next 5 years, subject to funding, and in the case of the largest schemes may take 5 to 10 years to plan and deliver.
- 6.6 The transport and accessibility measures identified in TH3 will be implemented over the Plan period, in some cases improvements will be delivered in parallel to new development schemes.
- 6.7 The funding arrangements are set out later in this chapter.
- 6.8 On two of the sites, planning applications have recently been approved subject to certain 'delegated matters' being resolved and a s106 agreement being signed. This applies to the Palm Court Hotel (identified as part of Policy TH10) and the former Royal Garage site, Torwood Street (Policy TH9).
- 6.9 For the rest of the site allocations it has been possible to gain some understanding of the delivery mechanisms and the timescales either through direct discussions between prospective developers and the Council's own Development Management Officers or through dialogue with the Torbay Development Agency.
- 6.10 It is not possible to have absolute certainty over the Plans' individual elements as the phasing and delivery will be affected by an array of external variables, including the economy, the success in attracting external grants, government investment and policies, and the decisions of private investors, landowners and Council Members. In the near future, it does seem likely that the development industry will continue to operate within a fragile economy and it will take time for confidence to fully recover.
- 6.11 The current economic downturn has spread to virtually all sectors of the British economy, including the tourism, leisure and retail industries. Against this harsh backdrop, Torbay continues to attract interest from investors, which confirms its intrinsic appeal as a place to work and the growth potential of the local economy. Meanwhile, the Torbay Development Agency is taking a range of measures to ensure that Torbay is well prepared to take the fullest possible advantage of all economic conditions

- 6.12 The economic climate continues to make it harder to deliver projects that are financially viable. The Harbour area's reliance on mixed use schemes means there will be an understandable demand from developers to explore a range of options for sites which incorporate different quantum of development and land uses.
- 6.13 The Plan has tried to be flexible in reflecting a range of indicative uses for each site. This does not necessarily mean that each site will be able to accommodate comfortably every individual use. Rather, a combination of perhaps just one or two uses may produce the most acceptable scheme in relation to market conditions and once the detailed masterplanning and design has been undertaken.
- 6.14 Exceptionally, there may be instances when a developer wishes to provide a land use or activity that the site allocation policy has not identified. This is precisely why it is essential to have the overall framework for the Area provided by the Strategic Policies, Objectives and Vision to ensure the right outcomes are delivered.
- 6.15 As well as the difficult environment facing private developers, public sector spending is set to be reduced over the next four years in line with the Government's Comprehensive Spending Review. This will result in a real-terms reduction of Torbay Council's funding over this period and will also lead to reductions in the funding available to a range of external grant awarding bodies. Despite the reductions now anticipated, Torbay Council will need to continue to support projects that improve the environment for local residents and enhance the visitor experience, which has a huge influence on the performance of Torbay's economy.
- 6.16 Beyond 2015, it is not possible to accurately predict the Government's spending plans. They will clearly increase or decrease according to the priorities for spending at that time and the future state of the economy and public finances.
- 6.17 Princess Gardens, the Pavilion, Princess Parade, Princess Theatre, the Marina and Terrace Car Parks and other areas of public realm are owned by Torbay Council. This gives the Council a greater role in the future of these sites. Both the Marina Car Park and the Pavilion have been leased to Marina Developments Limited (MDL), who also operate the Marina in the Outer Harbour. All the other allocation sites have one or more private owner. Much of the waterfront sits within the 'Harbour estate.'
- 6.18 The only site where the Council has indicated its willingness to consider a Compulsory Purchase Order to deliver a comprehensive development approach is Abbey Crescent. However, it is hoped a decision notice can be issued for the Palm Court Hotel in due course, after a planning application for redevelopment was approved, subject to delegated matters, by the Development Management Committee in 2009.
- 6.19 The Plan contains sites which offer a spectrum of delivery challenges. There are a number of opportunities for 'quick wins' in the Harbour area which can make an enormous difference to the attractiveness and appeal of the area. The environmental enhancement works in Victoria Parade will provide enlarged and resurfaced paving directly in front of the shops and businesses during the first programmed phase, making use of the highest quality materials. This is a demonstration of where the Council and TDA have chosen to phase a particular project in accordance with the availability of funding. Of course, when the Council is successful in finding external funding sources and can 'match fund' projects with other partners, this will have the effect of speeding up any timetable, and may influence the delivery components.

6.20 In order to provide a clear understanding of *what* will be delivered and by *when*, *how* it will happen and *who* will be the key players involved, the next part of this Chapter presents two tables. The first identifies delivery organisations relevant to the delivery of the Vision, and the second table sets out the delivery framework for the Objectives, policies and proposals in the THAAP. Any early progress on schemes has also been highlighted. Following this, the chapter concludes with comment on potential funding sources and the outstanding infrastructure needs and costs in the Harbour area which require attention.

(New Table 6a to be inserted) Delivery organisations and functions

Delivery organisation	Strategic function and relationship with THAAP
Torbay Council	<p>Local authority for Torquay, Paignton and Brixham.</p> <p>Statutory planning responsibilities including the determination of planning applications (through Development Management procedures), plan making (eg. THAAP and Core Strategy) and enforcement.</p> <p>Statutory powers to control changes in Conservation Areas to preserve and enhance the quality of the environment.</p> <p>Promotion of sustainable development.</p> <p>Maintains and enhances the adopted highway within Torbay and prepares strategic transportation policy (eg. LTP).</p> <p>Maintenance of parks and gardens such as Princess Gardens and maintenance of beaches (eg. Beacon Cove) – by Tor2 on behalf of Residents and Visitors services.</p> <p>Enforcing the licensing regime for the sale of alcohol, entertainment (such as cinemas and theatres) and hot food and drink after 11pm and before 5am.</p>
Torbay Development Agency	<p>Promotion of Torbay as a business location, encouraging inward investment and provision of support for existing businesses to develop and grow.</p> <p>Being transformed into an 'Economic Development Company' to allow access to more public and private funding, and provide private sector leadership and expertise. Will take the lead in economic development, delivering the new Torbay Economic Strategy 2010-2015 'Accepting the Challenge' and provide a range of project and asset management services.</p> <p>Included within the EDC will be a special planning unit, providing a co-ordinated point of contact or 'one-stop shop' for prospective investors.</p>

Delivery organisation	Strategic function and relationship with THAAP
English Riviera Tourism Company	New body representing tourism across Torbay and responsible for the promotion of the English Riviera and joint working with the providers of accommodation, attractions and visitor leisure activities.
Torbay Town Centres Company	Promotion of Torquay Town Centre and investment in a number of town centre enhancement projects supported by a Business Improvement District (BID) levy.
Environment Agency	Flood planning and management including construction of defences. Produce Flood Zone Maps. Local Authority planning advice. Statutory consultee on LDF documents and provision of advice on planning applications, either on a case-by-case basis or for lower risk developments through 'standing advice.'
Tor Bay Harbour Authority	Management of Tor Bay's water and three harbours: Torquay, Paignton and Brixham and Harbour Estate. Use the statutory powers of the Harbour Authority for the purpose of improving, maintaining and managing the harbour. Responsibility for safety standards. Undertake opportunities for developing the harbours. Preparation of Tor Bay Harbour and Maritime Strategy.
South West Water	Ownership of key underground assets. Statutory consultee on LDF documents. Local authority planning advice. Provide surface water drainage for many properties – run off can be a key factor influencing flooding.
Local Businesses	Ownership of and investment in individual premises. Representation through Torquay Chamber of Trade & Commerce, Town Centres Management Company Board and Business Improvement District.
The local community	As promoters and investors in the Bay, participation in events, organisation and decision making through bodies such as Torquay Town Centre Community

Delivery organisation	Strategic function and relationship with THAAP
	Partnership and Torbay Urban Forum.
Outside investors and joint venture partners	As investors and job creators in the Bay.

(New Table 6b to be inserted) Delivery framework for Vision, Objectives, policies and proposals

Policy	Timeframe	Gross Floorspace / Dwellings provided (approx)	Key Bodies responsible for Delivery	Delivery Mechanisms
Vision	by 2026	N/A	All listed in previous table and below	All listed below and including funding sources, identified later in this chapter.
Objective THO1 Provide a good range of leisure, cultural and tourism uses which can revitalise the Harbour as a place enjoyed by both residents and visitors	2011-2026	N/A	Private developers in association with English Riviera Tourism Company and Torbay Council Residents and Visitors Services	Torbay Tourism Strategy, planning applications for individual sites.
Objective THO2 Increase the provision of year-round shopping facilities, particularly leisure-based shopping on the Harbourside and waterfront areas to allow Torquay Town Centre to become a sustainable retail destination	2011-2026	N/A	Private developers in association with TDA and TTCC	BID Business Plan, Evidence of need/capacity – Torbay Retail Study and Interim Retail statement “Future Retail Development in Torbay,” Planning applications for individual sites.
Objective THO3 Deliver new quality employment opportunities	2011-2026	N/A	Private developers in association with TDA	Torbay Investment Plan, Torbay Economic Strategy, Economic Development Company, Planning applications for individual sites.

(New Table 6b to be inserted) Delivery framework for Vision, Objectives, policies and proposals

Policy	Timeframe	Gross Floorspace / Dwellings provided (approx)	Key Bodies responsible for Delivery	Delivery Mechanisms
Objective TH04 Safeguard and enhance a unique heritage	2011-2026	N/A	Spatial Planning Conservation Services	Torquay Harbour Conservation Area & Belgravia Conservation Area Character Appraisals, Torquay Harbour Conservation Area Management Plan, Torbay Heritage Strategy, Urban Design Guide SPD and other local planning policy, Bid for a further £700,000 grant from Heritage Lottery Fund for building restoration, Design Review Panel, Planning applications.
Objective TH05 Contribute towards meeting Torbay's high housing need	2011-2026	N/A	Spatial Planning and TDA	Torbay Housing Strategy, Core Strategy DPD, Evidence of need and capacity - Housing Market Assessment and Strategic Housing Land Availability Assessment, planning applications.

(New Table 6b to be inserted) Delivery framework for Vision, Objectives, policies and proposals

Policy	Timeframe	Gross Floorspace / Dwellings provided (approx)	Key Bodies responsible for Delivery	Delivery Mechanisms
Objective THO6 Creating a family destination, preventing the proliferation of unsuitable bars and clubs	2011-2026	N/A	Torbay Council Environmental Health, Spatial Planning, Devon and Cornwall Constabulary	Licensing Applications and Torbay Licensing Policy as amended, Sex Establishments Policy, Local Plan retail frontage policies (having regard to Use Classes), Planning applications
Objective THO7 Attract inward investment and restore the public realm	2011-2026	Improvements to public open space and pedestrian routes including surface treatments, signage and new public art.	TDA, Torbay Council Highways and Spatial Planning Conservation Services	Co-ordinated delivery through Torquay Harbour Public Realm Masterplan (and as revised), external funding grants may be available.
Policy THS A Sustainable Harbour area	2011-2026	N/A	Torbay Council Development Management, TDA	Planning application procedures, Design Review Panel, the THAAP has been subject to a Sustainability Appraisal and Habitats Regulations Assessment, Regular condition assessments of the European protected Torbay cSAC will be undertaken by Natural England.

(New Table 6b to be inserted) Delivery framework for Vision, Objectives, policies and proposals

Policy	Timeframe	Gross Floorspace / Dwellings provided (approx)	Key Bodies responsible for Delivery	Delivery Mechanisms
Policy TH1 Sustainable construction and design	2011-2026	N/A	Torbay Council Development Management, TDA and Strategic Environmental Policy	Planning applications, Development Management Officers consider the sustainability implications of all planning applications, the Council is intending to introduce a standardised assessment tool - to improve the examination and monitoring of development sustainability (a Sustainability Checklist). Renewable Energy Study prepared.
Policy TH2 Flooding and coastal management	2011-2026	N/A	Torbay Council, Environment Agency and South West Water	Planning applications, A Strategic Flood Risk Assessment for Torbay has been prepared (Level 2 forthcoming).

(New Table 6b to be inserted) Delivery framework for Vision, Objectives, policies and proposals

Policy	Timeframe	Gross Floorspace / Dwellings provided (approx)	Key Bodies responsible for Delivery	Delivery Mechanisms
Policy TH3.1 Upgrading of walking routes through the Harbour area, including the repair and replacement of the promenade	2011-2021	N/A	TDA, Torbay Council Highways and Spatial Planning Conservation Services	Capital funding. Opportunity to deliver proposals as part of a wider project – a possible heritage trail linking Rock Walk and the waterfront with Cockington is being explored, Torquay Public Realm Masterplan (and as revised), external funding grants, developer contributions through s106 and CIL.
Policy TH3.2 Improved links between the Harbour and rest of Town Centre and at bottom of Torwood Street	2011-2016	N/A	TDA, Torbay Council Highways and Spatial Planning Conservation Services	Capital funding. Developer contributions through s106 and CIL.
Policy TH3.3 Environmental enhancements to Victoria Parade	2011-2016	N/A	TDA, Torbay Council Highways and Spatial Planning Conservation Services	Capital funding. Possibly further funding from Heritage Lottery Fund and s106 and CIL, Council committed £300,000 to Phase 1: being implemented early 2011.

(New Table 6b to be inserted) Delivery framework for Vision, Objectives, policies and proposals

Policy	Timeframe	Gross Floorspace / Dwellings provided (approx)	Key Bodies responsible for Delivery	Delivery Mechanisms
Policy TH3.4 Provision of an attractive, leisure cycle route to the Harbour	2011-2016	N/A	TDA, Torbay Council Highways and Spatial Planning Conservation Services	Capital funding, Sustrans/sustainable transport funds. Possibly further funding from s106 and CIL - would require a change in bylaws regarding use of public space.
Policy TH3.5 Establishment of a year round fast ferry service, with associated land based facilities between Torquay and Brixham	2011-2021	N/A	TDA, Torbay Council Strategic Transportation	Capital funding, possibly further funding from s106 and CIL. Private operator, location of new/improved embarkation facilities would need to be agreed by Harbour Authority, a subsidy is likely to be required in early stages before a service is able to operate on a fully commercial basis. Trial of fast ferry undertaken in Summer/Autumn 2008.
Policy TH3.6 Improvement of bus and taxi passenger waiting facilities in the Strand with higher quality information services	2011-2016	N/A	Torbay Council Strategic Transportation	Capital funding. Possibly further funding from s106 and CIL.

(New Table 6b to be inserted) Delivery framework for Vision, Objectives, policies and proposals

Policy	Timeframe	Gross Floorspace / Dwellings provided (approx)	Key Bodies responsible for Delivery	Delivery Mechanisms
Policy TH3.7 Provision of dedicated bus and taxi running lanes in the Strand and Cary Parade with an enlarged central reservation	2011-2021	N/A	Torbay Council Strategic Transportation, Highways	Capital funding. Possibly further funding from s106 and CIL.
Policy TH3.8 Permanent reallocation of highway space in Torbay Road to allow a single lane running in each direction	2011-2016	N/A	Torbay Council Strategic Transportation, Highways	Capital funding. Possibly further funding from s106 and CIL, this has now been partly implemented following reopening of Rock Walk.
Policy TH3.9 Improved provision of dropping-off space for coaches	2011-2016	N/A	Torbay Council Strategic Transportation, Highways	Capital funding. Possibly further funding from s106 and CIL.

(New Table 6b to be inserted) Delivery framework for Vision, Objectives, policies and proposals

Policy	Timeframe	Gross Floorspace / Dwellings provided (approx)	Key Bodies responsible for Delivery	Delivery Mechanisms
TH4 North Quay, the Pavilion and Princess Gardens	2011-2016	The level of development will depend upon the site acceptability of proposals, the overall desirability for regeneration of the seafront area and the need to ensure viability of the scheme put forward. Viability will be influenced by the balance between private and public sector investment needed to undertake critical works on the infrastructure for this area.	Private developer with TDA, Involvement of Torbay Council Residents and Visitors Services will be required. There have been pre-application discussions between the Council, TDA and Nicholas James Group in connection with a proposed waterfront development. Redevelopment, extension or repair of the promenade would require involvement of Torbay Council, Harbour Authority and MDL. MDL leases the Marina waterspace, the Car Park and Pavilion from Torbay Council. Environment Agency.	Planning application.

(New Table 6b to be inserted) Delivery framework for Vision, Objectives, policies and proposals

Policy	Timeframe	Gross Floorspace / Dwellings provided (approx)	Key Bodies responsible for Delivery	Delivery Mechanisms
TH5 Princess Theatre and adjoining promenade area	2011-2026	The level of development will be sufficient to enable the provision of improved 'back of house' facilities for the Theatre, including possible related theatre activities such as rehearsal rooms. Land identified to the east of the Theatre (opposite the existing Theatre foyer entrance) may feature one or more of the uses identified by Policy TH5. All development identified within this policy area should be capable of being accommodated satisfactorily within the site and contribute to the regeneration of the seafront area.	The Ambassadors Theatres Group with TDA; potentially other developers if a more comprehensive waterfront scheme came forward, engagement with other leaseholders required for redevelopment of Pier Point building. There have been pre-application discussions between the Council, TDA and Nicholas James Group in connection with a proposed waterfront development. Environment Agency.	Planning application.
TH6 1-9 Cary Parade (amusement arcades)	2011-2016	15-20 dwellings, 7,000sqm leisure and tourism uses.	Private developer (land in single ownership).	The Council has met the owner to discuss the THAAP, Planning application.

(New Table 6b to be inserted) Delivery framework for Vision, Objectives, policies and proposals

Policy	Timeframe	Gross Floorspace / Dwellings provided (approx)	Key Bodies responsible for Delivery	Delivery Mechanisms
TH7 Victoria Parade (various buildings)	2011-2016	Up to 50 dwellings, If redeveloped could provide 2,000sqm of retail, restaurants.	Private developers (land in multiple ownerships, engagement with other leaseholders required).	One or more planning application, possibly included as part of LABV, the buildings have been identified following the publication of the Torquay Harbour Conservation Area Character Appraisal and preparation of the THI funding bids.
TH8 The Terrace Car Park	2011-2016	Up to 100 dwellings, and/or 2,000sqm of business space. Approx. 250 parking spaces will need to be retained/reprovided.	Torbay Council owned, TDA are promoting redevelopment of this site.	Identified indicatively by TDA, who have undertaken initial feasibility analysis. Planning application.
TH9 Former Royal Garage site, Torwood Street	2011-2016	P/2009/0690 if implemented provides 12 dwellings, a hotel (3,303sqm), cinema (2,084sqm), 1 retail unit (544sqm) and 3 restaurants (1,133sqm).	Private developer (land in single ownership).	Scheme already granted for site, including Torwood Street frontage buildings, subject to approval of delegated matters and signing of s106, developer of this scheme is intending to submit an alternative application to the Council.

(New Table 6b to be inserted) Delivery framework for Vision, Objectives, policies and proposals

Policy	Timeframe	Gross Floorspace / Dwellings provided (approx)	Key Bodies responsible for Delivery	Delivery Mechanisms
TH10 Abbey Crescent (various buildings)	2011-2016	P/2009/0669 if implemented provides 8 dwellings, a hotel (2,574sqm) and commercial units (restaurants, cafes or drinking establishments) (2,619sqm). Plus a further quantum of hotel, leisure floorspace and residential depending if rest of the Crescent is developed either as part of an extension to the existing scheme or independently.	Private developer (buildings owned by two freeholders, engagement with these freeholders will be required).	Planning permission - scheme already granted for Palm Court Hotel subject to approval of delegated matters and signing of s106, extant permission for old Toll House, CPO may be necessary if scheme is not delivered to improve this gateway.
TH11 The Imperial Hotel	2016-2026	Redevelopment of hotel with a similar number of bedrooms and facilities.	Private developer in association with hotel owner and operator. The Council has previously had discussions with the hotel owner and a prospective developer regarding long term development proposals for the hotel.	A recent refurbishment programme has taken place, further development projects will be subject to intentions of The Imperial's owner and operator. Planning application.

(New Table 6b to be inserted) Delivery framework for Vision, Objectives, policies and proposals

Policy	Timeframe	Gross Floorspace / Dwellings provided (approx)	Key Bodies responsible for Delivery	Delivery Mechanisms
TH12 Beacon Cove	2011-2016	Up to 15 dwellings and appropriate beach related service and leisure facilities, up to 400sqm.	Private developer. Torbay Council or other public body will be responsible for maintenance of the beach. Engagement with Living Coasts will be required due to the interface between the aviary and beach.	Planning application. Extant permission for beach huts not yet implemented.
TH13 Cary Green and Strand public realm enhancements	2011-2026		TDA, Torbay Council Highways, Spatial Planning Conservation Services, Residents and Visitors Services.	Torquay Harbour Public Realm Masterplan (and as advised), Capital funding. Funding bids.
TH14 The Inner Harbour	2011-2016	At least 200 pontoon berths.	Private sector developer. The proposal for pontoons or heritage and leisure vessels have been identified as an option by the Harbour Authority.	Subject to future consent of the Harbour Authority, planning application likely to be required.
TH15 Strand (various buildings)	2016-2026	12-14 Strand - Similar floorspace to existing, some of the space may be reprovided as restaurants and cafes or business use on upper floors. 10 Strand – up to 400sqm of retail, residential or office use.	Private sector developer (engagement will be necessary with freeholders and operator of existing businesses)	Planning application, contingent on progress achieved through other retail opportunities being pursued through the LABV.

Funding mechanisms

- 6.21 Since the Regulation 27 THAAP was published in November 2010, there has been more certainty regarding the funding regimes that will help facilitate new development and infrastructure in the future. The Government intends to financially reward communities that deliver development with new incentives including Community Infrastructure Levy cash and a New Homes Bonus. The Government believes this will increase support for new development and indicate more clearly to existing residents the benefits that new growth and development are able to deliver for their area.
- 6.22 The **Community Infrastructure Levy** or **CIL** is a tariff based approach that local authorities can use to charge new developments. The CIL will pool contributions for infrastructure projects which have been prioritised by the local authority in order to support growth in their area. A proportion of the money raised can potentially be provided direct to local communities and neighbourhoods to spend on new facilities they wish to see provided. The CIL should provide more certainty for developers as there will be more information made available 'upfront' on the contributions they will be expected to provide.
- 6.23 The CIL relies on a charging schedule being drawn up setting out the rate for the levy, which in due course will be subject to public examination to assess the impact on development viability. The CIL will cover all but the smallest of developments (the complexity of s106 has tended to result in agreements being drawn up for the largest schemes). Specific rates can be set for different areas and types of development.
- 6.24 **S106 Agreements** between private developers and the local planning authority may be linked to a specific scheme to support or mitigate the impact of a development. Planning contributions are regulated by Government Circular 5/2005, setting out tests of reasonableness. Under the CIL regulations the scope of s106 is being limited to a smaller number of site-specific matters and the provision of affordable housing. If Torbay did not introduce CIL, the changes in legislation will significantly reduce the Council's ability to ensure new development provides the appropriate level of benefit to the local community.
- 6.25 The adopted "Planning Contributions and Affordable Housing Supplementary Planning Document" (April 2008) provides current guidance on when the Council will seek planning contributions or the provision of facilities from developers. In light of the ongoing harsh economic climate, an Update to the SPD was approved by the Council in June 2010. The SPD and June 2010 Update can be viewed at: www.torbay.gov.uk/ldfplanningcontributions.
- 6.26 The Government has recently consulted on proposals for a financial rewards programme to incentivise local communities to allow house building in their areas. The **New Homes Bonus** would see the Government match fund the additional council tax for each new home and property brought back into use, for each of the 6 years after that home has been registered with the Council tax department. There is a 'top-up' provided for new affordable housing. An implicit outcome is that where communities choose not to accept additional development they will not receive the financial benefits and new facilities that these incentives afford.
- 6.27 There will continue to be external grants for various different purposes where the Council may wish to prepare a **funding bid** in competition with other local authorities. A recent example is the money the Council received through being awarded 'New

Growth Point' status. The overall availability of these funding sources and total money being allocated is expected to fall. Bidding rules are likely to tighten.

- 6.28 Future sources may include for example, the new **Regional Growth Fund**. This particular fund will be awarded to projects that boost private sector job creation in areas where there is a high level of dependence on the public sector.
- 6.29 The Government intends to bring forward legislation providing new powers for councils to borrow against future tax revenues from for instance business rates. **Tax Increment Finance** uses this approach and may assist in unlocking schemes where otherwise there would be a funding gap.
- 6.30 In Torbay, the Torbay Development Agency (TDA) is establishing a joint venture vehicle known as a **LABV** or **Local Asset Backed Vehicle**. This is intended to act as a regeneration delivery vehicle with Torbay Council owned land and assets to be transferred to the LABV in order to lever in additional funding. This packaging of sites releases economies of scale which would not be apparent through each site being delivered in isolation. The LABV will potentially be able to cross-subsidise regeneration projects across the portfolio of Torbay sites within the vehicle. A number of development sites within the THAAP are likely to feature as part of the LABV.
- 6.31 An invitation for partners to join the TDA in a LABV was made in June 2010. A preferred LABV partner is due to be appointed in February 2011.
- 6.32 Other mechanisms available include the Council's ability to use prudential borrowing (as occurred with Rock Walk) and bring forward asset sales. However, clearly there will be interest payments the Council will have to meet and further asset sales will only be possible where the impact on service delivery is considered to be acceptable.

Changes to planning system

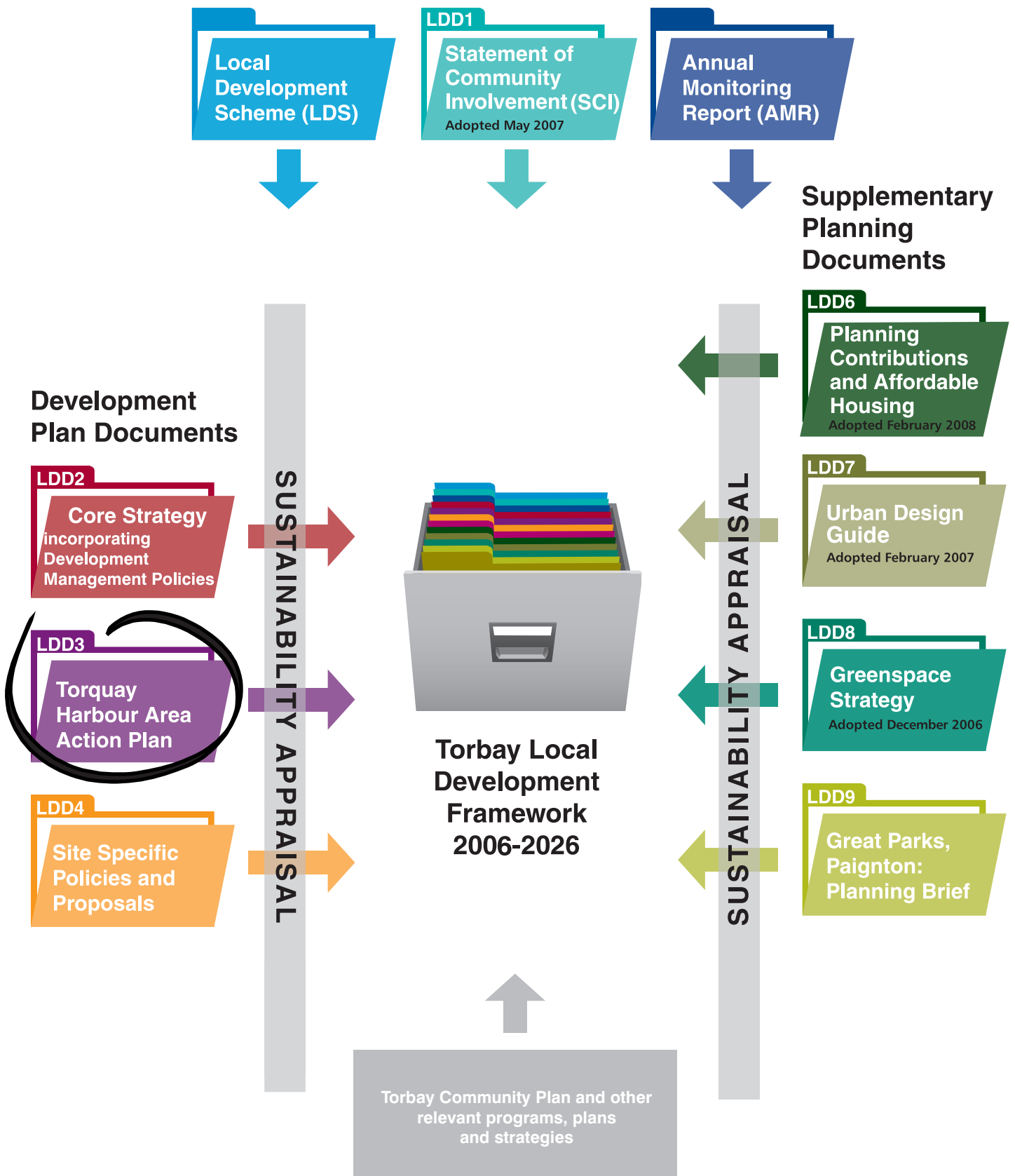
- 6.33 The Government published its paper on '**Local Growth**' on 28th October 2010 (Department for Business Innovation and Skills). This highlighted the end to top down initiatives, giving businesses and communities a greater role in shaping their own destinies and in the decision making process.
- 6.34 The **Decentralisation and Localism Bill** was published in December 2010 and signals further change in local plan making. The Government wishes to see decision making and provision of some services shifted away from central government to local communities, citizens and independent providers – the Big Society.
- 6.35 The Bill is now making its passage through Parliament but will not be fully enacted until some time in 2012. The Bill also confirms the Government's desire for Regional Spatial Strategies to be abolished (the SW Regional Spatial Strategy was never adopted). The requirement for housing targets to be set regionally for local authority areas will no longer exist as a consequence of the RSS's abolition.
- 6.36 The Government's suite of Planning Policy Statements will be replaced by a new streamlined national planning framework (and is identified in the Department for Communities and Local Government four-year business plan). The Government has stated that the replacement national framework will be less prescriptive and provide more freedom and flexibility for locally developed plans.

- 6.37 Of particular significance is the move to allow parish councils and new neighbourhood forums the opportunity to draw up their own **neighbourhood plans**. If local people vote in favour of the neighbourhood plan in a referendum, the Council would then have to adopt it.
- 6.38 There continues to be a role for local authorities to produce a strategic development plan (currently the Core Strategy) addressing matters such as housing, transport and economic regeneration. The new neighbourhood plans would need to assist the delivery of this strategic plan. There are also new powers proposed that will potentially enable communities to give planning approval for certain sites, as well as a further extension of permitted development rights so that more small scale developments will no longer require a planning application to be submitted.

Insert new header after paragraph 6.38: Infrastructure Needs

Existing paragraphs 6.19 to 6.30 will remain unchanged and be renumbered to reflect the insertion of additional text (to paragraph 6.39 - 6.50).

The structure of the Local Development Framework



Note: The status of certain Local Development Documents identified in earlier versions of the Torbay Local Development Scheme has changed as follows: LDD5 Generic Development Control Policies - now included in LDD2 Core Strategy. LDD10 Yalberton Road Paignton: Planning Brief has now been deleted.