

## TORBAY COUNCIL

Report No: Env/12/04

Title: **Devon Structure Plan: Proposed Modifications**

To: Executive on 30 March 2004

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### **1. Purpose**

- 1.1 This report summarises the proposed Modifications of the Devon Structure Plan 2001 to 2016 and suggests an appropriate response from Torbay Council.

### **2. Relationship to Corporate Priorities**

- 2.1 The Devon Structure Plan relates to all the Council's corporate priorities, and especially to themes 1: Creating opportunities for jobs and improving how we work; and 2: Protecting and enhancing Torbay's environment.

### **3. Recommendation**

- 3.1 That the Executive recommends Council to support the Proposed Modifications as the basis for adopting the Structure Plan, subject to the requirement for Torbay to have a Policy Inset which shows the strategic policies and proposals in greater detail than are shown in the Key Diagram.

### **4. Reason for Recommendation**

- 4.1 Torbay, like Plymouth and Exeter, which are already the subject of Policy Insets, is designated a Principal Urban Area [PUA] in Regional Planning Guidance; Policy Insets are a more appropriate means of showing the strategically significant policies and proposals, such as the Kingskerswell Bypass and the Long Road South prestige employment site.
- 4.2 It is unclear on the Key Diagram where the boundary of the PUA is drawn, and the Policy Insets would assist in clarifying this important aspect.

### **5. Background**

- 5.1 Torbay Council is one of four strategic planning authorities [the others being Devon County Council, Plymouth City Council and Dartmoor National Park], which have been given the responsibility of jointly preparing the Devon Structure Plan. This joint responsibility has been fully exercised at Member level, and the formal joint committee was supplemented by a joint Officer/Member Working Group and extensive joint working at all levels.
- 5.2 Following the report of the Examination-in-Public Panel in November 2003, the Proposed Modifications were published in February 2004. A copy of the Proposed Modifications is available in the Members' Room.
- 5.3 Most of the Panel's recommendations were accepted, including:
- ☐ Concentrating development in the Principal Urban Areas, in line with national planning guidance

- Increasing the overall level of housing provision within Devon by 1,000 dwellings [from 64,500 to 65,500]
  - Support for the new communities within South Hams and East Devon
  - Deleting the Areas of Economic Activity
  - Support for most of the strategic transport network proposals, including the A380 Kingskerswell Bypass
- 5.4 A few of the Panel's recommendations were not accepted, including:
- Recommendation that the guidance on the overall level of employment provision for each district be removed from the Plan – not accepted by the Structure Plan authorities
  - Recommendation that PUA boundaries be modified; in Torbay's case by the deletion of Westerland Valley, Marldon and Brixham – the removal of Brixham not accepted by the Structure Plan authorities [The inclusion of Westerland Valley was not proposed by the structure plan authorities, but became an issues during the EiP]
  - Recommendation that the A30/A303 Marsh to Honiton Link be deleted from the priorities for investment in transport – not accepted by the Structure Plan authorities; Torbay Council has made separate representations on the need for this link to be included as a priority in the emerging Regional Transport Strategy.
- 5.5 In Torbay's case, the Panel's recommendation for strategic housing and employment land provision [for 4,300 new dwellings and 60 hectares of employment land] were retained. In real terms, 4,300 new dwellings for the period 2001 – 2016 means a reduction in the average building rate to just under 300 new dwellings per year, and it is based on urban capacity assumptions which need to be updated in the near future. The relatively low completion rate in the Structure Plan for Torbay is in part a recognition of the strict policy constraints on greenfield land in Torbay, and is not a radical departure from the policy direction of the current Structure Plan.
- 5.6 The issue of Policy Insets has arisen since the Panel Report. In the Proposed Modifications, Plymouth and Exeter are the subject of Policy Insets, and these are the appropriate medium to show the boundary of the Principal Urban Areas and the key strategic policies and proposals. The absence of such a Policy Inset for Torbay has given rise to lack of clarity on the Key Diagram, especially in being able to ascertain the boundary of the PUA, but also in the relative 'overcrowding' of strategic policies and proposals in the Torbay area. Furthermore, in view of the fact that Torbay has the same designation in Regional Planning Guidance as Plymouth and Exeter, the case for parity of treatment is strong.
- 5.7 It is recommended that all the Proposed Modifications be supported, subject to the inclusion of Torbay in a Policy Inset, for the reasons set out in the above paragraph.

## **6. Alternative Options (if any)**

- 6.1 It is recommended that there is no realistic alternative option for Torbay.

**Mike Yeo**  
**Director of Environment Services**

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## IMPLICATIONS, CONSULTATION AND OTHER INFORMATION

### Part 1

Does the proposal have implications for the following issues?

Insert name of  
responsible officer

Legal (including Human Rights)	The broad requirements for the preparation of the Devon Structure Plan are set out in the Town and Country Planning Act 1990 [as amended] and the Town and Country Planning [Development Plan] [England] Regulations 1999. Additional guidance is set out in PPG12 'Development Plans' and in the [former] DETR booklet 'Structure Plans – A Guide to Procedure'	Stephen Pryor
Human Rights	The Devon Structure Plan aims to bring strategic planning issues before the public and all interested parties. Public consultation at all stages of Plan preparation has provided the opportunity for everyone to comment at these key stages. Policies and proposals are included in the Plan to secure a strategic basis for the provision of basic human needs for shelter, work, community facilities and quality of life.	
Financial – Revenue	No immediate direct implications other than modest costs associated with printing and administrative costs, which fall within the Structure Plan budget.	Stephanie Errington
Financial - Capital	The policies and proposals of the Plan, as part of the Development Plan for Torbay, may amend asset values that could have implications for the Capital Plan.	Adrian O'Rourke
Human resources (including equal opportunities)	No immediate implications at this stage of the Structure Plan preparation process	Susan Draper
Property	Structure Plan policies and proposals will have implications for all land and property owned by the Council.	Sam Partridge

## Part 2

Does the proposal have implications for the following issues?		
Please give details as appropriate		
Sustainability	Yes	The Devon Structure Plan policies and proposals provide a strategic framework for a wide range of sustainability considerations, including protection of the environment, resource conservation, social equity and cohesion, economic, housing and transport development.
Crime and Disorder	Yes	Indirectly, as part of the Torbay Development Plan
*OfSTED Post Inspection Action Plan	No	Not applicable
*Social Services Action Plan	Yes	The Structure Plan sets a strategic framework for the provision of affordable housing
*Change Management Plan	Yes	A quick progression of the Structure Plan through the Modifications stage to adoption will provide the Council with a clear and up-to-date strategic planning policy framework, which as part of the Torbay Development Plan, will provide a sound basis for decision making.

## Part 3

Does the proposal have implications for the following Directorates? If so, please inform the relevant Director.		
Please give details as appropriate		
All Directorates	Yes	All development undertaken by Council Directorates [and the TDA] should be in accordance with the policies of the Structure Plan.
Chief Executive/Corporate Services	Yes	Important administrative role
Education Services	Yes	Provision of education, cultural and leisure facilities
Environment Services	Yes	Determination of planning applications in accordance with the Torbay Development Plan, of which the Structure Plan forms a part
Social Services	Yes	Strategic basis for Torbay's housing provision and affordable housing policies

## Part 4

Is the proposal contrary to or does it propose amendment to the Policy Framework or contrary to (or not wholly in accordance with) the Council's budget?	Yes	X	Fill in Box 1	Fill in Box 2
<p>1. Details of the nature and extent of consultation with stakeholders and relevant select committees.</p> <p>The Devon Structure Plan is a statutory document that is prepared in accordance with the relevant Regulations. The Plan has been the subject of extensive formal public consultation with a wide range of individuals and organisations and has recently been scrutinised through the Examination in Public [June –July 2003]. There has been full publicity and involvement of Torbay Members, jointly with Members from the other structure plan authorities through the Devon Structure Plan Joint Committee and associated meetings and working parties.</p>				
<p>2. Details and outcome of consultation, as appropriate.</p>				

## Part 5

Is the proposal a Key Decision in relation to an Executive function?	Yes	X	Reference Number X43/2003	
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## Part 6

### **Wards**

All Torbay Wards

### **Appendices**

None

### **Documents available in Members' Room**

Background Paper 3 is available in the Members' Room

### **Background Papers:**

The following documents/files were used to compile this report:

- 1 Devon Structure Plan 2001-2016 Deposit draft [July 2002] \*
- 2 Devon Structure Plan 2001-2016 Examination in Public – Report of the Panel [October 2003]\*
- 3 Devon Structure Plan 2001-2016 Proposed Modifications to Deposit Draft Policies and Proposals [February 2004]
- 4 Structure Plans – A Guide to Procedures [DETR 1999]\*
- 5 The Town and Country Planning [Development Plan] [England] Regulations [1999]\*

Note: \* Available for inspection on request