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Dear Member

PLANNING COMMITTEE - MONDAY, 14 DECEMBER 2020

I am now able to enclose, for consideration at the Monday, 14 December 2020 meeting of the Planning Committee, the following reports that were unavailable when the agenda was printed.

Agenda No	Item	Page
5.	Crossways Shopping Centre, Hyde Road, Paignton P/2020/0731	(Pages 142 - 182)

Yours sincerely

Amanda Coote
Clerk

TORBAY COUNCIL

Application Site Address	Crossways Shopping Centre, Hyde Road, Paignton
Proposal	Redevelopment of redundant shopping centre comprising: demolition of shopping centre and associated multi-storey car park and erection of five storey sheltered (use class C3) scheme block of 13 flats, commercial and associated ancillary space. Erection of seven storey extra care (use class C2) scheme of 76 flats, commercial, communal and associated ancillary space.
Application Number	P/2020/0731
Applicant	Torbay Council
Agent	Architects Design Group
Date Application Valid	31 July 2020
Decision Due date	30 October 2020
Extension of Time Date	14 December 2020
Recommendation	Approval: Subject to planning conditions as outlined within the report, final consultation response from the Highway Authority confirming no objections and consultation with Natural England.
Reason for Referral to Planning Committee	Major Application
Planning Case Officer	Jim Blackwell

Location Plan



Site Details

Crossways Shopping Centre was built in the 1960s and its plan form, elevational treatment and use of materials is considered typical of post-war Brutalist architecture. It is linear on plan linking Torquay Road with Hyde Road from west to east. The setback, two storey elevation on to Torquay Road includes a central, partly enclosed passageway flanked by redundant commercial premises leading to Hyde Road (A3022). The canopied entrance opens out towards a pedestrian crossing with Victoria Park beyond. A multi-storey car park with 133 spaces is located at the centre. A tall rectangular steel, concrete and glass enclosed staircase provides access from the Hyde Road end of the site.

The eastern area of the site is formed by vacant commercial premises comprising of former food establishments and shops, surrounded by a hardstanding pavement. The independent pedestrian and multi-storey entrances to the site are on the eastern boundary from Hyde Road. The entrance to the multi-storey carpark comprises a tarmac roadway which also connects through to Hyde Road. There is a controlled

pedestrian crossing opposite the site as it crosses the two lanes of Hyde Road. This is one-way and directed either into Paignton town centre and Brixham or back around towards Torquay. Adjacent the site, on the opposite side of Hyde Road, is a row of shops, with projecting flat roof shopfronts and residential flats above. The rhythm of the plot widths, gable roofs and use of brick are notable, positive townscape features.

The site is bounded to the north by a narrow tarmac roadway, part of which is within the site boundary. An electrical substation is within this area and adjoins the multi-storey carpark. The substation separates the site from the rear of the Isaac Merritt public house which utilises a small triangular space as a beer garden. A three storey, brick building with chamfered corner sits behind the public house with narrow windows facing back towards the Hyde Road entrance. As the roadway rises from Hyde Road there are varying building heights single to three storey residential properties and rear of the retail units. The first two buildings are directly adjacent the roadway, then narrow areas of amenity space sit behind block walls as the site boundary passes the substation towards Torquay Road.

The western part of the site comprises further commercial premises (shops and food establishments) surrounded by hardstanding pavement. This area of public space is well used but contains various operational and redundant pieces of street furniture. A row of pay and display parking spaces separate the site from Torquay Road. An uncontrolled pedestrian crossing, with dropped kerb is provided adjacent the site. The western end is also occupied by the front facing Post Office on the south side and a takeaway and the Isaac Merritt public house to the north.

The Post Office operate their delivery office to the south of the site. This connects with the Post Office on Torquay Road. The building is L-shaped on plan, with a pitched roof and a hip end facing the site boundary. There is a parking and loading area between the front facing building and the delivery office. A BT exchange building sits to the south and has a large array of services and telecommunication equipment on the roof. The elevation facing the site has a number of openings, but those facing the site remain blank.

The topography of the site and surrounding area is generally sloping downgradient from Torquay Road to the west towards the Hyde Road to the east.

The site is near to the Old Paignton Conservation Area and several listed buildings. A mains sewer cuts across the site and has informed the plot positions given the easement required. The site is located within Flood Zone 1, as designated by the Environment Agency. The site forms part of the built up area, but is not otherwise subject to any designations within the Torbay Local Plan.

Description of Development

The application seeks to redevelop the redundant shopping centre by demolishing the entire site, including the multi-storey car park. The only retained structure would be the electricity substation. The site area is 0.477 hectares (4,771m²) with the proposed gross floor space 931m².

The proposed replacement building include a five storey sheltered scheme block of 13 flats, with commercial (volume of 179m²) and associated ancillary space facing Torquay Road. Torquay Road will be retained as a pedestrian entrance with removal bollards provided for emergency access.

A seven storey extra care scheme of 76 flats is proposed in the centre of the site with communal and associated ancillary space. This element is broadly C-shaped with taller block in the centre and terrace presented to Hyde Road with café and commercial unit (348m²) on the ground floor. The main vehicular entrance will be from Hyde Road, with a segregated route for pedestrians.

Apartments will be one and two bed in nature, with the majority, 75%, being one bed. This will provide accommodation approximately 72 people in the extra care units and 15 in the sheltered. Whilst the sheltered element is restricted to over 55's and the extra care has no age restriction, but all occupants will have a care and support need whether this is mental health or physical disability. The applicants expect a high proportion of residents (in both extra care and sheltered) to have some kind of mobility issues. All flats will be accessible by wheelchair.

Extra care housing is for residents with care and support needs. It is available to all age ranges and residents benefit from the facility being staffed 24/7 providing peace of mind to residents and their families.

It provides a range of communal facilities including shared gardens, restaurant, communal lounge, commercial laundry and a guest suite for visitors. The homes are designed and constructed in a way that allows the adaptation of the home to ensure they really are lifetime homes. The scheme would also benefit from a range of telecare, taking advantage of technology to allow residents to be more independent whilst also being supported.

Sheltered housing comes in many different forms, but the in this particular instance the accommodation is age restricted, but has no specific communal facilities.

The table below sets out the schedule of accommodation:

	1 bed, 2 people	2 bed, 2 people	2 bed, 4 people
Ground Floor	-	-	-
1st Floor	13	1	1

2nd Floor	15	2	1
3rd Floor	18	1	1
4th Floor	17	1	1
5th Floor	7	0	3
6th Floor	6	0	1
Totals	76	5	8

	1 bed, 2 people	2 bed, 2 people	2 bed, 4 people	Total
Sheltered	11	0	2	13
Extra Care	65	5	6	76
Total				89

The applicant has expressed an intent to deliver 100% of these homes as affordable homes.

The current car park provides 133 spaces arranged over three decks including the top surface. The site proposes 24 car parking spaces, three of which are for disabled users. Three spaces also propose electric vehicle charging points, one of which is retained for disabled users.

The core of the site will include an inner landscaped garden, large communal lounge and activity space. A parking and drop-off area will be provided in between the Hyde Road building and the central building. This area sweeps around towards the core of the site and includes seating, lighting and planting. Steps and ramps provide pedestrian access.

Hard and soft landscaping is proposed in and around the site. The Inclusion of a 'roof garden' area at the Level 5 roof forms an integral part of the design approach for the extra care buildings as does the inclusion of an additional number of smaller balconies on the external elevations.

Cycle and mobility scooter spaces are provided in both buildings. New lifts and stair cores will be also be provided to access the upper levels of both buildings.

The elevational treatment utilises a range of facing materials including a range of brick styles and finishes, terracotta tiling, zinc and metal cladding with metal and glazed balconies.

The retention of a public right of way between Torquay Road and Hyde Road, as supported by the adopted Paignton Neighbourhood Plan and Paignton Masterplan.

A development of this scale should deliver a minimum of 20% affordable housing to comply with Policy H2 of the Local Plan. A planning condition will secure the delivery of this.

Relevant Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 places a duty on local planning authorities to determine proposals in accordance with the development plan unless material considerations indicate otherwise. The following development plan policies and material considerations are relevant to this application:

Development Plan

- The Adopted Torbay Local Plan 2012-2030 (The Local Plan)
- The Adopted Paignton Neighbourhood Plan 2012-2030

Material Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Published standing advice
- Planning matters relevant to the case under consideration, including the following advice and representations, planning history, and other matters referred to in this report.

Relevant Planning History

Pre-application enquiry: collaborative design process with the case officer.

There are a number of previous planning applications associated with the site, the majority of which relate to the various retail uses.

Summary of Representations

Approximately seven objections and fourteen comments in support of the scheme had been received at the time of drafting this report. The following provides a summary of the main issues identified and where appropriate a summary response is provided by the planning officer. Where appropriate the issues raised are discussed further in the Key Issues/Material Considerations section of this report.

The concerns raised in the objections are as follows:

- Lack of information.
- Inaccurate information provided within the application form.
- Loss of parking.
- Lack of provision of electric vehicle charging points.
- Potential impact of noise from adjoining sites.
- Overall building height.
- Impact on the setting of the Old Paignton Conservation Area.

Comments in support include:

- Removal of an 'eyesore'.
- Provision of housing.
- Provision of town centre facilities.

Pre-application engagement:

Due to the current circumstances it was not possible to conduct any face to face engagement, but a press release advertised the proposals both on the Council's website and consultation boards were produced which were located in the Paignton Library building. Presentations were also given to the Paignton Neighbourhood Forum. Thirty Six forms were completed and when asked if they were supportive of the redevelopment proposal for the Crossways shopping centre 88% agreed. 77% were in support of the Crossways Shopping centre and car park being demolished and 86% agreed to the site being re-developed to form a mix of uses including homes.

Summary of Consultation Responses

Paignton Neighbourhood Forum:

No response received.

County Archaeologist and Historic Environment Manager:

Confirmed that the implementation of the submitted WSI will satisfy the archaeological condition.

Torbay Council's Senior Tree and Landscape Officer:

The existing site does not contain any trees within the boundary edge. I note, however, that no provision has been made for landscaping. I would like to see some commitment to the provision of landscaping within the design.

Torbay Council's Senior Environmental Health Officer:

The waste and recycling storage and collection arrangements for this development are well thought out and will be adequate for the development as it is described.

I would like to seek further clarity about where the refuse / recycling collection vehicles can stop to collect from stores C1 and R1. For the other bin stores there is very clear information about where the vehicles can stop and how the waste and recycling will be moved as close to this point as possible (i.e. site management will move them). I am concerned that there is too greater distance between the public highway and these two stores, so would also seek clarification of whether proposed roads within the development will be adopted or not.

Torbay Building Control:

This application would require Building Regulation approval via the Full Plans application route. Formal consultation would be undertaken with Devon and Somerset Fire and Rescue Service as the scheme developed. My colleagues have already been

involved in initial assessment of the scheme and we continue to look forward to working with the client and their professional team as the process continues. For a development of this size there are of course multiple requirements to consider under the Building Regulations and this initial consultation does not seek to enter into detail. Below is an initial “high level” list of items that will need consideration as the scheme develops, this list is not exhaustive to all requirements.

Part A – Structural Design to include a full site investigation; appropriate foundation design i.e. strip/pad or piling types (taking into account neighbouring structures); provisions to prevent disproportionate collapse.

Part B – Fire safety to include means of escape from all buildings to a place of safety taking into account travel distances, escape widths of indoor and outdoor public areas and spaces; external cladding requirements; unprotected areas between the buildings; fire service access and firefighting facilities etc. Fire Service Access and Facilities is a requirement which needs consideration as part of the Planning process. This could affect the access layouts within the site. Fire Service Access and facilities is covered under Regulation B5.

Part C – Assessment of any contaminated land etc.

Part F – Ventilation of commercial and domestic uses including outlet locations of MVAC equipment.

Part H – Drainage design including building over and near public sewers on and around the site; drain capacity; solid waste storage and travel distances to collection points.

Part M – Inclusive design and access for all including suitable surfaces for wheelchair/mobility scooters/walking sticks etc.

Natural England:

Await Natural England comments.

Torbay Council’s Engineering Service Manager:

As there is insufficient room on the site for infiltration drainage the developer is proposing to discharge his surface water run-off at a controlled discharge rate to the Victoria watercourse.

The proposed discharge rate of 2.0l/sec complies with the requirements of the Torbay Critical Drainage Area.

Within the site specific flood risk assessment, it is identified that although the development site is not at risk of coastal flooding when taking account of climate change and freeboard the site will require flood resistance and resilience measures to be incorporated. At present the finished floor levels for the commercial element of the development has not been confirmed. Further details of the proposed flood resistance and resilience measures may be required following confirmation of the finished floor levels.

Within the site specific flood risk assessment the proposed surface water drainage strategy is identified together with the hydraulic design for the surface water drainage.

Provided the surface water drainage is constructed in accordance with the submitted drawings and hydraulic design, I have no objections on drainage grounds to planning permission being granted for this development.

In response to the request for finished floor levels the Engineering Service Manager stated:

- Within the site specific flood risk assessment, it is identified that although the development site is not at risk of coastal flooding when taking account of climate change and freeboard the site will require flood resistance and resilience measures to be incorporated.

- Based on the finished floor levels quoted on the latest plan the commercial elements of the development will require flood resistance and resilience measures will be required and these must be incorporated as identified within the submitted site specific flood risk assessment.

Provided the flood resistance and resilience measures identified in the site specific flood risk assessment are incorporated into the construction of the development I have no objections on drainage grounds to planning permission being granted.

South West Water:

South West Water has no objection.

As noted/shown in the application details a public sewer crosses the site and no buildings or structures should be placed within 3.5m of this without our prior consent.

Environment Agency:

No response received.

Police Designing Out Crime Officer:

The police raise no objections to the proposal subject to a condition requiring details of CCTV and lighting.

Torbay Council's Highways Engineer:

Prior to a recommendation being made by the Highway Authority, the applicant will be required to address the following points:

The applicant will be required to provide an analysis of the causation factors for the cluster of accidents within the vicinity of the Torquay Road / Church Street / Hyde

Road signalised crossroads. Additionally, the causation factors for the accidents involving pedestrians will need to be analysed.

The applicant will be required to provide the quantum and location of cycle storage for the re-development. Cycle storage will be required to be secure and covered.

The applicant will be required to provide clarification for the location of bin stores for the residential aspect of the re-development.

The applicant will need to provide evidence that the reduction of car parking spaces from the multi-storey car park can be sufficiently achieved without a detrimental impact on the local highway network.

Further clarification is needed regarding emergency vehicle access to the site. The applicant will be required to provide a swept path analysis of emergency vehicles accessing / manoeuvring / egressing the site as well as further detail regarding the lockable bollards.

Further information has been submitted to address the points above and the Highway Authority have been re-consulted. A verbal update on this response will be provided to the Committee.

Torbay Council's Senior Strategic Planning Officer:

The redevelopment of the vacant and semi-derelict site is a vital part of the regeneration of Paignton Town Centre, and makes good use of a brownfield site in a sustainable town centre location to provide housing. Accordingly, the proposal is supported in policy terms.

The Crossways site is identified for redevelopment in Policies PNPH1, PNPE1 and SDP2 of the Adopted Local Plan. The Paignton Neighbourhood Plan does not make site allocations but Policy PNP8 supports redevelopment for retail/mixed use on the ground floor and residential above, subject to the retention of a pedestrian link between Hyde Road and Torquay Road. PNP13b) ii) supports housing opportunities at Crossways. The site is identified for redevelopment in the Paignton Town Centre Masterplan SPD (Adopted June 2015) and an indicative layout is included (see the attached comments on the feasibility scheme). On the basis of the above, the principle of a mixed use development with commercial on the ground floor and residential above is in accordance with the development plan and

I welcome that the proposal retains ground floor commercial use of both Torquay and Hyde Road frontages and Local Plan policies TC2-TC4 are relevant. Both frontages are secondary shopping and suitable for a range of commercial use. The COVID-19 crisis has impacted significantly on town centres and highlights the need for greater flexibility to ensure that town centres continue to serve a commercial and community

purpose. In the past, planning advice has always been that a retail (Class A1) use would be preferable on Torquay Road. However the Government has significantly liberalised the Use Classes order to combine former A1 to A3, B1 and some Class D uses into a Class E commercial use class. I would suggest that in order to maximise the chances of the redevelopment being successful and supporting town centre regeneration that the commercial floor spaces should be given an open Class E consent (which would allow them the flexibility of other shops in the vicinity).

The proposal provides for 13 sheltered and 76 extra care apartments. These are self-contained units and should be considered to be housing for the purposes of housing land supply, affordable housing etc. There is a much more detailed assessment of why the LPA considers Extra Care units to be housing attached to the Sladnor Park application (P/2018/1053). As such the contributions to five year supply is a significant factor in the scheme's favour. Policy H6 of the Local Plan sets out considerations for people in need of care. Crossways is in a very sustainable town centre location, close to a range of facilities and transport routes and scores well against policy H6.2. The application is by Torbay Council and I am not sure how it will be managed or disposed of. It would be preferable for occupancy to be controlled to being for residents already in the Torbay area. However if occupancy is not restricted to local people, the final paragraph of Policy H6 seeks a contribution towards healthcare and social services costs. The Planning Contributions SPD (2017) sets this at £1,300 per unit (Table 3.7).

Because the building is a brownfield site, Policy H2 of the Local Plans seeks affordable housing at 20%. It would be eligible for vacant building credit from the existing floorspace (which is not stated on the application form).

The Council does not seek CIL from extra care units or town centre retail /commercial uses. The sheltered apartments are likely to be CIL liable at £30 per sq. m. I may have missed it, but I cannot see a submitted CIL form.

My comments on the pre-application feasibility scheme indicated the need to address flooding and heritage issues. The TDA has submitted a Flood Risk Assessment which notes that the majority of the site is in flood risk zone 1, and that an emergency plan will be provided to occupiers. In any event, the ground floor uses are largely commercial and ancillary.

With regard to heritage assets, there is a detailed heritage assessment which considers the impact on heritage assets including Old Paignton Conservation Area and listed buildings. I am glad to note that the assessment considers the architectural/heritage merit of the site as an example of post-war Brutalist architecture. There is a general consensus that the 1960s building is no longer fit for purpose, is unrelated and unsympathetic to heritage assets in the area, and is generally unloved. On this basis, the regeneration benefits of redevelopment of the site are significant.

WSP will be providing detailed highways comments. Policy PNP8 (c) seeks to retain a pedestrian link between Torquay Road and Hyde Road. It would be worth ascertaining if the current route is a public right of way. There does not appear that a route through the site prior to Crossways being built in the mid-1960s, and I believe that owners have stopped the route becoming a public highway; but this should be confirmed. A continued access through the site appears to be catered for in the Design and Access Statement, but the site layout plan appears a little less clear. Please can the pedestrian route and means of separating pedestrians from cars, and security measures to prevent anti-social behaviour be specified. (I am aware that the current route feels unsafe at night, but the current proposal offers an opportunity to improve this).

The proposal provides for 24 parking spaces, which is within the range sought by the Local Plan (which specifies a minimum of 1 space per 5 dwellings). Given the site's central location a low level of car parking is acceptable. However, as an operational matter it would be worth confirming that 24 spaces would be adequate to meet users' demand. Provision for minibuses and emergency vehicles will also need to be made. In my pre-application comments I also asked for more than 3 disabled spaces; whereas the current scheme only provides for 2. Given the rapid evolution of plug-in car technology, some electrical charging points should be provided.

In summary, there is a strong policy support for the proposal. Whilst there are some minor issues to be addressed as above, these are matters of detail, and I hope that the scheme can be expedited.

Torbay Council Community Safety Team

No objection, subject to conditions on noise, in accordance with the submitted survey and control over the construction and demolition process.

Given the findings of the HRA screening and Contamination Report a second phase report is required to understand the nature and extent of contamination on the site.

Planning Officer Assessment

Key Issues/Material Considerations:

1. Principle of Development
2. Design and Visual Impact
3. Impact on Heritage Assets
4. Impact on Residential Amenity
5. Impact on Highway Safety
6. Ecology and Biodiversity
7. Drainage and Flood Risk
8. Low Carbon Development
9. Other Considerations

1. Principle of Development

The redevelopment of the vacant site is considered a vital part of the regeneration of Paignton town centre. It is widely accepted among the local community that the existing Crossways site detracts from the overall character of the town. It makes positive use of a brownfield site in a highly sustainable town centre location to provide housing.

The Crossways site is identified for redevelopment in Policies PNP1, PNPE1 and SDP2 of the Adopted Local Plan. The Paignton Neighbourhood Plan Policy PNP8 supports redevelopment for retail/mixed use on the ground floor and residential above, subject to the retention of a pedestrian link between Hyde Road and Torquay Road. PNP13b) ii) supports housing opportunities at Crossways. The site is identified for redevelopment in the Paignton Town Centre Masterplan SPD (adopted June 2015) and an indicative layout is included. On this basis, the principle of a mixed use development with commercial on the ground floor and residential above is in accordance with the Development Plan.

The proposal retains ground floor commercial use of both Torquay and Hyde Road frontages and Local Plan policies TC2 and TC4 are relevant. Both frontages are secondary shopping and suitable for a range of commercial use. The current COVID-19 crisis has impacted significantly on town centres and highlights the need for greater flexibility to ensure that town centres continue to serve a commercial and community purpose. In the past, planning advice has always been that a retail (Class A1) use would be preferable on Torquay Road. However, the Government has significantly liberalised the Use Classes order to combine former A1 to A3, B1 and some Class D uses into a Class E commercial use class. In order to maximise the chances of the redevelopment being successful and supporting town centre regeneration that the commercial floor spaces are recommended to be given an open Class E consent (which would allow them the flexibility of other shops in the vicinity).

The proposal provides for 13 sheltered and 76 extra care apartments. These are self-contained units and should be considered to be housing for the purposes of housing land supply and affordable housing. As such, the contributions to five year supply is a significant factor in the scheme's favour. Policy H6 of the Local Plan sets out considerations for people in need of care. Crossways is in a highly sustainable town centre location, close to a range of facilities and transport routes and satisfies Policy H6.2.

Policy H2 of the Local Plan requires a development of this scale on brownfield land to provide a minimum of 20% affordable housing. The applicant has stated that the scheme will be delivered as a 100% affordable scheme which is welcomed and is a significant public benefit. The Local Planning Authority however can only enforce the provision of the policy complaint 20%, the delivery of the additional 80% will be at the discretion of the applicant.

Bearing the aforementioned points in mind, the principle of a mixed use development of residential and commercial uses in this location is deemed to be acceptable and would accord with the relevant Development Plan policies identified.

2. Design and Visual Impact

Paragraph 124 of the National Planning Policy Framework (NPPF) states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. In addition, paragraph 130 states that 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'. Policy DE1 of the Local Plan states that proposals will be assessed against a range of criteria relating to their function, visual appeal, and quality of public space. Policy PNP1(c) of the Paignton Neighbourhood Plan states that development proposals should where possible and appropriate to the scale and size of the proposal to be in keeping with the surroundings respecting scale, design, height, density, landscaping, use and colour of local materials.

The application is supported by both a Design Statement and Access and Design Statement. Pre-application advice was provided and the scheme evolved in response to a range of comments around overall size, scale, presentation to Hyde Road and Torquay Road and the user and visitor experience. The strong built form and vertical rhythm of the adjacent buildings has been considered, whilst balancing this with the role of the site as an entry point into the town centre and impact on the setting of the Old Paignton Conservation Area.

Policy DE4 states that the height of new buildings should be appropriate to the location, historic character and the setting of the development. New development should be constructed to the prevailing height within the character area in which it is located, unless there are sound urban design or socio-economic benefits to justify a deviation from this approach.

The policy goes on to state that new buildings above the prevailing height will be supported where they:

- Enhance the vitality of an area.
- Contribute to the regeneration of Torbay.
- Strengthen the character of an area.
- Are appropriate in terms of their visual impact.
- Provide wider urban design or socio-economic benefits.
- Make a positive addition to the built form, townscape and surrounding landscape; and
- Preserve or enhance local and long-distance view, and key vistas.

The proposed building would be approximately 2m higher than the BT exchange building to the south. In the context of the immediate neighbouring properties and the wider area, it is clear that the prevailing building height is varied and is characterised by a variety of building heights located at a range of different ground levels, the proposal is not considered to be contrary to Policy DE4, or harmful to the local character. In any case, it is considered that the proposed building would meet the criteria listed above in terms of enhancing the vitality of the area, providing socio-economic benefits and contributing to the regeneration of Torbay.

Policy PNP1(c) Design Principles states that development proposals, should where possible and appropriate to the scale and size of the proposal: ii) being in keeping with the surroundings respecting scale, design, height, density, landscaping, use and colour of local materials. For the reasons discussed above, in relation to the Torbay Local Plan design policies, the proposed development is considered to accord with policy PNP1.

The Design and Access Statement provides a figure ground plan which shows the simple approach of the building plots in comparison to the existing. The extra care housing scheme is the dominant built form to the east of the site given the seven storey height. The secondary and more regular form of the five storey sheltered housing block forming a linear street frontage at the western edge. A built hierarchy has been created between the buildings, from the curved three storey section running adjacent to the Hyde Road through to the tallest part of the scheme. This is intentionally placed at the core of the site to reduce the impact on the surroundings.

The interior built form of the site, particularly the central seven storey block are not readily available from key vantage points. The Design and Access statement provides an analysis of the visual impact on distant key views. It is not considered to negatively impact on views towards this part of the town centre.

Legibility of the space around the buildings has been a critical consideration. The buildings use several key points to reference points of arrival. The architectural form provide key corner features; two on Hyde Road, one of Torquay Road and two internally within the site. There are also four key spaces with the semi-private courtyard available for social activity and is bounded by accessible walkways and shared facilities. Distinct pedestrian access will be provided with hard and soft landscaping at either end of the site.

A number of trees are proposed alongside the link between Torquay Road and Hyde Road. As the site is accessed from the west the parking area will be arranged as a home zone with small areas of planting and surfacing with a pedestrian priority. A change of materials will denote a service area to the north of the site boundary linking the backs of the properties on Hyde Road and the electricity substation. The northern end of the building and foyer entrance will become an 'active edge' with high quality

materials, seating lighting and planting. The café and pedestrian site entrance will sit beneath a building overhang to provide shelter.

The Torquay Road building is at three storeys to the front at a similar scale to the three storey shops further along Torquay Road. This attempts to provide a continuation of existing scale at street level and rhythm. A fourth storey is set back from street line with a traditional dual pitch roof form. At ground floor the commercial use is set back with the use of a colonnade. The proposed materials include a variety of brickwork, standing seam zinc coated metal and uPVC windows and doors.

The Hyde Road elevation follows similar proportions and use of materials. A gap is maintained at either end from the existing buildings. Covered balconies are formed in at the southern end with a landmark corner building at the entrance. A building cut back and open elevations announce the corner.

The internal C-shape block continue the theme of materials. Balconies are also provided on the upper floors.

Generally, the approach to the ground floor fenestration proposes a scale appropriate to the size of the buildings. It attempts to create large areas of glazed wall and openings set against large areas of mass. There is a clear contrast of adjacent elements of solid and void, a two storey open undercroft has been created at the main entrance area off Hyde Road and fronting the link between the two north to south oriented elements of the building. This along with the glazed façade in this part of the building, creates a sense of arrival as well as inviting a level of visual Interaction between the internal adjacent functions of the building and the street beyond.

It is considered that the form and layout of the scheme makes effective use of the land and responds well to the topography of the site. The design enables the creation of strong building frontages which enable active surveillance to increase safety and security. The overall layout and form appears to respond effectively to the topography of the site. Given the proposal's siting, scale, and design, it is considered to be acceptable and without unacceptable detriment to the character and appearance of the locality or street scene. The proposal is therefore considered to be in accordance with Policy DE1 of the Local Plan, Policy PNP1(c) of the Paignton Neighbourhood Plan and the guidance contained in the NPPF.

3. Impact on Heritage Assets

The NPPF guides that when considering the impact of a proposed development on the significance of a designated heritage asset, that great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (Para 193). The NPPF further states that any harm to, or loss of, the significance of a designated heritage

asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification (Para 194). It guides that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use (Para 196).

In terms of the local Development Plan it is guided that development proposals should have special regard to the desirability of preserving heritage assets and their setting (Policies SS10 and HE1 of the Local Plan). This is aligned with the duties for decisions as laid out within the Planning (Listed Buildings and Conservation Areas) Act 1990 c.9 para 66, where decisions shall have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.

The application is supported by a Heritage Statement which recognises the significance of the Scheduled Monument, listed buildings and the non-statutory historic assets within the Old Paignton Conservation Area and its immediate vicinity. The statement demonstrates that there is no significant impact upon the setting of these listed buildings and the wider Conservation Area by the proposed development.

The various assets, their significance and the impact of the proposal on their setting is provided below:

Parish Church of St John the Baptist is a grade I listed church approximately 150m to the west of the site. Although the seven storey proposal on to Hyde Road would produce additional visual elements, these are considered to be low impact because of the existing trees, distance and its location away from the main aspect of the church.

Grade II* listed wall to the former Bishop's Palace and corner tower are over 600m away to the west. The scale of the proposed development coupled with the existing buildings and topography ensures there is no indivisibility between the former Bishop's Palace and the site.

The Old Well House Public House, Nos. 3 and 5 Torquay Road, are grade II listed, 100m to the south west of the site. This setting forms a very small part of the public house's significance, and while the four-storey proposal on to Torquay Road would produce additional visual elements, these are considered to be negligible because of the mixed architectural streetscape, distance, set-back nature of the proposal and existing trees.

Paignton Community College, Bishops Place is a grade II listed, two-storey early 20th century building, formerly the School of Art and Science. The scale of the modern development and the existing buildings and prevailing topography ensures there is no indivisibility between the former School of Art and Science and the site.

Old Paignton Conservation Area is located to the west and south. The boundary runs in an L-shape from the south of Hyde Road around to Church Street to the west. The footprints of both blocks will be considerably smaller than those of the existing Crossways buildings, which also allows for the introduction of a shared green space and other soft landscaping. The Torquay Road block will be five storeys in height with a staggered seven storey block located on the lower slopes at the eastern end of the site. Both buildings will be under flat roofs and this relatively low profile will allow the development to blend into the existing townscape. Although the upper storey of the Hyde Road development will be visible from the historic core of Paignton to the west, this would only be from the south eastern part of the graveyard and its impact on the Old Paignton Conservation Area is therefore considered to be low.

There is a Scheduled Monument near the site, the Bishop's Palace. The standing and buried remains of the medieval walled palace of the Bishop of Exeter, is 130m to the west of the proposal area. The impact of the proposal on this asset is considered low.

The connection between Victoria Park, to Hyde Road and Torquay Road is not just an important localised connection, but forms part of a more strategic cross town heritage route linking the pier on the seafront to the top end of Winner Street, via the Grade I listed parish church and the scheduled ancient monument of the Bishops Palace. The character of the scheme has attempted to reflect this through planting, the use of strong materials and proposed artist interventions.

The presence of a Scheduled Monument and five listed buildings within less than 200m of the site, means that due consideration must be given to the impact of the proposed development on the setting of these historic sites and properties. The Heritage Statement has demonstrated that there is no significant impact upon the setting of these listed buildings and the wider Conservation Area by the proposed development.

A Written Scheme of Investigation has been submitted with the application. It is important to note that although the construction of Crossways in the 1960s is likely to have removed most of any present below-ground archaeological deposits, due to the topography, these are unlikely to have been lost entirely. A programme of archaeological work has been included as a condition, if approved.

The proposal is therefore considered to be in accordance with Policies SS10 and HE1 of the Local Plan, Policy PNP1 of the Paignton Neighbourhood Plan and the guidance contained in the NPPF.

4. Impact on Residential Amenity

Policy DE3 of the Torbay Local Plan states that development should not unduly impact upon the amenity of neighbouring and surrounding occupiers. The Paignton

Neighbourhood Plan is largely silent on the matter of amenity, but expectations aligned with elements of DE3 are stipulated within Policy PNP1. Paragraph 170 of the NPPF seeks to prevent new development from being put at unacceptable risk from, or being adversely affected by, unacceptable levels of noise pollution.

A noise survey has been submitted in support of the application. Based upon the findings of the first stage review, it states that the proposed redevelopment of the Crossways site is likely to achieve comfortable living conditions providing the main façades overlooking Torquay Road and Hyde Road, as well as the plots nearest to the Post Office, are subject to good acoustic design. It goes on to say that if approved, it will be necessary to undertake a 'Stage 2' acoustic review of the building design which should include calculation of façade sound insulation levels, prediction of internal noise levels in habitable rooms, and review of external amenity areas, in order to achieve acceptable living conditions.

With regards to the suitability of the site from a noise perspective, whilst the majority of the site is likely to be acceptable and within the low risk category, the facades overlooking both Torquay Road and in particular Hyde Road need to include good acoustic design in order to achieve acceptable living conditions. The residential use aligns with the residential uses nearby and the additional dwellings would not result in undue noise or general disturbance for existing occupiers in the area.

A potential concern has been raised by representatives of the Post Office. The delivery office serves approximately 26,000 households and currently has 72 staff that typically work shifts between the hours of 04:00 and 19:00, 6 days a week. A fleet of 26 delivery vans is based at the site, but it also handles larger delivery lorries based off site. Vehicle movements could occur at any time throughout the day or night.

The potential impact from the neighbouring use is mitigated to some extent the design naturally responds to this site constraint by having largely solid, blank, gables on to this boundary, with apartments orientated with glazed openings looking instead into the quieter courtyard and 'homezone' areas of the site. The stair core will also act as a form of separation from the site. The elevations are also blank facing the Post Office site.

The Noise Report clarifies the position. Aside from the traffic related noise, commercial noise from the Post Office site are on average consistent with that from the road noise from Torquay Road, however, during the night there are 3-4 events linked to the arrival/departure of delivery trucks and loading/unloading activities which typically cause short term increase in noise at the boundary of the yard. The noise level at the nearest affected dwelling (first floor) which has a window on the west façade approximately 10m away from the Post Office yard would consider noise events of this level and duration to have the potential to cause 'adverse to significant adverse impact' on the occupants of the dwelling, however, as there is no outside amenity space the

impact of the short term events within the dwelling could be mitigated by good acoustic design and careful consideration of internal layouts. This additional requirement will be included by condition if approved.

The Community Safety Team has no objection subject to submission of a detailed scheme of noise insulation measures to protect the internal environment of the residential development.

No letters of representation have been made towards this planning application concerned with residential amenity.

In terms of privacy, inter-visibility and overlooking the Torquay Road elevation faces the upper floor residential properties above the shops. Given the existing tight urban grain, expectations for town centre living and separation by the highway the impact is considered minimal. A key consideration is the use of balconies, set back from street level. However, at 18m it is not considered to be unacceptable.

Within the core of the site, there are residential properties to the north with the rear facing the site from Hyde Road. They are approximately 15m to the north. The nearest single storey residential unit has obscure glazed windows. The remaining are set behind enclosed 'yards, with high walls and have narrow windows already looking out on to the rear of Isaac Merritt public house. The proposed north facing corner has a number of balconies proposed. Given the distance to the existing properties and their enclosed nature, the impact is considered acceptable.

The Isaac Merritt public house to the north includes a small beer garden to the rear of the premises. The proposals have been pulled away from this boundary as far as possible in order to avoid issues related to noise generation, specifically in the summertime, when this facility might be in use during the evening.

The proposed roof garden on the fifth floor is well contained with the central core of the site and is not considered to cause any overlooking issues on distant adjacent properties.

The Hyde Road elevation faces the residential units above the shops. Similar to the Torquay Road, they are separated by the highway and appear part of the tight urban grain of the area. The enclosed balconies are not considered to cause an unacceptable level of harm.

Policy DE3 (Development Amenity) requires that all development should provide a good level of amenity for future residents or occupiers and should not unduly impact upon the amenity of neighbouring or surrounding uses. It is considered that within the development there are no significant overlooking issues or concerns with regards to loss of future amenity.

An assessment of the existing and proposed trip generation advises that the development would have a negligible impact on the highway and it is not considered that additional vehicle movements on the site would have an unacceptable impact on the amenity of existing neighbouring occupants or future occupants of the site. The Transport Statement demonstrates that due to the reduced number of trips generated by the new development in comparison to the current and former use of the site, the impact on the local highway network will be positive with less usage of the access with Hyde Road, which, with Hyde Road being a one-way, two-lane carriageway, can be difficult to negotiate exiting out of the private road. This reduction in trip generation will also create less vehicle numbers on surrounding junctions.

The residential dwellings comply with the internal and external amenity spaces set out in the Torbay Local Plan and the Paignton Neighbourhood Plan. The ground floor includes a communal garden area with a communal roof garden on Level 5. The site is also approximately 100m from Victoria Park and 500m from Paignton seafront.

The development will also include 138m² of indoor, secure buggy and cycle storage with dedicated electric charging points.

Subject to the use of conditions requiring a construction demolition management plan and conditions to implement bin and cycle storage and of parking areas, it is considered that the proposals, would not result in unacceptable harm to the amenities of neighbours, in terms of their outlook, access, privacy, or other nuisances such as noise or light-intrusion. As such, the proposals are in accordance with Policy DE3 of the Local Plan.

HAPPI recommendations submitted as part of the application demonstrate the proposal meet the established criteria. The HAPPI principles are based on ten key design criteria. Many are recognisable from good design generally - good light, ventilation, room to move around and good storage - but they have particular relevance to the spectrum of older persons' housing which needs to both offer an attractive alternative to the family home, and be able to adapt over time to meet changing needs.

The construction phase will have some temporary impacts however, such impacts are not unusual and can be limited through restricting hours of construction and agreeing processes to limit delivery and construction movement and parking impacts through the use of a planning condition. The retention of adequate access during construction phase to the various uses in and around the site should be duly protected through consideration of a construction management plan, secured by condition.

In summary, the proposal provides a satisfactory form of development in terms of protecting the amenities of adjacent occupiers. The development accords with Policies

DE1 and DE3 of the Torbay Local Plan, Policy PNP1 of the Paignton Neighbourhood Plan, the adopted Masterplan for Paignton town centre and the NPPF.

5. Impact on Highways

Paragraph 108 of the NPPF guides that when assessing developments it should be ensured that (a) appropriate opportunities to promote sustainable transport modes can be (or have been) taken up, given the type of development and its location; (b) safe and suitable access to the site can be achieved for all users; and (c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree. Paragraph 109 of the NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Policy TA1 of the Local Plan sets out promoting improvement to road safety. Policy TA2 of the Local Plan states all development proposals should make appropriate provision for works and/or contributions to ensure an adequate level of accessibility and safety, and to satisfy the transport needs of the development. Policy TA3 of the Local Plan details that the Council will require appropriate provision of car, commercial vehicle and cycle parking spaces in all new development. Policy TA3 goes on to state that the loss of on-street or public parking provision will be a material consideration in planning applications, with additional weight being given to loss of provision in those areas where there is congestion and/or heavy use of public or on-street spaces. Greater flexibility on levels of provision has been provided in town centres, where there is more opportunity to make journeys through walking and cycling.

PNP12 of the Paignton Neighbourhood Plan states that improvement of the town centre and seafront area will be encouraged and proposals supported where they will ensure that town centre parking for cycles, motorcycles and cars supports town centre viability.

In June 2015, 'Paignton Refresh' Supplementary Planning Document was adopted. The document provides a Masterplan for Paignton town centre and makes reference to Crossways and the car park. It states that proposals would support a more pedestrian focused environment with higher quality materials.

The Transport Statement notes that the development is well located to encourage journeys by foot, bike, mobility scooter and public transport. The site is within the town centre zone and benefits from the sustainable modes of transport available to access many other areas. The proposed development is considered to reduce the existing traffic flows on the local road network and would therefore not affect the safe operation of the local highway network.

All roads within the local area have a footway provided on at least one side of the carriageway, which improves the accessibility of the area for pedestrians. The town centre core is within the 5 minute walk and the seafront is accessible within 10 minutes. Hyde Road and Torquay Road are classed as an Advisory Cycle Route, according to the Torbay Cycle Network. This route provides a north-south link through Paignton, a northern link to Torbay, and a southern link to Brixham. Additionally, a traffic-free cycle lane is provided along the seafront which follows the South West Coast Path.

The closest northbound bus stop is located approximately 130m to the north of the site in Torquay Road A3022 (opposite Victoria Park); the closest southbound bus stop is located approximately 50m to the northeast of the site in Hyde Road A3022. Paignton Bus Station is approximately 300m to the south of the site adjacent to Paignton railway station.

WSP were commissioned on behalf of Torbay Council to undertake a 'Paignton Parking Needs Study' and found that the car park is significantly under-used, with an average of 33% occupancy. The WSP study concluded that the car park can be demolished without leading to parking capacity pressures or negative impacts on existing and future parking demand in the town.

As part of the consultation with the Strategic Transport Officer a range of additional information was requested. Accident analysis, cycle storage, bin storage, parking provision and emergency vehicle access have all been provided during the application process. The updated site plan shows vehicle swept path analysis for a car, bin lorry and fire appliance using Hyde Road as access and egress, clarity on residential refuse storage, cycle parking for ten bicycles, three Electric Vehicle Charging Points and three accessible parking spaces. These details are undergoing a final assessment by the Highway Authority and the outcome of this will be reported as a verbal update to the committee

Finally, the scheme will ensure the link between Torquay Road and Hyde Road will become adopted highway. The choice of materials will need to reflect the shared use nature of the proposal, balancing the needs of pedestrians and vehicles.

Subject to no objections being raised by the Highway Authority in respect of the amended details, the proposal is therefore considered to comply with Policies TA1, TA2 and TA3 of the Local Plan and Policy PNP12 of the Paignton Neighbourhood Plan.

6. Impact on Ecology and Biodiversity

Policy NC1 of the Torbay Local Plan and guidance within the NPPF seeks for development to duly consider biodiversity and take opportunities for enhancement, proportionate to the context and development.

Policy PNP1 (Area Wide) of the Paignton Neighbourhood Plan states that development will not be supported where the development proposal would result in an adverse impact on a European protected site and Policy PNP1 (c) *Design Principles* includes a number of aspirations for development to secure, where possible and appropriate to the scale and size of development. PNP1 (c) includes reference to safeguarding biodiversity and geodiversity by ensuring that layout and design will protect existing features of biodiversity value on site and biodiversity connections with related sites, and ensure that features of geodiversity value are protected and wherever possible enhanced in their condition and future management. The policy furthers that hedgerow habitat should be provided on at least one development boundary wherever possible, and that bat and bird boxes should be featured.

The Ecological Mitigation and Enhancement Strategy states that, no bats, no evidence of bats, and negligible potential for bats were found associated with the structures surveyed. No evidence of nesting birds was found. No recommendations for ecological mitigation were made and works could proceed with negligible risk to bats and nesting birds.

In accordance with Policy PNP1(c) of the Paignton Neighbourhood Plan, measures to improve habitats have been included. For nesting birds, seven clusters of 3 Swift boxes, situated at the northern gable of the eastern building, and along the eastern wall facing into the main courtyard. Six Sparrow terraces on northern and western walls facing into the main courtyard are proposed. Also, the green roof provides increased biodiversity in habitat for invertebrates and thereby increasing foraging habitat for small birds. Clay and Reed insect nest boxes and bee bricks fitted to the south and south-west facing parapet of the green roof. The green roof will provide increased biodiversity in habitat for invertebrates.

The Council's Senior Tree and Landscape Officer requested additional information on tree planting and landscaping which has been provided. There are currently no trees or landscaping within the Crossways site. The submitted package of soft landscape improvements including tree planting is considered at an acceptable level for the scale of the site.

The proposal has been screened in accordance with the South Hams SAC Habitat Regulations Assessment Guidance and it is concluded that there would be "no likely significant effect" on the SAC as a result of the development.

An Assessment of Impact on Torbay Marine Conservation Zone has also been provided. In light of the mitigation measures identified and consideration of the implications for the sites conservation objectives there would be no adverse effect on the integrity of the Torbay MCZ, alone or in combination with other plans or projects.

Due to the site's use as a carpark and the location of an electrical substation within it, there is potential for pollutants to be present within the site's soils. A phase 1 Contamination Report has been submitted which recommends a "phase 2 contamination investigation and remediation strategy".

The submitted HRA screening also states that a pre-commencement planning condition to require the submission of a "phase 2 contamination investigation and remediation" in order to mitigate against airborne and waterborne pollutants which may be present entering the Torbay and Lyme Bay SAC. The report considers this mitigation at stage 2 appropriate assessment.

Natural England have been consulted on the HRA and the need for any further ecological assessment and/or mitigation. This application should not be determined until these matters have been satisfactorily addressed and concluded.

7. Impact on Flood Risk and Drainage

National guidance contained within the NPPF cites that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere (Para 163). It also guides that Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate (Para 165).

Policy ER1 of the Local Plan states that proposals should maintain or enhance the prevailing water flow regime on-site, including an allowance for climate change, and ensure the risk of flooding is not increased elsewhere, which is aligned with guidance contained within the NPPF. In regard to foul waters Policy ER2 of the Local Plan includes reference that development proposals should provide appropriate sewage disposal systems with separate foul and surface water, which seek to use sustainable measures and reduce water being discharged into shared sewers.

The Paignton Neighbourhood Plan has two key policies relating to drainage and flood risk. Policy PNP1 (Area Wide) Section (i) Surface Water cites that developments will be required to comply with all relevant drainage and flood risk policy. It furthers that proposals which achieve more than sustainable drainage improvements and move beyond Sustainable Urban Drainage systems (SUDs) by keeping surface water out of the combined sewer network at source are encouraged. PNP24 (Collaton St Mary) cites that foul and surface water disposal have become a significant problem in the area and furthers that residential development proposals where appropriate will be required to demonstrate (i) that sufficient capacity exists to accommodate the additional development and not cause any risk of flooding to existing properties, and (ii) there is infrastructure in place to provide for, and service, such growth and development.

The site sits in an area with a low risk (Flood Zone 1) of flooding and the site is also within a Critical Drainage Area as designated by the Environment Agency.

The Council's Engineering Service Manager has been consulted on the application and has no objection. As there is insufficient room on the site for infiltration drainage the application proposes to discharge his surface water run-off at a controlled discharge rate to the Victoria watercourse. The proposed discharge rate complies with the requirements of the Torbay Critical Drainage Area. Within the site specific flood risk assessment, it is identified that although the development site is not at risk of coastal flooding when taking account of climate change and freeboard the site will require flood resistance and resilience measures to be incorporated.

Within the site specific flood risk assessment the proposed surface water drainage strategy is identified together with the hydraulic design for the surface water drainage. Provided the surface water drainage is constructed in accordance with the submitted drawings and hydraulic design, the Council's Engineering Service Manager has no objection.

South West Water has no objection and noted the public sewer which crosses the site. No buildings or structures are proposed within 3.5m of this without their prior consent.

The proposal is considered to be acceptable, having regard to Policy ER1 of the Local Plan, Policies PNP1(i) and PNP15 of the Paignton Neighbourhood Plan and guidance contained within the NPPF.

8. Low Carbon Development

Policy SS14 of the Local Plan relates to 'Low carbon development and adaptation to climate change' and seeks major development to minimise carbon emissions and the use of natural resources. Policy PNP1(f) of the Paignton Neighbourhood Plan has a similar policy goal towards achieving sustainable low carbon and energy efficient development, where appropriate and subject to viability.

An Energy Statement has been prepared to assess the potential for energy efficiencies, utilising clean energy, sourcing energy from decentralised systems and incorporating renewable energy provision into the development, as required by Local Plan policy ES1 (Energy). The aim is for both buildings to achieve the required reduction in CO² emissions by demonstrating how the proposal incorporates onsite renewable energy production equipment to off-set at least 15% of the total predicted carbon emissions.

The Environmental Strategy for this scheme has been developed to minimise energy consumption wherever possible. Several measures have been incorporated. The orientation and form of the building has been carefully considered in order to provide adequate daylight to apartments without causing excessive solar gain, therefore

reducing overheating and the need for any cooling, and reducing the need for artificial lighting. Most flats are generally orientated with windows facing in a north, east and west direction, reducing the instance of direct sunlight. Flats facing in a more southerly direction have deep set windows providing adequate solar shading when the sun is at its highest point in the sky.

The building fabric is proposed to be highly effective, with values for thermal conductivity and air-tightness in excess of those required by Part L of the Building Regulations. The design will give thought to robust details to reduce heat loss through thermal bridging. In addition to these passive measures, the following active measures will be incorporated in the design of the M&E systems, reducing the energy consumption of the systems themselves.

Also, any plant and equipment specified (pumps, fans, controls etc.) will be high efficiency type and carefully designed / selected in order to reduce overall energy use. Artificial lighting to the flats will use low energy lamps, either linear fluorescent, compact fluorescent or LED. Any external lighting to the development will also be of low energy type.

Intensive green roof coverings have also been introduced this will help reduce thermal radiation penetrating the built form. This also has a positive effect on the surrounding town scape and provide a surface that is not a thermal store helping cool the surrounding environment.

It is therefore considered that the proposal accords with Policy ES1 and SS14 of the Local plan and Policy PNP1 of the Paignton Neighbourhood Plan.

9. Other Considerations

A consultation response early in the application process noted a number of issues with the submitted information supporting the application. Amongst other things, accurate details have been updated within the application form showing unit numbers and use, parking provision and noise information were also provided. The need for CIL and Section 106 was also discussed in the representation and these matters are covered in the report.

Housing Supply

The Council cannot currently demonstrate a 5 year housing land supply, as sought by Government, and the proposal will help with the delivery of housing with a form of development that is considered to accord with the Development Plan when considered as a whole. As stated within this report the site is allocated and the proposals are in broad accordance with the adopted masterplan for the area.

Paragraph 11 of the NPPF outlines that decisions should apply a presumption in favour of sustainable development, which means approving development proposals that accord with an up-to-date development plan without delay.

The provision of housing is a significant benefit within the planning balance, certainly in light of the current published position where the Authority can only demonstrate a 3 year supply, which is a significant shortfall.

It is concluded that the development accords with the Development Plan and hence there is support for the grant of permission, in-line with the guidance within the NPPF (Para 11). Were this judgment different and the proposal considered to conflict with the Development Plan it should be noted that the absence of a 5 year housing supply principally sets a higher benchmark to resist development as it triggers a tilted balance in favour of sustainable development. In such a circumstance development should only be refused where any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits. As stated the land is identified for housing and the development broadly accords with an adopted masterplan for the area, that is itself supported within the Neighbourhood Plan, the conclusion would in such a circumstance be that the adverse impacts are not significant and demonstrable in this context, and the tilted balance in favour of granting permission should apply.

Sustainability

Policy SS3 of the Local Plan establishes the presumption in favour of sustainable development. The NPPF definition of sustainability has three aspects which are economic, social and environmental. Each of which shall be discussed in turn:

The Economic Role

Housing development is recognised as an important driver of economic growth and there would be economic benefits to the construction industry from the proposed development.

Once the dwellings were occupied there would be an increase in the level of disposable income from the occupants some which would be likely to be spent in the local area and an increase in the demand for local goods and services.

The proposal retains active frontages to Hyde Road with both a café and a commercial unit and Torquay Road with a commercial unit. These provide continuity to the existing secondary shopping frontages they occupy.

There are no adverse economic impacts that would arise from this development.

In respect of the economic element of sustainable development the balance is considered to be in favour of the development.

The Social Role

The principle social benefit of the proposed development would be the provision of additional housing, which would be 100% affordable housing for older people and people with specialist housing needs. Given the NPPF priority to significantly boost the supply of housing, in particular affordable housing, the additional dwellings to be provided must carry significant weight in this balance.

Impacts on neighbour amenity have been discussed above where it is concluded that the proposal does not cause significant harm to residential amenity.

On balance, the social impacts of the development weigh strongly in favour of the development.

The Environmental role

With respect to the environmental role of sustainable development, the elements that are considered to be especially relevant to the proposed development are impacts on the landscape, ecology and bio-diversity and surface and foul water drainage. These matters have been considered in detail above.

The environmental benefits identified are either marginal in the case of any biodiversity net gain or essentially mitigation as in the case of any landscape/ecological measures to be applied to the development. It has to be appreciated that the site is identified for housing within the Development Plan and is a brownfield site.

The proposed development is in a sustainable, town centre with a range of public transportation links. It is considered a high quality redevelopment of a brownfield site, enhancing the setting of the conservation area and street scene and introducing more sustainable building methods. In respect of the environmental element of sustainable development, the balance is considered to be in favour of the development.

Sustainability Conclusion

Having regard to the above assessment the proposed development is considered to represent sustainable development.

Local Finance Considerations

CIL:

The site is not currently in the ownership of the Council. CIL exemption forms are required prior to start on site and not at determination stage.

EIA/HRA

EIA:

Due to the scale, nature and location this development will not have significant effects on the environment and therefore is not considered to be EIA development.

HRA:

In view of the nature of the application there is not likely to be a Significant Effect on the Annex I habitats - alone or in-combination with other proposals or projects.

Planning Balance

The planning assessment considers the policy and material considerations in detail. It is considered that the scheme in terms of addressing the Development Plan aspiration to provide housing would produce a significantly positive impact overall and help with the supply of much needed housing.

Statement on Human Rights and Equalities Issues

Human Rights Act: The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance

Equalities Act - In arriving at this recommendation, due regard has been given to the provisions of the Equalities Act 2010, particularly the Public Sector Equality Duty and Section 149. The Equality Act 2010 requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. Protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race/ethnicity, religion or belief (or lack of), sex and sexual orientation.

Proactive Working

In accordance with the requirements of Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order, 2015, in determining this application, Torbay Council has worked positively with the applicant to ensure that all relevant planning concerns have been appropriately resolved. The Council has concluded that this application is acceptable for planning approval.

Conclusions and Reasons for Decision

The proposal is acceptable in principle; would not result in unacceptable harm to the character of the area, the setting of the Conservation Area or local amenity; would provide acceptable arrangement in relation to residential amenity, highways and flood risk. The proposed development is considered acceptable, having regard to the Torbay Local Plan, the Paignton Neighbourhood Plan, and all other material considerations.

Officer Recommendation

That planning permission be granted subject to

- i. confirmation from the Highway Authority that the additional highway information is acceptable and that they raise no objection to the proposal;
- ii. Natural England having the appropriate time to respond to consultations on matters of ecology and raise no objection to the proposed development and subject to confirmation that all necessary pre-determination ecological assessments have been undertaken and properly assessed.
- iii. the conditions detailed at the end of this report, with the final drafting of conditions delegated to the Assistant Director of Planning, Housing and Climate Change.

That planning permission be granted subject to the conditions detailed at the end of this report, with the final drafting of conditions delegated to the Assistant Director of Planning, Housing and Climate Change.

And the resolution of any new material considerations that may come to light following Planning Committee to be delegated to the Assistant Director of Planning, Housing and Climate Change, including the addition of any necessary further planning conditions or obligations.

Conditions

Flexible Class E consent:

The commercial units hereby approved shall be used only for purposes falling within Use Class E of The Town and Country Planning (Use Classes) Order, 1987 (as amended) or in any provisions equivalent to those Classes in any Statutory Instrument revoking and re-enacting that Order and for no other purpose without the prior grant of planning permission.

Reason: To ensure that the mix of uses provided on the site is compatible with surrounding uses and generates vitality in this key town centre site. In order to accord with Policies TC2, TC3 and TC4 of the Torbay Local Plan 2012-2030.

Affordable housing:

At least 20% of the flats hereby approved shall be affordable housing, as defined in the Glossary to the NPPF. No more than 50% of the general market flats shall be occupied until the affordable flats have been completed, transferred to a Registered Provider and made available for occupation. Thereafter the affordable flats shall remain as such in perpetuity.

Prior to development continuing above slab level the developer shall agree with the Local Planning Authority in consultation with the Council's Affordable Housing Manager the following matters with respect to the Affordable Dwellings:

- a. the physical location,
- b. layout,
- c. specification (including that of any common parts serving the affordable dwellings); and
- d. type and tenure of individual affordable dwellings

(collectively referred to as “**the Details**”) and shall comprise a mixture of dwelling types matching and in proportion to the overall mixture of dwelling types on the site and shall be distributed throughout the site.

The affordable housing shall be provided in accordance with details submitted to and agreed by the Council’s Affordable Housing Manager and shall be constructed at least in accordance with the minimum quality and design standards set by Homes England.

Reason: In accordance with Policy H2 of the Torbay Local Plan.

Accessible and adaptable homes:

At least 5% of the dwellings hereby approved shall be built to accessible and adaptable standard as defined in the Council’s ‘Planning Contributions and Affordable Housing SPD – February 2017’. Prior to development continuing above slab level details of which units will meet this standard and details of how they meet this standard will be submitted to and agreed in writing by the Local Planning Authority. The dwellings shall be maintained to this standard for the lifetime of the development.

Reason: To ensure an adequate supply of accessible and adaptable homes in the interests of the wellbeing and amenity of future occupiers and in accordance with the requirements of the Council’s Planning Contributions and Affordable Housing SPD – February 2017

Condition café and opening hours:

Any commercial café, restaurant or leisure use open to the general public within the development hereby approved shall take place only between the hours of 07:00 a.m. and 22:00 p.m. unless alternative opening hours have previously been agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenities of the area.

Public access:

Public access to the pedestrian route through the site linking Torquay Road and Hyde Road and public access to the area identified on the approved plans as public space hereby approved shall be provided prior to the occupation of the 70th residential unit and public access shall be retained for the lifetime of the development.

Reason: To ensure a satisfactory form of development and maintain the link between Torquay Road and Hyde Road in accordance with the requirements of policy DE1, PNP1, PNPE1 and SDP2 of the Torbay Local Plan 2012-2030 and policy PNP8 of the Paignton Neighbourhood Plan.

No buildings:

No building shall be occupied until all the roads, footpaths and visibility splays have been provided in accordance with approved detailed plans unless otherwise agreed in a phasing plan previously agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety.

Written Scheme of Investigation:

No development shall take place until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation (WSI) which has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out at all times in accordance with the approved scheme, or such other details as may be subsequently agreed in writing by the Local Planning Authority.

Reason: To ensure, in accordance with Policy SS10 of the Torbay Local Plan 2012 - 2030 and paragraph 199 of the National Planning Policy Framework (2018), that an appropriate record is made of archaeological evidence that may be affected by the development. This pre-commencement condition is required to ensure that the archaeological works are agreed and implemented prior to any disturbance of archaeological deposits by the commencement of preparatory and/or construction works.

Noise:

No development shall take place above slab level until a detailed scheme of noise insulation measures to protect the internal environment of the residential development has been submitted to and been approved in writing by the Local Planning Authority. The scheme of noise insulation measures shall be prepared by a suitably qualified acoustic consultant/engineer and shall take into account the provisions of ProPG and "BS 8233: 2014 Guidance on sound insulation and noise reduction for buildings". The approved scheme shall be implemented prior to the occupation of the buildings to which the scheme relates and shall be permanently retained thereafter.

Reason: In order to safeguard the amenities of residential occupiers and the details are needed prior to the start of work so that measures can be incorporated into the build.

Construction/Demolition Management Plan:

No development shall take place until a site specific Construction/Demolition Management Plan has been submitted to and been approved in writing by the Council. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, and dust. The plan should include, but not be limited to:

- Procedures for maintaining good neighbour relations including complaint management.
- All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours:
 - 08:00 Hours and 18:00 Hours on Mondays to Fridays and 08:00 and 13:00 Hours on Saturdays and; at no time on Sundays and Bank Holidays.
- Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.
- Mitigation measures as defined in BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
- Control measures for dust and other air-borne pollutants.
- Detail for parking of construction workers.
- Details of how the site will be secured.
- Details of the delivery of and loading and unloading of materials.
- Details including siting of any construction management compound and area for storage of plant, machinery and materials.

Reason: In the interests of the amenities of surrounding occupiers during the construction of the development.

This condition needs to be a pre-commencement condition to ensure the impacts of the development are mitigated from the beginning of the development.

Ecology Mitigation Measures:

The development shall proceed in full accordance with the submitted and approved Ecological Mitigation and Enhancement Strategy (Western Ecology July 2020).

Reason: In order to protect ecology and to secure necessary mitigation to accord with the aims for biodiversity enhancements, in accordance with Policies NC1 and SS8 of the Torbay Local Plan 2012-2030 and guidance contained in the NPPF.

Ecological Mitigation Measures:

Prior to the first use of the development hereby approved, seven clusters of 3 Swift boxes, six Sparrow terraces, clay and reed insect nest boxes and bee bricks shall be incorporated into the walls of the development (in accordance with manufacturer's instructions for correct siting and installation) and retained at all times thereafter.

Reason: To ensure that the development duly considers protected species and biodiversity, in accordance with Policy NC1 of the Torbay Local Plan 2012-2030.

Land affected by contamination - Site Characterisation:

No development shall take place until an investigation and risk assessment, in addition to any assessment provided with the planning application, and has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme should be submitted to and be approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination, CLR 11*'.

Reason: To ensure that risks from land contamination is understood prior to works on site both during the construction phase to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Land affected by contamination - Submission of Remediation Scheme:

No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been prepared, submitted to and been approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure that risks from land contamination is understood prior to works on site both during the construction phase to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological

systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Land affected by contamination - Implementation of Approved Remediation Scheme:

In the event that contamination is found, no development other than that required to be carried out as part of an approved scheme of remediation shall take place until the approved remediation scheme has been carried out in accordance with its terms. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and be approved in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination both during the construction phase and to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Parking Implementation:

Prior to the first occupation of any unit within the development hereby permitted, the parking facilities, manoeuvring areas, and electric charging points shown on the approved plans associated with that unit shall be provided and thereafter permanently retained for the use of vehicles associated with the development.

Reason: To ensure adequate parking facilities are provided to serve the development in accordance with policy TA2 and TA3 (and associated appendix F) of the Torbay Local Plan 2012-2030.

Electric Vehicle Charging Points:

Prior to the first occupation of the development hereby permitted, 3 electric charging points shall be provided and thereafter permanently retained for the parking of vehicles associated with the development hereby approved, unless an alternative timetable for delivering the charging points has previously been agreed in writing with the LPA.

Reason: To ensure adequate parking facilities are provided to serve the development in accordance with policy TA2 and TA3 (and associated appendix F) of the Torbay Local Plan 2012-2030.

Hard and soft landscaping:

Prior to the first occupation of the development hereby permitted full details of all proposed hard and soft landscaping shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual character of the area in accordance with Policies DE1 of the Torbay Local Plan 2012-2030.

Soft Landscaping Implementation:

All planting, seeding and turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the completion of the development hereby approved, or at such other time as agreed by the Local Planning Authority in writing. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next available planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of the amenities of the area and in accordance with Policies SS8, SS9, C4 and NC1 of the Torbay Local Plan 2012-2030.

Reason: In interests of visual and residential amenity and in accordance with Policies DE1 and DE3 of the Torbay Local Plan 2012-2030.

Hard Landscaping Implementation:

Prior to the first occupation of the development hereby permitted, the scheme of hard landscaping treatment for that phase shall be fully installed in accordance with the approved plans. Once provided, the agreed hard landscaping treatment shall be retained for the life of the development.

Reason: In interests of visual and residential amenity and in accordance with Policies DE1 and DE3 of the Torbay Local Plan 2012-2030

Detailed design 1:

Prior to installation details of all external materials shall be submitted to and approved in writing by the Local Planning Authority including, but not limited to:

1. A sample of the proposed tile and brickwork,
2. Window and door materials, colours and profiles,
3. A sample of the proposed metal cladding,
4. Details of all fencing and other mains of enclosures including balconies,
5. Rainwater goods,
6. Full details of the proposed roof garden,
7. Details of any underbuild or retaining walls exceeding 300mm in height,
8. Details of any eaves, fascias and/or verges.

The development shall proceed in full accordance with the approved detail and shall be retained as such for the lifetime of the development.

Reason: In order to protect visual character and heritage assets in accordance with Policies C2, DE1, HE1, SS10 and DE1 of the Torbay Local Plan 2012-2030, Policy PNP1 of the Paignton Neighbourhood Plan and advice contained within the NPPF.

Materials:

The development hereby approved shall be constructed in full accordance with the materials specified on the approved plans unless otherwise agreed in writing. Once constructed no further changes to the masonry finish including colour shall be permitted without the prior consent of the Local Planning Authority.

Reason: To ensure a satisfactory form of development and in accordance with the requirements of policy DE1 of the Torbay Local Plan 2012-2030.

Detailed security measures:

A scheme detailing security measures and how designing out crime, fear of crime and anti-social behaviour have been considered and where implemented for the proposed development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of a monitored CCTV system and that a clear passport to compliance document will be put in place prior to installation to ensure that the system is fit for purpose. The scheme shall also include details of an external lighting plan relating to the public realm and associated areas.

Development shall take place in accordance with the approved details and shall be fully implemented prior to the occupation of the building(s) to which it relates. The scheme shall be retained and maintained for the lifetime of the development.

Reason: To ensure the safety and security of persons and property and to minimise opportunity for crime, fear of crime and antisocial behaviour. In accordance with Policies SS11 & DE1 of the Torbay Local Plan.

Implementation of refuse facilities (dwellings):

Prior to the occupation of any dwelling hereby approved, the refuse and recycling facilities shown on the approved plans shall be provided for that dwelling. Once provided the storage arrangements shall be retained and maintained for the life of the development.

Reason: In interests of visual amenity and in accordance with Policy DE1 of the Torbay Local Plan 2012-2030.

Implementation of refuse facilities (commercial units):

Prior to the occupation of the commercial units hereby approved, the refuse and recycling facilities shown on the approved plans shall be provided for those units. Once provided the storage arrangements shall be retained and maintained for the life of the development.

Reason: In interests of visual amenity and in accordance with Policy DE1 of the Torbay Local Plan 2012-2030.

Implementation of bicycle and mobility buggy storage:

Prior to the first occupation of any dwellings unit(s) hereby approved, the bicycle and scooter storage facilities shown on the approved plans that relate to that dwelling(s) shall be provided and made available for use for those dwellings. Once provided, storage arrangements shall be retained and maintained for the life of the development.

Reason: In the interests of sustainable transport and in accordance with Policies TA1, TA2, and TA3 of the Torbay Local Plan 2012-2030.

Roof storage:

No equipment, signage or plant shall be located on the roof, walls or in the grounds of the development hereby permitted unless otherwise approved in writing by the Local Planning Authority, including air conditioning units, extraction equipment, aerials, tanks, satellite dishes and external lighting.

Drainage Details:

The development shall be undertaken in strict accordance with the approved drainage details and retained as such at all times thereafter.

Reason: In the interests of adapting to climate change and managing flood risk, and in order to accord with Policies ER1 and ER2 of the Torbay Local Plan 2012-2030 and advice within the NPPF

Reason: In the interests of the visual amenities of the area, in accordance with policies DE1, DE3 and SS10 of the Torbay Local Plan.

Informative(s)

1. For the avoidance of doubt, any works to be undertaken within the public highway will require the separate consent of the Highway Authority.
2. In accordance with the requirements of Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order, 2015, in determining this application, Torbay Council has worked positively with the applicant to ensure that all relevant planning concerns have been appropriately

resolved. The Council has concluded that this application is acceptable for planning approval.

3. Responsibilities of the applicant / developer:

All bats are protected by law. If bats are found, works must immediately cease and further advice be obtained from Natural England and / or a licensed bat consultant. Works must not resume until their advice has been followed. Nesting birds are also protected by law. During site clearance and construction works, suitable safeguards must be put in place to prevent threat of harm to legally protected species, including nesting birds and reptiles all of which are protected under the Wildlife & Countryside Act 1981 (as amended). Where works are to involve cutting or clearance of shrubs, hedges or other vegetation, which can form nesting sites for birds, such operations should be carried out at a time other than in the bird breeding season (which lasts between 1 March - 15 September inclusive in any year). Schemes must be in place to avoid threat of killing or injuring reptiles, such as slow worms. Slow worms may shelter beneath vegetation as well as among any stored or discarded sheeting, building and other materials. Further details can be obtained from a suitably qualified and experienced ecological consultant, or please refer to published Natural England guidelines for protected species.

4. Healthcare Contribution

For the purposes of the Council document 'Planning Contributions and Affordable Housing SPD February 2017' a Healthcare Contribution is payable prior to first occupation of the development. The Healthcare Contribution shall be £1,300 for each dwelling (either C2 or C3) on the site which is not an affordable dwelling. Any developer who is not Torbay Council, or an agent of Torbay Council, must enter into a Planning Obligation to secure payment of the Healthcare Contribution prior to commencement of development.

Relevant Policies

Local Plan

DE1 – Design

DE3 – Development Amenity

ER1 – Flood Risk

NC1 – Biodiversity and Geodiversity

SDP2 – Paignton Town Centre and Seafront

SS1 – Growth Strategy for a Prosperous Torbay

SS3 – Presumption In Favour Of Sustainable Development

SS11 – Sustainable Communities

TA1 – Transport and Accessibility

TA2 – Development Access

TA3 – Parking Requirements
TC2 – Torbay Retail Hierarchy
TC4 – Change of retail use
ES1 – Energy
H2 – Affordable Housing
H6 – Housing for People in Need of Care

Paignton Neighbourhood Plan

PNP1(c) – Design Principles
PNP1(d) – Residential Development
PNP1(e) – Commercial Development
PNP1(f) – Towards a low carbon energy efficient economy
PNP1(g) – Designing out crime
PNP1(h) – Sustainable Transport
PNP1(i) – Surface Water
PNP8 - Crossways, Hyde Road and Torquay Road
PNP13 - Housing opportunities within the Town Centre