

Record of Decisions

Torbay Local Plan 2025-45

Decision Taker

Cabinet on 21 July 2026

Decision

That the Cabinet recommends to Council:

1. that the Torbay Local Plan: Publication Plan (attached as Appendix 2 and subject to 2.) be approved for publication for a 6-week consultation under Regulation 19 of the Town and Country Planning (England) Regulations 2012 (as amended);
2. that the Director of Pride in Place, in consultation with the Cabinet Member for Place Development and Economic Growth, be delegated authority to make final minor editorial amendments to the Plan and publish supporting technical reports as part of the consultation; and
3. that, in discussions with neighbouring authorities, the Council's position is that Torbay's unmet housing need should be addressed at a sub-regional level, through the Spatial Development Strategy.

Reason for the Decision

The Regulation 19 consultation on the Torbay Local Plan is proposed to enable formal consultation on the Plan before it is submitted for independent examination. The Plan provides a strategic framework for managing land use and development in Torbay in the public interest, supporting sustainable growth, regeneration and the modernisation of the built environment whilst recognising the area's significant environmental constraints.

Progressing the Regulation 19 consultation will allow residents, businesses, stakeholders and statutory consultees a final opportunity to comment on the proposed Plan before it is submitted for examination, supporting the preparation of an up-to-date Local Plan to guide development and investment in Torbay through to 2045.

Implementation

The recommendations of the Cabinet will be considered at the Council meeting on 23 July 2026.

Information

Approval was sought to publish the Regulation 19 version of the Torbay Local Plan 2025–2045 for public consultation ahead of its submission to the Secretary of State for Examination by December 2026.

The draft Plan had been informed by previous consultations undertaken in 2022 and 2025 and had been reviewed by the Local Plan Working Party, with the proposed publication version reflecting its recommendations. The draft Plan had also been considered by the Overview and Scrutiny Board on 8 July 2026 who supported the above recommendations.

Once adopted, the Local Plan would form the primary basis for determining planning applications, alongside made Neighbourhood Plans, and would provide the framework for meeting Torbay's housing, economic, social and environmental objectives. A key challenge for the Plan was its proposed housing provision, which remained below the Government's Local Housing Need figure.

At the meeting Councillor David Thomas proposed and Councillor Billings seconded a motion that was agreed unanimously, as set out above.

Alternative Options considered and rejected at the time of the decision

It was recommended that the Regulation 19 Local Plan be published for consultation in August-September 2026, with a view to returning the Local Plan to Council in December 2026 to agree submission in December 2026. Over 100 Local Authorities were planning to submit their Plans in December 2026, so the likely date for Examination is later in 2027.

If the December 2026 Submission Deadline was not met, the Local Plan and its evidence base would need to be restarted under the levelling Up and Regeneration Act 2023 and accompanying 2025 Regulations. Although these are called "30-month local plans" there were questions whether the 30-month timetable was achievable. Not submitting the Plan would mean that the Presumption in Favour of Sustainable development would apply to all planning applications in Torbay for the foreseeable future, against meeting the Government's Standard Method Local Housing Need figure of 970 dwellings a year.

The draft Plan sought to ensure that once adopted it was capable of being deemed "up to date". There was a possibility that the Presumption would still apply after a Local Plan was adopted if the council was unable to demonstrate a five-year supply or achieves less than 75% of housing delivery.

Is this a Key Decision?

Yes

Does the call-in procedure apply?

No

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

Councillor Billings declared a non-pecuniary interest as a landowner and as a member of Churston, Broadsands and Galmpton Neighbourhood Forum.

Councillor Cowell declared a non-pecuniary interest as a member of the Torquay Neighbourhood Forum.

Published

24 July 2026

Signed: _____
Leader of Torbay Council on behalf of the Cabinet

Date: _____