TORBAY COUNCIL

Torbay Council's Policy Framework

Together Torbay will thrive

Torbay Council, Town Hall, Castle Circus, Torquay, TQ1 3DR
Email: governance.support@torbay.gov.uk

1.	**Community Engagement and Empowerment Strategy 2021-2023** Approved 25 February 2021	(Pages 1 - 16)
2.	**Community and Corporate Plan 2023-2043** Approved 22 February 2024.	(Pages 17 - 30)
2(a)	**Your Future Your Torbay** Approved 22 June 2017	(Pages 31 - 38)
3.	**Torbay Inclusion Strategy 2025 - 2030** Approved 15 May 2025.	(Pages 39 - 46)
4.	**Corporate Parenting Strategy 2026-2028** Approved 11 December 2025.	(Pages 47 - 62)
5.	**Adult Social Care Strategy** Approved 20 September 2023.	(Pages 63 - 76)
6.	**Torbay Economic Growth Strategy 2022-2030 (incorporating the Tourism and Cultural Strategy)** Approved 8 December 2022.	(Pages 77 - 108)
6(a)	**English Riviera Destination Management Plan** Approved 13 October 2022.	(Pages 109 - 142)
6(b)	**Enjoy, talk, be, do - A cultural strategy for Torbay and its communities 2014-2024** Approved 25 September 2014	(Pages 143 - 180)
7.	**Housing Strategy 2023 - 2030** Approved 29 March 2023	(Pages 181 - 196)
7(a)	**Homelessness and Rough Sleeping Strategy 2024-2030** Approved 5 December 2024	(Pages 197 - 210)
8.	**Housing Rental Company** Approved 20 July 2017.	(Pages 211 - 218)
9.	**Our Healthy Neighbourhoods - Torbay Health and Wellbeing Strategy 2026-30** Approved 14 May 2026.	(Pages 219 - 248)
9(a)	**Children and Young People's Plan** Approved 21 June 2018 Updated 19 February 2021	(Pages 249 - 272)

10. **Domestic Abuse and Sexual Violence Strategy 2023-2030** (Pages 273 - 298)
Approved 29 March 2023

11. **Licensing Act 2003 Torbay Council's Statement of Principles 2026-2031 (Licensing Policy)** (Pages 299 - 366)
Approved 11 December 2025.

12. **Statement of Principles 2025-2028 Gambling Act 2005 (Gambling Policy)** (Pages 367 - 422)
Approved 5 December 2024

13. **Plans and Strategies which together comprise the Development Plan (incorporating the Port Master Plan)**

13(a) **Torbay Local Plan** (Pages 423 - 722)
Approved on 10 December 2015.

13(b) **Tor Bay Harbour Authority Port Master Plan** (Pages 723 - 810)
Approved 5 December 2013

Addendum 24 October 2019

13(c) **Torquay Town Centre Master Plan Supplementary Planning Document** (Pages 811 - 874)
Approved 1 June 2015

13(d) **Paignton Town Centre Master Plan Supplementary Planning Document** (Pages 875 - 916)
Approved 1 June 2015

13(e) **Torquay Gateway (Edginswell) Master Plan Supplementary Planning Document** (Pages 917 - 964)
Approved 10 December 2015

13(f) **Collaton St Mary Master Plan Supplementary Planning Document** (Pages 965 - 1040)
Approved 25 February 2016.

13(g) **Great Parks Master Plan Supplementary Planning Document**
Final document to be added once approved.

13(h) **Torquay Neighbourhood Plan Development Plan Document**
Adopted on 19 June 2019. Full details can be found on the website at Torquay Neighbourhood Plan - Torbay Council

13(i) **Paignton Neighbourhood Plan Development Plan Document**

Adopted on 19 June 2019. Full details can be found on the website at Paignton Neighbourhood Plan - Torbay Council

13(j) **Brixham Peninsula Neighbourhood Plan Development Plan Document**

Adopted on 19 June 2019. Full details can be found on the website at Brixham Peninsula Neighbourhood Plan - Torbay Council

13(k) **Greenspace Strategy Supplementary Planning Document** (Pages 1041 - 1148)

Approved 14 December 2006

13(l) **Urban Design Guide Adopted Supplementary Planning Document** (Pages 1149 - 1264)

13(m) **Planning Contributions and Affordable Housing Supplementary Planning Document** (Pages 1265 - 1328)

Approved 23 February 2017

13(n) **Community Infrastructure Levy** (Pages 1329 - 1346)

Approved 23 February 2017

13(o) **Healthy Torbay Supplementary Planning Document** (Pages 1347 - 1390)

Approved 6 April 2017

13(p) **Sustainable Drainage/Green Infrastructure Supplementary Planning Document**

Final document to be added once approved.

14. **Strategic Agreement between Torbay and Southern Devon Health and Care NHS Trust and Torbay Council/Torbay and South Devon Clinical Commissioning Group 2020-2023** (Pages 1391 - 1430)

Approved 24 September 2020

15. **Resource and Waste Management Strategy 2020-2025** (Pages 1431 - 1450)

Approved 1 February 2024 and amended 20 February 2024.

16. **Capital Strategy and Capital Receipts Strategy** (Pages 1451 - 1476)

Approved 7 March 2023

17. **Corporate Asset Management Framework** (Pages 1477 - 1532)

Approved 3 March 2022

18. **Treasury Management Strategy (incorporating the Annual Investment Strategy and Minimum Revenue Provision Policy)** (Pages 1533 - 1584)

Approved 7 March 2023, amended 20 September 2023.

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TORBAY COUNCIL

Community Engagement and Empowerment Strategy

2021 - 2023



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This document can be made available in other languages and formats.

For more information please contact engagement@torbay.gov.uk

Working Differently

Torbay Council's mission is to be a Council that works with its residents, communities and partnerships - a council that supports, enables and empowers.

Alongside our partners in the public sector, we recognise and value the importance of a strong and vibrant voluntary sector in developing and maintaining a thriving Torbay. We also value that people and communities want to be more involved, work together, improve our relationships, and have better on-going conversations with us. In talking about Torbay's communities, we agree that the private sector are also a vital part of our community.

In order to strengthen and deepen our relationships with everyone, we commit to working differently:

- We will embrace a spirit of cooperation and partnership with the people, businesses and organisations in Torbay and those outside Torbay which affect our lives.
- We will build trusted relationships with our communities:
  - The Cabinet will talk and listen to anyone and everyone
  - Ward councillors will be community champions
  - We will facilitate and work with our communities to design and deliver services and to support one another.
- We will have continuing conversations and relationships with our communities.
- We will celebrate Torbay together.

We recognise that we have a lot of work to do but we are committed to changing how we work – moving up Torbay's ladder of participation.



In all of our work we will ensure that our approach reflects our principles:

- Enable the community
- Use reducing resources to best effect
- Reduce demand through prevention and innovation
- Integrated and joined up approach

Using Torbay's Existing Networks

Torbay's Community Partnerships

Torbay has a network of successful Community Partnerships which enable local people to be involved in local decision-making. The Community Partnerships provide an opportunity for people who live or work in the different parts of Torbay to discuss issues of common concern, influence the way in which services are provided and improve their local area. There are Community Partnerships for every ward in Torbay, some working in partnership with the adjacent ward, and others with more than one per ward.

The aim of the Community Partnerships is to get local people together to decide what is important to them and what needs improving in their area. They are a one-stop shop for local people to ask questions of their local Councillors, find out what is going on in their neighbourhood, or just to link up with other residents.

Torbay's Strategic Partnership

Torbay Together is the strategic partnership for Torbay ensuring unified political, business and community leadership. Its aims are to advocate and lobby for the area, build local pride and optimism, secure infrastructure investment and position Torbay locally, nationally and internationally.

Other Partnerships

There are a range of other partnerships already operating in Torbay, including but not limited to:

- **Safer Communities Torbay** – Torbay's Community Safety Partnership (CSP) which brings together local agencies to deliver multi-agency solutions to tackle issues such as crime, re-offending, anti-social behaviour, and substance misuse in a coordinated and collective way.
- **Children and Young People's Strategic Partnership Board** – which aims to deliver better, integrated services that maximise outcomes for all children and young people, and their families. It works to narrow the outcome gap between children who are vulnerable and/or from disadvantaged backgrounds and their peers; on addressing the causes and effects of child poverty; and on promoting effective prevention and early intervention.
- **Local Education Board** – provides a coordinated approach to improving education outcomes within our diverse education system; enabling cultures for partnerships and alliances.
- **Destination Management Group** – ensuring a joined-up approach for tourism, working in partnership for the destination with the shared vision to develop the English Riviera's visitor economy.
- **Torbay Culture** – enabling the cultural and creative development of Torbay through collaboration, making our home – the English Riviera UNESCO Global Geopark – a better place in which to live, work, learn and visit.
- **Voluntary Sector Steering Group** – Torbay Council (together with Devon County Council) and our local NHS partners want to work with the community differently and this has been progressing for some time. Phase 2 of our Model of Care talks about helping people stay well, strengthening partnerships and receiving care in the right place at the right time. The voluntary

and community sector can help us do this and are a key ingredient in developing the Model of Care.

Working on a prevention agenda collectively will allow us to work towards the best outcome for health and wellbeing of local people in order to develop our services and have an Asset Based Approach (building on the existing strengths and assets in our community) to the way we deliver care. We know that we must work together with the voluntary sector and the wider support network and services they provide.

The Voluntary and Community Sector Steering Group has been set up and has wider representation from across the sector including Healthwatch and Torbay Community Development Trust plus representation from public health, Torbay Council, Devon County Council and the NHS. The Group has enabled us to truly focus on the sector and developing the work we do with them by linking strategy and operations and sharing knowledge and experience.

Community and Voluntary Sector

Sitting below these partnerships, are a vast number of groups, organisations and charities all aiming to make a positive difference to life in Torbay.

Brixham Town Council

A vital link to the community in Brixham is the Town Council. Torbay Council will continue to work in partnership with the Town Council on issues within Brixham.

Torbay Council's New Approach

Taking an Asset Based Community Development approach, Torbay Council wants to see our Community Partnerships at the heart of our communities – working hand-in-hand with local councillors and supported by dedicated Ward Ambassadors from across the Council's senior leadership team.

At the centre of this approach will be the Torbay Together partnership – working to ensure that all parts of the public, private, voluntary and community sector are joined up.

Together, we need to identify creative and innovative new ways of delivering effective and efficient services and providing leadership on complex, cross-cutting issues.

Recognising Other Community Groups

Whilst Torbay has an established network of partnerships, we recognise that there is a multitude of other community and voluntary groups across the Bay that are not necessarily a formal part of that network. As they should, the way that these groups are established varies to suit their own needs. Some have been in place for many years, others have formed more recently.

The commitments and actions within this Strategy apply equally to how we work with the formal partnerships across Torbay as well as those other community and voluntary groups. They also apply to residents who are not part of any group – who want to take action on their own or to create new action groups.

Our Offers and Asks

Our Offers

We will listen to you.

We will be open about the challenges facing the Council and what we can and cannot do.

We will work together to identify the challenges within your communities – providing tools such as the Strategic Needs Assessment and the Place Standard Tool that we will balance with local knowledge and resident experience. We want to ensure that we have a strong evidence base for identifying needs, setting common priorities and responding collaboratively.

We will recognise what is strong in our communities. We will be open to ideas and always seek to understand what the community is asking for, rather than making assumptions based on existing ways of working.

We will work as One Council, and work towards One Torbay which includes all the public sector, so that communities can gain access to all public resources without duplication of effort.

We will be an organisation that our communities can trust – working together to support our communities and create a Council which is fit for the future.

Our Asks

We would like to work directly with our residents and also through our vibrant Voluntary, Community, Social Enterprise and Business Sectors. We need to establish the best way of doing this through voluntary sector partnerships, local Community Partnerships, Neighbourhood Forums, the Business Forum and Chambers of Commerce.

For each of these partnerships we would ask that you:

- Reach out into the communities that you represent
- Share information and best practice across Torbay, encouraging learning and innovation
- Help us promote community cohesion, good community relationships and foster pride in Torbay
- Help us deliver better outcomes for local people, especially the most vulnerable in Torbay
- Help us maximise the impact of our shared budgets and resources and identify the added contribution of social value
- Support us in our efforts to attract inward investment to Torbay, in order to support the local economy and safeguard local wealth where possible through public sector procurement

We would like the Voluntary, Community, Social Enterprise and Business Sectors to work with us on delivering One Torbay: Working for all Torbay (Torbay's Community and Corporate Plan), especially in relation to:

- Creating a whole community response to make Torbay a child-friendly and age-friendly place – working together so that the people in our communities thrive
- Creating a whole community response to drive forward economic growth that is clean and inclusive – working together so that our economy thrives
- Creating a whole community response to protect our environment – working together to tackle climate change

Keep you informed

Our Commitments

- We will be open and honest and timely in our communication.
- We will explain why we can and can't do things – encouraging others to work with us to deliver the things which matter to you. We will be clear about the decisions which are taken.
- We will explain our challenges, decisions and future changes in the most effective, inclusive and timely ways possible.
- We will use a range of communication methods and channels to provide information about council activities in order to signpost residents, visitors and others to the right services and, where appropriate and work together to ensure the Council's limited resources are spent in the right places.
- We will seek to develop improved communication mechanisms enabling people and communities to more easily access support, information and influence and keep more closely informed on the progress of key issues and decisions within the Council.
- We will ensure that residents who are unable to access social media receive the same information though traditional media and established community networks.

Our Actions

- Review and improve the Council's website to make information and resources for community action more accessible, including contact information.
- Explore with Torbay Community Development Trust and other community representatives how **www.torbaytogether.org.uk/** can be developed and expanded to take on a broader role around community engagement. Ensure that this work links to that of the Torbay Together partnership, streamlining information wherever possible.
- Maximise the effectiveness of social media – through both our own channels and through existing groups – to engage with our communities. This will include encouraging councillors and senior officers to join the conversation on social media.
- Ensure that communication between council departments is effective with a shared overall message.

Ask what you think

Our Commitments

- Communication will be two way. We will listen, understand, remember, evaluate and feedback to stakeholders the actions we have taken.
- We will provide clear, regular and reliable information which will provide you with the opportunity to play an active role in influencing decisions and shaping the future of services.
- We will engage with our communities and stakeholders in a timely way so they are informed and are able to have their say on local decisions and when we can't do this we will be clear and transparent as to why.
- We will ensure that our consultation is based on a genuine exchange of views, with the objective of influencing decisions, policies or programmes of action. It will involve:
    - Listening and learning from local people, communities and other stakeholders.
    - Seeking to involve local people, communities, businesses, voluntary sector organisations and other organisations in important decisions which have an impact on them.
    - Seeking opinions on options before a decision is reached.
    - Passing out information and receiving comments.
- In providing feedback to our communities, we will explain how we have taken into account community views, including if we have not been able to take everyone's views on board in the final decision.

Our Actions

- Agree a Community Engagement and Consultation Programme at the start of each Municipal Year. The programme will include targeted activity aimed at involving and connecting with those groups and geographical communities less likely to engage with the Council.
- The Cabinet will hold at least three Cabinet Conversations each year and will host an annual Community Conference. These will each feature a "You Said, We Did" session.
- There will be regular Ask Us events – either online or in venues across Torbay.

Decide together

Our Commitments

- We will ensure that our communities and stakeholders are involved in the decision making process and are given the opportunity to help find solutions through high quality, appropriately targeted consultation and engagement.
- We will ensure that people are given the opportunity to play an active role by shaping the future of services which may affect them and identifying any changes which may be required to local services.
- We will be realistic about our limitations and the need for the council to use reducing resources to best effect.
- We will develop and sustain a relationship with the community in order for us to understand and act together to address the needs of that the community and to work towards a common vision.

Our Actions

- Involve communities and organisations earlier in the service planning process in order to ensure that activities are based on a shared understanding of community needs and issues.
- Increase opportunities for co-production – developing systems that enable communities and organisations to be equal partners in designing and commissioning public services and in determining the use of public resources.
- Provide feedback to communities and organisations outlining how their contributions have influenced decisions made by the Council and what has changed or improved as a result.
- Encourage communities to take responsibility for outcomes themselves and help develop different models for service delivery
- Work to remove barriers to help aspiring groups and individuals.

Act together

Our Commitments

- We will engage, encourage and support our communities and stakeholders in order to bring about positive change for the good of the whole community.
- We will work together to give people a better sense of ownership of the services and activities available to them.
- We will use an integrated and joined up approach, both within the council and with our partners, to achieve value for money, to avoid consultation fatigue and to ensure messages are consistent.

Our Actions

- Provide support to ward councillors in their community leadership role through the appointment of Ward Ambassadors who can act as a single point of contact to help deliver local solutions.
- Work to engage young people in the work of the Council and community groups. This will be progressed through the Children and Young People's Partnership Board and the Imagine This partnership.
- Work to develop stronger relationships between schools, colleges and their local communities using the Local Education Board as a facilitator.
- Work with sports clubs and groups (including Torquay United) to further build their engagement with the community, especially young people.
- Strengthen the connections between housing providers, relevant agencies and community groups, building on the work already undertaken to ensure positive relationship with Registered Housing Providers.
- Support and encourage community weekends, festivals and other events.
- Support capacity building for key community groups, to include training.
- Develop a community engagement protocol/framework to use in designing and developing new projects and seeking funding – ensuring the community is involved from the start.
- Develop a protocol or guidance for contractors around engagement with communities.

Support independent community initiatives

Our Commitments

- We will offer community-based initiatives support to become as effective as possible.
- We will minimise barriers for community service delivery whilst maintaining our duty of care and legal requirements.

Our Actions

- Work to establish a “space” – potentially as part of **www.torbaytogether.org.uk** – to celebrate and showcase success and good practice in community engagement, highlighting in particular good “teamwork” between the Council and communities. Use this platform to connect like-minded individuals who want to work in partnership to achieve specific outcomes in their neighbourhoods. Actively seek individuals and groups to undertake and/or participate in environmental, coastal, open space and heritage improvements.
- Empower our staff to be more flexible and responsive in engaging with the public and communities. Commission a training programme for staff and Councillors around community engagement and working with community groups and volunteers.
- Establish a Community Enablement Fund to provide seed funding for community action
- Work with the Torbay Community Development Trust (TDCT), Torbay’s Community Builders and others to enable community action and the engagement of those who do not normally participate locally.
- Lend support to partners, including the TCDT and the Integrated Care Organisation, to jointly develop and implement a volunteer strategy for Torbay.
- Explore options to expand the Council’s Leave Arrangements Policy to cover and encourage volunteering in order that Council officers can make available and share their expertise with community groups.
- Improve the awareness of support available to community groups and social enterprises.

Appendix 1: Our duties

The duty to inform, consult or involve is set out within the Local Government Act 1999 and Local Government and Public Involvement in Health Act 2007.

In exercising the general duty under the Local Government Act 1998, local authorities must 'make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness'

In deciding how to fulfil the general duty the local authority must have 'due regard' for any guidance issued by the Secretary of State and should consult with the following:

- Any person or representatives who are liable to pay any tax, precept or levy in respect of the authority.
- Any person or representatives who are liable to pay non-domestic rates in respect of any area within which the authority carries out functions.
- Any person or representatives who use or are likely to use services provided by the authority.
- Any person or representatives appearing to the authority to have any interest in any area within which the authority carries out functions.

The Government's **Code of Recommended Practice on Local Authority Publicity** provides guidance on the content, style, distribution and cost of local authority publicity.

It states that publicity by local authorities should be based on the following seven principles:

- Lawful – It will comply with the Advertising Standards Authority's Advertising Codes.
- Cost effective – It will provide value for money.
- Objective – It will be politically impartial.
- Even-handed – It can address matters of political controversy in a fair manner, but the publicity will not affect support for a single councillor or group.
- Appropriate – refrain from retaining the services of lobbyists. The frequency of any council newsletters should be no more than quarterly.
- Have regard to equality and diversity – Publicity to positively influence public behaviour and attitudes in relation to issues such as safety and health can be used.
- Issued with care during periods of heightened sensitivity (such as elections and referendums).

Appendix 2: Principles for communication, consultation and engagement

To ensure Torbay Council meets its duties as well as the aims and objectives within this Strategy, all communication, consultation and engagement activity will be developed in line with the following guiding principles:

Clear and concise: We will use plain English and avoid jargon and acronyms in all our communications to ensure messages and purposes are clear, understandable and accessible. When consulting we will only ask questions which are necessary and easy to understand.

Purpose: All our activity will have a clear and defined purpose, linked to our Community and Corporate Plan. We will only consult or carry out marketing and public relations activity if there is an identified objective. Consultation and engagement will be used to influence local decision making.

Timely: All communication, consultation and engagement activity will, when possible, be planned in advance so consistent messages can be used at the right time, in the right way with the right people. We will openly inform, engage, discuss and consult with stakeholders at the earliest possible opportunity, ideally when proposals are being developed or when information is confirmed and becomes available. Due consideration will be given on the lead up to any elections or referendums to whether it is appropriate to launch new campaigns and consultation or engagement activity.

Proportionate timescales: The length of time for consultation and engagement activity will be judged against the nature and impact of the proposal / issue being consulted upon. We will ensure that sufficient time is given for respondents to consider any information provided and that there is sufficient time for them to provide an informed response.

Targeted: We will ensure that all our communications and consultations are targeted at the right stakeholder groups so they are effective and use resources in the best possible way. Where proposals, events or services affect specific individuals or groups, these stakeholders will be made aware of the activity so they can find out more, have their say or become involved. Consultation activity, in particular, will be tailored to meet the needs and preferences of different groups of people across Torbay, ensuring accessibility for all.

Relevant information: We will provide enough information, or signpost stakeholders to where they can obtain more information, to ensure that informed choices can be made. This could include how to access a particular service or how to resolve an issue. It could also relate to specific proposals and include information about how the options have been considered and details of any assessments of costs, benefits and impacts which have been carried out.

Feedback: We will ensure that any internal or external feedback will be conscientiously taken into account and will be considered in any final decision making. With regard to consultations, the results will be used to inform the development of relevant impact assessments. We will publish the

results of consultation and engagement activity within eight weeks of the activity, stating how many responses were received and how they have been used in formulating the recommendation.

Forward thinking: We will actively explore and assess how we can best use new technology and other new communication channels to reach and engage as many people as possible.

Corporate identity and style guidelines: All communications involving the council will meet our corporate identity guidelines. This is to protect the brand identity, to maintain the council's professional image and to ensure all council activity is consistent and accountable. This includes use of the Torbay Council logo, images and our house presentation style.

Partnership agreements: As we embrace a stronger integrated and joined up approach it is important that all partners agree in advance how any partnership activity will be carried out and communicated. This is to ensure there are consistent messages and that all communication and engagement protocols and corporate identity guidelines are met.

Responsibility: We acknowledge that communication is a two way process and is the responsibility of everyone. Council employees, elected members and all stakeholders have a role to play in open, timely and effective communication, consultation and engagement with each other.

Monitoring and evaluation: Given the important emphasis on using our resources to best effect, the way in which we communicate, consult and engage should be inclusive and effective. Monitoring and evaluating activity, where possible, will identify if we have met defined goals, areas that need exploring further and activity which can be improved.



Community and Corporate Plan

2023-2043

TORBAY COUNCIL

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Introduction

Our Community and Corporate Plan sets out the Council's vision, objectives and priorities. It is a high-level document which provides the foundation for all that we do. Despite everything that is fantastic about Torbay, we know that we face challenges and that some parts of the Bay suffer from nationally significant levels of poverty. There is huge potential, and this Plan brings together the interlinked priorities we need to address to make Torbay a happy, healthy and prosperous place for our whole community.

Beneath the Community and Corporate Plan sit a range of other plans and strategies which together form the Council's Policy Framework[1]. The Policy Framework provides a clear definition of what the Council is aiming to achieve – helping us to allocate our resources effectively and providing a framework against which we can measure our success.

The Cabinet is at the heart of the Council's day-to-day decision making as we work towards the ambitions set by the Council. To ensure a cohesive approach to decision making, the Cabinet agrees the Council Business Plan which sets out, against each theme of the Community and Corporate Plan, the priority actions which the Cabinet will take together with the milestones for delivering those actions.

The golden thread continues through the organisation, from strategic and operational strategies, plans and policies, into Service Plans within each Directorate and through to each member of staff's annual appraisal. This ensures that everyone within Torbay Council – whether their service is mentioned in this Plan or not – is working towards the same ambition.

Our Performance and Risk Management Frameworks are in place so that, across the organisation, we can be assured that we are delivering what we said we would do and putting in place mitigations if progress is not being made in a timely manner. The Council is clear that there should be a continuous cycle of improvement so that we can demonstrate that we are providing value for money for the residents and businesses across Torbay.

The Community and Corporate Plan covers a twenty year period which will include a formal review after ten years, when we will assess the progress we are making and make any amendments to the direction we need to take.



[1] Adult Social Care Strategy; Community Engagement and Empowerment Strategy; Corporate Asset Management Plan; Corporate Capital Strategy; Corporate Parenting Strategy; Community and Corporate Plan; Domestic Abuse and Sexual Violence Strategy; Economic Growth Strategy; Housing Strategy; Gambling Act Policy/Statement of Principles; Joint Health and Wellbeing Strategy; Licensing Policy; Local Transport Plan; Development Plan; Strategic Agreement between Torbay Council, One Devon Integrated Care Board and Torbay and South Devon NHS Foundation Trust; Treasury Management Strategy; and Resource Management and Waste Strategy.

The vision for Torbay

We want to see a healthy, happy and prosperous Torbay.

Torbay is a glorious part of Devon with an inspiring natural environment. We are a magnet for tourists and known as the English Riviera. We are home to globally significant technology businesses and have a rich leisure and cultural scene.

We want to deliver for our people and our place. We know we have challenges, but we have high aspirations. By continuing to work closely with our communities and partners and capitalising on our strengths, we want make Torbay a great place to do business – a place where everyone is able to live their best life.

A healthy, happy and prosperous Torbay for all.

Themes

To bring our vision to life, we have identified three strategic themes. Within this Community and Corporate Plan we describe what each theme means to us and our communities, the priorities we will focus on and the outcomes we want to achieve.

Our strategic themes are:

- Community and People
- Pride in Place
- Economic Growth

Our Mission and Approach

We will put our residents at the heart of everything we do. We will ensure a strong grip on finance, working with our communities and partners, to deliver a sustainable future. We will deliver quality services, improve our economy and protect and enhance our built and natural environments, so that we are all proud of our Bay.

In delivering our Community and Corporate Plan and in our day-to-day activity, we will work in the following ways.

Evidence based

We will focus on the evidence, balancing local knowledge and resident experience. We want to ensure that we have a strong evidence base for identifying needs, setting common priorities and responding collaboratively.

Make the most of our assets

We will use our assets – across our place and our people – to the best advantage.

Our towns sit on the beautiful Tor Bay, we are a magnet for tourism and host globally significant technology businesses, a wonderfully mild climate and an inspiring natural environment.

Each town has its own identity, sense of place, assets and distinctiveness. Coming together as Torbay gives us huge opportunities which we need to seize.

There are a vast number of community and voluntary groups in Torbay, both formal and informal, all trying to do their best for the communities they serve. We want our communities to develop based on the strengths, potentials and assets that already exist across Torbay.

Working together

Putting our residents at the heart, we will recognise what is strong in our communities. We will be open to ideas and always seek to understand what the community is asking for, rather than making assumptions based on existing ways of working. We will seek out a range of different voices which are reflective of the community and create space for conversations to happen.

Working with the public, private and community and voluntary sectors, we will make sure that our partnership working is streamlined and efficient. We will all know Torbay's story and we will tell it with pride.

The Torbay Story is available online at www.torbaystory.co.uk including the work being undertaken across Torbay to make it a reality.

Efficient and enabling Council

We will provide efficient and effective services and be open and transparent with our communities. Our regulatory functions will enable businesses and residents to prosper. We will tell customers what to expect and keep them up to date along the way.

We will modernise, simplify and standardise how we work so we can support the communities of Torbay. We will deliver the best outcomes for our customers, innovating and using technology to transform services.

Strong grip on finance

We will continue to work to reduce the cost drivers of our high-cost services, deliver efficiencies and increase the Council's income where possible. Ensuring the Council is financially sustainable, we will carefully manage our finances to deliver the services our community expects.

Community and People

We want people across Torbay to celebrate success and feel part of their community.

Torbay will be recognised as a child friendly place. We want all residents, including our children and young people, to feel and be safe and to live well within their communities.

Everyone will have access to support, information, advice and guidance so they can meet their aspirations. With the best possible education and training, people will be enabled to fulfil their potential. We will support people to live independently.

Our communities will be encouraged and supported to bring about positive change for the good of Torbay. People will have a better sense of ownership of the services and activities available to them. We will minimise barriers for community service delivery whilst maintaining our duty of care and legal requirements. We will build strong working relationships with our community police.

In delivering our Joint Health and Wellbeing Strategy and our Children's Continuous Improvement Plan, as a community and a Council we will hold high aspirations for our children and young people's futures. We will ensure the continuous improvement of our Children's Services with a clear aspiration to deliver outstanding services so that our children and young people have better outcomes.

Working together with partner agencies, we want to bring about real, sustainable change for those in greatest need within our communities, with residents experiencing good mental health, being supported with their complex needs and ageing healthily.

In delivering our Adult Social Care Strategy we will see thriving communities where people can prosper. Our residents will have a place to call home, in a community they can be a part of, while being empowered to achieve what matters most to them through the best care and support available.

Our Priorities

We will:

- Ensure our town centres are safe and welcoming for all.
- Keep children safe in their communities and provide safe environments for our young people to thrive in.
- Ensure early intervention is effective and targeted.
- Provide the best care and support available so that residents are empowered to achieve what matters most to them.
- Provide clear signposting for those needing our help.
- Support and encourage community action.
- Improve wellbeing and reduce social isolation.

The outcomes we want to see

- People feel safe in their local area, during the day and after dark.
- Fewer children need to be cared for by the Council.
- All residents are supported to live independent, healthy, active lives, without the need for long-term services.
- Young people in receipt of services from children's services are prepared for adulthood.
- People with care and support needs feel empowered and can access good or outstanding quality and tailored care and support.
- Carers are identified quickly and provided with the information, advice and support services they need.
- People feel they belong to their local area.
- Gaps in healthy life expectancy between affluent and deprived areas of Torbay are reduced.
- People feel that their physical and mental wellbeing is as good as possible.

How we'll measure progress

- Number of Residents' Satisfaction Survey respondents who feel very or fairly safe in their local area after dark and during the day (age weighted)
- Rate per 10,000 children of cared for children
- Differential in life expectancy in most deprived wards from least deprived ward
- Percentage of the Torbay child population living in one of the 20% most deprived areas
- Number of Residents' Satisfaction Survey respondents who very or fairly strongly feel they belong to their local area (raw data)
- Directly age standardised suicide rate per 100,000 (Torbay, Devonwide)

Links to the Policy Framework

- Adult Social Care Strategy
- Community Engagement and Empowerment Strategy
- Corporate Parenting Strategy
- Domestic Abuse and Sexual Violence Strategy
- Housing Strategy
- Gambling Action Policy/Statement of Principles
- Joint Health and Wellbeing Strategy (incorporating the Children's Continuous Improvement Plan)
- Licensing Policy
- Strategic Agreement between Torbay Council, One Devon Integrated Care Board and Torbay and South Devon NHS Foundation Trust

Pride in Place

We will invest in our three towns to enable them to develop their own distinct identities and roles. Using Torbay's unified and complementary offer as a UNESCO Geopark and a premier marine and natural experience, we will attract, retain, and grow leading edge technology businesses. We want Torbay to be a place where people of all ages want to live as well as visit. A place where everyone benefits from and enjoys a premier resort experience.

There will be more good quality, affordable and permanent properties that people, including those who are vulnerable or care experienced, can call their home. We will work with landlords and developers to maximise the use of suitable housing stock, including social housing, and create decent accommodation across Torbay. We want this to be an even better place for people to live in whilst protecting our environment.

In delivering our Housing Strategy, we will work to deliver a diverse choice of housing for our residents that meets every stage of life and lifestyle – homes that are safe, warm, fit for purpose and more environmentally friendly. Where appropriate, we will consider proactive intervention in the housing market. We will continue to protect homeless households and those threatened with homelessness, whilst putting an end to street sleeping.

We will work to get the basics right, so that our town centres, seafronts and residential areas are clean, safe and well-maintained. Alongside this we will also deliver an ambitious programme of investment across Torbay – improving the public realm, reshaping the town centres, increasing town centre living, improving connectivity – to bring confidence, employment and homes for our community.

We will celebrate and protect the places that make Torbay special, maximising the cultural, heritage and event opportunities for our residents and visitors alike. Working in partnership we will continue to address the climate emergency so as to create a sustainable future. Continuing to implement our Resource and Waste Management Strategy will see us working with our communities increase our recycling rate and reduce the amount of waste sent for energy recovery and disposal.

Our Priorities

We will:

- Draw investment into our towns and breathe life into our town centres, partnering with the private sector to deliver major projects.
- Maximise heritage and cultural opportunities for the enjoyment and benefit of residents and visitors.
- Ensure the effective operation of SWISCo to have resources to reinvest in Torbay.
- Deliver priority capital projects within the Council's Capital Programme.
- Improve the delivery, affordability and quality of housing (including housing standards) for residents in Torbay.

- Improve the delivery of our planning service.
- Protect and enhance our lived, built and natural environments, including our green spaces.

The outcomes we want to see

- Enhanced high streets that attract long-term tenants and an increased number of visitors.
- An enhanced and coherent culture, heritage and events offer with increased engagement and participation.
- Increased customer satisfaction with our parks, green spaces and streets
- More equitable access to warm, healthy, affordable homes for all people in Torbay
- Younger, skilled people are attracted and retained to live and/or work in Torbay
- Increased customer satisfaction with the Council's planning service
- Increased resident satisfaction with the local area

How we will measure progress

- Delivery of town centre regeneration programmes
- Net additional homes provided
- Number of affordable homes delivered
- Number of social rented housing available
- Cultural participation
- Percentage of people who are economically active in Torbay
- Number of Resident Satisfaction Survey respondents who very or fairly strongly feel satisfied with their local area as a place to live (raw data)

Links to the Policy Framework

- Community Engagement and Empowerment Strategy
- Corporate Asset Management Plan
- Corporate Capital Strategy
- Economic Growth Strategy (incorporating the Tourism Strategy and Cultural Strategy)
- Housing Strategy
- Joint Health and Wellbeing Strategy
- Development Plan
- Resource Management and Waste Strategy
- Treasury Management Strategy

Economic Growth

We will attract, retain and grow our economic specialisms so we have growth which builds on our reputation. There will be good employment and learning opportunities that enhance the potential for our residents and our communities. Residents will be able to access those opportunities because of the improved connectivity to, from and within Torbay.

Torbay is looking to the future and reaching out to collaborate, attract more investment and make the most of the considerable assets and opportunities it has. We will make the most of Government and private sector investment, with the voice of business being heard as we move forward with our plans.

We want to create the conditions for a strong and sustainable economy that supports a diverse mix of industries and jobs that inspire, providing equality of opportunity. We will support businesses to flourish and grow as well as attracting new businesses to the Bay. In addition, we will work with our stakeholders to ensure that roles in key sectors such as tourism and health and social care are viewed as positive opportunities.

In delivering our Economic Growth Strategy, we will work with our partners, including those across the South West, to improve economic conditions and, in doing so, help businesses to improve performance – creating new opportunities for residents, tackling poverty and improving health outcomes. We know that, to retain and attract the workforce that Torbay needs, we must have sufficient affordable housing and a sufficient supply of employment to accommodate growth and inward investment.

Our priorities

We will:

- Encourage aspiration, providing opportunities for everyone to raise their skill level, particularly in high value careers.
- Drive training opportunities across all sectors to empower people to improve their skills.
- Improve transport links to and within Torbay.
- Develop a year-round economy.
- Increase the amount of full-time employment opportunities within Torbay.
- Focus on inclusive growth, with opportunities which benefit everyone.

The outcomes we want to see

- Established pathways for young people, including those with special educational needs and/or disabilities (SEND), and unemployed to employment opportunities with skills levels moving toward national averages.
- People have better transport and digital connections to jobs and amenities.
- Vacancy rates falling year on year with business reporting they can find talent.
- Improved productivity in Torbay which closes the gap compared to the national data.

- The number of businesses and jobs in Torbay increases.
- Better balance of full-time to part-time opportunities.
- Targeted approach to inward investment which attracts new high-tech companies.

How we will measure progress

- Earnings by Torbay residences [households] (gross weekly pay – full time workers)
- Percentage of people in Torbay in employment (aged 16 to 64)
- Percentage of Torbay population with full time jobs
- Rate of National Non Domestic Rates growth
- Percentage of former cared for children who are now aged 19-21 and in employment, education or training (EET)
- Proportion of employment in current and emerging sectors
- In work benefits claimant count
- Out of work benefits claimant count
- Rates of transition into work for young people with special educational needs and/or disabilities (SEND)
- Sustainable transport use
- Gross Value Added per head of population

Links to the Policy Framework

- Community Engagement and Empowerment Strategy
- Economic Growth Strategy (incorporating the Tourism Strategy and Cultural Strategy)
- Joint Health and Wellbeing Strategy
- Local Transport Plan
- Development Plan

Appendix 1: The Torbay Profile

The following facts and figures are a summary of the Torbay Profile in 2023. In developing the Community and Corporate Plan we have considered the needs of the community in Torbay and the challenges that they are facing.

Our population

Total population = 139,322

Male population = 67,830 (49%)

Female population = 71,492 (51%)

96.1% of Torbay's population are white, 1.6% Asian, 1.5% mixed ethnicity, 0.3% black and 0.4% other

62,992 households of which 64% owned, 27% private rented and 8% social rented

Higher numbers of older people compared with the England average

Far fewer people in their 20s and 30s

Highest number of residents living in deprived areas and the highest numbers of children living in income deprived areas when compared with all other councils in the South-West

27% of our residents live in the 20% most deprived areas in England

Approximately double the number of cared for children compared to other areas in England and the South-West

1 in 4 residents say they have a long term illness or disability

Outlier for needing to support higher levels of need in the 18 to 64 age group

Productivity, pay, jobs, living standards and connectivity

Average weekly earnings = £467 (£123 less than the England average) (2020)

57% of our population is of working age and of those 78% are economically active

Estimated 16,000 unpaid carers in Torbay

12.4% of households are in fuel poverty

329 miles of highway - 332 registered electric vehicles

Best broadband rate in Devon (339 premises unable to receive 10 Mbps)

Education, skills, health and wellbeing

29% have a diploma level qualification

75% have the equivalent of 5 GCSEs at grades A-C

24% of our cared for children achieve a GCSE pass in English and maths

Over 1 in 3 children with Education, Health and Care Plans (EHCPs) have been excluded from school for a fixed period

Life expectancy gap = 9 years males and 8 years females

Those born into deprived families are more likely to have worse educational and health outcomes

When compared with the South West and England, a larger proportion of Torbay residents report their health as being bad or very bad

Pride in place, housing and crime

Highest number of residents living in private rented accommodation in Devon

Rents higher than Local Housing Allowance and are a challenge for many based on the average weekly wage

The number of homes being built in total is much lower than the Government targets

2290 residents supported through public funding with a range of services including nursing, residential and domiciliary care

Torbay crime rate reported as 10,470 – 50% higher than the overall average for Devon and Cornwall force area:

- Domestic Abuse
- Violence with no injury
- Violence with Injury
- Criminal Damage
- Public Order

This document can be made available in other languages and formats.

For more information please contact engagement@torbay.gov.uk

Your Future - Your Torbay







Torbay:

An unrivalled quality of life, in one of the UK's most beautiful destinations; where connectivity, culture, and ambition are growing fast, creating opportunities for everyone who lives, works and enjoys being here.



Introduction

Torbay offers an unrivalled quality of life for individuals and families – its natural environment, clean air, climate, location, excellent schools, growing arts and cultural sector, low crime rate and wide range of outdoor activities, means that Torbay provides everyone the opportunity to live a healthy and fulfilled life.

Torbay is one of the UK's most beautiful destinations. It is world renowned as the 'English Riviera', with first class beaches, miles of stunning coastline, a climate that is envied across the UK, with a deep rooted and diverse heritage offer and UNESCO Geopark status. In a growth market for both international and domestic tourism, Torbay is well placed to attract new and different visitors, creating more and higher-quality year round jobs in the sector.

Torbay has established areas of economic success in many industries including fishing, a large social care sector, and growing pharmaceutical and tech industries. We want to develop, attract and retain a highly educated and motivated young population, who will be an asset to a growing economy. Torbay is also a retirement destination for many fit, active, skilled and affluent older people who can play a key role in the economy and the community.

Our challenges

Torbay is a unique place and our residents have high levels of satisfaction with Torbay as a place to live. However, it also has its challenges, which this vision seeks to address. Like many coastal areas, Torbay suffers from high-levels of poverty and deprivation, with not enough opportunities for young people, meaning that many of them leave the area in order to develop their careers. Torbay currently has a predominantly low-wage, low skill economy and over reliance on the tourism industry. Torbay needs to utilise its transport and digital infrastructure in order to grow and develop its economy to its full potential. Our ageing population means that an ever higher proportion of diminishing public resource is spent on care.

The cumulative impact of these challenges highlights the need for effective partnership working is greater now than ever, with a focus on the actions that have greatest impact.



Our Vision for Torbay

Our vision for Torbay will build on our strengths to deliver economic growth, tackle inequality and create change in the area that benefits everyone who lives here.

1. Skills, growth and opportunity:

To promote organic sustainable economic growth in Torbay, as well as attracting investment and high quality jobs, ensuring that local people have the skills needed to take the opportunities that economic growth of the area will offer. To tackle inequality through skills, opportunity and growth. To build on existing strengths in the health sector and develop a diverse and responsive care sector to meet the needs of our older people.

We will support Torbay's economic growth and tackle the deprivation in our communities through building our local skills base in health, technology and hospitality, creating the higher skilled and well-paid jobs that underpin economic success. As a partnership, we will collectively support South Devon College's higher education growth ambitions, with a strong skills focus on professional and technical degrees, building on its existing strengths. We will work with schools, colleges and businesses to create a programme of local apprenticeships, encouraging young people to stay in the area through the creation of genuine opportunity. We will only achieve these aims if Torbay fully utilises its transport and digital infrastructure already in place, along with working together, as a strong and unified voice for the area, to bring further investment in integrated infrastructure that supports growth.

Torbay is a place where health and well-being are at the front and centre of our local economy. We want to grow the health industry here, attracting pharmaceutical and health companies to the area, building on our existing strengths to create economic growth and local opportunity. We want Torbay to be a great place to do business, where support is available for new and existing businesses.

We will innovate in the health and social care sector to better care for our ageing population and using our resources better to create alternative models of living including high quality accommodation. Whether through thriving communities, innovative partnerships between culture, arts and health or using new technology to support independent living, we want Torbay to make the most of what our older population has to offer and to be a fantastic place to live at every stage of life.



2. Taking Torbay into the 21st century

To promote, protect and enhance Torbay's unique natural environment and rich heritage. As the keystone of the area's success and prosperity and in our role as custodians of the place we will encourage high quality development with sustainability at its heart, which enhances the Bay's natural assets and built heritage.

Torbay's uniquely beautiful natural environment, sunny climate and proud destination heritage have led it to be known as the English Riviera, one of the UK's key tourist locations.

Its UNESCO Geopark status has provided an opportunity to develop tourism beyond its traditional base. A renewed focus on culture, with £1.2 million of new funding for the area will further enhance this and has the potential to create a vibrant, community-led cultural programme that will bring visitors from across the region and the UK. We need to develop the visitor offer to reflect our status as a centre for well-being, with a high quality leisure and cultural offer to attract a wide range of visitors to the area. Torbay can be a place where visitors can enjoy unparalleled year round access to outdoor experiences, a place where people can relax and rejuvenate, as well as enjoying a wide range of exciting and healthy, activities; we want the English Riviera to thrive as a premier coastal resort for the 21st century.

3. A great quality of life for all:

To make Torbay a fantastic place to live for all our residents, whatever their background, attracting new people to live here and providing opportunities for success and well-being for all our communities.

Torbay offers unrivalled quality of life, through its outstanding natural environment and access to healthy lifestyles. It has some outstanding schools and one of the lowest crime rates in the UK, which attract new families to the area. We need to consolidate the culture, leisure and heritage offer to create something vibrant and engaging, as much for residents as visitors. We need to ensure the area has high quality housing and accommodation for residents at every stage of their lives.

We need a renewed commitment to tackling the underlying inequalities in the area, through jobs, skills and growth, but also through focusing on health and well-being issues, tackling entrenched health inequalities such as obesity, poor mental health and teenage pregnancy.

We want Torbay to offer a great quality of life for everyone who lives here.



Strategic Partnership Commitment



As a partnership, working together, we will provide clear and focused place-leadership; to be a strong, bold, unified voice with a shared narrative for Torbay, standing up for the area and its communities, promoting our successes, building local pride and campaigning for the investment that the area needs, as well as tackling inequality. We will work together to deliver:

- A strong, confident Torbay, with unified political, business and community leadership. A partnership that will advocate and lobby for the area, build local pride and optimism, secure infrastructure investment and effectively position the Bay locally, nationally and internationally.
- A great place to do business and where companies grow and succeed; well-connected, with a skills-led economy, underpinned by the offer at South Devon College, apprenticeships and outstanding schools. A thriving and innovative economic hub, building on existing strengths.
- A great place for everyone to thrive; a place with an outstanding natural environment for healthy and safe living and a vibrant cultural life, where young people can stay and succeed, families can thrive and older people can enjoy a healthy and active retirement.
- A premier coastal resort for the 21st century; a thriving tourism centre that plays to the strengths of our natural environment, cultural offer and destination heritage.
- A vibrant and supported community and voluntary sector, working across the Bay, maximising our assets for the benefit of all.



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TORBAY COUNCIL

Torbay Inclusion Strategy 2025 - 2030

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Version control

Date	Details	Updated by
15 April 2025	Version approved by Cabinet and Council	Policy, Performance and Engagement Team

Introduction

Equity means treating people fairly. Diversity means understanding that everyone is different. Inclusion means that everyone is included and feels welcome. It is about seeing and valuing people's differences. Inclusion also means supporting people and providing help in different ways when people need it.

The Torbay Inclusion Plan has been written to make sure that this is a place where everyone is treated fairly. This plan is for everyone who works at the Council including our councillors. It includes our services and how we work and support our staff and how we work with different organisations.

The Torbay Inclusion Plan follows the Racism Review which looked at how we can make Torbay a welcoming place for everyone. The Inclusion plan supports work such as Child Friendly Torbay, the Carers Strategy, Age friendly and others

Our legal duties

We must follow the Equality Act to make sure that we treat people fairly and with respect. You can read more about our legal duties on our website.

We must make sure that we do not treat people unfairly because of their background, identity or experience. These are known as the protected characteristics which are:

- age
- Care experience
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

We treat care experience as though it is a protected characteristic as we know that people who have been in care face lots of challenges. We also make sure that we promote equality and do not treat members of the armed forces community unfairly under our Armed Forces Covenant Duty.

To be inclusive we will:

Treat people fairly and with respect

- Challenge unfair treatment
- Help people to feel safe and welcome in Torbay
- Help people to have easy access to our services.
- Help people from different backgrounds to have similar life chances
- Create good relationships between communities in Torbay
- Change the way we do things to meet different people's needs
- Look at how our policies may effect different groups of people

How we will be inclusive

The Equality Framework for Local Government

We have used the Equality Framework for Local Government and its different areas to help us write this Plan. The Equality Framework for Local Government was created by the Local Government Association to help local councils be more inclusive.

Understanding and working with your communities

To help us meet the needs of different communities in Torbay and to support us to work well together we will:

- Collect and share information about our communities
- Use inclusion data to help us to decide what to do
- Identify how we will listen to different communities
- Support good relationships between communities and with the Council
- Support people to volunteer and get involved in their communities

Leadership, partnership and organisational commitment

To show that our leadership and our partners are inclusive we will:

- Support councillors and senior leaders to support and raise awareness of inclusion
- Work with our partners and support them to be inclusive
- Look at the effects of our decisions on different groups of people and complete an equality impact assessment
- Support councillors to feel confident to understand the possible inclusion impacts of a decision
- Publish an annual report to show where progress has been made
- Celebrate the different communities living in Torbay

Responsive services and customer care

To show that our leadership and our partners are inclusive we will:

- Buy our services and products in an inclusive way
- Look at our equality objectives when planning services
- Change the way we deliver services to meet the needs of different people
- Provide information, advice and guidance in a way that is easy for everyone to access and understand

Diverse and engaged workforce

We have a People Strategy which is the plan for how we will be an even greater place to work. To help make this an inclusive place and to support the People Strategy we will:

- Support people from different backgrounds who work here
- Put in place policies that meet the needs of our workforce
- Look at our workforce data
- Provide different training and learning opportunities to help our staff understand equality and diversity
- Put in place reasonable adjustments
- Make this a welcoming place to work

Making it happen

To make our services welcoming and inclusive in Torbay we will focus on key areas. These areas are known as our equality objectives and are:

- Listen to different people and communities when the Council makes a decision.
- Be clear with the organisations and people that the Council buys services and products from that inclusion is important to the Council.
- Continue to complete the actions from the Racism Review.
- Support our staff to understand what they need to do and how they need to behave to be inclusive.
- Continue to raise awareness of the importance of reasonable adjustments.

More information about our equality objectives can be found on our website.

Reasonable Adjustments: Small Changes - Big differences

Reasonable adjustments are small changes which the law says must be made so that people with disabilities can use services as easily as everyone else. They may be small changes but they make a big difference to the lives of people with learning disabilities.

Having reasonable adjustments can help people to take part in their community, give them more independence, get better health care and live longer. Services which must be provided (statutory) should be showing other organisations how to make reasonable adjustments so everyone can see how important they are and what a difference they make.

The Learning Disability Ambassadors have told us that having reasonable adjustments can help people to take part in their community, give them more independence, get better health care and live longer. The work we do to deliver our Inclusion Plan will support The Big Plan and will include reasonable adjustments in everything that happens.

We also know that other groups of people may benefit from support to access our services. For example, someone who speaks English as a second language and needs to use an interpreter. We are working hard to make sure that our services are accessible.

The Torbay Inclusion Partnership

The Torbay Inclusion Partnership is being set up to help us listen to the needs and views of different groups of people when it makes decisions. It will also help us to deliver this Inclusion Plan. The group will be made up of organisations working with different communities and people who make decisions within the Council.

The Partnership Board aims to:

- Promote fairness and respect
- Promote partnership working
- Listen to their views and needs of different groups
- Act as a 'critical friend' on inclusion issues
- Help us to understand the impacts from our decisions.

Making the Inclusion Plan happen in Torbay

Making everything inclusive will take time. The Torbay Inclusion Partnership Board will agree the actions to be completed each year. The Council's Senior Leadership Team will oversee this. The action plan will then be approved by the Council's Director of Corporate Services who will be updated every three months with progress.

The Council's Partnerships and Inclusion Manager will write the actions and report on behalf of the Partnership Board. They will also write an annual report about the work that has been done and the progress that has been made. There will be actions which other groups need to take to make sure The Inclusion Plan happens. It is important for everyone to work together to make change happen. The annual report will need to include information from other plans too.

Policy and legislation (Laws)

The Inclusion Plan includes work which the Government has written about and made laws about.

These include:

- The Human Rights Act (1998)

- The Equality Act (2010)
- The Armed Forces Covenant (2021)
- The Accessible Information Standard (2017)

For more information please contact us:

By email:

engagement@torbay.gov.uk

By telephone:

01803 201201

By post:

Policy, Performance and Community Engagement Team

Town Hall

Castle Circus

Torquay

TQ1 3DR

This document can be made available in other languages and formats.

For more information please contact **insert your team email or phone no here**



Corporate Parenting Strategy 2026 – 2028

A contract of trust

TORBAY COUNCIL

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1. Foreword

We are passionate and absolutely committed to wanting Torbay and its residents to thrive. Central to this vision is making sure that everyone can play their part in supporting Torbay's children and young people and making Torbay 'child friendly.'

We are so proud of our children and young people, and we are committed to do all we can to support them to benefit from the many opportunities that the Bay has to offer. In all we do, we want our children to feel personally supported, safe and benefiting from the advice and practical encouragements that will enable them to become successful young adults equipped to take their place in the world. We want them to have a collective voice so that we can understand and respond to their issues, priorities, stresses and successes.

We are committed to being the best parents by caring deeply for our children and young people and ensuring that our promises made in The Pledge as it is set out below are known and understood by our children, young people and our workforce and, most importantly, are fulfilled.

The Pledge :

We, as your corporate parents, pledge to support, empower, and respect you. This pledge is built on your voices, your experiences, and your aspirations. It reflects our commitment to listen, act, and stand beside you—always.

1. Respect and Empowerment

- We will treat you as individuals, not labels.

- We will listen to you, involve you in decisions, and explain things clearly.

- We will respect your privacy and ensure you are not singled out or bullied.

2. Health and Wellbeing

- We will support your physical and mental health through regular check-ups and access to services.

- We will help you develop a Personal Health Plan tailored to your needs and choices.

- We will celebrate your achievements and support your resilience and self-worth.

3. Education and Learning

- We will help you stay in your preferred school or college and explain any changes.

- We will develop a Personal Education Plan to help you succeed.

- We will support your learning journey with encouragement and understanding.

4. Relationships and Identity

- We will support your relationships with family, friends, and siblings.

- We will plan visits and family time around your preferences.

- We will help you build a strong sense of identity and belonging.

5. Independence and Future Opportunities

- We will guide you as you grow, offering support when needed and space when wanted.

- We will help you develop life skills and access opportunities in education, employment, and training until at least age 21 and where applicable up to 25 years.

- We will celebrate your talents and support your goals.

6. Participation and Voice

- We will ensure your voice is heard in all decisions that affect you.

- We will work with you individually or through groups like the Children in Care Council.

- We will review this pledge annually to ensure it reflects your evolving needs and priorities.

This pledge was shaped through consultation with cared for children and care experienced adults in Torbay. It reflects real experiences and is aligned with restorative practice values and inclusive language.

The content of the Pledge has strongly informed this strategy, and we will ensure that its spirit and intent is carried forward into how we work and engage with Torbay's cared for and care experienced children and young people.

We would additionally like to take this opportunity to thank our incredibly dedicated foster carers and staff for the commitment they demonstrate to our cared for and care experienced children and young people every single day. We are committed to being great corporate parents, to ensure that each of our children and young people has every opportunity to live happy and fulfilling lives.

The Corporate Parenting Board

2. Corporate Parenting Vision

The Children and Young People's Plan sets out Torbay Council's objectives and priorities for all services that directly affect children and young people across the communities which make up Torbay. Its overriding objective and common purpose are ***to ensure that all of our cared for and care experienced children and young people are safe, happy and healthy in order that they can reach their full potential.***

In the context of Corporate Parenting this objective becomes an ambition ***to ensure that our cared for and care experienced children and young people are:***

- safe, happy and healthy in order that they can reach their full potential; and
- supported to have all the opportunities that good parents afford their children.

We are committed to being an effective, caring and ambitious corporate parent and we will work effectively with our partners such as health, education, the police and the voluntary sector to show this through:

- our positive and unconditional support,
- our engagement, communication and collaboration with cared for and care experienced children and young people,
- our openness to challenge and our sense of accountability to cared for and care experienced children and young people,
- our focus,
- our language, and
- our actions.

We will ensure that our cared for and care experienced children and young people are at the heart of all that we do and receive the same standard of care that any good parent would provide to protect and support them to benefit from a range of good and enjoyable experiences and to cope with the dangers and risks of everyday life. We will celebrate and share in their experiences and achievements, no matter how big or small, and we will remain ambitious for them and will work hard to support them in reaching their full potential. We will do everything we can to make sure that our cared for and care experienced children and young people are set up for life. Equally importantly, and at every step along the way we will talk frequently with our children and young people, we will respect and understand them and wherever it is possible and right to do so, we will act upon their views and wishes. We will make sure we tell them what we have done even when like in all families, we may not always be in full agreement. We will give our cared for and care experienced children and young people the ability to influence and importantly to challenge the Corporate Parent so that they can be sure that we will do everything in our power to ensure this strategy works for them and helps them achieve their goals and improve their lives.

We want Torbay to be a 'Child Friendly' place, a place that champions our cared for and care experienced children and young people and where they can grow and thrive and live happily and safely.

3. Introduction

This strategy is more than words on a series of pages. It represents the Council's responsibilities and accountabilities to each of its cared for and care experienced children and young people. It forms a ***'Contract of Trust'*** with those for whom it has a relationship bound in statute and moral obligation. It reflects a solemn determination to ensure that the intent of this important strategy translates to timely and positive action that enables each cared for and care experienced child and young person to have their needs met and their aspirations encouraged while being supported to live happily, safely and securely. It is the expectation of this strategy that each child and young person will actively participate in discussion and debate with their workers and understand and

contribute to the decisions that are made which affect their lives. Through these personal connections confidence and ultimately trust will flourish and grow, and the children and young people will experience positive relationships that they can constructively use to navigate the challenges that will face them.

"I want my say in decisions".

- Cared for young person

"Being a care leaver faces you up to not having a family around you like most of your mates. It is hard and lonely sometimes."

- Care experienced young person

"Don't just talk to us. Hear what we have to say and understand what it means"

- Cared for young person, specific consultation session

The image contained within this introduction, is a photograph/illustration submitted by one of our care experienced young people. It symbolises powerfully the many diverse hands of friendship and support required by each cared for and care experienced child and young person as they grow into their communities with the support of the professionals with whom they form relationships.



So, what precisely is corporate parenting? It is a term enshrined in statute that incorporates all of the responsibilities that we have as a Council to ensure that our cared for and care experienced children and young people are provided with the best possible care and protection. This is about more than just keeping children and young people safe. It is about every department of the Council and each of our partners working towards the common purpose set out in our objectives to enhance every aspect of their lives and by working with each child and young person ensuring that they are equipped with the right support to achieve their dreams. It needs to be said that our children and young people who participated in the consultation process do not like the term *corporate parent* but

said they were prepared to accept it as it is used in law, but they want to work together to consider the term they would like us to use in our internal discussions.

This Corporate Parenting Strategy outlines our aspirations to become the kind of corporate parent Torbay wants to be and how the Council will work alongside its partners, including education, police and health services, to achieve this ambition. It requires everyone, from officers to elected Members to GPs and to teachers, not only to recognise their role as corporate parents but also to understand how they work together to achieve the very best outcomes for each cared for and care experienced child and young person. The effectiveness of the strategy will properly be judged against this exacting standard.

The detail of the strategy sets out the commitment of our wider partnership to these objectives, and achieving our ambitions through strong strategic, corporate and political leadership and meaningful performance management. We will maintain an absolute commitment to the ongoing engagement and involvement of children and young people in the development and implementation of our strategy and associated action plans, and effective collaborative working with our partners across Torbay. The mission statements and priorities set out within this strategy reflect not only the Pledge and the local and national priorities for cared for children and care experienced young people, but also the priorities that have been developed as a direct result of our engagement and consultation with children and young people.

Each mission statement and priority has elected Member support and is delivered through the work of the Corporate Parenting Strands that are defined within the Corporate Parenting Board governance structure. The Strategy also demonstrates how the Corporate Parenting Board is held accountable for the delivery of the action plans underpinning our comprehensive corporate parenting principles and priorities, including by direct contact with children and young people and through their dedicated representative, the Senior Corporate Parenting Lead (Cared For and Care Experienced Children and Young People). This is a new post created as part of this strategy development to ensure that the voices of our cared for and care experienced children and young people are heard and understood in each of the service development, practice delivery and Corporate Parenting Board accountability processes.

Cared for and care experienced children and young people also receive services as part of this strategy that are partly or wholly delivered by partners. It is therefore an expectation that the governance arrangements relevant to those organisations and individuals working with the children and young people will ensure proper scrutiny and liaise where appropriate with the Corporate Parenting Board.

4. The Statutory Context

Legal Duties

Under the Children Act 1989, a child is cared for by the Council if they are:

- Provided with accommodation for a continuous period for more than 24 hours,

- Subject to a care order,
- Subject to a placement order.

When a child or young person becomes cared for, the Council becomes their Corporate Parent. In February 2018, the Department for Education published Statutory Guidance for Local Authorities and outlined the key principles of Corporate Parenting and the statutory responsibility that **all** elected Members and council officers have in terms of the wellbeing of cared for and care experienced children and young people.

We are also the corporate parent for those young people who are care experienced. The Children (Leaving Care) Act 2000 outlines the legal definition in terms of who qualifies as a care experienced young person. Specifically, this is defined as a young person aged sixteen or above who has been cared for by the local authority for a relevant period of time since their fourteenth birthday, and for those who have been cared for on or after their sixteenth birthday for a period of time. The expectations in terms of the services and support that local authorities must offer is contained within the Children (Leaving Care) Act 2000, the Care Leavers (England) Regulations 2010 and the Children and Social Work Act 2017. The Council continues to provide support to care experienced young people until they are 25 under the extended duties contained within the Children and Social Work Act 2017.

This strategy lays a responsibility upon elected members, senior officers and all staff across the Council to share a common vision, a conscious sense of collective responsibility and a demonstrable commitment to work collaboratively with our cared for and care experienced children and young people. These qualities will enable the desire to develop and deliver a range of quality services to our children and young people to come a reality.

5. Principles and Priorities

Corporate Parenting Principles

We will ensure that we meet the needs of our children and young people, and we will use these principles, the spirit of which is enshrined in the Pledge to guide every element of our approach.

On behalf of our cared for and care experienced children and young people, we will always:

- act in their best interests and promote their physical and mental health and wellbeing,
- actively encourage our children and young people to express their views, wishes and feelings,
- demonstrably seek to fully understand and take account of their views, wishes and feelings by working in accordance with the Council's restorative principles,
- in collaboration with the children and young people, help them gain access to, and make the best use of, services provided by us and our partners to meet their needs,
- promote high aspirations and seek to secure the best outcomes for them,
- ensure that they are safe and have stability in their home lives, relationships, education and work,
- prepare them for a successful transition to young adulthood and secure independent living.

Priorities

We have identified a number of priorities in ensuring we are the best corporate parents we can be. We will focus on these priorities and continue to talk to children and young people, to make sure they remain the right ones.

Set out below are the Priorities that reflect the spirit of the relevant parts of the Pledge that we have we made to our children and young people. They will be used to develop outcome-focused action plans that will specifically state what will be done, by whom and by when so that all involved will know how the priorities will be delivered in practice.

Priority 1: We will work with you

"Come when you say you will, don't cancel on us and get to really know us"-Cared for young person.

> ***Mission Statement:*** *Every cared for and care experienced child and young person will have a positive, respectful and trusting relationship with a worker with whom they have regular contact and derive benefit from shared communication, advice and guidance and support.*
>
> ***Child Friendly Mission Statement:*** *You will have a worker who you see often, who listens to you, helps you, and treats you with kindness and respect. You can talk to them about anything, and they will give you advice, support, and be there for you when you need them*

- We will come when we say we will, we will be prepared for our meeting, and we will listen to you and understand what you are saying.
- Your views will always be given priority, and we will be honest about what we can do and what is not possible.
- We will explain your rights and entitlements using language that is easily understood.
- We will use Language that Cares.
- We will respect your privacy and do everything we can to ensure that you are not singled out or bullied at school, college, or in any other setting.
- We will use our training to be thoughtful and understanding about the challenges you face.
- We will celebrate your achievements with you in the ways that you would like.

Priority 2: We will ensure your living arrangement (placement) is safe and meets your needs

"Unless our homes are good enough for you to live in, they are not good enough for us"- Care experienced young person.

Mission Statement: *Every cared for and care experienced child and young person will benefit from a safe and secure living arrangement that enables each child and young person to grow physically and psychologically with support from carers and professionals while enjoying positive contacts with their families whenever this is possible.*

Child Friendly Mission Statement: *You will have a safe and comfortable place to live, where people look after you and help you grow. The adults who care for you will support you and make sure you feel happy and secure. Whenever possible, you'll also be able to keep in touch with your family and the people who are important to you.*

- We will work with you and your carers to ensure your home is the best it can be.
- We will work together to keep you safe and protected.
- We will work with you and your carers to ensure that you have opportunities that you enjoy and enable you to have your voice.
- We will plan visits in advance and involve you in those plans and we will not change them unless it is absolutely unavoidable.
- We will help you to stay in contact with any family you may have if you want that and explain the reasons if this is not possible.

Priority 3: We will support you to fulfil your potential

"What has happened to us makes education, training and work hard for us. Be patient and help others to be patient with us too" Cared for young person.

Mission Statement: *We will work tirelessly in conjunction with our education colleagues to ensure that every cared for or care experienced child and young person benefits from their full entitlement to education and training with no avoidable gaps and are supported in every way to achieve their best.*

Child Friendly Mission Statement: *Together with your teachers and lecturers we will do everything we can to help you learn and do well at school, college, or in training. We'll make sure you don't miss out on any chances to learn, and we'll support you in every way so you can achieve your goals and be the best you can be.*

- We will ask you about what your goals are and support you to achieve them.
- We will work with you to develop a Personal Education Plan of the things you do in school, college or alternative provision, so you are encouraged and helped to do well.
- We will work closely with your school, college or provider involving you directly whenever possible, and offer you easy to understand reasons for any changes.
- We will encourage and support you to take up opportunities in education, employment and training until the age of at least 21, in ways that suit you.
- We will do everything we can to create work and training opportunities for you.

Priority 4: We will ensure that your physical, emotional, mental health needs are met

"***Follow through on health issues to make sure we get what we need." Care experienced young person.***

Mission Statement: *Every cared for and care experienced child and young person will benefit from a relentless focus on ensuring that their physical, emotional and mental health needs are met without delay by the appropriate specialists wherever they may live.*

Child Friendly Mission Statement: *Together with our colleagues in health we will make sure you get the help you need to feel healthy and happy, both in your body and your feelings. If you need to see a doctor, nurse, or someone to talk to, we will help you get support quickly, no matter where you live.*

- We will work together to help to support your sense of well-being and personal identity.
- We will develop with you a plan (called a Personal Health Plan) to support you to be healthy and make informed good choices about your lifestyle to keep you emotionally, mentally and physically fit and well.
- We will support you to access regular health and dental checks and help you make any appointments or access treatment you may need without avoidable delay.

Priority 5: You will be supported to develop into an independent, confident and responsible adult

"Don't dump us into independence and expect us to survive. We need lots of help even if we say we don't. Be there for us" Cared for young person.

Mission Statement: *We will work tirelessly to ensure that each cared for and care experienced child and young person participates fully in planning and the work undertaken to support them to make the transition to becoming a secure, safe, confident and happy young adult equipped with the necessary life skills for success.*

Child Friendly Mission Statement: *We will help you be part of making plans for your future, so you can become a confident, happy, and independent adult. We'll support you to learn the skills you need for life and make sure you feel safe and ready for what comes next.*

- We will support and work with you so that you build an understanding that challenges and uncertainty are part of life and growth, and help you develop skills and strategies for dealing with them.
- We will work with you to ensure you have support and advice, so that you become confident and skilled in making good choices and less likely to take worrying risks or be open to exploitation by others.
- We will work with you to develop the life skills we all need to achieve your goals and have the best opportunities for the future.

Priority 6: We will support you to secure good quality housing that you can call home and put down roots.

"All we ask for is somewhere decent to live so we can move on in life" Care experienced young person.

Mission Statement*: We will ensure that each cared for or care experienced young person is prioritised and supported to secure without avoidable delay safe, stable and sustainable accommodation that is suitable for their assessed needs.*

Child Friendly Mission Statement: *We will make sure you have a safe and stable place to live that suits what you need. If you need to move, we'll help you find a good home as quickly as possible, so you feel settled and supported*

- We will work to secure a range of suitable accommodation to meet the needs of our cared for and care experienced young people.
- We will continue to support young people with rent guarantees.

- We will consider how young people can be further prioritised for social housing.
- We will work relentlessly to prevent any young person from becoming intentionally homeless.
- We will continue to support the Council's established 'staying put' arrangements with fostering families when it is right for the young person.

In respect of all of these priorities and pledges, we will actively engage and consult with our children and young people, in taking forward the corporate parenting principles outlined above. We will make sure that we take what we learn from children and young people and embed this rich material in the partnership workforce development and training framework, to make sure that we as corporate parents share this learning.

Restorative Practice

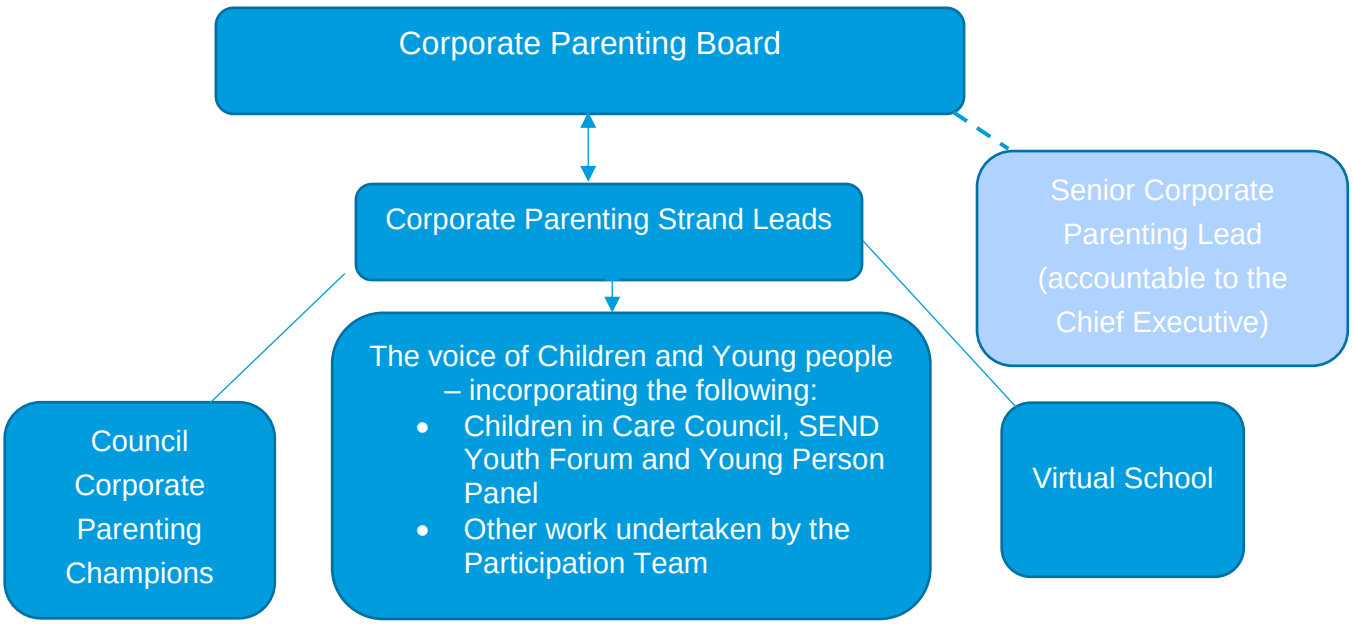
Torbay is committed to working with children and families in a restorative way. What this means is that we will value and place importance on the relationships we build with children, young people and families and always treat them with respect and dignity.

To Torbay's cared for and care experienced children and young people, we pledge that we will always try to work with you, as opposed to making decisions about you without involving you, or doing things for you without involving you. This means regularly seeking your views and reflecting these views in all assessments, plans or other forms of communication written with and about you.

6. Governance

The Council's Community and Corporate Plan sets out our aspirations for the community of Torbay including children and young people. The Council's objective is to ensure that all children and young people are safe, happy and healthy in order that they can reach their full potential.

As this strategy makes clear corporate parenting is the responsibly of the Council as a whole and of its partners. The diagram below illustrates how the various elements combine to ensure that the accountable Corporate Parenting Board has a clear line of sight to the work being carried out with cared for and care experienced children and young people.



Corporate Parenting Board

The three key principles govern the work of the Board are (1) 'small is beautiful' reflecting the importance of keeping the Board as small as possible to maximise its effectiveness and efficiency and (2) a commitment to focusing upon the needs of cared for and care experienced children and young people and (3) capturing the voices of children that are critical to informing and assisting in evaluation of the strategy's development, effectiveness and progress.

Membership: *The membership of the Board will comprise politicians, senior professional from partner agencies and a representative of the foster care association.* Children and young people are represented by the dedicated full time, care experienced officer, the Corporate Parenting Lead who works across the partnership to gather views and to advocate on behalf of children and young people while performing a key role in ensuring that the Board delivers the strategy and its associated action plans. They will attend all meetings but will be an active participant to support the Board, rather than a member.

Purpose of meeting: To review the progress of the strategy and its action plans, and to monitor the progress of the associated action log. It therefore provides critical operational oversight and professional challenge to those responsible for Corporate Parenting activities. Reports to the meeting are documented using a template which requires the author to explicitly state which priorities of the strategic plan, strand priority action plans or requirements of the Pledge apply. Minutes of every meeting are produced in child and young person friendly ways and distributed to all Board members. Bi-annually, overall progress is reported to Cabinet and to Children's Overview and Scrutiny. A publicly available annual report is produced, similarly adapted to child-friendly form. accompanied by a revised strand priority action plans if amendment is required. The annual report will also be presented to Cabinet.

Meeting frequency and support: Every 2 months forming a key element within the Council's Constitution. It will take place at a suitable venue and will be supported corporately by Governance Support.

Corporate Parenting Strand Leads

In line with the priorities outlined above, we have established five Corporate Parenting Strand Leads: Emotional Health and Wellbeing, Participation and UASC, Housing, Education and Employment & Fostering. Each Strand Lead is led by an elected Member who is a member of the Corporate Parenting Board, who each have their own job description. The Strand Lead's meetings also include Lead Officer support and key officers and partner representatives. Strand Leads take their strategic direction from the Corporate Parenting Board and the associated mission statements in respect of their area of focus. They monitor and evaluate the operational implementation of strand priorities, and use the meeting to scrutinise and explore relevant performance data and information, identifying barriers to progress before feeding the information into their reports to the Strategic Board and if necessary into proposed amendments to the strand priority action plans.

Virtual School

Torbay Virtual School provides the framework through which the educational needs of our cared for and care experienced children and young people are met working closely with educational providers, carers, social care and health practitioners, and children and young people. The work of the Virtual School is overseen by a Governing Body and led by the Virtual School Headteacher.

We absolutely believe it is crucial and right that every cared for and care experienced child and young person (including those in custody) has a full and enrichening education. We know that a failure to do so will have avoidable life affecting impacts for the children and young people concerned. Educational attainment and progress for our children is subject to regular and rigorous review to determine the effectiveness of the arrangements put in place for them via their Personal Education Plan and where necessary we will use all available resources in support of learner's right to have the education that they deserve. The Virtual School also produces an annual report for the consideration of the Governing Body, Corporate Parent Members Group and Full Council that will contain a detailed analysis of educational progress, development and barriers to progress, and recommendations to achieve further improvement for children and young people.

The Corporate Parenting Lead

It is the Council's belief that cared for and care experienced young people deserve and will benefit from a dedicated support professional who because of their personal lived experiences will have the ability to understand and work closely and alongside children and young people. Advocating for their voices will be an important function together with a key role to actively hold the Council to account for its delivery of the strategy and its priority action plans. Sitting at Corporate Parenting Board meetings will mean that for the first time children's and young people's voices will be expressed and heard at every meeting and decisions will always be made taking into account the views and experiences of cared for and care experienced children and young people. When it is appropriate, the Corporate Parenting Lead will support children and young people to attend Board meetings to enable direct participation in debate and discussion.

Council Corporate Parenting Champions

All departments across the Council and our wholly owned companies will have designated officers as Corporate Parenting Champions. The Champions come together on a quarterly basis together with the Senior Corporate Parenting Champion, to help to shape their department's role in ensuring that we are good corporate parents and to inform and influence Council-wide initiatives to enhance our Corporate Parenting Offer.

The established aims of this group are:

- To become an authority who thinks first about our corporate parent role and ensures that it is fully embedded in all we do as an authority.
- To provide a corporate parenting offer for our children.
- To provide a corporate parenting offer for foster families.

- To raise awareness of the Council's corporate parenting responsibilities and to lead or encourage action in furtherance of those responsibilities.

Children and Young People's Panel

Torbay will establish a Children and Young People's Panel, consisting of a diverse group of young people who can represent all the children within Torbay, including but not limited to representatives from different educational providers, children and young people with SEND, cared for children and care experienced young people. This would not only be a means of bringing together the existing participation groups as a way of centralising feedback from children and young people but would also support us in being able to expand the representation within these groups and reflect the voice of a wider range of children and young people.

In addition, this will create a sense of community and collaboration for our cared for and care experienced children and young people as they unite to advocate for themselves and have their voices heard.

Participation Officers

Torbay's Participation Officers endeavour to support and promote positive participation with children, young people and parent/carers, and going forward will work collaboratively and dynamically with the Senior Corporate Parenting Lead (Cared for and Care Experienced Children and Young People). They will obtain the views and lived experiences of children and young people and enter into discussion, debate and consultation about all aspects of the plan to ensure that the Corporate Parenting Strategy is effective as possible in terms of reach and impact. Together they will be a force to enable children and young people's voices to be heard and understood by the corporate parents and will work relentlessly to hold to account the Corporate Parenting Board members for delivering the Corporate Parenting Strategy, its mission statements and priorities.

7. Talking to us

The Corporate Parenting Strategy has emphasized how we value and see as crucial communication with children and young people. We believe that learning from their experiences and understanding their views and opinions are the richest sources of information to support policy and service development and service delivery to the highest standards.

We have emphasized throughout this strategy how we will work closely with children and young people and take their experiences of care and leaving care very seriously, whether this has been something positive or something which has been more difficult for them to manage. We will learn from those experiences and use them to make the strategy and services better. However, we recognize that although we benefit greatly from communicating directly, we do not reach all children and young people. We are committed to doing so and a key task of the Senior Corporate Parenting

Lead (Cared For and Care Experienced Children and Young People) will be to develop ways to involve those who have not yet been spoken with to include them in the processes in ways in which they feel comfortable. In doing so, we expect that social workers, Personal Advisors, carers, teachers, support workers and Independent Reviewing Officers will be enlisted to help, advise and play an active part. The broadest understanding of children and young people will help the corporate parents grow and develop in line with what children and young people say.

Thriving Communities Where People Can Prosper



TORBAY COUNCIL healthwatch Torbay torbay COMMUNITY development trust

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August 2023

Introduction

This strategy outlines our values, our ambitions and how we're going to achieve the best outcomes for everyone.

Social Care Futures say that we all want to live in a place we call home with the people and things that we love, doing what matters to us in communities where we look out for one another (from Social Care futures) and that sums up what we're trying to achieve, working with people who are in the best place to tell us if we are achieving it!

There are so many great things about Torbay, and we've achieved a lot already – this strategy outlines how we're going to move forwards together.

Joanna Williams, Director of Adult and Community Services

Foreword

I want to thank everyone that has taken the time to complete the survey or has taken part in the consultation meetings we have held over the Summer. We have heard how important it is for people who use services to be heard and to work collaboratively together in our communities to improve services.

This strategy sets out our aspirations in relation to working together for everyone who has social care needs ensuring that people can remain independent, regain independence and for those that have care needs to be supported in the best way for them and their carers and families. We will continue to build on our integrated care model that puts a strengths-based approach at its heart, focussing on what matters most to people.

Cllr Hayley Tranter

Cabinet Member for Adult and Community Services and Public Health

Who is this Strategy for?

This Strategy outlines how we can work together to deliver improved adult social care services for residents in Torbay. The Strategy seeks to achieve the best for people in Torbay, their friends and family. The key principle is that we always work with people who may need care and support in Torbay, and those who care for them, and prioritise their voice above everything else.

We all want good outcomes, that we choose ourselves and to have control over how we live in our community. A vital part of adult social care is ensuring that people have the resources, and environment to keep them well in their own home.

Adult social care provides 'care and support', which covers a range of activities to promote people's wellbeing and support them to live independently, staying well and safe. It can include 'personal care' such as support for washing, dressing, and getting out of bed in the morning, as well as wider personalised support to enable people to stay engaged in their communities and live

their lives in the way they want. Adult social care supports adults of all ages and covers a diverse range of needs, including autistic people, people with a learning disability or physical disability, people with mental health conditions, people with sensory impairments, people who experience substance misuse, people with dementia, and other people with long-term conditions.

This strategy is designed for those who may need care and support and their carers, paid or unpaid. It is also for care staff, care providers, the voluntary and community sector and our partners in the NHS.

Context

Overview of Torbay

Torbay can offer an unrivalled quality of life for individuals and families. The beautiful Torbay and its stunning natural environment provide a wide range of outdoor activities. We have excellent schools and a growing arts and cultural sector. But in common with other coastal communities, Torbay has its challenges. Our Joint Strategic Needs Assessment shows us where our major challenges lie there is a six-year gap in life expectancy between different areas of the Bay.

Torbay has the highest levels of deprivation in the South West. We have an ageing population who may experience ill-health, loneliness, and frailty. The number of people aged over 85 is expected to increase by over 50% within the next decade or so. As the population ages it is expected that we will see more people become frail and require support from health and social care services. We have high levels of children living in poverty, child and adult obesity, and suicide. Poorer environmental conditions are inevitably associated with poorer physical and mental wellbeing.

The level of need and inequality within the Bay has widened over the last 10 years and younger people and working age adults have higher levels of poor mental health and higher levels of drug and alcohol problems within the Bay. There is a higher incidence of younger people (under 18) with mental health problems and self-harm.

The Joint Health and Wellbeing Strategy lays out the plan to address these challenges and improve the health and wellbeing of the population in Torbay between 2022 – 2026. Five focus areas and six cross cutting areas identify priorities for collective system action over the next four years.

National social work context

We must be honest about where we are. The Care Quality Commission State of Care Report in 2022 highlighted that the health and social care system is gridlocked and unable to operate effectively. People from deprived areas, people with disabilities and people from ethnic minority groups are less likely to access good care in a timely manner.

People can't always leave hospital when they are ready to, and providers are finding it extremely challenging to recruit.

Recognising the challenges facing the sector, the Government has embarked on a programme of reform. Its adult social care reform white paper, "People at the Heart of Care", sets out a 10-year vision to transform care and support in England based around three objectives:

1. People have choice, control, and support to live independent lives.

2. People can access outstanding quality and tailored care and support.

3. People find adult social care fair and accessible

Integrating Care in Torbay – Our Journey So Far

Torbay has long been at the forefront of pioneering integrated care. In 2005 the Torbay Care Trust was established to provide integrated community health and social care services. These services were based around an integrated management structure, pooled budgets, and integrated multi-disciplinary teams.

Integrated care was further developed with the creation of the Integrated Care Organisation in October 2015 - Torbay and South Devon NHS Foundation Trust. This was strongly supported and encouraged by both the Clinical Commissioning Group and Torbay Council. It has resulted in a more effective patient journey where fewer people in Torbay experience delays in moving between hospital and home and waits for care at home remain short. This is in stark comparison to many other areas across the country.

The Integrated Care System for Devon which brings together, for the first time, all the county's local authorities, NHS organisations and the voluntary sector to create the One Devon Partnership. Together a single vision has been developed to ensure our communities have "Equal chances for everyone in Devon to lead long, happy healthy lives".

More recently the Government has established Integrated Care Boards. NHS Devon is one of 42 Integrated Care Boards across the country and took over the statutory functions of Clinical Commissioning Groups (CCGs) on 1 July 2022. NHS Devon is responsible for the majority of county's NHS budget, and for developing a plan to improve people's health, deliver high-quality care and better value for money. The aim is to improve people's lives in Devon – wherever they live – to reduce health inequalities and make sure we can deliver these services for the long term. Within the One Devon Partnership there is a representative from each of the five Local Care Partnerships. The Local Care Partnership (LCP) for Torbay is the South LCP. This is where most of the planning for integrated care and service transformation and change will happen.

Work started with the National Development Team for Inclusion (NDTi) in 2018 which set out a new approach to social care.

- Coproduction brings people and organisations together around a shared vision.
- There must be a culture based on trust and empowerment.
- There is a focus on communities, and each will be different.
- People are treated as equals, their strengths and gifts built on.
- Bureaucracy is the absolute minimum it must be.
- People get good advice and information that helps avoid crises.
- The system is responsive, proportionate and delivers good outcomes.

Building on this work, we have focussed on developing an integrated care model that puts a strengths-based approach at its heart, focussing on what matters most to people. This model provides joined up services, a fully integrated health and social care system, delivering a person-centred approach and building on the wider support around people. This means working with people, as equal partners, and making the best use of what is already available at home and in the community. We will routinely seek feedback from people of their experience and outcomes which will be used to bring about improvements.

Our voluntary, community and social enterprise (VCSE) partners has delivered a new 'front door' to adult social care with an emphasis on making the most of individual and community resources as part of our strengths-based approach. We also have asked VCSE partners to address the issues they themselves have said are the most important, via a Voluntary Sector Alliance.

What We Do

8,420
requests for support were received compared to 5,407 in 2020/21

771
people received one-off support compared to 443 in 2020/21

2,226
people received Short Term Reablement services to help them gain independence compared to 1,275 in 2020/21

1,092
people started to receive an ongoing support service including community activities compared to 544 in 2020/21

2,128
people did not go on to receive a service for a variety of reasons (pay themselves, not eligible etc) compared to 2,136 in 2020/21

100%
of service users received community based social care services through self-directed support

4,747
carers are on Torbay's carers register - we assessed and reviewed 1,355 carers in 2020/21 and provided 678 carers with Direct Payments

386
people with mental health issues were supported by services compared to 343 in 2020/21

92
people aged 18-64 with learning disabilities are living in residential or nursing accommodation compared to 93 in 2020/21

3,152
adults received long term support services last year – 37% are aged between 18-64 and 63% are aged 65+

1,775
people received home care support to enable them to stay in their own home compared to 1,729 in 2020/21

949
people were in permanent residential placements during 2021/22 compared to 930 in 2020/21

1,871
people were directed to other types of help and support including community activities compared to 1,921 in 2020/21

423
service users received direct payments compared to 482 in 2020/21

998
safeguarding concerns were raised. This represents a 9.1% decrease in the 1,098 safeguarding concerns raised in 2010/21

The Challenges We Face

There is much to be proud of in Torbay and we have long been at the forefront of integrating health and care. However, we know that the demand on the adult care system in Torbay is high and it will only continue to increase due to our ageing population and areas of social deprivation. 27% of Torbay's population are aged 65 or over, compared to just 18% of population across England. By 2040, this is expected to rise to one in three (34%) of Torbay's population. As our population ages, we expect the number of frail people, people with physical restricted mobility, slowness, low physical activity, and people with dementia to increase and that they will require support from health and social care services. Frailty estimates for Torbay show that over the next 10 years frailty rates will increase by 25% to over 5000 people. Prevalence data estimates for Torbay show that over the next 10 years, the number of people living with dementia will increase by over 30% to 3300 people.

People with poor physical health are at higher risk of experiencing common mental health problems, and those people with mental health problems are more likely to experience poor physical health. One-in-four adults will experience mental illness during their lifetime. Measures such as depression rates in primary care, and hospital admissions for self-harm and suicides, are higher in Torbay compared to wider England average.

Other issues affecting levels of need are the relatively high numbers of people with a learning disability. A learning disability can be mild, moderate, severe, or profound and affects the way a person understands information and how they communicate. The percentage of GP patients known to have a learning disability is higher across Torbay compared to England, which is also reflected in the high numbers of working age adults accessing adult social care.

As well as facing increased demand, need and acuity we know that our model of care needs further development. Presently we have too many people in long term residential care and not enough people living independently. We also want more people to exercise choice and control over their care and support and yet we know the numbers accessing Direct Payments are below national average. Direct Payments allow people to receive cash payments from the Local Authority instead of care services. Like other areas we are experiencing unprecedented financial pressures which mean our current system is not sustainable. These challenges are recognised in our Blueprint for Market Transformation (2020-2030) which sets down a radical shift away from the existing provision of care through the growth of extra care, supported living, short term care provision and specialist nursing homes. Extra care housing is used to describe developments that comprise of self-contained homes with design features and support services available to enable self-care and independent living. Supported living is housing where support and /or care services are provided to help people live as independently as possible. Within Torbay there is vibrant and diverse adult social care market, and the quality of our regulated provision is above national averages. But like everywhere following the pandemic it is increasingly challenged and will need support from commissioners to change to meet the requirements of this Strategy.

As well as having a healthy care market, we recognise that to deliver safe, effective, high-quality care, they we need a workforce of sufficient scale and quality. Again, in line with the national picture, we know our workforce is incredibly strained. It estimates that the staff turnover rate in Torbay was 33.8%, which was like the region average of 36.0% and higher than England, at 30.0%. Not all turnover results in workers leaving the sector, around half (55%) of starters were recruited from within the adult social care sector, therefore although employers need to recruit to these posts, the sector retains their skills and experience.

Our Vision for Adult Social Care in Torbay

We have co-produced our vision with our community, voluntary and care sectors working in partnership with Torbay Council and Torbay and South Devon NHS Foundation Trust staff as we work to deliver improved adult social care services for residents in Torbay.

Our shared vision is:

> Thriving communities where people can prosper.

We want our residents to have a place to call home, in a community they can be part of, while being empowered to achieve what matters most to them through the best care and support available.

Our mission statement is:

We will work with our local community to support residents in Torbay to maximise their own wellbeing and independence, advising and guiding them around the best health and social care systems for them. Those who offer and provide support services will feel empowered to enable people to engage fully in their own decision making on choices of care. By working with our community this way, we will create a new way of supporting each other to achieve wellbeing for everyone - those receiving support and personal assistance and those giving it.

Our system of care and support will be:

1. Focused on outcomes and wellbeing

Care and support is focused on promoting our wellbeing in all its facets – physical, mental, emotional and spiritual – and the outcomes we decide are important to us.

It also promotes equity and inclusion by ensuring different groups in the population experience similar outcomes.

2. Personalised, co-created and flexible

We have a say and shape care and support both individually and at community/ local level.

Care and support adapts to our needs as they change, and recognises our diversity and individual preferences, beliefs and circumstances. When we lack capacity there are

advocates to represent our prior wishes and best interests. When needed people will be supported by appropriate interpreting services and advocacy.

3. Proactive and preventative

We can access support to enhance our health and wellbeing and reduce inequalities across communities. Care and support is easily available at an early stage to help slow or prevent escalation into crisis, or before we have acute care needs.

4. Integrated and coordinated

The care and support we receive is better joined up around our needs and those of our carers. Care and support links to and/or includes support around health, housing and employment. We will build upon the partnership working with Childrens services to ensure seamless transitions from Childrens to Adults services.

5. Local, community and relationship based

We can access care and support near to where we live, or where our close family and friends are.

Care is based upon relationships rather than being transactional, recognising our interdependence and mutuality. We feel at home and are part of our local community.

Our Values, Behaviours and Approach

We will co-create personalised and flexible care which is easily accessible and high quality.

Our strengths-based approaches focus on individuals' strengths (including personal strengths and social and community networks) and not on their deficits. Strengths-based practice is holistic and multidisciplinary and works with the individual to promote their wellbeing. It is outcomes led and not services led. It focusses on "What is Strong", not "What is Wrong".

This model will centre around creating the safe community infrastructure to have real conversations, based in the community, about what people need - such as help with housing, debt and wellbeing; continuing our integrated multidisciplinary working, focussing on personalising our approach to care and support and continuing to invest in community assets and the voluntary and community sector.

We are committed to working and delivering in partnership with the NHS, providers and communities. This means co-producing and co-delivering the approach to everything we do.

Our Priorities

To achieve these outcomes, we have co-produced the following priorities and the activities which we will carry out to meet those priorities.

Priority 1: Helping people to live well and independently.

We will:

- Have strengths-based conversations.
- Provide accessible information, advice and guidance.
- Use our community front door and community sectors.
- Provide more support for carers.

Priority 2: Helping people to regain their independence

We will:

- Provide a rapid/crisis response
- Increase community reablement
- Develop a short-term care centre

Priority 3: Helping people with care and support needs to live independently, safely and with choice and control

We will:

- Encourage an increase in the use of Direct Payments
- Enable the provision of extra care and supported living housing options
- Have good and outstanding care homes
- Provide specialist dementia care

Underpinning these priorities, we will:

- Develop and grow our workforce
- Engage and consult with service users, their families and carers and our partners

Delivery, Leadership and Oversight

We have a long-standing partnership with Adult Social Care and Torbay and South Devon NHS Foundation Trust and we will deliver our plans together, alongside other key partners outlined below.

The ambitions set out in this Strategy will be delivered alongside related strategies and plans, including the Coproduction Framework in Adult Social Care, the Adult Social Care Transformation and Sustainability Plan, Torbay and Devon Safeguarding Adults Partnerships Strategic Business Plan and our joint Carers Strategy. We will work in collaboration with our partners including users and carers, Healthwatch, partnership forums, care and support providers, the Community and

Voluntary Sector, Devon Partnership NHS Trust, and other key statutory partners. Partners routinely measure the impact of their work to tackle risk and drive improvements in adult social care.

As we take forward the strategy, successful delivery will be dependent on further engagement and co-production with people with lived experiences and the wider public. We will work with them as equal partners both in the planning and delivery of services so that we learn from their experiences to build a more accessible, responsive, resilient and personalised system.

Torbay has a long and strong history of integrating health and care. To deliver seamless care, Torbay Council has chosen, via a Section 75 agreement, to deliver much of adult social care with Torbay and South Devon NHS Foundation Trust. Within these arrangements the Council remains accountable for adult social care, retaining the lead for strategic commissioning and employing the Director of Adult Social Services (DASS).

The Council will lead the delivery and oversight of this Strategy, but in close collaboration with Torbay and South Devon NHS Foundation Trust. Both organisations will retain leadership and oversight of the implementation and delivery. The Council's Cabinet and Overview and Scrutiny Board and the Trust's Board are supported in their leadership roles by the Adult Social Care Continuous Improvement Board (ASCCIB). It provides an independently chaired forum for the partners to oversee their joint work on adult social care, providing support and challenge and escalating any risks and concerns through each organisation's governance arrangements. The ASCCIB will provide key oversight of the Strategy going forward.

This document can be made available in other languages and formats.

For more information please contact commissioning@torbay.gov.uk

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TORBAY COUNCIL

Torbay Economic Growth Strategy 2022-2030

November 2022



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Executive Summary

Torbay faces an uncertain economic future.

We have key issues which must be addressed if the prosperity of our people, our businesses and our places is to be secured. The most important of these relates to our people.

Education, training and skills sit at the heart of a basket of challenges we face, and together they represent the biggest single set of issues we must address.

Our workforce is ageing and as people retire, they will leave gaps which must be filled, but this can only happen if younger people are able, and want, to grab these jobs.

This will only be possible if younger generations have the right skills and are in the right place. That means that we must inspire them and offer them education and training which equips them for the future. It also means that they live locally. It won't be possible unless they are skilled, want to be here and can afford to live here.

If we fail to address these challenges, our businesses will not have access to the employees they need. Which means our businesses won't thrive and our residents will not be able to access jobs. It is as simple as that, and it represents a ticking time bomb.

This strategy will support ambition to tackle climate change and protect and enhance our naturally inspiring bay. We must ensure that economic growth is achieved in a sustainable way.

We must work together to diffuse the situation. If we do not, our economy, our businesses, our places and our people will suffer.

The Council, business or educators can't do this alone but by working together we can make a difference and we must work together even better to make a difference urgently.

It is time for leaders from our businesses, business groups, schools, colleges and local authority to redouble our efforts. We need to collaborate and cooperate to diffuse the time bomb. That means leaving self-interest outside and taking a seat at the partnership table. It means trusting each other, sharing resource and goodwill, working to a common vision and ambition and taking action now and for the long term. Acting collaboratively, consistently and for the longer term will help Torbay deal in the short term with the likely financial challenges for public sector partners while continuing to deliver the support urgently needed. It will also help reassure the local business community and investors that Torbay has a clear vision of where it wants to be economically and is working together to achieve that.

A strong tech sector, represented largely by a growing electronics and photonics sector, presents a significant growth opportunity. The visitor economy is also fundamental to our economic growth and this strategy sets the framework for the Destination Management Plan that will capitalise upon our heritage, natural assets and excellent food and drink offer. Investment in Torbay Hospital will see a significant growth in the health sector and opportunities to support the growth of the medical and healthcare technology sector will be enabled. Furthermore Torbay provides the right environment for small tech based companies to establish and grow, notably in the digital creative

sector and this will be explored. Fishing, embedded in our heritage and culture should be supported to grow and capitalise on previous investment that has seen the fish processing sector strengthen.

1. Introduction

Torbay offers an inspiring coastal, maritime and landscape setting. This unique setting provides one of the best places to live, work and play in the South West. The towns of Brixham, Paignton and Torquay are key engines of our economy, offering a range of facilities with a rich history. High quality visitor economy is one of the leading sectors with an international reputation. The English Riviera is also home to a globally significant UNESCO Global Geopark designation.

The Torbay economy is home to globally significant technology businesses operating in photonics and micro-electronics, nanotechnology, and medical and healthcare technology (MedTech)

However, as a coastal economy Torbay faces some entrenched challenges that need addressing. Torbay has a narrow business base with employment reliant on three sectors, which include health and social care, tourism and hospitality and retail. The local economy is dependent on the face-to-face service sector, accounting for 30,125 of the 48,500 jobs or 68.4% of all jobs.

This reliance also means that Torbay currently lags behind the UK on many economic measures, it has experienced significantly lower levels of business growth of 13% compared to 30.6% nationally, employment growth of 9% compared to 10.4% nationally, and GVA growth of 7.5% compared to 28.8% nationally, since 2010.

Torbay's workforce is shrinking making it difficult for businesses to recruit. Affordability of housing is becoming more of an issue and will be fundamental in helping to attract people to work in Torbay. Supporting and inspiring our current and future workforce to secure jobs and develop their careers locally will be integral to this strategy.

The world of work has fundamentally changed post-pandemic. Flexible working is now normal practice for many office based jobs, strongly linked to improved wellbeing. Our natural environment presents an opportunity for Torbay to position itself as a location for businesses and entrepreneurs who might want to work in a different way.

The Economic Growth Strategy sets out how the Council working with partners can improve economic conditions and in doing so help businesses to improve performance, create new opportunities for residents, tackle poverty and improve health outcomes. This long-term strategy sets out the challenges we face, and the initiatives we are taking forward to address them. Many are long term initiatives which will require long term commitment if we are to achieve a sustainable change that will enhance our economy.

This Strategy cuts across a number of other Council Strategies and policy documents, in particular the Housing Strategy and the Local Plan. To retain and attract the workforce Torbay needs will require sufficient affordable housing and the Local Plan need to ensure a sufficient supply of employment land to accommodate growth and inward investment.

The Council will not be able to deliver the strategy alone. It is an Economic Growth Strategy for Torbay. We now have a clear, forward looking and vitally shared story for Torbay and each of the towns that will provide focus for their development and promotion. The Torbay Story sets out a

compelling narrative. There is a need to activate more collaboration within places and across Torbay and we are looking to energise that through the Torbay Together Champions Programme.

At the time of writing, Torbay's long-standing ambition to raise its profile within the national and international economy and its contribution to UK plc aligns with the government's Levelling Up agenda, and our interventions and funding bids are targeted to this theme.

Over the lifespan of this strategy, maximising Torbay's economic potential by improving productivity and leveraging investment in local specialisms will remain constant and aligned to the priorities of contemporary regional funding structures

This strategy will cover:

- How is the Torbay economy performing? with a summary of the evidence available
- How we want the Torbay economy to develop, with a vision, objectives, priorities and a theory of change
- How we achieve improved performance; priorities, resource implication and a measurement framework including Key Performance Indicators, and most importantly a practical and prioritised Action Plan.

2 Vision for 2030

We will continue to build our reputation as the UK's 'Tech by the Bay' by supporting Torbay's existing businesses and new investors. We will work with the sector to attract, retain and grow these specialisms. Torbay will be inclusive; our communities will be able to secure good employment and learning opportunities that will enhance their potential. We will address our current challenges by developing a year-round economy, providing greater levels of full-time employment with higher salaries, in a sustainable way. We ensure that investment in our three towns – Brixham, Paignton and Torquay enable them to develop their own very distinct identities and roles: a unified and complementary offer as the country's premier marine and natural experience.

Delivering the vision

We will build on our local strengths, reflecting the role our key towns and wider area play in supporting the economy and our rich natural environment.

Our town centres will undergo significant change. We will work closely with both public sector partners and the private sector to achieve the changes that both our communities and businesses are seeking.

Our schools, college and businesses will work closely together to inspire and develop the skills of our people and to access opportunities that enable them to succeed and be resilient in a fast-changing economy. People who are out of work or in low paid jobs will find it easier to obtain support to upskill into new career opportunities and access opportunities they need to get into the workforce and progress into better jobs. Our skills system will directly address the future needs of our economy and the current needs of our business community, ensuring that residents have access to high quality employment.

We have learnt through the Coronavirus Pandemic that more needs to be done to be prepared for major economic shocks. Working with our partners we will develop plans that enable Torbay to be well placed to respond and be resilient to economic challenges and opportunities.

The key characteristics of Torbay's success will include.

- Creating more full-time job opportunities for Torbay residents and provide good work for all
- Reducing our impact on, and increasing resilience to Climate Change
- Increased Gross Value Added (GVA) per worker, average worker income and productivity – addressing our current position of one of the areas with the lowest GVA per capita in England
- Improvement in educational attainment and workforce skills– increasing the number of residents qualified to deliver the jobs needed by local business
- High levels of business start-up, with increased survival rates beyond 3 years

With sustained increases in each of these measures during the life of the Economic Growth Strategy, Torbay will improve its resilience and improve its economic diversity. This will assist in weathering future global economic trends and market cycles, aiding recovery from economic

downturns. Improvements will assist Torbay in being agile enough to adapt to changing technologies and importantly, provide benefit to all residents. The Economic Growth Strategy Action Plan sets out the basepoint and future targets which the delivery of the strategy will be measured against.

3 The Council's Approach to Economic Growth

Enabling inclusive and sustainable economic growth is integral to Torbay Council, its partners and the community. Sustaining a productive economy will contribute to making Torbay a prosperous, healthy, safe and clean place.

The Torbay Economic Growth Strategy is a key strategy for the Council, its partners and the community that will shape the future of Torbay's economy bringing business and place together, enable the safeguarding and creation of local jobs, stimulate wealth creation for residents, tackling poverty and improving health outcomes. Conversely failure of this strategy will exacerbate the challenges Torbay faces with the challenges that will bring to the community in the medium and longer term.

The Coronavirus Pandemic has demonstrated the impact economic shocks can have upon local, national and international economies. We want to ensure that we have a clear strategy in place that both enables a quick and full recovery from the impact of Coronavirus and also puts in place plans for future potential shocks and challenges such as the potential for public sector funding restrictions in the early stage of this strategy.

The Council recognises that economic growth is fundamental to increasing the prosperity of the community and the businesses in Torbay and that, as through the pandemic, the role of partners across Torbay will be pivotal in securing economic growth. The Council will work with partners and where appropriate through them to deliver this strategy and will seek the support of those partners, particularly the public sector anchor institutions and the business leaders locally, in collaborating and championing the needs and opportunities of Torbay.

Achieving sustainable economic growth is a priority therefore we also recognise the responsibility we have for the Environment. The Council declared a Climate Emergency on 24 June 2019. The Council has agreed a target that by 2030 Torbay will have become carbon neutral, zero waste and a climate resilient place, playing its part in limiting the impacts of climate change. Business and community support will be vital in helping to meet the carbon neutral target. This strategy supports this important objective and will encourage carbon neutral growth.

Over the lifespan of this strategy, maximising Torbay's economic potential by improving productivity and leveraging investment in local specialisms will remain constant and aligned to the priorities of contemporary regional funding structures.

Torbay's long-standing ambition is to raise its profile within the national and international economy and its contribution to UK plc aligns with the government's Levelling Up Agenda. Our interventions and funding bids are targeted to this theme.

The Economic Growth Strategy is a key part of a suite of strategies that will improve Torbay as a place to live, work and play. Key linkages are made within the Strategy to

- Torbay Council's Community and Corporate Plan
- The Torbay Story
- Torbay Local Plan – 2012-2030

- English Riviera Destination Management Plan – 2022-2030

To inform this strategy, two specific actions have been undertaken: -

- An economic baseline analysing trends and progress impacting the Torbay economy has been developed.
- Consultation with, and input from, a wide range of stakeholders has informed the strategy.

This has ensured that the Economic Growth Strategy has been co-produced by the Council and its partners.

The Council is able to celebrate the success of its previous Economic Strategy, which guided the delivery of a number of important initiatives including.

- The Electronics and Photonics Innovation Centre (EPIC) is already proving to be an invaluable asset to the local electronics, photonics and micro-electronics business community. Open in 2019 the Centre now houses over a dozen businesses, many of which are involved in cutting edge technologies and innovation.
- Secured £22m Town Deal to drive Town Centre improvements in Torquay and £13.36m Future High Streets Fund programme for Paignton that will further catalyse investment into our town centres
- Secured inward investment from high tech companies such as Nanusens creating high value jobs
- Supporting the growth of Castings Support Systems (CSS) through developing a new purpose-built 5,550m² manufacturing facility at Claylands in Paignton enabling CSS Group to take on the building to support their growing business.
- Secured funding to support the development of Edginswell Business Park and business units totalling 1056 sqm at Lymington Road

4 The Torbay Economy overview

The Torbay Economic Growth Strategy Evidence Base (2022) sets out a comprehensive picture of the Torbay economy. The key issues facing the economy can be summarised as.

- The Torbay economy contributed £1.98bn to the UK economy in 2019 (by Gross
- Value Added at current prices). Our Productivity performance in Torbay has continued to fall behind the UK average.
- Business survival rates in Torbay are below the South West average over the five-year period, and broadly in line with the UK average for the first four years of trading, however, then fall marginally behind the national average in 2019.
- The number of jobs in Torbay has decreased by 3% from 49,500 in 2015 to 48,000 in 2020. In the past five years, the rankings of the top employment sectors have remained unchanged with; health (24%), accommodation & food services (14.6%), retail (12.5%), education (9.4%), and business administration & services (6.8%)
- The level of qualifications by Torbay's residents reveals a current economic weakness that needs addressing with 9.0% of the working population in Torbay have no qualifications, a figure which has increased since 2017, leaping from 6.2% to 9.0%. the largest increase came from 2019 to 2020 (6.6% to 9.0%). At present, Torbay falls behind the national and regional percentages across NVQ1+ right through to NVQ4+.
- Latest population estimates show Torbay is home to 134,300 people, with 52% aged 50 and over. This is significantly above the national (42%) and regional (46%) averages and has an inevitable impact on income levels and healthcare provision. At the other end of the age spectrum 27% of Torbay's population are aged between 20-44, 7% below the national average. This highlights the challenge Torbay faces in retaining graduates and supports the view that many students who leave the Bay to enter higher education do not return until later in life, impacting on productivity levels.
- Torbay has pockets of severe deprivation, and areas of relative affluence. Torbay is amongst the most deprived in England. Within Torbay around one-in-three of the population live in areas in the top 20% most deprived in England
- From 2016 to 2020, Torbay's employment rate dropped year-on-year. The lowest being between 2019 and 2020 where the figure was 72.5% (lower than the comparative areas below). While the Coronavirus Pandemic has had an impact, encouragingly between 2020-2021 the figures have increased from 72.5% to 77%. While Torbay's unemployment rate is the lowest it has been for five years (2.3%).
- Despite the level of unemployment and drop-in employment rate, vacancies are currently at the highest level they have been over the last five years. We find ourselves in unprecedent times where there are currently more vacancies than people actively looking for work. Sectors such as retail, tourism and health and social care have significant levels of job vacancies with many businesses struggling to recruit to meet their operational requirements.
- Disproportionately high housing costs contribute to in-work poverty exacerbating the labour shortage in the lower paid sectors
- A significant challenge is that part time employment is more common than full time. At present 58.1% of employees are full-time whereas 41.9% are part-time. Across Torbay the statistics demonstrate that there remains a stronger prevalence of part-time work as the 41.9% figure is higher than all its comparators. This prevalence is indicative of Torbay's economic make-up with its dominance in tourism and hospitality, social care, and retail.

- Despite a 30% increase in wages for people working in Torbay since 2015, income remain below the national and regional averages.
- Economic growth can also contribute to increasing carbon emissions. Our businesses and industry were responsible for 20% of Torbay's carbon emissions in 2019. In 2019 transport emissions made up 31% of Torbay's carbon emissions and waste made up over 4% of Torbay's carbon emissions.
- The recent announcement of the Plymouth and South Devon Freeport presents a risk to Torbay. Freeport areas will be able to offer incentives for investment and therefore could present a risk to Torbay businesses if we are not able to accommodate growth locally and incentive investment.

Key Sector Profiles

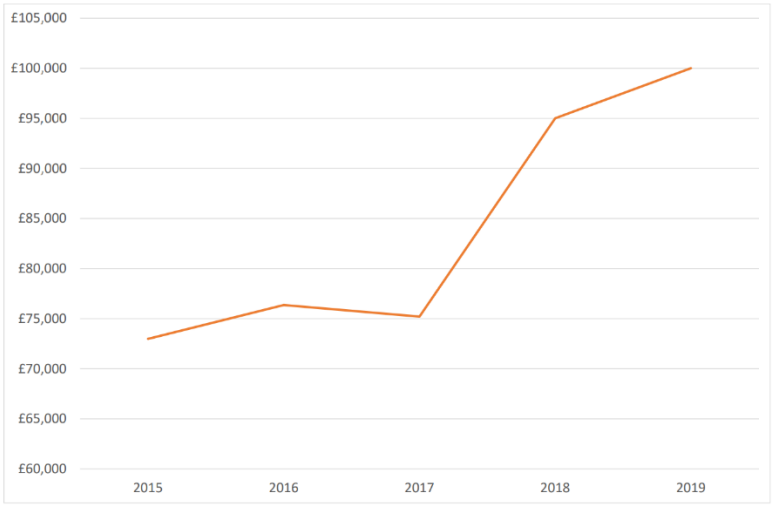
Torbay's key sectors have been heavily impacted by the Covid-19 pandemic, with the fishing sector demonstrating greater resilience with the volume of fish caught remaining relatively stable but witnessing a decrease in value compared to the previous year, partly due to Brexit and the increased export administration, and partly due to the lack of demand from overseas markets as their hospitality sectors locked down due to the pandemic. Equally in the UK, both the staying visitor and day visitor numbers substantially declined in 2020 as these parts of the economy were locked down for significantly longer periods of time compared to others, however anecdotally tourism businesses have suggested a strong bounce back in the 'staycation' market over 2020 and 2021. The Photonics and Micro-electronics sector can demonstrate continued growth and offers hi-tech growth for Torbay in the future. Evidence indicates that there are emerging opportunity sectors around health, in particular medical and healthcare technology, and creative industries.

The Evidence base sets out the performance of our key sectors, they are summarised below.

Photonics and Micro-electronics

Employment within the Photonics and Micro-electronics sector has increased by 24.3% over the period, albeit from a relatively low base, however economic output within the sector has increased at a faster rate by 37% which shows an increase in productivity levels within the sector and the sectors contribution to the local economy. The sector has potential for further growth and is an example of the potential for Torbay to support High Tech economic growth. However future growth may be restricted by the limited availability of employment space in Torbay.

Figure X GVA per employee in Torbay Photonics and Micro-electronics sector (2015-2019)

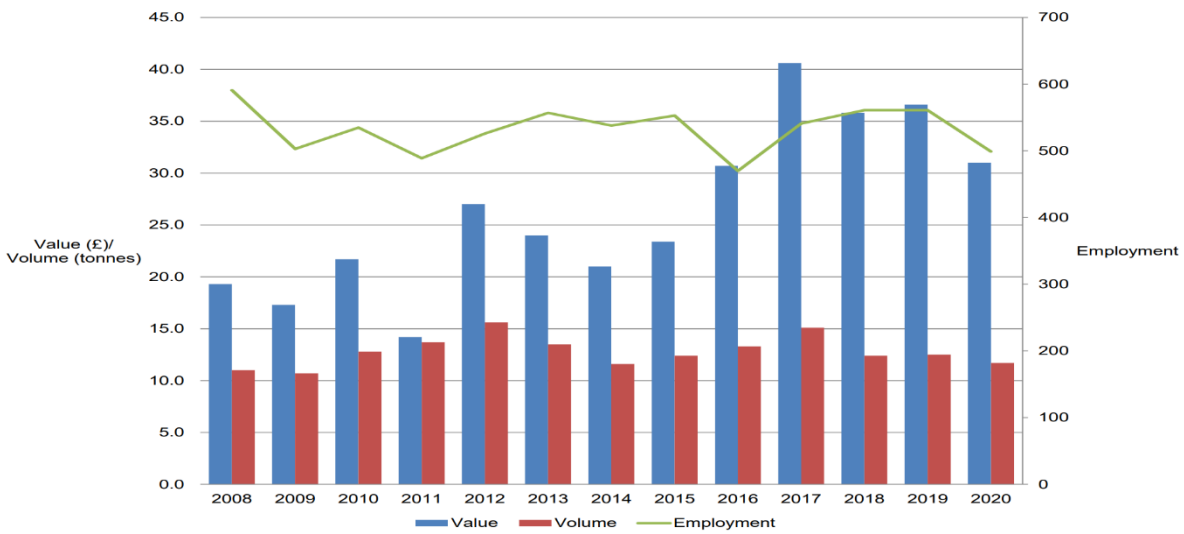


Source: NOMIS, BRES, 2021 and ONS Regional GVA, 2021

Fishing

In 2020, the port of Brixham landed the highest value of catch and the second highest volume across England. The volume of fish caught in Brixham has remained relatively unchanged over the past three years, however the value has declined in the last year along with employment in the sector mainly due to the pandemic.

Figure X: Volume, Value and Employment in Torbay's Fishing sector



Source: UK Sea Fisheries Statistics, Gov.uk

Tourism

The English Riviera has a strong history of being a premier coastal resort, with a tourism sector that supports local and regional businesses, creates local jobs, and contributes to the sense of place and quality of life. But in recent times the English Riviera has struggled to keep pace with changing market needs, and the impact of Covid-19 and the climate crisis

are creating unprecedented challenges, with a reduction of 55% of tourism earnings from staying visitors and a 50% reduction from day visitors in 2020 compared to 2019.

The Economic Growth Strategy aligns with the Destination Management Plan which has set out interventions that can help propel the destination forward. The plan seeks to build on the inherent strengths and reflect market trends and opportunities and help to achieve a more sustainable and resilient destination.

The objectives for Destination Management Plan are:

- Recover – return to 2019 spend and visitor levels by 2024
- Grow – achieve an additional £75m of tourism spend and 1,500 new FTE jobs by 2027
- Re-balance – more sustainable visits, with 40% of visits from October - March (currently 35%)
- These objectives will be achieved by:
- Attracting new and existing visitor markets and an improved reputation and profile for the destination
- New product investment and development of the existing offer
- Better destination management and visitor welcome (and resident satisfaction)
- Clear delivery arrangement

Medical & Healthcare

Torbay has a number of key strategic assets in this regard including; a major hospital rebuilding programme, a leading NHS pharmaceutical manufacturing facility, numerous businesses engaged in the medical and healthcare sector with many as key suppliers to Tier 1 companies with others also undertaking research and development in new technology or products for medical and healthcare uses. In the provision of Adult and Social care digital delivery and Torbay's population demographics could combine to provide opportunities for clinical trials and new product development.

Creative and Digital

Recent University of Exeter research into Creative Industries Policy and Evidence Centre, – *Creative Industries Innovation in Seaside Resorts and Country Towns* indicates Torbay has an opportunity in the creative sector, possibly focussed on digital technologies. The creative industries definition is broad and includes but is not limited to, arts, culture, and heritage, crafts, photography, radio and TV production along with digital applications such as website design, advertising and programming and app design.

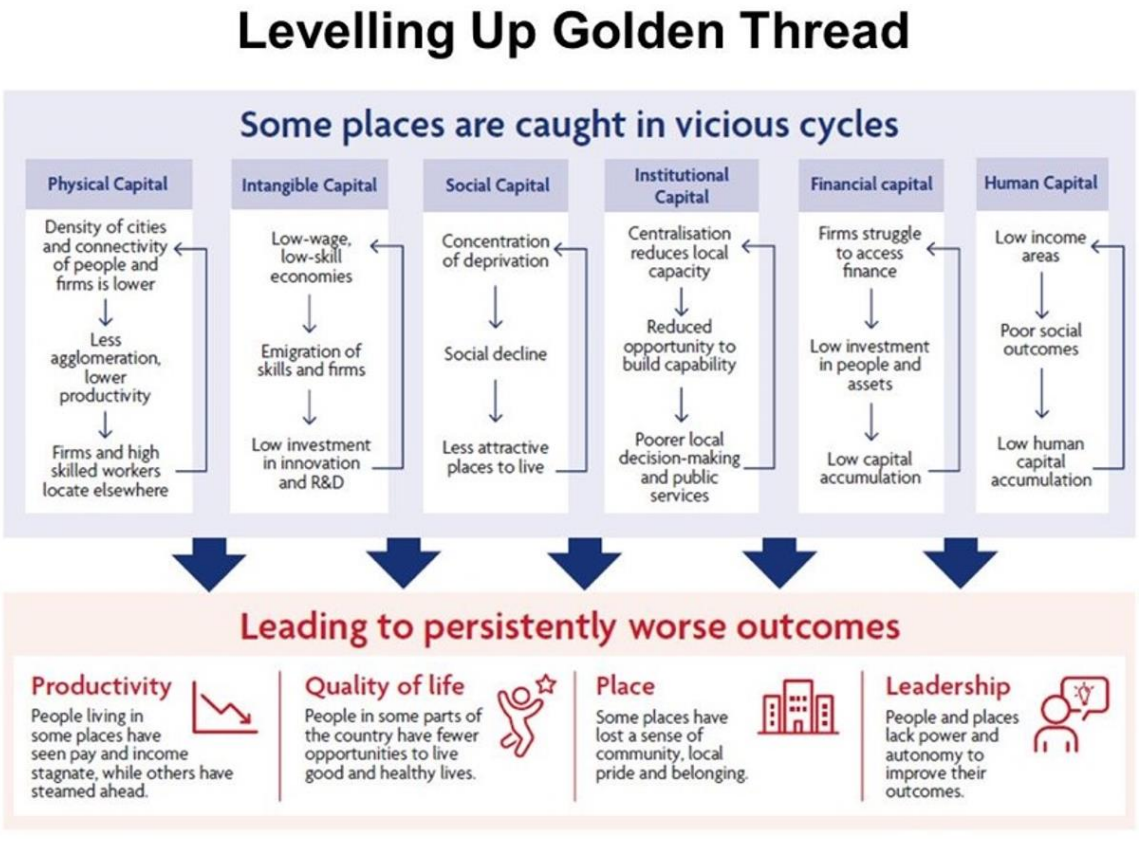
Torbay has a strong representation in the creative industries through Torbay Culture and Digital Torbay stakeholder groups, Cockington Court, and small clusters located around Torquay Harbour could enable effective programme delivery.

5. Working with our partners

The Economic Growth Strategy is an important partnership document. The Council can help provide the conditions through which the private sector can grow and thrive, however it can deliver alone and will work with partners to develop deeper relationships, cultivate strong leadership recognising that effective partnership is essential to develop these conditions.

Similarly, there are a range of social outcomes which are intangible which impact upon Torbay's economic potential. The table below demonstrates the range of inputs needed to drive economic growth; where there are challenges and under-performance, the local economy will suffer. In Torbay evidence shows that current levels of deprivation and low-wage low skill levels negatively impact our economic potential. Each factor set out in the pillars below are an important element of the local economy. Where there is weakness, it will lead to poorer outcomes and a continued weaking of the local economy, for example, fewer people to take employment opportunities or limited high skilled candidates in the local area to take high skilled job opportunities.

The Council and its partners must work together to address each of the pillars set out below. Partnership is key to addressing the vicious cycles that currently exists in the Torbay economy.



Source: IED Golden thread for local economies

Torbay has received support from the Government through the Towns Deal and Future High Streets Funding. Government funding initiatives will provide opportunities to deliver projects and

initiatives that will help address Torbay's challenges. We will work with our partners to shape these projects and initiatives.

The Government has also signalled that a Devon County Deal can be progressed across Devon, Plymouth and Torbay. The County Deal will provide a collaborative approach to help lever more investment into the area for the benefit of Torbay's businesses and residents. A County Deal will provide opportunities for deeper collaboration with stakeholders such as universities, colleges, business, the voluntary, community and social enterprise sectors, National Parks, town and parish councils.

The Council also supports a Community Wealth Building (CWB) approach which focuses on increasing local spend by supporting local businesses to bid for local public sector contracts. Torbay Council has committed to using its financial powers more effectively to help benefit the local economy and create new employment and training opportunities for people through its regeneration projects.

The CWB approach brings together public sector partners from across Torbay and has secured their commitment to collaborate and adopt the principles of CWB. Torbay Council, Torbay and South Devon Foundation Trust, South Devon College, and TDA have pledged to spend more with local companies where possible.

The Economic Growth Strategy provides the platform for stakeholders to work together. Through consultation stakeholders have had a key role in shaping the strategy. The strategy is focused and includes objectives and actions that will make a step change to our prosperity. We now need our business community to work with the Council to play a leadership role in addressing the challenges we face and seizing the opportunities we have. We want our key partners such as the Chamber of Commerce, FSB and members of the Torbay Business Forum to step up and proactively work with the Council to deliver this Economic Growth Strategy and raise Torbay's profile nationally.

6 Torbay's economic priorities

The factors that influence Torbay's economy are numerous. The following represents some of the key characteristics, assets and 'influencing factors' which impact our economy.

We have identified 4 priority areas that through partnership working and taking a long term view we can make necessary interventions to support the local economy and its businesses. These priorities are underpinned by an action plan which sets out the initiatives which will take forward to enable growth across Torbay.

Our priorities are:

- Supporting innovators, entrepreneurs and business owners
- Building on our economic specialisms
- Helping our community and residents to reach their economic potential and build an inclusive economy
- Maximising economic value of natural capital

In addition, the Council recognises that addressing the Climate Emergency is a cross-cutting theme. The challenge is significant and will offer economic opportunities over the lifetime of the strategy. It will also impact all four of our priorities are impacted by new policy or approaches. impacted by new policy or approaches.

i) Supporting Innovators, Entrepreneurs and Business Owners

The Council will continue to encourage enterprise. We will work with local business networks and key businesses to ensure that the Torbay economy is successful. We will welcome entrepreneurs, innovators and social enterprises and will develop programmes and projects that will ensure that the economy offers the conditions for businesses to thrive.

Why is this important to Torbay?

- To raise GVA per worker
- To attract new jobs
- To encourage more full time jobs
- Improve living standards

What challenges does Torbay face?

- Limited amount of commercial workspace and employment land available
- Limited skills available from residents
- A fragmented business voice

Our approach	Our focus
Supporting start-ups and scale-ups	Whilst Torbay is home to innovative firms, we need more companies investing in R&D ensuring we have the infrastructure to support scale up. We will also support the growth of the social economy. We are aware that we need more commercial space and land to meet demand from our growing businesses and potential new investors.
Boosting innovation throughout the economy, including commercialising knowledge from universities and government, and supporting firms of all sizes in all sectors to improve their products, processes and capabilities	Innovation does not just occur in high tech sectors and top universities. Simple improvements to processes, finding new markets or adapting to new technology can increase productivity. We will continue to support the creation of new businesses and the growth of small businesses, including independents, which are an important part of the Torbay economy. We will commission a business support programme that will facilitate growth. We will support companies engaged in the Hi-Tech Cluster to ensure that they can thrive within Torbay by developing the relationship with Universities and embedding SetSquared, or a similar organisation, in EPIC.
Using the findings of the DBI research that will help our under-represented business communities to engage with local business networks	We will establish an Ethnic Minority Networking Group to support Torbay's under represented business community. Encourage more underrepresented businesses to participate in the Torbay Business Forum and the Torbay Champions Programme.
We will target inward investment opportunities proactively to ensure that we can accommodate new business investment	We will work with our partners to attract inward investment that we can accommodate within our limited employment space. We will research new business targets recognising that we can attract smaller agile companies associated with our key sectors

To maximise benefits for local people, we need to provide first class support that will enable Torbay businesses to start, grow and prosper. As part of this, we will contribute to quality workplaces with a healthy, skilled, and motivated workforce	Through providing expert advice and support to access national grant investment, we will continue to help businesses to expand and innovate, creating new jobs and products and boosting the local economy. New businesses are particularly important, and we will continue to target start-ups and entrepreneurs in our key growth sectors.

ii) Building on our Economic Specialisms

The Council will continue to encourage growth in key sectors. Our sectors play a key role in delivering growth and providing employment opportunities for Torbay residents.

This strategy is seeking to build on the foundations which are already in place around our photonics and micro-electronics, tourism and fishing industries, as well as emerging opportunities in medical and healthcare technologies and creative industries. The outstanding marine and natural experience are as important for attracting, retaining and growing leading edge tech businesses. These businesses will provide important employment and growth that will underpin improvements in the Torbay economy.

Why is this important to Torbay?

- To secure new opportunities for Torbay's residents
- To attract new jobs and investment to strengthen the Torbay economy
- To raise GVA per worker
- To attract new jobs
- To encourage more full time and high-quality jobs

What challenges does Torbay face?

- Limited amount of commercial workspace and employment land available
- Limited skills available from residents
- The seasonal nature and low value of the tourism sector

Our approach	Our focus
Growth in our main sectors will create wealth and jobs. We are creating the base for business to grow.	This will be achieved by building on and enhancing our existing support programmes that are already enabling individuals and businesses to address barriers to growth, improve resource efficiency, raise productivity and compete on an international scale.

Innovation is a key driver of growth, and we will continue to support the development of an inventive and pioneering economy	TDA will continue to support our key sectors and play a facilitative role in connecting businesses with new opportunities. We will establish new sector-led business groups to facilitate growth opportunities and linking into support and funding opportunities. In relation to the Photonics and Micro-electronics sector, we will deliver support via our MOU with Set Squared which will provide advice and guidance to innovative companies. We will work closely with our key sectors and large employers, to understand the skills that are required and whether current provision meets those requirements.
Businesses are finding it difficult to recruit to a range of roles. This is demonstrated by there being more vacancies available in Torbay than at any other point	We will work with the business community, schools (both secondary and primary), colleges, universities and training providers to shape a skills system that meets the needs of our economy.
The medical and healthcare sector offers opportunities for economic growth. With an ageing population there is potential to explore different opportunities during the life of the strategy	We will work with our health partners and medical and healthcare technology based businesses to explore new opportunities that will contribute to economic growth.
We will work with the tourism and visitor economy sector to explore how Torbay can develop as a year-round destination	We will support the delivery of the English Riviera Destination Management Plan.
Explore how the maintenance of the South	Brixham is the UK's leading port for the Fishing sector. We will continue to support its ambitious growth plans in the fishing sector. We will explore

West's fishing fleet can be serviced within Torbay	whether there is demand for a regional hub in Torbay as the sector currently uses maintenance centres in the Netherlands.
The Council will address the challenge we face regarding the limited amount of employment land we have available to support economic growth	The Council will review the employment land it has available and work with stakeholders to identify both short- and long-term opportunities to bring more employment land forward. We will review the potential for land acquisition or repurposing existing land and property on an ongoing basis. The Council will work to ensure that existing employment land sites are protected and not lost to housing development. Furthermore, the employment land allocated in mixed sites developments will also be protected and developed. We will work with stakeholders to establish whether vacant high street units can be used to provide more employment space through formal change of planning use.

iii) Helping our community and residents to reach their economic potential and build an inclusive economy

At the heart of the Council's Corporate Strategy and Community Plan and this Economic Growth Strategy are the people of Torbay. We will work with residents and businesses to create the social prosperity that allows everyone to live and contribute well. We will:

- Continue to work to tackle poverty and reduce economic disadvantage, by transforming prospects for low-income families and creating better futures for our young people particularly care experienced young people.
- Work with local businesses to create good quality jobs and pathways for people to access opportunities.
- Help the most vulnerable by removing or managing barriers to work and connecting our poorest communities to economic growth.
- Focus on activity which helps raise the employment rate of the most disadvantaged residents.
- Encourage the maximum social benefit from the Council's commissioning and procurement activity through our Community Wealth Building approach.

Increasingly employers are reporting that they are unable to recruit, or when they do skills levels are not at a level they require. There is a move nationally to engage with businesses more

significantly to ensure that their demands are understood and acted upon within the education system. This is a fundamental challenge the UK is facing, which Torbay needs to address.

The HotSW Local Skills Report (2022) states that Torbay has 'Lower supply and lower demand for skills' (i.e., "Low skills equilibrium"). The Strategy identifies that work in Torbay will focus on 'maximising the development of existing and new opportunities within Torbay. This will include new employment and upskilling within HotSW wide growth sectors such as Photonics and Micro-electronics, marine engineering, tourism and wider coastal industries. Recognising long standing challenges within the area around inclusion and employment, a specific focus will be placed upon aspiration and talent retention, seeking to support young people and adults to grow and develop within Torbay, as well as supporting companies to upskill, renew and refocus as the economy evolves.

Torbay has an ageing population with over 50% of the working population aged 50 and over. This presents issues in terms of Torbay's productivity rates and impacts on economic opportunities for younger people. We will explore how we can support the 50+ age group to enhance their work opportunities and contribution to the local economy.

Why is this important to Torbay?

- To secure new opportunities for Torbay's residents
- To increase the economic performance and productivity of Torbay
- To ensure that our residents reach their potential and reduce pressures on other public services
- To ensure residents have access to well paid, full-time work, to combat economic shocks that impact upon cost of living, wellbeing and health
- To turn the tide on poverty

What challenges does Torbay face?

- Torbay has high levels of workless households
- Torbay has high levels of deprivation based on National indices
- Only 20% of residents possess a NVQ level 4 qualification, the South West 40.4%
- 9% of our residents do not have a qualification (+6.2% since 2017)
- Only 29% of the workforce are graduates
- Claimant count reached its highest point in 2021
- Our key sectors such as tourism and health and social care are not seen as attractive careers
- There are now more vacancies in Torbay than unemployed people

Our approach	Our focus
We will facilitate activity across key skills stakeholders in Torbay to transform local skills support	We will facilitate closer working between employers and education providers, with business involvement directly in the classroom to mentor and inspire young people. Greater collaboration will help to develop and commission education and training that is tailored to the needs of

employers and our economic priorities. We want our employers to commit to invest more in skills training, engage more with schools, and deepen their involvement in education.

We will promote apprenticeships as a key route for our communities to access employment. We will encourage our private sector stakeholders to explore Degree level apprenticeships as a mechanism for attracting highly skilled employees. Good work has been done in this area over the last five years to put employers at the heart of the apprenticeship system, they now write the standards required and commission training providers, this not only benefits trainees but also business as the apprenticeship levy can offset funding costs to train staff.

The photonics and micro-electronics sector has demonstrated best practice around skills development through the establishment of a training suite and course development, securing associate lecturers from across the sector. This has led to an undergraduate Photonics and Micro-electronics degree and how industry has shaped this work is a model that could be followed by other sectors within Torbay.

We will work with our stakeholders to ensure that roles in key sectors such as tourism and health and social care are viewed as positive opportunities. We will look at how we can work with employers and providers to improve the skills of the existing workforce, to enhance people's productivity, progression and resilience. This will include looking at how greater support can be provided to people who lose their jobs or whose skills need to be kept up to date.

We will develop pathways to help our people enter and progress in our key sectors

We will support economically inactive people to enhance their economic opportunities	We will continue to provide the support needed to help people who are out of work to build their confidence and develop the skills need to secure employment (paid or voluntary) or move into further education and training.
We will help those who are in work access training opportunities to further develop their career	We will work with career advice providers and training providers to find solutions to help those in work access the necessary training and support to help them develop their career.
We will work with construction companies to drive recruitment into the sector ensuring we have the skills available to deliver Torbay's place-shaping capital regeneration programmes	We will support the delivery of construction skills through the Build Torbay programme to ensure the sector has enough skilled labour to deliver the growing number of construction projects
We will support the over 50s to enhance their economic opportunities	We will explore how in-work poverty can be addressed through closer working with employers, DWP and with education providers to ensure that those residents in work are aware of opportunities to gain better employment, new skills or retrain. We will also work with partners to ensure that the long-term unemployed have the opportunity to build their skills, become more work-ready and have the opportunity to access employment. Torbay has a major construction programme underway throughout the lifetime of the Economic Growth Strategy. We will work with education providers and businesses via the Build Torbay project to ensure that young people are informed and inspired by working in the construction sector. Torbay has developed a Community Wealth Building programme. Adopting this approach provides value for our communities wherever possible, through the goods we buy, people we employ, assets we own and the powers we have

	that can bring about change to maximise Torbay's local economic opportunities. Working with training providers, stakeholders and DWP we will explore options that will support the economic potential of our over 50s population.
Build a carbon neutral workforce in Torbay.	Need to understand the economic potential that a carbon neutral Torbay by 2030 will bring, and the skills needed to achieve this.

iv) Maximising the economic value of natural capital

Torbay offers a premier and natural experience and was designated a Geopark in 2007 by UNESCO because of our unique and spectacular geology and natural environment. Torbay is home to varied natural assets, its outstanding marine and natural experience is as important for attracting, re-training and growing leading edge tech businesses as it is for bringing visitors to the area and being a place where people want to live. The geography of Torbay shapes our economy to a large extent.

Tourism related sectors account for around a third of employment and the draw of the South Devon lifestyle attracts people of all ages to relocate here permanently, often setting up small businesses within the sector. The Torbay economy is focused on the service industry, with more than 80% of the workforce employed in service sectors, higher than the regional and national averages. This high proportion of service sector employees is due to local concentrations in distribution, hotels and restaurants, and in the public sector. Around one third of Torbay's workforce is employed in public administration, education and health, and all three sub-sectors are of significant importance to the local economy.

Why is this important to Torbay?

- Torbay's natural capital offers new opportunity for economic growth, both onshore and offshore
- The fishing port of Brixham currently lands the highest value of catch in England
- To ensure that new opportunities drive productivity, provide new opportunities for residents and ensure that the Torbay economy performs better
- To make our town centres more vibrant

What challenges does Torbay face?

- Torbay's economy relies on a limited number of sectors
- The economy currently relies on a greater proportion of part time, low skilled workers
- Investment will be required to maximise opportunities for Torbay
- Need to protect and enhance our natural environment

Our approach	Our focus
We want to positively and sustainable use our natural environment to help secure economic growth	We will explore how we can support the visitor economy and fish processing sector to ensure they can increase their profitability and productivity in a sustainable way.
We want to ensure that our High Streets and Town Centres are high performing, providing the services businesses, residents and visitors need	We will deliver the £21.9m Torquay Towns Fund focusing on the following key priorities increasing density in town centres strengthening local economic assets including local cultural assets site acquisition, remediation, preparation, regeneration and making full use of planning tools to bring strategic direction and change. We will deliver the £13.36m Paignton Future High Streets Fund which will kick start the exciting transformation of Paignton town centre. The funding will allow us to deliver infrastructure improvements, new homes in the town centre and an improved cultural offer We will identify and deliver suitable regeneration in Brixham Town Centre.

7 Cross cutting themes

The Economic Growth Strategy has identified tackling the Climate Emergency as a cross cutting theme. The Council has recognised the urgency of addressing the Climate emergency. The Economic Growth Strategy has identified contributions that can be made to support this objective. We recognise that these will evolve over the lifetime of the strategy and will report on new approaches as they come forward.

i)Tackling the Climate Emergency

Climate change and its repercussions is an acknowledged global problem. Torbay Council is committed to addressing the Climate Emergency as a key priority. In a special report of the Inter-Governmental Panel on Climate Change (IPCC), the United Nations highlights the need to take immediate action to limit the increase in average global temperatures to a 1.5°C threshold. Even an increase of half a degree beyond this will drastically worsen the risk of drought, floods, extreme heat and poverty. We are also seeing impacts locally such as more severe storms and flooding which are occurring more frequently.

It has been predicted that due to climate change we will see over the next 100 years the sea level rise in Torbay by over 1m. Over the next 100 years the frequency and impact of water coming over the top of the sea walls will increase, resulting in more infrastructure and properties being affected by flooding. On top of that, more intense rainfall will increase the risk of localised flooding and erosion.

Tackling climate change requires global and local action. Everyone needs to play their part. This is why Torbay Council has declared a Climate Emergency. Torbay carbon emissions have been falling steadily since 2008. However, in 2018 Torbay emitted 424,000 tonnes of carbon emissions (BEIS). In Torbay, housing is responsible for over 40% of our areas emissions. Transport is responsible for just over 30% and commerce and industry 20%. To achieve Torbay's 2030 target we will need to reduce our 424,000 tonnes of carbon emissions as much as we can towards zero. Any residual emissions will have to be offset through local and national tree planting and other offset programmes. Our approach to addressing the climate emergency is as follows:

Why is this important to Torbay?

- Carbon emissions arising from Torbay equated to 424,000 tonnes in 2019. These emissions come from our homes and our businesses. We need to play our part locally to help reduce our emissions, tackle climate change and avoid a further warming of our planet and the wide ranging adverse impacts it will have on us all.

What challenges does Torbay face?

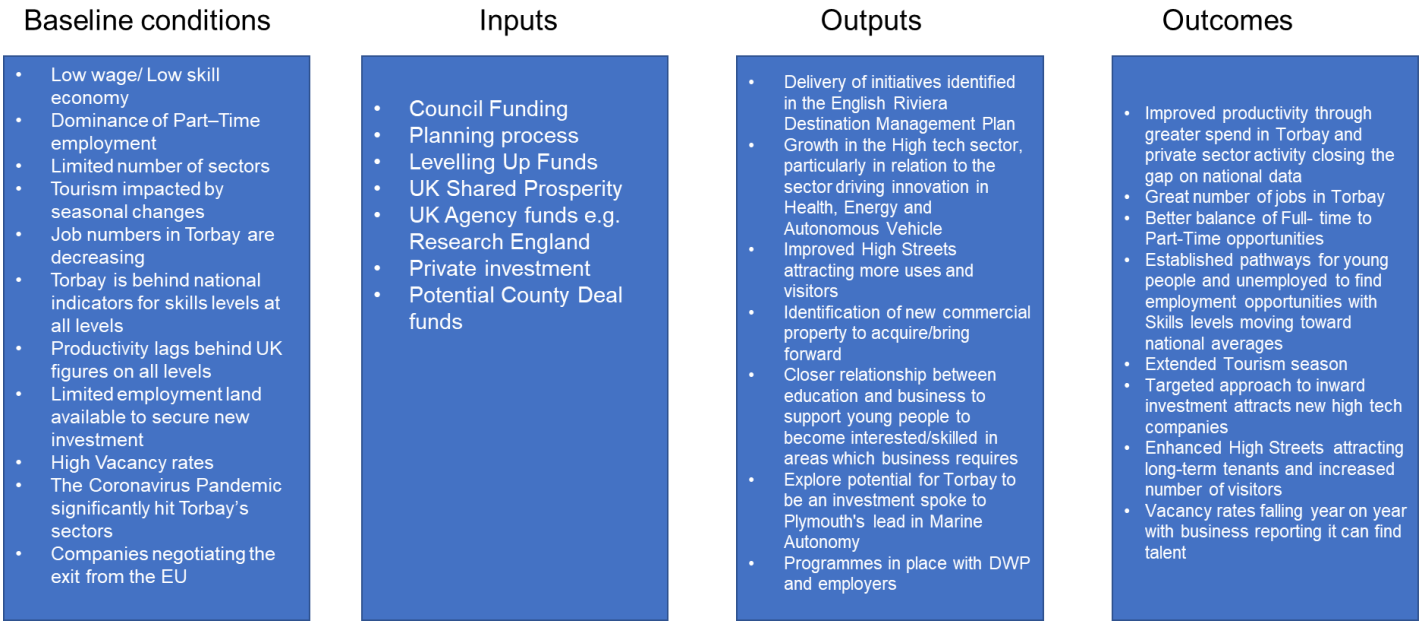
- Torbay has been reducing carbon emissions year on year. Further work is needed to implement a carbon neutral future. The Carbon Neutral Torbay – initial action plan sets the course for addressing the issue

Our approach	Our focus
Establish a net zero emission economy	We will focus our work on developing approaches to address: • Transport • Buildings • Waste • Energy • Procurement • Green infrastructure
Support our businesses to adopt climate neutral policies and practices	We will ensure that cutting carbon presents economic opportunities for Torbay's companies through the development of local programmes of activity. Work with existing businesses to improve their environmental performance: • Develop a low carbon skilled workforce who are able to secure local jobs • Commission resource efficiency business support programmes • Encourage innovative and inclusive local growth
Develop a resilient economy	We will explore with our partners the potential to • Use land to capture and store carbon • Improve building standards to target net zero Implement Retrofit on public buildings and increased development of Green Skills We will seek to secure funding for specialist business support advice through ESW to help businesses reduce their carbon footprint and establish net zero targets.
We will ensure that any intervention supports improvements to air quality and health across Torbay	We will support development of a local energy action plan and identify energy efficiency programmes such as insulating homes and further renewables will play a vital role in reducing energy demand.

8. Measuring economic outcomes

To ensure effective delivery of our priorities, project teams and strategic leads will be assigned to each. It is important to recognise that the actions prioritised by this review are not static, nor do they reflect all activities undertaken by partners in delivering economic development. Therefore, while the overarching strategic framework should remain stable, the actions themselves will be more fluid, subject to periodic review and tweaked to incorporate new opportunities/interventions as they emerge. The Torbay Economic Logic Model set out below highlights the high-level and long-term nature of economic improvement which will be needed through this Economic Growth Strategy up to 2030, but also beyond.

Torbay Economic Logic Model



In order to measure progress, the Council will produce an Annual Economic Monitor which will draw together a suite of 'real time' economic intelligence indicators. The Economic Growth Action Plan sets out the measures and outcomes that Torbay is seeking to deliver against each of the Priority areas. The Action Plan also establishes core outcomes by 2030, which sets the overall target by the conclusion of the lifespan of this Economic Growth Strategy. These plans will be 'living' documents, monitored and refreshed by project teams. This will ensure all partners are working together towards a coherent set of economic objectives, prioritising resources and delivery where appropriate. The Council will also host an Annual Economic Forum to highlight progress being made on the strategy, and to provide an update on economic performance.

Our Priority	Key performance indicators	Core outcomes	Source
Supporting innovators, entrepreneurs and Business Owners	Business start-up rate Business density Business survival rates	Increased Gross Value Added (GVA) per worker, average worker income and productivity	ONS Business Births, Deaths, and Survival Rates 2021 Business Density & Business Population Estimates 2021
Building on our economic specialisms	New investment from companies in Photonics and Micro-electronics, Fishing or Tourism sectors Number of inward investment successes in key sectors Improved recruitment position reported by key companies	High levels of business start-up, with increased survival rates beyond 3 years Number of inward investment successes Increase in the number of jobs in our core sectors	UK Business Investment Data ONS Inward investment successes Primary research to find recruitment position with companies in Torbay ft/pt employment outcome (BRES data)
Helping our community and residents to reach their economic potential	Businesses reporting skills shortages Number of schools engaged Youth-unemployment rate Number of apprenticeships	Creating more full-time job opportunities for Torbay residents and provide good work for all Improvement in educational attainment – increasing the number of residents qualified to deliver the jobs needed by local business	Primary research with local schools/ businesses Unemployment rate and Claimant count Youth unemployment rate national statistics (UK Gov) Youth unemployment by region (ONS) House of Commons Apprenticeships Statistics
Supporting our key sectors	Employment Land Acquired/Developed GVA levels for the Torbay Increase in employment levels	High levels of business start-up, with increased survival rates beyond 3 years	Torbay Gov Housing and Economic Land Availability Assessment ONS CVA Nomis Labour Market Profile

9. Implementing the Economic Growth Strategy

Torbay has several economic strengths; we are however facing deep-rooted challenges. The Economic Growth Strategy outlines the necessary steps needed to begin to address the issues. Many will be generational challenges where we need to make a start and address for the long term – such as Skills issues. Other have shorter term solutions upon, including regenerating and refocusing our Town Centres and supporting our entrepreneurs and innovators, these are set out in our priorities and apply across all sectors. Delivering inclusive growth is a key theme within this strategy. This is about ensuring that people and places contribute to and benefit from growth to their full potential. Our priority activities are set out in the Economic Growth Strategy Action Plan. The Action Plan identifies the projects and approach that Torbay will be taking to support the local economy.

This document can be made available in other languages and formats. For more information, please contact Terri Johnson terri.johnson@tda.uk.net

TORBAY COUNCIL

English Riviera Destination Management Plan 2022-2030

July 2022



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1. Vision and Objectives

Introduction

The English Riviera has a strong history of being a premier coastal resort, with a tourism sector that supports local and regional businesses, creates local jobs, and contributes to the sense of pride in place and quality of life. However, in recent times the English Riviera has struggled to keep pace with changing market needs, with the impact of Covid-19, climate crisis and most recently the cost-of-living crisis are creating unprecedented challenges.

The English Riviera has many wonderful assets and a proud and committed partnership of business and public agencies that want to see the destination flourish. This Destination Management Plan (DMP) sets out the priority actions and delivery tasks that can help the destination succeed. It is informed by local voices but driven by the needs and wants of the visitor.

Vision Statement

The ambition for the English Riviera is encapsulated in the following vision statement:

> It is time to refresh and reposition the English Riviera as the UK's premier holiday resort of the future. With a unique heritage, encompassing three towns, each offering a different coastal experience, set within an exceptional natural environment, the English Riviera is so much more than the sum of its parts.
>
> Combining tradition and contemporary, we have a bright future. The English Riviera can offer the best of the seaside, outstanding seafood, exciting activities on and off the water, authentic cultural events, and experiences, and a globally significant UNESCO Global Geopark designation that runs like a golden thread through the entire visitor experience.

Objectives

This DMP runs from 2022-2030, it is a policy framework document that sits under the Torbay Economic Growth Strategy 2022-2030 and sets out the interventions that can help propel the visitor destination forward. It isn't everything that can and will happen but includes proposals which will shift the destination into a higher gear, that build on the inherent strengths, reflecting market trends and opportunities and help to achieve a more sustainable and resilient destination.

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Objectives for the life of this plan are:

- **Recover** – return to 2019 spend and visitor levels by 2024
- **Grow** – achieve an additional £75m of tourism spend and 1,500 new FTE jobs by 2030
- **Re-balance** – more sustainable visits, with 40% of visits from October - March (currently 35%[1])

These objectives will be achieved by the following priorities:

- **Markets, positioning and branding** - attracting new and existing visitor markets and an improved reputation and profile for the destination
- **Destination development** - new product investment and development of the existing offer
- **Destination management** - better destination management and visitor welcome (and resident satisfaction)
- **Organisation and delivery** - clear delivery arrangements

As set out below, this DMP contains growth priorities and actions linked to destination development underpinning growth. These are the interventions that will see the destination shift into a higher gear. There are also a number of underpinning priorities and delivery tasks which will maintain competitiveness and ensure that delivery arrangements are realistic and fit for purpose.

Growth Priorities and Actions

Destination Management Theme: Food and Drink

Actions

- Sustainable food and drink destination
- Seafood Feast as a signature event
- Inspiring dining

Indicators

- Spend on local suppliers
- Event economic impact
- Value of media coverage

Destination Management Theme: On and in the Water

Actions

- Watersports hub development
- Business development
- Packaging on and in the water experiences

Indicators

- Feasibility study delivered
- No. businesses supported

[1] Economic Impact of Devon's Visitor Economy. South West Research Co. 2019

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- No. new experiences

Destination Management Theme: UNESCO Global Geopark

Actions

- Geopark Interpretation
- Digital Geopark Trails
- Designated Landscapes Partnership

Indicators

- No. businesses using Geopark
- No. geopark trails
- Geopark profile

Destination Management Theme: Culture and Events

Action

- Thematic Interventions

Indicators

- Critical appraisal
- Events delivered

Underpinning Priorities and Tasks

Markets, Positioning and Branding

Tasks

- Market research
- Brand strategy review
- Marketing strategy review

Indicators

- Higher market awareness
- Marketing reach

Destination Management

Tasks

- Policy review
- Joint response to visitor survey
- Public realm improvements
- Bus network improvements
- Cruise development
- Green Tourism Award for business
- Carbon Neutral Torbay action plan

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- Education/ business plans for tourism
- Workforce skills
- Annual performance review
- Meet English Riviera

Indicators

- Stock of serviced accommodation
- Increased visitor satisfaction
- No. cruise arrivals
- No. businesses with accreditation
- Carbon impacts from tourism
- No. businesses engaged
- Monitoring DMP actions
- Value of conference bookings

Delivery, Organisation and Resources

Tasks

- DMG Terms of Reference
- DMP Annual Review

Indicators

- Terms of Reference
- Annual Review

Outcomes

- Higher destination awareness and profile
- Increased marketing impact
- Increased visitor spend
- More skilled workforce and tourism seen as an attractive career
- Strong leadership for the visitor economy
- Improved destination experience
- More sustainable destination
- External funding secured to support priorities

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2. Setting the Scene

This section contains a summary of the detailed analysis, which is contained in an accompanying Baseline Evidence document.

The Sector

The English Riviera has a substantial visitor economy, as illustrated in Figure 1, and there has been steady progress during the previous DMP (2017-21), in particular:

- Strengthened partnership working across the private and public sector, with a new Destination Management Group (DMG) overseeing DMP delivery.
- Improved marketing delivery through focused work of the English Riviera BID Company Ltd (ERBIDCo).
- Better links between the sector and skills development, with the close collaboration of South Devon College (SDC).

As a traditional coastal resort, it is perhaps unsurprising that holidays dominate the visitor profile at 78% of all visits, compared to the England average of 47%, and 29% of all visits taking place during July and August [2].

Covid-19 has undeniably had a devastating impact on the resort. Despite this, the sector has remained resilient with positive results from summer 2021 and achieving accolades such as TripAdvisor's 2021 Number 1 Staycation Destination. There has also been continued investment in products and businesses across the destination.



Figure 1: The English Riviera Visitor Economy 2019

[2] Great Britain Tourism Survey. VisitBritain. 2019

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National Strategic Context

The 2021 independent review of Destination Management Organisations (DMOs) in England, the 'De Bois Review' recommended the implementation of a new tiering system of DMOs and structured support for tourism and describes the confusing array of organisations highlighting the South West in particular. The review recognises the benefits of longer-term commitments to marketing with funding models delivered by Business Improvement Districts (BIDs) and Tourism BIDS (TBIDS), with significant return on investment from the English Riviera (£75: £1[3]) being the highest of those DMOs that responded to the review. In responding to the review, published in July 2022, the Government has indicated its support for reduced fragmentation and better co-ordination with proposals for a new accreditation for tourism DMOs (renamed Local Visitor Economy Partnerships). It has however chosen to initially pilot a new regional Destination Development Partnership model with funding for one area in England, (yet to be determined). At the time of writing, there is still much detail to be worked through and the English Riviera should continue to work in partnership with neighbouring areas in Devon and the Great South West Tourism Partnership, strengthening collaboration wherever possible.

The recent outcomes of COP26 and the Glasgow Declaration on Climate Change for Tourism, as well as the 'Towards 2030' prospectus from the Great South West Tourism Partnership, lay down the challenge of achieving clean growth and Net Zero in tourism by 2050. Therefore, it is imperative to start now. This DMP offers an ideal opportunity to think about an approach and actions that will help move the English Riviera and tourism businesses towards a goal of achieving Net Zero. However, this DMP cannot include everything that is needed to achieve this. Therefore, by working in partnership to align the DMP with Carbon Neutral Torbay, and with support from Torbay Climate Partnership and Torbay Council's Climate Emergency Officer to identify suitable opportunities, should go hand in hand when implementing the plan.

Local Strategic Context

As with most local areas, there are various corporate plans and strategies for place, economic development, community, culture, heritage, and events. This DMP aligns with Torbay's strategic and corporate plans and the vision of the Torbay Story, (launched in early 2022), all of which will help the English Riviera thrive as a sustainable visitor destination.

In addition to the distinctive three towns that make up the English Riviera, each with their own Torbay story theme and appealing to different visitor markets, the review of the English Riviera visitor experience also identified six 'signature experiences':

- UNESCO Global Geopark – designation covering the whole of the English Riviera
- Beside the Sea – boats and harbours, boat trips, seaside and beaches, seafood
- Family fun – beaches, wide range of family attractions

[3] ERBID1 results. ERBID 2 Final Business Plan. English Riviera BID Company Ltd 2021.

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- Walking – the South West Coast Path, UNESCO Global Geopark Walks, John Musgrave Heritage Trail
- On and in the Water – adventure activities, stand up paddle boarding, kayaking, RIB rides, sailing and sea swimming
- Heritage and Culture – museums, theatres, and galleries, including Agatha Christie related heritage and events.

In addition to these leisure signature experiences; the English Riviera has a range of conferencing and business event facilities for business visitors and conference and event organisers. This includes purpose-built venues such as the Riviera International Conference Centre (RICC), established hotels with conference and meeting spaces such as The Grand, The Imperial and Livermead Cliff Hotel, unique venues such as Torre Abbey, and new build hotels such as the Hampton by Hilton, Ibis and Mercure adding yet more modern facilities.

Comparators and Best Practice

From the examples of best practice in other destinations, the underlying lessons to take forward are:

- Quality is key – in public realm, gateways, accommodation, and attractions.
- Communities and businesses need to 'buy in' – to the DMP delivery and working collaboratively on taking the actions forward. E.g. adopting messaging, sustainability and low carbon, and interpretation opportunities from the UNESCO Global Geopark.
- Creativity must be nurtured – E.g. 'pop-ups' in redundant spaces.
- Activities are fun to watch as well as 'do' – water activities development, supporting activity with essential changing facilities.
- Culture and events can animate and invigorate destinations - and have the greatest impact out of the summer season, but they have a lifecycle and need to adapt or risk losing impact.
- 'Brilliant Basics' - successful visitor destinations look after their 'brilliant basics,' such as toilets, parking, cleanliness, access, and water quality. While these things do not drive visits, if not looked after they will put visitors off coming.

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DMP Consultation

The input of stakeholders, businesses and residents through online surveys, a series of workshops and one to one consultations, provided many useful insights including:

- There is inconsistent quality across the visitor experience, including town centres and accommodation.
- An over-supply of accommodation is depressing prices and restricting investment. Current planning policies (TO2 Change of use of tourism accommodation and facilities[4]) are helpful in addressing this but need to go further.
- Environmental and sustainable improvements are needed and important.
- Market awareness and appeal of the English Riviera brand. There is a recognition that it unites the destination, giving coherence and a focus for businesses.
- The UNESCO Global Geopark designation is important, but often underused and misunderstood.
- Tor Bay is a magnificent asset, and the underlying quality of the award-winning beaches, harbour and marine and sea-based activities are excellent.
- Developing demand out of the main summer season is vital.
- Connectivity between the towns, including signage and the rail stations, needs improving.
- New markets demand a better range of food and drink, culture, retail, music, and entertainment and see other destinations offering this.
- Culture is important to the destination and can be used and developed further to attract new visitors.
- The six weeks public consultation gained support for the plan's objectives, the vision statement, growth markets, priority themes and overall direction of travel.

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[4] Torbay Local Plan 2012-2030. Torbay Council. Adopted December 2015

3. Markets for Growth

Market Trends for the English Riviera:

- Time together - spending time with friends and family
- The outdoors - activity, health, and well-being
- The authentic - appeal of less visited, undiscovered places with distinctive local culture
- Experiential tourism – culture, heritage, events, experiences
- Responsible and sustainable tourism

What we Know

The English Riviera is primarily a UK domestic leisure destination, with over three-quarters of visitors on holiday (compared to England's average of just under half)[5]. Given the 'holiday focus' it is unsurprising that 29% of all visits take place in July and August[6]. And, again, not surprising with a holiday focus, visitors stay longer but on average spend less than the typical visitor elsewhere in England[7].

The English Riviera has an impressively high return visitor rate of 89%, who typically rate their experience very highly. Whilst this is a great achievement, it is an issue to consider when coupled with Torbay's typically older visitor profile (71% aged over 55), and the lower satisfaction rates of first-time visitors to the destination[8].

These key statistics paint a picture of a destination which is highly dependent on an ageing market and summer visitors.

To survive and grow, the English Riviera has to target a broader range of market segments, who are able and willing to spend more throughout the year. Impressing these new markets during a first-time visit, to nurture a new generation of loyal visitors should be a top priority, and so the needs and wants of these segments should in turn dictate the investment in new product and experience development.

Target Markets

Three leisure segments have been selected as having growth potential for the English Riviera, drawing on robust research by ERBIDCo, VisitEngland and other UK National Tourist Boards (VisitScotland, VisitWales, Fáilte Ireland). Realising the growth potential of these segments will depend on the development of the offer and so should be built up over time. A fourth business tourism segment has also been identified, as a market to sustain and rebuild, capitalising on the destination's existing and emerging assets.

[5] 3-year averages 2019-2019, Great Britain Tourism Survey, Visit Britain
[6] %s for Devon. The Economic Impact of Devon's Visitor Economy 2019, the South West Research Company Ltd
[7] 3-year averages 2019-2019, Great Britain Tourism Survey, Visit Britain
[8] Stats from English Riviera Visitor Survey 2021

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Geographically, the primary focus for the English Riviera should be on the UK domestic market, where there is significantly more growth potential and return on marketing investment will be greater. In general, targeting should concentrate on a four-hour travel time for staying visitors.

Fun by the Sea Families



Immediate priority:

- UK Families with younger children (<13): extended families, multi-generational, groups.
  - Strong affinity towards England breaks, particularly seaside during summer and other school holidays, weekends, Easter - October.
- Highly motivated by beaches, small towns, outdoor leisure, theme parks, family attractions
- Cheaper/affordable accommodation especially caravans/ holiday parks
- Prepared to spend on treats and entertainment for the children
- Child-friendly attractions and activities are a must
- 'Fun' is the name of the game – learning is an added bonus
- Need detailed practical information to reassure and inspire

Young Actives



Short-medium term:

- Groups of friends and couples in 20s-30s
  - Year-round, but mostly Autumn-Spring
  - Activity is more important than place
  - Looking for excitement and adrenaline activities
  - Good infrastructure and facilities essential
  - Good value accommodation
  - Easy to access, organise, book etc.
- Socialising and sharing experiences – live and online

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Cultural Explorers



Medium-longer term:

- UK, international and cruise visitors – couples, groups of friends
- Typically, 35+, older, working, and retired, no/post children
- Take lots of breaks and holidays, like to explore different places
- Year-round, mid-week and weekends.
- Want inspiring, authentic, interesting places within easy reach
- Interested in heritage, culture, gentle activities
- Natural environment and beautiful landscapes and vistas important (potential for geo-tourism)
- Quality, authentic local food, and drink – and good accommodation

Business Tourism and Events



Long term – sustain and rebuild:

- Regional/ national association conferences and corporate meetings within 30-50 miles,
- Will include international delegates
- Looking for easy access, value, quality and flexible spaces and good accommodation
- Post Covid-19 team building opportunities
- Complement leisure tourism – corporate and conferences mid-week and in spring and autumn.
- Wider leisure offer and social programmes important for some markets
- Opportunity around business to leisure 'converters'

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4. Destination Development

The English Riviera is an established coastal destination, but intense competition and changing visitor markets mean there is a continual need to develop new and better experiences to drive more visits, tackle the seasonal imbalance and increase spending and benefits for local communities and businesses.

Tourism faces some big challenges generally – not least how to develop sustainably and respond to the climate crisis, there is also a need to think about growth that is sustainable with a low carbon impact.

New developments, including those identified below, should all aim for zero carbon, with low impact to protect the natural environment and all impacts are minimised and in line with Torbay's carbon neutral 2030 target. This this should be evaluated as part of any business case and feasibility assessments, aligning with Carbon Neutral Torbay.

Finally, there is a need to manage expectations. Changes take time to deliver and are part of a 'long game' if the destination is to emerge stronger from the pandemic.

The growth priority themes which follow are not everything that can or will happen. Rather they are the focus for development which is pragmatic, deliverable and catalytic and which responds to the market opportunities for the English Riviera.

The four growth priority themes are:

- Food and Drink
- On and in the Water
- UNESCO Global Geopark
- Culture and Events

These development themes are the priority strategic Actions of the DMP for delivery partners to take forward, underpinning growth. They are explained in detail below, set out with a clear rationale validating their status:

Theme 1: Food and Drink

Expand and bring England's Seafood Coast concept to life. Re-launch with a focus on high-quality, local food and drink. Develop a reputation for food and drink that emphasises the sustainable production and consumption with stronger local supply chains across the English Riviera, and potentially wider into Devon and the South West.

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Rationale

Food and eating out is increasingly important to visitors who seek authentic local experiences, but it is hard to be distinctive. The seafood sourced from Tor Bay's local waters is a strong Unique Selling Point. For visitors, it offers a 'flavour of the English Riviera and UNESCO Global Geopark' and the same product you can find in high end London restaurants at much better value. As well as flavours of the sea, there are flavours from the land to enjoy. Food and drink also offer an opportunity to fill and reinvigorate redundant spaces; and combined with music and entertainment can be a significant part of major events, as well as an opportunity for a standalone event in its own right.

Action 1: Sustainable Food and Drink Destination

Revive the ERBID food and drink focus group, explore options to work with the Devon Food Partnership and Sustainable Food Place award. Focus on initiatives to promote local producers/businesses to 'taste the English Riviera and UNESCO Global Geopark,' reduce food waste, sustainability and improve local supply chains. Develop appropriate support tools for businesses. Increase food and drink experiences, including pop-ups, 'try-me,' making, tasting and cookery experiences.

Outcome: 5% annual growth in spend on local suppliers

Measured by: Business Survey

Delivered by: ERBIDCo, Private Sector

Resources: £10,000 (new, per annum)

Timetable: 2022-27

Action 2: Relaunch England's Seafood Feast as a Signature Event

The September food and drink event should become a signature event in the destination calendar. Increase annual visitor footfall, overnight stays and spend

Outcome: £2.5m of annual economic impact

Measured by: Event Impact Survey

Delivered by: ERBIDCo, Private Sector, Torbay Council

Resources: Existing resources

Timetable: 2022-27

Action 3: Inspiring Dining

Enable inspiring dining spaces, such as around the waterfront, pop-ups, and redundant spaces/ buildings to create special and unique places to eat and drink with a focus on quality and local.

Outcome: £100,000 equivalent PR/ media coverage

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Measured by: Media Monitoring

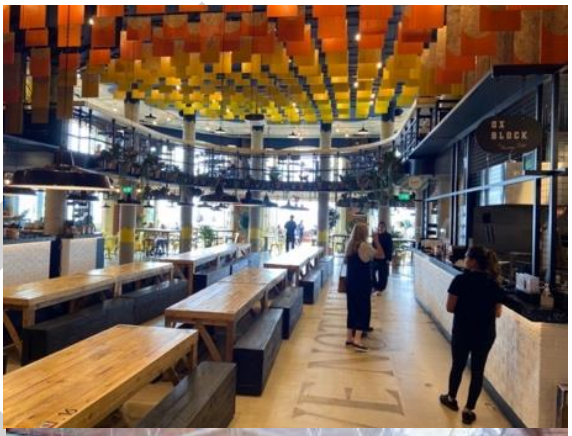
Delivered by: Private Sector, Torbay Council

Resources: Existing resources

Timetable: 2023-30

Our inspiration

Shelter Hall is situated on Brighton's seafront in a formerly derelict 15,000 sq. ft Victorian building. It is a pop-up food market that brings together seven independent kitchens and a bar, split over two indoor floors and an outdoor terrace. It offers emerging chefs a four-month residency, opening their first physical space and gain access to up to 100,000 customers at the venue including mentorship and training. Sessions, which operates Shelter Hall, is currently looking to expand to new destinations.





Duke Street Market opened in the heart of Liverpool city centre in 2019. Self-described as a 'social eating concept,' it features six resident kitchens providing individual food concepts, a coffee kiosk, and bar within the shell of a restored 100-year-old warehouse covering 5,000 sq. ft.

Theme 2: On and in the Water

> Develop on and in the water products and activities across the destination with world class provision for 'try-me' visitor experiences, as well as providing adequate facilities and services for self-equipped enthusiasts. Develop the connection with the UNESCO Global Geopark designation, improving visitors' awareness of the environment and link to land-based active experiences. Ensure all existing and new developments are designed, developed, and operated sustainably and with a low-carbon impact, protecting the natural environment and aligning to the ambitions of Carbon Neutral Torbay and the English Riviera UNESCO Global Geopark Environmental Policy Framework and Marine User Policy.

Rationale

The 2021 ERBIDCo Visitor Survey found that 84% of visitors visited the beach/ sea (23% of visitors gave this as the main reason for the visit). Water-based activities were pursued by 21% of visitors (5% of all visitors gave this as the main reason for their visit). 46% of those who did not

take part in water-based activities found the idea appealing. Sport England states that 27.6% of the total active population are active outdoors, and according to the Watersports Participation Survey (2018) the volume of participants increased for the third year in a row. 94% of all watersports activities in 2019 took place at the coast, and 38% of all activities were in the South East and South West. The south coast dominates participation in boating activity. The most popular activities in 2018 included spending leisure time at the beach, coastal walking, and outdoor swimming. There is a long-term trend for growth in surf/body/paddle-boarding, canoeing and small sailboat activities. Covid-19 has increased the interest and appeal of water-based activity and personal wellbeing, as evidenced through VisitEngland Covid-19 Sentiment Trackers.

Action 4: Watersports Hub Development

Undertake a feasibility study into a watersports hub development ensuring alignment to Carbon Neutral Torbay and the English Riviera UNESCO Global Geopark Environmental Policy Framework and Marine User Policy. Ensure new facilities are sustainable with a low carbon impact and interpret the Geopark and align to the Torbay Story messaging.

Outcome: Feasibility study delivered

Measured by: DMG monitoring

Delivered by: Torbay Council, Tor Bay Harbour Authority, TDA, ERUGGp

Resources: £20,000 (new, one off)

Timetable: 2023-24 (feasibility)

Action 5: Business Development

Enable on and in the water/ watersports development by supporting businesses to establish themselves and grow. As above, alignment to Carbon Neutral Torbay and the Geopark.

Outcome: 10 businesses supported

Measured by: Business Survey and DMG monitoring

Delivered by: Torbay Council, Private Sector, TDA

Resources: Existing resources/ identify new funding opportunities

Timetable: 2022–30

Action 6: Packaging on and in the Water Experiences

Develop ‘on and in the water’ experiences for distribution through new and established channels.

Outcome: 10 new experiences presented over DMP life

Measured by: Business Survey and DMG monitoring

Delivered by: ERBIDCo, Private Sector, Meet English Riviera

Resources: Existing resources

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Timetable: 2022 – 2027

Our Inspiration



Coppet Hall Beach Centre in Saundersfoot, Pembrokeshire is a new building that contains a restaurant, watersports retail, activity centre, new public conveniences including family changing spaces and external beach showers. The Beach Centre is an environmentally friendly building - solar panels, air source heat pumps, a sedum roof, and improved footpath and cycling access all contribute to its BREEAM 'Excellent' rating. The restaurant 'Coast' focuses on using local ingredients and is recommended in the Michelin Guide. It was funded by a mix of private and public investment including Visit Wales' Coastal Tourism Project, part funded by the European Regional Development Fund through the Welsh Government.



Sideshore is a community-owned watersports centre that opened in 2020 in Exmouth. As well as a watersports centre offering equipment hire, lessons and wellness activities, the development includes a casual seafront bar, restaurant and café run by Exeter celebrity chef Michael Caines. It is a Community Interest Company (CIC) made up of representatives from the local area. It aims to be the most sustainable building it can possibly be - all tenants have signed ''green leases'' to ensure there is a ban on all single use plastics, twice as many solar panels were installed than the recommended coverage to generate as much renewable energy as possible, EV charging points and bike racks have been installed to encourage greener modes of transport, and construction was undertaken by a local firm, using 100% local staff.

Theme 3: UNESCO Global Geopark

The UNESCO Global Geopark designation is an international mark of quality and distinctiveness. Because Geoparks are about the connection between a landscape and people, the UNESCO Global Geopark essentially tells the story of the English Riviera and the story of its landscape. Key opportunities are to use existing and new experiences and locations to tell those stories in original and imaginative ways, highlighting and reinforcing the designation and running the UNESCO Global Geopark 'story of the landscape' through themes such as Heritage, Culture, Food and Drink, and Leisure. Sustainable tourism, Geo-tourism and 'Slow Tourism' initiatives are consistent with protecting and interpreting the landscape and reinforce the UNESCO Global Geopark designation.

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> Work should align with the Torbay Heritage Strategy and the recent Heritage Interpretation Framework, a tool providing thematic interpretation across heritage (natural and built), and which also encompasses the English Riviera UNESCO Global Geopark designation, as well as complementing the Torbay Story.

Rationale

2020 research[9] showed that 76 UK UNESCO designated destinations benefited from £151m of additional revenue as a result of their designation, mostly in the form of tourism revenues. The designation is more than geology – it is a wraparound for the heritage and culture of this unique area. While Geoparks are often not well understood by visitors, the UNESCO designation nonetheless brings with it a reputation for quality and distinctiveness that should be the foundations for destination development. As the designation must be revalidated every four years, the development of relevant tourism product strengthens the likelihood of retaining the designation.

Action 7: Geopark Interpretation

Aligning to the Torbay Heritage Strategy & Heritage Interpretation Framework, integrate UNESCO Global Geopark into more products, experiences, visitor information and support businesses with creative storytelling and visual branding. Explore options to further engage with businesses to develop ideas, such as simple toolkits and workshops. Explore developing Geopark Ambassadors to help tell the story of the Geopark while supporting the visitor welcome.

Outcome: 10% of tourism businesses using UNESCO Global Geopark in information/ marketing

Measured by: Business Survey

Delivered by: English Riviera UNESCO Global Geopark (ERUGGp), Private sector

Resources: £10,000 (one off), existing resources/ identify new funding opportunities

Timetable: 2022-30

Action 8: Digital Geopark Trails

Develop options and implement digital trails for use on mobile devices with integrated interpretation.

Outcome: 3 new digital trails created and 5000 users/ downloads

Measured by: Usage figures for trail downloads

[9] UNESCO National Value Report UK (2020)

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Delivered by: ERUGGp, ERBIDCo

Resources: £15,000 (one off), identify new funding opportunities

Timetable: 2023-30

Action 9: Designated Landscape Partnership Trails and Promotion

Explore opportunities to work with other designated landscapes across the South West to promote the collection of unique landscapes and monuments.

Outcome: Twice yearly planning meetings held

Measured by: DMG monitoring

Delivered by: ERUGGp

Resources: Existing resources/ to be determined

Timetable: 2023-30

Our inspiration

The Jurassic Coast stretches 95 miles along England's South West coast from Exmouth in Devon to Swanage in Dorset. It became a World Heritage Site in 2001 for the outstanding universal value of its rocks, fossils, and landforms. It celebrates the UNESCO World Heritage Site status it has been given by explaining on its website 'what's in it' for a prospective visitor and making it meaningful to them. Visitdorset.com uses the strapline 'Home of the Iconic Jurassic Coast,' giving prospective visitors the idea that they are going to experience something of real significance with a visit to the destination.





Isle of Wight was declared a UNESCO Biosphere in 2019. The focus on the tourism side has been to use the Biosphere status as a stamp of a high-quality environment and to underline the opportunities to explore that natural environment sustainably on foot or on a bike. It links existing quality natural environment experiences to the new designation. In particular, it uses the Biosphere designation to underline the quality of its stargazing experiences and Slow Travel. It explains what Biosphere means to its visitors simply and clearly on its website and provides hyperlinks to more information where appropriate. It provides a joined-up visitor experience in the natural environment via an app with cycle and walking routes, incorporating attractions and places to stay, maps and user reviews. It encourages and incentivises tourism businesses to value the environment via a green star programme that also helps visitors know which establishments support slow travel and other environmental actions.

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Theme 4: Culture and Events

Align the DMP, its aims, objectives, growth markets and themes to complement and support delivery of Torbay's Cultural Development, the Torbay Heritage Strategy, Torbay Council Outdoor Events Strategy, and the recent Heritage Interpretation Framework – a useful tool for providing thematic interpretation across heritage (natural and built), and which also encompasses the English Riviera UNESCO Global Geopark designation, developed through National Lottery Heritage.

Opportunities could include focus on thematic interventions, with a single theme in each town for impact, which also aligns with the Torbay Story. Utilising the Framework as a basis and using assets from previous cultural tourism development work of 'Writers on the Riviera' for example, enabling a different type of activation or intervention, developed with local talent and partners.

Rationale

Culture and events can bring a range of direct (economic) and indirect (reputation, wellbeing, quality of life) benefits. They help animate the destination, local cultural and event programmes can strengthen the sense and distinctiveness of the place, and these are the reasons why the Council has planned significant investment over the next three years. The benefits and opportunities are well articulated in the English Riviera Cultural Tourism Strategy and these recommended actions align with the ERBID2 Business Plan and Torbay Council Outdoor Events Strategy.

Action 10: Thematic Interventions

Undertake a critical appraisal of current programming against the aims of the DMP and the thematic framework to identify signature events across the three towns to strengthen the cultural offer to attract new visitors.

Outcome: 3 signature events

Measured by: Critical appraisal

Delivered by: Torbay Culture, Torbay Council, ERBIDCo

Resources: Existing resources

Timetable: 2022-30

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Our inspiration





Blackpool's CultureBlackpool project showcases and highlights the cultural offer that currently exists in-resort to visitors and residents. It has created a new partnership between public and private sector partners to promote Blackpool's back story of architecture, heritage, exhibitions, internationally acclaimed installations, and events to its 142,000 residents and 18 million visitors. It has launched a new B/Side Campaign in a bid to flip expected perceptions of Blackpool and persuade people to 'tune in,' look up and around, and to appreciate the cultural side of the resort.

Galway is renowned for its vibrant lifestyle and for hosting numerous festivals such as Galway International Oyster Festival, an annual free event held on the last weekend of September in the centre of the city attracting tens of thousands of visitors. According to Tourism Ireland, it has been called "one of the greatest events on earth."

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5. Markets, Positioning and Branding

Marketing Review

The English Riviera BID Company delivers the destination marketing for the English Riviera which includes the website, a suite of print and management of social media channels. The ERBIDCo has invested heavily in digital marketing and the new business plan (ERBID2) sets out the direction of travel and marketing investment over the next five years (2022-27).

The marketing takes a broad and inclusive approach, encompassing a wide range of locations, attractions, activities, and themes. Whilst this is understandable given the nature of the destination, the sense of 'something for everyone' is in danger of diluting the overall proposition. Across channels and campaigns, a variety of straplines are used, and although these may be complementary, there is a risk of potentially confusing the visitor and weakening the brand.

The term 'English Riviera' is however rarely used by the visitors or by travel media; greater recognition often lies with the three towns, and Torquay in particular. Visitors tend to speak of the area fondly, again reflecting high levels of repeat visits, (but non-visitors much less so). Awareness levels are low among non-visitors who do not tend to see it as a place to aspire to visit. It rates particularly low in terms of heritage, culture, and food. The travel media generally presents the destination in positive terms and has attracted many positive articles and media coverage in recent times.

Positively, from a business perspective, there is widespread buy-in and use of 'English Riviera' in promotional activity, creating a sense of pride in place. The complexity of the brand architecture is evidenced however in the business survey undertaken as part of this DMP review. This revealed that around three-quarters of businesses strongly identify with 'English Rivera' as the destination brand. In addition, businesses also identified with their town – around half identifying with Torquay, and around a third also identify with South Devon/ South Devon Coast.

Moving Forward

There is a challenge in communicating a multi-faceted destination brand which encompasses several places and propositions. The changing attitudes, perceptions and desires of a market faced with numerous choices create further challenges. The English Riviera has a long history and must ensure it continues to be relevant to new visitor markets, presenting them with a clear, memorable, and compelling propositions.

Beyond the branding of the destination, work has been done locally in developing the Torbay Story (launched in January 2022) which is intended to cut across all three towns and support all sectors, encourage inward investment, and nurture civic pride. While the destination brand is focused on visitors, it does make sense for it to align with the wider Torbay Story vision, as already mentioned in DMP growth themes, so that all place-related marketing is synergistic and reinforcing.

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All of these factors therefore suggest it is timely to review the English Riviera brand to ensure the positioning of the destination will support the vision for tourism and developing the visitor economy. This review must be market-focused and informed by the opinions and perceptions of current visitors and non-visitors (from the target segments identified within this plan).

The outcome of this research should be shared with businesses, partners, and key stakeholders to consider what, if any, changes in approach are needed. This could include how the destination brand should be communicated in the marketplace, within a clear architecture of places and propositions which define the destination, position it clearly and convey what and where it is – and who it is for.

Branding and Marketing – Delivery Tasks

Task 1: Market Research

Primary research among leisure visitor and non-visitors to explore current brand perceptions and associations, names, places, and straplines.

Outcome: Increased market knowledge and insight to inform more effective marketing

Measured by: Research outputs and action taken

Delivered by: ERBIDCo (lead), TDA (support)

Resources: £20,000 (per annum), new

Timetable: 2022-23

Task 2: Brand Strategy Review

Informed by the findings of the market research, engage stakeholders in reviewing and updating branding strategy and marketing assets. Consider producing brand toolkits for businesses to adopt. Reconfigure marketing collateral and channels accordingly.

Outcome: Improved destination awareness and appeal among target segments

Measured by: Visitor Surveys, Media tracking,

Delivered by: ERBIDCo

Resources: £10,000 (one off), new

Timetable: 2022-24

Task 3: Marketing Strategy Review

Review the marketing strategy and update accordingly to the themes and target segments in the DMP. Review and refine messaging/activity where appropriate.

Outcome: Increased market exposure

Measured by: Increase visits from target segments, Visitor Surveys, Content generated, Sentiment tracking

Delivered by: ERBIDCo

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Resources: Existing resources

Timetable: 2022-27

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6. Destination Management

The visitor experience must be a consistent high-quality right across the destination with 'brilliant basics' (parking, access, toilets, services, waste etc), animated and attractive towns in which to stay, linger, shop, and eat, alongside the attractions and experiences that are the main reason for visiting.

The 'brilliant basics' are things which don't in themselves drive visits, but influence visitor's enjoyment, spend and dwell-time in the destination; and crucially if they are missing or poorly managed will negatively influence the resort's reputation.

The public sector usually has an important role to play and while the Destination Management Group is not responsible for these services, it needs to influence and engage with those who are responsible.

There are seven Destination Management priorities, the delivery tasks for each are set out below:

Priority 1 - Visitor Accommodation

The management of accommodation change of use with Council planning policies is essential to avoid the risk and drift toward low quality visitor accommodation. This includes the provision of temporary, emergency, and short-term residential accommodation within the areas of tourism, (e.g., Core Tourism Investment Areas), which could damage the reputation of the destination and create conflict with neighbouring visitor-focused businesses.

It is better to support the transition to alternative uses which complement the ambitions for the remaining visitor accommodation and the objectives set within this Plan to drive the visitor economy. Torbay has 31,000 bedspaces and, even though half of it is non-serviced, the remaining 15,000 spaces still represents an over-supply.

Task 4: Policy Review
Review the Local Plan and prepare supplementary planning documents to assist in transition of redundant accommodation.

Outcome: 2% reduction in serviced accommodation stock

Measured by: Hotel Stock Study in 2027

Delivered by: Torbay Council

Resources: Existing resources

Timetable: 2023-30

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Priority 2 - Brilliant Basics

Public services and open spaces, such as beach management, cleansing, signage, toilets, grounds maintenance, planting, parking, public safety, and lighting are all examples of things which contribute to the visitor welcome, experience, enjoyment, and overall satisfaction of the destination.

Consideration is therefore needed for the management of these services to support the objectives of this plan to grow the visitor economy all year round. Service providers, such as Torbay Council, should welcome the findings from visitor surveys and the DMG should ensure this happens and for the relevant services to proactively engage and where possible improve these 'Brilliant Basics.'

Task 5. Joint Response to Visitor Surveys

Undertake a review exercise across delivery teams to plan actions that address the findings of visitor surveys.

Outcome: Lift all survey scores above 4 or by 0.5 points ('21 baseline)

Measured by: (Annual) Visitor Survey

Delivered by: Torbay Council, ERBIDCo, TDA (support)

Resources: Existing resources

Timetable: 2022-27

Priority 3 - Towns and Connectivity

There are examples of excellent public realm across the three towns, but there are also areas in which it is poor and areas where retail is struggling. In some cases, investment through the Towns Fund and other programmes are being used to improve the public realm, but further work is needed in areas that include for example around the Inner Harbour in Torquay and the area around Brixham Harbour. These are areas with potential for visitors and which would benefit from improved design and investment.

The three towns are part of the English Riviera offer and connectivity including signage between the towns should be reviewed to see how it can be improved for visitors. This includes all modes of travel, public transport, and low carbon impact, including green travel options. Future development of cruise-tourism by Tor Bay Harbour Authority and ERBIDCo, should aim to maximise the impact from day visitors in terms of spend and actively address and mitigate environmental impacts.

Task 6: Public Realm Improvements

Further develop public realm improvement plans for visitor areas. Focus on Brixham Harbourside and Torquay Inner Harbour to complement and enhance improvements around the Strand.

Outcome: Score 4.5 on Visitor Survey in these specific locations

Measured by: (Annual) Visitor Survey

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Delivered by: Torbay Council, ERBIDCo, TDA (support)

Resources: £75,000 (TBD, one off, concept design)

Timetable: 2022-30

Task 7: Bus Network Improvements

Explore options to rename (rather than number) the visitor routes and align to the Geopark story e.g. 'The English Riviera Route.'

Outcome: Score 4.5 on 'Public Transport – Quality'

Measured by: (Annual) Visitor Survey

Delivered by: ERBIDCo, transport providers, ERUGGP

Resources: TBD

Timetable: 2022-27

Task 8: Cruise Development

Develop shore excursions and tailor-made experiences for cruise operators which relate to the development themes of this DMP.

Outcome: Three new shore excursion programmes developed

Measured by: Business survey and cruise arrivals

Delivered by: Tor Bay Harbour Authority, ERBIDCo, private sector

Resources: Existing resources

Timetable: 2022-30

Priority 4 - Sustainable Tourism

Ensuring clean growth and low-carbon actions are implemented as part of any new developments, including those outlined in the growth priorities of this DMP are necessary to protect and enhance our naturally inspiring bay and if the English Riviera is serious about becoming a sustainable destination. By working in collaboration and aligning the DMP with the ambitions of Carbon Neutral Torbay and Torbay Climate Partnership will help the destination to achieve these aspirations. There is also a unique opportunity to use the UNESCO Global Geopark designation as a focus for sustainable tourism in the area and maximise engagement with businesses and visitors.

There is a growing need to address climate change and consider measures that would have the greatest impact in reducing the climate impact from tourism to the English Riviera. Baselining the current impacts and developing measures that work across the three domains of business, visitors and the destination will drive improvements. This cannot happen overnight, and support is needed to identify the right opportunities over time and to help our businesses to decarbonise and take

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advantage of the economic benefits achieving carbon neutrality will bring, which can only happen through collaboration.

Task 9: Green tourism for business

Explore options and encourage businesses to achieve the Green Tourism Award (or other zero/carbon neutral programmes), aligning to Carbon Neutral Torbay, to showcase exemplars of good practice and supporting the overall reputation of the destination.

Outcome: 5% of tourism businesses accredited by Green Tourism

Measured by: Award take up

Delivered by: Torbay Council, Torbay Climate Partnership, ERUGGp, Private sector, ERBIDCo

Resources: Existing resources/ identify new funding opportunities

Timetable: 2022-30

Task 10: Carbon Neutral Torbay

Explore the options to align Carbon Neutral Torbay with the UNESCO Glasgow Declaration on Climate Change as a commitment to a more sustainable visitor economy.

Outcome: Deliver Declaration Action Plan

Measured by: Annual monitoring of Plan

Delivered by: Torbay Council, Torbay Climate Partnership, ERUGGp, DMG, Private sector

Resources: Existing resources/ identify new funding opportunities

Timetable: 2022-30

Priority 5 – Skills

Making tourism an attractive career choice for young people with exciting career pathways needs to start early and is essential to growing the visitor economy. Connecting businesses with educational establishments for work experience, career talks, to highlight the career pathways and local green jobs will help to relaunch the sector and recover from the impacts of Covid-19 building the skills and workforce to help deliver carbon neutral.

The visitor economy is a broad sector encompassing accommodation, culture, heritage, attractions, activities, events, hospitality, tour operators and more, all requiring a mixture of universal and specialist skills and offering long term, all year-round career options. The English Riviera is fortunate to have South Devon College in its boundary which should lead on skills development for the sector and engagement with schools, businesses, and young people. There are a wide range of skills and education programmes delivered by the College including 16–18-year-old studies, apprenticeships, adult skills, and higher education, which can support increasing skills and sustainable employment in the sector. The College also has a good reputation of

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working with businesses to develop curriculum to meet the needs of the sector, (e.g., the alignment of the UNESCO Geopark with outdoor curriculum). These opportunities should be further explored further, as well as improving links with local schools and Careers Information Advice and Guidance.

Task 11: Education Business Plans for Tourism

Annual plan for business engagement in education supporting career pathways for young people.

Outcome: 10 businesses engaged

Measured by: Review of annual plan

Delivered by: SDC, Private Businesses

Resources: Existing resources

Timetable: 2022-30

Action 23: Workforce Skills

Annual plan to increase business engagement to improve the skills of the workforce (and the unemployed) through take up of programmes.

Outcome: 10 businesses engaged

Measured by: Review of annual plan

Delivered by: SDC, Private Businesses

Resources: Existing resources

Timetable: 2022-30

Priority 6 - Research and Insights

Research, data, and insights is an important function which will help better understand English Riviera visitors, track performance, and assess the impact of the DMP. As well as visitor research, economic impact studies and accommodation performance should be used to track destination performance. A small number of KPIs including accommodation occupancy and yield, destination spend, and employment are the best measures for tracking performance. More detailed analysis can be added to this baseline and ad hoc studies (e.g. Visitor Surveys, Overseas Market Studies etc) can be undertaken over time.

Task 13: Annual Performance Review

Deliver a number of annual surveys to review destination performance.

Outcome: Surveys delivered and shared with businesses/ stakeholders

Measured by: Review of ERBIDCo business plan activity

Delivered by: ERBIDCo

Resources: £40,000 (per annum), existing resources

Timetable: 2022-27

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Priority 7 - Business Tourism

Support should be given to the development of Meet English Riviera to capitalise on the clean growth opportunities for business tourism. While competition is fierce, the range and quality of venues in the English Riviera and the proximity to business and universities in Exeter, Plymouth and the surrounding area does present some opportunities. In the short term, many of these opportunities are constrained by Covid-19, but over the period of this DMP the sector is likely to recover. The £70bn value of the sector dropped by £59bn in 2020 and, despite some recovery in late 2021, is likely to take some time to fully recover due to international travel restrictions and risks to event organisers. Improving the capability of businesses to offer hybrid events will continue to be important for future success.

Task 14: Meet English Riviera

Develop activity to support conference sales and marketing activity over the life of the DMP.

Outcome: £5m value of conference bookings over life of DMP

Measured by: Enquiry monitoring

Delivered by: Meet English Riviera

Resources: £25,000 (per annum), identify new funding opportunities

Timetable: 2022-30

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7. Delivery and Organisation

Roles and Responsibilities

The Destination Management Group (DMG) has a critical role in bringing the different organisations and tourism businesses together to create an integrated collaborative approach to development, marketing, and sustainable management of the English Riviera. Places that do tourism 'well' are joined up in their ambition and approach – a fact highlighted in the recent independent De Bois review of DMOs and further reinforced locally by the Torbay Story.

The English Riviera should therefore continue with its approach to destination management, with the DMG having collective responsibility for implementing the new Destination Management Plan, making best use of existing resources, working together in partnership, and attracting further investment where needed to deliver the DMP's objectives. There are some clear roles and responsibilities for the different DMG partners, and for this plan to be effectively implemented public services, operational leads and frontline tourism businesses should also be involved – the approach to take with membership is an early delivery task of the DMG to take this plan forward.

The DMG is working well and with the fresh impetus and focus of this plan, the DMG should be the main body for delivery and monitoring progress. The mix of private and public sector partners is representative of the sector and while membership should be continually reviewed, the DMG should not grow too big and unmanageable. Within the partnership different organisations will lead on priorities relevant to their specialist knowledge and capabilities E.g:

- ERBIDCo will lead on destination marketing, brand delivery, industry engagement and visitor research
- South Devon College will lead on skills and connecting the tourism industry to careers advice.
- TDA will continue to provide secretariat support to the DMG
- Torbay Council will lead on public services and the 'brilliant basics'
- Meet English Riviera, English Riviera Global Geopark Organisation, Torbay Culture Board, Torbay Business Forum, and Tor Bay Harbour Authority will lead or support on the specific actions identified within the DMP.

It is also important to recognise that the DMG and its members are giving their time in addition to their 'day job' and there are demands arising from the DMP which need a resourced executive to take them forward (secretariat support is currently provided by TDA). This document clearly sets out who is responsible for different priorities and actions reflects the specialism, knowledge, and capabilities of the DMG partners (subject to change).

Task 15: DMG Terms of Reference and Annual Review

Includes review of terms of reference, membership, responsibilities of actions, progress monitoring via data dashboard and resourcing plans.

Outcome: Annual TOR and action plan progress

Measured by: Annual Review

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Delivered by: TDA, DMG

Resources: Existing resources

Timetable: 2022-30

Investment and Resources

The DMP provides a strategic approach to developing the destination over the next eight years. In some cases, the immediate next steps necessitate further work such as feasibility studies or development plans, and the DMP provides the template against which future investment can be evaluated. 'Quick wins' will be identified by partners and detailed planning will identify specific resource requirements over and above existing allocations.

Delivery may require re-allocation, re-focussing of existing resources or new funding. Having a detailed DMP will support funding bids from Government or other agencies. The UK Government published its Tourism Recovery Plan[10] in June 2021 and will identify the support available at business, destination, and national level. While the overall headline budgets are substantial, the funds identified in many cases cover a range of economic sectors and the whole of England. Nonetheless for a destination with a clear plan and a built-in commitment to partnership working, the following in particular offer opportunities for the English Riviera:

- Town Fund Investment
- Future High Streets Fund
- Cultural Investment Fund
- Green Recovery Challenge Fund
- Getting Building Fund
- Levelling Up Fund
- UK Shared Prosperity Fund
- National Lottery Heritage Funding
- VisitEngland/VisitBritain Funding
- Net Zero 2050 policies (expected will result in investment in carbon reduction initiatives)

Note:

Resource requirements within this DMP are estimated and further detailed review is required to determine the extent to which costs can be met from existing resources or if new funding needs to be secured. Delivery arrangements and lead organisations are subject to change and re-allocation by DMG partners.

[10] https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/992974/Tourism_Recovery_Plan__Web_Accessible_.pdf

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This document can be made available in other languages and formats. For more information, please contact **insert your team email or phone no. here**

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Enjoy, talk, do, be

A cultural strategy for Torbay and its communities 2014-2024

Supported using public funding by
ARTS COUNCIL ENGLAND

TORBAY COUNCIL

Enjoy, talk, do, be

A cultural strategy for Torbay and its communities 2014-2024

commissioned by TDA, funded by Arts Council England

Strategy document

ENJOY, TALK, DO, BE...

A cultural strategy for Torbay and its communities 2014-2024

Foreword



Torbay is one of the most beautiful coastal resorts in the UK, with so much to offer residents and visitors to the area. This cultural strategy, commissioned in partnership with Arts Council England, will complement the wonderful assets we have locally.

Our partnership approach has three key aims: increasing engagement and participation in cultural opportunities; maximising the distinctive natural and built cultural assets of Torbay; and ensuring joined-up cultural development is a key contributor to economic and social development in Torbay.

The strategy provides a framework and opportunities which will drive people to work together for the better of the Bay. I am looking forward to seeing the great projects which will emanate from this strategy. I strongly believe it will help reinforce a sense of wellbeing for the Bay as a whole.

Gordon Oliver

Elected Mayor and Leader of Torbay Council



We are committed to making arts and culture accessible to all our residents and visitors and we have great aspirations to raise Torbay's profile as one of the most influential, cultural destinations in the UK.

The arts and culture sectors are continually evolving and I am confident that this passion and knowledge from the industry will help to lead the way and build on the great work already achieved.

There is a great value to providing quality cultural events in Torbay, both in terms of economic benefit and cultural enrichment, and I am sure that this strategy will enable us to develop even more exciting opportunities by working in collaboration with the many organisations in the sector.

Cllr Nicole Amil

Torbay Council's Executive Lead for Harbours, Culture and the Arts



The cultural sector is one of the fastest growing in the economy: actively creating economic growth and jobs, making a major contribution to education, health and social wellbeing, and helping to build better communities. This happens as a result of sustained investment and strategic partnerships that have a genuinely shared agenda.

At Arts Council England we work closely with Local Authorities up and down the country and these partnerships are vital to the strength of arts and culture in England's communities.

Our investment and support is fundamental but we have to work in partnership not only with local government, but with the cultural, business and charitable sectors and with local communities themselves. It is through these partnerships that we can together sustain and grow culture and the arts.

At the Arts Council we believe that we can serve the people of Torbay better by working together with others who share our goals. By combining our efforts we can, and do, make a greater contribution to communities than if we worked alone.

We welcome this Cultural Strategy for Torbay and look forward to continued partnership working with all our partners to see it effectively delivered.

Phil Gibby

Area Director, South West at Arts Council England

We had the pleasure of working on this strategy from March to June 2014. We read policies, strategies, reports and evaluations; visited places; attended events; sent out and analysed returned questionnaires; and most importantly, we met, talked with and listened to people.

Enjoy, talk, do, be is a response to the commitment to culture we found and the calls for concerted action we heard. Our thanks go to everyone who has made a contribution directly through the consultation process or by doing what they do.

While we've worked to scope and shape the strategy, it's *by* as much as *for* Torbay and its communities – that's the 'we' you'll find in what follows.

Mary Schwarz, Cat Radford, Richard Crowe and Sue Kay

Torbay Cultural Strategy consultancy team

The documentation for **Enjoy, talk, do, be** comprises:

- this *Strategy* document
- a four page *Strategy summary*
- a *Three year delivery plan*
- a *Supporting context and evidence report*

These are all hosted on the TDA website - www.torbaydevelopmentagency.co.uk/cultural-strategy

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Introduction

Why this cultural strategy?



While everyone recognises the developing range and richness of cultural experiences on offer in Torbay, there's also a **desire** to 'do more, different and better', to involve a greater number and diversity of people and make more lasting impact.

This cultural strategy provides the framework for the **drive** people are showing to work together to make that happen. Covering the whole of the cultural sector, it supports individual strategies through its collective voice and focus on what can be achieved through collaboration. It represents a key opportunity to harness the value of culture and create the conditions in which to address the challenges of a post-recession context in imaginative ways.

"There is some fantastic work in Torbay, but there is no overarching theme or plan."

"The cultural strategy can bring everyone together to do something we're not already doing."

What we mean by culture...

Culture is an inclusive concept that embraces a wide variety of activities, places, values and beliefs that contribute to a sense of identity and wellbeing for everyone in our communities.

It is about our way of life and our quality of life.

Culture includes the visual and performing arts, built and natural environment, heritage, libraries, media, museums, play, sport, tourism and informal leisure pursuits. Cultural values include shared experiences and memories, our diverse backgrounds and what we consider valuable to pass on to future generations.

When people contributing their views to the strategy were asked what they valued about and how they engaged in culture in Torbay, these were just some of the responses:

- connecting with the Global Geopark
- walking around the Bay
- organising the Brixham Pirate Festival
- being taken on a guided tour of Kents Cavern
- writing Torquay's 'other history'
- seeing Gormley's *Field for the British Isles* in the Spanish Barn at Torre Abbey
- buying craft at the Ceramics Festival
- playing football
- working with artists on creativity
- enjoying Children's Week
- hearing young people perform at the Torbay Schools' Festival of Performing Arts
- taking part in the Quest project with Play Torbay and professional artists, performing at Cockington Court, Greenway and Torquay Museum
- planning for the restoration of the Paignton Picture House
- having a ginger cream tea in Babbacombe





The case for culture

The cultural experiences just listed are examples of what people call the *intrinsic* value of culture... the way it helps us 'be us': knowing and expressing ourselves, experiencing and understanding people and the world around us.

Culture also has what people term an *instrumental* value:

> **Throughout the past decade, statistics, indicators and data on the cultural sector...have underscored that culture can be a powerful driver for development, with community-wide social, economic and environmental impacts...**

That's a useful summary from the authors of a UNESCO 'think piece' *Post-2015 UN Development Agenda,* who also point out:

> **Cultural and creative industries represent one of the most rapidly expanding sectors in the global economy...**

Many places have focused on culture to benefit those who live, work and visit there, using:

> **...cultural heritage [and] events to improve their image, stimulate urban development, and attract visitors as well as investments... Culture-led development also includes a range of non-monetized benefits, such as social inclusiveness and rootedness, resilience, innovations, creativity and entrepreneurship for individuals and communities, and the use of local resources, skills, and knowledge.**

Culture can be *transformative* too. As one young Torbay resident taking part in the Quest project (noted before) said,

> **I've gone from I can't do this...to I feel like a superhero.**

There's also a *public* or institutional value to culture. People like easy access to helpful information from cultural providers. They look for a warm welcome and to be treated well, with good food and drink.

> **The nature of the public is changing rapidly...The public, as increasingly sophisticated consumers, are likely to be more demanding, and less forgiving of dowdy cultural infrastructure, poor service and over-inflated claims.**

Cultural Value (John Holden, 2006)

Introducing Enjoy, talk, do, be

Charles Leadbeater, author and adviser to governments on innovation and creativity, has described how people look for a 'mix of three different experiences' when they engage with culture:

> **Some of the time people want to *enjoy* being entertained and served, to listen... watch... be inspired or unsettled...**
>
> **Then there are experiences in which the [cultural] content provides a focal point for socialising...the value lies in part in the *talk* the content sets off...**
>
> **Finally, [people] want to get involved, have a go, *do* their bit.**

The Art Of With (Charles Leadbeater, 2009)

This strategy is named after the concept of **enjoy, talk, do** – with an added **be** to capture a sense of individual and community identity that culture represents and the distinctive image of Torbay it can offer.

Enjoy, talk, do, be is something we all do.





Who this strategy is for and how it will be implemented

Enjoy, talk, do, be is for anyone who influences, makes or delivers policies or whose work affects the quality of experience for those who live, work in or visit Torbay. This includes individual cultural practitioners and organisations; voluntary, community and social enterprises; the private and public sectors. It's not a Torbay Council strategy, although it's approved and adopted by the council which, as a partner among others, has a key role in its delivery.

As a 10 year strategy, it's designed to provide a shared vision, direction and way of working that drives sustainable development. Something everyone can get behind to make a positive difference.

A new **Torbay Culture Board,** supported by a paid executive post, will oversee implementation of **Enjoy, talk, do, be** and the accompanying rolling **Three Year Delivery Plan.** This shows how the actions of the Culture Board and partners deliver the strategy aims. The Delivery Plan will be reviewed and updated every year, ensuring the overarching strategy ambitions remain relevant in a changing world, not least as different delivery partners may emerge.

You'll find more information about the Culture Board in the main part of this strategy. You'll also see the importance placed on ensuring everyone with an interest in, and commitment to, a vibrant cultural offer in the Bay can contribute to the development and delivery of **Enjoy, talk, do, be.**



Strategy format and functions

Enjoy, talk, do, be comprises a shared Vision, with Ambitions, Principles, Aims, Objectives and Opportunities:

- helping everyone see the 'bigger picture' in which they play a part
- informing the prioritising of developments
- evidencing a strategic and sustainable approach

> "All working for all of us."

To encourage wide ownership and active use, the document focuses on key points drawn from the consultation and research that inform future direction, rather than documenting all current cultural provision. The *Strategy Summary* acts as an introduction to the strategy context and aims. For more information and detail, you can read the *Three year Delivery Plan* that includes all the strategy actions and also the *Supporting context and evidence report.*

Context

Torbay's cultural life

Every day developing this strategy, an inspiring story, interesting fact, illuminating experience or innovative way of working was shared about Torbay, where you can find:

- a home to Britain's earliest humans
- valued local heritage assets, some with national and international significance
- museums from the voluntary and public sectors partnering for a sustainable future
- contemporary cultural practices meeting local traditions
- more visitor attractions than any other seaside resort in the UK
- national sporting events on land and at sea
- dedicated volunteering in local sports clubs
- accessible pricing and imaginative marketing encouraging people as 'first time' exhibition visitors and audiences at performances by internationally renowned artists
- a strong community, voluntary and social enterprise sector focused on asset based community development to grow the economy from the local resource
- public, private and voluntary sector providers working together to increase young people's participation and develop their skills
- business investment in cultural activities enlivening town centres to increase footfall

These are all cause for *celebration* – along with the many other distinctive attributes and achievements that make Torbay a special place.

Consultation also evidenced consistent messages about key *challenges:*

- lack of awareness about the existing cultural offer
- low expectations and aspirations affecting engagement, participation and quality
- absent progression pathways for children and young people, particularly those from disadvantaged families and neighbourhoods
- perceived imbalances between provision for residents and visitors
- missed opportunities to share, and learn from, experience
- working approaches such as 'working round "their" way', 'start stop' and 'in out' at times – resulting in isolated programming, one-off or toured in cultural activities offering a great experience in themselves, but not realising all their potential: to make local links; nurture home grown talent; build capacity; and provide for an ongoing legacy of development

People were energised to make **Enjoy, talk, do, be** the *opportunity* to respond to these challenges in a wider context of economic and social needs. They felt empowered to make culture a driver for a better quality of life in the Bay, with these desired *outcomes:*

- increased engagement and participation
- an enhanced and coherent cultural offer
- a resilient and respectful way of working

Taking inspiration from the 'C for culture' shape of the Bay where land and sea meet, past and present link and diverse communities connect across the first urban Global Geopark...

Torbay is set to lead the future with a model of good practice in post-recession cultural development that contributes to sustainable economic, social and environmental development.



OUR VISION

Torbay: a landscape of culture...

quality of life and opportunity enjoyed by all
in a 21st century coastal location
400 million years in the making

OUR AMBITIONS

Enjoy... enabling more people to take pleasure from cultural activities

Talk... encouraging purposeful exchange to share, reflect on and enhance our cultural offer

Do... inspiring more people to shape and make cultural experiences

Be... celebrating the uniqueness of Torbay's cultural past, present and future

OUR PRINCIPLES

People first: residents, visitors, practitioners and businesses all benefitting from and contributing to a vibrant cultural life

Pride of place: caring for our buildings, neighbourhoods, town centres, coast and countryside in the unique environment of the English Riviera Global Geopark

Joined up working: connecting, complementing and collaborating on development and change for a sustainable future

Imagining the future

With this Vision, these Ambitions and Principles, what could Torbay be like in 10 years' time?

These were some of the views offered during the preparation of **Enjoy, talk, do, be:**

A happy place where families are joining in...

Cutting edge, innovative, home grown culture...

People trading well, people earning well...

An offer over, above and including, the bucket and spade...

Activities and food making a more attractive, all year round experience...

Harnessing heritage as a force for good...

Taxi drivers enthusing about the Geopark...

Green spaces being valued and cared for...

A warm welcome for everyone, with confidence that the streets are clean and safe...

Great sport developed in the great outdoors...

A constant flow of activity from beach to high street – all joined up...

Open, collaborative and generous working...

Pride and ownership from local people...

The fostering of what's possible...

Visitors will marvel at the way it is...
Wherever you go in the world, you'll be proud to say you come from Torbay...

Enjoy, talk, do, be offers the opportunity to make all our imagined futures happen.

Aims and objectives

“I’ve got an idea... who shall I talk with?”

The three strategy Aims, each with their three associated Objectives, are designed to support our Ambitions. They are also informed by our Principles, which provide a continual prompt to check what we’re doing, why we’re doing it and who we’re doing it with and for.

Enjoy, talk, do, be importantly offers the opportunity to break free from ‘silo working’ and maximise impact by understanding how we can complement or collaborate within a joined-up and strategic context.

Each Objective has a summary context, key opportunities and strategy contributors’ views.

Aim one: to increase engagement and participation in cultural opportunities in Torbay

Objective: Build from the community as well as bringing in new and diverse experiences

Summary context

As well as the intrinsic value of cultural experience, engagement and participation in culture can contribute to community cohesion, reduce social exclusion and isolation, and make communities feel safer and stronger. It can help develop people's employability and increases their likelihood of volunteering regularly. Involvement in heritage activities in particular provides a sense of connection that helps maintain social capital in a time of significant change.

Torbay has been identified as an area of low engagement in cultural activities, with certain demographic groups (especially older people and 'blue collar roots' residents as described by Acorn, the community and consumer data classification used by Torbay Council) less likely to engage in the arts. The percentage of adults wanting to do more sport is lower than the regional and national average.

There is an increasing amount of work in the Bay to attract a wider range of people as audiences, participants and organisers of cultural activity. There has been a successful emphasis on introducing people to particular cultural 'offers' which they have not yet encountered. There is also a strong commitment from the voluntary, community and social enterprise (VCSE) and public sectors to 'start with' communities: using creative consultation, encouraging cultural co-production and focusing on community asset building (for example, in relation to targeted work with children, families and older people). From community organisations to the local housing association, there are many non-cultural sector partners incorporating cultural activity in their work and wanting to do this more. They are also keen for qualitative evaluation to capture the full range of outcomes and impacts from this type of work – cultural and social, as well as economic.

There is a desire within the Bay to connect effectively and respectfully with cultural product and practitioners from beyond the Bay for the benefit of residents, as well as to bring in new – and repeat – visitors. It takes time to develop mutually beneficial partnerships and harness the full potential of long term collaborations, informed by learning from what works well. Planning well in advance, and planning specifically in terms of marketing, will assist with reaching target audiences through timely and appropriate promotion. Good practices in marketing are often isolated to specific initiatives or organisations. The potential to 'sell' the varied offer across the cultural sector in a co-ordinated way is not yet fully explored.

Key opportunities

- harness the developing commitment to and expertise in community engaged work, encouraging robust qualitative evaluation of outcomes and impacts
- scope an accessible 'culture venture' funding scheme for small scale, community based, high impact projects
- add more cultural provision to the residents' card and promote free events better
- build on and extend purposeful and respectful relationships with sub-regional/ regional/ national cultural and educational organisations
- develop a more co-ordinated and collaborative approach to collecting and actively using audience data to undertake targeted and 'relationship' marketing to develop ongoing engagement as well as reach new people (residents and visitors)
- make best use of neighbourhood based newsletters and community networks
- explore 'cross selling and marketing' possibilities across the sector, including considering the potential of Torbay Council's Creative Torbay website to develop into a Torbay focused whole cultural sector marketing tool
- investigate 'packaging' related cultural opportunities to give them a stronger identity
- improve general and specific signage for cultural venues and activities (including temporary ones) so what's on offer is promoted in an accessible, inviting way

Objective: Support creative and cultural learning

Summary context

Creative and cultural learning gives young people skills to become creative and cultural professionals. It also helps them achieve across the curriculum and take responsibility for their learning. Attendance, attitude, wellbeing and attainment at school are all improved by engagement with culture. For example, taking part in structured music activities improves attainment in maths, early language acquisition and literacy; participation in sport improves numeracy skills. Returns on cultural programme investment with at-risk young people out of school are high in terms of social benefits and cost savings to the criminal justice system.

Sub-regional, regional and national cultural organisations are keen to work with local practitioners and organisations to bring their particular contribution to the cultural offer for young people in Torbay. This can be about first experiences, progression, talent development and special events, as well as performances and exhibitions. These organisations expect networked provision that links to schools and other settings and is open to new activity. While the Music Education Hub is developing as a good example of a 'partnership vehicle', there are opportunities for more joined-up working. There are also good examples of links with further and higher education that can raise young people's aspirations, provide work based learning for students and open opportunities for research, which could be extended to other institutions.

"Aim high but work up from the grassroots."

"Use culture to empower, organise and tackle social issues."

"Embrace new stuff and be open to learning."

Key opportunities

- build a networked infrastructure from the Youth Cultural Partnership, Torbay to open up opportunities for a greater variety of cultural practitioners and organisations to work with children and young people in a range of settings
- share learning from local collaborative education initiatives (eg Future Museums) and take inspiration from innovative creative and cultural learning practice models
- provide and promote a range of progression pathways for young people, to cater for their leisure and career interests, utilising and extending links with further and higher education and the creative and cultural economy
- deepen links between teacher networks and the cultural sector
- initiate links with more higher education institutions in the area

"There is a lack of sustained provision celebrating children and young people's engagement in creative process...projects come to an end without linking them to other opportunities."

"Artists tell us that they are full of ideas and energy but can't fathom (or find) the structures through which they can bring that to young people – although they know there is a need."



Objective: Harness the health and wellbeing benefits of culture

Summary context

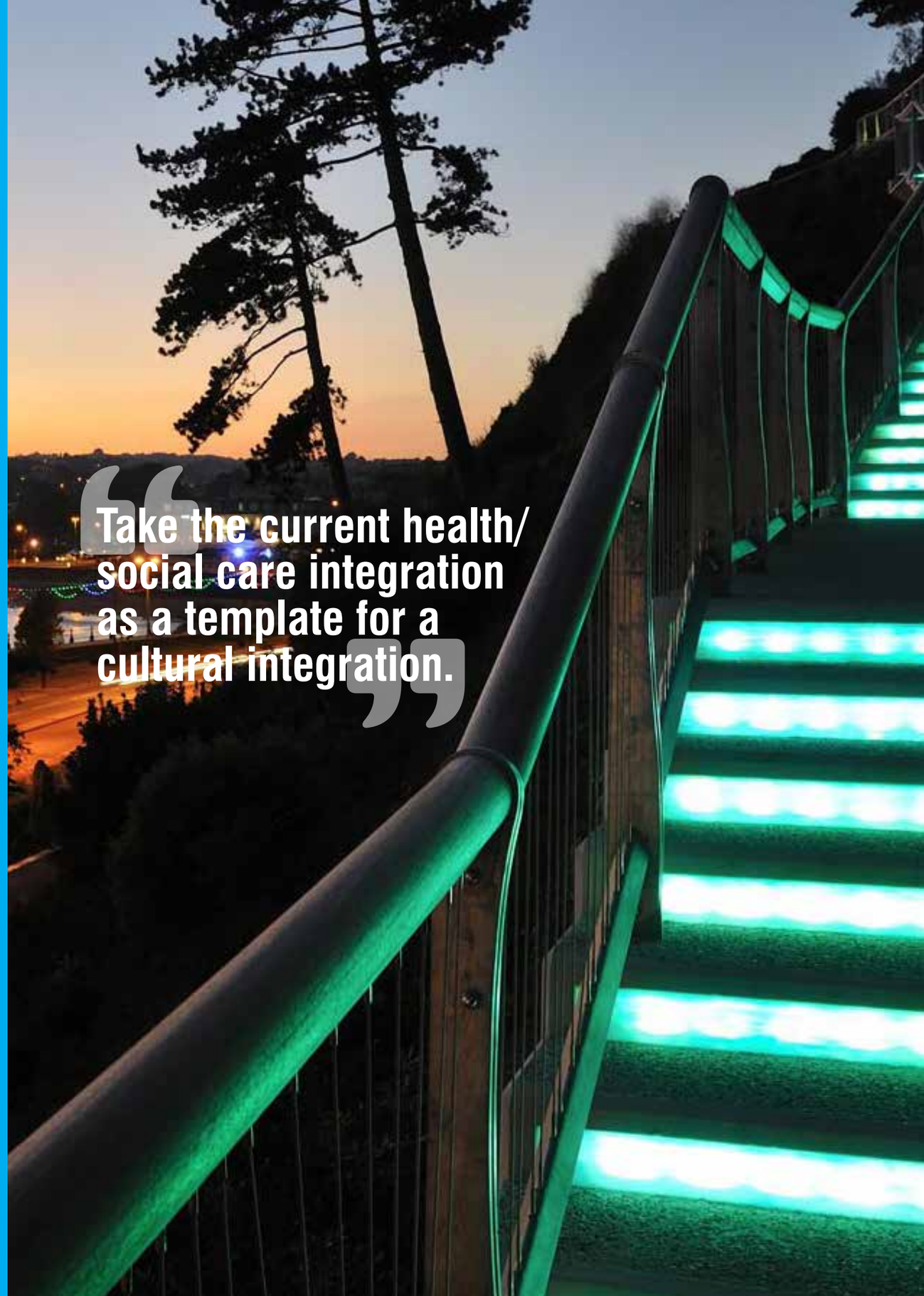
Arts audience members, library users and sports participants are more likely to report good health and higher wellbeing than those who don't engage with these activities, and this can be quantified financially. An increasing amount of academic research evidences the beneficial clinical and social outcomes culture can provide within both health and care pathways. This can be seen in terms of engagement, participation and the creation of positive environments. The strong inter-relationship between cultural activities and individual and community health is seen as one of the key building blocks towards sustainable, resilient communities.

There are significant health inequalities in Torbay and a large older demographic, which offer a particular challenge and opportunity in terms of realising the positive links between culture and health and wellbeing. This is already recognised in Torbay's health and wellbeing strategy and the developing mental health promotion strategy which focuses on the Five Ways to Wellbeing: *Connect, Keep learning, Be active, Take notice, Give.* This resonates in many ways with **Enjoy, talk, do, be.**

With Torbay's pioneer status for integrated health and social care, an active Healthwatch, a new Community Development Trust committed to cultural activity and experienced local arts and health practitioners, there is strong base from which to develop a strategic approach to culture, health and wellbeing. This could also support and influence developments at Torbay's hospital and the specialist health and social care studio school. It would also fit well with the emphasis in Torbay's Community Plan to adopt the model of prevention and early intervention, focusing on the causes of problems, not the symptoms, and creating tangible, measurable outcomes which save costs by reducing the need for intensive and expensive interventions in the long term.

Key opportunities

- learn from individual arts and health projects to develop a strategic cross cultural sector approach to health and wellbeing work
- consider 'social prescribing' for cultural activities
- link with the developing interest in the arts at Torbay Hospital
- explore connections with the Devon Studio School
- enhance Torbay's pioneer status for integrated care through use of cultural provision



Aim two: to maximise the distinctive natural and built cultural assets of Torbay

Objective: Protect, enhance and utilise cultural places and spaces for culture

Summary context

Torbay is a unique cultural environment: the first urban Global Geopark. This status marks a purpose to explore and celebrate the links between geological heritage and all other aspects of the area's natural and cultural heritages. The Geopark reconnects human society at all levels to the planet and celebrates how its history has shaped every aspect of people's lives. While strategy consultation showed there is still work to do to enable residents and visitors to relate to the English Riviera Global Geopark's significance as one place 'where people, rocks and landscape meet', the potential to develop local appreciation and geotourism is great.

Another key natural asset is the sea. There is a strong steer in Torbay's maritime and marine strategies to harness the potential of fishing heritage and a wide range of water based events. If that potential is considered across the whole cultural sector, there is a wealth of possibilities to explore. Like the Global Geopark, marine leisure is identified as key in the tourism strategy (an 'attack brand').

With local distinctiveness one of the most important ways of giving a destination competitive edge, Torbay has plenty to offer and supports the ambitions of the Heart of the South West (HotSW) Local Economic Partnership Economic Plan:

> **Our environment is an important driver of growth.. [it] supports bedrock sectors such as agriculture, food and drink and tourism. It is also has a role to play in supporting a vibrant creative and cultural sector...as well as attracting inward investment.**

The Bay's built cultural assets range from the historical to the contemporary. There are some good examples of multi-use, for example, Paignton Library, which is used for a wide range of purposes and, as a safe community space, encourages people to try new experiences they would otherwise not encounter. Non-cultural spaces can be used for cultural activities too, with Brixham's Fishstock an example of a very successful community based cultural event based on and in the defining industry of the town.

During the consultation, many people referenced the benefits of using places and spaces for a wide range of cultural activity, while there is also a long-standing interest in developing a new dedicated visual arts space. Particular places (for example Torre Abbey, Cockington Court) are exemplars for the effective refurbishment and restoration of other assets in need of care and enhancement (for example, Paignton Picture House) and which could support a range of cultural functions and activities.

In terms of the public realm, while funding for specific public art pieces may be more challenging to secure nowadays, respecting, reflecting and reinvigorating local character by implementing some imagination doesn't necessarily bring an additional cost. Choosing to keep Victorian iron railings, procuring rust resistant street furniture and involving an artist in the design and choice of replacement pavers can make all the difference to how people experience the public realm. Residents feel and maintain a pride in place; visitors are eager to return. Outdoor performances can increase footfall in town centres, with the potential to make an economic as well as cultural impact.

One of the core planning principles within the NPPF (National Planning Policy Framework) is to

> **take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs,**

offering a particular opportunity for the cultural sector to engage in development.







Key opportunities

- articulate and share more widely the significance of the Global Geopark, building on past successful creative and cultural projects and learning from the experience of the other designated sites, such as the Jurassic Coast World Heritage Site arts programme and the cultural heritage and arts strategy work in the North Devon Biosphere
- invest in protecting and enhancing existing cultural assets, exploring further multi-use
- develop creative approaches to reveal, connect and present Torbay's past, including the significant 'hidden' social and cultural history of people and events
- continue and promote the work of the Design Review Panel
- ensure cultural needs and opportunities are met through the NPPF

“The USP is that this is a lived-in Geopark and this is a great hook for people here...it only takes a little bit of creative play to engage people in the idea.”

“More attention needs to be paid to the thing that is in the middle of the Bay ie the water...this is what links Torbay’s disparate parts and yet it’s not used to the full.”





Objective: Develop a year-round season-based rhythm of cultural events

Summary context

A wide range of events is promoted in Torbay, by a wide range of organisations. The Events Forum acts as an important mechanism for bringing together the people key to making these events happen. The concept of the *'Eventful'* city or place – as opposed to a place *'with events'* – encourages a strategic and holistic approach to generating events rather than just being 'a container' for them. It's about focusing on place *making,* not just place *marketing.* This brings benefits to residents and visitors alike.

Regularly organised events are an effective way to build longer-term cultural experiences and deliver economic impact and investment over time. They can have a positive association with a place, attracting return visitors at other times. Successful place-based festivals often incorporate the international and the local, opportunities to participate as well as watch, and organise longer term community activities or practitioner training opportunities.

International research about creative cities – applicable to places – shows that successful locations focus on cultural distinctiveness; understand the need for different organisations to collaborate in a context of mutual respect; and address the rich/poor divide that can blight prospects and cause instability. Torbay can also put these approaches into action.

Positively, Torbay has a recent history of work appearing in unusual places across the Bay. This could be developed further, learning from examples of site-responsive work that transforms less known as well as familiar places. Developing Eventful Torbay will require a concerted focus on advance planning. While there are key successes to build on (such as the Agatha Christie Festival with its high satisfaction rates and economic impact), upcoming major cultural events can be useful 'test beds' for new approaches to visitor packages and better co-ordinated marketing. New events can often 'seal the deal' in terms of return visits.



Key opportunities

- continue to work on moving away from a traditional focus on the 'summer seaside season' to create a new year-round 'rhythm of the place', extending the 'shoulder months' and avoiding the 'death in winter'
- support co-ordinated, advance planning so different events complement and enhance each other, rather than compete or duplicate
- develop effective marketing and 'point of sale' strategies to attract high numbers of audiences and participants
- build profile by incorporating an arts, heritage or play input to key sporting events and similarly, think laterally about culture when it comes to major arts events
- review and enhance in kind and subsidised support for smaller events in recognition of their greater return to the local economy
- ensure other organisations that can assist in the promotion of events have all the information they need, in good time
- incorporate information about the cultural offer within welcome hospitality and retail training

“We need a range of affordable offers taking account of different demographics/ seasons throughout the year.”

“Liaise on events, to build their catchment.”

“Take the opportunity for new product and experiences and packages.”

Objective: Contribute to safe and sustainable living, working and visiting

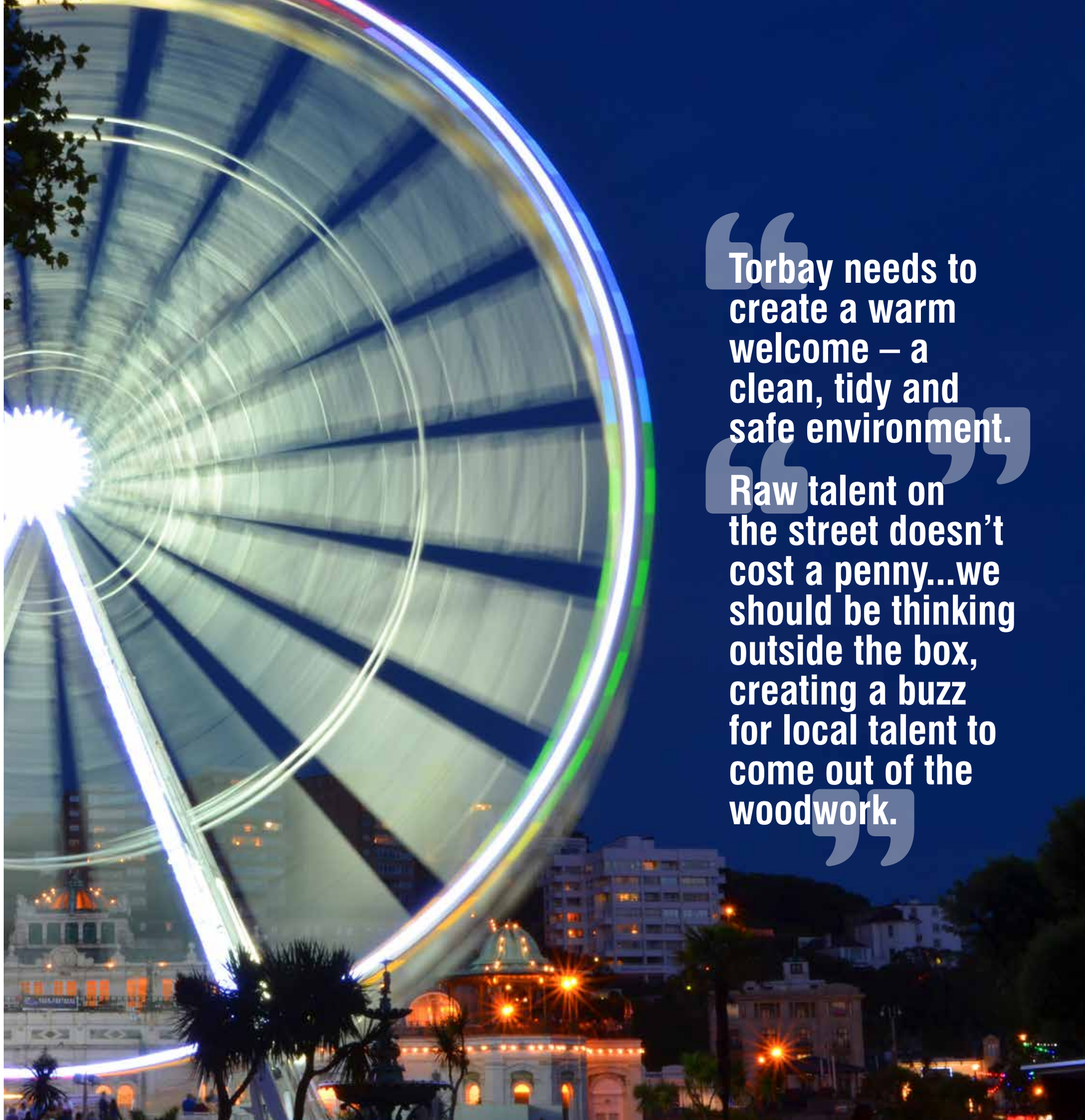
Summary context

When asked what would make Torbay a better place to visit, live or work in, many people talked about the importance in having confidence that the streets were always clean and safe, the environment cared for – and used for positive activities. People wanted to showcase Torbay at its best. Many were clear that the needs of visitors and residents aren't actually in conflict: both enjoy good facilities, good service and plenty of interesting things to do. There were calls for better public transport to support easier access to cultural facilities and events and interest in how 'fleet-of-foot' cultural activities could bring back vibrancy to places suffering disadvantage.

There's plenty the cultural sector can do to raise people's awareness of sustainability issues in imaginative ways, as well as acting in a sustainable way itself, to make a contribution to meeting our energy and climate change challenges.

Key opportunities

- encourage outdoor arts and other cultural events – whether programmed or not – to enliven town and other spaces during the day
- extend longstanding initiatives such as museums at night
- explore new initiatives such as 'White Nights/ LightNights' to support a diversified night time economy
- enable the cultural sector to play a part in delivering the sustainability agenda
- develop a supportive approach to business rate relief and planning permission to encourage cultural pop-up exhibitions, projects and performances in empty shops



"Torbay needs to create a warm welcome – a clean, tidy and safe environment."

"Raw talent on the street doesn't cost a penny...we should be thinking outside the box, creating a buzz for local talent to come out of the woodwork."

Aim three: to ensure cultural development is a key contributor to economic, social and environmental development in Torbay

Objective: Strengthen support for the creative and cultural economy and the advantages it brings

Summary context

Culture can boost local economies by drawing in visitors (who also spend on hospitality and transport); creating jobs; developing skills and talent; attracting and retaining businesses; and revitalising places. In sport, high profile events make a significant economic impact and non-elite, mass-participation events can raise the profile of a location, generating tourist income for minimal infrastructure investment. The regeneration benefits of investment in the arts can be bigger when that investment is related to place. Every £1 of salary paid by the arts, museums and libraries sector generates double the return in the wider economy through the chain of associated spend. This sector is closely linked to the commercial creative industries, which nationally are estimated to provide nearly five per cent of UK employment, 10 per cent of UK GDP and 11 per cent of the UK's service exports.

The last creative industries mapping in Torbay, undertaken nearly 10 years ago, showed a GVA (gross value added – the primary economic contribution indicator) per capita of £34,993 compared to the regional average of £25,800. One of three core aims in the HoTSW LEP Strategic Economic Plan is to maximise employment opportunities, including through creating higher value jobs – which we know the creative industries generate.

More recent Torbay research has focused on the economic and social return on investment in respect of events and festivals – another useful indicator of the significant impact of the creative and cultural economy alongside intrinsic, personal and community benefits. There is scope for key data from these reports to be extracted and used alongside qualitative evaluation material (focusing on the experience of audiences and participants) to tell both the 'stats and stories' about what the sector brings – as well as meet its development needs.

Key opportunities

- commission new research to scope the size, impact and development needs of the local creative and cultural economy
- ensure that creative and cultural practitioners and organisations access relevant development support offered by local agencies
- develop bespoke support and training provision where required
- enhance existing evaluation initiatives to include qualitative data
- make the case for culture's contribution to quality of life in promoting Torbay to new and re-locating businesses

> **"Investment needs to be made with our own local artists, building links between their work and training/support/enrichment from outside sources."**





Objective: Share knowledge, skills and resources to diversify and grow the income base

Summary context

The post recession context demands increased attention by cultural practitioners and organisations to diversify their income base, both earned and unearned. While fundraising in terms of grants from public, charitable trust and foundation sources has become more competitive, there are good advice resources to consult. Funders are increasingly accepting the value of volunteer time as a 'cash' rather than 'in kind' contribution. They are also expecting a good 'return' on their investment, in terms of other monies levered and earned, as well as cultural outcomes. It's no good treating funding as somehow 'free', when there's actually an imperative to generate good audiences and involve plenty of participants in quality experiences. Corporate social responsibility is still a business agenda, one which the cultural sector can help deliver, and a relationship can be developed beyond transactional sponsorship to one of mutual benefit.

Volunteer and friends schemes can bring in both time and financial resources and crowd sourcing is proving successful for many. There's also an increasing emphasis on philanthropic giving, demanding a new knowledge and skillset. In terms of earned income, selling services and merchandising are two avenues to explore, alongside using alternative currencies based on exchange. Developing partnership working, pooling ideas and resources, is often successful in a context of *'adapt to survive, collaborate to thrive'.* This can happen within Torbay (with Torbay Council, Princess Theatre and Doorstep Arts an example) and beyond, for instance in developing work with Plymouth Culture Board and Exeter Cultural Partnership, as well as national organisations. Making international connections opens up particular European funding opportunities and there may be specific routes to explore with Torbay's links through the English language schools.

Also, bearing in mind the role of culture in social, educational, health and environmental contexts, new funding possibilities have opened up – and commissioning by non-cultural public services is another area in which support and guidance can be accessed.

Enjoy, talk, do, be will be an important support for income generation by cultural practitioners and organisations. In its strategic role, the Torbay Culture Board will generate and align funding for key cross sector initiatives as well as identify development priorities.

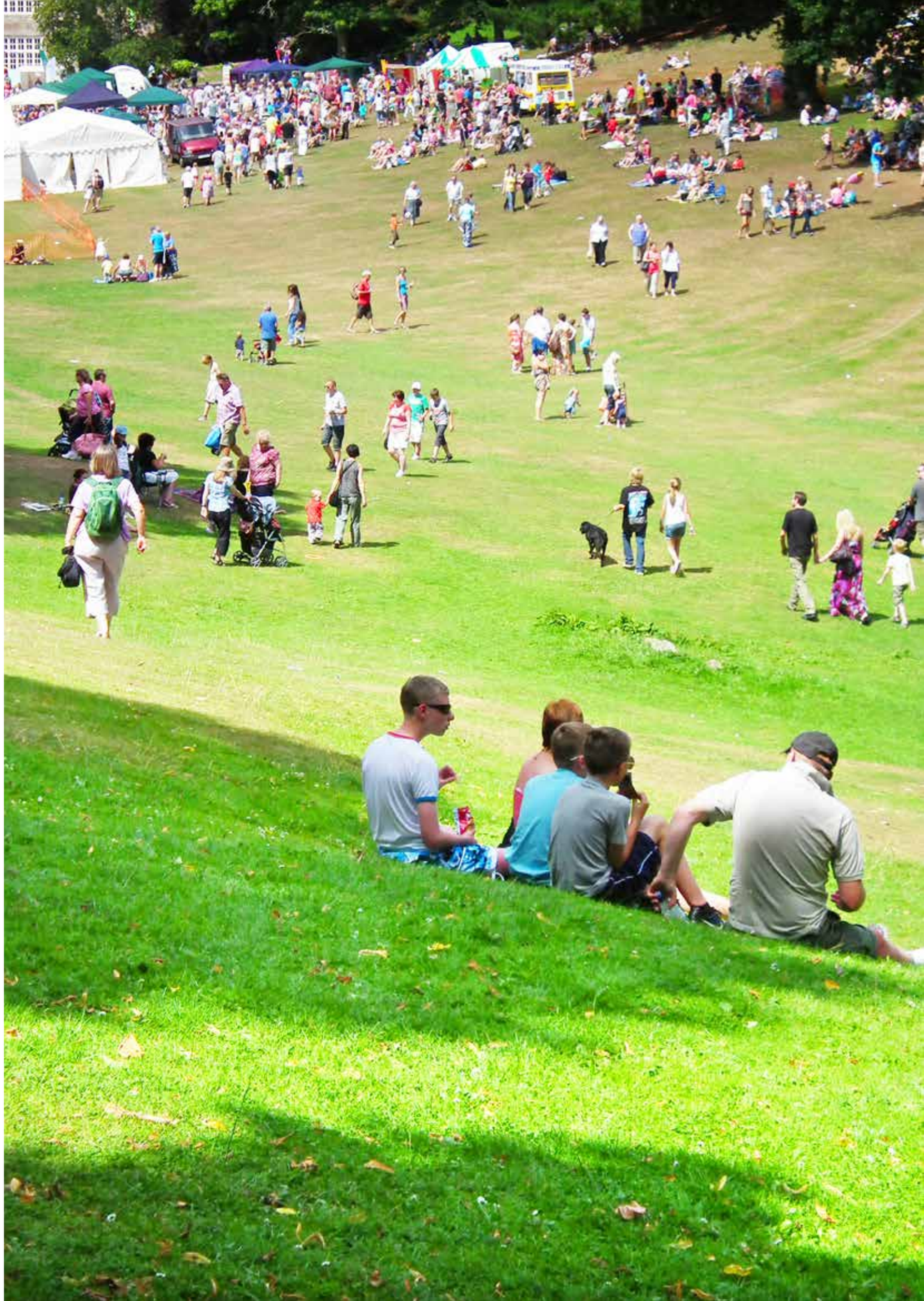
Opportunities

- ensure cultural practitioners and organisations access fundraising and earned income generation (including commissioning) support offered by agencies
- encourage sharing of plans and collaborative funding applications
- support efforts by organisations to develop volunteer and friends schemes
- explore the establishment of a shared event resources scheme
- utilise the Torbay Culture Board's strategic role to generate and align funding for specific key initiatives

> **The festivals share a volunteer pool and try to share costs and hiring to get good deals...we wish we could buy fencing and store it somewhere as this would save all the various festivals costs.**

> **Match fund each other's initiatives.**

> **Scale up joint working...in funding because of joint working...enable development because of funded joint working.**





Objective: Make links to and culture proof other policies, strategies and plans

Summary context

There are strategies for specific areas of the cultural sector (for example heritage, arts and creative industries, sport) and a wide number of other strategies (energy and climate change, economic development, health and wellbeing, harbour and maritime, green infrastructure etc) to which **Enjoy, talk, do, be** links. Culture can make a valuable contribution to the achievement of these other strategies and likewise other strategies can help deliver the cultural offer. It's a win-win situation.

There are direct references to cultural actions in 'non-cultural specific' strategies and importantly, an imaginative review of other actions can prompt the possibility of these also being delivered through cultural provision. In addition, noting one type of cultural activity can lead to delivery through a range of cultural activity: the 'arts-led walking for health learning about heritage sites and using the new green gym Global Geopark' project (named differently of course) could make for a great day out!

As well as ensuring mutual awareness and connected actions from current strategies, it will be important to 'culture proof' new strategies or those up for review, by having the earliest possible conversations to explore links – the obvious and not so obvious. Policy makers and funding bodies alike respond positively to strategies (and their prioritised actions) which have been drawn up through thorough consultation and framed within a wider context.

The process of developing this strategy has already secured delivery support in terms of some other developing strategies (notably for 'early help' and mental health promotion) and it's being referenced in masterplanning taking place to add value to the *Torbay Local Plan* and *Neighbourhood Plans.*

The vision for Torbay in the *Community Plan* is *'Working for a healthy, prosperous and happy Bay'* to which the aims and objectives of **Enjoy, talk, do, be** clearly contribute. The *Torbay Local Plan* includes many cultural objectives which this strategy supports and strengthens.

The aspiration to secure *economic recovery and success* includes developing the Torbay 'offer' as a premier tourist resort and leading destination of choice, investing in facilities and events, with Torquay as a cultural focal point.

The aspiration to *protect and enhance a superb natural and built environment* encourages bringing back historic buildings into use, making the most of the Global Geopark, using the Torbay Design Review Panel and safeguarding heritage assets

> **"...in a manner appropriate to their significance, having regard to their ability to deliver economic regeneration, express local identity, reveal social histories and narratives and increase the connection of communities with place."**

In order to *create more sustainable communities and better places,* there are objectives to diversify the leisure and cultural offer in the town centres (particularly the night time economy in Torquay); create a more enjoyable, creative built and natural environment using heritage assets, public art and revitalisation of public spaces to attract events, exhibitions and festivals that celebrate and enhance the culture of Torbay; and support new and enhanced recreational, play and leisure facilities, to promote health and social wellbeing for all, including young people.

Key opportunities

- disseminate this strategy widely across Torbay Council and other key agencies and organisations responsible for specific strategy delivery
- hold conversations with other policy and strategy leads to explore links, compiling an up-to-date list to anticipate and enable a culture input in future consultations
- maintain and develop the culture input to the Local Plan process

Actions

Delivery

Consultation showed strong support for an independent strategic group to oversee implementation of **Enjoy, talk, do, be.** This group was seen as taking an enabling leadership 'added value' role across the cultural sector, supported by a paid executive post.

From this clear steer and a review of culture board and cultural partnership models in the South West region and beyond, terms of reference and membership criteria have been drafted for the **Torbay Culture Board** and included in the *Supporting context and evidence report.*

In summary, the Board will comprise individuals with a strategic understanding of the cultural sector and its contribution to sustainable economic and social development in the Bay, contributing beyond an individual or organisational agenda. Board appointments will be made through an open recruitment process in the context of ensuring a mix of knowledge, experience and skills, and representative coverage of key areas eg culture, education, youth, business. Key agencies will be invited to attend. The Board's objectives will be to:

maximise opportunities for the cultural sector to play its full part in Torbay's sustainable development

provide strategic advocacy for the cultural sector in Torbay

promote and enable innovative and joined-up working across the cultural sector, across the Bay and with other sectors

encourage the development and alignment of resources, including advising on securing inward investment for the sector and its wider development role

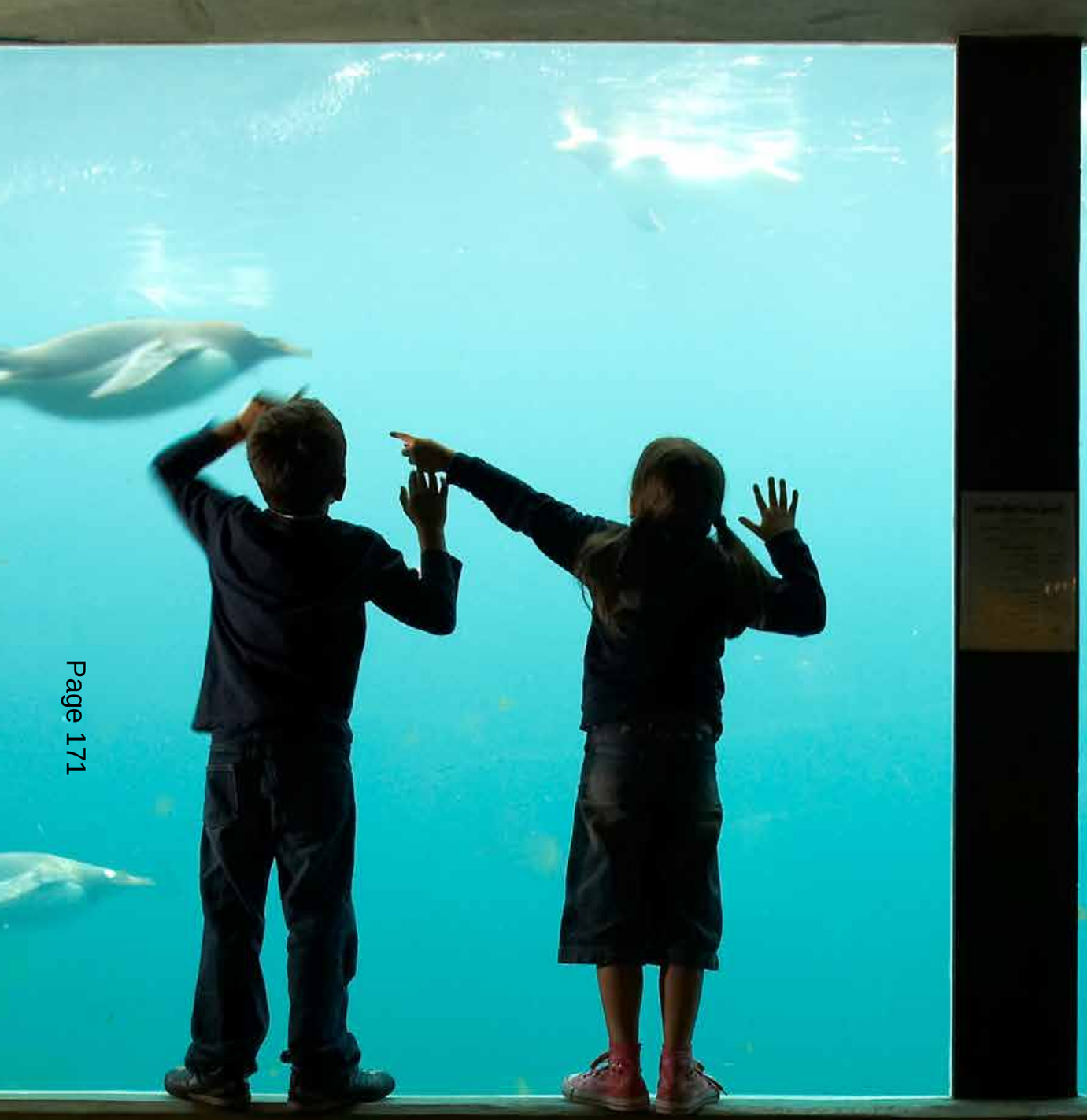
drive implementation of the cultural strategy delivery plan

undertake quarterly monitoring and annual review of the cultural strategy delivery plan, which will be developed on a three year rolling basis

The **Torbay Culture Forum** – open to all with an interest and stake in cultural development in the Bay – will meet on key cross sector topics, also offering networking opportunities to 'maximise serendipity' in support of collaborations. It will also ensure that the strategy remains grounded and the Board focused on its work.

Board and Forum members will nominate **Torbay Culture Ambassadors** – enthusiasts and advocates of culture, from taxi drivers to housing officers to local cultural celebrities – to champion culture with their colleagues, customers and communities.

The Board and Forum will support an infrastructure in which local, regional, national and international practitioners and organisations can engage most effectively with each other and with audiences and participants – making Torbay the *eventful healthy, prosperous and happy place* that Ambassadors can promote and in which all can make an impact.

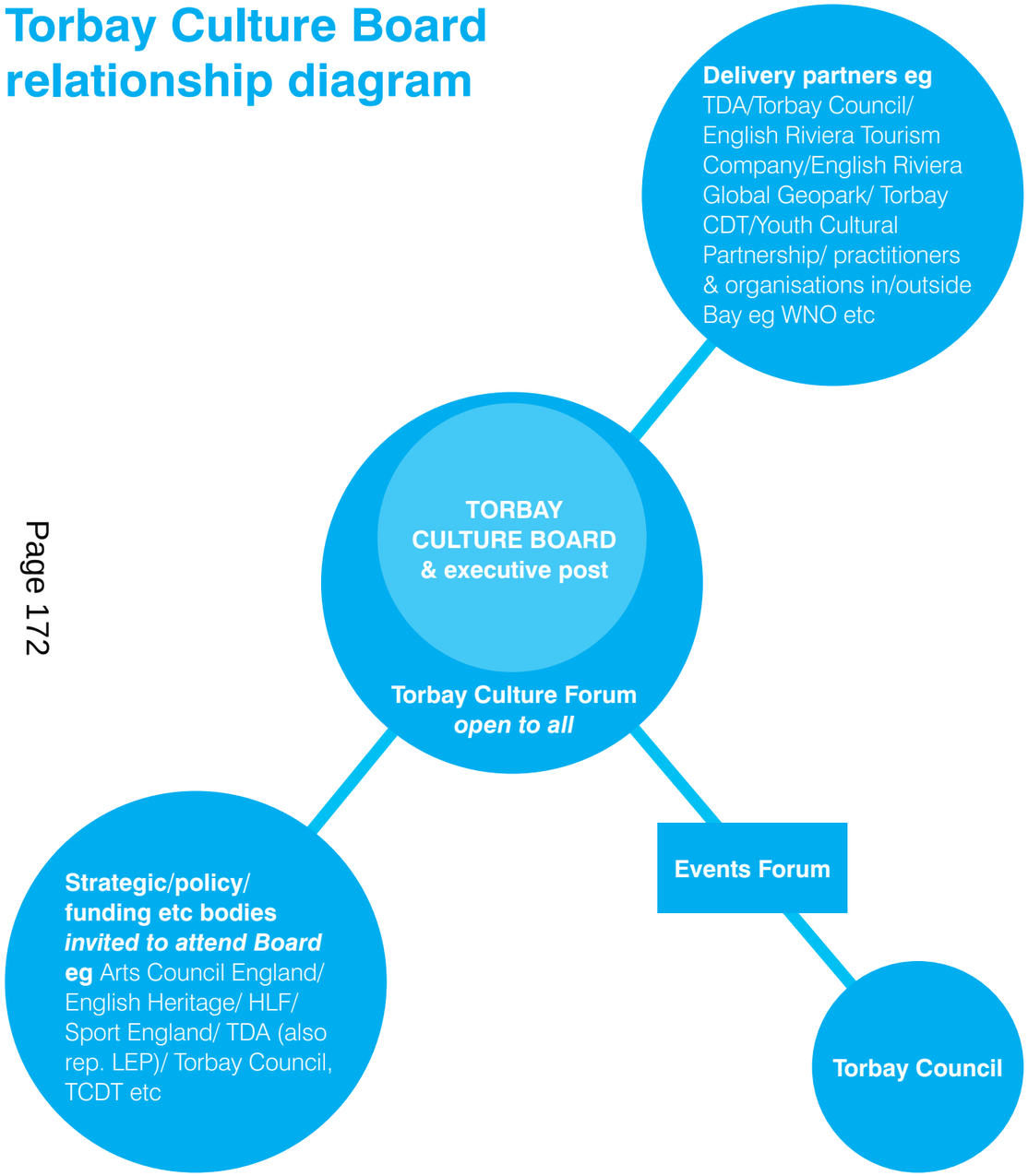


"A high-level culture board should oversee strategy...people who have got a clear view of culture as transformative."

"A cultural board that is fully inclusive which sees projects through and does not just come up with ideas that are never carried through."

"We are all managers in some way... managers of change. If we can embrace change rather than resist it we will go forward faster."

Torbay Culture Board relationship diagram



The rolling Three Year Delivery Plan keeps **Enjoy, talk, do, be** current and implementation live. It has an initial focus on:

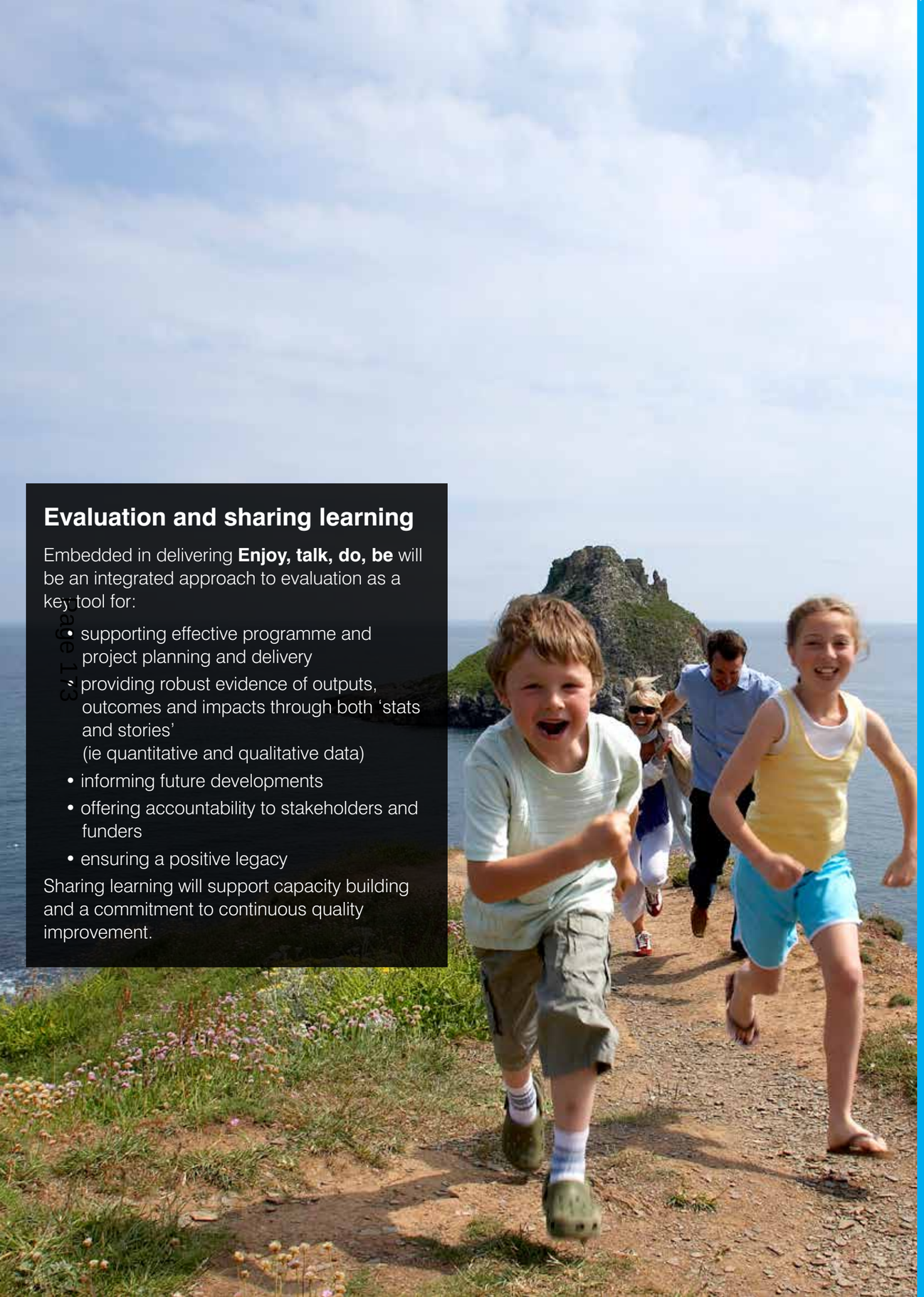
- undertaking seven 'foundation' actions to support wide ownership of the strategy
- establishing the Torbay Culture Board and Torbay Culture Ambassadors
- fundraising for the Torbay Culture Board executive post and programme
- organising quarterly Torbay Culture Forum events for networking, strategy updates and key topic presentations, discussion and action planning
- prioritising, timetabling, resourcing and driving key initiatives based on the Aims and opportunities identified in the strategy, within the context of a particular emphasis on a connected approach to developing:
    - **Eventful Torbay**
      (focus on visitors and the visitor economy)
    - **Culture, health, wellbeing and quality of life**
      (focus on residents' engagement and employability)
    - **Creative and cultural learning**
      (focus on young people and progression)
    - **Creative economy**
      (focus on practitioners and business)
    - **Marketing and communications**
      (supporting all of the above)

Evaluation and sharing learning

Embedded in delivering **Enjoy, talk, do, be** will be an integrated approach to evaluation as a key tool for:

- supporting effective programme and project planning and delivery
- providing robust evidence of outputs, outcomes and impacts through both 'stats and stories'
  (ie quantitative and qualitative data)
- informing future developments
- offering accountability to stakeholders and funders
- ensuring a positive legacy

Sharing learning will support capacity building and a commitment to continuous quality improvement.



Involvement and impact

Torbay Council as a key strategy partner has approved **Enjoy, talk, do, be** and it now forms part of the council's policy framework. Everyone can benefit from, and contribute to, its delivery, with:

Members of the public being creators and organisers as well as consumers of culture...

Cultural practitioners and organisations thriving in a better connected, more mutually supportive environment, taking and making new opportunities...

Public service providers accomplishing the positive outcomes they need to achieve, from people's engagement and participation in culture...

Voluntary, community and social enterprises incorporating cultural activities in their work and signposting people to other cultural provision...

Businesses promoting the cultural offer to clients, providing space and sponsorship for activity and advocating the value culture brings to prospective inward investors...

Regional agencies and funding bodies understanding the wider context of Torbay's strategic approach to cultural development when making policy and funding decisions...

Investors gaining a range of returns through association with a unique Torbay **landscape of culture.**

Torbay: a landscape of culture...

quality of life and opportunity enjoyed by all
in a 21st century coastal location
400 million years in the making

Enjoy, talk, do, be

For more information or to give feedback on the Torbay Cultural Strategy, please contact:
Sue Cheriton, Executive Head of Residents and Visitor Services sue.cheriton@torbay.gov.uk

Appendices

People consulted

Philip Armitage
Brixham Museum

Mike Bailey
Torquay Carnival

Jim Barrett
Sport England

Sarah Bell
Kinky & Quirky Burlesque and Boogie/A Kick Up The Arts

Ruth Ben Tovim
Encounters

Jacky Bennett
belap – bennett leisure & planning

Wendy Bennett
Princess Theatre, ATG

Gundel Bonfield
The Clydesdale Guest House Paignton

Melanie Border
English Riviera Global Geopark

Julie Brandon
Torbay Action for Art

Jim Brewster
The Audience Agency

Richard Brown
Torbay Council

Cllr Dave Butt
Torbay Council

Gerry Cadogan
Torbay Council

Jade Campbell
Doorstep Arts

Angela Capello
Torbay Council

Emma Carter
Curator and Fine Artist

Sue Cheriton
Torbay Council

Sarah Cobley
Dance in Devon

Phil Collins
Torquay Museum

Mike Cook
Sound Connections

Stephen Criddle
South Devon College

Jonathan Croose
University of Exeter, PhD student

Richard Cuming
Bygones/Attractions Group

Carolyn Custerson
English Riviera Tourist Company

Gillian Dale
Dance in Devon

Alan Davies
Torquay Council

Carmen de Silva
Play Torbay

Alan Denby
TDA

Caroline Dimond
Torbay Council

Christina Dixon
Consultant to Paignton Picture House Trust

Dr Kevin Dixon
Healthwatch Torbay/Torbay Carers/Torbay Inter Faith & Belief Forum

John Doherty
Torbay BID/ Dot's Pantry

Mischa Eligoloff
Torbay Council

Dr Marilyn Fryer
Creativity Centre Education Trust

Chris Garcia
HoTSW LEP

Tony Garrett
Torbay Council

Anne George
Trevor George Entertainments

Anna Gilroy
Torbay Council

Mary Godwin
Arts Council England

Josie Gould
Fine Artist

Tanya Griffiths
Kay Elliott

Tracey Guiry
Agatha Christie Festival

Lindsey Hall
RIO

Andrew Hanson
Sport England

Matt Harbour
South Devon College

Andy Harper
Artist

Jenny Harriman
Friends of Brixham Library

Liz Hill
Daisi

Conway Hoare
Torbay Council

Christine Hodgetts
Brixham Fishermen in Sculptural Heritage (FISH)/Fish Market Tours

Dave Hodgetts
Brixham Community Partnership

Seth Honnor
Facilitator for Open Space

Paul Howard
Torbay Town Centres Company

Rhian Hutchings
Welsh National Opera

Richard James
Torbay Action for Art

Karen Jemmett
Social Policy Researcher

Simon Jolly
Riviera International Centre

Simon Jutton
Arts Council England

Alison Kenny
Sanctuary Housing

Liz Kent
Torbay Council

Annabelle Knowles
Torbay Council

Tony Liddington
Promenade Productions Ltd

Sarah-Jane Lowson
Play Torbay

Katie Lusty
Arts Council England

Richard Maddock
Kay Elliott

Roger Mann
Torbay Sports Council

Peter Maunder
Torbay Teaching Alliance

Val Millington
Consultant for Torbay Hospital

Kevin Mowat
Torbay Council

Hugh Nankivell
Composer

Damian Offer
Torbay Coast and Countryside Service

Mayor Gordon Oliver
Torbay Council

Steve Parrock
Torbay Council/TDA

Richard Povall
The Dartington Hall Trust

Nick Powe
Kents Cavern

Hannah Revell
Plymouth College of Art

Kate Reed
RIO

Gail Rogers
Torbay Council

Frances Rylands
University of Exeter, PhD student

Simon Sherbersky
Torbay Community Development Trust

Erica Steer
Devon Guild of Craftsmen

Pat Steward
Torbay Council

Tanny Stobart
Play Torbay

Peter Stride
Torbay Action for Art

David Stuart
English Heritage

Caroline Taylor
Torbay Council

Martin Thomas
Cultural Sector Consultant

Nick Thorne
Bournemouth Symphony Orchestra

Simon Tonge
Paignton Zoo/Living Coasts

Charles Uzzell
Torbay Council

Marissa Wakefield
TDA

Erin Walcon
Doorstep Arts

Nerys Watts
HeritageLottery Fund

Richard Williams
Torbay Council

Paul Wilson
Wren Music

Feedback on the strategy documents received from the three political groups at Torbay Council, the Council's Environmental Policy Officer and Community Partnerships has informed the final versions.

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Enjoy, talk, be do,

A cultural strategy for Torbay and its communities 2014-2024

To request a copy in another format or language phone 01803 208973

All the strategy documents are hosted on the TDA website
www.torbaydevelopmentagency.co.uk/cultural-strategy

Front cover image from Doorstep Arts: workshop accompanying the The Incredible Book-Eating Boy by Bootworks Theatre Company.

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TORBAY COUNCIL

Housing Strategy

2023-2030

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Introduction

A home is special to everyone and directly contributes to good health, wellbeing, and life achievement. Having a place to call home is one of life's main goals. It offers warmth and shelter; and is the place where we feel safe and secure; a place to shape family.

Known as the English Riviera, Torbay comprises of three towns: Torquay, Paignton, and Brixham. Torbay has a population of c. 139,324, (62,992 households) and has an increasingly skilled workforce; increasing numbers of small and micro businesses; and a large catchment population. The recent investment in the A380 South Devon link road, directly connecting Torbay with the M5 at Exeter, has significantly reduced travel times locally and regionally making the Torbay area an increasingly attractive place to live and work.

It is a place of huge ambition, and we want it to be the best place for children to grow, for people to live and work and for residents to fulfil their ambitions today and for many years to come.

However, Torbay is facing a housing crisis. There is a shortage of new housing supply and particularly affordable housing.

This strategy sets the vision and approach we will take through our leadership; and by working with partners to 'improve the delivery, affordability and quality of housing'.

We have the foundations in place to build more affordable homes through our urban and town regeneration plans; our housing company TorVista and the Torbay Strategic Housing Board.

By working with our partners, we will achieve more, giving more families a home and more children the best possible start in life.

We will prioritise brownfield locations in our towns to reduce the impact on the climate and endeavour to protect our natural environment and continue to seek new potential sites. We will create jobs and investment to support inclusive economic growth and make safe homes for residents and their families.

Whilst the council and its partners face many significant challenges, we are determined to provide appropriate and affordable homes, particularly for those with the greatest need.

We recognise the challenges of providing new affordable homes in the current economic conditions and the climate challenge.

Separate to this Housing Strategy an Action Plan will be developed to deliver our vision for housing in Torbay. The Action Plan will be an agile document, which we will used to monitor progress and it will be overseen by a cross-directorate Housing Delivery Group.

External influences and local issues

Housing needs

Housing needs for Torbay have been objectively assessed in accordance with National Planning Policy Framework guidance, which, taking into account local policy added targets for employment growth, estimate that 615 new homes are required to be provided per year over the Local Plan period. However, as part of the Examination of the Torbay Local Plan, this figure was reduced to 495 homes per year to reflect environmental constraints in Torbay.

Consequently, the adopted Torbay Local Plan 2012-2030 identifies land for the delivery of around 8,900 new homes over the plan period and we are reviewing our current Local Plan.

Our housing ambition

A balanced housing market is essential to sustainable communities, but this will not be achieved without the right level of new housing development, across all tenures. As well as providing desperately needed new homes, house building also delivers substantial benefits and better facilities for the wider community. The affordability and environmental sustainability of homes will be crucial factors in getting the balance right between homes, jobs, the green environment and protecting the climate.

We already know from our community led neighbourhood plans, that protecting the natural environment of Torbay is a priority; along with providing more affordable homes; reducing the impact of climate change and creating a sustainable economy. It will be necessary to strike a balance between competing priorities.

There is little appetite for green field development despite the level of additional homes required. However, we need to find more sites to meet future demand. So, we need to be bold, innovative, and creative, in the delivering of those additional homes.

The economic challenge

The current economic backdrop provides challenges for us all, including housebuilders and registered providers.

The English Riviera Destination management plan 2022-2030 to make Torbay the UK's premier visitor destination and help boost the local economy was approved at Council in August 2022. The new plan sets out the interventions that can help propel the English Riviera forward, building on the strengths of the destination and the opportunities to achieve a more sustainable and resilient destination.

There has been a huge increase in demand for available properties, both rented and for home ownership. This has pushed up local prices and rents, making it much more difficult for households to afford. Rents are now well above the Housing Benefit rates, and we are seeing an increasing number of households at risk of homelessness.

Providing access to affordable housing is key to the growth of key sectors such as tourism, fishing, hi-tec and medical & health care, creative and digital technologies.

We need to continue to attract and retain our workforce in Torbay and to meet the gap created by vacancies outstripping availability in our local workforce. This will support growth, reduce levels of deprivation and enable our residents to thrive and reach their economic potential

Families on Housing Benefit are struggling to afford private rents and the Council continues to lobby government on Local Housing Allowance rates to reflect the challenging rental market specific to Torbay.

Additionally, since the energy price cap was lifted at the beginning of 2022, we have seen heating and electricity costs rise by over 50%, which has come alongside increases in the cost of food, taxes and other everyday expenses.[1]

Strengths, challenges, and opportunities

Strengths

The council has put the foundations in place to kick start delivery of affordable homes in Torbay, as set out in our **Community and Corporate Plan** objective to '**Improve the delivery, affordability and quality of housing'**

We will ensure we put our residents and clients first; we continue to tackle climate change and we work in partnership to achieve better outcomes. We will focus on preventing and alleviating homelessness and we will continue to do everything we can to make sure our residents are treated fairly.

We are taking action to improve supply:

- Through the Torbay master plan for town centre and waterfront regeneration to support sustainable, residential communities
- The refreshed English Riviera Destination Management Plan 2022-2030 to make Torbay the UK's premier visitor destination and help boost the local economy
- Progressing sites and regeneration identified in the Local Plan growth areas
- Working with Torbay strategic housing board (TSHB) and others to create more opportunities to identify and progress schemes
- Delivering 100+ new homes (maximising affordable homes) on the Preston Down Road site
- Seeking a strategic partner(s) to deliver more affordable homes on small challenging sites
- Purchasing up to 36 homes to meet current demand for family Temporary Accommodation (TA), with the option to use these homes for longer term affordable rentals as we tackle and reduce the need for TA

[1] Cost of living rises for households: ONS.gov.uk

- Delivering new homes through modern construction, such as modular build pilots currently under consideration for two sites.
- Commissioning 72 units to meet older people's supported housing need
- Investing in property to increase the supply of social rent homes in Torbay.
- By adopting an Empty Homes Policy and recruiting an Empty Homes Officer to help bring empty homes back into use
- By pledging financial support to introduce Interim Management Orders within the private rented sector to raise standards for tenants
- Continuing to make the best use of existing social housing through Devon Home Choice plus our Rightsizing and empty homes project
- TorVista to deliver new homes

Challenges

- 42% of CO_2 emissions in Torbay are from domestic homes (2019)
- Private rental properties are well above the local Housing Benefit rates (LHA)
- 68% of households renting privately rely on Housing Benefit, higher than national (48%) and regional (44%) averages
- 8% social rented stock in Torbay; 18% national average
- Current delivery of homes built is an average of 343 per year, the Local Plan target is 720
- By 2040 one in three (34%) of Torbay's population will be over 65
- Lack of small and medium sized building contractors in the Bay to tackle smaller sites

We know that, for our residents:

- Housing is unaffordable to many in Torbay. The average house price in Torbay is nine times average annual earnings and house prices have increased significantly post 2020
- Increasing demand for holiday accommodation has reduced the availability of accommodation for local people
- Homelessness in Torbay is over twice the national and regional averages
- One third (38%) of households are being made homeless due to the end of a private rented tenancy
- Homes becoming available through the Housing Register have fallen 6% since 2019

In Torbay:

- Housing need outstrips demand for new affordable homes
- Demand for temporary accommodation has increased over the last 12-24 months
- There is not enough brownfield land across the Bay to provide all the homes Torbay needs, and the cost of any site clearance means there is less money to build affordable homes
- The cliff like and hilly nature of Torbay makes site development challenging

- Our small developments can reduce affordable housing delivery, as units fall below planning obligation thresholds
- Regeneration takes time due to site assembly, market appetite and financing complexities
- A low growth local Plan to protect the environment can reduce the opportunities to build new homes
- The challenging economic climate is making house building difficult. Financial uncertainty, cost of materials, and labour shortages are delaying housebuilding

Opportunities

Whilst accepting that there are significant challenges in providing decent homes for all our residents it is important to recognise that there are opportunities that can help us achieve this, including:

- The Government's new Affordable Homes Programme (2021 to 2026) managed by Homes England. By working with Homes England, we hope to deliver more affordable homes through new build, residential led regeneration and purchase and repair of existing stock
- The Torbay Affordable Housing Development Partnership, which was established in 2022 to work more closely with Homes England, registered providers, and other stakeholders to increase the overall provision of affordable housing
- TorVista Homes Limited, which was awarded registered provider status in 2021. As a new registered housing provider, wholly owned by the council; its aim is to deliver a wide range of good quality, affordable and supported housing
- The Council announced a 'climate crisis' in 2021, making a commitment that Torbay will be carbon neutral by 2030
- Our Local Plan is under review and sets out how the need for homes of all types will be delivered together with jobs and infrastructure
- We have created the Torbay Strategic Housing Board to promote our ambitions and actively engage with partners to help increase housing supply and be a critical friend
- We are maximising the use of existing social housing stock through our Rightsize programme and working with owners of empty properties to bring them back into use
- We are working on economic an urban regeneration plans to increase the supply of new homes in Torbay

  We are co-ordinating infrastructure improvements to support economic and town centre regeneration including increasing the supply of new homes

Vision

The housing vision for Torbay is to:

> **Improve the delivery, affordability and quality of housing**

To achieve this vision, we will:

- Work across the Council and with partners to come up with innovative ideas and modern build techniques to increase the delivery of affordable housing for rent and ownership
- Deliver a diverse choice of housing for our residents that meets every stage of life and lifestyle
- Support our communities to improve and maintain their homes; to be safe, warm, fit for purpose and be more environmentally friendly
- Continue to protect homeless households and those threatened with homelessness, whilst putting an end to street sleeping.

Our Priorities

Our housing priorities are:

- Improve housing supply
- Improve housing quality
- Improve housing support

Our cross-cutting principles:

- Put our residents and customers first
- Tackle climate change
- Work in partnership

These aspirations are underpinned by our community and corporate visions:

- Thriving people
- Thriving economy
- Tackle climate change
- Council fit for the future

Within each priority we have identified key areas of work that we believe will directly contribute to the overall sense of community health and wellbeing in Torbay.

Improve housing supply

We will:

1. Build affordable homes for rent
2. Build homes for low-cost ownership
3. Build and acquire innovative and specialist homes
4. Make the best use of the existing housing stock

This is important because:

- Need on the Housing Register has increased by 50%, since 2018, with over 1,600 applicants now in housing need
- The Housing and Economic Needs Assessment (2022) identifies a local need for 721 affordable homes per year: 387 for rent and 334 for low-cost sale
- The Government requirement on Torbay is to build 720 dwellings a year
- Torbay is the corporate parent to nearly 5 times as many children and young people as the England average (302, compared with 62), with a 42% increase since 2011
- There is a distinct lack or larger family homes, both in the private rented and social sectors

We want local households to have access to quality housing that they can afford in a range of tenures. Open market housing is the main route to securing the delivery of affordable housing via S106 planning obligations. However, affordable housing can also be provided using Government grants and the Council's assets, including land. The majority of this delivery is focused in urban areas, yet we recognise the need for smaller development in our less urban communities.

Homes built for rent by registered providers are the only type of homes that remain affordable for the majority of low-income households in Torbay. Traditionally, homes let on social rents are around 60% of the local market rent, but in 2010 the government introduced a new 'affordable rent' at rents on new homes of up to 80% of market rent levels.

Since 2016, we have delivered an average of 339 market homes each year, 59 (17%) of which have been affordable. At the current trajectory, with no additional greenfield allocation, Torbay is likely to only develop up to 50 affordable units a year through the Section 106 developer contributions. To meet the total need on the Housing Register with new builds alone would take 32 years.

Our strategy proposes a mix of Homes England grant and local housing investment, such as Council land and assets, with a view to establishing two third affordable homes for rent and one third for low cost ownership. We will also strive to maximise energy efficiency, making our homes more affordable to heat and run.

Torbay Council and our NHS partners want to increase independent living; allowing people receiving social care and support to have a greater choice and control over how, where and with

whom they live. Whilst we are commissioning 72 units of extra care for people to live well for longer in a home of their own, there is more to do.

There is also an urgent need to create housing stock that provides independent living and move-on accommodation options for our care experienced young people.

To improve housing supply, we will:

- Use Council land and the redevelopment of existing buildings to create new affordable homes and sustainable communities
- Look to establish a strategic housing partnership to progress our affordable home delivery programme
- Maximise opportunities to deliver affordable homes through Homes England's new Affordable Homes Programme (2021 to 2026)
- Work with TorVista, the Council's wholly owned Housing Delivery Company to deliver specialised housing for older people, for those with learning disabilities and autism and for people with enduring mental ill health
- Deliver more homes to improve the outcomes for our care experienced leavers
- Purchase up to 36 self-contained properties in the Bay to help accommodate homeless households to help them move-on into more permanent homes
- Work with 'build for rent' developers to investigate funds, suitable land, or property to accommodate a shared housing project
- Bring empty homes back into use, making them affordable to rent where appropriate
- Deliver Torbay Council's 'Right-Sizing Project', to free up much needed larger family homes and developing larger homes if necessary

We will work with our partners to increase supply:

- We will pro-actively build strong partnerships with Homes England, landowners, registered providers, and local communities to improve the delivery of new homes
- Through our Economic partnership work with Home England, neighbouring authorities, NHS, local colleges, local landowners, developers and employers to find solutions to new, existing, and stalled development sites
- Through the Torbay Strategic Housing Board, working in partnership to build stronger relationships to increase the supply of new homes, including affordable and supported housing
- Utilise TorVista to deliver additional homes
- Work with our RP partners to deliver additional homes
- Encourage developers to progress sites that have received planning permission, but are not coming forward in a timely fashion
- Look to explore alternative solutions such as self-build and modular build for challenging sites to deliver new homes

To understand future needs/demand, we will:

- Gather evidence to better understand where our unmet housing need is coming from

- Better understand local housing need by regularly reviewing applications on the Housing Register and predicted demand from children's and adult services, local colleges and employers
- Undertake a structured review of planning policies to make sure that they are relevant, joined-up, straightforward and encourage development, particularly on brownfield sites

Improve housing quality

We will:

1. Tackle conditions in the private rented sector
2. Improve energy efficiency and reduce fuel poverty
3. Keep people independent at home

This is important because:

- In addition to working with landlords to improve standards, on average, Torbay Council serves 49 legal notices to remedy disrepair each year.
- Nearly 20% of our enforcement work was to remedy poor heating in people's homes.
- There is a higher proportion of homes in private rented sector in Torbay (27%) compared to England (20%)
- Three quarters (75%) of Torbay's housing stock's energy performance is below band C, for England it's just over half (54%)

Housing has a key role to play in health and wellbeing. The poor condition of a property can negatively affect the physical and mental health of our residents. Similarly, some people's physical health needs, particularly for older residents, can restrict their ability to live an independent life without some adaptations to the home.

The expansion of the private rented sector has focused attention on the need to improve conditions in this tenure. The English Housing Survey (EHS) estimates that in 2019, 23% of these homes did not meet the Decent Home Standard. This compares with 18% of owner-occupied and 12% of social-rented homes.

The housing conditions in the private rented sector are worse than for any other, so making sure that the quality and standard of the private rented sector is a priority for us. We also focus much of our work in this sector because tenants have little, or no control over getting remedial works carried out, so we use all the tools available to take action against poor standards.

The main enforcement issues identified relate to poor heating, risk of fire, damp and mould and falls. The Housing Standards Team identified and remedied 578 housing hazards last year, resulting in a significant cost saving to the NHS and wider society.

A key theme running through our plans is a commitment to become carbon neutral. The carbon emissions from our area will fall as our homes and businesses become more energy efficient. The widespread reliance on gas as an energy source will mean few households will be immune from rising bills. However, homes with poor fuel efficiency will be hit hardest by energy price rises.

Households who live in a property they own or rent from a registered provider have the least likelihood of being fuel poor at 8% and 19% respectively. However, households living in privately rented accommodation are most likely to be fuel poor (25%).

The scale of the issues facing the private rented sector are such that the answer does not lie with regulation alone. We must create the right environment to encourage self-compliance by working alongside landlords, property agents and landlord associations.

To improve housing quality, we will:

- Tackle disrepair and poor housing conditions by proactively targeting non-compliant landlords, taking appropriate action where standards are not being met
- Support communities to improve the energy efficiency of their homes and meet our carbon neutral target, tackle fuel poverty, and reduce carbon emissions
- Help households adapt existing homes, so they can remain independent for longer
- Regularly consult with our customers to improve service design and delivery

Improve housing support

We will:

1. Prevent homelessness
2. Offer support packages to stabilise a household's housing situation
3. Help households sustain accommodation

This is important because:

- Need on the Housing Register has increased by 50%, since 2018, with over 1,600 applicants now in housing need.
- Typically, households who rent privately spend around 35% of their income on housing costs, compared to 18% for those with a mortgage, or 29% in social housing.
- There has been a 92% increase in use and stay of temporary accommodation for homeless households since 2019 [169, 37% families (2022)]
- The most common reasons for homelessness is the loss of a private rented home (38%), family and friends no longer able to accommodate (19%) and domestic abuse (13%)
- Last year the Housing Team received around 13,000 requests. Calls about being 'homeless tonight' increased by 12%
- Around 24 people a month sleep rough in Torbay

Homelessness has a serious and harmful effect on those who experience it. Our approach is to act at the earliest opportunity, before individuals, or families lose their home. We are developing a separate homelessness and rough sleeping strategy that will be published during the life of this strategy.

Our primary focus is upon helping households to remain in their own home, provided that it is safe and suitable for them to do so. There are a number of in-house services available to help households remain in their homes, including: money advice, mediation and partnership work to tackle harassment and domestic abuse. We must also be mindful to work with partners to help us improve our support offer, for example, our voluntary and community groups, who are the eyes and ears of the community. We will take the opportunity to work closer to better understand how they can assist and support our work, as well as listen to what is happening at a local level.

It is not always appropriate for people to remain in their existing home and sometimes it is not possible to prevent homelessness. Over recent years we have seen a steady rise in demand for temporary accommodation, with many households placed in increasingly costly and sometimes unsuitable accommodation. This is having a significant impact on Council budgets.

Due to the low provision of social homes and new build affordable homes Torbay is reliant upon the private rented sector to meet its homelessness duties. However, recent rental increases have pushed this type of accommodation beyond the reach of low-income households, particularly for families. Additionally, some landlords are converting to the holiday market, both permanently, and across the summer months.

Three quarters of homeless households are re-housed in the private rented sector, more than twice the national average. However, as tenancies in this sector are less secure than other tenure and can create a repeating cycle of homelessness.

The theme throughout this strategy is to make sure that the entire system is working to prevent all forms of homelessness, but also to work across the Council, and with partners to deliver more affordable homes, and work with the private rented sector to promote longer, more secure tenancies.

To improve housing support, we will:

- Continue to improve the Housing Options Service, to make sure that we give residents high quality, accessible advice when they need it
- Work with members, partners, and clients to develop a homelessness and rough sleeping strategy that is fit for purpose and meets statutory and legislative requirements
- Improve engagement with private and social landlords, letting agencies and tenants to promote compliance and the importance of those threatened with homelessness seeking help at an early stage
- Develop a domestic abuse and sexual violence strategy with an emphasis on moving victims to safe and secure accommodation
- Work with partners to create sustainable tenancies through local employment, training, and education

Measuring success

We will measure our success through the following indicators

Improving housing supply

- Total additional homes provided
- Number of affordable homes delivered
- Number of households housed through the Housing Register

Improving housing quality

- Number of home hazards remedied/disrepair resolved
- Number of homes fitted with adaptations to help people remain independent
- Number of homes receiving energy efficiency measures

Improving housing support

- Average number of single households, including couples, in temporary accommodation on any one night per quarter
- Average number of families, including pregnant, in temporary accommodation on any one night per quarter
- Number of new homelessness cases per quarter
- The % of homelessness cases that were taken at the prevention stage
- Number of families in bed and breakfast for longer than 6 weeks
- Number of families where Children's Services have a duty to accommodate in temporary accommodation
- Number of children where Children's Services have a duty to accommodate in temporary accommodation
- Number of rough sleepers per year

This document can be made available in other languages and formats.

For more information, please contact housing@torbay.gov.uk

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TORBAY COUNCIL

Homelessness & Rough Sleeping Strategy

2024-2030

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Section 1: Key Facts

1. On average there are 140 households in temporary accommodation at any one time. (55% singles, 40% families)
2. 1143 households were assessed as being homeless.
3. On average, 19% of households needing homeless assistance required temporary accommodation. This dropped by 11% last year.
4. More than 1 in 4 (27%) households privately rent, significantly higher than England (20%) – remove if not enough room.
5. There is a trend of increasing homelessness from private rented accommodation. This is the top reason for loss of last settled home and accounts for 57% of people. That nearly twice the national average.
6. An average of 293 children each year in temporary accommodation, staying for approximately 22 weeks, 72% of whom are primary school age and 28% secondary school age.
7. A 'history of mental health problems', was the 'support need' for 47 % of those owed a duty. This is almost double that of England (25%) and above that of the South West (33%)
8. There are approximately 30 rough sleepers in Torbay at any one time.
9. 76% of households assessed as homeless were single people.

To develop and inform this strategy, a review has been undertaken of local, regional and national homeless statistics. It provides an update on the local picture, highlighting emerging issues, trends and potential solutions, to support understanding and resolution of Torbay's homeless and rough sleeping challenges.

Section 2: Introduction

Everyone deserves good quality, safe and secure housing, though more people experience homelessness and rough sleeping in Torbay than we want. Tackling homelessness and rough sleeping is a key priority for Torbay Council.

The landscape of homelessness is evolving, quickly shaped by micro and macro factors. We are already witnessing the pressures on our services and the local housing market from the cumulative impacts of austerity, welfare reform, cost-of-living increases, and the national housing crisis. Today more than ever, homelessness can affect anyone at any time.

While most people affected by homelessness will have support networks in place that can build their resilience during times of need, some do not. We know that potentially facing homelessness is one of the most stressful situations for individuals and families to deal with. We want to ensure that we are equipped to support people in the best way we can.

This strategy therefore focuses upon preventing and relieving homelessness and ensuring integration and sets out areas where we want to do things differently. This new strategy complements our existing Housing Strategy which aims to deliver our strategic housing priorities. It sits alongside other strategies such as our Domestic Abuse and Sexual Violence Strategy and Drug and Alcohol Strategy, to name but two, which aim to ensure that people receive the support that they need at an appropriate time.

All of these strategic documents seek to ensure that the Council meets its ambitions set out in its Corporate Plan to support its most vulnerable residents including care experienced young people.

Section 3: National and Local Strategic Context

Our work is guided by the Homeless Reduction Act 2017, which amended part 7 of the Housing Act 1996 and is the main piece of legislation which to applies to our work in this area. This amended and introduced a number of new duties:

- Extension of the duty to a household ‘threatened with homelessness’ from 28 to 56 days.
- To prevent homelessness for all eligible applicants threatened with homeless regardless of priority need.
- To relieve homelessness for all eligible homeless applicants, regardless of priority need.
- Requiring households to agree a Personal Housing Plan.
- ‘Duty to Refer’ – public services need to notify the Council if they come into contact with someone, they think maybe homeless or at risk of becoming homeless.

In 2018, the government also published the Rough Sleeping Strategy which set out the government’s plan to reduce rough sleeping. There are a number of other national policy documents and measures that impact on homelessness and rough sleeping. The enactment of the Welfare Reform Act 2012 has had unintended consequences impacting on homelessness levels. Difficulties in accessing money being one reason for increased numbers using food banks and the freezing of Local Housing Allowance rates in 2020 further exasperating affordability.

Building upon this, we understand that taking a holistic approach at a local level is key to tacking homelessness and rough sleeping. This is moment in time opportunity to ensure that our commitment to reducing homelessness is visible and is embedded within our other local strategies

and plans. This will ensure that ‘prevention’ and ‘early support’ are prioritised wherever possible with the aim of adverting ‘crisis’ in most cases.

Section 4: Vision

It is a legal requirement for the Council to publish a strategy very 5 years as a minimum, having completed a review into current and future homelessness. Torbay's Homelessness and Rough Sleeping Strategy 2024 – 2029 has been co-produced to set out our vision:

The strategy aims to make:

- **Homelessness a rare occurrence**: increasing prevention and earlier intervention at a community level.
- **Homelessness as brief as possible**: improving temporary and supported accommodation, so it becomes a positive experience.
- **Experience of homelessness unrepeated**: increasing access to settled homes and the right support at the right time.

Everyone has a role to play in working towards making homelessness in Torbay rare, brief and unrepeated. It is time for a new approach to homelessness, one that is proactive, not reactive.

The strategy will be supported by a detailed action plan for the Council and wider Torbay Homelessness Partnership which will be convened, to deliver.

Section 5: Strategic Priorities and Principles

Three main priorities are identified in this strategy and developed through the engagement work undertaken in its development. They also reflect the priorities at a governmental and legislative level and are relevant to all homeless households. Access to services has also been identified as a golden thread, running throughout the three principles.

Priorities

1. Increasing early help and prevention

Supporting people at risk of becoming homeless and/or ensuring people at risk of homelessness can stay in their existing home or make a planned move to alternative accommodation.

2. Intervention

When people fall into crisis, we will act swiftly to give them targeted support to get them into accommodation or off the streets.

3. Better outcomes, better lives

A home is not the end, but the start of the journey, we will support people to live independently and lead meaningful quality lives to create a home.

These priorities closely relate to Torbay's wider approach to equality ensuring an environment where all individuals, regardless of need, want or aspiration, have an equal chance of realising their full potential.

Principles

Through the development of this strategy and engagement work undertaken it was considered that a set of core and shared values be used to underpin the strategy and its delivery.

These priorities support Torbay's commitment to placing relational working and inclusion at the centre of everything we do. We are committed to meeting our Public Sector Equality Duty and to delivering accessible services that meet the needs of our community. We will ensure that services are accessible for all by ensuring we can see people in person, removing the barriers created by digitalisation. We want everyone to live with dignity and have the opportunity to reach their full potential. We know that safe and secure, good quality accommodation is central to achieving this.

We expect our staff and partners to work together in a way which supports our principles, and which is tailored to the individual and their specific needs. We value the knowledge and experience that our partners bring. Where an issue arises, we will work with our partners to address this in a timely and efficient manner.

The shared values we will work to are:

1. Person Centred

We will empower people to make decisions and choices about their lives, creating a culture of continuous improvement by delivering quality services and recognising the potential of an individual by growing knowledge, self-belief, and responsibility.

2. Working Together

We will work collaboratively with our partners and within the community to ensure that services are informed by the voices of those with lived experience, delivering services collectively that meet people's needs.

3. Delivery of quality services

We will work in a relational way to transcend traditional patterns, rules, and relationships to create something new and valuable to meet people's needs. We recognise that systems are complex and that everyone's homelessness journey is different and that we must work in a trauma informed manner.

Section 6: What have we delivered so far

A person is homeless if they have nowhere to stay and are living on the streets, but you can also be homeless even if you have a roof over your head. People experiencing the most acute forms of homelessness will include those sleeping rough, sofa surfing or living in hostels, night shelters or unsuitable temporary accommodation. Those in insecure or poor housing at risk of homelessness will include those with notice to quit who cannot afford to rent anywhere else, those in suitable but temporary accommodation and those about to be discharged from prison or hospital with nowhere to live permanently.

Work is ongoing to address homelessness and rough sleeping in Torbay. The following section provides some examples of the activities that have been delivered by working with our partners, homeless households and individuals. We have:

- **Increased temporary accommodation provision for families though £10m investment** by purchasing and leasing suitable accommodation. This has helped to provide consistent good quality temporary accommodation within Torbay, ensuring that support networks and relationships are protected and eliminating the use of B&B accommodation in all but exceptional circumstances.

- **Put in place joint working arrangements with Children's Services** to ensure that families entering temporary accommodation are supported by Early Help colleagues to help them recover from homelessness and sustain future accommodation.

- **Established a youth homelessness protocol** and a prevention panel to ensure collaborative working to support care experienced and young people who are at risk of homelessness. B&B usage has been eliminated for 16/17 year olds and significantly reduced for all young people.

- **Developed the Growth in Action Alliance** comprising of domestic abuse, drug and alcohol services and the homeless hostel. Shared responsibility across the alliance for delivery of services, providing a 'one front door' approach is helping to alleviate repetition and enable the timely sharing of information to facilitate the right support at the right time.

- **Insourced the Homeless Hostel** which has provided the foundation to transform and develop our single persons provision, average length of stay reduced from an average of over 500 days to 170 days within the first 12 months. The aim is to reduce this to three months by further developing our pathway to increase move on opportunities.

- **Establishing the Rough Sleeper Initiative** which provides outreach support to rough sleepers to enable offers of accommodation, support and tenancy sustainment.

- **Single Homeless Accommodation Programme (SHAP)** partnering with the YMCA to secure funding to deliver 36 units of supported accommodation for homeless care experienced and young people aged 18-25, a provision which will be able to provide tailored, flexible support based on individual needs.

- **Stabilised our workforce** which has ensured consistency for homeless households. This has been achieved by establishing a training and development scheme to attract the right candidates, investment in training and support for the team. This has eliminated the use of costly and inefficient reliance on temporary agency staff and ensured a positive workplace.

- **Increased performance management** which has created a culture of timely decision making, proactive prevention and relief work and resettlement from temporary accommodation.

- **Implemented specialist roles** across the housing team in response to identified trends and needs such as domestic abuse, young people, care experienced and families. Key relationships have been built with professionals by offering a dedicated point of contact with someone who specialises in the area.

Section 7: Priority One - Increasing Early Help and Prevention

Priority One - Increasing early help and prevention.

Supporting people at risk of becoming homeless and/or ensuring people at risk of homelessness can stay in their existing home or make a planned move to alternative accommodation.

Early help and prevention reduce the likelihood of someone becoming at risk of or experiencing homelessness, requiring a lesser intervention than if circumstances escalate and reach crisis point. This means supporting people in a range of circumstances before they might be considered at risk of homelessness.

We know there is more we can do to support our residents and stop them from reaching this point.

Our objectives are:

1. To provide the right advice at the right time

We will:

- **Continue to transform Prevention and Engagement services so that they are accessible when and where people need them –** this might include more outreach, digital transformation, different opening hours, flexible and face to face appointments for example.
- **Strengthen our collective partnership** commitment to joint working on homelessness prevention across all tenures of housing including the provision of support.

- **Developing a universal training program accessible for all that may encounter people that are at risk of homelessness** to improve knowledge and understanding to help prevent homelessness at any opportunity.
- **Put information sharing agreements and consent forms in place** so that anyone approaching services or voluntary sector organisations (with their permission) need only tell their story once.
- **Deliver timely, accurate and accessible housing advice and guidance,** including through assisted self-service models, to help people make planned moves when they need and before they reach crisis - this will include working with people that are 'pre 56 days' in terms of Homelessness Reduction Act criteria.
- **Giving advice about housing in the community** in our family hub, where a range of services for families are located.

2. Targeted prevention to reach people whose homelessness is hidden from services and to prevent and reduce repeat homelessness, rough sleeping and youth homelessness.

We will:

- **Develop a strategic plan for integrating housing and mental health practices** in Torbay.
- **Deliver a range of solutions** so that no one in Torbay needs to sleep rough.
- **Ensure people are not discharged from prison or hospital directly onto the street** though joint working protocols and that appropriate accommodation is offered by the right agency.
- **Design homelessness out of young people lives** by working with Early Help services upstream with families and young people at high risk of homelessness and through designing planned housing pathways based on partnership collaboration and integrated working with our partners.
- **Ensure there are integrated working practices across Housing and Children's Services** to achieve better outcomes for families.
- **Engage with young people through the most appropriate setting** to raise awareness of housing, the challenges, and solutions.

3. Reduce homelessness from private rented accommodation.

We will:

- **Continue to develop our 'Duty to Refer' model** to ensure that all partners can make timely referrals where there may be a risk of homelessness.
- **Develop our relationship with landlords** to improve communication and support to access to information to ensure early intervention if tenancies begin to fail.
- **Work with private landlords to increase standards**, reduce evictions, and make Torbay's private rented sector, the 'sector of choice.'
- **Develop an upstream approach to income maximisation including training and employment opportunities** to reduce the risk of homelessness occurring in the first place.

Section 8: Priority - Two Intervention

Priority Two - Intervention

When people fall into crisis, we will act swiftly to give them targeted support to get them into accommodation or off the streets.

When people become homeless, we need the right type of accommodation and support in place as part of a system wider approach to provide timely interventions. This requires strong and different partnerships and ability to adapt.

Our objectives are:

1. Providing somewhere safe to stay

We will:

- **Develop a range of accommodation options** so that no one needs to sleep rough.
- **Develop a pathway of accommodation** with a variety of support ensuring an offer for those with multiple and complex needs that does not rely on the Hostel. Therefore, providing alternatives.
- **Develop an approach that focus on prevention of homeless for young people** who are or may be homeless in partnership with Children's Services and our combined youth housing providers.
- **Collaboratively develop a Supported Housing Strategy** to enable the commissioning of supported accommodation that is tolerant and trauma informed environment so that we can support people of all ages and address the cause of homelessness.
- **Provide additional accommodation space to meet changes in demand** and have the ability to rapidly provide additional spaces to meet short term peaks in demand e.g. Severe weather.
- **Strengthen and develop wider partnerships** with existing and new providers to maximise opportunities to develop and provide services in Torbay.

2. To provide targeted support

We will:

- **Carry out targeted rough sleeping outreach** work in the community that also seeks to understand why certain groups are overrepresented in homelessness.
- **Provide a tenancy sustainment service** to support people recovering from homelessness.
- **As Corporate Parents ensure that there are planned pathways and appropriate information and support** to meet the needs of care experienced young people.

3. We will maintain a commitment within the authority area to

We will:

- **Never place any young person aged 16 or 17 in B&B except in an exceptional circumstance** by ensuring there is sufficient accommodation for this age group.

- **Never place a family in B&B except in exceptional circumstance**. If we do it will be for no longer than 6 weeks.
- **Ensure that there is an appropriate awareness of care leavers** circumstances to reduce the risk of them experiencing homelessness.
- **Explore relevant opportunities to attract and maximise funding and investment** to improve and deliver services or support.

Section 9: Priority Three – Achieving Better Outcomes, Better Lives

Priority Three – Achieving Better Outcomes, Better Lives

A property is not the end, but the start of the journey, we will support people to live independently and lead meaningful quality lives to create a home.

Ensuring we address systemic inequalities might require us to take steps to remove the barriers that some of our residents encounter. We aim to create services that are equitable in their approach where people at risk of or experiencing homelessness have the best chance of better life outcomes.

Our objectives are:

1. Supporting people with complex lives

We will:

- **Jointly prepare a single multi agency plan** for complex individuals and expand our work though the Housing and Vulnerability Forum.
- **Build upon our co-located team approach** and expand this offer.
- **Continue to transform systems** through our Multiple and Complex Needs Alliance (Growth in Action).
- **Ensure there is ongoing flexible and agile support** as and when needed.
- **Develop a strategic plan for Housing and those with Complex Needs** in Torbay.
- **Work collaboratively with our Public Health colleagues** to inform service provision.

2. Building peoples resilience

We will:

- **Establish local networks to provide support to sustain tenancies** including furniture, access to food banks, help with budgeting, benefits advice and offering employment and skills training so they can increase their income.
- **Develop peer advocacy, employment, volunteering, and training** offers to help improve opportunities.

- **Provide practical and ongoing support that will meet the individual needs of households.** This will include engagement with mental health and other services, specialist support to victims of domestic abuse or young people and working with marginalised families.

3. Building upon experience to develop and improve services

We will:

- **Be proactive in understanding and responding to current homelessness causes and risk** factors by undertaking research and evaluation with households who have engaged with homelessness services – which will inform continue service improvements and design of future housing provision.
- **Continue to learn from local experience with 16 and 17 year olds and care experienced young people** to transform systems and increase overall effectiveness in preventing homelessness amongst this cohort.
- **Understand the actual cost of homelessness both as an organisation and wider system** to inform and make the case for homelessness services and prevention activities**.**
- **Work collaboratively to achieve the objectives of the Housing Strategy** to provide affordable accommodation in Torbay.
- **Raise the profile of homelessness** ensuring that it is visible within the Council and embedded in other strategies**.** Recognising specifically the impact that rough sleeping can have on the wider community.
- **Convene a new Torbay Homeless Partnership**, to implement and develop our response to address homelessness in Torbay.

Section 10: How we will monitor success

We will drive the Council ambitions and strategy through a dynamic three-year action plan.

- Dynamic by design – flexible and resilient to the changes that occur during the course of the strategy.
- Dynamic in its implementing – capturing activity across Torbay, by Council services and the public and voluntary sectors.

The action plan will be owned by all Torbay Council services, and members of the newly formed Torbay Homelessness Partnership, that will be convened. We expect many actions will involve collaboration between one or more partners from across different sectors.

Performance metric will monitor the success of our strategy and make progress available for Security Board, Strategic Housing Partnership and Senior Leadership Team.

Section 11: Appendix

Plan on a page to be inserted following consultation of the strategy.

This document can be made available in other languages and formats. For more information, please contact Housing.Advice@Torbay.gov.uk

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Fit for the future

creating a prosperous and healthy Torbay

July 2017

Housing Rental Company – Policy Framework Document

Housing Rental Company – Policy Framework Document

1.1 Background

On 22 September 2016, Council agreed the principle of setting up a new wholly owned housing company to develop and own homes with the overarching aim of maximising income back to the Council as well as supporting objectives set out in the Council's Housing Strategy.

Following the decision taken in September 2016 a number of options have been explored, and proposals have evolved. At this time Council would now like to limit this Policy Framework to the establishment of a Housing Rental Company (abbreviated to RentCo).

The principal objective of RentCo will be to support the objectives of the Council to enable ambitious and progressive delivery of the Council's Housing Strategy.

The Council wants to raise the bar on delivery and ensure that it supports the housing needs of local people, through a variety of tenures and house types to enable the provision of and choice of homes, where people can thrive.

Other key objectives of RentCo would be to increase standards in the private rented sector, and to increase the level of adapted accommodation to allow more people with care and support needs to live in specialist housing. The Council will use its own stock where appropriate to provide a greater flexibility in meeting its strategic housing needs and statutory obligations.

The Current Housing Position

Torbay covers an area of 62.9 square kilometers and has approximately 59,000 households with 50% in Torquay, 37% Paignton and 13% Brixham. The Council does not currently retain any social housing stock.

Detailed statistical information concerning Torbay's housing needs is set out in a November 2015 report produced by the Council entitled 'Torbay Housing and Health Needs Assessment'.

Some of the salient points from that report are:

- There is a higher percentage of home ownership in Paignton and Brixham than the situation in England as a whole[1];
- There is a lower percentage of social rented housing than England as a whole in the 3 towns[2] (Torquay, Paignton and Brixham);
- There is a significantly higher percentage of private rented accommodation in Torbay than England[3];
- The average (median) sale price in Torbay in 2014 was £169,250 (2009 £155,000) [4];
- The average (median) sale price in Torbay in 2014 per property type was as follows - Detached £246,000, Semi-detached £179,084, Terraced £150,500, Flats/Maisonettes £112,000 (overall average in 2014: £169,250) [5];
- In 2015 the average (median) earnings of Torbay residents who are full time workers were around £5,450 p.a. less than England as a whole at £22,380[6].
- In 2014, 7.7 times the average (median) annual salary is needed to buy the average priced house in Torbay, higher than the equivalent across England[7], meaning housing is less affordable in Torbay compared with England [7];
- Because of the lower average earnings an increasing number of Torbay residents are living in private rented accommodation;
- In 2015/16, there were 410 net housing completions (additional housing units provided). In the 6 years to 2015/16 there was an average of 360 net housing completions a year in Torbay. (*N.B. These figures are rounded to the nearest 10)*[8].
- Between 2010/11 and 2015/16 505 affordable homes were delivered in Torbay; and

[1] Census 2011, **www.nomisweb.co.uk**
[2] Census 2011, **www.nomisweb.co.uk**
[3] Census 2011, **www.nomisweb.co.uk**
[4] Land Registry, House price statistics for small areas, **www.ons.gov.uk**
[5] Land Registry, House price statistics for small areas, **www.ons.gov.uk**
[6] Annual survey of hours and earnings, **www.nomisweb.co.uk**, Figures are gross annual pay
[7] Ratio of median house price to lower quartile earnings, Land Registry and the Annual Survey of Hours and Earnings, Table 577, earnings relate to the respondents place of work rather than place of residence.
[8] Torbay Council

- The social housing register shows that a rising trend of applicant households – 1,690 in January 2013 rising to 2,266 by March 2017. The greatest need is for 1 bedroom dwellings 56%, 2 bedroom dwellings 26%, 3 bedroom dwellings 12% and 4 bedrooms or more - 6%.

1.2 Objective

The principal objective of RentCo will be to support the objectives of the Council to enable the ambitious and progressive delivery of the Council's housing strategy which may include:

(i) Increasing the number of affordable homes delivered;

(ii) Increasing standards in the private rented sector;

(iii) Providing greater flexibility when dealing with housing needs for local people;

(iv) Increasing the level of adapted accommodation to allow more people with care and support needs to live in specialist housing;

(v) Unlocking stalled sites in and around the town centre to assist with regeneration and increase footfall in the areas town centres; and

(vi) Assisting with regenerating areas of deprivation;

(vii) Provide a private sector leasing option for private landlords.

Whilst there is the potential for RentCo to provide revenue income to the Council in the future, this is not the main objective of this policy framework. It is however important to set out that any decisions will be cost neutral to the Council over the lifetime of that home or group of homes (i.e. over a maximum of 25 years).

1.3 Scope

RentCo:

Council will be asked to determine the level of prudential borrowing it wishes to make available to the company by way of a loan.

Working Capital:

Working capital/set up funding for the company will be made available to them by way of a loan from the Council. Others opportunities for working capital/set up funding will be explored.

RentCo will be able to source funding alternative to that provided by the Council, however, the decision to issue share capital and/or to take out loans would be a matter reserved to the Council as shareholder.

Each phase for RentCo will need to demonstrate that:

- It is delivering the outcomes of the Housing Strategy;
- any financial reliance on the Council will not damage the Council's service delivery;
- The business case/phase demonstrates long term viability and that it will be at least cost neutral cost neutral to the Council over the lifetime of that home or group of homes (i.e. over a maximum of 25 years);

- Any company or business that RentCo propose to work with to deliver schemes will be; financially sound, committed to housing standards and have good governance arrangements in place.

Prudential borrowing drawdowns

RentCo will initially be financed by the Council using a prudential loan.

The Prudential Borrowing will need to be in line with the Councils Treasury Management Strategy and Minimum Revenue Provision (MRP) Policy. The Council and RentCo will work together to ensure there is appropriate levels of cash flow.

1.4 Strategy

RentCo:

Council will be asked to approve the prudential borrowing for RentCo, as part of the approval of this Policy Framework. Drawdowns against this borrowing will be approved by the Council for each phase undertaken.

RentCo will be expected to provide a business case for each phase as part of the drawdown process, which, inter alia will outline how the phase will meet the outcomes of the Housing Strategy as well as the performance targets for the phase. It is envisaged that a phase will be a substantial proposal.

RentCo may act as its own letting agent, or it may commission this service from elsewhere for the properties it owns. There is nothing in this strategy which limits RentCo in acting as a letting agent for itself, or for others, however a decision to act for others in this way is a reserved matter for the Company.

RentCo will be required to seek approval from the Council for selling any part of the business unless authorised through any adopted Business Plan.

1.5 Locations

Torbay will be the main location for acquisitions of rental properties so that this directly delivers the Housing Strategy within Torbay. However, there is a finite and limited supply of land and property within the local area, and of that supply only a small proportion may be available for purchase at any time.

Consequently, a slightly wider travel to work area may be considered for acquisitions as there is an evidence base which demonstrates that such investment in this area has a positive impact on Torbay's economy,. which indirectly supports the outcomes of the Housing Strategy.

1.6 Target Assets

RentCo

All properties where it can be demonstrated that their acquisition assists in delivering the Housing Strategy.

1.7 Assessment of risks

A rigorous assessment of all risks is required for each business case put forward by RentCo.

The risks will be measured and an assessment made of the likely future performance of the proposal. This will be carried out based on, inter alia, the ranges of likely future rental growth, voids of the property, together with the projected disposal price/capital value at the end of the period, over which the cash flow analysis is being measured.

1.8 Governance Arrangements:

There shall be three Directors of RentCo. These Directors shall all be employees of the Council, or any of its wholly owned companies, whilst ensuring that at all times at least two of the Directors are directly employed by the Council.

Rent Co will be controlled by Reserved Matters, including approval of its business plan.

An annual report of the work of RentCo shall be presented to Council.

Any support that the Council provides to RentCo (e.g. back office services) must be provided on at least a full cost recovery basis.

1.9 Decision Making

This Policy Framework stipulates that the following decisions, which in part, comprise of Reserved Matters of the company, are outside of Policy Framework, consequently this means that these decisions will be made by Council not the Executive:

1.9.1 Varying in any respect the Articles or the rights attaching to any of the Shares in the Company.
1.9.2 Varying the quorum provisions for Director or Shareholder meetings.
1.9.3 Permitting the registration (upon subscription or transfer) of any person as a member of the Company other than the Council.
1.9.4 The creation, allotment or issue of any shares or the variation of any rights attaching to any Share
1.9.5 Granting any option or other interest (in the form of convertible securities or in any other form) over or in its Shares capital, redeeming or purchasing any of its own Shares or effecting any other reorganisation of its Shares capital.
1.9.6 Issuing any loan capital in the Company or entering into any commitment with any person with respect to the issue of any loan capital.
1.9.7 Making any borrowing arrangement, other than from the Council.
1.9.8 Passing any resolution for its winding up or presenting any petition for its administration (unless it has become insolvent).
1.9.9 Changing the nature/scope of the Company's Business or commencing any new business by the Company which is not ancillary or incidental to the Business.
1.9.10 Approving any Business Plan prepared by the Board.
1.9.11 Taking any action or decision which would not be consistent with any adopted Business Plan and/or any approved Business Case.
1.9.12 Forming any subsidiary or acquiring shares in any other company or participating in any partnership or joint venture (incorporated or not).
1.9.13 Selling any part of the Business unless authorised through any adopted Business Plan.
1.9.14 Amalgamating or merging with any other company or business undertaking.
1.9.15 The provision of letting agency services to others.
1.9.16 Creating or granting any Encumbrance over the whole or any part of the Business, undertaking or assets of the Company or over any Shares in the Company or agreeing to do so other than liens arising in the ordinary course of business or any charge arising by the operation or purported operation of title retention clauses and in the ordinary course of business.
1.9.17 Making any loan (otherwise than by way of deposit with a bank or other institution the normal business of which includes the acceptance of deposits or in the ordinary course of business) or

granting any credit (other than in the normal course of trading) or giving any guarantee (other than in the normal course of trading) or indemnity (other than in the normal course of trading).

1.9.18 Altering any mandate given to the Company's bankers relating to any matter concerning the operation of the Company's bank accounts other than by the substitution of any person nominated as a signatory by the party entitled to make such nomination.

1.9.19 Entering into any arrangement, contract or transaction (including the appointment of any agent or intermediary to conduct any of the Company's Business) outside the normal course of its business.

1.9.20 Making or permitting to be made any change in the accounting policies and principles adopted by the Company in the preparation of its audited and management accounts where such change would have an impact on the EBITDA.

1.9.21 Declaring or paying any dividend or making any other distribution (by way of capitalisation, repayment or in any other manner) out of the Company's distributable profits or any of its reserves other than an interim dividend in accordance with the Articles.

1.9.22 (a) Making the initial decision for the Company to have its own employees
(b) Granting any pension rights (Local Government Pension Scheme) to any director, officer, employee, former director, former officer or former employee, or any member of any such person's family.

1.9.23 Dismissing any officer or employee in circumstances in which the Company incurs or agrees to bear redundancy or other costs in excess of £50,000 in total and dismissing any Director.

1.9.24 Instituting, settling or compromising any material legal proceedings (other than debt recovery proceedings in the ordinary course of business) instituted or threatened against the Company or submitting to arbitration or alternative dispute resolution any dispute involving the Company.

1.9.25 Factoring or assigning any of the book debts of the Company.

1.9.26 Establishing or amending any profit-sharing, Shares option or other incentive scheme (other than bonus schemes) of any nature for directors or employees of the Company.

1.9.27 Agreeing to remunerate (by payment of fees, the provision of benefits-in-kind or otherwise) any officer of the Company at a rate in excess of £50,000 per annum or increasing the remuneration of any such person to a rate in excess of £50,000 per annum or otherwise in accordance with any adopted Business Plan or Business Case.

1.9.28 Entering into or varying any contract of employment providing for the payment of remuneration (including pension and other benefits) in excess of a rate of £50,000 per annum or increasing the remuneration of any staff (including pension and other benefits) to a rate in excess £50,000 per annum.

1.9.29 Making any agreement with any revenue or tax authorities or making any claim, disclaimer, election or consent exceeding £100,000 for tax purposes in relation to the Company or its Business.

1.9.30 The acquisition or disposal of any land, buildings and/or other assets where such acquisition or disposal is not within the approved Business Plan of the Company or any approved business case.

1.9.31 To receive and approve Business Cases for developments/phases and therefore approve drawdowns of loans in accordance with the Prudential Borrowing limit set by Council.

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TORBAY COUNCIL



Our Healthy Neighbourhoods

Torbay Health & Wellbeing Strategy 2026-30

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Why do we need a Strategy for Health & Wellbeing?

What is a Health & Wellbeing Strategy?	Why do we need one?	Who is involved?	How does it improve health & wellbeing?
• A Strategy to address the needs & inequalities of our population & set out our strategic priorities for action	• To improve health & wellbeing, & reduce inequalities, through working better together	• All Health & Wellbeing Board partners, in consultation with our community	• By informing local commissioning • Promoting integration between health & care, housing, economy, transport & environment

Health and Wellbeing Boards bring together local authorities, health and care organisations, police, voluntary sector, and other partners, with the aim of improving health and reducing inequalities.

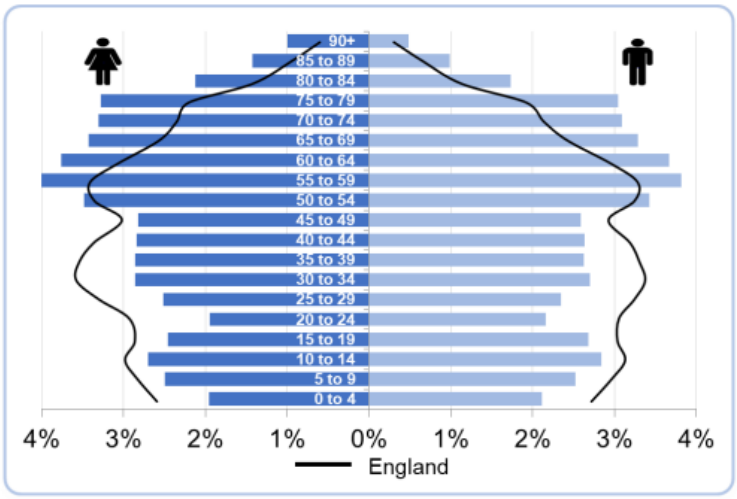
Every Health and Wellbeing Board is required to develop a Health and Wellbeing Strategy setting out the plan for improving the health and wellbeing of the local population. These will be very relevant to the expectations in the NHS 10 Year Plan for the development of *neighbourhood health*.

What could be more important than improving the health and wellbeing of our population?

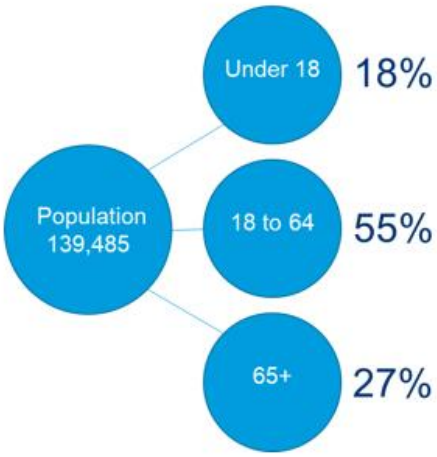
Torbay at a glance

Torbay is a coastal community with comparatively high levels of deprivation, and strong natural and human assets

We have a significantly older age profile than England, with an average age of 49 compared with 40 nationally



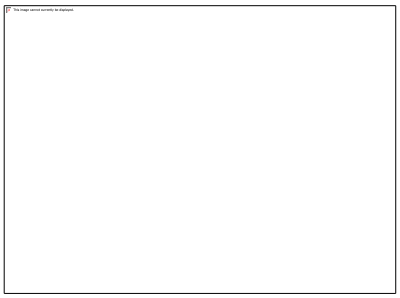
We have a much lower working age population than England and the South West



1 in 3 of our residents will be aged 65 and over by 2033



There is 23 years difference in the median age between King's Ash and Wellswood wards

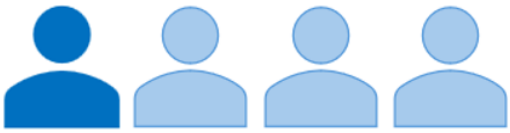


How long we live varies significantly between men and women, and between the different wards in Torbay





Almost 1 in 4 of our residents have health conditions or disabilities that reduce their ability to carry out day-to-day activities. Numbers are much higher in our more deprived wards



Our vision

Healthy neighbourhoods where people of all ages can live, work and thrive



What makes a healthy neighbourhood?

What does national policy and strategy say?

Under the Government's 'Plan for Change' there are five national missions to deliver a decade of national renewal. All five are relevant to our work as statutory and voluntary partners in Torbay, but there is particular resonance in the focus on economic growth, the NHS, and breaking down the barriers to opportunity through giving every child the best start in life.

In order to build an NHS fit for the future, the 10 year Health Plan for England refocuses health around three key shifts:

- Hospital to community
- Analogue to digital
- Sickness to prevention

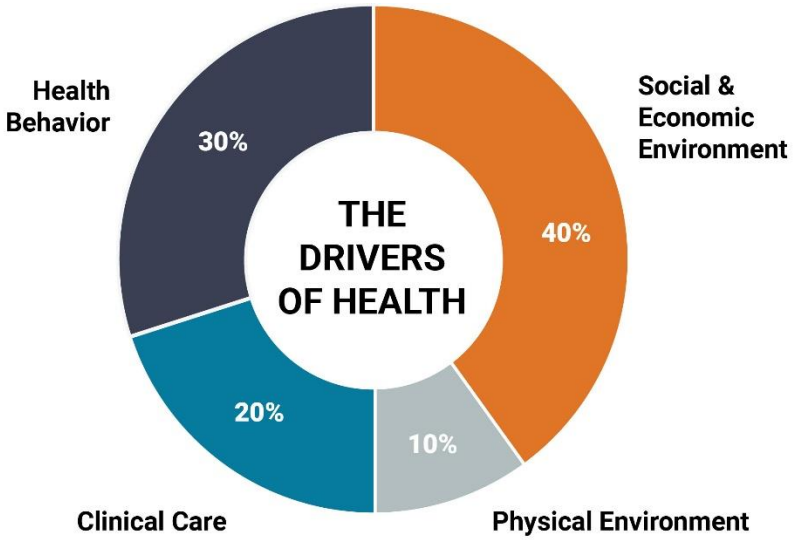
These are supported by the creation of a *neighbourhood health service* in which all care should be as local as it can be - in the home if possible - and digital by default.

Healthy communities, or healthy places, are not new. With an emphasis on prevention, *healthy neighbourhoods* are a function of all the determinants of health working together to influence individual and community wellbeing.



Dahlgren and Whitehead, 1991

Health and care services have a relatively minor influence on our health, with the greater impact from the way we live, and the environment we live in. And when the way we live is so heavily influenced by environmental factors, they indeed play by far the largest role.



> *Neighbourhood health is not only, or even predominantly, the responsibility of health services. A response to these and similar problems requires the coordinated mobilisation of the assets in a community including communities themselves.*
>
> Department of Health & Social Care July 2025

What constitutes a *neighbourhood* is not formally defined. A neighbourhood might be different things to different people, and to different organisations. The important thing is the move to *local* - wherever we live, work and spend our time - and the opportunity to develop local services and programmes in real collaboration with the people who live there.

What are our communities telling us?

Through engagement in Torbay and Devon to inform the NHS Long Term Plan, residents were asked what was important to them in terms of neighbourhood health. This is what they said.

Health promoting communities

Healthy communities are:

- Connected, with strong local networks and support systems
- Inclusive, especially for people with disabilities, older adults, and ethnically diverse communities
- Empowered, with access to information and the ability to shape services

Fair and easy access to support

We want to see:

- Better access to GPs and primary care
- Joined-up services across health, social care, and community support
- Equity in service provision, especially in coastal, rural, and deprived areas
- Digital inclusion:
    - Technology should support—not replace—human care
    - Services must remain accessible to those without digital skills or internet access

Enabling us to look after our own health

We support a shift from treating illness to preventing it, through:

- Health education in schools and communities
- Annual health checks, especially for older people
- Lifestyle support (e.g. healthy eating, exercise, smoking cessation)
- Screening services for early detection
- Not blaming individuals for poor health outcomes

Locally based care

We support moving care from hospitals into communities:

- Services closer to home – providing care that is community-based, accessible, personalised, and empowering
- Increased convenience, and earlier detection though community diagnostic centres and virtual wards

Support to look after our mental and emotional health

We want to see:

- Mental health support in schools
- Early intervention
- Listening to young people's concerns
- More education around mental health and wellbeing
- Accessible community mental health services

NHS 10 Year Health Plan - One Devon

In summary

A healthy neighbourhood is somewhere where…



Health & Care services	•go where people are •are easy to access •are enabling •are designed in partnership •start with prevention
Natural & built environments	•enhance health & wellbeing •promote physical activity & social connections
Housing, Employment, Education, Transport	•are suitable & secure •promote health & wellbeing •promote independence •reduce inequalities
Citizens	•are in charge of their health & wellbeing •are partners in their care •are seen in their context

How will we deliver our vision for neighbourhood health?

This Strategy is designed to influence the implementation of health and wellbeing improvement programmes through the following routes:

1. **Highlighting the needs** in our population that all of us developing strategies, or commissioning services, must respond to
2. **Summarising the areas of activity** required to address our population needs, in the ways people have said they want to see
3. Identifying the **priority areas** we want to focus on as a Health and Wellbeing Board over the next four years.
4. Describing the **principles** which underpin our Strategy and how it is implemented.
5. Developing a decision framework to guide selection of Health & Wellbeing Board **annual delivery programmes**, sponsored by the Board, to deliver our priorities. These will be reviewed annually but a delivery programme may be continued through more than one year.

What are the needs of our population?

Our key challenges

Economy, housing & inequalities

- Torbay is ranked as the most deprived local authority in the South West and our **economy** is ranked among the weakest in England.
- Average wages are significantly below the regional and national average with less of the population in full-time **employment** than England.
- There is a continuing impact of the pandemic and persistent high **cost of living**, especially in utilities and food.
- Those who live in the most **deprived areas of our communities are disproportionately affected.**
- Torbay has a growing number of households experiencing **fuel poverty**. Old housing stock is particularly fuel inefficient.
- There is a consistent pattern of **worse health and educational outcomes** for those people who live **in more deprived areas**.
- There is significant **variation in health and wellbeing** across the bay.
- In our most affluent areas residents can expect to live on average almost eight years longer than those in our more deprived communities.
- There are significant **gaps in healthy life expectancy** (years in good health) between the most affluent and deprived areas.

Children & young people

- The number of **cared for children** within the local authority remains significantly higher than England. Rates of referrals to children's social care are consistently much higher than England.
- Torbay schools have a significantly higher proportion of pupils requiring **special educational needs** support through an Education, Health & Care Plan than England although the gap has narrowed.
- Persistent pupil **absenteeism** remains at significantly high levels following the pandemic. Rates are much higher among children from our more deprived areas.
- **Teenage pregnancies** (under 18 years) have fallen over the last decade but are still higher than England.
- Our children have **poor oral health**. There are consistently high rates of hospital dental extractions among children due to dental decay, particularly among Torbay's more deprived communities.

Working age adults

- The number of those who are of **working age is projected to fall** over the next 20 years to approximately 50% of the population from its current rate of 55%.
- A consistently high rate of people are **homeless** or threatened with homelessness.
- There are high **levels of vulnerability** in the population, including groups with specialist needs and high levels of mental ill health.
- There are consistently high levels of **self-harm and suicide**.

Older adults

- Torbay has high levels of need requiring **support from Adult Social Care** in the 18 to 64 population and also in the population over 65.
- We have very **high rates of unpaid carers**. The 2021 Census showed that there were 14,900 unpaid carers in Torbay. 5,185 of these provided 50 hours or more of care. This care is disproportionately provided by women.
- We have an **ageing population** with 1 in 3 Torbay residents expected to be 65 and over by the middle of the next decade. This will also put increasing demand on health and social care.

Protecting our health

- **Screening and immunisation** rates are lower than they need to be to protect our population from disease. There have been falls in breast and cervical cancer screening rates, childhood immunisation rates, and HPV vaccination rates in girls, since the pandemic.

Health behaviours

- Approximately **1 in 3 adults in Torbay are obese**. **1 in 4 reception age children** and more than **1 in 3 Year 6 children are overweight or obese.**
- Around **1 in 6 adults in Torbay smoke**.
- There are high levels of **admissions to hospital related to alcohol**, and high levels of preventable deaths from liver disease.

The needs in more detail

More detail about the needs of our population can be found in the annual **Joint Strategic Needs Assessment and Ward Profiles**

Activities required to address our population needs

These are the overall areas of activity required to address our population needs, in the ways people have said they want to see.

They are intended to be a guide for all of us developing strategies or commissioning services in Torbay.

Economy, housing & inequalities

- Take a **poverty reduction** approach in all policies
- Ensure there are the **jobs, skills, homes & culture** in the Bay that make it attractive to live and work here
- **Start early** – support the pipeline from education into employment
- Recognise the links between health & wealth; **focus on the determinants of health** & wellbeing (jobs, homes, education) as well as access to health & care
- In every intervention, **consider the deprivation gradient** – who has the poorest outcomes & the greatest need? **Target interventions proportionately** to reduce inequalities

Children & young people

- **Focus on prevention and enabling**
- Take a graded approach – from **universal to targeted support** when needed
- Gather a **team around the family** to support healthy development for all our children
- Maintain the '**early help'** approach, getting the right support, when & where it is needed
- **Co-design** interventions with those intended to benefit (eg people with SEND, those who are care experienced)

- Develop interventions that will **break the cycle** of disadvantage, poor health & wellbeing
- Improve access to **good oral health**; focus on prevention

Working age adults

- Strengthen **employment opportunities & skills** for all age groups
- Support & enable people who are **out of work through ill-health** back into employment
- Develop **sufficient housing** for people to live & work in the Bay
- Ensure health & care **reach out into the community, going where people are**
- Make it **normal to talk about mental health**; promote resilience & confidence around the *ways to wellbeing*; increase access to information & support; expand peer support & training

Older adults

- Take an **enabling, 'coaching' approach**, building on people's strengths
- Think '**home first'**, enabling people to stay at home rather than go into hospital or long term care
- **Focus on prevention**; expand *healthy ageing* initiatives enabling people to build their physical, mental and social health & wellbeing
- **Implement *Age Friendly*** initiatives to promote healthy environments as we age, including housing, transport, planning, employment
- **Support & enable carers** to look after their own health & wellbeing

Protecting our health

- **Increase uptake of immunisation & screening** through targeted promotion & easier access
- Design delivery in partnership with groups or communities who have low uptake

Health behaviours

- Take a **comprehensive approach**: focus on healthy weight, healthy food, healthy environments
- **Focus on enabling** people to manage & improve their own health & wellbeing
- **Start as early as possible** – healthy and unhealthy behaviours are laid in childhood and in some cases before birth
- **Focus on healthy places & spaces** – family hubs, schools, green and blue spaces, workplaces, neighbourhoods

Identifying our priorities

The needs and activities outlined in this Strategy cover the full breadth of the health and wellbeing of our population.

To work towards our vision for healthy neighbourhoods, we have identified a priority approach which we as a Health and Wellbeing Board, together with our partners, want focus on for the next four years. This is intentionally quite broad, to allow for creative local approaches to improving neighbourhood health and wellbeing.

Our goal is to promote health and wellbeing through health promoting places.

This will involve:

- **looking first at the causes** of health and wellbeing, for example addressing the housing, financial, educational or employment situations that contribute to poor health
- **detecting health problems early** so they can be treated before they worsen, for example identifying high blood pressure and preventing future stroke
- **taking an enabling approach**, building on people's strengths to promote their own health and wellbeing
- **building on our South inequalities strategy** to identify those who have the worst health outcomes and opportunities, and scaling our interventions to support and enable those who need most help the most
- **targeting settings** such as schools, homes or workplaces**, or spaces** such as town centres, transport systems or community areas.

Principles underpinning our Strategy

Approach

- An overarching strategic framework
    - responding to the needs of the Joint Strategic Needs Assessment
    - within the context of developing healthy neighbourhoods
- Annual priority delivery programmes where Health & Wellbeing Board will sponsor delivery

Priorities

- should respond to needs identified in the Joint Strategic Needs Assessment but not attempt to cover too many areas
- should be areas where multi-agency working is needed and where all members of the Health and Wellbeing Board have a role and can contribute

Delivery programmes

- should reduce health and social inequalities
- should be developed through a process of co-design with the populations who are intended to benefit
- should target health through the wider causes of poor health

Interventions

- should be based on good evidence and best practice

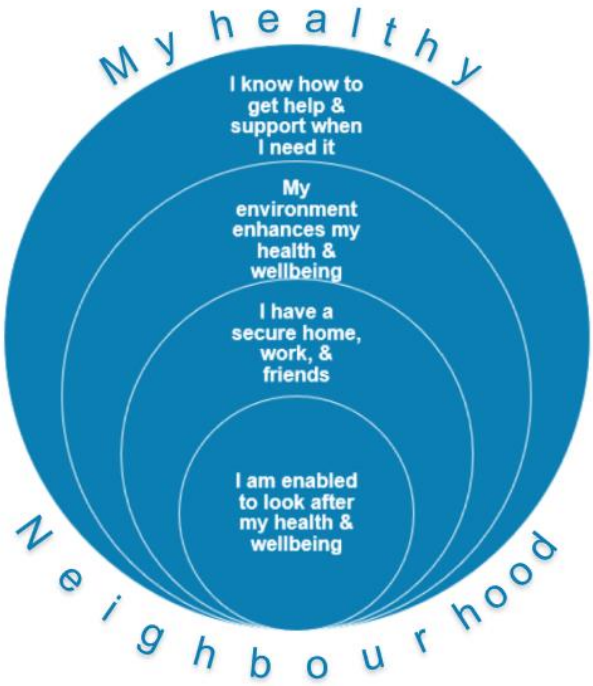
Outcomes

- should be measurable and meaningful to citizens

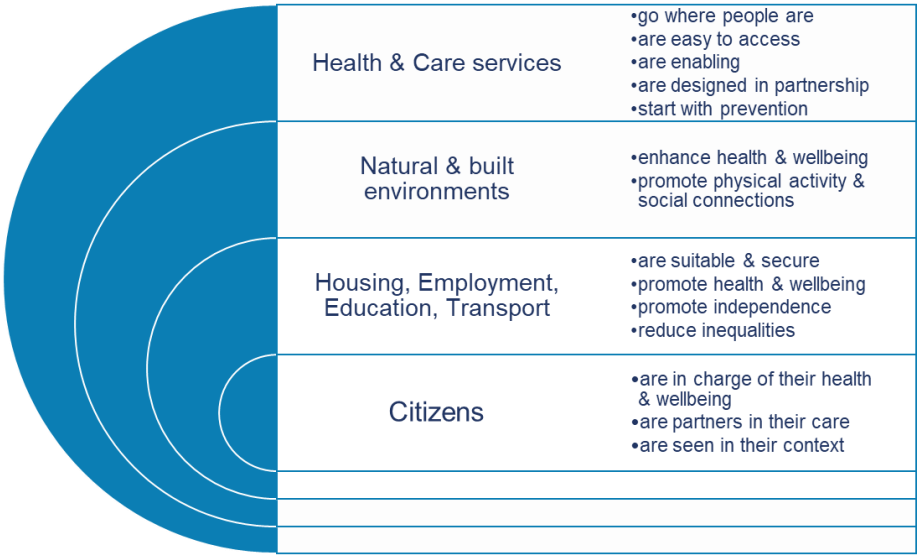
Our Strategy in summary

Healthy neighbourhoods where people of all ages can live, work and thrive

Our vision



Our aspirations for health promoting neighbourhoods



Our priority approach	We will promote healthy neighbourhoods through a focus on preventing poor health, and enabling people to promote their own health and wellbeing, in the places where they live and work
The principles underpinning our Strategy	Our activities should: • respond to needs identified in the Joint Strategic Needs Assessment • be areas where multi-agency working is needed and where all members of the Health and Wellbeing Board have a role and can contribute • reduce health and social inequalities • be developed through a process of co-design with the populations who are intended to benefit • target health through the wider causes of poor health • be based on good evidence and best practice • be measurable and meaningful to citizens

Annual delivery plans

This is the framework which we will use to guide the selection of Health & Wellbeing Board annual delivery programmes. Programmes will be reviewed annually but a priority programme may be continued through more than one year.

Annual delivery programme selection framework			
What is the target population?	**Children & young people**	**Working age adults**	**Older adults**
Areas of inequality or where intervention may be targeted for best effect	• Care experienced • With special educational needs & disabilities • Caring for others • In transition to adult	• Low income households • Not working through ill-health • Caring for others • Insecurely housed	• Pre or prematurely frail • Inactive or isolated • Caring for others • Approaching retirement
What are the target needs?	**Needs identified in the Joint Strategic Needs Assessment**		
Economic	Lack of jobs & skills Low incomes Unemployment through ill-health Insecure housing, unsuitable accommodation Fuel poverty		
Dependency	Levels of child & adult social care Special educational needs & disabilities Long term health conditions (prevention, early detection, management)		

	Caring responsibilities
Mental & social health & wellbeing	Poor mental health & wellbeing Suicide & self-harm Isolation
Health behaviours	Alcohol, smoking, unhealthy weight, oral health, screening and vaccination
Assessing the programme or intervention	
Neighbourhood approach	How will it promote neighbourhood health?
Evidence base	Is there quality evidence or best practice? Can we adopt learning from other sites? Or do we need primary research / test & learn?
Prevention first	Is it taking a prevention approach?
Enabling approach	Will the intervention build on people's strengths to promote their own health and wellbeing?
Place	What locations or settings are being targeted?
Inequalities	How will the intervention tackle inequalities?
Partnership	Do all partners have a role? Is there scope for co-design?
Added value	Is there scope for innovation? Creativity? Doing things differently?
Outcomes	Are there meaningful success measures?

How we will know if we are having an impact

The Joint Strategic Needs Assessment is our annual barometer of health and wellbeing in our communities and neighbourhoods across the Bay. Many of these measures are longer term, and will show us over time whether progress is being made.

Individual priority delivery programmes will have individual outcome measures. These will include national health indicators but also more short term local indicators agreed by partners. These should reflect the principles of the Strategy, being real and meaningful for those whom the intervention is designed to benefit.

How we developed this Strategy

This Strategy was developed in collaboration with members of the Torbay Health and Wellbeing Board with input from stakeholders including Local Authority, NHS, and Community and Voluntary Sector partners.

It was informed by insights from local community engagement and consultation with local residents.

It is based on the evidence of the Joint Strategic Needs Assessment for Torbay which sets out the health status of the population including the social and economic factors influencing our health.

Year 1 priority action areas

Overarching theme	**Healthy neighbourhoods**
Priority 1	***Healthy spaces***
Target population	***Children & young people***
Needs	• Inequalities in opportunity • Physical ill-health • Low activity levels • Poor diet • Home or school insecurity • Educational underachievement • Unreadiness for work
Intervention/s	• Programme of activities to build **physical, mental and social** health and wellbeing • Junior **work placements** • Community led **research into homeschooling** • **Pipeline from education into work** – via Coastal Navigators Network programme • **SEND/NEET coaching & mentoring** programme • ***Child Friendly Torbay*** priority areas including safe & secure environments and healthy lives • *Torbay on the Move* Active Lives & Sports Strategy
Lead & co-design partners	• Community partnership, Play Torbay collaborative, Torbay Council • Health & Wellbeing Board partners, NHS, VCSE • Co-design with families and young people in the lead

Priority 2	***Healthy work***
Target population	***Working age***
Needs	• Population not working due to physical and mental ill-health • NEETs • Disparities in employment for people with SEND, those who are care experienced, and carers
Intervention/s	• ***Connect to Work*** **programme with wraparound:** • NHS identification of people off work through ill-health • NHS support for long term conditions (eg mental health, musculo-skeletal) • VCSE identification and support for those further from employment – confidence, mentoring, buddying, practical and social interventions
Lead & co-design partners	• Torbay Council and Local Care Partnership • Health & Wellbeing Board partners, Employers, NHS, VCSE • Co-design with target groups eg care experienced

Priority 3	***Healthy ageing***
Target population	***Older adults***
Needs	• Inequalities in life expectancy, frailty onset, ill-health and long term conditions, dependence on formal social care • **Social isolation** • **Digital exclusion** • **Carer** inequalities in health and social wellbeing • **Housing** insecurity • **Access** to services and amenities
Intervention/s	• **Age Friendly** activities on housing, transport and health • *Torbay on the Move* Active Lives & Sports Strategy
Lead & co-design partners	Torbay Assembly, Torbay Council, Health & Wellbeing Board partners Co-design with older adults in Torbay

References

Joint Strategic Needs Assessment (JSNA) and Ward Profiles - Torbay Knowledge and Intelligence

NHS 10 Year Health Plan - One Devon

Plan for Change - GOV.UK

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Communities And Health | The King's Fund

Neighbourhood Health: The Idea Isn’t Radical But Implementing It Would Be | The King's Fund

Healthy and safe communities - GOV.UK

Shaping Places for Healthier Lives: about the programme | Local Government Association

NHS England » Your invitation to be involved in the National Neighbourhood Health Implementation Programme

Delivering a neighbourhood health service: what the 10 Year Health Plan means for local integration | NHS Confederation

Torbay Story - Home







2018-2023

Children and Young People's Plan (Updated February 2021)

Protecting all children and giving them the best start in life

TORBAY COUNCIL

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1 Introduction

Torbay Council has an ambition of creating a prosperous and healthy Torbay. In meeting this ambition, the Council and its partners have a clear vision for children and young people which is articulated throughout its plans and strategies to ensure we take a consistent approach.

The Council's Corporate Plan sets out as one of its Targeted Actions that it will "**Protect all children and give them the best start in life".** This Children and Young People's Plan has been drawn together with the involvement and support of a range of partners, stakeholders and young people, with the aim of improving our outcomes for children and families.

It is intended as an overarching plan for all services which directly affect children and young people in all of the communities which make up Torbay. It draws upon the evidence base provided by our Joint Strategic Needs Assessment and Sufficiency Strategy. It is underpinned by the plans of partner agencies, reflecting how we are working together to improve the lives of our children and young people.



The Children and Young People's Plan aligns to the rest of the Council's Policy Framework including the Joint Health and Wellbeing Strategy, Domestic Abuse and Sexual Violence Strategy, Housing Strategy and the Economic Strategy.

Throughout the Plan consideration is given to the safeguarding of children and young people, their health and social care needs, their education and their futures as active, informed and participating members of the community.

This Plan draws upon a wide range of existing plans and strategies for children and young people. It provides a strategic overview of key actions in those plans to ensure there is a coherence to the work of Children's Services and its partners across Torbay. This includes:

- Children's Services Improvement Plan 2019
- Torbay Youth Justice Plan 2020 (COVID contingency and recovery plan)
- Torbay Strategy for Educational Excellence
- Torbay Accessibility Strategy 2017/2021
- Special Educational Needs and Disability Strategy 2016/2020
- School Effectiveness Strategy 2016/2020

2 Context

The Current Position

Torbay is located on the South Devon coastline and comprises three district communities: Torquay, Brixham and Paignton. As part of what has become known as the 'English Riviera', Torbay attracts thousands of visitors each year drawn to its harbours and beaches. Tourism and fisheries remain important elements within the local economy although this is diversifying to include electronics, photonics, and health and care provision. Road links have improved significantly in recent years with the opening of the South Devon Highway acting as a further stimulus to the economy.

Over recent years, Torbay Council has faced significant reductions in its budgets due to successive reductions in the funding it receives from Central Government. The Revenue Support Grant has reduced from £42m in 13/14 to £6m in 19/20. This has required difficult decisions to be made in relation to the services it provides. However, within this context, Children's Services has been prioritised and benefitted from considerable support from central balances with funding increasing from £28m in 13/14 to £47m in 20/21. Initially this was to deal with successive overspends and more recently to support the renewed improvement activity generated and led by the completely new management team. The Medium-Term Financial Strategy has been refreshed several times, with the aim of bringing expenditure into line with that of comparators while continuing to ensure improvement activity is adequately resourced. This strategy is currently on track to achieve its objectives, but the service is aware that a substantial proportion of its improvement work is funded by a DfE grant which, if discontinued, would require significant budgetary adjustment. A contingency plan has been developed for this eventuality.

As the second largest urban area in Devon, with a population of over 135,750 people, Torbay faces challenges typically associated with larger urban areas. These coupled with its coastal location, compound both the challenges and sensitivities of its economy.

Torbay has demonstrated a lower level of resilience to economic shocks compared with other areas across the country. Since the 2004 closure of Nortel, growth has consistently been behind that of its neighbours. The following recession of 2008/09 saw output fall by 4.7% with some issues persisting today.

Torbay lags behind the UK on many economic measures, it has experienced significantly lower levels of business growth of 13% compared to 30.6% nationally, employment growth of 9% compared to 10.4% nationally, and GVA growth of 7.5% compared to 28.8% nationally, since 2011.

GVA per head in 2018 (latest) is £14,599, ranking it the lowest in England by NUT3 areas, slipping from the third lowest in 2017. This represents 51.2% of the UK average, with the gap widening over the last 10 years. However, when comparing output per full-time equivalent (FTE) worker, economic performance is better at £42,600, but continues to lag behind the UK average.

Torbay's population is 133,373 (2015 MYE) and estimated to rise to 148,500 by 2039, albeit this is a slower rate of growth than that seen nationally. Older people make up a bigger proportion of the population than that seen in England as a whole and Torbay's population of over 70s is expected to increase by around 28.1% by 2025. In 2015, for every person of retirement age there were just fewer than 2 of working age, compared to 3 persons in the England average.

There are 24,789 children living in Torbay (Census Data 2011). In 2015, the birth rate was 10.3 per 10000 which is below the South West and national averages. The proportion of children aged between 5 and 14 is also expected to rise by 11% over the next 10 years, which is slightly higher than that seen across England.

Torbay comprises areas with significant material wealth alongside areas of deprivation. Torbay is ranked the 48th most deprived in England, with 36,691 people living in the bottom 20% most deprived areas, equating to 27.4% of the population. The most deprived areas tend to be primarily concentrated around the centres of each of the three towns.

Levels of unemployment in Torbay are at 5.4% which is above the South West average of 4.1%, and national average of 4.8%. The percentage of young people aged 18-24 claiming Job Seekers Allowance is 3.7% and above the south west and the national averages. The Council commissions Careers South West which targets support to the most vulnerable young people, as well as funding other initiatives to get young people into employment. Around 23.6% of children in Torbay are classed as living in poverty.

Educational attainment in Torbay saw improvements across most phases in 2019.

Children receive a high-quality start through access to a range of good and outstanding early year's provision resulting in an increase in 2019 to 70.8% of children achieved a good level of development (GLD). Although slightly lower than national standards it is above those of statistical neighbours (i.e. other Local Authorities with similar characteristics).

Key Stage 1 results increased to 65% of children achieving the expected standard which was equivalent to national levels. In Phonics 84% of children achieved expected level, 2% above national.

Key Stage 2 results for 2019 increased 3% to 66% for the expected standard for Reading, Writing and Maths combined, which was 1% above national standards.

For secondary school pupils the average Attainment 8 score was 46.2 in 2019 which was above national. The percentage of pupils achieving grades 9-5 in English and Maths was 45%, 2nd highest when compared to statistical neighbours and 3% above national.

Following recent inspections, 100% of mainstream secondary provision is judged to be good or outstanding.

Torbay has 5.2% of pupils with Statements or Education, Health and Care Plans (EHCP) compared to 3% nationally. Children with an EHCP performed well at Early Years with 8.7% achieving GLD compared to 4.4% nationally.

The health and wellbeing of children in Torbay is mixed compared with the England average. Infant and child mortality rates are similar to the England average. Children in Torbay have average levels of obesity: 9.5% of children aged 4-5 years and 18.0% of children aged 10-11 years are classified as obese. Admissions for children for mental health conditions and self-harm were higher than England average in 2015/16.

Torbay Council was originally made subject to a Statutory Direction in May 2016, with the Chief Executive of Hampshire County Council appointed as the Department for Education (DfE) Commissioner and Hampshire Children's Services as Improvement Partner. The DfE Commissioner chaired the multi-agency Children's Improvement Board (CIB) which met on a six weekly basis and provides for oversight of improvement activity.

This arrangement ended following a second inspection by Ofsted (in June 2018) that found insufficient evidence for Inspectors to amend their original judgement that Children's Services were 'inadequate overall'. This second judgement of inadequacy generated a much changed and strengthened approach to improvement which resulted in a new Director of Children's Service being appointed along with a new senior leadership team to lead the changes, the appointment of a new Commissioner with experience of leading a service from inadequacy to outstanding and the development of a much revised and strengthened Improvement Plan and Sufficiency Strategy. Both the plan and the strategy, which are underpinned by child focused performance management and

quality assurance frameworks address in full the recommendations of Inspectors while going much further to put firmly into place the mechanisms to lead Torbay Children's Services to an era of delivering sustainable good or better services to children and their families. A robust improvement plan and enhanced performance management framework are now in place to ensure improvement and performance are determined by reference to national, regional and statistical comparators. Comprehensive performance reports are provided on a regular basis to the CIB, the Commissioner, the Cabinet and Scrutiny panel, the Executive Member for children, Department for Education Officials, the Chief Executive and Children's Services and corporate senior leadership and managers.

Torbay's Targeted Help Service leads on ensuring that our family support resources are able to respond to the needs of families identified at Level 3 on the Torbay Safeguarding Children's Board's threshold of need. Our aim is to provide direct practical support to families to empower them to affect long term, sustainable improvement. This is a partnership response to whole family support and the Local Authority contributes to this partnership delivery through the Family Intervention Team. The Local Authority's Supporting Families Team is located alongside the Family Intervention Team and provides further support for professionals and families at level 2 on the Torbay Safeguarding Children's Board threshold of need. The Targeted Help Service, Family Intervention Team and Supporting Families Team work with multi-agency partners. The changes within Children's Services form part of the wider refresh of local early help arrangements across the Torbay Safeguarding Children Board partnership.

Children's Centres are delivered on a commissioned basis via Action for Children on a thematic delivery model. They provide a good mix of targeted and universal services and are well integrated within our early help strategy.

Torbay's multi-agency safeguarding hub (MASH) is well established with police, social care, health, schools support services and probation into a co-location arrangement. Despite significantly increased demands, decision making is now consistently more timely and robust though it is accepted that improvements are still necessary to achieve the consistently high standards that are required. The MASH has recently reconfigured to incorporate Early Help referrals through a 'single front door' model supplemented by an Early Help (referral) Panel process.

Mental health and well-being remain a key local priority. Torbay has a joint contract with CCG and Devon LAs for CAMHS and we work together strategically. Work in underway with managers and commissioners to clarify what services are being provided and to ensure that the contract meets Torbay children's needs. The target date for completion of this review and to clarify our position is December 2020.

The timescale for diagnosis for children with Autistic Spectrum Condition is being missed in too many cases and urgent work with the CCG is being undertaken to address the causes of the delays. Specialist Speech and Language Therapy Services are provided in a variety of settings. Access to these services in a timely manner remains a priority development. Children with disabilities generally have co-ordinated support packages through effective referrals routes to physiotherapy and occupational therapy though there is room for some improvements.

Torbay also contributes towards a number of regional projects including the development of a multi area Youth Offending Management Board, a Regional Adoption Agency and Sector Led Improvement.

The voice of the child is key to our service improvement programme and we are re-energising our approach and strengthening our engagement techniques including digital technology, survey work, direct training of practitioners by young people in care, focus groups and for children living in care we are developing the role of Corporate Parenting by the council and children and young people will play a key role in shaping the future of this

part of the service. We are committed to children and young people having a much stronger role in determining the services they access and central to this is the introduction of Restorative Practice as Torbay's social work model. All social care staff are being trained and the model replaces Signs of Safety which failed to gain sufficient traction to bring about the desired improvements in practice and management. Our investment in the strengths-based restorative approach is central to our commitment to place children at the heart of all that we do. To further strengthen our approach, we have commissioned Checkpoint to deliver a range of advocacy, missing from home/ care interviews and support services.

STRENGTHS	ISSUES	OPPORTUNITIES
▪ Educational outcomes at all Key Stages are generally in line or above national averages and good progress is being made to close the gap for vulnerable learners ▪ The multi-agency safeguarding hub that was established in March 2015 is providing an effective multi-agency front-door for referrals, including targeted help ▪ An extensive programme of Restorative Practice training is being delivered to all social care practitioners and extended to partner agencies to provide a consistent multi-agency strengths based approach to our work with children and their families ▪ All Statements now transferred to EHCP. There is a good level of timeliness with EHCPs completion ▪ Following extensive consultation and work with partners, our Early Help Strategy has been revised and is being launched with a multi-disciplinary Board overseeing its diverse range of support offer ▪ Solid foundations have been established and welcomed by the DfE and Ofsted to support sustainable improvement in social care provision informed by a comprehensive performance dashboard and QA framework which enable managers at all levels to identify issues and intervene ▪ Our Youth Offending Service is performing well in relation to custody and reoffending rates and the number of first-time entrants to the service.	▪ Although improvements have been made, social care practice needs to continue its work to achieve greater consistency in delivering good quality plans and assessments and evidencing impact on the situation of the child ▪ Our populations of children looked after and subject to child protection plans remain comparatively high. Positive work continues to improve community based services that is impacting upon numbers without compromising safety ▪ The gap in educational attainment between our vulnerable learners and their peers is closing however more work is needed ▪ Torbay has higher rates of under 18 conceptions than in England ▪ Excess weight in reception age children is high, with one in four being overweight or obese ▪ Hospital admissions for 5-24 year olds for injuries, self-harm and alcohol misuse are significantly higher than the England average ▪ Torbay experiences higher proportions of children living in poverty compared with England ▪ One in five mothers in Torbay smoke during pregnancy ▪ More children provide levels on unpaid care and support in Torbay than the England average ▪ Health outcomes have not improved in a number of areas for many years	▪ A new Children's Services management team working with the Department for Education Commissioner and consultants offers an opportunity to achieve sustainably improved outcomes for children and young people ▪ A Local Education Board (LEB) bringing together the local authority and educational providers across all phases will be established as the local mechanism to drive school improvement ▪ The commissioning project bringing together children's centres, school nurses, health visitors and family support within an integrated service model for 0-19 year olds will become an essential element of an integrated Early Help offer ▪ Torbay Council, working with a number of south west local authorities, has entered into a regional adoption agency as the basis for future service provision ▪ Work is progressing with our post 16 providers to develop an Education/Employment Pathway to ensure we maximise opportunity for our children and young people. ▪ Work has commenced with our schools to review our SEN provision and support its continued development to meet the needs of Torbay children and young people ▪ Further multi agency training around early and targeted help processes will help strengthen understanding.

Views from children and young people

The local authority and its partners have recognised the need to ensure that the views and wishes of Torbay's children and young people are at the heart of our commissioning, delivery and service development work.

We have recently embarked on a number of major consultation exercises with children and young people to better understand the lived experience of children and young people in our community. Working with Play Torbay and the Community Development Trust, the 'Imagine Torbay' project has engaged around 500 young people and focused on their aspirations for play and youth provision.

The final report will be written up during May and June 2018, however, some initial key message are set out below. Our children and young people want to:

- Have fun
- Be safe
- Be with friends.
- Be looked after by people who care for them
- Have a good education
- Eat healthy and nutritious
- Be encouraged and supported to do activities and exercise that interests them

Children's Services and local partners working through the then named, Local Safeguarding Children's Board (now reconstituted as Torbay's Safeguarding Partnership Board) have also commissioned Healthwatch Torbay to undertake a major exercise that aims to engage between 1500 and 2000 young people over the next twelve months. This important piece of work was based less on the quality of service provision and more on the experiences of children and young people regardless of gender, locality, age or other determinants to obtain an exhaustive appreciation of the lived experiences of our children and young people. The report is a signature piece of work informing our commissioning and service development work over the coming years. A separate but related aim is to work with Healthwatch Torbay to build the infrastructure to ensure that this engagement is sustained and meaningful over the longer term.

3 Objectives

Objective

The objective of this Plan is:

To ensure all of our children and young people are safe, happy and healthy in order that they can reach their full potential.

Principles

We will measure all of our work against the impact that it will have on children and young people. Reflecting the Council's Corporate Plan, the principles within this Children and Young People's Plan are:

- to use our resources where they will maximise the impact on the child or young person
- to use prevention and innovation to reduce the impact on children and families from key risks such as domestic abuse, alcohol/substance misuse and child exploitation
- to deploy an integrated and joined up approach towards commissioning and delivery for children and families
- to be an effective and trustworthy corporate parent to all the children or young people who are living in our care.

We will know our children, their needs, talents and aspirations and promote their interests. We will hold high aspirations for their futures, expect the best for and from them and support them in becoming independent, confident adults.

Priorities

To deliver the objective of this Plan, there are four inter-connected priorities which will ensure that we protect all children and young people and give them the best start in life.

Priority 1: Children get the best start in life

We will develop an integrated service offer that brings together our school nursing and health visiting services, Children's Centres and other child and family support services. This will seek to provide a holistic offer to families as their needs emerge and at the earliest opportunity.

We will ensure that tackling child poverty is key to our Economic Strategy and Health and Wellbeing Strategy. There will be a particular focus on addressing the underlying causes of deprivation in those communities most impacted. An emerging area of work is food poverty and we are piloting some innovative approaches towards addressing this within our most disadvantages communities. Our Economic Strategy aims to ensure that Torbay will build on its strengths to deliver economic growth, tackle inequality and create change in the area that benefits everyone who lives here.

Affordable and safe housing is recognised as a key priority to assist with the well-being and health of families. We will work with families to help prevent homelessness at the earliest opportunity, building on the

legislative requirements of the Homelessness Reduction Act. We will develop a service across Housing and Children's Services to provide an integrated approach.

The appropriateness of suitable housing is just as important to young people including cares leavers or those that may already find themselves homeless. Work will continue to support these individual, through a specialist service also focusing on mediation.

Priority 2: The impact on children and families from domestic abuse, alcohol/substance misuse and all forms of child exploitation is reduced

We will continue to develop a multi-disciplinary model for family support which complements children's social care work with co-located or embedded expertise around substance misuse, domestic abuse and sexual violence, adult mental health and child and adolescent mental health.

Our revised Domestic Abuse and Sexual Violence Strategy focuses on developing preventative approaches, maximising referrals and improving take-up of perpetrator and victim programmes. This sits alongside a re-commissioning approach that places the impact on children at the heart of future service provision.

We will continue to work in partnership with the police, schools, health services and the voluntary sector to address all forms of complex safeguarding issues including criminal and sexual exploitation, radicalisation, and trafficking.

Priority 3: Education outcomes for all children and young people are improved

We will work with local educational providers, schools, Ofsted and the Regional Schools Commissioner for South West England through our Local Education Board to drive improvements in attainment and progress for children and young people in Torbay and maximise inward investment in local educational provision.

We will work with schools and educational providers through our Higher Needs Recovery Group and Schools Forum to ensure that services for vulnerable learners and those with Additional Educational Needs are of high quality and are contributing towards closing the attainment gap with their peers.

We recognise that there are increasing opportunities in Torbay, and across the South West, to access higher learning and associated employment opportunities. We are committed to developing a robust education and employment pathway to maximise those opportunities for our young people. Within this, care leavers and children in our care will be a particular priority.

Priority 4: Young people are healthy, make positive choices and influence their own future.

We will continue to develop our engagement across partners with children and young people to ensure that they are fully informed around their entitlements and are able to access health, education, employment and training opportunities.

We are working with local partners to improve our offer to ensure that children and young people experience good emotional health and wellbeing

We will work with the Torbay Youth Trust and Play Torbay to develop our youth offer to ensure there are opportunities available to young people at the times and places they need.

We will ensure that all children and young people are provided with opportunities that inspire them. This, in turn, will create the long-term change which is needed to make Torbay a prosperous and healthy place in which to live and work.

Governance Arrangements

The governance and oversight of this Children's and Young People Plan rests with Torbay Council. However, we recognise that to achieve the best outcomes for our children and young people, we must work with our partners across the public, private and voluntary sectors.

A Children's Improvement Board, chaired by the Department for Education Commissioner, and bringing together senior representation from local partner agencies has been in place over the past four years to oversee improvement activity. The Children and Young People's Strategic Steering Group comprises representatives from education, social care, health and youth justice sectors and has recently been established to develop effective arrangements for the commissioning and delivery of responsive, integrated services for children and young people after the CIB steps down. It will aim to deliver services which maximise the outcomes for all children and young people and their families. It will look to narrow the gap in the outcomes between children who are vulnerable and/or from disadvantaged background and their peers and will focus on addressing the causes and effects of child poverty and on promoting effective prevention and early intervention.

The Children and Young People's Strategic Partnership Group is accountable to the Council's Executive via its Health and Wellbeing Board. It is charged with overseeing the implementation of this Plan and will ensure that the needs of children and young people are reflected in the Joint Health and Wellbeing Strategy.

The terms of reference of the Partnership Group are to be revised and updated and will be included as an Appendix to this Strategy.

4 Action Plan

Priority 1: Children get the best start in life

Action	Responsibility	By when?	Impact Measure
Deliver the 0-19 Commissioning Strategy in conjunction with the wider Early Help offer and integrated holistic service for families	Assistant Director – Children's Safeguarding/Head of Education, Learning and Skills	December 2020	• Families will have access to a holistic services with service provision focussed on the family unit • Reductions in the numbers of families entering the high intensity part of the system
Successfully transition adoption services into a Regional Adoption Agency	Assistant Director – Children's Safeguarding	October 2018	• A greater number of children will achieve permanence through adoption in a more timely manner alongside more consistent support for adoptive families
Work with Torbay Youth Trust and Play Torbay to develop an Edge of Care intervention	Assistant Director – Children's Safeguarding	June/July 2018	• Children and young people on the edge of care will have access to a youth work/play based model of support • Reduced family or placement breakdown
Work in partnership with under-fives providers to maintain and improve the number of children accessing good or better early years provision	Early Years and Childcare Service, Early Years Providers	Reviewed on an annual basis	• Sufficient high quality capacity in place to meet local demand • Children starting school with good levels of development
Work with Children's Centres, Early Years Providers and parents to ensure maximum take up of the targeted two year old scheme and 3&4 year old entitlements	Early Years and Childcare Service	Reviewed on an annual basis	• Take up rates above the national or statistical comparators • %Children starting school with good levels of development
Develop an integrated way of working across Housing and Children Services to ensure effective early intervention with Families.	Director of Adult Services and Housing/Director of Children's Services	May 2019	• A smooth transition between Children's and Housing Services when families are at risk or are homeless. • An increase in the number of families that are prevented from becoming homeless.

Ensure adequate supply of support and accommodation for young people aged 16-24 including care leavers, young parents and homeless young people through the recommissioning of services.	Director of Adult Services and Housing	May 2019	• A smooth transition for care leavers into permanent accommodation • Ability to manage and prevent homelessness, hence undertaking meaningful prevention activity.

Priority 2: The impact on children and families from domestic abuse, alcohol and substance misuse and all forms of child exploitation is reduced

Action	Responsibility	By when?	Impact Measures
Continue to develop our multi-agency model for Children in Need/Child Protection work to prevent escalation and the need for care	Director of Children's Services	December 2020	• Services for children and families will provide a whole family response with social care practitioners supported by expertise to tackle parent and carer issues • Reduction in the numbers of children requiring to become accommodated • Increased in the number of cases stepped down to Early Help or Targeted Support
Continue to integrate the Restorative Practice model as a key driver for improved social care practice and outcomes for children	Principal Social Worker	December 2020	• Children and families experience consistency in the response they receive and understand what needs to change • Improved practice evidencing positive change for the child
Continue to develop our workforce, learning from best practice, to improve outcomes for children and young people	Director of Children's Services/Head of Learning Academy	Reviewed on an annual basis	• Children and families experience consistency in the response they receive and understand what needs to change • Improved practice evidencing positive change for the child • Increased workforce stability, reduced dependency on agency staff
Continue to develop our permanence planning including the quality and stability of placements offered our children looked after	Director of Children's Services	Reviewed on an annual basis	• Good use of adoption, SGO, reunification as routes to permanence • Outcomes for children looked after – education, employment, health etc – at or above statistical or national comparators • Placement stability at or above statistical or national comparators

Action	Responsibility	By when?	Impact Measures
Recommission our Domestic Abuse services within a wider framework for people with multiple complex needs which also includes adult homelessness and drug and alcohol services. placing impact for the child at the heart of future service provision	Children's Services Lead Commissioner	December 2021	• Reduced impact on child and young people in families were domestic abuse has been an issue • Improved practice evidencing positive change for the child

Priority 3: Education outcomes for all children and young people are improved

Action	Responsibility	By when?	Impact Measures	Progress update
Continue to develop accurate pupil projections and deliver the Schools Capital Programme to ensure that sufficient mainstream and specialist places are available to meet population demand moving forward	Head of Education, Learning and Skills/TDA	Phased approach	Pupil projections are accurate enabling the local authority to meet its duty to have sufficient, accessible school places with a margin of between 5-10%	SCAP completed annually, pupil projection figures conducted termly, school capacity board in place and meeting, new builds and place planning agreed through council capital programme

Action	Responsibility	By when?	Impact Measures	Progress update
Continue to deliver the Special Educational Needs Strategy to drive forward the development of inclusive practice and improved outcomes for vulnerable groups.	Special Educational Needs & Disability Health and Social Care	Ongoing 2020	A comprehensive range of options is available locally to meet the needs of Torbay pupils with a Special Educational Need Outcomes for SEN pupils are at or above statistical or national indicators Higher Needs Block funding pressure has been addressed	Greater ranges of provision are now in place through enhanced resource bases connected to mainstream schools and academies. Special school free school being delivered in partnership with Devon for ASC. Sixth day provision enhanced and outreach services set up for No data for 2020, but outcomes improved in 2019 to above national rates Ongoing pressures with a separate task group, school forum plan and governance.
To develop system leadership and collaborative capacity across the education system in Torbay, engaging with regional partners, local leaders and accountable bodies to share local priorities and gaps.	Head of Education, Learning and Skills	Reviewed on regular basis via the Local Education Board	• Local Education Board effectively commissions support for system-wide issues and school-to-school based support. • Outcomes for pupils, particularly vulnerable learners, continue to improve	School standards board in place, commissions established for individual schools where needed. Primary learning partnership established but ongoing engagement impacted by Covid. No data for 2020 but improved outcomes for some key stages in 2019.

Action	Responsibility	By when?	Impact Measures	Progress update
Deliver the Schools Accessibility Strategy to ensure that accessibility to the curriculum, the physical environment and information for disabled pupils is central to the delivery of services.	Head of Education, Learning and Skills	Reviewed on regular basis via the Complex Needs Panel/Higher Needs Recovery Group	• Each school in Torbay has an individual accessibility plan in order that children and young people with learning difficulties and disabilities can participate in the same opportunities as any other child or young person in Torbay.	• Delivered with projects completed across a range of provision. Impact report published and provided to release new funding. Bidding windows continue to be offered and panel decision making in place.
Continue to work with both the Torbay Teaching School Alliance, All Saints Teaching School, Local Leaders of Education, Regional Schools Commissioner and Ofsted to develop improvement capacity sector led.	Regional Schools Commissioner/ Ofsted/ Teaching Schools/ Local Authority	Ongoing 2020	• Outcomes for pupils, particularly vulnerable learners, continue to improve • Maximise inward investment via school improvement funding (SIF) into Torbay schools • Our educational workforce is well supported through a continuing programme of school improvement activity	• TTSA and ASTA boards continue to drive CPD agenda. Torbay well placed to influence boards and all boards are now part of Teaching Schools South West. TSSW board includes our needs analysis and workforce plans emerge from this. Torbay has both an English Hub and an named specialist Maths Hub lead driving change. • Aspirant leadership programmes are in place and delivered with the research school.
Support South Devon College's growth into higher education opportunities offering more educational opportunities for our young people and our workforce	Local Authority	Phased approach	• Increase the proportion of Torbay pupils obtaining a Level 4/5 qualification	• This will be picked up in Post 16 review being taken to the Local Education Board in October 2020

Action	Responsibility	By when?	Impact Measures	Progress update
To implement the Virtual School Governing Body "Raising Attainment Plan" to continue to enhance the outcomes of Children Looked After and to ensure accountability for the money received through pupil premium plus	Virtual School & Virtual School Governing Body	Annually	• Outcomes for Children Looked After and particularly any vulnerable learners continue to improve and the gap with their peers reduces • Increased awareness amongst educational providers of issues such as attachment which can impact on learning	• VSGB continue to scrutinise the work of the school and achievement grades. • Tracking of individual progress against targets in place. Strong outcomes noted for some children, predicted grades have been good for some children at KS4. • Entry into university and higher courses stronger in 2020. • VS conducted analysis against REES research and board aware of factors that impact on under attainment. This is part of the ongoing plan.

Priority 4: Young people are healthy, make positive choices and influence their own future

Action	Responsibility	By when?	Impact Measures
Continue to develop the offer to Torbay care leavers from the Local Authority and its partners	Assistant Director – Children's Safeguarding	Reviewed on an regular basis via Corporate Parenting Group and Senior Leadership Team	• Care leavers have improved outcomes in relation to education, employment, training and personal and social development • Proportion of care leavers in employment, achieving higher level qualifications, staying put etc
Continue to develop our support arrangements for those young people moving to Adult Services to help them realise their potential.	Director of Children's Services/Director of Adult and Housing Services	September 2018	• A smooth transition between Children's Services and Adults Services • Young people moving into Adults Services have their needs well met
Continue to deliver the requirements of the Annual Youth Justice Plan for Torbay, working within the Joint Youth Offending Team Board.	Director of Children's Services/Head of Regulated Service and Youth Offending	Reviewed on a quarterly basis via the Joint Youth Offending Service Board	• Improved governance and viability for the Youth Offending Team with overall practice improved.
Expand engagement between business and schools through developing the MADE pilot project	TDA Head of Education	Annually	• Increased take up of science and technology educational, training and employment opportunities

Action	Responsibility	By when?	Impact Measures
Commission Ready for Work training schemes targeted towards our care leavers, as well as those in our deprived wards	TDA Head of Education	Annually	• Increase the proportion of our care leavers accessing education, employment and training
Work with schools and other partners to expand the provision of information advice and guidance to young adults through the Torbay Works Programme	TDA Head of Education	March 2018	• Increase the proportion of children and young people accessing information, advice and guidance
Develop the Education/Employment Pathway to maximise opportunity for our children and young people post 16 and onwards	Local Education Board	2019	• Educational providers are clear on the full range of post 16 options including higher learning, apprenticeships and employment opportunities. • Maximise take up by Torbay young people of higher learning, apprenticeships and employment opportunities • Post 16 review of achievement and progress to commence in October 2020
Deliver the Healthy Weight Strategy, including increased physical activity for children, healthy eating and delivery of healthy schools and early years.	Health and Wellbeing Board	2020	• Increased physical activity by children and young people • Childhood obesity levels better than statistical or national comparators
Deliver the Physical Activity Strategy to increase activity and reduce sedentary behaviour in children	Director of Public Health	2020	• Increased physical activity by children and young people • Childhood obesity levels better than statistical or national comparators

Appendix 1: Corporate Parenting Standards

Torbay Council will be an effective and trustworthy corporate parent to all the children or young person who are in our care. We have adopted a set of standards which will be met across the Council. These will assist in enabling us to meet the objectives and priorities of our Children Looked After and Corporate Parenting Strategy.

The Council's Senior Leadership Team will identify, progress and monitor any actions required across the Council to ensure that these standards continue to be met.

1. There is a golden thread through the Council's Strategic Vision, Corporate Plan and Children and Young People's Plan that clearly articulates our aspirations for children looked after and care leavers.

2. Key decisions, policies, procedures and performance in relation to Children's Services are subject to robust scrutiny and oversight through the Council's decision making and scrutiny processes.

3. Elected members and senior officers participate within a programme of corporate parenting training to equip them to understand how corporate parenting can be accommodated within their respective portfolios.

4. Priority interviews are offered to children looked after and care leavers for apprenticeships and work experience opportunities within Torbay Council, prior to these being advertised externally.

5. Dedicated support, advice and guidance is provided to care leaves to assist or sustain them in employment.

6. Employment opportunities are made available to care leavers, alongside apprenticeships, within Torbay Council and its commissioned services.

7. Locally commissioned services for adults including mental health, substance misuse and domestic abuse have child safeguarding as an integral element within service provision, with support measures in place for adults who have caring responsibilities.

8. Family focused interventions such as 'Pause' or 'Breaking the Cycle' are available in Torbay to support families to provide effective parenting when capacity is compromised by health-related issues.

9. As vulnerable groups that do not readily access services, care leavers and young offenders have direct support from community/primary health care services.

10. Torbay Council housing policy explicitly acknowledges care leavers as a vulnerable group, with appropriate support provided.

11. Care leavers are provided with individualised support to ensure they are in suitable and safe accommodation.

12. Care leavers have an exemption from Council Tax until the age of 25.

13. Care leavers and children looked after receive support to access cultural, sporting and leisure activities free of charge or at a reduced rate.

14. The achievements and progress of our children looked after and care leavers is recognised and celebrated on a regular basis, in accordance with their wishes and preferences.

15. The work of the Community Safety Partnership acknowledges that children looked after and care leavers are vulnerable groups who can become over represented within the criminal justice system and work together to avoid this.

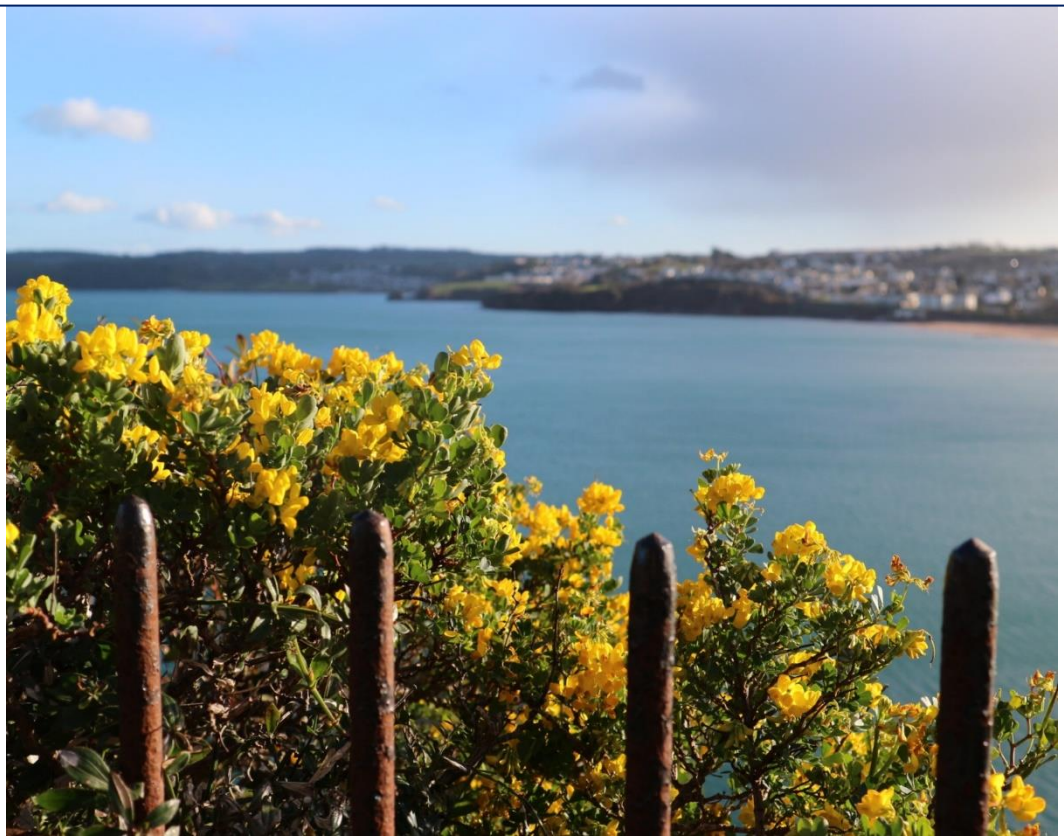
16. Local arrangements for identifying and case managing adults who may pose a risk to children are fully integrated through a robust multi-agency tasking model.

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TORBAY COUNCIL

Breaking the Chain
Domestic Abuse and Sexual Violence Strategy

2023 – 2030



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Warning - this document contains references and quotes that may be triggering for some people.

Foreword

Domestic Abuse and Sexual Violence have devastating impacts for individuals, families and communities, which is why this Strategy is so important to the Council and our numerous partners committing to breaking the chain.

There has been significant progress throughout the delivery of the previous Strategy, which has put Torbay in a much stronger position to be even more ambitious in tackling these massive issues. We are pleased to adopt a Strategy that is and needs to be ambitious, committed to long term change and absolutely focussed on responding to people experiencing domestic abuse and sexual violence. What sets this approach aside is how it has been developed with people sharing their lived experience – of their trauma, aspirations, things that have helped and where they have felt let down. These stories are the motivation and insight that will drive action forward and help the right responses to be delivered at the right time in the right way.

There can be no hiding from the fact that the prevalence of and response to sexual violence remains unacceptable, a national problem. It is necessary that this Strategy recognise this fact and address it as a priority, putting into purposeful use the Devon-wide sexual violence Call to Action, which again was informed by people with lived experience.

This Strategy aims to be responsive to all people experiencing domestic abuse and sexual violence and challenge all those who cause harm, but in doing so we recognise the disproportionate experience of women and girls as victims of male behaviour. Torbay will not shy away from bold conversations where they need to be had, or innovation where needed.

Our heartfelt thanks go to all the people who have take their time to relay their experiences, no matter how difficult, to help develop this Strategy and improve our response for others now and in the future. We shall not stop listening, learning and striving for better – this Strategy is our commitment to that.

Councillor Christine Carter, Cabinet Member for Equality & Diversity and Corporate and Community Services

Introduction

> “it definitely started off completely mental, not physical, but it was just literally putting me down all the time. Keeping me in my place. Making sure I was where I was supposed to be”
>
> Domestic abuse survivor, Torbay

Since our last Domestic Violence and Sexual Violence Strategy, which was launched in 2018, there have been a number of significant events and policy changes which have brought the emotive subjects of domestic violence and abuse (DVA) and sexual violence (SV) to the forefront of our attention.

Firstly, the Covid-19 pandemic led to an almost overnight change in the way front line domestic abuse and sexual violence services were delivered. Virtual (online) support, which had previously been unthinkable, became the norm. Practitioners and support workers had to develop skills in using unfamiliar technology to ensure they could still see clients face to face and keep them safe. Forensic services for victims of sexual violence had to find ways to continue to safely provide forensic examinations whilst keeping victims and their staff protected from the virus. Strategic partnerships between local authority domestic abuse and sexual violence commissioners, the Office of the Police and Crime Commissioner for Devon and Cornwall (OPCC) health colleagues in Devon and Cornwall Clinical Commissioning Groups, as well as Devon and Cornwall Police, became stronger and more robust. New relationships were forged as together we worked through the pandemic to listen to and learn from our services and communities to ensure victims and survivors of domestic abuse and/or sexual violence were able to access and receive support.

In 2021 the Domestic Abuse Act came into force, and amongst a range of measures - for the first time - a statutory duty was placed upon local authorities to provide support to victims of domestic violence living in what is defined as "safe accommodation" (such as a refuge). Importantly, the Act provides for children to be recognised as victims of domestic violence in their own right.

The same year brought the terrible crimes of sexual violence and murders of Sarah Everard and Sabina Nessa, and closer to home of Bobbi-Anne McCleod in Plymouth; and the advent of the "Everyone's Invited" campaign. Ofsted carried out a themed inspection of sexual harassment and abuse in schools. The Home Office produced its End to End Rape Review. Torbay undertook a Multi-Agency Case Audit of harmful sexual behaviour across Torbay.

Torbay’s Partnership commitment to addressing DVA and SV has remained steadfast throughout the events and change of this period, with much progress being made in developing and expanding our response. Some key activities have included:

- Expanding the number of Independent Domestic Violence Advocate roles, including within Torbay hospital, sexual health services and for the LGBTQ community
- Specialist roles within Children’s Services

- IRIS pilot established sensitive clinical enquiry enabling identification of domestic abuse and sexual violence in primary care
- White Ribbon re-accreditation
- Standing Tall DASV CVS Partnership developed and delivering support within the community
- Numerous training opportunities, webinars and awareness campaigns delivered
- Meeting statutory requirements of the Domestic Abuse Act 2021
- Part of the NHS England Peninsula Sexual Violence Trauma Pathfinder with Peninsula Authorities, NHS Devon and the Office of the Police and Crime Commissioner

Torbay Council has procured a new Alliance of services that will work together - comprising the domestic abuse service, homeless hostel and adults' drug and alcohol services. These services, which go live in 2023, will work collaboratively with the Council as equal partners to provide trauma informed, integrated and holistic support for people experiencing a range of challenges in their lives. Instead of having to move around between different services and organisations, people can engage with one service that will work with them to address the underlying causes of their issues and support people in the way that best works for them.

> "We need services to talk and listen to us rather than talk at us"
>
> Domestic Abuse survivor, Torbay

Our understanding of the issues around domestic violence and the partnerships in which we work have matured considerably since the last Strategy was written. Sadly however, the same cannot be said of sexual violence. Sexual violence remains a taboo subject for general discussion, cloaked in discomfort and shrouded in prejudicial myths that are systemically prevalent. We have found there is an inadequacy of support for victims of sexual violence and assault, particularly if a criminal justice response is not wanted or is not successful. The rates for successful prosecution are low nationally and regionally.

In this Strategy we aim to elevate the issue of sexual violence and our systemic response to it so that it becomes equal to that of domestic violence. That is not to say that we will not continue to address and improve our response to domestic violence; instead that we approach this work in the knowledge that those experiencing sexual violence in Torbay receive limited support, unequal to the support received by those who experience domestic violence and abuse.

> “It’s a cultural thing. As soon as you say: ‘I've been in a domestic violence relationship.’ ‘What did you do to deserve it? Or what did you do to annoy them’ as if that makes it all okay”

> Domestic Abuse survivor, Torbay

To aid understanding and avoid stigmatisation we look to frame our conversations and language around relationships as this is the enduring context of most domestic abuse and sexual violence. We fully acknowledge that DVA & SV is perpetrated against women and girls and is rooted in gender based patriarchal, misogynistic, historic, and cultural norms. However, we want to make our response as inclusive as possible in consideration of the broader nuances of violence and abuse within relationships and in keeping with the Domestic Abuse Act 2021 definition of DVA, as well as gender identity and sexual orientation. As Torbay works to become a more trauma informed Council, we want to consider the impacts of trauma not only on victims and survivors of domestic and sexual violence and abuse, but also on those who are causing these harms; whilst still holding them fully accountable for their actions.

This Strategy is aligned to the **Council Fit for the Future** and **Thriving People** objectives set out in Torbay Council's Community and Corporate Plan, working in partnership to promote community resilience, promote good mental and physical health, and protect our children and young people.

Legal Framework and Definitions

> "…I didn't see that I was in an abusive relationship because it wasn't physical"
>
> Domestic abuse survivor, Torbay

Legal Framework

The list below sets out the key legislation, national policies and strategies relating to domestic violence and abuse and sexual violence:

Domestic Abuse Act 2021
National Violence Against Women and Girls Strategy 2021
End to End Rape Review 2021
Crown Prosecution Service Rape and Serious Sexual Offences Strategy (RASSO) 2020
The Victims Code (2020)
Victim's Bill 2022
Police Crime, Sentencing and Courts Act 2022 - Serious Violence Duty
Serious Crime Act 2015
Domestic Violence, Crime and Victims Act (2004)
The Care Act 2014
The Children Act 1989
Police Response to Violence Against Women and Girls Final inspection report -Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (September 2021)

Violence Against Women and Girls National Statement of Expectations - Home Office (March 2022)

"A Patchwork of Provision– How to meet the needs of victims and survivors across England and Wales" - Domestic Abuse Commissioner's Office (November 2022)

Regional and Local Strategies

The following regional and local strategies are relevant:

Torbay Safe Accommodation Strategy 2021 to 2024

Devon Clinical Commissioning Group Domestic Abuse and Sexual Violence GP Policy

Devon & Cornwall Police Violence Against Women and Girls Delivery Plan 2022/2023

Definitions

The World Health Organisation defines **sexual violence** as:

"Any sexual act, attempt to obtain a sexual act, unwanted sexual comments, or advances, or acts to traffic, or otherwise directed, against a person's sexuality using coercion, by any person regardless of their relationship to the victim, in any setting including but not limited to home and work."

The Domestic Abuse Act 2021 defines **domestic violence and abuse** as follows:

Behaviour of a person ("A") towards another person ("B") is "domestic abuse" if:

A and B are each aged 16 or over and are personally connected to each other, and the behaviour is abusive.

Behaviour is "abusive" if it consists of any of the following:

- physical or sexual abuse;
- violent or threatening behaviour;
- controlling or coercive behaviour;
- economic abuse;
- psychological, emotional, or other abuse; and it does not matter whether the behaviour consists of a single incident or a course of conduct.

"Economic abuse" means any behaviour that has a substantial adverse effect on B's ability to:

- acquire, use, or maintain money or other property, or
- obtain goods or services.

For the purposes of this Act: A's behaviour may be behaviour "towards" B despite the fact that it consists of conduct directed at another person (for example, B's child).

Abbreviations and terms used in this document

Bystander Training/Approach	For the purposes of this document this refers to active bystander training in the community, whereby a person observes abusive or disrespectful behaviour, knows it is wrong and intervenes safely to prevent the situation escalating or to disrupt the situation.
Coercive Control	An act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse carried out by the abuser that is used to harm, punish, or frighten their victim in the context of people in or who have been in an intimate relationship.
Domestic Abuse Act 2021 (DAA21)	Legislation enacted in 2022 that created a new definition of domestic abuse, defined children as victims in their own right, and created a statutory requirement upon Tier 1 (county/unitary) Local Authorities to develop a Safe Accommodation Strategy overseen by an accountable Local Partnership Board.
Domestic Abuse and Sexual Violence Operational Group (DASVOG)	Multi agency group comprising representatives from Torbay Council community safety and children's services, housing, domestic abuse services, sexual violence services, Devon and Cornwall Police, MARAC (as below), Health, community, and voluntary sector organisations. This operational group works on activities as directed by the DASVEG.
Domestic Abuse and Sexual Violence Executive Group (DASVEG)	Multi agency group comprising senior managers from Torbay Council community safety and children's services, housing, domestic abuse services, sexual violence services, Devon and Cornwall Police, MARAC (as below), Health and community and voluntary sector organisations. This strategic group is responsible for the delivery of the statutory duties set out in the Domestic Abuse Act, takes the role of the local domestic abuse partnership board, and drives the activities needed to implement the DASV strategy
DA Champions	People who have undertaken Domestic Abuse Champions Training run by the organisation Reduce the Risk. Champions act as an access point in their workplace to provide guidance on domestic violence and signpost to appropriate services.
DVA/DA	Domestic Violence and Abuse – as defined in the Domestic Abuse Act 2021 above.
Health and Wellbeing Board	A partnership between the Local Authority and NHS overseeing the plans to improve the health and wellbeing needs of the local population.
Independent Domestic Violence Advocate (**IDVA)**	IDVAs are specially trained to work with the highest risk cases to address the safety of victims and their children within a multi- agency framework, acting as the victim's primary point of contact. Their tasks include risk assessment, safety planning and implementing actions from the MARAC (see below).
Independent Sexual Violence Advocate (**ISVA)**	ISVAs provide advocacy and support to victims and survivors of recent and non-recent rape, sexual abuse, and sexual assault. The Office of the Police and Crime Commissioner separately commission them.
Lived Experience	Personal knowledge of someone who has direct experience of domestic violence or abuse and/or sexual violence.

Multi –Agency Risk Assessment Conference (MARAC)	The Domestic Violence MARAC is a meeting where a range of agencies discuss the risk of future harm to people experiencing domestic abuse and draw up plans to help manage that risk
NHS Devon	A partnership of health and social care organisations working together with local communities across Devon, Plymouth, and Torbay to improve people's health, wellbeing, and care.
Office of the Police and Crime Commissioner for Devon and Cornwall (OPCC)	The Police and Crime Commissioner is an elected representative who makes sure that local police meet the needs of the community.
Person displaying harmful behaviour/person causing harm	These terms are what we prefer to use to describe those perpetrating DVA or SV – otherwise known as perpetrators
Safe Accommodation Strategy	The Strategy required by the Domestic Abuse Act 2021 which sets out how victim and survivors of domestic abuse will be supported in safe accommodation (such as refuge or safe houses
Safety Planning	A personal safety plan is a way for a person experiencing domestic violence or abuse to protect themselves and their children in the event of future abuse
Sexual Assault Referral Centre (SARC)	Provides specialist medical and forensic services for anyone who has been raped or sexually assaulted in a safe, private, and comfortable environment
Sexual Assault	Sexual assault is any act of physical, psychological, and emotional violation in the form of a sexual act, inflicted on someone without their consent. It can involve forcing or manipulating someone to witness or participate in any sexual acts
Sexual Violence (SV)	Sexual violence is any sexual act, attempt to obtain a sexual act, or other act directed against a person's sexuality using coercion, by any person regardless of their relationship to the victim, in any setting
Torbay Children's Safeguarding Partnership (TSCP)	The TSCP is comprised of the statutory Safeguarding Partners; Police, Clinical Commissioning Group and Local Authority, who work in close collaboration with other identified agencies to safeguard and promote the welfare of all children and young people in Torbay
Torbay Community Safety Partnership	Also known as Safer Communities. Community Safety Partnerships (CSPs) exist by law and their job is to bring agencies and people together to reduce crime and disorder and make areas safer.
Trauma Informed(Approach)	Where the signs and symptoms of trauma in people using services is recognised and understood. The service response takes into consideration the trauma that a person has experienced/ may have experienced in the past and how this may continue to affect them. TIA keeps an awareness of the effects of trauma at the forefront of the approach to providing support and seeks to avoid re-traumatization.
Victim Support (VS)	Charity supporting victims of crime in England Wales. In Devon and Cornwall, VS is the Strategic Delivery Partner of the Police and Crime Commissioner and is

	responsible for commissioning victim support services across the Peninsula including some domestic abuse and sexual violence services.
White Ribbon Ambassadors	Men (usually) who act as formal representatives of White Ribbon UK, part of a global movement to prevent men's violence against women and girls. They are positive role models taking a stand against all male violence against women and girls and encouraging other men and boys to do so too.
Whole Family Approach	Where the needs of all the individuals in the family are taken into consideration when carrying out support assessments and developing support plans. (In this context in relation to people using domestic abuse and sexual violence services and their children).

Data on Domestic Abuse and Sexual Violence

National Data

Sources: Crime Survey of England and Wales (CSEW) 2020; Office of National Statistics (ONS) 2020

- **74%** of victims of DVA crimes recorded by police In the year ending March 2020 were female
- In the year 2020 to 2021 unwanted sexual touching was **the most common type** of sexual assault experienced by both men and women
- Of sexual offences recorded by the police in the year ending March 2020, the victim was female in **84%** of cases. This is a prevalence rate of approximately 3 in 100 women and 1 in 100 men (ONS 2020)
- In **57%** of all adult rape cases the victim feels unable to pursue the case
- **One-third** of all female SV victims were aged under 15 years old
- More than half **(55%)** of all male victims were aged under 15 years.
- Adults with a disability **are more likely** to have experienced DVA in the last 12 months than non-disabled people (CSEW 2020)
- People from black and minoritised ethnic communities suffer DVA for **1.5 times** longer than those with White British or Irish backgrounds (Safelives 2020)
- LGBT+ victims of domestic abuse are more likely to be abused by multiple perpetrators - **15%** compared to **9%** of non-LGBT+ victims (Safelives 2018)
- Adults are **six times** as likely to experience rape or assault by a partner or ex-partner than a family member (ONS 2020)

> " …constantly having to, like, justify everything because your abusers of the same sex, and it's really, really difficult. Because it's like 'oh a woman is capable of doing

> that?.' It's like 'yes, they're very capable.' A man is capable, a woman is capable, it doesn't matter. If somebody wants to be abusive, they're going to be abusive"-
>
> Domestic Abuse survivor, Torbay
>
> "we're not just talking about t-shirt sizes, it doesn't fit all, genders don't fit all, religion, doesn't fit all, you know, and trauma doesn't feel, it's all different and we all come out of it differently"
>
> Domestic Abuse survivor, Torbay

Torbay Domestic Abuse Headlines

- There were **2,005 police incidents** of domestic abuse in Torbay in 2020/21.
- Domestic abuse accounts for **22% of all crimes** in Torbay.
- **217** Marac referrals in 2020/21
- **72%** of victims reporting to the police over the past 3 years have been female (2018-21)
- **84%** of domestic abuse offenders were male in 2020/21
- **126** Domestic Violence Protection Orders were granted in 2020/21
- Almost a quarter **(24%)** of DVA related crimes are for stalking and harassment.
- **80%** of DVA incidents are assessed as being standard or medium risk.
- **113** Victims of domestic abuse presented as homeless in Torbay in 2020-21
- It is projected that **30%** (667) of referrals to Children's Services in 2020/21 had domestic abuse as a factor. **40%** of these came from the police.
- **164** children became looked after where domestic abuse was a factor over the three years 2018-2021
- Almost half **(47%)** progressed to a Child Protection Plan
- It is estimated that only **33%** of people experiencing DVA in Torbay are known to services

Torbay Sexual Violence Data Headlines

The data below is sourced from:

- First Light Independent Sexual Violence Advocate (ISVA) service data 2021/22
- Devon and Cornwall Police data provided to Torbay Council Community Safety Team
- Devon Rape Crisis service data
- Torbay Council online Are You OK survey 2021

- The police received **166** reports of rape in the year ending March 2022
- There were **264** sexual offences reported to the police in 2021/22
- **41.2%** of all ISVA referrals in 2021/22 were from Devon (including Torbay)
- In **81%** of cases, the person causing the harm was known to the victim

- In **43.5%** of cases the person causing harm was a family member, relative, or partner/ex-partner
- In 2021/22 **31%** of referrals to Devon Rape Crisis were self-referrals, **36%** were from mental health providers
- **More than half** of females responding to the Are You OK survey who had experienced sexual abuse/violence, said they had been raped
- **More than half** of both males and females survey respondents who had experienced sexual abuse/violence reported they had experienced inappropriate touching.
- **97%** of those whose drinks had been spiked or thought they probably had been spiked were female
- **41%** of survey respondents did not recognise it as sexual abuse or violence at the time and **13%** were not sure.

Estimated of Proportion of Adults in Torbay who have experienced recent rape and/or sexual assault in the last 12 months, since the age of 16, or in childhood (based on self-reporting module of the CSEW[1] and MYE Population 2019):

	Males	Females
Since the age of 16	2,085	11,164
Last 12 months	406	1,542
In Childhood	1,655	5,613

> "I thought it was you know, husband and wife or living partners. I didn't really think that domestic abuse applied to boyfriend and girlfriend"
>
> Domestic abuse survivor, Torbay

Developing our strategy

> "So it was controlling, it's like walking on eggshells. You just, you know, something flared up, you kind of try and diffuse a situation as quickly as you can"
>
> Domestic abuse survivor

[1] Local Authority Population Estimates MYE 2019 - https://tinyurl.com/ybzvaomb

> “This needs some sophisticated, cutting edge thinking and not the usual. While "dealing with" episodes of sexual violence is essential, it will not change anything. Finding the way to change is at least an equal priority."
>
> Respondent to public consultation on draft Domestic Abuse and Sexual Violence Strategy

In 2021 the Torbay Community Safety Partnership commissioned a strategic review of the system response to domestic violence in Torbay. The result was 241 pages of analysis of the strengths, weaknesses, and identifiable areas for change across the system’s responses. It produced 44 recommendations of how and where improvements could be made, with further recommendations from accompanying reports. This work also incorporated:

- a review of Torbay’s Multi-agency Risk Assessment Conference (MARAC),
- the Safe Accommodation Needs Assessment as required by the Domestic Abuse Act 2021 (DAA21)
- a lived experience listening exercise
- analysis of the responses to the Council’s online Are You OK? Survey conducted in late 2021.

The draft Strategy was published for public consultation during October and November 2022. Responses and suggestions have been incorporated into this final version.

The findings and recommendations from all of these activities have been collated to inform the direction and focus of this new Strategy and will be directly referenced in its Delivery Plan.

The Safe Accommodation Strategy 2021 (required by the DAA21) sits beneath this Strategy.

Torbay Council also participated in the Call to Action sexual violence project with Devon County Council, Plymouth City Council, the Office of the Police and Crime Commissioner, the Devon Clinical Commissioning Group, and the Innovation Unit. This included a mapping exercise of the support available to victims of sexual violence across wider Devon, and a listening exercise with people who have experienced sexual violence and abuse and practitioners working with them. The aim was to develop an understanding of what support victims and survivors want and need to help them recover and make sense of what has happened to them. The findings from this project have provided the strategic direction for sexual violence. In addition data about sexual violence services and demand has been gathered to inform a local position statement on sexual violence in Torbay.

There are some areas of DVA & SV activity which, out of necessity and pragmatism fit more appropriately with, for example, the children’s safeguarding arena. This Strategy aims to consider DVA & SV in the context of a whole system response across the life course. There is a risk that the exclusion of some areas of work could lead to fragmentation and poor oversight of the overall strategic response. This risk will be addressed through the oversight and governance structures in place, ensuring connectivity and line of sight between the main DVA & SV strategy and related

strategies or workstreams. Changes to the strategic direction or areas of focus resulting from legislative or policy changes will be incorporated into reviews of the strategy.

Scope of the Strategy

The scope of this Strategy includes adult victims of domestic abuse and violence (i.e. those aged 16+) and adult victims of sexual violence (including historic child sexual abuse).

The DAA21 statutorily defines children and young people as victims in own right. For the purposes of this Strategy the scope includes children and young people who are victims of domestic violence and abuse and who are occupying safe accommodation with their parent/carer as part of the DAA21 duties, as well as the wider needs of children and families experiencing DVA. We know that we need to better understand the profile of children and families who experience domestic violence and abuse in order to improve and mature the system response.

> ..it takes a while to get into and realise 'oh I can have a phone. I can wear t-shirt in the sun. I can put makeup on'
>
> Domestic Abuse survivor, Torbay

Out of scope

There are number of areas that are out of the scope of this Strategy because they require a specialist response and/or because the safeguarding of children is involved. By separating out these different issues, the protection of children is ensured and the complex and specialist nature of subjects like child sexual abuse and exploitation can be addressed in detail. Overlaps and alignment of activities will be identified during the development of the Strategy Delivery Plan.

Issues which sit alongside but which are out of the scope of this Strategy are:

- Child Sexual Abuse – this is within the remit of Torbay Safeguarding Children's Partnership (TSCP) [3]
- Child Sexual Exploitation – this is included in the TSCP Exploitation Strategy[4]
- Child against Parent Violence and Abuse (CAPVA) – this is within the remit of Children's Services; except for those aged 16 and over which can be raised at MARAC where risk level indicates it is appropriate to do so
- Peer on Peer abuse – this is in the remit of Children's Services except where both parties are aged 16 and over and there is evidence of coercive control. These will be raised at MARAC where risk level indicates.

[3] http://torbaysafeguarding.org.uk/cyp/cse/
[4] http://torbaysafeguarding.org.uk/cyp/cse/

- Human Trafficking – this is within the remit of the Devon and Torbay Anti-Slavery Partnership[5]
- Prostitution – this within the remit of the Devon and Torbay Anti-Slavery Partnership[6]

What people have told us

> "…. people need to be carried. Because you don't have the, just don't have the will to walk anymore. And for some of them, absolute horror, some of them don't have to will to live anymore"
>
> Domestic Abuse survivor, Torbay

> "We need the voices of children, young people, communities and people with lived experience to inform us about what activity we should take"
>
> Call to Action project participant

People don't always know that what they have experienced is domestic violence or sexual assault. This might be because they are not living together (so it's not "domestic"), it's not physical violence but coercion and control, or a rape took place within marriage. Some said that they did not feel what had happened was sufficiently serious to report to the police, many felt that they would not be believed.

Many described negative experiences of the system when they did report domestic violence or abuse to the Police, and Children's Services becoming involved having been alerted by the Police. Women spoke of feeling that they were being held accountable for the behaviour of the person causing the harm, because they had to take all the responsibility for protecting their children. Meanwhile the person who had harmed them was ignored or "invisible." Many felt that professionals did not understand how domestic abuse affected their ability to take action, nor of how the Family Court system re-traumatises the victim survivor and their children and allows the person who caused the harm to continue to exercise control over them.

> "…. I'd call the police. They said, 'don't open the door,' but that's okay when they tell you not to open the door, but what they do is, they report it to social services. And social services then say that you're not protecting your kids. But you tell me

[5] https://www.aspartnership.org.uk/devon-and-cornwall
[6] http://www.torbaysafeguarding.org.uk/media/1483/tscb-business-plan-2021-2024.pdf

> how that works, if you phone the police and the police come and you've obviously phoned the police to get them removed and they removed them, how's that not you protecting your kids?"
>
> Domestic Abuse Survivor, Torbay

> "when you leave the abusive relationship that escalates the domestic violence more. But what people don't understand is it escalates even more four years, five years down the line. They get really, really bitter. And that's when they fight and they'll fight until they're blue in the face"
>
> Domestic Abuse Survivor, Torbay

Those people who left their abusive relationships spoke of the difficulties finding somewhere to live and of navigating the rehousing process with the Council.

> "the one thing that seems so hard at first was actually housing. It was literally one thing is you have nowhere to go. And first, obviously when I walked down that road, the first day, the hardest bit was walking and realising my children were still there. And so it was 'where am I gonna go?'"
>
> Domestic Abuse survivor, Torbay

People feel guilt and shame about what has happened to them. This is reinforced by the prevailing myths and negative stereotyping surrounding rape and sexual assault, which hold the victim responsible for their attack because they were out late/drinking/of what they were wearing and so on. This is compounded by negative national media about the police – including sexual offences carried out by serving officers – the low conviction rate, the time it takes to progress to court (if the case does go to court), and the re-traumatisation of the court proceedings for what is often an unsuccessful outcome.

We heard that sexual violence is complex, often taking place in an intra-familial context, with patterns of behaviour repeating into the next generation. Victims and survivors of sexual violence suffer trauma long into adulthood – the stories we heard, information from Devon Rape Crisis, and the feedback in the Are You Ok survey show that many victims of Child Sexual Abuse (CSA) don't disclose their experiences until many years after the event/s occurred. People are holding years of unresolved trauma that can present in a number of ways – through poor mental health, physical illness, or self-medication in the form of substance misuse for example. When a number of these factors co-exist, we see people who might be rough sleeping, some being coerced into prostitution by drug dealers in order to feed their habit; adding to their sense of shame and poor self-worth.

> “some people are so traumatised, that it’s hard for them to reach out for help. It doesn't mean that they don’t want help, it just means that person is a bit more fragile……. Spend time and I’ll open up with you and you'll see that I'm not that person and I need more help than what I ever let onto”
>
> Domestic Abuse survivor, Torbay

Practitioners working in a range of support services – not specialist rape and sexual assault services and including the community and voluntary sector – spoke of the challenges in trying to help victims who disclose sexual violence during support. The fragmented funding and commissioning arrangements for sexual violence services mean that there is a “postcode lottery” of support with very limited support in Torbay itself, making it difficult for both victim survivors and practitioners to navigate. The services that exist tend to be in Exeter or Plymouth and have long waiting lists. This sometimes leaves practitioners who are not trained in working with victims of sexual violence and trauma, “holding” the person because there is no specialist support immediately available to them. This is risky for both the practitioner and the individual.

Examples have been provided that demonstrate the “silo” nature of working in the system, with sexual violence victims being referred to mental health services because of their trauma, only to be referred on to a sexual violence service – there is limited recognition of the long term impacts of trauma. As the Chief Executive of Devon Rape Crisis told us:

> “people are being referred to [Devon Rape Crisis] if they have any history of sexual violence or abuse, regardless of whether this is causing the most difficulty for them or not.”

When support is obtained, it is often constrained by time or a restricted number of support sessions is available. Victims of sexual violence may not want a criminal justice response and just want to be listened to by someone who understands their experience. Some may want to follow the criminal justice process a period of time after the incident/s, others want to be able to access support at different points of the process but don’t have the choice.

> “I think I would have found it easier if I was talking to somebody else who had been through it, rather than somebody who hadn't.”
>
> Domestic Abuse survivor, Torbay

There is limited availability of targeted support for victims and survivors of sexual violence in Torbay. Much of what is available is not directly funded or commissioned by statutory agencies and is instead reliant on non- recurrent short term grant arrangements, or in some cases “topped up” with grant funding. This means that the support provision is insecure and therefore unstable.

Finally, loud concerns were voiced around the role of pornography on social media and how this is impacting on the attitudes and behaviours of children and young people. The suggested solutions to this were several and wide ranging – and cannot be solved through the Relationships and Sex Education curriculum in isolation.

> “Schools work is vital - with teachers, pastoral care and students”
>
> Respondent to public consultation on draft Strategy

We did also hear stories that were positive and complimentary about the support people had received, including praise for individual workers, organisations, and agencies. Those that shared their stories with us wanted to make sure that their experiences were used to make things better for others.

Summary of our Findings

While some of the quotes below are from survivors of domestic abuse, the underpinning narrative of lack of belief, victim stereotyping and re-traumatisation are equally as applicable to people who have experienced sexual violence:

> “….they just need to believe the person that’s sat in front of them. That’s all anybody needed to do for me, and nobody did it. Nobody believed me”
>
> Domestic Abuse survivor, Torbay

> “You hear this criticism all the time about ‘Oh, why did she go back to him?’ It's very obvious why women go back, because they’re convinced that it's their fault, that they deserve to be mistreated and it's so bloody difficult to get away. It's so hard”
>
> Domestic Abuse survivor, Torbay

> "I was a person that was middle age by that stage. I did have a disability and I was challenged because people often discriminated against me because of my race."
>
> Domestic Abuse survivor, Torbay

> “Feels like the system is organised to support perpetrators not victims."
>
> Call to Action project participant

> "The onus is on you to get out and escape, it kind of enables the abuser, doesn't it?"
>
> Domestic Abuse Survivor, Torbay

> "The whole court scenario is just horrendous. Family court is just the worst experience anyone could ever go through ever. So you go through all this horrible abuse, you try to come the other side and then you have to face family courts, where they tear you and your children apart in front of you…"
>
> Domestic Abuse survivor, Torbay

Many consistent messages have been heard from the feedback that people have given us. These can be summarised as follows:

- Victims don't report because they think they won't be believed
- Victims are not always sure that what they have experienced is DVA/SV
- Victims are fearful of repercussions if they report, especially they fear statutory interventions (e.g. having their children removed) because the police inform Children's Services when they receive a report
- Victims who do report have negative experiences
- The impact on children and young people as victims is not being addressed
- The system focuses on the victim rather than placing accountability on the person who harmed them
- Victims find it difficult to find a safe place to live if they choose to leave
- System responses are not trauma informed - instead they re-traumatise
- Risk management by the MARAC could be more effective
- Culture of victim blaming and myths evident within parts of the system
- Limited or no understanding of the needs of victims from minoritised communities, or those with multiple and intersectional needs
- Lack of consistent and coordinated data recording – the strategic response is not always evidence based
- Response to sexual violence is limited and immature despite having a high public profile
- Voice of victims is unheard in strategic response
- People feel shame, guilt, blame and anger
- Victims and survivors of sexual violence feel let down by those supposed to help them and that their experiences are minimalised or not believed
- People want choice around when and how they access support.

What needs to change

> "…I wasn't listened to, I was belittled. Can you imagine being stood in a dock with no, you've got no legal representation. Yet you've been told by judges and told by social services that the domestic violence isn't an issue now, because you're not in it. Now, my child is now suffering. He has a tracker on his phone when he's with me. So I'm being trapped when my son's with me. There's nothing I can do. I can't afford to go to court and if I could go back in time, I'd stay with him, I wouldn't have left him. I wouldn't. Because there's no ongoing support"
>
> Domestic Abuse Survivor, Torbay

> "Our society doesn't want to talk about sex so to talk about sexual abuse and intrafamilial harm is an underlying issue to address - we all need to feel confident to do this."
>
> Call to Action project

Based on all of the information collected, the following areas for change have been identified:

- We must listen to the voices of those with Lived Experience if we want to design services and responses that will effectively address DASV
- Understanding and addressing Sexual Violence must be brought to the forefront as it is the poor relation to DVA
- We need more focus on the impacts on children and young people as victims
- We must manage risk more effectively BUT
- We must stop holding the victim responsible for the behaviour of the person harming/who has harmed them
- We must believe victims and validate them to build trust and safety
- The system must stop re-traumatising victims
- We must address the fear of reporting - otherwise we will not address the causal link between high levels of DVA and the fear of statutory interventions
- We must better understand the needs of minoritised groups and those with intersectional needs so we can respond to them
- We need to understand the different drivers and typologies of DA & SV
- Professionals and practitioners must understand the dynamics of power and control - and the power they hold as actors within the system
- We must accept discomfort in order to challenge cultural norms and attitudes in the system

- We must accept that not all victims and survivors want a criminal justice response
- We must collect consistent, meaningful data and use it to inform and develop the system response.

Our Strategy

> ".. So, if you had somewhere where, you know, people that have been victims in the past could help people that were victims now, then that would be amazing because I don't think anybody else would believe it."
>
> Domestic Abuse survivor, Torbay

> "Dig deeper into the cultural imbalance of services and how to equalise it."
>
> Respondent to public consultation on draft Strategy

We have built a strong base of evidence of the need to strengthen the strategic response to domestic and sexual violence and abuse in Torbay that will inform our work over the life course of this Strategy.

We want to:

Work in partnership with individuals, communities, and organisations to break the chain of domestic abuse and sexual violence in Torbay, to enable our residents to live safely and to thrive.

To achieve this:

- Support for victims and survivors and their families must be trauma-informed
- We must prevent harm in the first place whilst disrupting harmful behaviour
- We must hold those who harm accountable for their actions
- We must ensure that know they are believed
- We address victims and survivors fears about system generated reprisals
- We recognise that sexual violence is the poor relation to domestic abuse in terms of the strategic response and take bold steps to address the imbalance
- We must ensure we support children and young people as victims in their own right

Our Principles

We will work to the following principles and will proactively encourage and challenge others to do so:

1. Connect different parts of the system together to create a coordinated community response to domestic abuse and sexual violence
2. Hear and learn from people with lived experience
3. Be trauma informed and shame sensitive
4. Make the best use of existing resources and assets
5. Elevate, develop, and improve our responses to sexual violence.

When working with families, including those who are causing harm, a whole family approach will be taken to address the needs of each individual in the household.

What We Want to Achieve

From what people have told us, and the areas that have been highlighted for change, we have identified the outcomes that we want to achieve over the short, medium, and long term:

Short term outcomes

- People understand that domestic abuse is not just physical and can occur in any intimate relationships
- People understand consent, and that rape and sexual assault can occur in intimate relationships.
- Victims and survivors know that they will be believed
- Victims and survivors know how and where to get advice on their options in a range of ways, that responds to what they say they need at the time
- The response to domestic and sexual violence and abuse is designed with victims and survivors, and informed by their lived experiences and needs

Medium term outcomes

- Victims and survivors receive peer support and advice before, during and after their experiences to help them recover
- People who harm others by using domestic and/or sexual violence and abuse are identified and disrupted
- Professionals understand the impacts of DVA/SVA and trauma on victims and survivors and/or their families and the coping mechanisms they use to keep themselves and their children safe

- Professionals and statutory agencies understand the range of ways that people who harm use and continue to use coercive control and harassment to continue to abuse long after relationship has ended
- Professionals understand that coping mechanisms may be maladaptive and that someone choosing to remain in an abusive relationship does not mean they are complicit in the abuse

Long term outcomes

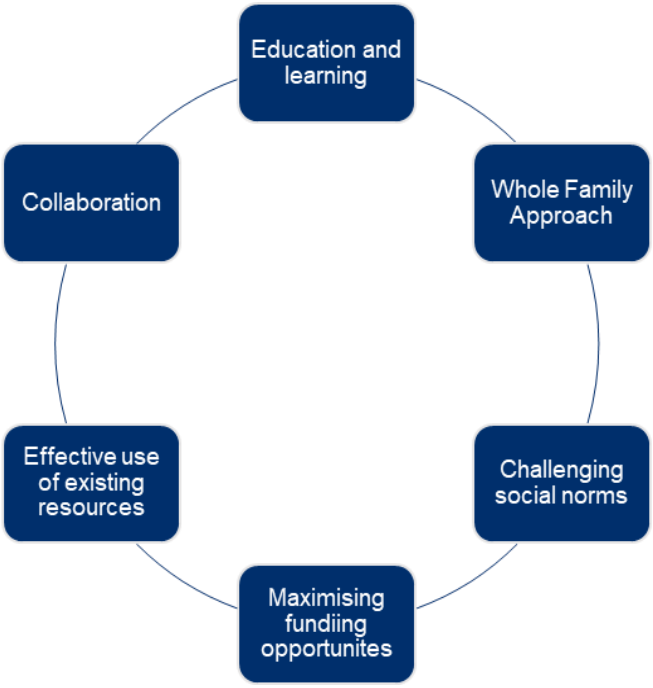
- A greater range of local support is available for victims and survivors of sexual violence
- A coordinated system response is in place that breaks the cycle of abuse
- Support and interventions are provided via a mixed market of statutory and voluntary sector organisations
- Services and interventions are informed by a developing evidence base supported by robust data and monitoring of trends; including understanding why people who harm do and the typologies of harmful behaviour.
- The strategic system response to sexual violence is prioritised and continually evaluated to achieve parity with the DVA response

Delivering the outcomes

> "Be compassionate and hold people safely when they disclose"
>
> Call to Action Project participant

Our outcomes are ambitious and challenging, particularly in view of the resource and capacity pressures that exist in our systems in the aftermath of the Covid-19 pandemic. However the impact of Covid-19 and other external factors that are influencing our economy will also be affecting people living with, and those who carry out, domestic abuse and sexual violence.

Investment in services alone will not address the fundamental issues that lie behind sexual violence and domestic abuse. Changing the way people think will, however this change in culture and beliefs will be slow and difficult. Central to our approach will be the following:



These fundamentals will flow through the five key activities that we will undertake to meet the outcomes we want to achieve:

1. Embed lived experience and co-production
2. Prevent victimisation and harmful behaviours
3. Identify victimisation and harmful behaviours
4. Disrupt harmful behaviour
5. Develop data and understanding

These key activities will form the basis of a Strategy Delivery Plan, which will be co-produced with multi-agency partners, services, and people with lived experience. Beneath each activity there will be a range of actions and workstreams designed to deliver the outcomes over the life course of the Strategy.

Activity 1- Embed lived experience and co-production

We will:

- Develop mechanisms to hear and learn from people with experience of DA&SV, including children and young people
- Ensure contributions are recognised, valued, and appropriately reimbursed
- Utilise and build upon existing community assets

Activity 2 - Prevent victimisation and harmful behaviours



We will:

- Grow the Healthy Relationships Education offer in schools
- Implement the findings from the Harmful Sexual Behaviour Project
- Frame awareness raising and communications in the context of relationships
- Develop and deliver the Bystander training offer across Torbay
- Increase the pool of DA Champions and White Ribbon Ambassadors
- Implement relational approaches across the system
- Challenge cultural norms and attitudes in respect of victims of sexual violence and domestic abuse

Activity 3 – Identify victimisation and harmful behaviours



We will:

- Exercise belief and let victims know they will be and are believed
- Identify early people who harm others and work with them to address their behaviour
- Develop a skilled workforce that are confident in handling disclosures of DVA &/or SV and know what to do next (competency framework)
- Ensure that people working with victims and survivors of DVA & SV have an understanding of trauma (including the judiciary)
- Ensure that children and young people are recognised as victims and receive specialist support
- Ensure that services are inclusive and understand how DVA &SV may present differently amongst minority communities
- Establish simple pathways that easily connect services
- Ensure compliance with statutory requirements

Activity 4 - Disrupt harmful behaviour



We will:

- Implement the MARAC review recommendations
- Establish pathways to support for those who harm others
- Ensure effective safety planning with focus on the person causing the harm
- Ensure a co-ordinated approach to disrupt the person causing harm whilst supporting the victim survivor and any children as part of a Whole Family Approach

- Focus on the person who harms, not the victim
- Develop peer support and recovery options in the community for victims and survivors including children and young people

Activity 5 - Develop data and understanding



We will:

- Develop wider understanding of the different types of behaviour and motivations of those who harm to improve our system response to them and better protect victims and survivors
- Establish consistent data collection and monitoring including for protected characteristics and people with intersectional needs
- Establish a baseline dataset and evaluation to check how we are doing
- Consider a systems/case management system to improve reporting
- Develop a quality assurance approach to ensure the system response meets the needs and aspirations of all victims and survivors

Monitoring and Oversight

The Domestic Abuse and Sexual Violence Executive Group (DASVEG) will be responsible for strategic oversight of this Strategy and delivery of the action plans. This group also acts as the statutory Domestic Abuse Local Partnership Board for the purposes of the Domestic Abuse 2021 Part 4 and the delivery of the associated Safe Accommodation Strategy.

The Domestic Abuse and Sexual Violence Operational Group (DASVOG) will be responsible for undertaking the work required in the Delivery Plan. This includes connecting with other agencies and practitioners and involving them in specific workstreams.

DASVEG reports into Torbay Community Safety Partnership, Torbay Children's Safeguarding Partnership, and the Health and Wellbeing Board.

Review

The Delivery Plan will be kept under review to ensure that we are achieving our outcomes. As part of that review, consideration will be given to whether this Strategy remains fit for purpose. This will include consideration of the impact of any significant change in legislation or policy.

This document can be made available in other languages and formats.

For more information, please contact safercommunities@torbay.gov.uk

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Torbay Council's Statement of Principles 2026-2031

Licensing Act 2003

Effective from 7 January 2026 to 6 January 2031.

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The 'Licensing Statement of Principles 2026-2031 was ratified and adopted by Full Council on 11 December 2025.

If you require this document in another format, please email licensing@torbay.gov.uk.

Torbay Council's
Statement of Principles 2026-2031

Introduction: Local Summary

Torbay Council is designated as a 'Licensing Authority' for the purposes of the Licensing Act 2003.

This document is Torbay Council's "Statement of Principles", made under Section 5 of the Licensing Act 2003, and has effect for the period of 7 January 2026 to 6 January 2031.

Torbay, also known as The English Riviera, is a popular, well-established holiday destination situated on the South Devon Coast, on the South West peninsular of England. It has a population of over 139,000. Tourism in Torbay accounts for 920,000 staying visitors plus 3 million day visitors, generating a direct and indirect spend of £412 million per annum. This represents around one third of the areas wealth and also one third of its jobs.

The area comprises of the three towns of Torquay, Paignton and Brixham, and is known for its mild climate, picturesque harbours, coves and beaches, and is home to numerous tourist attractions.

It offers 22 miles of beautiful coastline and is only one of seven places in the entire UK that has been designated a UNESCO (United Nations Educational, Scientific and Cultural Organisation) Global Geopark.

MAP *of* TORBAY



Integrating Strategies

Public Health

Torbay Council's Public Health Team are responsible for a wide range of health issues including alcohol and drug misuse services and other lifestyle campaigns to promote better health for all.

Alcohol holds a prominent place in our communities, and where enjoyed safely, it can have a positive role in family and social life, as well as being an important factor in our economy. However, this should not disguise the fact that alcohol can also have a profound negative impact on our communities, whether through visible harms such as alcohol fuelled crime, disorder and street drinking; or in relation to more hidden harms such as alcohol dependence, domestic abuse and child safeguarding issues.

The Public Health Team is a Responsible Authority under the Licensing Act 2003 and works with other organisations that provide the health services.

Torbay's Community Safety Partnership, 'Safer Torbay' brings the Council together with four other statutory agencies and a number of public sector, voluntary, community and private organisations to tackle issues locally.

Safer Torbay's key areas of work include:

- Crime and Anti-social Behaviour
- Problematic Substance Misuse
- Reducing re-offending
- Domestic Abuse
- Sexual Violence
- Stalking
- Exploitation

The Licensing Authority will work with Safer Torbay on these key areas.

Community Alcohol Partnership

The Licensing Authority supports the alcohol industry in demonstrating their commitment to promoting responsible drinking by seeking to ensure that the sector doesn't entice young people to drink.

A Community Alcohol Partnership (CAP) is a Community Interest Company (CIC) which brings together and supports local partnerships of Councils, Police, retailers, schools, health providers and community groups to reduce alcohol harm among young people, improve their health and wellbeing and enhance their communities.

The Licensing Authority, as part of its membership of the Paignton CAP, actively supports the important work in preventing underage drinking and alcohol harm to young people. Further information on CAP initiatives can be found at www.communityalcoholpartnerships.co.uk.

Event Management and Safety Advisory Groups

Torbay Council has a Public Safety Advisory Group (PSAG) and a Sports Ground Safety Advisory Group (SAG) comprising of representatives from the emergency services and other statutory agencies to advise and coordinate the planning for public events in Torbay.

Determining whether or not to refer an event to a PSAG or SAG requires a risk-based approach and the decision will be influenced by considering a combination of:

- Numbers of people attending (at any one time)
- Levels of risk with the event
- Previous history of similar events
- Events of an unusual nature
- Other events planned at the same time that may increase the impact and risk

Organisers of events meeting the above criteria, whether or not a premise licence or temporary event notice is needed, are strongly advised to contact the PSAG or SAG in order to receive sufficient advice to ensure the safe running of an event.

Where a premises licence is needed for an event, the Licensing Authority would expect to see a condition that the PSAG or SAG will be notified at least 3 months in advance. The Licensing Authority will also expect confirmation of approval for the event, one month before it takes place. This is particularly important where the applicant requires a licence that is not limited to a once only event.

Whilst a premises licence could be granted after 28 days of the application being served, applicants should be aware that if representations are received and a hearing is required, a decision may take two months. Applicants should consider this in their planning. Large capacity events will require greater notice period for PSAG and SAG to consider the event management plan. This allows the Police to ensure sufficient cover and the public transport provision to be changed to accommodate the event. At least six months notice will be expected for events of 5000 people or more.

Further advice and guidance for event organisers can be found in the Purple Guide.

Cumulative Impact Assessment

In preparing this Policy, the Licensing Authority has taken into account its published Cumulative Impact Assessment (CIA) (2024 – 2027).

In summary, two areas of Torquay have been identified as being subject to high levels of alcohol related crime or public nuisance. Those areas are shown in the CIA which can be found at www.torbay.gov.uk/licensing-statement-of-principles

The effect of this assessment is to create a rebuttable presumption that applications for a new premises licence, club premises certificate or the variation of an existing licence or certificate in those areas will normally be refused where:

- Representations have been received and it is anticipated that the application will add to the problems of crime and disorder or/and public nuisance in these areas, and
- The applicant has been unable to demonstrate that, within their operating schedule, there will be no significant negative cumulative impact on one or more of the licensing objectives.

The CIA does not change how licensing decisions are made but is a strong statement of intent about the Licensing Authority's approach to relevant applications made in these areas. However, the Licensing Authority will always consider each application on its merits.

The CIA is reviewed every three years. Therefore, anyone viewing this policy is directed to the link above to find the most up to date position with regards to the CIA.

Public Spaces Protection Orders

The Council wishes to discourage drunkenness and to encourage the provision of more seating in premises which serve alcohol for people to sit and enjoy a drink and order food by table service, in place of open bar space which caters for high volume vertical drinking. The effective dispersal of customers both from premises and from the Cumulative Impact Areas is regarded by the Licensing Authority as a key principle of its policy to promote the licensing objectives of the prevention of crime and disorder, public nuisance, and public safety.

Public Spaces Protection Orders (PSPOs) were introduced in Torbay to encourage responsible drinking and to assist in reducing anti-social behaviour associated with street drinking. It provides the Police with the power to require alcohol to be surrendered.

The Licensing Authority recognises the effectiveness of this tool in preventing crime and disorder and tackling anti-social behaviour. Premises are expected to have measures in place to prevent their customers contributing to anti-social behaviour.

PSPOs can be used to restrict the drinking of alcohol in a public space where this has or is likely to have a detrimental effect on the quality of life on those in the locality, be persistent or continuing in nature, and unreasonable. Before making a PSPO, the Council must consult with the local Police. Where a Local Authority occupies or manages premises, or where premises are managed on its behalf and it licences that place for alcohol sales, the PSPO will not apply when the licence is being used for alcohol sales (or 30 minutes after), but the place will be subject to the PSPO at all other times. This allows Local Authorities to promote community events while still using a PSPO to tackle the problems of anti-social drinking.

Purpose and Scope of the Statement of Principles (Policy)

This Statement of Principles (hereinafter referred to as 'the Policy') applies to the regulation of the following licensable activities at premises, vessels and members' clubs:

(i) the sale by retail of alcohol;
(ii) the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club;
(iii) the provision of regulated entertainment to the public, to club members or with a view to profit;
(iv) The supply of hot food and/or hot drink between 23:00 and 05:00 hours.

This sixth Statement is made following consultation with:

a) The Chief Officer of Devon and Cornwall Police
b) The Chief Officer of Devon and Somerset Fire and Rescue Service
c) The Director of Public Health
d) Residents and businesses of Torbay
e) Bodies representing businesses
f) Holders of premises licences and club premises certificates
g) Bodies representing existing registered clubs
h) Bodies representing holders of existing premises licences and personal licences
i) Torbay and South Devon NHS Foundation Trust
j) Torbay Council: Children's Services
k) Torbay Council: Planning, Environmental Health and Highways Authorities
l) The Torbay Safer Communities Partnership
m) The Maritime and Coastguard Agency
n) Faith groups via Torbay Interfaith Forum and the Street Pastors
o) Torbay Development Agency
p) English Riviera BID Company
q) Tor Bay Harbour Authority
r) Community Alcohol Partnership
s) Best Bar None Torbay
t) Domestic Abuse and Sexual Violence Partners

The aim of this Policy is to secure the safety and amenity of residential and business communities whilst facilitating a sustainable entertainment and cultural industry. In adopting this Policy, Torbay Council (hereinafter referred to as 'the Council') recognises both the needs of residents and those businesses not covered by the provisions of the Licensing Act 2003 (hereinafter referred to as 'the Act'), to live and operate in a safe and healthy environment and the important role that well run licensed premises play in the local economy and in contributing to vibrancy of the Bay. To

achieve this aim, the Council is committed to working in continued partnership with nominated Responsible Authorities under the Act, local businesses, members of the licensed trade, residents and visitors to the Bay to promote the licensing objectives, as set out in this Policy.

SECTION 1 - The Guiding Principles that will direct the Council in making Licensing decisions

1.1 The purpose of this Policy is to outline the approach that Torbay Licensing Authority (hereinafter referred to as 'the Authority') will take to implement the Act. The Policy provides guidance for applicants, residents and Responsible Authorities under the Act. Responsible Authorities include the Council's Licensing Team, Health and Safety, Environmental Health, Planning, Trading Standards and Children's Services as well as the Police, Public Health, the Fire Authority and the Home Office.

1.2 This Policy, along with current national guidance issued by the Secretary of State and primary legislation, as set out in the Act, forms the basis on which licensing decisions are made and how licensed premises are likely to be permitted to operate.

1.3 The Act also outlines five key aims to support and promote good practice. These are:

- Protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises;
- Giving the Police and Licensing Authorities the powers they need to manage and police the night-time economy effectively and take action against those premises that are causing problems;
- Recognising the important role which pubs and other licensed premises play in our local communities, minimising the regulatory burden on business, encouraging innovation and supporting responsible premises;
- Providing a regulatory framework for late night refreshment, and regulated entertainment which reflects the needs of local communities and empowers Local Authorities to make and enforce decisions about the most appropriate licensing strategies for their local area; and
- Encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may impact upon them.

1.4 The Authority acknowledges the important role which pubs and other licensed premises play in both tourism and in local communities. The Authority therefore believes that providing licensed premises operate as compliant, well-regulated businesses and that their management act responsibly in promoting the licensing

objectives; they make a positive contribution towards building local communities and supporting cultural development and Torbay's tourism offer. It is also important to appreciate that alcohol does play an important and inherent role within the leisure and entertainment industry.

1.5 The Authority equally recognises, however, that negative impacts will occur if good management practices are not followed by licensed premises. These can include anti-social behaviour, nuisance and disturbance caused to local residents, sometimes together with serious crime and disorder problems. Alcohol, in particular, is an important contributing factor to all of these issues. Alcohol-related violence, disorder and rowdiness impacts on our community, public health and the public purse through the demands made upon hospital attendances and admissions; additional policing; additional street cleaning; and the criminal justice system. The Authority does not consider that it is reasonable for local residents and compliant businesses to suffer because of a small number of irresponsible, poorly managed operators.

1.6 This Policy, therefore, seeks to provide a necessary balance between providing a platform upon which compliant, well-regulated businesses may operate and contribute towards a successful business and night-time economy, and ensuring that the quality of life of those who live and work in the Bay are protected through our robust licensing procedures. We believe these aims are achievable if all parties concerned work together.

1.7 While this Policy sets out a general approach to making licensing decisions, the Authority accords with the provisions in the Act. The Policy does not undermine the right of any individual to apply under the terms of the Act for a variety of permissions and the Authority will consider each application on its individual merits.

1.8 This Policy does not override the right of any person to make representations on an application or to seek a review of a licence or certificate where a provision has been made for them to do so in the Act.

1.9 Where an application is made and there are no relevant representations, the application will be granted subject only to conditions reflecting the operating schedule and any mandatory conditions. Where there are relevant representations, the Licensing Authority**,** will grant the application unless it is necessary to refuse it or to modify it, by imposing a condition(s) in order to promote one or more of the Licensing Objectives. Conditions imposed will be reasonable and proportionate.

1.10 In recognition of its responsibilities under Section 17 of the Crime and Disorder Act 1998, and within the strategic aims of the Safer Communities Torbay

Strategic Assessment, the Authority will work together with businesses, charities and partner agencies to prevent crime and disorder in Torbay.

1.11 The Authority recognises its responsibilities to individuals under the European Convention on Human Rights, set out by the Human Rights Act 1998, and its statutory role as a Licensing Authority to fulfil the duties and responsibilities vested in it.

1.12 The Authority is also aware of its responsibilities to individuals under the Equality Act 2010, to have regard to the elimination of unlawful discrimination and its duty to promote equality of opportunity regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

1.13 The Authority is committed to achieving good outcomes for children, young people and their families. Children of all ages need to be kept safe from harm and safeguarding is about making sure that they are protected from all kinds of harm, not only physical and sexual but also psychological, emotional and moral harm. Safeguarding is everyone's responsibility. Applicants, licensees, employees in licensed premises, Responsible Authorities, elected members, other local businesses and communities, everyone who has dealings with children, young people and adults with care and support needs – we all have a duty to report matters to concern to the relevant authorities. Where there is an actual or perceived risk of harm, it is important that appropriate steps are taken by the Authority to keep children safe. The Authority will have regard to any such risk when considering applications and seek to promote the Licensing Objectives. In addition, the wider safeguarding context must be considered when prospective and existing applicants submit applications, during the assessment and determination process and ongoing use of the licence/notice. Appendix 5 provides information for licence holders and their employees to help them report to the relevant authorities matters of concern that could relate to the safety of children and vulnerable persons, particularly if it relates to child exploitation and trafficking.

1.14 The Authority is aware that effective licensing can only be achieved by recognising the value of collective contributions. The Authority strongly supports inclusivity and partnership working with the Police and other Responsible Authorities, local businesses, performers, local people, professionals involved in child protection and all others who can contribute positively to the successful promotion of the four Licensing Objectives. The Authority encourages membership of local schemes such as NiteNet, Best Bar None, local licensing forums, Pub watch, SWaN Charter, UKPAC and StoreNet and values the contribution such schemes make to the fulfilment of the Licensing Objectives.

1.15 The Authority considers that its decisions can be a key factor in the control of anti-social behaviour. Whilst the Authority will not use licensing conditions to control anti-social behaviour by individuals once they are away from the licensable premises or place and beyond the direct control of the licensee, where there is a causal link between the behaviour complained of and patrons of a licensed premises, it is expected that the Premises Licence Holder will take immediate steps to mitigate such impact within the vicinity of their premises.

Premises Licence Holders will be required to demonstrate that they have taken and intend to take appropriate action in this respect. Any conditions attached to licences will be within the control of the Premises Licence Holder and will primarily focus on the direct impact of the activities taking place at the licensed premises, on members of the public living, working or engaged in lawful activity in the area concerned.

1.16 The Authority will not adopt blanket policies of zoning to fix the trading hours of licensed premises. However, where it is necessary to promote one or more of the Licensing Objectives, the Authority will attach conditions to the premises licence to control a premises' trading hours. Such conditions will be imposed where there is supporting evidence to demonstrate that it is appropriate to do so. Appendix 4 gives examples of the impact that certain types of premises may have on the surrounding area. Where representations are received, the Authority will refer to this Appendix and therefore applicants are encouraged to use this to assist them in understanding the operating hours and the types of conditions they need to cover in their operating schedule.

1.17 Premises which are permitted to provide sales of alcohol for consumption off the premises may be subject to conditions that limit trading hours and restrict types and maximum quantities of alcohol where either the premises or the area in which the premises intends to trade, are known to be a focus for disorder and disturbance. A decision to impose such conditions will be subject to a relevant representation being received and where there is supporting evidence to demonstrate that it is appropriate to do so.

1.18 In the case of age classifications for films, the Policy of the Authority is to follow the recommendations of the British Board of Film Classification for most purposes, whilst retaining the right to allocate a classification of its own to a particular film or to modify the advisory information proposed for use in connection with that film or the mechanism proposed for communicating that information.

1.19 In general, all premises which are the subject of a licensing application should have the benefit of planning permission or be deemed permitted development. Licensing and Planning are separate regimes but consents from both must be in

place to operate legally. The Licensing Authority, as per paragraph 9.45 in the Section 182 Statutory Guidance, requires the two committees and officers to work together to achieve a common agreement. If there is variance between the hours given under a licence and those permitted by the planning permission, the earlier hours will apply.

1.20 The Authority's Licensing Committee will receive regular reports on decisions made by Officers under the provisions of the scheme of delegation so that it maintains an overview of the general situation.

1.21 The Authority will actively encourage a broad range of entertainment, particularly live music, dancing and theatre, including the performance of a wide range of traditional and historic plays. Premises specifically catering for young people in a safe, alcohol-free environment shall also be encouraged and promoted for the wider cultural benefit of the community in Torbay. Some departments within the Council have obtained licences for specified public open spaces and premises so that the benefit of any licence granted can be conveyed by the licence-holding department to authorised entertainers and performers within the event site. The Authority's Licensing Committee will consider such applications from an entirely neutral standpoint. It will also consider carefully any representation that the licensing regime is adversely affecting the provision of live music and dancing as regulated entertainments in Torbay and will only impose restrictions that are appropriate, proportionate and reasonable as licensing conditions.

1.22 The Authority recognises that proper integration with local crime prevention, planning, transport, tourism and cultural strategies is essential to assist in the reduction of public disorder and disturbances. The Authority will ensure that future local transport plans reflect the need to disperse people from town centres swiftly and safely, particularly late at night, so as to avoid concentrations which may produce disorder and disturbance.

1.23 The Authority recognises that licensing seeks:

a) To control the physical safety of people using a location, however it does not seek to control public health, which is subject to other controls.

b) To protect children, includes their protection from moral, psychological and physical harm.

1.24 The use of illegal drugs, particularly those which are commonly referred to as a 'recreational drugs' and illegal psychoactive substances can be harmful and, in some cases, contribute to fatalities. Factors that have contributed to deaths from drugs include lack of drinking water, excessive drinking water, an overly

hot environment with inadequate ventilation, or a lack of adequate information about drugs.

The Licensing Authority recognises that drug use in a club/pub environment is not something that is relevant in all licensed premises. However, it is recognised that special conditions will need to be imposed for certain types of venues to reduce the sale and consumption of drugs and to create a safer environment for those who may have taken them i.e. zero tolerance drug policies including the appropriate use of searching and amnesty boxes.

It is the responsibility of premises to help keep their customers safe from drink and drug spiking, for example by the provision of signage and information to alert customers to the risk of drink spiking, as well as medical and reporting actions needed as soon as an incident is suspected.

The Authority does aim through the licensing process to:

a) ***Prevent*** drug dealing in licensed premises.

b) ***Minimise*** drug availability and their use.

c) ***Safeguard*** all the public attending events by requiring, through imposition of appropriate licence conditions, the provision of a secure and safe environment for such events to take place.

1.25 The Authority recommends that all applicants' seeking to supply alcohol should have had regard to, 'The Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks'.

1.26 While the Authority recognises that clear enforcement protocols for licensing and associated activities are essential, this will be achieved through close partnership working; notably the Police, Fire and through its Public Safety Advisory Group. It also recognises that in most cases, education and the support of businesses is likely to have longer term impact to ensure proper consideration is given to the four Licensing Objectives. It will, however, ensure that resources are targeted at problem and high-risk premises and events, when required.

1.27 The Authority will review this Policy, at least once in every five years. The Cumulative Impact Assessment will also be kept under review and considered by the Authority, at least every three years or sooner, if necessary, to ensure that it is still required.

SECTION 2 - Primary considerations when an application is made

The Licensing Authority will:

2.1 Deal with all applications within the statutory timescales.

2.2 Where relevant representations are received, consider each application:

a) on its own merits,
b) in accordance with the Act, any subsequent amendments and supporting Regulations,
c) with regard to Guidance issued under Section 182 of the Act,
d) under the terms of this Policy.

2.3 Expect the applicant to articulate clearly the type of venue they will be operating and to submit an operating schedule that properly addresses the impact their application may have on their neighbours or their surrounding communities, to ensure that each of the relevant Licensing Objectives is promoted. This is particularly relevant in the following circumstances.

(i) Crime and disorder arising out of the night-time economy;
(ii) Noise from patrons and regulated entertainment where premises are in close proximity to residential properties and have later opening times;
(iii) Public safety matters for higher risk activities and one-off events; and
(iv) Public safety matters arising out of unmanaged occupancy levels.
(See Appendix 3 for further information on what to consider in your operating schedule.)

2.4 Consider the specific proposals regarding the requested licensing hours. It is important to note that “opening hours”, the times when premises are open to the public, are not necessarily identical to the hours during which licensable activities may take place.

2.5 The Authority supports a continental café culture which makes a positive contribution to the street-scene and to the vitality of shopping and tourist areas bringing life, colour and interest on to the street. The Authority may grant a pavement licence under the Business and Planning Act 2020 for an applicant to use the public highway outside their premises for placing tables and chairs but the use of such an area will be subject to separate application, requirements and conditions. Applicants are reminded that either the proposed area of the public highway is included within their premises licence plan, or the premises licence must authorise off sales, as this is required where the pavement cafe area is not included on their plan. Further information and guidance can be found at www.torbay.gov.uk/pavement-licence

2.6 ‘Special Risk Entertainment’ events, are events that incorporate any of the following activities for the entertainment or attraction of the public:

a) hypnotism (as defined by the Hypnotism Act 1952);
b) striptease, lap dancing or any similar performance (see note below *);
c) the installation of strobe or laser equipment;
d) the use of special effects such as pyrotechnics (Fireworks) or the introduction to any area occupied by the public of naked flame or any material, vapour, liquid, foam or novelty foodstuff;
e) the use of any temporary structure or staged area;
f) sporting events that carry higher than normal risks, e.g. cage fighting;

Applicants’ must specify clearly in their operating schedule, details of any ‘Special Risk Entertainment’ to be provided.

* The Policing and Crime Act 2009 became law in November 2009, amending Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 so as to incorporate ‘sexual entertainment venues’ as sex establishments governed by the Act as amended. The Authority adopted the legislation in so far as it relates to sexual entertainment venues on the 2 December 2010. Under the Act as amended, premises offering lap dancing, any live sexual performance or display of nudity on more than 11 occasions within a 12-month period, or less than one month since the last performance, will be required to obtain a sexual entertainment venue licence from the Council’s Licensing Authority to authorise such activity. The Authority has drawn up a statement of Licensing Policy for Sex Entertainment Venues which was agreed by Licensing Committee on the 17 March 2011. The Policy can be found at www.torbay.gov.uk/sex-establishments.

2.7 Individuals who are applying for a personal licence must be entitled to work in the UK. The Immigration Act 2016 amended the Licensing Act 2003 with effect from 6 April 2017 so that an application made on or after that date by someone who is not entitled to work in the UK must be rejected.

The Authority will not issue a personal licence to an individual who is illegally present in the UK, and is not permitted to work, or who are permitted to work but are subject to a condition that prohibits them from doing work relating to the carrying on of a licensable activity. In order to discharge this duty, the Authority must be satisfied that an applicant has the right to work in the UK as required on the back of the application form, to demonstrate that the applicant has permission to be in the UK and that they are permitted to undertake work in a licensable activity. This also applies to individuals who apply for premises licences. The purpose of this is to prevent illegal working in the UK.

A person is also disqualified from holding a licence if they are subject to a condition on their permission to be in the UK preventing them from holding a licence, for example if they are subject to an immigration restriction that does not permit them to work.

New applications and full variations

2.8 All licensing applications for the grant or variation of a premises licence must be served on the Licensing Authority and on the Responsible Authorities within Torbay. The contact details (current at the time of writing this Policy) for the Responsible Authorities are detailed in Appendix 1. However, applicants are advised to check the specific details in the Home Office S.182 Guidance and the Act to ensure they have complied with the requirements under the Act.

2.9 Where an application for the grant of a premises licence or club premises certificate, variation of the same, or a provisional statement, or any part of it, is submitted in writing, it is the responsibility of the applicant to ensure that a copy of the application has been sent to all Responsible Authorities as stipulated in the Act. Where such applications have been submitted electronically, copies of the application will be forwarded to the Responsible Authorities by the Licensing Authority.

2.10 Full variations should not be used to 'vary substantially the premises to which the licence relates'.

Minor variations

2.11 An application can be made for a minor variation to premises licences and club premises certificates where the change is considered to have 'no adverse impact' on the promotion of any of the four Licensing Objectives.

2.12 Minor variations can be used to:

- make minor changes to the structure or layout of a premises
- make small adjustments to the licensing hours
- remove out of date, irrelevant or unenforceable conditions
- add or remove certain licensable activities
- add volunteered conditions to a premises licence or club premises certificate

2.13 Examples of where the minor variation process **cannot** be used include:

- extending the period for which the licence or certificate has effect
- specifying, in a premises licence, an individual as the premises supervisor
- adding the sale by retail or supply of alcohol as an activity authorised by a licence or certificate
- authorising the sale by retail or supply of alcohol at any time between 23:00 and 07:00 hours

- authorising an increase in the amount of time on any day during which alcohol may be sold by retail or supplied
- varying a licence for a community premises so as to apply the condition that every supply of alcohol under that licence must be made or authorised by the management committee
- substantially varying the premises to which the licence or club premises certificate relates

2.14 Under a minor variation the applicant must send the application to the Licensing Authority and must advertise the application on a white notice for a period of ten working days, at the premises, beginning with the day after the application was given to the Authority. The applicant is not required to advertise the variation in a local newspaper or send a copy to Responsible Authorities.

2.15 On receipt of a minor variation application, the Licensing Authority will consider the application and consult whichever of the Responsible Authorities it considers appropriate. In deciding on the application, the Licensing Authority will consider any relevant representations received within the statutory time limit (ten working days from the day after the application was received by the licensing authority). The Licensing Authority will either grant the application or refuse it where it considers that the proposed application could impact adversely on any of the four licensing objectives.

2.16 There is no right to a hearing under the minor variation process.

2.17 If the Licensing Authority fails to determine the application within 15 working days, the application will be treated as being refused and the fee returned. However, in such cases the Licensing Authority and applicant may agree instead that the undetermined application should be treated as a new application and that the fee originally submitted will be treated as a fee for the new application thus avoiding the need for a new application to be submitted.

Review of premises licence

2.18 A Responsible Authority or other persons may at any time call for a review of a premises licence or club premises certificate, where problems associated with the licensing objectives are occurring after the grant or variation of a premises licence or club premises certificate. Examples may be where there has been a breach of licensing conditions, failed test purchases or activities undermine the licensing objectives. The conduct of review hearings is set out in the relevant statutory instruments.

2.19 Where the request for review originates from other persons, the Licensing Authority may reject the application if it is considered frivolous, vexatious or repetitious.

2.20 In all cases, an application for review must relate to a particular premises in respect of which there is a premises licence or club premises certificate and must be relevant to one or more of the four licensing objectives.

2.21 Where a review is brought, the Licensing Authority may take any of the following actions:

- modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), e.g. by reducing the hours of opening or by requiring door supervisors at particular times
- exclude a licensable activity from the scope of the licence, e.g. to exclude the performance of live music or playing of recorded music
- remove the designated premises supervisor, e.g. because they consider that the problems are the result of poor management
- suspend the licence for a period not exceeding three months
- revoke the licence
- take no action

2.22 In deciding which of these powers to invoke, this Licensing Authority will seek to establish the cause of the concerns which the application and any relevant representations identify. The remedial action taken should be directed at these causes and should always be an appropriate and proportionate response. For example, the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.

2.23 Equally, it may be that poor management is a direct reflection of poor company practice or policy, and the removal of the designated premises supervisor may be an inadequate response to the problems presented.

2.24 The Licensing Authority will consider each case on its own merits having regard to the relevant law and guidance.

2.25 Where reviews are sought by residents or Responsible Authorities in relation to public nuisance alleged to arise from a licensed premises, the nature of the premises, its track record and length of time it has been providing the activities complained of will all be taken into account in determining the application.

Relevant, vexatious and frivolous representations

2.26 Officer decisions as to whether representations are relevant, frivolous or vexatious will be made objectively having regard to all the available facts and not on the basis of any political judgment:

- a frivolous representation can be categorised by a lack of seriousness or concerning very minor issues which would not warrant any steps being taken
- a vexatious representation arises where it is intended to cause aggravation or annoyance to another person or business without any justification (e.g. disputes between rival businesses).
- a representation would only be relevant if it relates to the likely effect on at least one of the licensing objectives, relates to the application under consideration and is received within the relevant timescales.

2.27 Where representations are rejected, the Responsible Authority or other persons making that representation will be given a written reason as to why this is the case. Anyone who wishes the decision to be reconsidered should lodge a complaint at www.torbay.gov.uk/complaints.

2.28 In borderline cases, the benefit of the doubt about any aspect of a representation will be given to the person making that representation.

Use of petitions

2.29 Standard letters of support or objection, and petitions can be submitted in response to an application or review.

2.30 Standard letters, with only the signature and address of the sender, will be considered as a petition as they contain no additional individual comment. Standard letters that have additional detail regarding the representation will be considered as a separate representation and will be published separately as part of any Committee report.

2.31 Petitions will be published as part of the Committee report, and reference will be made to the number of names supporting the petition. The Council will only correspond with the lead petitioner and will invite that person to the hearing but not all of the signatories on the petition.

Temporary Event Notices (TEN's)

2.32 A TEN is a notification given by an individual to the Licensing Authority where it is proposed to use premises for one or more licensable activities during a period not exceeding 168 hours and can be used to authorise relatively small-scale ad hoc events held in or on any premises involving no more than 499 people at any one time.

2.33 A TEN is typically used to:

- authorise a licensable activity at a premises not currently licensed e.g. selling alcohol at a fete

- temporarily extend the hours for providing a licensed activity at an existing licensed premises for a specific event
- provide for licensable activities not authorised by the existing licence.

2.34 Where a TEN or any part of it, is submitted in writing, it is the responsibility of the applicant to ensure that a copy of the notice has been sent to the Police and Environmental Health as stipulated in the Act. Where a notice has been submitted electronically copies of the notice will be forwarded to the Responsible Authorities by the Local Authority.

2.35 The organiser must normally give the Licensing Authority a minimum of 10 clear working days' notice. This does NOT include the date of submission, the date of the event, weekends or bank holidays. In a significant number of cases this time period does not allow sufficient time for the organiser to liaise with the Police or Environmental Health and other relevant bodies to ensure that the event passes off safely with minimum disturbance to local residents. Therefore, the Licensing Authority will normally expect that the notice to be submitted no earlier than 28 days before the planned event. The giving of 28 days' notice allows for reasonable discussions to take place with the Police and Environmental Health.

2.36 The Licensing Authority will consider any breach of previous voluntary agreements to be an important matter when considering an objection to a TEN application.

2.37 A late TEN may be served between nine and five working days before a proposed event commences. If a late TEN is served with fewer than 5 working days' notice it is deemed invalid and will be rejected. The Licensing Authority has no discretion to accept TENs outside the permitted statutory deadlines. If an objection is received to a late TEN there is no provision for any modification, hearing or adding existing conditions and a Counter Notice will be issued preventing the event from going ahead. There is no right of appeal in respect of late TENs following an objection by the Police or Environmental Health.

2.38 The Licensing Authority will actively encourage the organiser to notify other relevant agencies such as the Fire Authority (crowd safety and management) in order to obtain expert advice on how best to minimise the risk of injury and public nuisance.

2.39 In addition, whilst under the Act applicants do not have to notify the Planning Authority in respect of a temporary event, they are encouraged to do so to ensure that any relevant planning consent is in place.

Provisional statements

2.40 Where premises are being or are about to be constructed, extended or otherwise altered so that they can be used for licensable activities, those involved with the project or with an interest in it may request some assurance that a premises licence covering the desired licensable activities would be granted for the premises when the building work is completed.

2.41 Any person falling within Section 16 of the 2003 Act can apply for a premises licence before new premises are constructed, extended or changed. In those cases, the Licensing Authority would include a date when the licence would come into effect. However, where the information described below is not available an application for a provisional statement would be required instead:

- clear plans of the proposed structure
- the activities to take place
- the time at which such activities will take place
- the proposed hours of opening
- where the applicant wishes the licence to have effect for a limited period, that period
- the steps to be taken to promote the licensing objectives
- where the sale of alcohol is involved, whether supplies are proposed to be for consumption on or off the premises (or both) and the name of the designated premises supervisor the applicant wishes to specify

2.42 The 2003 Act provides for a person who has an interest in the premises to apply for a “provisional statement”. This will not be time limited, but the longer the delay before an application for a premises licence is made, the more likely it is that there will be material changes and that the licensing authority will accept representations when the application for the premises licence is finally made.

2.43 Applications for a provisional statement are made in a similar manner to those for new and variation applications as set out above.

SECTION 3 – The Licensing Objectives

The Act sets out four licensing objectives which the Licensing Authority has a duty to promote when carrying out its licensing function, namely:

- The Prevention of Crime and Disorder
- Public Safety
- The Prevention of Public Nuisance
- The Protection of Children from Harm

Each objective is of equal importance, and these objectives are the only factors that can be considered in determining an application. Any conditions attached to a licence must be appropriate to promote the licensing objectives. If there are no relevant representations, or representations have been withdrawn at or before a hearing, then the application will be granted as applied for, subject to conditions which reflect the operating schedule and any mandatory conditions. Any conditions offered by the applicant within their operating schedule will become conditions on the licence.

Where there is a relevant representation, which has not been withdrawn, the application will proceed to a hearing, following which the Authority may take such steps as are appropriate to promote the Licensing Objectives. In considering the application, the Authority will have regard to the matters set out below. In order to reduce the risk of relevant representations and the cost and delay of a contested hearing, Applicants are strongly recommended to consult with the relevant Responsible Authorities, consider the matters set out below and incorporate them as necessary into their operating schedule.

Where there have been relevant Representations, the Authority will consider the content of any application with respect to the following matters:

THE PREVENTION OF CRIME AND DISORDER

3.1

a) The adequacy of measures proposed to prevent crime and disorder and the history of any previous relevant enforcement action, particularly in relation to the use of the premises for:

(i) the sale and distribution of controlled drugs and the laundering of the proceeds of drugs crime;
(ii) the sale and distribution of illegal firearms;
(iii) the evasion of copyright in respect of pirated films and music;
(iv) the under-age purchase and consumption of alcohol;
(v) prostitution or for the sale of unlawful pornography;
(vi) use by organised groups of paedophiles to groom children;

(vii) the base for the organisation of criminal activity;
(viii) the organisation of racist activity or the promotion of racist attacks;
(ix) unlawful gambling;
(x) the sale of smuggled tobacco and alcohol.

b) The measures the applicant has taken or proposes to take to: -

(i) To prevent the consumption or supply of illegal drugs and psychoactive substances (previously known as 'legal highs'), including a written drugs policy, any entry and search procedures, the demonstration of a positive commitment to the deployment, when requested by the Police, of the Ion track Itemiser Drug Detection Machine at the premises or event, and in respect of premises selling alcohol after midnight with a capacity of 500 or more, the provision of a drugs box and register.

(ii) To improve security or public safety, for example by:

- using CCTV of an evidential standard which is continually monitored with recordings retained for 14 days.
- undertaking a risk assessment for the employment of appropriate numbers of SIA registered door supervisors for security duties and / or stewards for general public service or management (see Appendix 3 for further information). They shall be visible at all times and locations by wearing high visibility personal arm band identification.
- keeping and maintaining a daily premises register of SIA registered door stewards (see Appendix 3 for further information)
- the adoption of a 'safe capacity' necessary for the promotion of public safety or the prevention of disorder on the premises, part of the premises or at an event.
- setting a maximum bag size policy during ENTE periods and carry out regular random bag searches
- providing cloakroom facilities for bag and coat storage
- random use of metal detectors in premises selling alcohol after midnight with a capacity of 500 or more persons
- ensure door stewards remain on duty until all customers have left the vicinity to ensure no crime, disorder or public nuisance whilst they are dispersing.

(iii) To determine that when employing SIA registered door supervisors, licence holders have considered:

(a) Recruiting Security Industry Authority(SIA) licensed door supervision staff from a company that is compliant with the requirements set out in the Security Industry Authority Approved Contactor Scheme (visit the SIA website www.sia.homeoffice.gov.uk for further information); and

(b) What measures will be taken and what procedures are in place for licensees to check the SIA register of licensed door supervisors to ensure their premises and patrons are only protected by door supervisors with an SIA licence. Torbay Council recommends the use of the SIA Company Licence Checker facility (visit the SIA website www.sia.homeoffice.gov.uk for further information).

(iv) To help prevent the use of glass bottles and drinking glasses being used as weapons and inflicting more serious harm during incidents of disorder, consideration needs to be given to the location and style of the premises/event, the times of opening, as well as features such as outside roof terraces, indoor sporting events, and televised sporting events. The use of plastic/polycarbonate vessels is recommended in late night vertical drinking establishments and to prohibit glass bottles from which it is intended or likely that a person will drink in these premises from 23:00 hours.

(v) To help facilitate effective communications by means of radio communications, i.e. Storenet and nitenet radios or by other means to enable instant contact with the CCTV Monitoring Room and other licensed premises in a locality, to warn of situations of disorder or potential disorder and to advise other premises of individuals ejected or refused entry to their premises

(vi) To be able to demonstrate a responsible approach to alcohol sales by ending alcohol sales at a time specified in the application that is some time before the premises themselves are closed, and by not taking part in heavily 'discounted drinking' promotions. At the start of 2010, Parliament approved The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010. This attaches mandatory conditions to all premises licences and club premises certificates where alcohol is sold or supplied on the premises.

(vii) To help reduce the risk of excessive alcohol consumption by providing and promoting reasonably priced soft drinks; and as required as a mandatory condition, to provide free drinking water at all bars. The provision of free potable (safe to drink) water is a mandatory condition.

(viii) To help reduce the risk of crime and disorder being caused by street drinkers, who are or appear to be alcohol dependant. This may be particularly relevant to premises that are permitted to provide sales of alcohol for consumption off the premises, which are located in areas where concerns about street drinkers have been identified by Responsible Authorities or within the area defined in the Cumulative Impact Assessment. Such premises may be required not to stock or sell high strength or types of cheap ciders, beers or lagers with an abv of more than 6% or to sell single unit items, i.e. cans that are split from an original multi pack or other such packaging.

(ix) Awareness of drink spiking and participation in anti-drink spiking initiatives.

(x) Zero tolerance drug policies including the maintenance of an incident log, signage, staff training, appropriate use of searching/amnesty boxes to combat drug crime, an awareness of their venues and possible areas requiring greater monitoring. Businesses are expected to address drug activity by working in partnership with the Police.

(xi) To help manage the premises safely by the provision of sufficient SIA registered door staff following a detailed risk assessment taking into account the size and layout of the premises. (see Appendix 3 for further information)

(xii) To determine whether door stewards are to be employed at takeaway premises which provide late night refreshment.

(xiii) To keep appropriate records**,** an incident log to record incidents that have occurred on the premises or within the vicinity but linked to the premises, telephone calls, complaints and refusals for entry (see Appendix 3 for further information).

(xiv) To help to ensure that the Premises Licence Holder or the Designated Premises Supervisor (DPS) takes all reasonable steps to ensure that staff employed at the premises are, trained so that they understand the requirements of both the premises licence/club premises certificate and the broad provisions of the Licensing Act 2003. It is recommended that premises keep detailed training records that are available for inspection by Responsible Authorities.

(xv) To ensure that all staff in premises selling alcohol after midnight shall be trained and hold, within three months of the commencement of their

employment, BIIAB Level 1 Award in Responsible Alcohol Retailing or similar qualification.

(xvi) To manage appropriately, intoxicated customers, for example by using use a breath box to randomly test and refuse entry to customers where it is believed that they are heavily intoxicated, and to randomly test customers within the premises to ensure that there is no excessive drunkenness.

(xvii) To prepare a policy to ensure that there is a safe area for leaving drinks when customers leave the premises temporarily, e.g. to smoke.

(xviii) To ensure that the premises are adequately managed by a suitable person at all times and that whenever the premises are open for the sale of alcohol after midnight, a personal licence holder is on duty.

(xix) To ensure that the written authorisations of the DPS to all staff are be kept on the premises.

(xx) To implement a recommendation to support and participate in safety incentives such as 'Ask for Angela campaign' and Project Nighteye (Targeting violence against women and girls in the night time economy).

(xxi) To sign up to Torbay's Safety of Women at Night Charter (SWaN) to improve the experience of women in Torbay at night, in both the town centres and harbourside area.

(xxii) To implement a recommendation for premises within designated areas of the Cumulative Impact Assessment to become an accredited venue with Best Bar None.

(xxiii) To write policies to ensure that all off sales are supplied in sealed containers for premises where there is a Public Space Protection Order, and it is believed that the alcohol will be consumed within that designated area. The policy should include the provision of notices to be clearly displayed where alcohol is sold, advising customers that the area is subject to a Public Space Protection Order.

(xxiv) To write policies to ensure that where alcohol is supplied by way of a delivery service, all delivery drivers are trained in Challenge 25, No proof no sale and that deliveries are only to be made to a residential address and received by an over 18.

(xxv) To ensure the even distribution of customers within a premises, to reduce crowding and pinch points which can lead to conflict.

c) Work to reduce the likelihood of any violence, public disorder or policing problems that may arise if a licence is granted.

d) Implementing the outcomes of consultations held by the applicant, in respect of their application and submitted operating schedule, with the Police. Including any recommendations made by the Constabulary's Architectural Design Liaison Officer.

PUBLIC SAFETY

3.2

a) The adequacy of measures proposed to deal with the promotion of public safety and in particular, the steps taken by, or the proposals of, the applicant to:

(i) To assess the risks to the public, staff and others associated with operating the premises or event in accordance with their submitted operating schedule and measures implemented to reduce those risks.

(ii) To provide adequate facilities for people or performers with disabilities and to ensure their safety.

(iii) To ensure that the number of people, staff and performers, present in the premises or at the event can be safely evacuated in the case of emergency and that adequate access arrangements exist to permit the attendance of emergency vehicles, if required.

(iv) To ensure adequate staff training has been undertaken to deal with emergencies. To indicate the frequency that such training will be updated and the method of maintaining staff training records to demonstrate that regular training has taken place.

(v) To maintain controlled entry to the premises or event and establish the maximum number of persons who are occupying the premises or event at any time (see Appendix 3 for further information).

(vi) To determine what the views are of the Maritime and Coastguard Agency, as the lead Authority with regard to all of the four Licensing Objectives, in the case of an application for a premises licence in respect of a passenger vessel.

b) The Authority will undertake consultations with the Council's Officer responsible for the enforcement of Health and Safety legislation in respect of the application and the submitted operating schedule. It is the Policy of the Authority to not use its licensing powers to secure compliance with fire safety requirements, which arise from other legislation. However, in circumstances where fire safety inadequacies indicate that the premises pose a risk to the health and safety of those who enter them and where specific fire safety enforcement does not provide a sufficient or sufficiently rapid remedy; the Licensing Authority will take appropriate steps to ensure that the risk is removed.

c) In preparing an operating schedule for large scale events, which would require a premises licence, the applicant is expected to consider if appropriate the following guidance and publications:

(i) The Event Safety Guide (The Purple Guide) www.thepurpleguide.co.uk

(ii) Managing Risks and Risk Assessment at work – www.hse.gov.uk/simple-health-safety/risk/index.htm

(iii) The Guide to Safety at Sports Grounds, 6th edition (The Stationery Office, ISBN 978-1-9164583-0-7 https://sgsa.org.uk/greenguide-availablenow/

Fire safety

3.3 The Licensing Authority is committed to ensuring public safety in licensed premises by working in close partnership with the Fire Authority, subject to the provisions of the Regulatory Reform (Fire Safety) Order 2005. The Licensing Authority will consider relevant representations from the Fire Authority concerning the implications relating to fire safety for each individual application/variation for a premises licence and seek to protect the safety of all persons at all licensed premises by ensuring that the requirements of the Fire Authority are met.

3.4 In order to avoid the necessity for representations to be made, applicants will be advised where appropriate to consult the Fire Authority and ensure that they have sight of such documentation as may be required in order to allow a reasonable assessment to be made.

3.5 The Licensing Authority will consider applying capacity limits where there are valid reasons and where it has been demonstrated that they will promote any of the licensing objectives.

The Terrorism (Protection of Premises) Act 2025

3.6 The Terrorism (Protection of Premises) Act 2025, also known as Martyn's law, received Royal Assent on Thursday 3 April 2025. The aim of this new legislation is to improve safety and security at public venues, to help ensure that people are prepared, ready to respond and know what to do in the event of a terrorist attack.

It is expected that the implementation phase will be at least 24 months. This will include the publication of statutory guidance and establishing the regulator function within the Security Industry Authority (SIA), as well as ensuring there is time for businesses, premises and events to prepare for the legislation coming into force.

There will be a legal requirement on those responsible for certain venues to increase their preparedness for and protection from a terrorist attack by requiring them to take proportionate steps, depending on the size and nature of the activities that take place.

In the meantime, although terrorist attacks are rare, the threat from terrorism is real and increasingly unpredictable and therefore operators should consider the threat and implement appropriate and proportionate mitigation measures to ensure public safety.

Consequently, the Licensing Authority would expect large capacity venues and organisers of large events to consider the following measures:

- A requirement to engage with freely available counter-terrorism advice and training
- A requirement to conduct vulnerability assessments of their operating places and spaces
- A requirement to mitigate the risks created by any vulnerabilities identified
- A requirement to have a counter-terrorism plan
- Ensuring good communication networks with the Police and signing up for local incident alerts
- Ensuring the presence of sufficient trained first aiders on the premises and appropriate first aid kits.

Further information can be found at ww.protectuk.police.uk/martyns-law and www.gov.uk/government/publications/terrorism-protection-of-premises-act-2025-factsheets.

THE PREVENTION OF PUBLIC NUISANCE

3.7

a) The adequacy of measures proposed to deal with the potential for public nuisance and in particular the steps taken by, or proposals of, the applicant to:

(i) To prevent noise and vibration escaping from the premises or open-air sites, including music, noise from ventilation equipment and human voices. Such measures may include the installation of soundproofing, air conditioning, acoustic lobbies and sound limitation devices.

(ii) To manage the outside spaces, notably beer gardens, designated smoking areas, car parking areas which are within the direct control of the Premises Licence Holder, to prevent noise from patrons and entertainment creating a public nuisance to nearby neighbours.

(iii) To prevent disturbance by patrons arriving at or leaving the premises, or in the vicinity of the premises, especially when smoking.

(iv) To prevent queuing, or, if queuing is inevitable, to divert queues away from neighbouring premises or otherwise manage the queue to prevent disturbance or obstruction.

(v) To consider the cumulative effect from multiple one-off events giving rise to public nuisance.

(vi) To ensure that staff leave the premises quietly.

(vii) To evaluate whether taxis, private hire or other vehicles serving the premises are likely to disturb local residents and/or people staying in nearby holiday accommodation.

(viii) To evaluate whether routes to or from the premises on foot or by car, or for service or delivery vehicles, pass residential premises and holiday accommodation and if so, the effect this may have on such properties.

(ix) To prepare, implement and oversee, as appropriate, polices regarding dispersal of customers, queue management, smoking areas and outside spaces.

(x) To take suitable steps to improve the management of the premises, following any previous or current enforcement action taken.

(xi) To prevent disturbance from light arising from security devices, floodlighting, advertising lighting or any special effect lighting.

(xii) To prevent noxious fumes from causing a nuisance to occupants of nearby residential and commercial premises or land.

(xiii) To determine whether the premises would result in increased refuse storage or disposal problems, or whether additional litter from or in the vicinity of the premises could cumulatively cause public nuisance.

(xiv) To implement where appropriate, the outcomes of consultations held between the applicant and Torbay Council's Licensing & Public Protection Team in respect of the application and submitted operating schedule.

b) The Authority advocates working with businesses, with the shared aim of providing a more business friendly and vibrant economy, however, accepts that it equally has a responsibility to its residents. To aid in the process, Appendix 3 gives further advice relating to public nuisance that businesses, new or existing, may wish to consider when making an application or preparing for an event. This should aid both the business and the Authority to ensure there is a common understanding of what is proposed and what the impacts might be. That contained within Appendix 3, should help applicants consider the areas they should address and to formulate their own operating schedule tailored to the type, nature and characteristics of the specific premises and its neighbourhood.

Outdoor Areas and Smoking Areas

3.8 Beer gardens, roof terraces, pavements and other outdoor areas serving licensed premises are expected to comply with appropriate conditions to the individual premises to ensure minimal disruption to residents in proximity to the premises.

3.9 Where applicants propose to provide seating, tables or other facilities in any outdoor area, whether covered or not, or to permit the use of outdoor areas as smoking areas, applicants will be expected to demonstrate in their operating schedule:

a. Detail the location of outside areas to be available for use.

b. how the outside areas will be managed to prevent a) noise; b) smell; and c) pavement obstructions, and d) littering.

c. the arrangements for clearing, tables and chairs; and

d. preventing nuisance from smoke fumes to residents living in close proximity to smoking areas.

e. Suitable and sufficient measures will be in place to prevent the escape of noise and other public nuisance from that outdoor area, from the licensed premises or from any of the licensable activities

f. Effective management controls and other measures are put in place this will include removal of seating/tables, presence of staff and installation of CCTV to ensure that licensable activities and the use of such areas by customers or other persons is controlled so as not to adversely impact on nearby residents

3.10 Where outside spaces are used for eating, and where children may also be present in the outside space, the Authority expects applicants to provide details as to how smoking areas will be separated from the general use areas of the outside space.

3.11 Premises Licence Holders must take into account the needs of patrons with disabilities and comply with the requirements of the Equalities Act 2010.

3.12 After 23:00 hours consideration should be given to the impact of patrons using outside smoking areas. The Licensing Authority will normally expect the public use of external areas in the licensee's control to cease at 23:00 hours. Where outside areas will be in use after 23:00 hours additional management controls will need to be considered which may including limiting the number of patrons permitted in the area and the presence of security staff.

3.13 Following the implementation of the smoking ban in July 2007, the Licensing Authority recognises that smokers wishing to smoke will have to go outside the licensed premises. They may also want to take alcohol purchased inside for consumption outside. In some cases, smoking will be in garden areas. In others, it may be on other parts of the licensed premises or even the highway.

3.14 Members of the public can sometimes feel intimidated and crowds of drinkers or smokers spilling out onto the street may cause obstruction. Safety problems can also be caused with drinkers and smokers moving into the road. Wherever possible, all patrons should be contained within areas that are part of licensed premises, such as beer gardens, terraces or, where a pavement café consent has been granted by the Council for tables and chairs, on the public highway, and consideration should be made for local residents with mobility difficulties.

3.15 Where patrons are permitted to take drinks outside the premises the Licensing Authority will expect licensees to take such steps as possible to ensure glasses/bottles and other receptacles are not left outside. Where broken glass may become an issue, this should be included within the management plan of the premises.

3.16 The premises may provide some form of shelter for those smoking outside, but these must not be fully or substantially enclosed in accordance with the Health Act 2006. Licensees should be aware of their responsibilities to prevent public nuisance.

3.17 Noise is likely to be caused not only from persons outside, but from the licensed premises if doors are continually opened or left open as customers go in and out.

3.18 If relevant representations are received, the Licensing Authority may consider conditions restricting the use of outside areas. Such conditions may include the prevention of drinks within the external area, restricting the carrying of any receptacle outside, prohibiting re-entry to premises after customers have left or restrictions on the number of people allowed at any one time in the outside areas and having dedicated staff to monitor the smoking area and take action where necessary.

3.19 The Licensing Authority may impose conditions on licences requiring the operators to provide cigarette disposal units in the vicinity of the premises and to carry out regular cleaning of the area as necessary in order to prevent public nuisance.

Night cafes and Takeaway Premises/Restaurants with delivery services

3.20 The Licensing Authority will look to applicants to evidence steps they will take to address these associated issues which can present a public nuisance issue which should include:

- Provision of bins outside to reduce littering by patrons
- Evidence of commercial bin waste contract and pest control contract as necessary.
- Management of outside queues or seating areas after 23:00 hours. Where a risk assessment deems it necessary security staff may be needed at busy times of the night or year when business is seasonal
- Restrictions on the times for deliveries and when bins are emptied
- Suitable parking and access arrangement for any third-party delivery staff such as Uber Eats or Deliveroo as these can cause considerable public nuisance in terms of parking and noise

3.21 Premises open after 23:00 hours supplying hot food or hot drink for consumption on or off the premises can attract large groups of customers, many of whom have already consumed alcohol. The gathering of people around takeaways can lead to additional noise, disturbance and greater amounts of litter and rubbish.

3.22 Premises that operate late at night offering alcohol and/or takeaway food can generate concerns about antisocial behaviour and nuisance in the vicinity. It is expected that applicants should address such issues within their operating schedule.

Fly posting and promotional material

3.23 Torbay often faces the widespread problem of illegal and nuisance fly posting and littering from promotional material used to promote bands and events in the area. This can have an impact on the prevention of public nuisance objective and the prevention of crime and disorder objective within the Licensing Act 2003.

3.24 Existing legislation seeks to address this problem however, it often proves ineffective in preventing this type of nuisance advertising. Some licence holders leave the advertising of regulated entertainment to events promoters and then use this to argue that they are not responsible for any illegal fly posting that occurs.

3.25 The Licensing Authority expects responsible licence holders to ensure the licensed objectives are properly promoted when advertising regulated entertainment on their premises. For this reason, licence holders should outline in their operating schedules the steps to be taken ensure advertising of licensable activities does not cause nuisance or give risk to crime and disorder.

3.26 Premises Licence Holders are encouraged to have explicit agreements or contracts with named individuals or companies used to promote events to address the issue of fly posting and littering from promotional material. They should also maintain a register of individuals and companies contracted with, for inspection by any Responsible Authority or Authorised Officer on request. Where appropriate and where consistent with the applicant's operating schedule, the Licensing Authority will impose conditions to this effect when its discretion to do so has been engaged.

3.27 Businesses wishing to hand out any free printed material such as newspapers, leaflets, vouchers, business cards, stickers or promotional material in a specific

area of Torquay, must also obtain a licence from the Council. Further information can be found at www.torbay.gov.uk//leaflets.

THE PROTECTION OF CHILDREN FROM HARM

3.28

a) To consider that adequate measures are proposed to protect children from harm and in particular the steps taken by, or proposals of the applicant to protect children:

   (i) In cases where there have been convictions or Fixed Penalty Notices against staff employed at the premises for serving alcohol to minors, or at premises with a reputation for underage drinking.

   (ii) In premises where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.

   (iii) In premises where there is a known association with drug taking or dealing.

   (iv) In premises where there is a strong element of gambling on the premises (e.g. jackpot machines).

   (v) In premises where entertainment or services of an adult or sexual nature are provided.

   (vi) In premises where, in the case of premises giving film exhibitions, the arrangements for restricting children from viewing age-restricted films classified according to the recommendations of the British Board of Film Classification or the Licensing Authority itself.

   (vii) In premises where children are employed without a work permit issued by Torbay Council.

b) The steps the applicant has taken or proposes to:

   (i) Clearly state their intentions to manage the premises so as to protect children from harm.

   (ii) Limit the hours when children may be present.

(iii) Impose age limitations, for those under 18 years, on attendance.

(iv) Impose age limitations, for those under 18 years, on employment.

(v) Limit or exclude children when “Special Risk Entertainments” are taking place.

(vi) Limit access by children to only parts of the premises.

(vii) Require the presence of an accompanying adult.

(viii) Fully exclude persons under 18 years from the premises when any or all licensable activities are taking place.

(ix) Prevent the service of alcohol to children under eighteen years, except in the limited circumstances allowed for by the law and when satisfied that proof of age has been adequately demonstrated.

c) The Authority recommends that the only way to verify a young person’s proof of age is with reference to their:

(i) Passport
(ii) Driving licence
(iii) Provisional driving licence
(iv) Proof of Age Standards Scheme (PASS) card
(v) Official Military identity card

d) The Authority recommends that premises which sell or supply alcohol, adopt the Challenge 25 scheme.

e) The Authority recommends that premises which sell or supply alcohol should ensure that staff are suitably trained in all aspects of age-related sales and that training is reviewed on a regular basis. The Authority also recommends that records of all staff training are kept for a period of 12 months and made available to a Responsible Authority on reasonable request and that the premises has a written Age Verification Policy, which is also made available to a Responsible Authority on reasonable request. All members of staff must read and sign to confirm their understanding of the Policy, in order to support compliance with the mandatory conditions. A free online toolkit is available to Torbay Licensed premises to assist with staff training and help prevent the illegal sale of age restricted goods. Further information can be found at www.proofofage.org.uk

f) The Authority supports the installation of ID Scanners in premises open after midnight that may attract underage drinkers.

g) Clearly stated measures in the case of an emergency for controlling access and egress and ensuring the well-being of children where a regulated entertainment is specially presented for them. The Authority will normally require as a minimum the following arrangements: -

(i) An adult member of staff to be stationed in the vicinity of each of the exits from any level of the premises, subject to there being a minimum of one member of staff per 50 children or part thereof (subject to (iv) below).

(ii) No child to be permitted in the front row of any balcony unless accompanied by an adult.

(iii) No standing to be permitted in any part of the auditorium during the performance.

(iv) At least one adult member of staff of each gender, when groups of mixed gender are present.

(v) Clearly stated measures where regulated entertainment is specially presented for under 18's in an existing licensed premises, Torbay Council will normally require as a minimum, the conditions found in Appendix three.

(vi) Where a regulated entertainment is held specifically targeting children, the steps the applicant proposes to demonstrate that the organisers of the event have ensured that their employees or other persons who will be responsible for supervising children have been submitted to the advanced disclosure mechanism operated by the Disclosure and Barring Service.

SECTION 4 – The Licensing Authority's rationale for issuing Premises Licences is to:

4.1 Ensure that conditions are consistent with any operating schedule accompanying the application. Terms or conditions attached to premises licences will focus on matters that are within the control of individual licensees and others granted relevant permissions and will not duplicate requirements normally enforced by other regulatory regimes.

4.2 Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) and its vicinity, the applicant (or 'agent of change') should be required by the local planning authority to provide suitable mitigation before the development has been completed.

4.3 Consider adding stricter conditions, limit hours and in some circumstances refuse types of regulated entertainment at premises in close proximity to residential premises.

4.4 Consider refusing or limiting types of regulated entertainment or impose early closing times where applicants have not sufficiently demonstrated how they will protect residential premises in close proximity to their premises, from public nuisance. (See Appendix 3 for further advice and information).

4.5 Will include, when necessary, conditions limiting the access of children to licensed premises solely for the prevention of harm to children.

4.6 Will add the mandatory conditions, if the premises licence is to authorise the supply of alcohol. The relevant mandatory conditions can be found in Appendix 3.

4.7 Will add the mandatory condition where a premises licence is to authorise the exhibition of films and:

a) That the admission of children to the exhibition of any film to be restricted in accordance with the age restrictions set by the British Board of Film Classification
b) Except in a case where the Authority has determined a classification of its own in relation to a particular film, in which case that classification will be adopted as a mandatory condition.

4.8 Will seek to fulfil the Licensing Objectives by ensuring that only conditions relevant to those Objectives are attached to licences and certificates and are tailored to the individual style and characteristics of the premises and events concerned.

4.9 Where a representation is received, will seek to promptly set before Licensing Committee or Licensing Sub-Committee those applications that are fully made in accordance with this Policy, the Act and any other relevant regulations or guidance. This will enable the Authority to deal with licensing issues speedily, efficiently and in a cost-effective manner.

SECTION 5 - The role and influence of Representations:

The Licensing Authority:

5.1 Recognises the right of a person or a business to make representations on an application and will consider such representations unless it deems them to be frivolous or vexatious, or, as the Act permits in the case of an application for review of a licence or certificate, if such representation is deemed frivolous, vexatious or repetitious in nature.

5.2 Will not accept a review application arising from complaint by an interested party that is based on grounds similar to those raised within a period of twelve months, save in compelling and exceptional circumstances.

5.3 Expects those objecting to applications to help to provide information/evidence to support the assertion that the addition of the premises' licensable activities would be likely to produce the claimed impact on the neighbourhood when considered against the four Licensing Objectives.

5.4 Recognises that Elected Councillors are defined as Interested Parties and can make representations in their own right, and not just on behalf of others, providing they are Members of the relevant Licensing Authority to which the application has been made.

5.5 Recognises that Health is not a licensing objective, but the Authority is aware that there is a significant negative impact on the health of our residents caused by alcohol, reflected in hospital admissions and deaths from alcohol related illnesses, and alcohol induced violence.

Since 2012 the Director of Public Health in Torbay has been a Responsible Authority and is able to make representations on applications and initiate reviews. The Director of Public Health has access to data and evidence that is useful and informative for the development of policy, and the consideration of applications and the conducting of reviews.

This includes:

- evidence on the impact of alcohol on the physical and mental health of residents, particularly children;
- data on hospital admissions for alcohol related illness and injury;
- data and evidence from local alcohol services, such as outreach and treatment services.

When such evidence and data is presented, it will be considered and where links are made to any of the four licensing objectives it will be taken into account by the Licensing Sub Committee in reaching its decision.

SECTION 6 - The way the Licensing Authority will communicate and enforce requirements

6.1 The Authority has a Licensing Committee comprising of at least 10 and no more than 15 Members of the Authority in order to discharge the functions of the Licensing Authority and a Licensing Sub-Committee comprising of any three Members of the Licensing Committee to discharge any function it directs that is exercisable by the Licensing Committee.

6.2 A Chairperson of the Licensing Committee will be elected at the first annual meeting of the Authority.

6.3 The Authority will ensure that Members and Officers are appropriately trained to carry out their duties under the Act and in accordance with the Authority's constitution. No Member of the Authority shall sit upon the Licensing Committee or Sub-Committee unless they have received appropriate training.

6.4 The Licensing Committee recognises the Local Safeguarding Children Board or specified successor organisation as the competent body for the purposes of this Policy with regard to the protection of children from harm.

6.5 To adhere to the principles of The Regulators' Code (April 2014), which include:

1. Regulators should carry out their activities in a way that supports those they regulate to comply and grow
2. Regulators should provide simple and straightforward ways to engage with those they regulate and hear their views
3. Regulators should base their regulatory activities on risk
4. Regulators should share information about compliance and risk
5. Regulators should ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply
6. Regulators should ensure that their approach to their regulatory activities is transparent

6.6 To publicise the Terms of Reference set down for its Licensing Committee.

6.7 To recognise enforcement as both formal and informal actions including advice, information, monitoring, liaison, training and promotion of good practice and includes:

a) Actions instituted by the Licensing Committee

b) Actions taken by an Officer of the Authority with the appropriate delegated authority to take such actions

c) Actions by an authorised Officer of a partner organisation with a statutory responsibility for a licensable Premises or activity.

6.8 To work with the Police and other enforcement agencies and to have an information sharing agreement in place.

6.9 To work in partnership with relevant agencies to develop effective and documented Protocols and working arrangements which allow for a 'lighter touch' where risks are perceived low, whilst higher risks situations may be specifically targeted in proportion to the risks identified.

6.10 To comply with the Code of Practice: Age Restricted Products, published by BIS/BRDO 2014, insofar as it relates to the test purchasing of alcohol by Trading Standards Officers and other agencies.

6.11 In so far as it is possible, avoid duplication of requirements with other regulatory agencies.

6.12 To recognise the Act as only one of the mechanisms available to regulate the leisure, hospitality and retail economy and to assist in the maintenance of public order in Torbay. Other influences and controls include: -

a) Planning controls and the recognition that crime and disorder prevention should be designed into new developments.

b) The designation of public places where alcohol may not be consumed and the confiscation of alcohol may be enforced.

c) Police powers to close down premises or temporary events for up to 24 hours on the grounds of disorder, the likelihood of disorder or excessive noise and the powers of Environmental Health Officers to close noisy premises.

d) Take enforcement action against personal licence holders who sell alcohol to people who are drunk.

e) Powers of the Police, Responsible Authorities or a local resident or business to seek a review of a premises licence or club premises certificate.

f) Flexible resourcing of the Authority's CCTV Control Room to maintain optimum use of the CCTV system with its partners in accordance with its Code of Practice for the Operation of Closed-Circuit Television (2007).

g) Promotion of the NiteNet, Pub Watch/local licensing forums, StoreNet or UKPAC communication systems and where appropriate impose the participation in the NiteNet scheme upon applicants through licence conditions.

h) Measures taken in partnership with local businesses and others to maintain a clean and safe environment.

6.13 Investigate complaints against licensed premises both with respect to the conditions on their premises licence or club premises certificate, but also the broader requirements of the Licensing Act 2003. This includes complaints regarding noise, public safety or child protection that is within its remit.

6.14 Licensing fees are set and are due for payment on the anniversary of the licence and are dependent upon the non-domestic rateable value of the premises. This value, which is also used to calculate business rates, can be found through the Valuation Office Agency (VOA) search engine at https://www.gov.uk/correct-your-business-rates. The licence holder is expected to pay the required licence fee when it is due, or the law requires the licence to be suspended until such fees are paid.

Carrying on licensable activity while a licence has been suspended is a criminal offence and may result in enforcement action, including prosecution.

The Authority would strongly encourage the premises licence holder to contact the Licensing Team to discuss any problems prior to your annual licence fee being due, to enable the Authority to offer help where they can.

If the fee is disputed prior to the date it is due for payment, the licence will not be suspended pending clarification and resolution. Where an administrative error in relation to the recorded receipt of the annual fee has been made by the Council and the licence holder has provided proof of payment, the licence will not be suspended.

6.15 Although the Authority accepts that the positioning of gaming machines in licensed premises is a matter for the Gambling Act 2005, attention is drawn to the fact that Gaming Machines must be supervised at all times and therefore within sight of an area where staff are present.

Appendix 1: Contact Details

These details are provided to enable easy contact with the responsible authorities and to supply applications to them as required by the Licensing Act 2003.

Licensing Authority

Licensing and Public Protection Team
Town Hall
Castle Circus
Torquay
TQ1 3DR
Tel: 01803 208025
E-mail: licensing@torbay.gov.uk

Responsible Authorities

Devon and Cornwall Police
Licensing Department
Launceston Police Station
Moorland Road
Launceston
PL15 7HY
Tel: 01566 770500
E-mail: licensing.team@devonandcornwall.pnn.police.uk

Devon & Somerset Fire and Rescue Service
Divisional Headquarters
Newton Road
Torquay
TQ2 7AD
Tel: 01803 653700
E-mail: southfiresafety@dsfire.gov.uk

Torbay Children's Services
C/O Town Hall
Castle Circus
Torquay
TQ1 3DR
Tel: 01803 208559
Email: CSCentral@torbay.gov.uk

Director of Public Health
Town Hall
Castle Circus
Torquay
TQ1 3DR
Tel: 01803 207350
Email: Publichealth@torbay.gov.uk

Licensing and Public Protection Team (Public Nuisance)
Town Hall
Castle Circus
Torquay
TQ1 3DR
Tel: 01803 208025
E-mail: Licensing@torbay.gov.uk

Food & Safety Team
Town Hall
Castle Circus
Torquay
TQ1 3DR
Tel: 01803 208025
E-mail: Foodsafety@torbay.gov.uk

Operational Support
Health and Safety Executive
North Quay House
Sutton Harbour
Plymouth
PL4 0RA
Tel: 0300 0031747
E-mail: formsadmin.plymouth@hse.gsi.gov.uk

Planning Department
Town Hall
Castle Circus
Torquay
TQ1 3DR
Tel: 01803 207801
E-mail: planning@torbay.gov.uk

Heart of the South West Trading Standards Service
County Hall
Topsham Road
Exeter
EX2 4QD
Tel: 01392 381381
Email: tsadvice@devon.gov.uk

Home Office (Immigration Enforcement)
IE Licensing Compliance Team (IELCT)
2 Ruskin Square (Floor 6)
Dingwall Road
Croydon
CR20 2WF
Email: IE.licensing.applications@homeoffice.gov.uk

(Home Office Immigration Enforcement is not a responsible authority in relation to club premises certificates).

In relation to vessels, Responsible Authorities also include navigation authorities within the meaning of S. 221(1) of the Water Resources Act 1991 that have statutory functions in relation to the waters where the vessel is usually moored or berthed or any waters where it is proposed to be navigated when being used for licensable activities.

Plymouth Marine Office
Maritime & Coastguard Agency
Suite 5, Endeavour House
Oceansgate, Vivid Approach
Plymouth
PL1 4RW
Tel: 020 390 85245
E-mail: mcaplymouthadmin@mcga.gov.uk

Appendix 2 – Scheme of Delegation

The full **scheme of delegation** is set out below: -

Matter to be dealt with	* Full Committee	Sub Committee	Officers
Application for personal licence		If an objection is made	If no objection made
Application for review of personal licence with unspent convictions		All cases	
Application for premises licence/ club premises certificate.		If a representation made	If no representation made
Application for provisional statement.		If a representation made	If no representation made
Application to vary premises licence/ club premises certificate.		If a representation made	If no representation made
Application for minor variation of premises licence/ club premises certificate.			All cases
Application to vary designated premises supervisor.		If a Police objection	All other cases
Request to be removed as designated premises supervisor.			All cases
Determination of application to disapply requirement for DPS at community premises		If a Police objection	All other cases
Application for transfer of premise licence.		If a Police objection	All other cases
Applications for interim authorities.		If a Police objection	All other cases
Application to review premises licence/club premises certificate.		All cases	
Decision on whether a complaint is irrelevant, frivolous, vexatious etc			All cases
Decision whether to object when Local		All cases	

Authority is a consultee and not the relevant authority considering the application.			
Determination of a Police or Environmental Health objection to a temporary event notice.		All cases	
Determination of a Police or Environmental Health objection to a late temporary event notice.			All cases

*** Full committee may deal with all Sub-Committee matters.**

Appendix 3: Supplementary Information

PREVENTION OF CRIME AND DISORDER

Risk assessment for the provision of Security Industry Authority (SIA) door supervisors

The number and times of required staff would be dependent on the location and style of premises/event. Some areas may warrant the employment of SIA registered door supervisors for longer periods of the evening than other areas. This may be particularly true of nighttime economy areas, which includes the CIA. The number of door supervisors to be employed would need to be determined as a result of a risk assessment carried out by the Premises Licence Holder and/or the Designated Premises Supervisor **or** required by the Authority. However, it is recommended that two SIA door supervisors are employed for up to the first 100 customers, and thereafter one additional steward is employed for each additional 100 customers. Consideration also needs to be given to the ratio of male and female door supervisors which are appropriate for particular premises/events.

This can, however, be altered, subject to the applicant demonstrating through a suitable and sufficient risk assessment, to the satisfaction of the Responsible Authorities and where necessary, Councillors at a subsequent Licensing Committee hearing, that a different ratio is appropriate. This risk assessment should take into consideration the duties required by the supervisors, the layout of the premises and any key locations/flash points/pinch points within the premises that will require additional supervisors.

Register of SIA door supervisors

It is strongly recommended that all premises keep a daily premises register of employed SIA registered door supervisors and this register to be kept for a minimum of 12 months and be available for inspection by any authorised officer of the Authority or Police. The register shall include full names of the SIA door supervisor working, with their SIA badge numbers, and the date and the times that they commenced and finished their work. This register shall be signed at the end of each shift by the duty manager.

Provision of Incident Log

It is strongly recommended that all premises keep an incident log. The premises incident log shall record all calls, whether in person or via alternative communication

(e.g. email, in writing) made to the premises where there is a complaint made by a resident or neighbouring premises of noise nuisance or anti-social behaviour by persons attending or leaving the premises. The incident log shall record the details of the caller, time and date of the call/ visit and the incident referred to along with any action or proposed action/s taken to resolve the issue complained of. The incident log will also record all incidents involving the use of force by staff or SIA registered door supervisors in the refusal of entry to or the ejection of patrons from the premises. The details of any registered SIA registered door supervisors involved in the incident shall be recorded including their badge number. This log should be completed as soon as reasonably possible following an incident.

Reducing the Strength Campaign

The Licensing Authority may not approve applications for off sales near to alcohol addiction recovery activities or buildings, or in areas where drinking in public spaces affects any of the licensing objectives.

Due to crime, disorder and anti-social behaviour issues with known street drinkers within Torbay, the Police introduced a 'Reducing the Strength Campaign' to limit the availability of high strength lagers, beers and ciders in areas where a problem with street drinkers has been identified, but particularly within the CIA. A number of licensed premises with Torquay Town Centre, and other areas where there are specific concerns regarding street drinkers, who are authorised for the sale of alcohol for consumption off the premises, have conditions prohibiting them from selling any beer, cider or lager with an abv of 6% or more and prohibiting the sale of alcohol in single units.

Where applications are granted, additional conditions or limitations such as trading hours may be appropriate. Additional conditions may include:

- No single cans or bottles of be or cider will be sold
- No sale of high strength beers or ciders of 6.0% ABV and above.
- Minimum of two staff to be on duty at times the premises remain open for sale
- Staff must obtain nationally recognised training on responsible alcohol retailing within two months of employment
- High strength beers or ciders will be for sale behind a counter accessed only by staff
- All alcoholic drinks will be clearly labelled or marked with the name of the premises
- The premises will operate a proof of age scheme such as Challenge 25
- Notices will be clearly displayed near to where alcohol is exposed for sale or sold advising customers that the area is subject to a Public Spaces Protection Order (PSPO)

- Restrictions on the design and placement of alcohol for sale

All applicants applying for the grant of a premises licence authorising the sale of alcohol for consumption off the premises, should consider including the above requirements within their application, particularly where premises are situated within the CIA, and should consult with the Police Licensing Officer for further advice.

PUBLIC SAFETY

Occupancy of Licensed Premises

Require the submission of an Operating Schedule that is specific to the individual application; and where appropriate specifies the maximum intended occupancy including staff, performers and members of the public and is sufficiently comprehensive to enable the Authority and other Responsible Authorities to consider the application fully within the terms of this Policy, where appropriate. This should be in the form of a fire risk assessment, including safe capacity limits in compliance with the **Regulatory Reform (Fire Safety) Order 2005,** and in addition to the information above, should include how these numbers are controlled. The Authority will, when relevant representations are received from the Fire Authority, consider the implications relating to fire safety for each individual application for, or variation to, the premises licence.

There are some occasions where it will be appropriate to place a maximum safe occupancy figure as a licence condition to prevent crime and disorder and protect public safety. It will also be appropriate to limit the occupancy in certain parts of premises. Crowding can arise from inappropriate pedestrian flow patterns caused by poor location of entry and exit doors, dance floors, bars and toilets.

Overcrowding has been found to be linked to lower tolerance, increased frustration and conflict. The consequences of crowding will also depend on other factors such as levels of drunkenness and the extent of server intervention.
It is for the applicant to consider the maximum safe occupancy for each premises. A maximum occupancy figure may be expected as part of the operating schedule for premises that present a high risk, for example:

- Where the licensable area involves two or more floors, including mezzanines
- Where there is an expected capacity of greater than 500
- Premises which may be described as high-volume vertical drinking establishments, including any premises which attracts the fee multiplier
- Premises which have a licence to trade beyond midnight
- Where the use of pyrotechnics is likely
- Any premises within a cumulative impact area

Applicants will wish to consider maximum capacities based on means of escape from fire, toilet facilities, floor space and layout. The lower of these values should be used to set the maximum occupancy.

PREVENTION OF PUBLIC NUISANCE

General consideration

1. Public nuisance is the most common reason for complaints against existing premises and for representations to be made about new and variation applications. It can include low-level nuisance affecting a few people locally, as well as major disturbance.

2. The potential for nuisance varies according to the nature of the premises. The Authority will interpret nuisance in its widest sense and takes it to include such issues as noise (from patrons and music, both inside and outside the premises), light, litter, human waste (such as vomit and urine), fly-posting and anti-social behaviour.

3. Noise nuisance is the most common problem. It is particularly intrusive at night when ambient noise levels are lower and residents are trying to sleep, and so it is essential that applicants can demonstrate how they will effectively manage public nuisance.

4. Where applicants are completing operating schedules, they are expected to have regard to the location of the proposed or actual premises. In particular, consideration should be given to whether proposals may have a disproportionate impact in residential areas or near to sensitive premises such as nursing homes, older people's accommodation, hospitals, hospices, schools, childcare facilities or places of worship.

5. Applicants with access to outdoor spaces, such beer gardens and designated smoking areas, may be asked to provide a written noise management plan if the location of outdoor spaces is adjacent to or in close proximity of residential accommodation or hospitality services, such as hotels and B&Bs. Please refer to the Council's Guidance Notes on Noise Management Plans at www.torbay.gov.uk/new-premises-licence.

6. Proximity to residential accommodation is a general consideration with regard to the prevention of public nuisance. The Authority will treat each case on its individual merits; however, stricter conditions will generally be considered on premises licences in areas that have denser levels of residential

accommodation or residential accommodation in close proximity to them. This may include, where appropriate, the Authority considering an earlier terminal hour than that proposed by the applicant.

7. Applications for licensed premises located close to residential areas wishing to open beyond 23:00 hours will need to ensure that a high standard of control is included within their operating schedule so that, for example, any entertainment provided by a venue must be to entertain the patrons of that venue and not the wider community. Public nuisance (within the meaning envisaged by the Act) must not result from the operation of any venue.

8. Between the hours of 23:00 and 08:00 hours any new premises licence, or variation to a licence with hours beyond 23:00, is expected to include a condition of total sound containment within the licensed premises. Any existing licensed premises that cause disturbance between 23:00 and 08:00 hours are expected to take measures to reduce noise levels so as not to cause a nuisance to local residents.

9. The Authority will presume against the grant of new or variations to premises licences and club premises certificates where there are extensions in operational hours, or the addition or extension of activities (regulated entertainment) that may cause public nuisance, and the applicant cannot demonstrate that they have properly considered the issue of nuisance.

10. To demonstrate proper consideration, Applicants are strongly encouraged to engage the services of and obtain appropriate advice from those with the expertise in this field, to explore what if any mitigation measures could be put in place to alleviate the impact of potential nuisance arising from their premises operations.

11. There will be an assumption however, that licensed premises in residential areas, or where there is close proximity to residential properties or hospitality services, will only be allowed to undertake licensable activities until 23:00 hours, unless detailed consideration and mitigation measures have been proposed to address those concerns. A simple application with no supporting material can be expected to be refused, where relevant representations have been received.

12. Applicants will be expected to demonstrate in their operating schedule, that nuisance arising from noise, light, smoke odour, litter, ASB, human waste, fly posting, highway/footway disruption, can be minimised or fully mitigated against.

13. The content of an operating schedule subsequently becomes the basis of conditions on the licence and should be in a form that can be expressed as an enforceable condition. Failure to do this may lead to a representation from the Authority, a Responsible Authority or other person.

14. The following suggestions should be considered but will vary according to the intended operations of each premises. The list is not exhaustive and is intended to act as prompt for applicants:

- Is an acoustic report needed if the application involves live or recorded music and later hours.

- Can details of the location and types of any schemes designed to attenuate noise from the premises be provided?

- Can details of any measures to minimise the noise caused by patrons outside the premises be provided?

- How the noise from the activity can be controlled to prevent noise breakout. Some premises simply do not have the structure to contain noise, and it is unlikely that these types of premises can have these noisier activities.

- Can the noise breakout be controlled by double glazing, noise limiters, large lobby areas, or any other structural change that attenuates the noise.

- The location and availability of any taxi ranks, bus stops, street pastors, railways stations in relation to the premises which are operational at or just after the terminal hour of the licence.

- Provide details of the location and management of any outdoor areas within the property boundary for use by patrons drinking, eating, smoking, queuing or congregating outside, and the hours of use of such areas.

- Include details of dispersal policies and consider the role of door supervision and winding down periods.

- Will you reduce music sound levels and tempo towards the end of the evening.

- Will lighting be increased towards the end of the evening.

- Will there be an area for patrons to use whilst waiting for taxis, such as wind-down/chill out areas.

- Any use of outside areas such tables and chairs on the highway or smoking areas.

- If the operation of the venue will attract additional litter such as food cartons or publicity flyers what measures will be put in place to deal with this.

- Will there be litter patrols for premises operating as takeaways or providing off-sales.

15. If an application is expected to be contentious or noise problems already exist, expert advice should be sought. Applicants are advised to employ a noise consultant before an application is submitted but ideally before signing a lease agreement, if applicable.

16. Sound attenuation works can be very costly and applicants should factor in the costs into their budget. It can more expensive and inconvenient if noise breakout is not mitigated at the build stage. The consultant's report should be submitted as part of the application, or a proposed condition that advises that this will be done to the Responsible Authorities' satisfaction before the activity starts.

17. If a premises licence is granted for an area that hosts one off events, the Authority and applicant will have regard to the cumulative impact or effect of multiple one-off events and how noise may affect nearby residents and business.

18. Many premises already have later operating hours and later activities. This can and does cause significant public nuisance to neighbours and create a significant workload for Responsible Authorities.

19. In cases where a premises has benefitted from the deregulation of live and recorded music and the operator creates a nuisance to its neighbours; the Council will seek a review of the premises licence to remove the exemption under the Live Music Act 2012.

Temporary Event Notices (TENs)

The Authority expects that applicants for TENs, where there is anticipated to be more noise emitted than is usual for the location, to contact the Responsible Authorities well before the event, to enable sufficient time to consider the implications and to be able to work with you, to address any concerns.

In the case of events where the event maybe of a significant duration, albeit still under the TEN limit of 499 persons at any one time, the Authority asks applicants to submit

an Event Management Plan 3 months before the intended event date, to minimise the likelihood of objections from Responsible Authorities. The content of the Plan should reflect the event size, and in some cases may only need to be based around a Noise Management Plan. Please refer to Torbay Council's Noise Management Plan Guidance Note.

If sufficient information is not provided in support of a TEN, it is quite possible that an objection will be submitted by the Responsible Authorities, or in the case of a Late TEN, simply refused, as the Licensing Act 2003 dictates.

PROTECTION OF CHILDREN FROM HARM

Staff Training

The Licensing Authority requires as per the mandatory conditions, that an age verification policy is adopted. Premises that sell or supply alcohol will ensure that staff are suitably trained in all aspects of age-related sales and that training is reviewed on a regular basis. Good practice would be considered as the following:

- Evidence of staff training in relation to age-relate sales
- Evidence of training reviews carried out as and when appropriate
- A refusals register when service of alcohol is declined to those persons unable to provide proof of age.

Under 18 discos in licensed premises

Good practice would include the following:

- These events should finish no later than 23.00hrs after which there will be a 30-minute period before the premises re-opens to over 18's
- The Police shall be notified in writing or email at least (minimum) 14 days prior to the proposed event.
- At least 4 SIA door supervisors must be employed throughout the event, which shall include at least 1 female supervisor. All supervisors will have undergone a Criminal Records Bureau check.
- All alcohol will be locked away and/or obscured from view.
- All gaming machines with prizes will be unplugged and locked.

- All promotional material relating to alcohol shall be removed.
- Any person refusing to be searched will be refused entry.
- Metal detectors will be used at random on entry.
- The event will be promoted to ages of 14 years and above.
- International student events shall be restricted to international students only.
- Throughout under 18 events, the Designated Premises Supervisor or Personal Licence Holder must be present.

Online alcohol sales and delivery services

There has been an increased number of applications for licences relating to delivery services. Although these types of services are not provided for in the Licensing Act 2003, in any way differently from other licensed premises, they do provide their own unique circumstances that need to be addressed. In particular the Authority has concerns with the potential for the following:

- Age verification at both purchase point and delivery point;
- The safety of delivery drivers at point of delivery;
- Safety of the premises from which orders are taken and sent out for delivery; and
- Possible public nuisance caused by delivery drivers collecting deliveries from the licensed premises.

The Authority expects licence applications for delivery services that include the delivery of alcohol to take into account issues relating to reducing public nuisance from to delivery vehicles, ensuring the security of premises and delivery drivers, and protecting children by applying rigorous age appropriate checks at purchase point and at point of delivery.

It is expected that:

- All alcohol stored at the premises shall be locked in a secure storage area
- All staff responsible for making alcohol sales shall be trained in the requirements of the Challenge 25 age verification policy and in particular they will be required to have undergone training in refusal of supply where age verification is not provided, or the recipient is clearly intoxicated. The training should be documented.

- The premises licence holder shall ensure that all employees of any third party engaged in the delivery of alcohol, i.e. couriers, have also been trained by their employers regarding the Challenge 25 policy and this training should be documented.
- A refusals log will be maintained for deliveries and available for inspection on request.
- The Authority would expect operators to have systems in place to ensure alcohol is not delivered to problematic house parties or to people who appear drunk and, in such instances, alcohol should be refused and that refusal recorded.
- Alcohol shall be sold in sealed containers only.
- The premises licence holder will ensure that a sticker is applied to all consignments of alcohol stating 'Note to Delivery Service: this package contains age restricted products. Ensure recipient is over 18' (or similar wording to the same effect).
- All deliveries of alcohol shall only be delivered to a premises address with a valid postcode and will only be delivered directly to that property. Customers must be instructed when placing the order that they will not be able to collect the order from the vehicle.
- Full name and address details, including postcode, must be given when placing an order.
- Alcohol can only be delivered to a residential or business address and not to a public place.
- Challenge 25 - if the driver considers the recipient of alcohol appears under 25 recognised photographic identification to be requested before any alcohol is handed over.
- At the time the order is placed, a declaration will be required from the person placing the order that that person is over 18 years of age.
- Acceptable proof of age shall include identification bearing the customer's photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include PASS holographic mark or security measure. Suitable means of identification would include PASS approved proof of age card, photo-card driving licence and passport. No ID no delivery.
- Minimum age of 18 for delivery drivers
- Delivery will be refused if the driver believes the alcohol is being purchased on behalf of another person aged under 18 years.
- Customers to be reminded on the website that it is a criminal offence for a person under 18 to purchase or attempt to purchase alcohol and that it is also an offence to purchase alcohol on behalf of a person aged under 18.
- Measures for minimising noise and disturbance caused by the dispatch of deliveries to be identified in the operating schedule.

Appendix 4: Premises type and potential impacts

Please refer to our 'Pool of Licensing Conditions' for appropriate conditions you should consider including within the operating schedule of your application to mitigate the potential impacts identified below. The pool of conditions can be found at www.torbay.gov.uk/new-premises-licence.

Type of Premise	Typical Style of Operation	Potential Impact
Nightclubs	Nightclubs expected to be the latest opening premises. Sale of alcohol and multiple entertainment activities take place in these premises.	Disturbance late at night from customers leaving and dispersing Potential for music noise. Issues associated with outside smoking and drinking areas. Drunkenness problems associated with longer opening hours. Alcohol related violence. Sexual violence. Drug misuse. Drink/drug spiking. Premises may be within PSPO.
Alcohol Led Venues	Vertical drinking establishments. No significant entertainment. Limited inside seating. Limited consumption of food by customers.	Disturbance late at night from customers leaving and dispersing. Issues associated with outside smoking and drinking areas. Drunkenness problems associated with longer opening hours. Alcohol related violence Drug misuse Drink/drug spiking Premises may be within PSPO
Public Houses and Bars	Mix of food and alcohol consumption. Alcohol available without food purchase. Significant seating within premises. Entertainment may be provided.	Disturbance from customers leaving and dispersing. Issues associated without outside smoking and drinking areas. May experience some drunkenness issues. May experience some levels of violence. Premises may be within PSPO
Restaurants and Cafes	Alcohol only sold to accompany food. Customers seated at tables Table service provided for food and alcohol. Significant food offer.	Minimal disturbance from customers leaving. Limited drunkenness. No alcohol related violence.

	May provided limited entertainment. Premises plan includes dedicated kitchen and food preparation areas.	
Off licences	Alcohol only sold for consumption off the premise.	May attract street drinkers and associated anti-social behaviour in some areas. Applicants are required to demonstrate how their premises will not contribute to street drinking in the area. Premises may attract underage purchasers. Premises may be within PSPO
Takeaways	Provision of takeaway food and soft drinks. No alcohol but will require a licence for late night refreshment between 2300 and 0500 hrs.	Litter dropped by customers. Cooking smells. May be a place for people to congregate after late night drinking causing noise disturbance. Alcohol related violence and anti-social behaviour. Premises may be within PSPO
Hotels	Provision of overnight accommodation. Alcohol can be available 24/7 to guests staying on premises. May have a function room available for public hire/functions.	Minimal issues in relation to hotel residents. Potential for drunkenness at public hire/functions. Child protection and safety issues may occur.
Other entertainment venues	Alcohol ancillary to other activities such as entertainment – e.g. bowling.	Minimal disturbance from customers leaving. Limited drunkenness. No violence. Potential for music noise.
Theatres	Alcohol ancillary to live theatrical performances.	Minimal disturbance from customers leaving. Drunkenness and violence are unlikely.
Registered Clubs	Only supply alcohol to members or bona fide guests. No DPS needed. May provide entertainment. Function Room available for commercial hire will require TEN.	Minimal disturbance from members leaving. Limited drunkenness. No violence. Possible noise from entertainment.
Festivals and outdoor events	Not alcohol led but food and alcohol will be available on site. Could attract large numbers of attendees.	Likely disturbance from large numbers attending. Alcohol consumption will exacerbate noise and nuisance issues.

	May have to submit Event Management Plan and Risk Assessments to Safety Advisory Group.	Dispersal may be an issue. Drug dealing and drug consumption likely. Drunkenness and violence are possible. Child protection and safety issues may occur. Premises may be within PSPO

Appendix 5: Safeguarding of children, young people and adults with care and support needs

Introduction

Set out below is information for licence holders to help them report, to the relevant authorities, matters of concern that could relate to the safety of children, young people and adults with care and support needs, particularly as it relates to child exploitation, abuse, modern slavery and human trafficking.

General Information

Torbay Council's Licensing Service is helping to tackle child exploitation, abuse, modern slavery and human trafficking by working with key partners, particularly Devon and Cornwall Police, Children and Adult Services within the Council, the Safeguarding Children Board, and the Adults Safeguarding Board. The Boards also work with the Police, children's and adults social care, schools, health services and the youth offending team as well as specialist child exploitation organisations.

Through agencies working together and sharing information, we aim to identify and prevent exploitation, modern slavery, and human trafficking to protect children, young people and adults with care and support needs and disrupt the activities in order to prosecute perpetrators of abuse.

Sharing information with Devon and Cornwall Police and Children's'/Adult Social Care helps to protect children, young people and adults with care and support needs from harm.

How licence holders can help tackle child exploitation, abuse and modern slavery

Licence holders may become aware of or come into contact with children, young persons and adults with care and support needs, or people who are victims of modern slavery or human trafficking. This may be in hotels, bars and restaurants, late night takeaways, off licences or other licensed premises. Licence holders and staff employed in licensed premises are in an ideal position to help protect people.

Safeguarding children, young people and adults with care and support needs is everyone's business and everyone's responsibility.

Child Exploitation

Exploitation of children and young people involve exploitation situations, contexts, and relationships where young people (or a third person or persons) receive something, e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money, etc. as a result of them performing an activity on them. Violence, coercion, intimidation and sexual activity are commonly involved in such exploitative relationships.

Child sexual exploitation involves perpetrators grooming youngsters and using their powers to sexually abuse them. Sexual exploitation of children and young people

can take many forms, whether it occurs through a seemingly 'consensual' relationship with an older boyfriend, or a young person having sex in return for attention, gifts, alcohol or cigarettes.

Child exploitation is a crime that can affect any child, anytime, anywhere- regardless of their social or ethnic background.

In particular, licence holders and staff in licensed premises should ask themselves the following types of questions:

- Does your customer appear to be under 18 years old?
- Are they with a much older person and appear to be in a relationship?
- Do you think that they are under the influence of alcohol or drugs?
- Are children, young people or adults with care and support needs regularly being dropped off/picked up or collected and taken elsewhere from licensed premises such as a hotel, B&B or late-night takeaway?
- Is a child, young person or adult with care and support needs regularly being brought to a licensed premises such as a hotel or B&B where you work? If so, ask yourself why?

If the answers to any of the questions above gives you even the slightest cause for concern, these concerns should be reported.

If you have reason to suspect that a child is being abused or at risk of abuse it is your responsibility to report your concerns to and share information with Devon and Cornwall Police (Tel: 101 or if immediate risk 999) and Torbay Multi-agency Safeguarding Hub on Tel: 01803 208100 (Monday to Thursday 09.00-16.30, Friday 09.00-16.00) or the out of hours number on Tel: 0300 4564876. Please email for enquiries and referrals to MASH@torbay.gov.uk.

Adults with care and support needs

An adult with care and support needs is someone who is in need of community care services due to disability, age or illness. They may be unable to take care of or protect themselves against significant harm or exploitation.

In particular, licence holders and staff who work in licensed premises should ask themselves the following questions when coming into contact with children, young people or adults with care and support needs:

- Has your customer got any physical signs of abuse or neglect?
- Are they a regular customer? Do you see changes in their behaviour or mood?
- A customer tells you they are having difficulties with someone else
- A customer tells you they have a worry about someone
- A customer tells you they have hurt a person
- A customer tells you something they have seen or heard
- Do you know something that causes concern about someone else's welfare?
- You see worrying behaviour towards someone

If the answers to any of the questions above gives you even the slightest cause for concern you may need to take urgent action to protect the adult.

Your first priority is with the adult, to make them safe (including reporting to the police if immediate action is required). If you or the person concerned need to raise a concern with Torbay Council to help, please contact 01803 219700 or out of hours 0300 4564876. Please email for enquiries and referrals to torbay.safeguarding@torbay.gov.uk

Modern Slavery and human trafficking

Modern slavery is a crime and a violation of fundamental human rights and can take various forms such as slavery, servitude, forced and compulsory labour and human trafficking.

In particular, licence holders and staff who work in licensed premises should ask themselves the following questions when coming into contact with children, young people or adults with care and support needs:

- Is the victim in possession of a passport, identification, or travel documents? Are these documents in possession of someone else?
- Does the victim act as if they were instructed or coached by someone else? Do they allow others to speak for them when spoken to directly?
- Was the victim recruited for one purpose and forced to engage in some other job? Was their transport paid for by facilitators, whom they must pay back through providing services?
- Does the victim receive little or no payment for their work? Is someone else in control of their earnings?
- Was the victim forced to perform sexual acts?
- Does the victim have freedom of movement?
- Is the victim under the impression they are bonded by debt or in a situation of dependence?
- Has the victim been harmed or deprived of food, water, sleep, medical care or other life necessities?
- Can the victim freely contact friends or family? Do they have limited social interaction or contact with people outside their immediate environment?

Report something suspicious you spot to the Police or other authorities – it could be at licensed premises where you work, where workers seem reticent to engage, not appropriately dressed for their work or increasingly ill fed and unkempt. Or a young person repeatedly being brought to a hotel by another person for short periods of time.

If there is an immediate danger to the suspected victim or if you think that the suspected victim is under 18, inform the police and call 999 as a matter of urgency. For England and Wales, please call the Modern Slavery 24-hour confidential referral helpline on 0800 0121700 anytime of the day or night to refer a victim of trafficking or receive advice. Further information can be found at www.modernslaveryhelpline.org

TORBAY COUNCIL



Gambling Act 2005
Statement of Licensing Principles

Effective from 31 January 2025 – 30 January 2028

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Part A - Overview

1 Introduction

1.1 This Statement of Principles is published in accordance with the requirement set out in the Gambling Act 2005 (hereinafter referred to as 'the Act') requiring the Licensing Authority to prepare and publish a Statement of Principles that sets out the principles that the Licensing Authority proposes to apply when exercising its functions.

1.2 This Statement was written in accordance with legislation and guidance in place at the time of publication. It includes details of the steps taken in relation to its preparation and details of the policies to which the Licensing Authority will have regard in determining applications submitted under the Act. It is intended to comply with and fulfil the requirements of the Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006 (SI 2006 No. 636).

1.3 The Licensing Authority consulted widely on this Draft Statement of Principles 2025-2028, before approving and publishing the finalised 'Statement of Principles 2025-2028. The consultation period commenced 12 July 2024 and concluded on 23 August 2024.

1.4 It should be noted that this Statement of Principles 2025-2028 will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each application will be considered on its own merits and in accordance with the statutory requirements of the Act.

1.5 This Statement of Principles 2025-2028 was approved and adopted by Torbay Council on 5 December 2024 and is effective from 31 January 2025.

1.6 The Gambling Commission was set up under the Act to regulate gambling in Great Britain in partnership with licensing authorities. The Commission is an independent non-departmental public body sponsored by the Department for Digital, Culture, Media and Sport (DCMS) whose work is funded by fees set by DCMS and paid by the organisations and individuals whom the Commission licences.

The Commission issues operating licences for gambling operators and, through effective regulation and public engagement, ensure that crime is kept out of gambling, that gambling is fair and open, and that children and the vulnerable are protected. The Commission works closely with other regulators, including licensing authorities and with bodies such as the Police and HM Revenue and Customs to regulate the gambling industry. Further information can be found at **www.gamblingcommission.gov.uk/about-us**.

The Commission has issued guidance in accordance with Section 25 of the 2005 Act about the manner in which licensing authorities exercise their licensing functions under the Act and in particular, the principles to be applied.

The Commission will also issue Codes of Practice under section 24 about the way in which facilities for gambling is provided, which may also include provisions about the advertising of gambling facilities.

The Gambling Commission can be contacted at: www.gamblingcommission.gov.uk

1.7 Torbay Council is designated as a Licensing Authority for the purposes of the Gambling Act 2005 and is therefore responsible for granting premises licences within its district in respect of:

Casino premises

Bingo Premises

Betting premises, including tracks

Adult Gaming Centres

Family Entertainment Centres

2 The Licensing Objectives

2.1 In exercising its functions under the Gambling Act 2005, the Licensing Authority will have regard to the Licensing Objectives as set out in Section 1 of the Act. The Licensing Objectives are:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.
- Ensuring that gambling is conducted in a fair and open way, and
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.
  [The Act defines a 'Child' as an individual who is less than 16 years old; and defines a 'Young Person' as an individual who is not a child but who is less than 18 years old].

2.2 In making decisions in relation to premises licences the Licensing Authority will, in accordance with Section 153 of the Act, aim to permit the use of premises for gambling in so far as it thinks that use will be:

- In accordance with any relevant code of practice issued by the Gambling Commission, available here: **https://www.gamblingcommission.gov.uk/licensees-and-businesses/lccp**
- In accordance with any relevant guidance issued by the Gambling Commission, available here: **https://www.gamblingcommission.gov.uk/guidance/guidance-to-licensing-authorities.**
- Reasonably consistent with the Licensing Objectives (subject to the above).
- In accordance with Torbay Council's 'Statement of Principles', issued under the Act (subject to the above).

3 Torbay Council Area Overview

3.1 Torbay is situated on the South Devon coast, on the southwest peninsular of England and comprises the three towns of Torquay, Paignton and Brixham. Torbay is an outstanding coastal destination, including 22 miles of coastline, which was recognised as a Global Geopark in 2007. The Council area is mainly urban, comprising the three bay towns of Torquay, Paignton, and Brixham; please refer to a map of the Torbay area in the **Local Area Profile**.

4 Declaration

4.1 In producing this Statement of Principles 2025-2028, the Licensing Authority declares that it has had regard to the Licensing Objectives of the Act and the most recent Gambling Commission's **'Guidance to Licensing Authorities'**, updated 11 April 2023. The Licensing Authority will have regard to changes in legislation, court judgments and any updated guidance issued by the Gambling Commission where it is appropriate to the application under consideration.

5 Representations – Licensing Applications

5.1 Only responsible Authorities and Interested Parties may make representations. Where there are representations, the Licensing Authority will encourage negotiation between the objector and the applicant as to the possible use of conditions on the licence.

5.2 Where there are representations, the Licensing Authority will determine whether or not they will be admissible and will consider carefully whether the representations are relevant. Relevant representations must:

i) Be related to the three Licensing Objectives

ii) Raise issues under the Gambling Statement of Principles

iii) Raise issues under the Gambling Commission Guidance

iv) Raise issues under the Gambling Commission's Code of Practice.

5.3 Representations are not relevant where for example they can be addressed by other legislation, such as noise nuisance.

5.4 Before a decision is made as to whether it is relevant or not, the Licensing Authority will consider:

- Who is making the representation and whether there is a history of making representations that are not relevant.
- Whether or not it raises a relevant issue
- Whether it raises issues specifically to do with premises that are subject of the application

5.5 The Licensing Authority strongly recommends that representations are submitted by email to the relevant area licensing address at the earliest opportunity prior to the end of the prescribed consultation period to **licensing@torbay.gov.uk**

6 Interested Parties

6.1 'Interested Parties' can make representations to the Licensing Authority in respect of an application for a 'Premises Licence' or in respect of an application for a 'Provisional Statement', submitted to the Licensing Authority by an applicant, under the Act.

6.2 Interested parties can also initiate, (or make representation in respect of), a review of a Premises Licence, the detail of which is outlined at Section 28 of this 'Statement of Principles', under the heading of 'Reviews'.

6.3 The Act states that a person is an 'Interested Party', if in the opinion of the Licensing Authority, that person:

a) Lives sufficiently close to the premises to be likely to be affected by the authorised activities.
b) Has business interests that might be affected by the authorised activities, or
c) Represents persons who satisfy the criteria at paragraph a) or b).

6.4 Persons at a) include trade associations, trade unions, and residents' and tenants' associations. However, the Licensing Authority will not generally view these bodies as interested parties, unless they have a member who satisfies the criteria in paragraphs a) or b) above; and they have written Authority of representation.

6.5 'Interested Parties' can also be persons who are democratically elected, such as Councillors, (including Town Councillors), and Members of Parliament. In such circumstances, no specific evidence of being *'asked'* to represent an interested person will be required, provided the relevant Elected Member represents the ward or town likely to be affected.

6.6 The Licensing Authority will apply the following principles in determining whether a person or body is an interested party for the purposes of the Act:

- Each case will be decided upon its own merits subject to the Licensing Objectives and to any requirements imposed by the Act.

6.7 The Licensing Authority will not apply a rigid rule to its decision making.

6.8 The Licensing Authority will have regard to any guidance issued by the Gambling Commission with regard to the status and interpretation of 'Interested Parties'.

6.9 In respect of any representation made by an interested party, the Licensing Authority may disregard the representation if it considers that the representation is frivolous, vexatious or will certainly not influence the Authority's determination of the application.

6.10 The following are examples of grounds which may be discounted by the Licensing Authority.

- Representations which relate to the objection to gambling activity generally, for instance on moral or ethical grounds.
- Representations in relation to the demand or unmet demand for gambling premises.
- Representations in relation to planning matters.
- Public Safety issues.
- Traffic congestion issues.
- Public Nuisance.

7 Exchange of Information

7.1 The Licensing Authority will act in accordance with the provisions of Section 350 of the Act in its exchange of information with the Gambling Commission; this includes a provision that the General Data Protection Regulations will not be contravened. The Licensing Authority will also have regard to Guidance issued by the Gambling Commission to local authorities on this matter, as well as any relevant Regulations issued by the Secretary of State under the powers provided in the Act.

7.2 The Council will work closely with the Gambling Commission, Devon and Cornwall Police and with Responsible Authorities where there is a need to exchange information on specific

premises. Should any protocols be established in respect to the exchange of information with other bodies then they will be made available.

7.3 The privacy of those making representations will be respected, but it may be necessary for the identity of those making representations to be passed onto Responsible Authorities and the Gambling Commission for the purpose of determining licensing applications or in any subsequent appeal that may be made.

8 Enforcement

8.1 The main enforcement and compliance role for the Licensing Authority in terms of the Act is to ensure compliance with the Premises Licences and other permissions which it authorises.

8.2 This Authority adopts a graduated approach to enforcement and when seeking to resolve or address issues the general expectation of the Authority is that operators promptly work alongside the Licensing Authority in taking remedial action. However, where a serious issue is identified, it is likely that the Authority will immediately initiate some form of enforcement action.

8.3 In discharging its responsibilities under the Act with regard to inspection and enforcement regimes, the Licensing Authority will have regard to any guidance issued by the Gambling Commission and Torbay Council 'Enforcement and Prosecution Policy' and will endeavour to be:

- Proportionate: The Licensing Authority will only intervene when it is deemed necessary, and remedies will be appropriate to the risk posed; costs will be identified and minimised.
- Accountable: The Licensing Authority will ensure that it can justify decisions and will provide facilities for the public scrutiny of decisions taken.
- Consistent: The Licensing Authority will ensure that rules and standards are 'joined up' and implemented fairly.
- Transparent: The Licensing Authority will be open and will endeavour to keep regulations simple and user friendly.
- Targeted: The Licensing Authority will endeavour to focus on the problem, minimise side effects and avoid duplication with other regulatory regimes.

8.4 The Licensing Authority has adopted and implemented a risk-based/intelligence led inspection programme, based on:

- The Licensing Objectives.
- Relevant codes of practice - **https://www.gamblingcommission.gov.uk/authorities/guide/codes-of-practice**
- Guidance issued by the Gambling Commission - **https://www.gamblingcommission.gov.uk/guidance/guidance-to-licensing-authorities**
- The principles set out in this 'Statement of Principles 2025-2028.
- Regulators Code - Regulators' Code - GOV.UK (**www.gov.uk**)
- Departmental and Partner Agency intelligence.

8.5 The Council will undertake routine inspections using the premises assessment templates available at **Premises assessments toolkit and Primary Authority agreements (gamblingcommission.gov.uk)**

8.6 During proactive or pre-planned compliance visits the Licensing Enforcement Officers will review documentation including:

- Site Plan to ensure this reflects the actual layout of the premises.
- Local area risk assessments.
- Training policies and training undertaken by staff.
- Records of refusals to serve or admit on age grounds.
- The premise's approach to managing self-exclusion, how the premises fulfils the requirement to participate in multi-operator schemes and the numbers of people currently self-excluded.
- The involvement or impact of any work in local gambling schemes such as Betwatch.
- That appropriate signage and information is in place.

8.7 The Gambling Commission has the following principal statutory functions:

- issuing operating and personal licences to gambling businesses and individuals occupying certain positions in the gambling industry, with appropriate conditions, and ensuring that holders of licences adhere to their terms
- publishing codes of practice
- publishing statutory guidance to licensing authorities.

8.8 The Commission also has a duty to advise the Secretary of State on gambling and its regulation.

9 Licensing Authority Functions

9.1 The Licensing Authority has a duty under the Act to:

- Issue 'Premises Licences' where gambling activities are to take place.
- Issue 'Provisional Statements' where gambling activities may take place.
- Regulate 'Members Clubs' that wish to undertake certain regulated gaming activities by issuing 'Club Gaming Permits' or 'Club Machine Permits'.
- Issue 'Club Machine Permits' to 'Commercial Clubs'.
- Grant 'Permits' for the use of certain lower stake gaming machines at 'Unlicensed Family Entertainment Centres'.
- Receive 'Notifications' from premises licensed under the Licensing Act 2003, (for the sale and consumption of alcohol on the premises), for the use of up to two gaming machines on the premises.
- Grant 'Licensed Premises Gaming Machine Permits' for premises licensed under the Licensing Act 2003, (for the sale and consumption of alcohol on the premises), where there are more than two machines on the premises.
- Register 'Small Society Lotteries' below prescribed thresholds.
- Issue 'Prize Gaming Permits'.
- Receive and endorse 'Temporary Use Notices'.
- Receive 'Occasional Use Notices'.
- Provide information to the Gambling Commission.

- Maintain registers of the permits and licences issued.

10 Gambling Prevalence and Social Responsibility

10.1 Harmful gambling is an umbrella term to describe any frequency of gambling that results in people experiencing harm. It includes those gambling at elevated risk of harm as well as those experiencing 'problem' gambling. Gambling related harm is a broad concept that impacts a wide range of people, including families, colleagues, employers and those within the wider community who may not have been involved in gambling themselves. Harms may include financial hardship, relationship breakdown, domestic abuse, mental health problems and suicidal thoughts. It is important to note that anyone can be negatively affected by gambling. Gambling behaviours occur along a continuum, with possible harms dependent on the level of exposure. Research shows that there are features of some gambling products which make them more addictive, like continuous play. (Taken from '**Tacking Gambling Related Harm: A Whole Council Approach')**.

10.2 Evidence suggests that certain groups are more vulnerable to problem gambling including children and young people, people with mental health issues, certain minority ethnic groups, the unemployed, homeless people, those with low intellectual functioning, people with financially constrained circumstances and those living in deprived areas. Harms may include financial hardship, relationship breakdown, domestic violence, mental health problems and suicidal thoughts (**Tacking Gambling Related Harm: A Whole Council Approach**).

10.3 Gambling Operators must comply with the Gambling Commission's Licensing Conditions and Codes of Practice (LCCP). The social responsibility code requires gambling operators to have and put into effect policies and procedures to promote socially responsible gambling and these should reduce the risk of and seek to identify problem gambling.

10.4 The requirements on gambling premises under the social responsibility code are based upon key areas:

- **Provision of information on gambling responsibly** – for example, the availability of time or monetary limits for players and information on where to get help and advice about gambling.
- **Customer interaction** – licensees are required to have policies and procedures in place governing customer interaction where there are concerns that a customer is displaying signs of problem gambling. These will include staff training and the types of behaviour that may trigger an intervention or where staff may consider refusing services to customers.
- **Layout of the premises** - operators must ensure that the layout of a gambling premises supports the effective supervision of the premises.
- **Self-exclusion** – licensees must have procedures for self-exclusion that ensure that individuals who wish to self-exclude from gambling are prevented from participating in gambling. In addition to operating their own self-exclusion schemes all licensees must offer the facility for customers to self-exclude on a multi-operator basis, meaning that an individual who self-excludes from one operator should be able to self-exclude from all operators offering the same type of gambling in the same locality. Trade bodies for different sectors of the gambling industry have led on the development of multi-operator self-exclusion arrangements for each sector.

10.5 Any marketing communications for gambling must be socially responsible, with particular regard to the need to protect children, young persons and other vulnerable persons from being harmed or exploited. Licensees are required to comply with the Social Responsibility Code 5 of the Code of Practice.

11 Test Purchasing

11.1 The results of any under-age testing that is carried out on the Gambling Premises should be shared with Licensing Officers, Trading Standards Officers or the Police, during inspections/visits and used to review the local area risk assessment (as outlined in the Social Responsibility Code 3.27).

Part B – Premises Licences

12 General Principles

12.1 In exercising its functions under the Act in relation to premises licences, the Licensing Authority will have regard to the provisions of the Act, Regulations drafted under the Act, the mandatory and default conditions and any guidance or codes of practice issued by the Gambling Commission.

12.2 The Licensing Authority may:

- Exclude default conditions from the premises licence where the exclusion does not adversely affect the Licensing Objectives.
- Attach additional licence conditions, if it is deemed necessary to do so to ensure the operation of the licence is consistent with the Licensing Objectives.

13 Guiding Principles

13.1 The Licensing Authority will treat each Licensing Objective with equal importance.

13.2 The Licensing Authority will have regard to its responsibilities under Section 17 of the Crime and Disorder Act 1998 and within the strategic aims of the Community Safety Partnership Strategic Assessment, to do all that is reasonable to prevent crime and disorder in Torbay.

13.3 The Licensing Authority will have regard to its responsibilities under the European Convention on Human Rights, set out by the Human Rights Act 1998, and its statutory role as a Local Authority to fulfil the duties and responsibilities vested in it.

13.4 The Licensing Authority will have regard to its responsibilities under the Equalities Act 2010.

13.5 Torbay Council's Constitution states that the Licensing Committee shall be comprised of 15 Elected Members of the Council; with a quorum of 5, and the Licensing Sub Committee shall be comprised of 3 Elected Members of the Council; with a quorum of 3.

13.6 The Chair of Torbay Council's Licensing Committee will be elected at the annual meeting of the Council.

13.7 Torbay Council will ensure that Members and Officers are appropriately trained to carry out their duties under the Act and in accordance with Torbay Council's constitution. No Member

of Torbay Council shall sit upon the Licensing Committee or Sub-Committee unless they have received appropriate training.

13.8 The Licensing Authority considers that effective Licensing can only be achieved by recognising the value of all contributors and will work in partnership with the Police and other statutory services, local businesses, local people, professionals involved in child protection and all others who can contribute positively, to the successful promotion of the three Licensing Objectives.

13.9 Torbay Council considers that the decisions of the Licensing Authority can be a key factor of the Council effectively discharging its duties under the Section 17 of the Crime and Disorder Act 1998. Whilst the Licensing Authority will not use Licensing conditions to control anti-social behaviour by patrons once they are away from licensed premises, licence holders will be expected to demonstrate that they have taken appropriate action to minimise the potential impact of that behaviour, within the general vicinity of the licensed premises.

13.10 The Licensing Authority will ensure that any conditions attached to a licence will relate to matters within:

- The control of the licence holder, or,
- The control of other persons who may have relevant licences or authorisations, in respect of the subject premises, or adjacent premises.

13.11 In determining any such conditions, the Licensing Authority will have regard to the Act, any guidance or codes of practice issued by the Gambling Commission and this 'Statement of Principles'.

13.12 Torbay Council will ensure that decisions made in relation to planning and building control legislation will be made independently of those made in respect of the Act. The Licensing Authority will not have regard to the likelihood of obtaining consents under planning or building legislation in considering any application for a premises licence, made under the Act.

13.13 The Licensing Committee will receive reports, compiled six-monthly, on decisions made by Officers under the provisions of the scheme of delegation.

13.14 The Licensing Authority will, where relevant to its functions under the Act, have regard to and promote **Torbay Council's Economic Growth Strategy** which forms part of the Council's Policy Framework.

13.15 Section 156 of the Act requires licensing authorities to maintain a register of the premises licences that it has issued. The register must be made available, at any reasonable time, to the public who may request copies of the entries. The Licensing Authority achieves this requirement using an online register which is accessible via the Council's website - **Torbay Council - Licensing & Public Protection.**

14 Decision Making Process

14.1 In making decisions about premises licences, in accordance with section 153 of the Gambling Act 2005, the Licensing Authority will aim to permit the use of premises for gambling in so far as it thinks it is:

- In accordance with any relevant codes of practice issued by the Gambling Commission.
- In accordance with any relevant guidance issued by the Gambling Commission.
- Reasonably consistent with the Licensing Objectives (subject to the above).

- In accordance with the Licensing Authority's 'Statement of Principles 2025-2028' (subject to the above).

14.2 In determining a premises licence application, the Licensing Authority shall not have regard to any objections which are deemed to be raised on moral or ethical grounds, nor will it be concerned with matters of sufficiency of, or unmet demand for, gambling facilities. Each application must be considered on its own merits without regards to demand.

15 Definition of Premises

15.1 In deciding if parts of a given building constitute premises in their own right, the Licensing Authority will have due regard to the definition of premises meaning "any place" as set out in Section 152 of the Act and any guidance issued by the Gambling Commission and any decisions handed down by the Courts.

15.2 The Act allows for a single building to be subject to more than one premises licence, provided those premises licences are for different parts of the building, and the different parts of the building can reasonably be regarded as being 'different premises'. This provision exists to allow large multiple unit premises, such as a pleasure park, pier, track or shopping mall, to obtain separate premises licences. However, this does not mean that a premises cannot be the subject of a separate licence for example the basement and ground floor, if they are configured to a standard approved by the Licensing Authority.

The Licensing Authority will pay particular attention, as recommended by Gambling Commission at 7.5 of its Guidance to Local Authorities (**https://www.gamblingcommission.gov.uk/guidance/guidance-to-licensing-authorities**), if there are issues about sub-division of a single building or plot and will ensure any applicable mandatory conditions relating to access between premises are observed. The Licensing Authority does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises.

15.3 The Licensing Authority will pay particular attention, as referenced above, to premises licence applications and applications for permits, such as UFEC's, where access to the proposed licensed premises, can only be made by passing through other premises; being other premises which may or may not have the benefit of licences in their own right.

15.4 The Licensing Authority will also take particular care in considering applications for multiple licences for a building and/or those relating to a separate part of a building used for other (non-gambling) purposes. In particular, entrances and exits from parts of a building covered by one or more licences should be separate and identifiable, so that the separation of different premises is not compromised, and that people do not 'drift' into a gambling area.

15.5 Where access to the proposed licensed premises or an area covered by a permit such as a UFEC, cannot be made directly from the public highway the Licensing Authority will consider specific issues before granting such applications, for example:

- The general access arrangements of the premises.
- The structural integrity and nature of any premises separation.
- Whether persons under 18 years of age can gain access to or have sightlines into the premises.
- The compatibility of adjacent establishments.

- Supervision and monitoring systems.
- The nature and legitimacy of any unlicensed areas providing separation of licensed premises.
- The overall ability to comply with the requirements of the Act, specifically but not exhaustively, the mandatory and default Licensing conditions.

16 Provisional Statements – Premises not yet ready for Gambling

16.1 Where there is an intention on the part of an applicant, to provide gambling facilities at premises:

- which they expect to be constructed, or
- which they expect to be altered, or
- for which they do not yet have the right to occupy the premises, then an application may be made to the Licensing Authority for a 'Provisional Statement'.

16.2 The Licensing Authority will issue 'Provisional Statements' in accordance with the provisions of the Act, any guidance or codes of practice issued by the Gambling Commission and the principles contained within this 'Statement of Principles'.

16.3 'Responsible Authorities' and 'Interested Parties' (in accordance with the procedures outlined at Section 4 of this Statement of Principles) can make representations to the Licensing Authority, in respect of an application for a 'Provisional Statement'. Following the grant of a 'Provisional Statement', no further representations from Relevant Authorities or Interested Parties can be taken into account unless:

- The representations concern matters which could not have been addressed at the 'Provisional Statement' stage.
- The representations reflect a change in the applicant's circumstances.

16.4 The Licensing Authority may refuse the grant of a Premises Licence, or grant the licence on terms different to those which may have been attached to the 'Provisional Statement', only by reference to matters which:

- Could not have been raised by objectors at the 'Provisional Statement' stage
- In the Licensing Authority's considered opinion, reflect a material change in the operator's circumstances.

17 Applications

17.1 An application for a premises licence can only be made by a person who a) holds an operator's licence granted by the Gambling Commission authorising him/her to carry out the activity specified within the application or b) has made an application for an operator's licence which has yet to be determined. A premises licence will, therefore, only be granted when evidence is obtained of the granting of an operator's licence.

17.2 The application form must include:

- Proof that the applicant has the right to occupy the premises. Acceptable evidence would be a copy of any lease, a copy of the property's deeds or a similar document.
- Plan (see section 18 below)
- Local area risk assessment (see section 21 below)

18 Premises Location

18.1 The Licensing Authority must be satisfied that the potential location of a premises intended for gambling is suitable for the purposes of the required gambling activity. In considering matters of location, the Licensing Authority will have particular regard to the Licensing Objectives, Local Area Profile and the Local Area Risk Assessment. In considering location, the Authority may consider the general characteristics of the area. For example, if the premises is in a Cumulative Impact Area for the purposes of the Licensing Act 2003, the Authority will consider whether this may negatively impact on the gambling licensing objectives and how the applicant proposes to mitigate such impact.

18.2 In determining whether a premises location is suitable for the grant of a licence regard will be given to the following factors:

- The proximity of the premises to any school, centre or establishment for the education, training, or care of young and/or vulnerable persons.
- The proximity of the premises to leisure centres used for sporting and similar activities by young and/or vulnerable persons.
- The proximity of the premises to any community, ecclesiastical, welfare, health or similar establishments used specifically, or to a large extent, by young and /or vulnerable persons.
- The proximity of any other area or location where young and / or vulnerable persons could congregate.
- The proximity of the premises to any youth club or similar establishment

18.3 Where gambling premises are located in sensitive areas (for example, near schools), the Licensing Authority will consider imposing restrictions on advertising gambling facilities on such premises where it is felt relevant and reasonably consistent with the Licensing Objectives.

19 Plans

19.1 The Gambling Act 2005 (Premises Licences and Provisional Statements) Regulations 2007, state that a plan to accompany an application for a Premises Licence must show:

- The extent of the boundary or perimeter of the premises
- Where the premises include, or consist of, one or more buildings, the location of any external or internal walls of each such building.
- Where the premises forms part of a building, the location of any external or internal walls of the building which are included in the premises.
- Where the premises are a vessel or part of a vessel, the location of any external or internal walls of the building which are included in the premises.
- The location of each point of entry to and exit from the premises, including in each case a description of the place from which entry is made or to which exit leads.
- The positioning and types of any gaming machines, the location of any ATM/cash machines or change machines.

19.2 The Gambling Act 2005 requires applicants to submit plans of the premises with their application in order to ensure that the Licensing Authority has the necessary information to make an informed judgement about whether the premises are fit for gambling. The information will also be used to plan future premises inspection activity. The plan should be drawn to scale.

19.3 If plans change in any material respect in the opinion of the Licensing Authority during the lifetime of the licence, the applicant will be in breach of their licence and would either need to make a fresh application under Section 159 or to seek an amendment to the licence under Section 187 of the Gambling Act 2005.

20 Duplication with other Regulatory Regimes

20.1 The Licensing Authority will endeavour to avoid any duplication with other statutory and regulatory regimes in discharging its functions under the Act, unless the Licensing Authority believes such duplication is necessary for compliance with the Licensing Objectives.

20.2 In considering an application for a premises licence the Licensing Authority will not take into account matters which lie beyond the remit of the Licensing Objectives. Although this is not an exhaustive list, this would include issues such as:

- Whether the premises, which is the subject of the licence application, is likely to be awarded planning permission or building consent.
- Whether the premises is safe for the intended use, (e.g., the structure, the means of escape, fire precaution provisions, etc).
- Whether the use of the premises under the licence may cause any public nuisance (e.g., to residents within the vicinity).

20.3 The above matters will be addressed by other regulatory regimes.

21 Licensing Objectives

21.1 The Licensing Authority will endeavour to ensure that any premises licences granted will be consistent with the Licensing Objectives.

The Licensing Objectives are:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.
- Ensuring that gambling is conducted in a fair and open way.
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

Licensing Objective: Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.

21.2 The Gambling Commission will take a lead role in preventing gambling from becoming a source of crime. However, the Licensing Authority acknowledges this objective in the delivery of its responsibilities. For instance, in considering applications for premises licences the Licensing Authority will have particular regard to the following:

- Where an area has known high levels of organised crime the Licensing Authority will consider carefully whether gambling premises should be located in the proximity of that area.
- Whether additional licence conditions may be appropriate, such as the provision of Security Industry Authority (SIA), registered door supervisors.
- Whether additional security measures should be installed at the premises, such as monitored CCTV.
- The likelihood of any violence or public order issues if the licence is granted.
- The design and layout of the premises.
- The training given to staff in crime prevention measures appropriate to those premises, for example, the detection and prevention of money laundering.
- Physical security features installed in the premises. This may include matters such as the positioning of cash registers and the standard of any CCTV system.
- If premises are to be subject to age restrictions; the procedures in place to conduct age verification checks.
- The Local Area Profile.
- The premises' Local Risk Assessment.

Licensing Objective: Ensuring that gambling is conducted in a fair and open way.

21.3 The Licensing Authority will not generally be concerned with ensuring that gambling is conducted in a fair and open way, (as that is the remit of the Gambling Commission), unless the gambling facilities are being provided at a Track; see Section 28. 'However, the fair and open principle will be considered as an integral part of any inspection carried out by this Authority'.

Licensing Objective: Protecting children and other vulnerable persons from being harmed or exploited by gambling.

21.4 This objective is concerned with protecting children from gambling, as well as restrictions upon advertising, to ensure that the commercial promotion of gambling is not targeted towards children or portrayed as attractive to children. It is also concerned with protecting vulnerable people from being harmed or exploited by gambling. The Licensing Authority will therefore consider the local risk assessment and whether specific measures are required at particular premises, with regard to this Licensing objective, which may include the supervision of entrances, the supervision of machines and the appropriate segregation of high-risk areas, the provision of a 'chill out' room or area free from gambling and alcohol facilities. For more information regarding Local Area Risk Assessments, please see section 17.

21.5 In discharging its responsibilities with respect to this particular Licensing objective, the Licensing Authority will have regard to the current 'Gambling Commission Codes of Practice', insofar as they may apply to specific premises.

21.6 The Act does not offer a definition with regard to the term, 'vulnerable persons', however the Gambling Commission states the following.

For regulatory purposes the Commission will assume that this group includes:

- People who gamble more than they want to.
- People who gamble beyond their means.
- People who may not be able to make informed or balanced decisions about gambling, due to a mental impairment, alcohol, other relevant disability, or drugs.

21.7 Torbay and South Devon NHS Foundation Trust refers to a vulnerable adult as an Adult at Risk. The Care Act 2014 defines an adult at risk as someone who:

- has care and support needs
- is experiencing, or is at risk of, abuse or neglect
- as a result of their care and support needs is unable to protect himself or herself or the risk of it.

21.8 Torbay Council defines an adult at risk as persons aged over 18 years old who:

- is old and frail due to ill health, physical disability or cognitive impairment
- has a learning disability
- has a physical disability and/or a sensory impairment
- has mental health needs including dementia or a personality disorder
- has a long-term illness/condition
- misuses substances or alcohol
- is a carer such as a family member/friend who provides personal assistance and care to adults and is subject to abuse
- is unable to demonstrate the capacity to make a decision and is need of care and support.

21.9 The Licensing Authority also recognises that, despite the above, anyone can be at risk of abuse or exploitation.

21.10 The Licensing Authority will have regard to the definitions of an Adult at Risk as provided by the Gambling Commission, by the Torbay and South Devon NHS Foundation Trust and Torbay Council, in discharging its responsibilities under the Act.

21.11 Problem gambling, particularly with the young, can sometimes be an indication of other issues that are of concern to the Licensing Authority, such as anti-social behaviour problems. When the Licensing Authority is made aware of issues associated with problem gambling and vulnerable people, the Licensing Authority will seek to work closely with the gambling premises operator, the Gambling Commission and other relevant sections of the Council, including the Adult Services Directorate and Children's Services Directorate.

21.12 This Authority places social responsibility as a high priority. As such, it will when exercising its statutory powers have due regard, where relevant to its statutory functions, to the need to:

- Prevent gambling related problems in individuals and groups at risk of gambling addiction.
- Promote informed and balanced attitudes, behaviours and policies towards gambling and gamblers by both individuals and by communities; and
- Protect vulnerable groups from gambling related harm.

21.13 The Licensing Authority will work with operators and other public agencies to encourage a commitment to social responsibility including responsible design, delivery, promotion and use of product. The end goal will be to reduce the incidence of high-risk and problem gambling. The Licensing Authority will consider, in relation to any particular premises whether any special considerations apply to the protection of vulnerable persons. Such considerations need to be balanced by the Authority's objective to aim to permit the use of premises for gambling.

21.14 Appendix 2 provides information for licence holders and their employees to help them report, to the relevant authorities, matters of concern that could relate to the safety of children and vulnerable persons, particularly if it relates to child sexual exploitation and trafficking.

22 Local Area Risk Assessments

22.1 The Gambling Commission's Social Responsibility Code (Licence Conditions and Codes of Practice (LCCP) 10.1.1) requires licence holders to assess the local risks to the Licensing Objectives posed by the provision of gambling facilities at each of their premises, and have policies, procedures, and control measures to mitigate those risks. In undertaking their risk assessments, licence holders should take into account any relevant matters identified in this Policy statement.

22.2 Licence holders are required to undertake a Local Area Risk Assessment when applying for a new premises licence. Their risk assessment will also need to be updated:

- When applying for a variation of a premises licence.
- To take account of significant changes in local circumstances, including those identified in this Policy.
- When there are significant changes at a licence holder's premises that may affect the level of risk or the mitigation of those risks. This includes any changes to the interior layout of the premises. Significant changes will require a variation to the premises licence.

22.3 The Social Responsibility Code provision is supplemented by the LCCP: Ordinary code 10.1.2 and requires licence holders to share their risk assessments with the Licensing Authority when applying for a premises licence or applying for a variation to existing licensed premises or otherwise on request of the Licensing Authority.

22.4 While there are no plans to request that licensed premises share risk assessments on a periodic basis, where concerns do exist, perhaps prompted by new or existing risks, the Licensing Authority is likely to request that a licence holder share a copy of their risk assessment. The risk assessment will set out the measures the licence holder has put in place to address specific concerns, thereby potentially reducing the occasions on which a premises review and the imposition of licence conditions is required.

22.5 In some circumstances, it may be appropriate for the Licensing Authority to offer a licence holder the opportunity to volunteer specific conditions that could be attached to the premises licence. Where this is appropriate, the Licensing Authority will liaise with the licence holder directly.

22.6 The Social Responsibility Code (LCCP 10.1.1) requires an operator to consider the Licensing Authority's Statement of Policy, wherein the Licensing Authority will set out the matters it will expect an operator to take in to account when considering their own risk assessment. The Licensing Authority expects, though it is not a mandatory requirement, that operators consider the following matters:

- Information held by the licence holder regarding self-exclusions and incidences of underage gambling,
- Arrangement for localised exchange of information regarding self-exclusions and gaming trends.
- Proximity to schools, commercial environments or other factors affecting footfall

- Range of facilities in proximity to the licensed premises, such as other gambling outlets, banks, post offices, refreshment and entertainment type facilities
- Potential for money laundering.
-

22.7 Matters relating to vulnerable adults, including:

- Information held by the licence holder regarding self-exclusions
- Arrangement for localised exchange of information regarding self-exclusions and gaming trends.
- Proximity of premises which may be frequented by vulnerable people, such as hospitals, residential care homes, medical facilities, doctor's surgeries, Council housing offices, addiction clinics or help centres, places where alcohol or drug dependant people may congregate, etc.

Other issues that may be considered could include:

- Proximity of premises which may be frequented by large numbers of people including sports stadiums, leisure centres, places of worship.
- Staffing levels at different times of the year (e.g., the peak summer school holidays).
- This list is not exhaustive and other factors not in this list that are identified must be taken into consideration. The Risk Assessment must be kept on the premises to which it relates and available for inspection by an authorised officer of the Licensing Authority or Gambling Commission.

22.8 Significant changes in local circumstances:

- The following lists set out some examples of what the Licensing Authority considers to be significant changes in local circumstances requiring a review of the Local Area Risk Assessment. The list is not exhaustive, and each premises will be considered on its own merits. Operators must consider whether any change in the locality of their premises is one that may be considered significant.
- The local area is classified or declassified by the Licensing Authority as being an area of heightened risk within its Local Area Profile.
- Any substantial building development or conversion of existing premises in the local area which may increase or decrease the number of visitors. For example, where premises are converted to a local supermarket, or a new office building is constructed nearby.
- Any new pay day loan establishment or pawn brokers open in the local area.
- Relevant changes are made to the provision, location and/or timings of public transport in the local area, such as a bus stop which is used by children to attend school is moved to a location in proximity to gambling premises.
- Educational facilities increase in the local area. This may occur because of the construction of a new school/college or where a significant change is made to an existing establishment.
- The local area is identified as a crime hotspot by the police and/or Licensing Authority.

- Any vulnerable group is identified by the Licensing Authority or venues relating to those vulnerable groups are opened in proximity to gambling premises e.g., additional homeless hostels or gambling or mental health care/support facilities in the local area.
- A new gambling premises opens in the local area.
- Operators must consider what is happening within their premises and it is their responsibility to identify significant changes which may require a review and possible amendment to their risk assessment. A significant change can be temporary, and any temporary changes should be considered, and adjustments made to the risk assessment if necessary.

22.9 Unlicensed Family Entertainment Centres (UFEC) are not required to undertake a Local Area Risk Assessment unless the UFEC is situated adjacent to an Adult Gaming Centre and therefore the Licensing Authority will expect the UFEC activities to be taken into account.

22.10 The Authority will expect applicants to have regard to the Local Area Profile (LAP) which will assist in identification of local gambling risks.

23 Local Area Profile

23.1 The Licensing Authority has produced a profile of the areas within the Authority which will assess the local environment and identify local concerns and risks.

23.2 The profile takes into account a wide range of factors, data and information held by the Licensing Authority and its partners. Responsible authorities and other relevant organisations will be invited to take part in the preparation of the profile. The profile will enable operators to clearly identify the risks and concerns in the community when completing their risk assessment.

23.3 The **Local Area Profile** is a separate document to this Statement of Principles and will be made publicly available. It will be reviewed and amended as and when required taking into account changes in the local area.

24 Licence Conditions

24.1: **How the licensing committee decides what conditions to apply to premises licences**

Under Section 153 of the Gambling Act 2005, the aim is to permit the use of premises for gambling. The 'aim to permit' framework provides wide scope for licensing authorities to impose conditions on a premises licence, reject or revoke premises licences, where there is an inherent conflict with the relevant codes of practice, relevant guidance issued by the Commission, the licensing objectives or the licensing authorities own policy statement. Licence conditions are one method by which it is possible to mitigate risks associated with a particular premises (**Gambling Commission Guidance to Licensing Authorities 1.25 – 1.29**).

Mandatory and default conditions are intended to be sufficient to ensure operation that is reasonably consistent with the licensing objective. Additional conditions will only be imposed where there is evidence of a risk to the Licensing Objectives.

24.2 Premises licences may be subject to any of all of the following:

- conditions specified in the Gambling Act 2005
- conditions specified in the regulations issued by the Secretary of State
- conditions attached at a hearing by the Licensing Sub-Committee determining that application.

24.3 With respect to conditions, the Licensing Authority can:

- issue licences without modifying conditions set out in the Act and by the Secretary of State
- exclude default conditions
- attach conditions where it is believed to be appropriate
- conditions may be general in nature (i.e. they attach to all licences of a particular premises type e.g. all casinos) or they may be specific to a particular licence.

24.4 The Licensing Authority will ensure that any conditions imposed on a licence are:

- Proportionate to the circumstances which they are seeking to address
- Relevant to the need to make the proposed building suitable as a gambling facility
- Directly related to the premises and the type of licence applied for
- Fairly and reasonably related to the scale and type of premises
- Reasonable in all other respects

24.5 There are also conditions, which the Licensing Authority cannot attach to premises licences. These are:

- Conditions that make it impossible to comply with an operating licence condition.
- Conditions relating to gaming machine categories, numbers or methods of operation
- Conditions that require membership of a club or body (The Gambling Act specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated)
- Conditions relating to stakes, fees, winnings or prizes
- Conditions relating to demand for the premises

24.6 Decisions about conditions will be taken on a case-by-case basis considering any representations that have been made, any written or oral evidence presented to the Licensing Authority and after having regard to the Gambling Commissions Licence Conditions and Codes of Practice, Gambling Commissions Guidance to Licensing Authorities, the licensing objectives and the policies within this statement of Policy.

24.7 There are a number of control measures that the Licensing Authority can utilise, such as the use of supervisors or the use of appropriate signage for adult only areas. The Licensing Authority will also expect the applicant to identify local risks and control measures ensuring

their operations are consistent with the Licensing Objectives. For example, local issues associated with a high crime rate may put a premises at risk of not being consistent with the Licensing Objectives, and specific conditions may be necessary to address the risk.

24.8 The Licensing Authority may require additional control measures in respect of buildings which are the subject of multiple premises licence applications, in order to ensure the operation of the premises in question is consistent with the Licensing Objectives. Such requirements may relate to the supervision of entrances, the segregation of gambling areas from non-gambling areas which may be frequented by children and the supervision of gaming machines in non-adult gambling specific premises.

24.9 The Licensing Authority will have regard to any guidance issued by the Gambling Commission in determining any such additional measures.

24.10 Where there are risks associated with a specific premises or class of premises, the Licensing Authority may consider it necessary to attach specific conditions to the licence to address those risks, taking account of the local circumstances.

24.11 The Licensing Authority will ensure that, where adult only gaming machines are made available on premises to which children have access that:

- All such machines are located in an area of the premises that is separated from the remainder of the premises by a physical barrier and which is effective to prevent access, other than through a designated entrance.
- Only adults have access to the area where these machines are located.
- Access to the area where the machines are located is adequately supervised.
- The area where these machines are located is arranged so that it can be observed by the staff or the licence holder.
- At the entrance to and inside any such areas notices are prominently displayed, indicating that access to the area is prohibited to persons under 18 years of age.

24.12 Tracks may be subject to one or more premises licences, provided each licence relates to a specified area of the track. In discharging its functions in relation to tracks, the Licensing Authority will consider the impact upon the Licensing objective that refers to the ‘protection of children’. The Licensing Authority will specifically require that the entrances to each part of a premises are distinct and that children are effectively excluded from gambling areas to which entry is not permitted.

24.13 Applicants are encouraged to consult the Licensing Authority prior to submitting an application so that the Authority may offer guidance in respect of the premises’ intended operation, premises layout, geographical area to which the premises is located etc.

25 Buildings divided into more than one premises

25.1 Part 7, paragraph 7.5 of the Gambling Commissions Guidance states that “there is no reason in principle why a single building could not be subject to more than one premises licence; provided they are for different parts of the building, and the different parts of the building can be reasonably regarded as being different premises”. Examples are given of multiple unit premises, such as pleasure parks, tracks, or shopping malls. It is also possible for licensed premises to be located next to each other, as long as there are no restrictions regarding direct access between these premises imposed on that category of gambling premises from its mandatory conditions. The Licensing Authority will follow this guidance.

25.2 It will be for the Licensing Authority to determine whether premises are genuinely separate, and not artificially created from that which is readily identifiable as a single premises. Prior to making an application, applicants are encouraged to discuss with the Licensing Authority their premises layout and intended applications.

25.3 In considering whether different areas of a building are genuinely separate premises, the Licensing Authority will take into account factors which may include whether there are separate registrations for business rates in place for the premises, whether the premises are owned or operated by the same person, and whether the premises are operated independently of each other.

26 Access to Premises

26.1 The Gambling Act 2005 (Mandatory and Default Conditions) Regulations 2007 restrict access to different types of licensed gambling premises. In considering proposals to divide a building into different premises, the Licensing Authority will have to be satisfied that proposals to divide buildings are compatible with the mandatory conditions which relate to access between premises.

26.2 The Gambling Commission Guidance at paragraph 7.22 states “There is no definition of ‘direct access’ in the Act or Regulations, but Licensing authorities may consider that there should be an area separating the premises concerned, for example a street or café, which the public go to for purposes other than gambling, for there to be no direct access.”

26.3 In particular, where premises are not accessed from the street, the Licensing Authority has sought to define the nature of the area which must separate licensed premises and through which the premises are accessed, so as to prevent direct access between premises in order to comply with the provisions of the Act and Regulations.

26.4 The Licensing Authority does not consider that provisions which prohibit direct access between licensed premises are satisfied where licensed premises are separated by an area created artificially within a building principally for members of the public attending the licensed premises, irrespective of whether this area is unlicensed or provides non-gambling facilities, for example refreshments or ATMs.

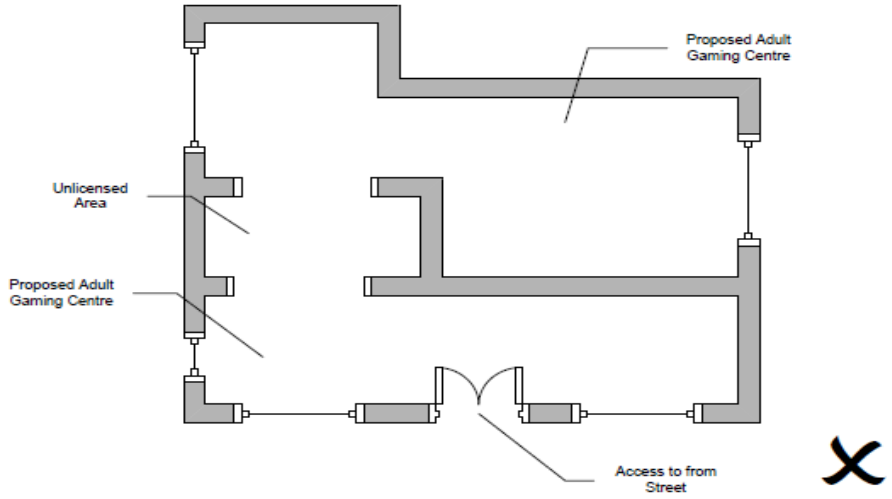
26.5 Where the Licensing Authority is satisfied that a building can be divided into separate premises and properly satisfy the statutory provisions, the Licensing Authority will expect applicants to ensure that:

- Premises are configured so that children are not invited to participate in, have accidental access to, or closely observe gambling to which they are prohibited from taking part,
- Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised, and people do not ‘drift’ into a gambling area. In this context it should be possible to access the premises without going through another licensed premises or premises with a permit.
- Customers must be able to participate in the activity named on the premises licence.

This is not an exhaustive list, and the Licensing Authority will consider other aspects based on the merits of the application.

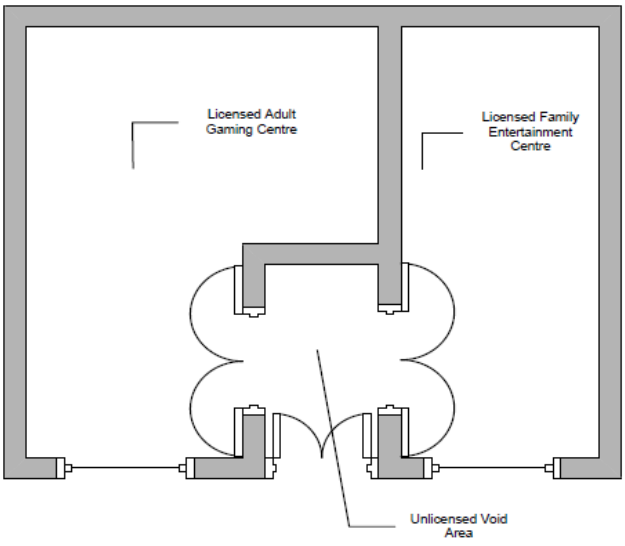
26.6 Applications to place two licensed premises in one premises with an unlicensed area separating them, (see figure 1) will not meet this Policy because of the artificial nature of the premises, access, and likely use issues which will arise.

Figure 1



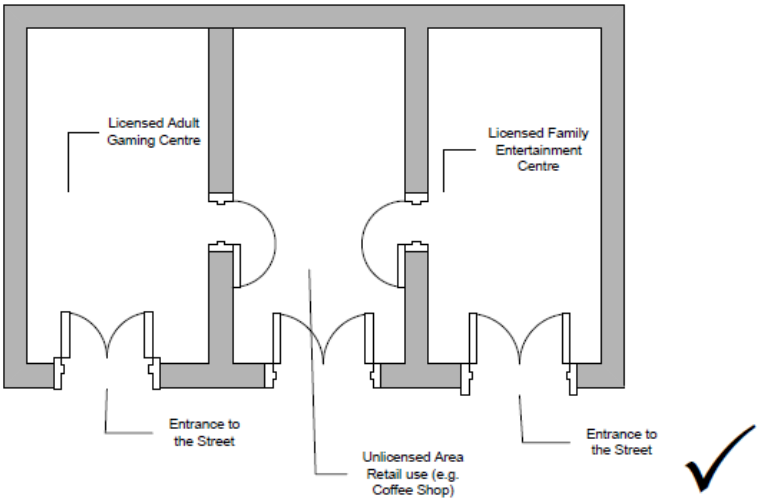
26.7 It is possible to have an unlicensed foyer area which separates one licensed premises from another if the foyer is accessed from the street, see Figure 2. The Licensing Authority would expect as a minimum that the area should be used for non-gaming purposes such an information point, a coffee shop or similar but must not contain any gambling information or literature promoting gambling activities. The size of the unlicensed area is matter for each application, but the Licensing Authority will not consider this configuration if the foyer is not of sufficient size to be a useable space.

Figure 2



26.8 It may also be acceptable if a premises is separated by another non-licensed premises that has access to both licensed premises from it. An example of this could be in the form of a coffee shop which has a main entrance to the street. The coffee shop may have access to an Adult Gaming Centre on one side and an entrance Family Entertainment Centre on the other side, see figure 3. Where a member of the public not using the gambling premises is likely to use the coffee shop it may be considered that there is no direct access between the two licensed premises.

Figure 3



26.9 The provisions of this Statement of Principles 2025-2028 come into force on 31 January 2025. From this date, any new application for any type of Gambling Premises Licence, will be expected to fully comply with the terms and conditions as set out above. Existing licensed premises may continue to operate under the terms that have been granted by virtue of the licence that they currently hold, provided that the Licensing Objectives continue to be fully promoted at all times. Any application to vary however, will be subject to the full terms as outlined above.

27 Material amendments to the premises

27.1 The Authority will have regard to the principles as set out in s.153 of the Act in determining variation applications. However, applications will be careful scrutinised to ensure the Licensing Objectives are not undermined.

27.2 Facilities for gambling must only be offered in a manner which provides for appropriate supervision of those facilities by staff at all times. For example, the installation of any screening would require a variation application including an updated Local Area Risk Assessment to evidence that any risks presented have been recognised and mitigated.

28 Adult Gaming Centres (AGC)

28.1 The Licensing Authority is responsible for the issue of premises licences for all Adult Gaming Centres that are able to offer higher stake gaming machines, which are restricted to over 18 years.

Further information on machine categories can be found here - **https://www.gamblingcommission.gov.uk/licensees-and-businesses/guide/gaming-machine-categories**

28.2 In respect of adult gaming centres, the Licensing Authority will have specific regard to the Licensing objective which seeks to protect children and vulnerable persons from being harmed or exploited by gambling. The applicant will be expected to satisfy the Licensing Authority that there will be sufficient measures and procedures in place, to ensure that persons under 18 years of age do not have access to the premises.

28.3 The Licensing Authority will expect applicants to offer their own measures and must be included in the Local Area Risk Assessment to meet the Licensing Objectives; however appropriate measures and/or licence conditions may cover issues such as: (this list is indicative only and is not exhaustive)

- Proof of age schemes.
- Closed Circuit Television Systems, (CCTV).
- Supervision of entrances and machine areas.
- Physical separation of areas.
- Location of entry.
- Appropriate notices and signage.
- Specific opening hours.
- Self-exclusion schemes and the display of information regarding self-exclusion schemes.
- Provision of information leaflets and helpline numbers for organisations such as 'Gamcare'
- Identify local risks, such as proximity to schools or in an area with a high crime rate.

In determining an application for a licensed AGC, the Licensing Authority will have regard to any guidance issued by the Gambling Commission and any mandatory or default conditions deemed to have a positive effect.

29 (Licensed) Family Entertainment Centres (FEC)

29.1 The Licensing Authority is responsible for the issue of premises licences for all Family Entertainment Centres. These permit gaming machines of up to Category C to be provided. Further information on machine categories can be found here - **https://www.gamblingcommission.gov.uk/licensees-and-businesses/guide/gaming-machine-categories**

29.2 In respect of (Licensed) Family Entertainment Centres, *(FEC's),* the Licensing Authority will have specific regard to the Licensing objective which seeks to protect children and vulnerable persons from being harmed or exploited by gambling. The applicant will be expected to satisfy the Licensing Authority that there will be sufficient measures and procedures in place, to ensure that persons under 18 years of age do not have access to the 'adult only' gaming machine areas on the premises.

29.3 The Licensing Authority will expect applicants to offer their own measures and must be included in the Local Area Risk Assessment to meet the Licensing Objectives; however appropriate measures and/or licence conditions may cover issues such as: *(this list is indicative only and is not exhaustive)*

- Proof of age schemes.
- Closed Circuit Television Systems, (CCTV).
- Supervision of entrances and machine areas.
- Physical separation of areas.
- Location of entry.
- Appropriate notices and signage.
- Specific opening hours.
- Self-exclusion schemes.

- Measures/training for staff on how to deal with suspected truant school children on the premises
- Provision of information leaflets and helpline numbers for organisations such as Gamcare.
- Identify local risks, such as proximity to schools or in an area with a high crime rate.

29.4 In determining an application for a licensed family entertainment centre, the Licensing Authority will have regard to any guidance issued by the Gambling Commission and any mandatory or default conditions deemed to have a positive effect. The Licensing Authority will have particular regard to any guidance or direction on how the separation and/or delineation of the 'adult only' machine areas of the premises should be achieved. Please refer to Sections 20 and 21 of this Statement of Principles for more information regarding separation of premises and/or consult the Licensing Authority for guidance in this regard.

30 Casino Premises

30.1 **Small Casino Premises**

On 15 May 2008, the Categories of Casino Regulations 2008 and the Gambling (Geographical Distribution of Large and Small Casino Premises Licences) Order 2008 were approved. This specified which Licensing Authorities could issue Large and Small Casino Licences. Torbay Council was one of the authorities authorised to issue a Small Casino Premises Licence.

30.2 Section 166(1) of the Act states that a Licensing Authority may resolve not to issue a premises licence. A decision to pass such a resolution will be taken by the Authority as a whole and will not be delegated to the Licensing Committee (a resolution not to issue casino premises licences will only affect new casinos). In passing such a resolution the Authority may take into account any principle or matter, not just the Licensing Objectives. At the time a counter resolution is passed, the principles set out in Appendix 3 will be applied. A resolution will not affect the ability of the casino with preserved entitlements from the 1968 Gaming Act from continuing to operate as a casino.

30.3 The Council will attach conditions to casino premises licences according to the principles set out in the Gambling Commission's Guidance, bearing in mind the mandatory conditions listed, and the Licence Conditions and Codes of Practice published by the Gambling Commission.

31 Bingo Premises Licence

31.1 The Licensing Authority is responsible for the issue of premises licences for all bingo premises. Typically, these are a bingo hall or club but they can also be similar to an AGC on the high street. Further information on machine categories can be found here - **https://www.gamblingcommission.gov.uk/licensees-and-businesses/guide/gaming-machine-categories**.

31.2 The Licensing Authority considers that if persons under 18 years of age are allowed to enter premises licensed for bingo, it is important that they do not participate in gambling, other than on category D machines. Where category C or above machines are available on premises to which persons under 18 years of age have access, the Licensing Authority will require that:

- All such machines are located in an area of the premises separated from the remainder of the premises by a physical barrier, which is effective to prevent access other than through a designated entrance.
- Only adults are admitted to the area where the machines are located.
- Access to the area where the machines are located is adequately supervised.
- The area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder.
- At the entrance to and inside any such area there are notices prominently displayed, indicating that access to the area is prohibited to persons under 18.
- No under 18s may play bingo on this premises' must be displayed at each entrance to the bingo premises.

31.3 The Licensing Authority will expect applicants to offer their own measures and must be included in the Local Area Risk Assessment to meet the Licensing Objectives; however appropriate measures and/or licence conditions may cover issues such as: (this list is indicative only and is not exhaustive)

- Proof of age schemes.
- Closed Circuit Television Systems, (CCTV).
- Supervision of entrances and machine areas.
- Physical separation of areas.
- Location of entry.
- Appropriate notices and signage.
- Specific opening hours.
- Self-exclusion schemes.
- Measures/training for staff on how to deal with suspected truant school children on the premises.
- Provision of information leaflets and helpline numbers for organisations such as Gamcare
- Identify local risks, such as proximity to schools or in an area high crime rate.

31.4 In determining any application for a Bingo Premises Licence, the Licensing Authority will have regard to any guidance issued by the Gambling Commission with regard to the suitability and general layout of Bingo Premises. In particular, the Licensing Authority will have regard to Social Responsibility Code 9, which requires that gaming machines are only made available in combination with the named non-remote activity of the operating licence. The Code states: *"So, unless a bingo operator offers substantive facilities for non-remote bingo it should not make gaming machines available for use on the premises in question. To contain the unavoidable risk to the licensing objectives associated with gaming machines, premises which offer machines must be appropriately supervised."*

31.5 Licensees must also ensure that the function along with the internal and/or external appearance of the premises are such that a customer can reasonably be expected to recognise that it is a premises licensed for the purposes of providing bingo facilities (Gambling Commission Social Responsibility Code Provision 9.1.2).

32 Betting Premises Licence

32.1 The Licensing Authority is responsible for the issue of premises licences for all betting establishments, including casinos, bookmaker's offices and tracks. It is illegal for persons under 18 years of age to enter upon licensed betting premises and bet, but they may gain entry to tracks.

A betting premises licence gives the holder the entitlement to up to 4 Category B2 machines (also known as Fixed Odds Betting Terminals (FOBTs). Further information on machine categories can be found here - **https://www.gamblingcommission.gov.uk/licensees-and-businesses/guide/gaming-machine-categories**

32.2 The Licensing Authority expects applicants to offer their own measures and must be included in the Local Area Risk Assessment to meet the Licensing Objectives; however appropriate measures and/or licence conditions may cover issues such as: (this list is indicative only and is not exhaustive)

- Proof of age schemes.
- Closed Circuit Television Systems, (CCTV).
- Supervision of entrances and machine areas
- Physical separation of areas.
- Location of entry.
- Appropriate notices and signage.
- Specific opening hours.
- Self-exclusion schemes.
- Measures / training for staff on how to deal with suspected truant school children on the premises.
- Provision of information leaflets and helpline numbers for organisations such as Gamcare.
- Identify local risks, such as proximity to schools or in an area with a high crime rate.

32.3 S.181 of the Gambling Act contains an express power for licensing authorities to restrict the number of Self-Service Betting Terminals (SSBTs), their nature and the circumstances in which they are made available by attaching a licence condition to a betting premises licence or to a casino premises licence (where betting is permitted in the casino). When considering whether to impose a condition to restrict the number of SSBTs in particular premises, the licensing authority, amongst other things, will take into account the ability of employees to monitor the use of the machines by children and young persons or by vulnerable people.

32.4 In determining any application for a Betting Premises Licence, the Licensing Authority will have regard to any guidance or codes of practice issued by the Gambling Commission with regards to the suitability and general layout and appearance of Betting Premises (social Responsibility Code 9 of the Licence Conditions **and Codes of Practice - Gambling Commission**. concerning primary gambling activity, as well as any subsequent case law.

The Licensing Authority will require a full premises licence variation application when premises are intending to apply screening and/or a booth to any category of gaming machines.

33 Track Premises Licence

General

33.1 Tracks are sites, (including horse racecourses and dog tracks), where races or other sporting events take place. Betting is a primary gambling activity on tracks, both in the form of pool betting, (often known as the 'Totalisator' or 'Tote'), and also general betting, often known as 'Fixed-Odds' betting. In discharging its functions with regard to Track Betting Licences, the Licensing Authority will have regard to any guidance issued by the Gambling Commission in that respect.

33.2 There is no special class of betting premises licence for a track, but the Act does contain rules which apply specifically to a 'Premises Licence' granted in respect of a track.

33.3 Applicants for a Premises Licence made in relation to a track will not be required to hold an Operating Licence issued by the Gambling Commission unless the applicant intends to offer pool betting or general betting facilities himself/herself; in which case an Operating Licence will be required.

33.4 The betting that is provided upon the track will not generally be provided by the applicant but will be provided by other operators who attend the track to provide betting facilities. These 'On-Course Operators' will require the necessary operating licences; therefore, the Act allows the track operator to obtain a Premises Licence without the requirement to hold an Operating Licence. This 'Track Premises Licence' then authorises anyone upon the premises to offer betting facilities, provided they already hold a valid Operator's Licence.

33.5 The Licensing Authority is aware that tracks are different from other premises in that there may be more than one premises licence in effect, each covering a specified area of the track. The Licensing Authority will especially consider the impact of the Licensing objective of the protection of children and vulnerable persons with regard to this category of licence. specific considerations in this respect may include:

- The need to ensure entrances to each type of premises are distinct.
- That children are excluded from gambling or betting areas that they are not permitted to enter.

33.6 The Licensing Authority will expect the premises licence applicant(s) to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities.

33.7 Children are legally permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, although they are still prevented from entering areas where gaming machines, (other than category D machines), are provided.

33.8 Appropriate measures and / or licence conditions which may be applied to a track premises licence by the Licensing Authority, in order to promote the Licensing Objectives, (particularly the objective with regard to children and vulnerable persons), may include:

(This list is indicative; it is not mandatory or exhaustive)

- Proof of age schemes.
- CCTV.
- Door supervisors.
- Supervision of entrances/machine areas.
- Physical separation of areas.

- Location of entry.
- Notices / signage.
- Specific opening hours.
- Self-barring schemes.
- Provision of information leaflets / helpline numbers for organisations such as Gamcare.
- Identify local risks, such as proximity to schools or in an area with a high crime rate.

Gaming Machines at Tracks

33.9 Applicants for Track Premises Licences will need to demonstrate within their applications, that where the applicant holds a 'Pool Betting Operating Licence' and is going to use his entitlement to four gaming machines, these machines are located in areas from which children are excluded and that such areas are suitably operated.

Betting Machines at Tracks

33.10 The Licensing Authority has an express power under the Act, to restrict the number of betting machines, their nature and the circumstances in which they are made available, by attaching licence conditions to a betting premises licence.

33.11 The potential space available for betting machines at a track may be considerable, bringing with it significant problems in relation to:

- The proliferation of such machines.
- The ability of track staff to supervise the machines if they are dispersed around the track.
- The ability of the track operator to comply with the law and prevent children betting on the machines.

33.12 In considering whether or not it is appropriate to restrict the number of betting machines made available at a track, by way of licence condition, the Licensing Authority will have regard to the following:

- The size of the premises.
- The ability of staff to monitor the use of the machines by children or by vulnerable people.
- The number, nature, location, and circumstances of the betting machines that an operator intends to make available for use.

Conditions on Rules being Displayed at Tracks

33.13 The Licensing Authority will attach a condition to Track Premises Licence requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas or made available to the public by some other means, such as being included in the race-card or issued as a leaflet.

Applications and Plans for Tracks

33.14 The following information should be submitted with the application:

- Detailed plans for the track and the area that will be used for temporary "on-course" betting facilities (often known as the "Betting Ring").
- In the case of dog tracks, horse racecourses, fixed and mobile pool betting facilities, (whether operated by the tote or the track operator), and any other proposed gambling

facilities; the plans should make clear what is being sought for authorisation under the Track Betting Premises Licence.

- Details of any other areas of the track, which may be the subject of a separate application, for a different type of premises licence.

Self-Contained Premises on Tracks

33.15 The Licensing Authority will generally require that all 'self-contained premises' operated by off-course betting operators on track, be the subject of a separate Premises Licence. This will ensure that there is clarity between the respective responsibilities of the track operator and the off-course betting operator running a self-contained unit on the track premises.

34 Vessels and Vehicles

34.1 Licences may be granted for passenger vessels. However, not all forms of permits are available to vessels. Vehicles may not be the subject of a Premises Licence and therefore all forms of commercial betting and gaming will be unlawful in a vehicle.

34.2 The Licensing Authority will have jurisdiction over gambling conducted on vessels on all inland waterways, at permanent moorings and on all aircraft on the ground or in domestic air space.

34.3 Section 211 (4) of the Act provides that in relation to a vessel, but to no other premises, responsible authorities should also include navigation authorities within the meaning of Section 221 of the Water Resources Act 1991 that have functions in relation to the waters where the vessel is usually moored or berthed, or in any waters where it is proposed to be navigated at a time when it is used for licensable activities.

34.4 The Council when considering applications for premises licences in respect of vessels will give particular weight to the views of the Maritime and Coastguard Agency in respect of promoting the licensing objectives. Where in the opinion of the Licensing Authority any of the three objectives are undermined, and this cannot be resolved through the imposition of conditions, the application will be refused.

35 Travelling Fairs

35.1 Travelling fairs do not require any permit to provide gaming machines but must comply with the legal requirements as to the way the machines operate. They may provide an unlimited number of Category D gaming machines, provided that the facilities for gambling amount to no more than an ancillary amusement at the fair.

35.2 A given area of land may, by statute, only be used on 27 days per calendar year for the purposes of accommodating a fair. The statutory maximum of 27 days calendar use applies to the land on which the fairs are held, and that use is cumulative, regardless of whether it is the same fair or a procession of different travelling fairs.

35.3 The Licensing Authority will monitor fairs, (whether travelling or otherwise), which provide category D gaming machines within Torbay, to ensure that the provision of gambling is ancillary to the amusement provided at the fair and to ensure that the statutory limits upon the annual use of the land, are not exceeded.

35.4 The Licensing Authority will work with its neighbouring Licensing Authorities to ensure that any inter-authority sites which may be used for the provision of fairs, are appropriately monitored to ensure due compliance with statutory requirements.

36 Reviews

36.1 An ‘Interested Party’ or a ‘Responsible Authority’ can make an application to the Licensing Authority at any time, requesting that the Licensing Authority review a licence that it has granted; the Licensing Authority may also initiate a review of a licence itself.

36.2 The list of Responsible Authorities can be viewed at **www.torbay.gov.uk/business/licensing/gambling/gambling-premises-licence/list-of-responsible-authorities/**

36.3 Interested Parties are defined at Section 5 of this ‘Statement of Principles’.

36.4 Should the Licensing Authority receive an application requesting the review of a licence, the Licensing Authority will make a determination as to whether or not the review is to be carried out. In making this determination the Licensing Authority will consider whether the request for the review is relevant to the matters listed below:

- In accordance with any relevant Code of Practice issued by the Gambling Commission.
- In accordance with any relevant guidance issued by the Gambling Commission.
- Consistent with the Licensing Objectives.
- In accordance with Torbay Council’s ‘Statement of Principles’.

36.5 The Licensing Authority will also make a determination as to whether or not the application for the licence review is made on relevant grounds; the following are examples of grounds which may be considered by the Licensing Authority, to be irrelevant, (this list is indicative and is not exhaustive):

- Representations which do not raise an issue relevant to the principles to be applied in accordance with Section 153 of the Act.
- Representations that are inconsistent with any guidance or codes of practice issued by the Gambling Commission, or with this ‘Statement of Principles’.
- Representations which relate to an objection to gambling activity generally, for instance on moral grounds.
- Representations in relation to the demand or unmet demand for Gambling Premises.
- Representations in relation to planning matters.
- Public Safety Issues.
- Traffic Congestion issues.

36.6 The Licensing Authority will not initiate a licence review if it considers that the grounds upon which the review is being sought are:

- Frivolous
- Vexatious
- Substantially the same as representations made at the time that the application for a premises licence was considered; the Licensing Authority will not normally review a licence to revisit issues which were considered at the time of the grant, unless there is evidence which justifies such reconsideration.
- Substantially the same as the grounds cited in a previous application for review, relating to the same premises, and a sufficient or reasonable period of time has not elapsed since that previous application was made.

- Insignificant; to such an extent, that it would be wholly unreasonable for the Licensing Authority to revoke or suspend the licence; or to remove, amend or attach conditions to the licence, on the basis of such representation.

36.7 Should the Licensing Authority determine that an application for a licence review, (which has been duly submitted by an 'Interested Party' or a 'Responsible Authority'), is valid or should the Licensing Authority decide to initiate a licence review of its own volition; then that licence review will be undertaken and progressed to conclusion, in accordance with the requirements of the Act, any guidance or codes of practice issued by the Gambling Commission and this 'Statement of Principles'.

36.8 Once a valid application for a review has been received, representations can be made by responsible authorities and interested parties during a 28-day period. This period begins 7 days after the application was received by the licensing authority, who will publish notice of the application within 7 days of receipt.

36.9 The Council must carry out the review as soon as is reasonably practicable after the 28-day period for making representations has passed.

36.10 The purpose of the review will be to determine whether the Licensing Authority should take any action in relation to the licence. If action is justified, the options open to the Licensing Authority are

- Add, remove or amend a licence condition imposed by the Licensing Authority;
- Exclude a default condition imposed by the Secretary of State (e.g. opening hours) or remove or amend such an exclusion;
- Suspend the premises licence for a period not exceeding three months;
- Revoke the premises licence.

36.11 In determining what action, if any, should be taken following a review, the Licensing Authority will have regard to the principles set out in Section.153 of the Act, as well as any relevant representations.

In particular, a review of a premises licence may be initiated on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.

Once the review has been completed, the licensing authority will, as soon as possible, notify its decision to:

- The licence holder
- The applicant for review (if any)
- The Commission
- Any person who made representations
- The chief officer of police or chief constable; and
- Her Majesty's Commissioners for Revenue and Customs

Part C – Permits and Temporary and Occasional Use Notices

37 Unlicensed Family Entertainment Centre (UFEC)

37.1 Unlicensed Family Entertainment Centres (UFEC's), are premises commonly located at seaside resorts, on piers, at airports or at motorway service stations. These establishments cater for families, including unaccompanied children and young persons and, subject to the grant of a permit from the Licensing Authority, operators can provide an unlimited number of Category D gaming machines, upon the premises.

37.2 Where a premises does not have the benefit of a premises licence issued under the Act, but the applicant wishes to provide Category D gaming machines; an application may be made to the Licensing Authority for an unlicensed family entertainment centre permit. The applicant must satisfy the Licensing Authority that the premises will, in accordance with Section 238 of the Act, be 'wholly or mainly' used for making gaming machines available for use.

37.3 The Licensing Authority will require as part of the application form, a plan to scale, clearly defining the area covered by the UFEC and including the layout of machines. UFEC permits will only be granted for areas which complies with section 238 of the Gambling Act in that the area specified is wholly or mainly used for making gaming machines available for use. As such it is not permissible for permits to be granted to entire complexes such as leisure centres, shopping centres and motorway service areas or similar.

37.4 The Licensing Authority will issue permits for unlicensed family entertainment centres in accordance with the following principles:

- The Licensing Objectives.
- Any relevant regulations or codes of practice.
- Any guidance issued by the Gambling Commission.
- The principles set out in this 'Statement of Principles'.

37.5 The Licensing Authority will only grant a permit if satisfied that the premises will be used as a UFEC and that Devon and Cornwall Police has been consulted in relation to the application; applicants will also be required to demonstrate to the Licensing Authority:

- That the applicant has a full understanding of the maximum stakes and prizes of the gambling that is permissible in an unlicensed family entertainment centre.
- That staff are suitably trained and have a full understanding of the maximum stakes and prizes permissible in an unlicensed family entertainment centre.
- That the applicant has no convictions, which may have been identified as 'relevant convictions', for the purposes of the Act.

37.6 The Licensing Authority will expect the applicant to show that they have policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations.

37.7 Such measures may include:

- Appropriate measures/training for staff as regards suspected truant school children on the premises.

- Appropriate measures/training for staff as regards unsupervised very young children being on the premises and children causing perceived problems on/or around the premises.

37.8 The Licensing Authority can grant or refuse an application for an unlicensed family entertainment centre permit; however, it cannot attach conditions to a permit.

37.9 The Statement of Licensing Policy clarifies the measures it will expect applicants to demonstrate when applying for a permit for an unlicensed family entertainment centre. This will allow this Licensing Authority to better determine the suitability of the applicant and the premises for a permit.

37.10 Within this process, the applicant must be able to demonstrate that:

- They are a fit and proper person to hold the permit
- They have considered and are proposing suitable measures to promote the licensing objectives, and
- They have a legal right to occupy the premises to which the permit is sought.

The measures suggested in this Statement of Licensing Policy will be applied although the Council will consider any alternative measures suggested by the applicant and will substitute measures as appropriate.

37.11 The Council will require the following supporting documents to be served with all UFEC gaming machine permit applications:

- Proof of age - a certified copy or sight of an original birth certificate, a photo style driving licence, or passport – all applicants for these permits must be aged 18 or over).
- Proof that the applicant has the right to occupy the premises - acceptable evidence would be a copy of any lease, a copy of the property's deeds or a similar document.
- A standard disclosure and barring service check issued within the previous month. This will be used to check that the applicant has no relevant convictions as defined in Schedule 7 of the Act.
- Evidence that the machines to be provided are or were supplied by a legitimate gambling machine supplier or manufacturer who holds a valid gaming machine technical operating licence issued by the Gambling Commission.
- Suitable and sufficient gambling local risk assessments where the UFEC is located adjacent to an AGC.
- Suitable and sufficient safeguarding policy.
- A plan of the premises for which the permit is sought showing the following items:

  (i) The boundary of the building with any external or internal walls, entrances and exits to the building and any internal doorways

  (ii) Where any category D gaming machines are positioned and the particular type of machines to be provided (e.g. slot machines, penny-falls, cranes)

  (iii) The positioning and types of any other amusement machines on the premises

  (iv) The location of any fixed or semi-fixed counters, booths or offices on the premises whereby staff monitor the customer floor area

  (v) The location of any ATM/cash machines or change machines

  (vi) The location of any fixed or temporary structures such as columns or pillars

(vii) The location and height of any stages in the premises; any steps, stairs, elevators, balconies or lifts in the premises

(viii) The location of any public toilets in the building

Unless otherwise agreed, the plan should be drawn to a standard scale with a key showing the items mentioned above. The standard scale is 1:100.

37.12 The Licensing Authority encourages applicants for UFEC Permits to consider adopting the British Amusement Catering Trade Association (BACTA) voluntary Code of Practice for Amusement with Prizes Machines in Family Entertainment Centres, which now includes no access to Category D reel machines for those aged under 18 years. This Code of Practice promotes awareness of social responsibility and acknowledges that proactive specific and appropriate commitment will be given to educating children and young persons, thereby minimising the potential for harm.

37.13 Harm in this context is not limited to harm from gambling but includes wider protection considerations. The Licensing Authority will consider these policies and procedures on their merits but should (depending on the particular permit being applied for) include appropriate measures/training for staff having regard to the following:

- Maintain contact details for any local schools and or the education authority so that any truant children can be reported
- Employ policies to address problems associated with truant children who may attempt to gain access to the premises and to gamble when they should be at school
- Employ policies to address any problems that may arise when there is an increased likelihood that children may frequent the premises in greater numbers, such as half terms and summer holidays
- Safeguarding policies in place to both protect children and vulnerable adults but also staff training in relation to the identification and onward alerting of safeguarding concerns
- Display posters with the 'Child Line' phone number in discreet locations throughout the premises e.g. toilets, corridors
- Maintain a register of any incidents that arise on and around the premises related to children i.e. children gambling excessively, truant children, children being unruly or young unaccompanied children entering the premises. The register can be used to detect any trends which require action by the management of the premises.
- Take steps to ensure all young children are accompanied by a responsible adult.
- Maintain policies to deal with any young children who enter the premises unaccompanied.
- Undertake satisfactory disclosure checks (criminal records checks) for all staff who will be working with children.
- Clear signage that identifies gaming machines and skill machines
- Any prizes displayed must be capable of being won.
- Staff training that covers all of the controls in place

NB: Any supporting evidence of the above measures e.g. training manuals or other similar documents/written statements should be attached to the application.

37.14 The Licensing Authority will expect the applicant to show that there are policies and procedures in place to **protect vulnerable persons.** The Council will assess the submitted

policies and procedures on their merits, but (depending on the particular permit being applied for) should include appropriate measures/training for staff relating to the following:

- Display Gamcare helpline stickers on all gaming machines.
- Display Gamcare posters in prominent locations on the premises.
- Training for staff members which focuses on building an employee's ability to maintain a sense of awareness of how much (e.g. how long) customers are gambling, as part of measures to detect persons who may be vulnerable.
- Consider appropriate positioning of ATM and change machines, including the display of Gamcare stickers on any such machines.
- Customer self-exclusion systems (for example where the UFEC is adjacent to an AGC).

NB: Any supporting evidence of the above measures e.g. training manuals or other similar documents/written statements should be attached to the application.

37.15 The applicant should also be mindful of the following possible control measures (depending on the particular permit being applied for) to minimise crime and disorder and the possibility of public nuisance:

- Maintain an effective CCTV system to monitor the interior and exterior of the premises.
- Keep the exterior of the premises clean and tidy.
- Ensure that external lighting is suitably positioned and operated so as not to cause nuisance to neighbouring or adjoining premises.
- Consider the design and layout of the outside of the premises to deter the congregation of children and youths.

NB: Any supporting evidence of the above measures e.g. training manuals or other similar documents/written statements should be attached to the application.

38 Alcohol Licensed Premises – Gaming Machine Permits

Automatic Entitlement: Two Machines

38.1 There is an automatic entitlement to provide a maximum of 2 Category C and/or D gaming machines, on premises that are licensed under the Licensing Act 2003, for the sale and consumption of alcohol on the premises. Subject only to the proviso, that the premises licence holder must serve notice of intention upon the Licensing Authority in respect of those machines.

Applicants should be aware that only those premises which have a 'bar' (servery) at which alcohol is sold for consumption on the premises will be eligible for a machine in the bar area of the premises. This means that premises such as restaurants, which do not have a bar for serving drinks or can only sell alcoholic drinks as an ancillary to food will not automatically qualify for two machines.

38.2 As outlined in section 284 of the Gambling Act 2005, the Licensing Authority can remove the 'Licensing Act 2003 Automatic Entitlement' in respect of any particular premises if:

- The provision of the machines is not reasonably consistent with the pursuit of the Licensing Objectives.
- The Licence Holder has breached the requirements of the Act.
- An offence under the Act has been committed on the premises.

- The premises are mainly used for gaming.

38.3 The premises must comply with the Code of Practice for gaming machines in clubs and premises with an alcohol licence issued by the Gambling Commission, which may be accessed through the following link: **https://www.gamblingcommission.gov.uk/licensees-and-businesses/guide/lccp**

38.4 All gaming machines situated on the premises must be located in a place within the premises so that their use can be supervised, either by staff whose duties include such supervision (including bar or floor staff) or by other means.

38.5 The provision of gaming machines, on premises licensed for the sale and consumption of alcohol, in excess of the automatic two machine entitlement, can only be authorised by way of a permit issued by the Licensing Authority.

38.6 In considering any application for a permit to authorise the provision of more than two machines, on premises licensed under the Licensing Act 2003, for the sale and consumption of alcohol; the Licensing Authority will have regard to the following:

- The requirements of the Act.
- The Licensing Objectives.
- Any guidance issued by the Gambling Commission.
- Any Code of Practice issued by the Gambling Commission.
- The principles within this 'Statement of Principles'.
- Any other matters that the Licensing Authority considers relevant.

38.7 The matters that the Licensing Authority considers relevant in reference to the last bullet point above, will include but are not exclusive to:

- Any representation it considers relevant by The Police and the Children's Safeguarding Board.
- Any relevant policies e.g., child protection from the applicant.
- The percentage of gross turnover the gaming machines contribute to total gross turnover of the premises and this should not be significant.
- The confidence the Licensing Authority has in the management of the premises.

38.8 In granting a permit the Licensing Authority can prescribe a different number of machines to that which was applied for and can prescribe the particular category of machine(s) that may be permitted; however, the Licensing Authority cannot attach conditions to a permit.

38.9 Applications for permits under this section cannot be made in respect of unlicensed non-alcohol areas of, (Licensing Act 2003), licensed premises. Such areas would need to be considered under the provisions relating to 'Family Entertainment Centres' or 'Adult Gaming Centres'.

Permit: Three or more machines

38.10 If a premises wishes to have more than two machines, then it needs to apply for a gaming machine permit and the Licensing Authority must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25, codes issued under Section 24 of the Act, and 'other such matters as the Licensing Authority think relevant'.

38.11 The Licensing Authority considers that 'such matters' will be decided on a case-by-case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the Licensing Authority that there will be no access may include the adult machines being in sight of the bar, or in sight of staff that will monitor that the machines are not being used by those under 18, or suitable Challenge scheme. Notices and signage may also be helpful. As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets/helpline numbers for organisations such as GamCare.

38.12 It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine. Please refer to Pubs and clubs toolkit (gamblingcommission.gov.uk)

38.13 All gaming machines must be located in a place within the premises so that their use can be adequately supervised, either by staff whose duties include such supervision (including bar or floor staff) or by other means.

38.14 A plan must accompany applications indicating where and what type of gambling machines are to be provided. This plan may take the form of an amendment to the plan attached to the Premises Licence issued under the Licensing Act 2003.

38.15 In granting a permit, the Licensing Authority can prescribe a different number of machines to that which was applied for and can prescribe the particular category of machine(s) that may be permitted. The number of machines will be clearly stated on each permit.

Any gaming machines must be obtained from a licensed supplier.

39 Prize Gaming Permits – Statement of Principles on Permits

39.1 In considering any application for a prize gaming permit the Licensing Authority will have regard to the following:

- The type of gaming that the applicant is intending to provide.
- The requirements of the Act.
- The Licensing Objectives.
- Any guidance issued by the Gambling Commission.
- Any statutory and mandatory conditions.
- The principles within this 'Draft Statement of Principles'.

39.2 The Licensing Authority will expect the applicant to demonstrate that they understand the limits applicable to 'stakes and prizes' that are set out in Regulations; and that they are able to understand and ensure that the gaming to be provided is within the law.

39.3 There are statutory and mandatory conditions in the Act which the permit holder must comply with, and the Licensing Authority cannot impose any additional conditions to the grant of a permit. The conditions in the Act are:

- The limits on participation fees, as set out in regulations, must be complied with.
- All chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played.

- The prize for which the game is played must not exceed the amount set out in regulations (if a monetary prize), or the prescribed value, (if non-monetary prize).
- Participation in the gaming must not entitle the player to take part in any other gambling.

40 Club Gaming Permits and Club Machine Permits

40.1 The Act creates a separate regime for gaming in 'club' premises from that in other relevant alcohol licensed premises. It defines two types of clubs for the purposes of gaming:

- Members' club (including miners' welfare institutes)
- Commercial club.

40.2 A Members Club may apply for a 'Club Gaming Permit' or a 'Club Machine Permit'. Whereas a Commercial Club, may only apply for a 'Club Machine Permit' and may not provide Category B3A machines.

40.3 The grant of a 'Club Gaming Permit' by the Licensing Authority will enable the premises to provide gaming machines of the type and number set out on the Gambling Commission's website (link below) and **https://www.gamblingcommission.gov.uk/licensees-and-businesses/guide/club-gaming-and-machine-permits**, equal chance gaming and games of chance as set out in regulations.

40.4 The grant of a 'Club Machine Permit' by the Licensing Authority will enable the premises to provide gaming machines of the type and number set out on the Gambling Commission's website **https://www.gamblingcommission.gov.uk/licensees-and-businesses/guide/club-gaming-and-machine-permits**

NOTE: This maximum entitlement of three machines will include any machines provided by virtue of the Licensing Act 2003 entitlement; it is not in addition to that entitlement.

40.5 Members clubs must have at least 25 members and be established and conducted wholly or mainly for purposes other than gaming unless the gaming is permitted by separate regulations. This may cover bridge and whist clubs, which replicates the position under the Gaming Act 1968. A 'Members' Club' must be permanent in nature, not established to make commercial profit, and controlled by its members in equal part. Examples would include 'Working Men's Clubs', branches of the 'Royal British Legion' and clubs with political affiliations.

40.6 The Licensing Authority will take steps to ensure that a club is a bonafide club within the terms set out in the Act and with this in mind reserve the right to request or require sight of evidence that confirms the status of the club. The Licensing Authority may request evidence any of the follow factors for consideration in its decision-making;

- Evidence of committee members and evidence of their election by club members?
- Minutes of previous meetings (where appropriate)?
- Is the primary activity of the club something other than gaming?
- Are the club's profits retained solely for the benefit of the club's members?
- Are there 25 or more members?
- Are the addresses of club member's genuine domestic addresses and live reasonably locally to the club?
- Do members participate in the activities of the club via the internet?
- Do guest arrangements link each guest to a member?

- Is the 48-hour rule being applied for membership and being granted admission being adhered to (for member clubs)
- Are there annual club accounts available for more than one year?
- How is the club advertised and listed in directories and on the internet?
- Are children permitted in the club?
- Does the club have a constitution, and can it provide evidence that the constitution was approved by members of the club?
- Submission of a plan of the premises for which the permit is sought i.e. premises, boundaries, machine position, etc.

40.7 The Licensing Authority may only refuse an application for a 'Club Gaming Permit' or a 'Club Machine Permit' on the grounds that:

- The applicant does not fulfil the statutory requirements for a member's club, a commercial club or a miner's club, welfare institute; and therefore, is not entitled to receive the type of permit for which it has applied.
- The applicant's premises are used wholly or mainly by children and/or young persons.
- An offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities.
- A permit held by the applicant has been cancelled in the previous ten years.
- An objection to the grant of a permit has been lodged by the Gambling Commission or the Police within the 28 days consultation period, as specified in section 9 of the Gambling Act 2005 (Club Gaming and Club Machine Permits) Regulations 2007.

40.8 The Licensing Authority is aware that there is a fast-track procedure for the issue of a permit to premises which hold a club premises certificate granted under the Licensing Act 2003. Under this fast-track procedure there is no opportunity for objections to be made by the Gambling Commission or the Police.

40.9 The 'fast track' process afforded to an applicant under the Licensing Act 2003 does not provide any statutory right to the issue of a permit and the Licensing Authority may resolve to refuse the grant of a 'fast track' application on the following grounds:

- That the club is established primarily for gaming, other than gaming prescribed under Schedule 12 of the Act, that section relating to 'Club Gaming Permits' and 'Club Machine Permits'.
- That in addition to the prescribed gaming to be provided under the permit, the applicant provides facilities for other gaming on the same premises.
- That a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.

40.10 No child shall be permitted to use a Category B or C gaming machines on the premises and that the holder of the Premises Licence must comply with any code of practice relevant to the location and operation of gaming machines.

40.11 All gaming machines situated on the premises must be located in a place within the premises so that their use can be supervised, either by staff whose duties include such supervision (including bar or floor staff) or by suitable other means. Please refer to **Codes of Practice - Section C - Gaming machines in clubs and premises with an alcohol licence (gamblingcommission.gov.uk)**. Information on permits can be found on the Gambling

Commission website - Permits - **Guidance to licensing authorities - Permits (gamblingcommission.gov.uk)**

41 Temporary Use Notices

41.1 There are a number of statutory limits as regards Temporary Use Notices. The limits are set out in the Act as:

- A set of premises may not be the subject of temporary use notification for more than 21 days in a period of 12 months.
- A set of premises may be the subject of more than one temporary use notice in a period of 12 months; provided that the aggregate of the periods for which the notices have effect does not exceed 21 days.

41.2 The Licensing Authority notes that a Temporary Use Notice can only be used to offer gambling of a form authorised by the operator's Operator Licence and will give consideration to whether the form of gambling offered on the premises will be remote, non-remote, or both.

41.3 The purposes for which a temporary use notice may be used are restricted by regulations, to the provision of facilities for equal chance gaming only, which must be provided by means other than 'machine gaming'.

41.4 'Equal Chance Gaming' is gaming where the participants are taking part in a gambling competition which is intended to produce a single, overall winner. An example of this would be a poker competition.

41.5 In considering whether to object to a temporary use notice the Licensing Authority will have particular regard to this Statement of Principles, and any guidance issued by the Gambling Commission, with regard to the nature and definition of a 'premises' or a 'place'. Should the Licensing Authority consider that 'Temporary Use Notices' are being employed at premises (or for discreet parts of premises), to the extent where 'regular gambling' is thereby being provided within a given building or at a given place; then the Licensing Authority may object to the notice(s).

42 Small Society Lotteries

42.1 Under the Gambling Act 2005, a lottery is unlawful unless it runs under an operating licence (a large lottery) or is an exempt lottery. The Licensing Authority will register and administer small society lotteries as defined under the Act. Promoting or facilitating a lottery will fall into two categories:

- Licensed lotteries (requiring an operating licence from the Gambling Commission)
- Exempt lotteries (including small society lotteries registered with Torbay Council)

Exempt lotteries are defined as:

- Small society lotteries
- Incidental non-commercial lotteries
- Private lotteries
- Work lotteries
- Residents' lotteries
- Customer lotteries

Advice regarding the definitions of the above exempt lotteries is available from the Gambling Commission guidance and their website - **Types of lottery you can run without a licence (gamblingcommission.gov.uk)**

42.2 Organisers of raffles or lotteries MUST follow the legislation contained within the Gambling Act 2005, to ensure that the arrangements for lottery are legal to avoid an offence being committed. The Licensing Authority recommends those seeking to run lotteries take their own legal advice on which type of lottery category they fall within.

42.3 Applicants for small society registrations must apply to the Licensing Authority in the area where their principal office is located. Where the Licensing Authority believes that the Society's principal office is situated in another area, it will inform the Society as soon as possible and where possible, will inform the other Licensing Authority.

42.4 The Licensing Authority will ask applicants to set out the purposes for which the Society is established and will ask the promoter to declare that they represent a bonafide non-commercial society and have no relevant convictions. The Licensing Authority may seek further information from the Society if not provided. The Licensing Authority may refuse an application for registration if in their opinion:

- The applicant is not a non-commercial society
- A person who will or may be connected with the promotion of the lottery has been convicted of a relevant offence or
- Information provided in or with the application for registration is false or misleading

42.5 The Licensing Authority will refuse applications for registration if in the previous five years, either an Operating Licence held by the applicant for registration has been revoked, or an application for an Operating Licence made by the applicant for registration has been refused. Where the Licensing Authority is uncertain as to whether or not an application has been refused, it will contact the Gambling Commission to seek advice.

42.6 Where the Licensing Authority intends to refuse registration of a Society, it will give the Society an opportunity to make representations and will inform the Society of the reasons why it is minded to refuse registration and supply evidence on which it has reached that preliminary conclusion.

42.7 The Licensing Authority may revoke the registered status of a society if it thinks that they would have been obliged or permitted to refuse an application for registration if it were being made anew. No revocations will take place unless the Society has been given the opportunity to make representations. The Licensing Authority will inform the Society of the reasons why it is minded to revoke the registration and will provide an outline of the evidence on which it has reached that preliminary conclusion.

42.8 Where the annual fee is not paid by the due date, the Licensing Authority may cancel the small society registration. The onus is firmly placed on the society to ensure they pay the annual fee by the due date.

42.9 Where a society employs an external lottery manager, it will need to satisfy itself that that person holds an Operator's Licence issued by the Gambling Commission. The Licensing Authority will expect this to be verified in writing by the Society.

42.10 The Licensing Authority requires all registered small society lottery operators to maintain written records of any unsold and returned tickets for a period of one year from the date of the lottery draw.

42.11 The Licensing Authority is permitted to inspect the records of the lottery for any purpose related to the lottery. It is likely to do so where:

- The Society has failed to complete the statement of return correctly on two or more occasions.
- The Society fails to submit a statement of return for a lottery the society has held within 3 months of the draw taking place.

The Licensing Authority will keep a Public Register of all applications to register a small society for lottery purposes.

The Licensing Authority will accept return information by an electronically scanned return sent by email.

43 Occasional Use Notices

43.1 With regard to 'Occasional Use Notices' (OUN's), the Licensing Authority will ensure the following:

- That the statutory limit of 8 days in a calendar year is not exceeded.
- That the subject premises can reasonable and effectively be defined as a 'track'
- That the applicant is permitted to avail himself/herself of the notice.

Further information on OUN's may be found on the Gambling Commission website:

https://www.gamblingcommission.gov.uk/licensees-and-businesses/page/occasional-use-notices-ouns

Part D - Appendices

Appendix 1 – Consultation

The Act requires that the following parties are consulted by Torbay Council prior to publication of this 'Statement of Principles':

- The Chief Officer of Police.
- One or more persons who appear to the Licensing Authority to represent the interests of persons carrying on gambling businesses in the Authority's area.
- One or more persons who appear to the Licensing Authority to represent the interests of persons who are likely to be affected by the exercise of the Council's functions under the Act.

This Statement of Principles is made following consultation with the following:

- Residents and businesses of Torbay
- Bodies representing existing gambling businesses in Torbay
- The Chief Officer of Devon and Cornwall Police
- The Chief Officer of Devon and Somerset Fire and Rescue Service
- Torbay and South Devon NHS Foundation Trust
- Torbay Safeguarding Children's Partnership
- Torbay Council: Planning, Community Safety
- Safer Communities Torbay
- Facilities in Torbay assisting vulnerable persons
- Faith groups; via Torbay Interfaith Forum and the Street Pastors
- Brixham Town Council
- English Riviera BID
- Director of Public Health
- Ward Councillors
- Gamcare
- Gamblers Anonymous
- GambleAware
- Gambling Commission

In determining this Statement of Principles, the Licensing Authority undertook to give appropriate weight to the views of those it consulted. In determining what weight to give to a particular representation, the factors taken into account included:

- Who made the representation; (what is their expertise or interest?)
- What was the motive for their representation?
- How many other people have expressed the same or similar views?
- How far the representation related to matters that The Licensing Authority should be including in its Statement of Principles.

Torbay Council has designated the Torbay Safeguarding Children's Partnership, as the 'Competent Body' to advise the Council, with regard to the Licensing objective that protects children from being harmed or exploited by gambling.

Appendix 2: Child Sexual Exploitation and Trafficking of Children and Young People

Torbay Council is helping to tackle child sexual exploitation and trafficking by working together with key partners particularly the Police and Safeguarding Boards.

Through agencies working together and sharing information, we aim to identify and prevent sexual exploitation, disrupt the activities of perpetrators, protect children and young people and prosecute perpetrators of sexual exploitation. Sharing information with the Police and Safeguarding Boards helps to protect young people from harm. Safeguarding children and young people is everyone's business and everyone's responsibility.

Child sexual exploitation is a crime that can affect any child, anytime, anywhere – regardless of their social or ethnic background.

Sexual exploitation of children and young people involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive something, e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money, etc. as a result of them performing, and/or another or others performing on them, sexual activities. Violence, coercion, and intimidation are commonly involved in such exploitative relationships.

Child sexual exploitation involves perpetrators grooming youngsters and using their powers to sexually abuse them. Sexual exploitation of children and young people can take many forms, whether it occurs through a seemingly 'consensual' relationship with an older person, or a young person having sex in return for attention, gifts, alcohol, or cigarettes.

How gambling premises licence and permit holders and their employees can help tackle child sexual exploitation

Gambling establishment licence and permit holders and their employees are in a good position to help identify victims of sexual exploitation because, through the operation of certain gambling activities, licence and permit holders and their employees regularly come into contact with children, young and vulnerable people. This means that licence and permit holders and their employees are in an ideal position to help protect young and vulnerable people.

In particular, licence and permit holders and their employees should ask themselves the following questions when they see young and vulnerable people in their gambling premises:

- Do any of your customers appear to be under 18 years old?
- Are they with a much older person and appear to be in a relationship?
- Do you think that they are under the influence of alcohol or drugs?
- Are children/young people being brought regularly to your premises by older people? If so, ask yourself why?

If you have reason to suspect that a child is being abused or at risk of abuse it is your responsibility to report your concerns to and share information with the Police (Tel: 101 or if immediate risk 999) and Torbay Safeguarding Children Partnership on Tel: 01803 208100 or the out of hours number on Tel: 0300 4564876. Please email for enquiries and referrals to **torbay.safeguarding@torbay.gov.uk**

Appendix 3 - Small Casino Licence

The Act provided for an increase in the number of casino premises permitted to operate in the United Kingdom and established that two new types of casino should be permitted: eight large and eight small casinos. The Secretary of State for Culture, Media and Sport was given the Authority under the Act to determine which Licensing authorities should be permitted to grant new casino premises licences.

The Secretary of State established a *'Casino Advisory Panel'* to recommend the most appropriate areas of the UK in which to site the 16 new casino premises and invited interested Local Authorities to submit proposals to the Panel; Torbay Council submitted a proposal to the panel in response to this invitation.

On 15th May 2008, the 'Categories of Casino Regulation 2008' and the 'Gambling (Geographical Distribution of Large and Small Casino Premises Licences) Order 2008' were approved. The Order specified which Licensing Authorities could issue premises licences for both large and small casinos; Torbay Council's Licensing Authority was included in the Order and was authorised to issue one small casino premises licence.

On 26th February 2008, the Secretary of State for Culture, Media and Sport issued the *'Code of Practice on Determinations Relating to Large and Small Casinos'* (herein referred to as the Code of Practice). The Licensing Authority must comply with the Code of Practice which states:

- The procedure to be followed in making any determinations required under Paragraphs 4 and 5 of Schedule 9 to the Act.
- Matters to which the Licensing Authority should have regard in making those determinations.

In summary, the casino licensing process is in two stages. At Stage 1, applications are made for premises licences or provisional statements. Those applications are decided in accordance with section 153 of the Gambling Act 2005, in the same way as any other application and without reference to each other. If more than one applicant is successful at Stage 1, then the process passes to Stage 2.

As to Stage 2, Schedule 9 paragraph 5 to the Act states the following:

"This paragraph applies if a Licensing Authority determine under Paragraph 4 that they would grant a number of competing applications greater than the number which they can grant as a result of section 175 and the Order under it.

The Authority shall then determine which of those applications to grant under section 163(1)(a).

For that purpose the Authority -

- *shall determine which of the competing applications would, in the Authority's opinion, be likely if granted to result in the greatest benefit to the Authority's area,*
- *may enter into a written agreement with an applicant, whether as to the provision of services in respect of the Authority's area or otherwise,*
- *may determine to attach conditions under section 169 to any licence issued so as to give effect to an agreement entered into under paragraph (b), and*
- *may have regard to the effect of an agreement entered into under paragraph (b) in making the determination specified in paragraph (a)."*

Torbay Council, as the Licensing Authority, is aware that there may be a number of operators who may wish to apply for the small casino premises licence from Torbay Council.

The Licensing Authority will therefore stage a statutory selection process, *(the 'small casino premises licence process')*, under Schedule 9 of the Act and will run the selection process in line with *'The Gambling (Inviting Competing Applications for Large and Small Casino Premises Licences) Regulations 2008'* and the said Code of Practice, issued by the Secretary of State.

In accordance with the above Regulations, Torbay Council's Licensing Authority will publish an invitation calling for applications for the 'small casino premises licence'.

Should the Licensing Authority receive more than one application for a small casino premises licence at Stage 1 of the 'small casino premises licence process' and should the Licensing Authority determine that it would grant more than one small casino premises licence, then subject to any and all appeals which may have been lodged at Stage 1 of the process being concluded, the Licensing Authority will:

- Make a 'Provisional Decision to Grant' in respect of those applicants deemed appropriate for the grant of a small casino premises licence.
- Implement Stage 2 of the 'small casino premises licence process'.
- Invite those applicants issued with a 'Provisional Decision to Grant' at Stage 1 of the 'small casino licence process', to participate in Stage 2 of the 'small casino premises licence process'.

Any 'Provisional Decision to Grant' issued to an applicant at Stage 1 of the 'small casino premises licence process', shall have no effect and shall not be used for the provision of casino gaming facilities upon the premises to which it relates. The 'Provisional Decision to Grant' merely confirms the Licensing Authority's determination, that the applicant satisfies the statutory requirements for the grant of a small casino premises licence; and afford the applicant the right to participate in Stage 2 of the 'small casino premises licence process' for Torbay.

It may be the case that at Stage 1 of the process, only one application may be submitted to the Licensing Authority for a small casino premises licence, or it may be the case that after due consideration of all the applications at Stage 1, the Licensing Authority considers that only one applicant satisfies the statutory requirements, in respect of a premises licence. In that instance, the Licensing Authority will not implement Stage 2 of the 'small casino Licensing process' and will, (subject to any and all appeals being concluded), grant a small casino premises licence to the 'only suitable applicant' determined under Stage 1 of the process.

If the Licensing Authority does not receive any applications for a small casino premises licence at Stage 1 of the 'small casino premises licence process', or should the Licensing Authority resolve to refuse the grant of any applications so made under Stage 1, then subject to any and all appeals being concluded:

- Stage 2 of the 'small casino premises licence process' will not be implemented, and,
- The Licensing Authority may re-publish an invitation calling for applications for a 'small casino premises licence'.

Section 166(1) of the Act states that a Licensing Authority may resolve not to issue a premises licence. A decision to pass such a resolution will be taken by the Authority as a whole and will not be delegated to the Licensing Committee (a resolution not to issue casino premises licences will only affect new casinos). In passing such a resolution the Authority may take into account any principle or matter, not just the Licensing Objectives. The Authority may revoke the resolution by passing a counter resolution. To date, no resolution has been passed by the Licensing Authority.

Small Casino Premises Licence – General Principles

The Licensing Authority recognises that applicants may either apply for a 'Casino Premises Licence' or alternatively a 'Provisional Statement' in respect of the small casino premises licence.

Unless otherwise specified, any reference to the application and procedures for a 'Small Casino Premises Licence' in the 'Small Casino Premises Licence' sections of this 'Statement of Principles' shall also include the application and procedures for a 'Provisional Statement' for a small casino premises licence.

In making any decision under Stage 1 or Stage 2 of the 'small casino premises licence process', the Licensing Authority will have due regard to this 'Statement of Principles', the Act and to any Codes of Practice, Regulations and Guidance which may be issued by:

- The Secretary of State.
- The Department for Culture, Media and Sport, *(DCMS).*
- The Gambling Commission.

In making any decision in respect of a small casino premises licence application, made under the 'small casino premises licence process':

- the Licensing Authority shall not take into account whether or not an applicant is likely to be granted planning permission or building regulations approval; and
- any decision taken in relation to the small casino premises licence application, shall not constrain any later decision by The Council, under the law relating to planning or building control; and
- any conditions or agreements attached to any planning consents will normally fall outside of the Licensing process and will normally be disregarded by the Licensing Authority, in determining which applicant will bring the greatest benefit to the area of Torbay.

The Licensing Authority cannot consider unmet demand when considering applications for a small casino premises licence.

Torbay Council does not have a preferred location for the new small casino. Applicants can submit plans for any site or location within Torbay, each of which will be judged on its own individual merits. Applicants, however, should have regard to the proposed location of the premises, with regard to meeting the licensing objective which seeks to protect children and vulnerable persons from being harmed or exploited by gambling.

Where more than one 'Provisional Decision to Grant' is issued, the Licensing Authority will implement Stage 2 of the 'small casino premises licence process'.

The Licensing Authority will ensure that any pre-existing contract, arrangements or other relationship it may have with a company or individual, does not affect the procedure so as to make it unfair (or appear unfair) to any applicant.

Small Casino Premises Licence Application - Stage 1

The 'small casino premises licence process' will be started by the Licensing Authority publishing an invitation calling for applicants to submit an application for a small casino premises licence.

An application for a small casino premises licence may be made at any time, however the Licensing Authority will not consider any such application, until a formal invitation to apply has been published and the appointed closing date for the submission of applications has passed. The

appointed closing date shall be the final day of the three-month period, duly advertised for Stage 1 applications.

The Licensing Authority will provide an application pack that will include a statement of the procedure and process it proposes to follow, in assessing applications for a small casino premises licence.

All applications for a small casino premises licence will be received through Stage 1 of the 'small casino premises licence process'. Should the Licensing Authority receive more than one application, then each application will be considered separately and on its own merits, with no reference being made to the other applications received.

At Stage 1 of the 'small casino premises licence process' any additional information submitted by an applicant, above that required by the statutory process, will be disregarded and returned to the applicant in accordance with Act and its Regulations. Additional information may be submitted by an applicant participating in Stage 2 of the 'small casino premises licence process'.

The Licensing Authority recognises that, should there be more than one small casino premises licence applicant, then each applicant is an 'Interested Party' in relation to the other, and therefore may make a representation. The term 'Interested Party' is defined in Section 5, of this 'Statement of Principles' and all representations will be considered carefully to ensure they meet the requirements set out therein.

It is recognised that any decision taken by the Licensing Authority under Stage 1 of the 'small casino licence application process' may be the subject of an appeal. The Licensing Authority will not proceed to Stage 2 of the 'small casino premises licence process' until any and all appeals, which may have been lodged at Stage 1 of the process, have been concluded.

Where the application at Stage 1 is for a 'Provisional Statement', the provisional statement is likely to be granted for a fixed period of 12 months, so that applications for premises licences should follow shortly after the provisional statement.

It is unlikely that the Authority will wish to extend the duration of the provisional statement.

If applicants do not believe they can apply for and be granted a premises licence within 12 months of grant of the provisional statement they should say so in their applications. The risk that they will not obtain a premises licence within that timescale will be taken into account in assessing the likely benefits of the proposal.

If a licence is granted, the Authority is likely to consider applying to revoke it after 12 months pursuant to section 202(3) of the Act, unless construction work has commenced or is imminent at the end of that period.

Small Casino Premises Licence Application - Stage 2

Stage 2 of the 'small casino premises licence process' cannot commence until Stage 1 has been completed and all applications have been determined, including the conclusion of any and all appeals.

At Stage 2 of the 'small casino premises licence process', each of the second stage applicants will be required to state and demonstrate the greatest benefit they can bring to the local area of Torbay and how this will contribute to the wellbeing of the area.

Where more than one application is received for a small casino premises licence and where more than one application is the subject of a 'Provisional Decision to Grant', (in accordance with Section 19.8 at Page 18), the Licensing Authority will give due consideration to all applications. It will grant

the available licence to the applicant whose application it considers will be likely if granted to result in the greatest benefit to the area of Torbay.

Any determination made under Stage 2 of the 'small casino premises licence process' will be judged on the criteria below, which have been established by the Licensing Authority in consultation with the community of Torbay, under the terms of this Statement of Principle'.

The Licensing Authority may during Stage 2 of the 'small casino premises licence process' engage in discussions with each Stage 2 applicant, with a view to the application being refined, supplemented or otherwise altered so as to maximise the benefits to the area of Torbay.

The Licensing Authority will expect a Stage 2 applicant to sign a written agreement with Torbay Council relating to the benefits that the proposed development may bring to the area of Torbay. The Licensing Authority will take any such agreement into account, in determining which application would result in the greatest benefit to the area of Torbay. The Licensing Authority may attach conditions to the small casino premises licence to give effect to this agreement.

The following are the principles which will be used by the Licensing Authority to judge which proposal is likely to result in the greatest benefit to the area of Torbay and therefore, these are the matters to which applicants will be expected to address their Stage 2 application:

- An upfront payment on grant.
- A percentage of the Gross Gambling Yield including from machines
- An annual sum, to be paid whether the casino has been built or is operational or not.
- The likelihood of delivery of such benefits.

In considering the likelihood that such benefits will be delivered, the matters the Licensing Authority will take into account include but are not limited to:

- Whether the applicant is the intended operator.
- If the applicant does not have an operating licence, the timescale for obtaining one.
- Whether or not the proposal has planning permission.
- Whether or not the applicant has a legal right to occupy the site.
- The committed financing of the proposal.
- The timescale for completion and the risks to the timetable.
- Whether the Stage 1 application is for a 'provisional statement', and whether a premises Licence application will be made with 12 months of the original grant.

Above, the Licensing Authority has set out matters which it will take into account in judging the competing applications at Stage 2 of the 'small casino premises licence process'. While these matters are likely to receive the greatest weight in the evaluation process, an operator is not debarred from putting forward other benefits which the Licensing Authority will take into consideration and weigh to the extent it considers them relevant.

The Stage 2 applicant will be expected to additionally submit the following:

- A clear and detailed Business Plan dealing, amongst other things, with the viability of any submitted proposals.
- A signed 'Development Agreement' in a form that is acceptable to the Licensing Authority, committing the applicant, (in the event that they are granted a licence), to the entirety of the scheme they have put forward.

- A timescale for implementation and completion of the proposed development works, (including any ancillary development), setting out the various stages of construction. This is to enable the Licensing Authority to be kept informed of when the project is likely to be completed and that the applicant is on target for final completion.
- Evidence that there will be consultation with Statutory Bodies and Responsible Authorities, to ensure due compliance with any and all Statutory Regulations and Legislation, during the construction of the development; (e.g. health and safety, highway approvals, etc).

In assessing applications made under the 'small casino premises licence process' the Licensing Authority will give consideration to the likelihood of a casino actually being developed and additional weight shall be given to its deliverability.

The 'small casino premises licence process' will follow the DCMS Code of Practice; however, the Code of Practice leaves individual authorities to determine the detail of their own procedure.

Therefore, (because it is recognised that the Licensing Authority does not necessarily have all the relevant expertise), the Licensing Authority might need to seek advice on an applicant's proposal from Officers in other relevant Council departments, for example Planning, Highways, Finance, Regeneration and Legal. The Licensing Authority may also need to solicit independent expertise and advice from sources outside of the Council.

For this purpose, the Licensing Authority intends to constitute a non-statutory panel to assist in the evaluation of the Stage 2 application process. This panel shall be called the 'Advisory Panel'.

It is accepted that only the Licensing Authority will make the final decision on the successful applicant. The function of the Advisory Panel will be to evaluate the applications for the benefit of the Licensing Committee or Sub-Committee. The Advisory Panel will not be a decision-making body and while the Licensing Committee or Sub-Committee will take the Advisory Panel's evaluations into account, with regard to the 'small casino premises licence process', it is not bound to follow them.

Members of the Advisory Panel will comprise of carefully selected, competent and suitably qualified individuals, who are not biased and whose personal interests would not compromise their independence. It will be for the Local Authority to determine the membership of the Advisory Panel.

A schedule detailing the Advisory Panel members and the Panel's terms of reference will be included in the application pack. The terms of reference will include further details of the functions of the Advisory Panel and the procedures of the evaluation process, in order to ensure fairness and transparency to all applicants.

To ensure that there is fairness and transparency; applicants will be asked if they wish to object to any Member of the Advisory Panel. Should an applicant wish to raise any objection to a Member of the Advisory Panel; then:

- A formal objection must be served upon the Local Authority within 10 working days of the applicant requesting an application pack.
- The objection must clearly indicate the grounds upon which the objection is being made.
- It will be for the Local Authority to determine the validity of any objection and to determine if any member of the Advisory Panel should be replaced on the basis of the objection(s) raised.

- The formal procedure to be followed in the event of any objection being raised will be detailed within the 'application pack'

The strict time constraints detailed above, are to ensure that in the event of an Advisory Panel Member being replaced as a result of an applicants' objection, all applicants can be given due notice and opportunity to object to any 'Replacement' Advisory Panel Member(s); and to prevent the potential frustration of the procedure in the latter stages of the 'small casino premises licence' determination process. Objections raised 'out of time' will only be considered if the applicant can satisfy the Local Authority, that the objection could not reasonably have been made within the stipulated period for objections).

It is important that the small casino premises licence application includes all documents and paperwork in support of the proposals, (hereinafter referred to as the 'bid documentation'). Once all the bid documentation has been submitted, the Advisory Panel will carry out a preliminary evaluation of each application. Following the preliminary evaluation, Officers of Torbay Council may liaise with applicants with a view to the application being refined, supplemented or altered so as to maximise the greatest benefit to the Torbay area.

Once the bid documentation is finalised, the Advisory Panel will evaluate each bid. Once assessed, the Advisory Panel's draft evaluation report on each application will be sent to the applicant, in order to enable the relevant applicant to identify and address any factual errors that may have occurred. Thereafter no additional information may be submitted by the applicant, but any agreed factual errors will be amended.

The unsuccessful applicant(s) will be informed of the result and reasons for rejection as soon as is reasonably practicable







TORBAY LOCAL PLAN

A landscape for success

The Plan for Torbay: 2012 to 2030

TORBAY LOCAL PLAN 2012-2030

A landscape for success

Adopted December 2015

LOCAL PLAN POLICIES DOCUMENT

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Telephone 01803 201201

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PREFACE

Adoption and operation of the Local Plan

The Torbay Local Plan 2012-2030 was adopted by Torbay Council at its meeting on 10 December 2015 (Minute 97/Council 2015). The Local Plan subsequently became operative on the same date.

Further details are set out in the Notice of Adoption, the Local Plan Adoption Statement and related Appendices, and the Sustainability Appraisal Adoption Statement, published in December 2015.

Accordingly, the Torbay Local Plan 2012-2030 supersedes the previous Adopted Torbay Local Plan 1995-2011. This is with the exception of Sections 13-15 (The Historic Environment) and Sections 16-19 (The Natural Environment) of the 2004 Adopted Torbay Local Plan Environmental Guide, which continue to retain weight as supplementary planning guidance in the determination of planning applications, subject to their consistency with policy and guidance in the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG). Further details are set out in Paragraphs 1.2.10 to 1.2.17.

The Local Plan provides a policy framework for the proposed Torquay, Paignton and Brixham Peninisula Neighbourhood Plans that are being prepared for the area. These three Plans, together with the Masterplans that have been adopted for key growth areas, will help to deliver the Policies of the Local Plan at a more detailed neighbourhood level.

When 'made' (or adopted), the three Neighbourhood Plans and the Torbay Local Plan 2012-2030 will form the development plan for Torbay.

Format of the Local Plan

The published Adopted Torbay Local Plan 2012-2030 is available in two formats:

Firstly, a **paper version** comprising two separate parts:

The **Torbay Local Plan Policies Document** (this document), which sets out details of:

- The opportunities in the area and the challenges faced
- The vision and ambition of the Local Plan
- The spatial strategy and policies for strategic direction
- Strategic Delivery Areas, providing a policy framework for neighbourhood plans
- Policies for managing change and development in Torbay
- Delivery and monitoring
- Appendices containing details of supporting material

The **Torbay Local Plan Key Diagram and Policies Map Booklet**, which sets out details of :

- The geographical location of the Strategic Policy Areas and Strategic Delivery Areas that form the basis of the Plan's Spatial Strategy (shown on the Key Diagram)
- The location of Future Growth Areas and the areas that are the subject of a wide range of detailed Local Plan Policies and Proposals, together with a number of related spatial planning matters that are shown for information (shown on the Policies Map Sheets and the large scale Town Centre Inset Maps).

Secondly, the Local Plan is available as a **web-based electronic version** comprising the above Torbay Local Plan Policies Document and the Torbay Local Plan Key Diagram and fully interactive Policies Map, accessible via www.torbay.gov.uk

The Sustainability Appraisal and Habitats Regulations documents that accompany the Local Plan are also available on the Council's website.



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1. INTRODUCTION

1. INTRODUCTION

1.1 The Plan in a nutshell

Sustainable, realistic ambition

1.1.1 This is a Plan for growth, within environmental limits.

1.1.2 Torbay has a strong 'Unique Selling Point' or USP. It is the English Riviera, with a world class tourism offer. It has glamour, high profile businesses, a fantastic marine setting and internationally important environmental assets. It also has lots of potential, with an increasingly skilled workforce; increasing numbers of small and micro businesses; a large catchment population; increasingly good connections to national and international markets; space and opportunity for development; and town centres that are ready for regeneration. Innovation and creativity are needed to respond to this potential. Consequently this Plan is not unduly prescriptive, encouraging an entrepreneurial approach and supporting projects that provide high quality outcomes for the Bay.

1.1.3 Torbay has seen the highs and lows of change. For example, between 1998 and 2008 around 3,000 net new jobs were created, with 5,000 gained in 2000/01 and 4,000 lost in 2001/02. Since 2006, Torbay has seen a 'high' of more than 800 new homes built in 2007/08 and a 'low' of 250 in 2012/13. These peaks and troughs will continue in the future, but the Local Plan seeks to set out a sustainable strategy to accommodate needs within environmental and infrastructure limits.

1.1.4 The Local Plan takes a 'bandwidth' approach to growth. Serious economic and social consequences result from low levels of growth, as has been seen between 2008 and 2013; but growth that is too high causes irreversible environmental damage and infrastructure failure. Between these two margins, growth and change is sustainable. Sustainability appraisals have tested a range of growth scenarios, ensuring the Local Plan is based on the most sustainable bandwidth for Torbay.

1.1.5 In broad terms, sustainable growth over the long term is defined as 250-300 net new jobs per year and 400–500 new homes per year. The total number of new homes, over the next 18 years is based on achieving economic recovery and success. During the first 5 years, growth is likely to be at the lower end of the bandwidth as the economy recovers, The Local Plan's strategy will be subject to major five year reviews, where evidence of the need for development and the Bay's capacity to accommodate it will be reassessed (see Section 7.5)

1.1.6 The careful assessment of spatial options for growth has shown the three town centres, Torquay Gateway and West Paignton to be the most sustainable locations. Masterplans have been produced for Torquay and Paignton Town Centres, to help bring new life and investment to those vital centres. Masterplans for Torquay Gateway and West Paignton (Great Parks and Collaton St Mary) focus on place-making and further define the type, scale and timing of development in those areas.

Environmental capacity

1.1.7 Crucially, the Plan recognises the unique quality of the Bay's environment, both natural and built. It is this quality and character that draws in people, investment, businesses and visitors. It is vital this Plan protects and enhances that quality, to bring more investment, more visitors and more people into the Bay.

1.1.8 If the quality of environment is eroded – by breaching the Bay's environmental capacity – new investment, business growth and visitors numbers start to decline, with long lasting effects. So we have to plan carefully, ensuring we get the balance right - protecting and enhancing the Bay's USP whilst also making the most of its 'Under-Sold Potential', such as its town centres, harbours and people. We have to ensure that we do not over-commit now to too much growth and change, but that we take careful stock every five years in order to make positive, informed and confident decisions about the future. The Council has assessed for example, that there is land for around 9,200 homes over the next 20 years without breaching environmental limits. The Strategic Housing Land Availability Assessment 2013 (SHLAA), and other evidence, shows that additional land for housing would have significant constraints to delivery, such as the Area of Outstanding Natural Beauty (AONB), valuable open space and loss of holiday accommodation.

Jobs, jobs, jobs

1.1.9 The Local Plan, working alongside Torbay's Economic Strategy (2013), supports a step change in the economic fortunes of the Bay. The Plan is based on achieving 5,000–5,500 net new jobs to 2030, mirroring the 300 jobs per year created during the 'boom' years of 1998-2008. Since 2008 there has been an annual loss of about 50 jobs per year, so intervention is required to improve Torbay's economic performance. Buildings, land and infrastructure will be brought forward to support business growth and investment, and to support the Bay's USP, for example in tourism, business services and health.

1.1.10 To meet the needs of new and growing businesses, especially Small and Medium Enterprises (SMEs), a minimum of 17 hectares (ha) of employment land is needed over the next 18 years. Over half of this is for non-Use Class B uses such as retail, tourism and leisure; about 7 hectares is for office space and up to 1 hectare for industrial land. There is sufficient, deliverable space available – in key locations such as Edginswell Business Park, Torquay – to meet demand, created by the South Devon Highway for example, for the next 5 years. However, high quality, well-located and serviced space is needed in the Bay in the medium to long-term. There is therefore an emphasis on bringing forward high quality commercial space, particularly in town centres; on bringing forward new employment land, such as at Edginswell; and on mixed use developments, such as White Rock, where limited residential development is being used to pump prime necessary employment space.

Homes for all

1.1.11 A decent home is fundamental to people's quality of life. A balance and mix of homes, in each community, is crucial to a healthy, sustainable community. The Local Plan sets out the ways in which new homes will be provided to meet demand and need over the next 18 years.

1.1.12 The land and space for new homes falls into three clear categories:

Existing commitments: These include unimplemented planning permissions (standing at around 1,900 new homes as at January 2014) and sites, such as Great Parks, which have previously been identified but have not yet been delivered. In broad terms, these sites cater for demand over at least the first five years of the Plan period and provide total capacity for around 2,600 homes (see also Appendix C).

Identified sites: These are sites that have, mostly, been identified in the SHLAA and will be allocated in Neighbourhood Plans for Torquay, Paignton and Brixham Peninsula. These sites are shown for information in the Policies Map and broadly cover demand in the medium term (see Appendix C).

Future Growth Areas: These are areas, such as Torquay Gateway, in which jobs, homes and green infrastructure will be delivered, following partnership working between the Council, community and landowners to identify opportunities to create better balanced communities, plus the sites, nature and timing of development needed to meet demand. These sites will generally meet demand over the longer term.

Infrastructure

1.1.13 The Local Plan recognises the need to invest in infrastructure across the Bay – whether in green infrastructure or additional road capacity. Much is already being done to improve infrastructure, including new community parks in White Rock and Great Parks, a new rail halt at Edginswell, an enhanced ferry service across the Bay and increased capacity on the Western Corridor.

1.1.14 At present, infrastructure 'pinch points', such as shared sewers in Paignton, affect the ability of parts of the Bay to grow. There is a funding gap of around £160M for new infrastructure, of which about £52M is needed for critical infrastructure. So, further investment is needed, ahead of or in tandem with new development, to support business growth, to support the delivery of new homes and to create more sustainable, healthy communities. This Plan supports investment in critical and necessary infrastructure.

Monitoring

1.1.15 The Local Plan will be monitored annually against the delivery of, for example, jobs, infrastructure and land supply, and the release of sites will be carefully managed accordingly. Additionally, there will be a major review of the Plan every five years, working with partners in other Local Authorities. A range of measures will be assessed and used to determine whether the Local Plan's growth strategy remains supported by evidence of need and capacity. It will consider whether additional land is needed; for example where there is 'planning failure' (e.g. lack of land available) there may be a case to increase land supply. However, where there is 'market failure' (e.g. lack of delivery of new homes), other solutions to allocating more land are likely to be appropriate. Conversely there may be a case to reduce growth rates if there is evidence of oversupply against objectively assessed need and demand. Major changes arising from formal review are likely to require public consultation. The Council will ensure that – as a minimum – there is a 5 year supply of housing land measured against Local Plan requirements. Further information is set out in Section 7.5.

1.1.16 Torbay, Teignbridge and South Hams Councils have agreed to a co-ordinated and positive review of the Councils' Local Plans every five years taking account of joint monitoring. This review will consider the need

for and location of further development on a sub-regional basis, taking account of jointly prepared and consistent evidence, in order to inform future reviews of the three Local Plans. Further information is set out in Section 7.5.

1.2 More about the Plan

Introduction

1.2.1 'A landscape for success' is the new Local Plan for Torbay, covering the period from 2012 to 2030 and beyond. This Plan includes matters that relate not only to the use of land but also to other matters such as funding and infrastructure (including roads, schools, water supply and climate change). For this reason it is called a 'spatial plan'.

1.2.2 This Plan has already been shaped by engagement with local residents, visitors and other key stakeholders. This includes an early 'Issues and Options' document for the former Core Strategy published in 2006, followed by the 'Vision, objectives and options for growth in Torbay' document published in 2009. The debate triggered by this document was later supplemented by a Stakeholder Workshop in October 2010 that focussed on the scale and distribution of new development. In Autumn 2012 a draft Local Plan was published for consultation, setting out the Preferred Option for growth; the healthy feedback has subsequently informed this Plan. Consequently the Plan now provides a high level strategy for the Bay, plus specific proposals for each town and site specific proposals for the necessary 5 year supply of land for new homes. Local councillors and the community have been continuously involved in the Plan's evolution and, more recently, in the refresh of parts of the evidence base, such as the Strategic Housing Land Availability Assessment (SHLAA). The Policies and Proposals in the Plan have been the subject of testing through the Sustainability Appraisal and Habitats Regulations Assessment processes (see Figure 1). Councillors and the community (business and resident) will be involved in the delivery of the Plan and in its review.

Links to other plans

1.2.3 There are several other 'business plans' that set out a commitment to deliver a much improved and more prosperous Torbay. A key objective of the planning system is to help deliver the objectives of the Torbay Community Plan 2011. The Local Plan also takes account of other strategies including Torbay Council's Corporate Plan, Economic Strategy, Tourism Strategy, Local Transport Plan, Climate Change Strategy, Marine Action Plan, Tor Bay Harbour Authority Ports Masterplan, Green Infrastructure Delivery Plan and emerging Neighbourhood Plans (see Appendix B for more details).

Our duty to co-operate

1.2.4 In economic, social and environmental terms, Torbay functions as part of a much wider area. Inevitably, preparation of this Plan involves tackling issues that don't always conform to administrative boundaries - geographic markets for new homes and jobs are examples. In addition, looking after the needs of the Bay's unique landscape and wildlife requires a 'cross-border' approach and there are examples of strategic

infrastructure that cannot be delivered locally. Similarly, a number of retail centres depend on wider than local expenditure. Where spatial planning has influences beyond Torbay, there is a need to work with adjoining and nearby local authorities, statutory bodies and other relevant organisations.

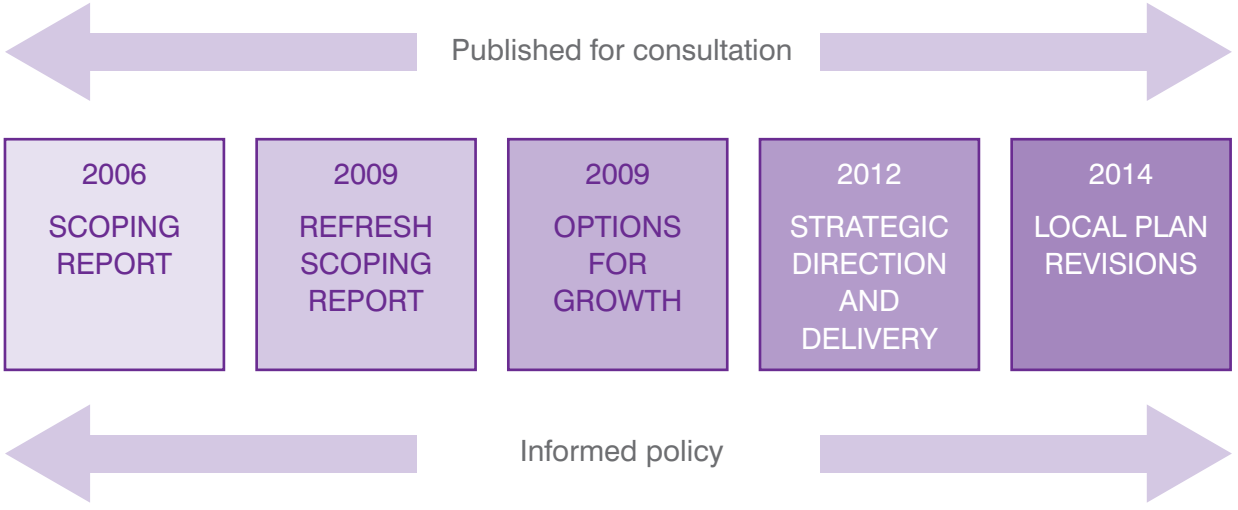
1.2.5 This approach has now been formalised as the 'Duty to Co-operate', under the Localism Act 2011 and National Planning Policy Framework (NPPF). The Act requires councils to co-operate with their neighbours "constructively, actively and on an ongoing basis" when preparing local plans. The extent of co-operation is a key test of soundness of the Plan.

1.2.6 Preparation of this Plan has involved, and continues to involve, engagement and co-operation across a wide range of strategic topics. A separate statement has been produced to show what Torbay Council (and others) is doing to co-operate with a range of stakeholders.

1.2.7 Whilst there is no requirement for agreement between neighbouring Councils, Torbay, Teignbridge and South Hams have nevertheless agreed on a range of key issues, including provision of new homes. There is agreement that Torbay forms a separate housing market area from the Exeter and South Devon Housing Market Area, which includes most of Teignbridge. On the important issue of new homes, Torbay and Teignbridge Councils have identified sufficient and deliverable land to meet demand for new homes for at least the next 15 years, with a wider pool of sites in Torbay to last at least 20 years. The Councils have agreed to a co-ordinated and positive review of Local Plan delivery, including new homes, every five years. This review will consider the need for and location of further development across South Devon, and sites to satisfy that demand. It will take account of jointly prepared evidence, in order to inform future reviews of the three Local Plans (see also Section 7.5).

1.2.8 Memoranda of Understanding have been agreed between Torbay Council and Devon County Council in respect of both waste and mineral policy matters. In addition, the Council is a signatory to the Devon-wide Duty to Co-operate Protocol. This sets out arrangements for co-operation on planning

Figure 1 The Sustainability Appraisal process



policy between Devon County Council, Unitary and District Councils and a range of key statutory bodies.

Structure of document

1.2.9 This document consists of seven key Sections plus Appendices, as follows:

1.2.10 The Appendices to this Plan include

Section 1. Introduction

Section 2. Opportunities and challenges

Section 3. Vision and ambition

Section 4. Spatial Strategy and policies for strategic direction

Section 5. Strategic Delivery Areas – a policy framework for Neighbourhood Plans

Section 6. Policies for managing change and development in Torbay

Section 7. Delivery and monitoring

Appendices

a 'Glossary of terms' used in this document, and a range of supporting information.

Status of the new Local Plan

1.2.11 This document, together with the related Key Diagram and Policies Map Booklet, comprises the final Adopted version of the Local Plan. The Torbay Local Plan 2012-2030 (TLP) was formally Adopted by the Council on 10 December 2015.

1.2.12 Adoption represents the culmination of a statutory plan-making process that has taken place in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012, the Planning and Compulsory Purchase Act 2004, and the Localism Act 2011.

1.2.13 The key stages of this process are illustrated below:

- TLP Consultation Draft Plan - Published 28 September 2012
- TLP Proposed Submission (Publication) Plan - Published 24 February 2014
- TLP Submission to Secretary of State - Submission 31 July 2014
- TLP Examination Hearing Sessions - Held 18-20 November 2014
- Inspector's 'Initial Findings' - Received 15 December 2014
- Inspector's 'Further Findings' - Received 23 December 2014
- Council's Proposed Main & Additional Modifications to TLP - Published 9 February 2015
- Council's Response to representations to Proposed Main & Additional Modifications to TLP - Published 22 April 2015
- Council's Proposed Replacement Main & Additional Modifications to TLP - Published 18 June 2015
- Council's Response to representations to Proposed Replacement Main & Additional Modifications to TLP - Published 14 August 2015
- PINS Report of the Examination into Torbay

Local Plan - Published 12 October 2015

- Adoption of Torbay Local Plan 2012-2030 - Council Meeting, 10 December 2015

1.2.14 This Plan has been the subject of an ongoing and interactive formal process of Sustainability Appraisal from the outset to ensure that it is acceptable in terms of its social, economic and environmental impacts. It has also been the subject of a Habitats Regulations Assessment, in close liaison with key stakeholders. The Plan will be monitored to ensure that it meets Specific, Measurable, Agreed, Realistic and Time-based (SMART) targets.

Relationship with previous Adopted Local Plan

1.2.15 The newly Adopted Local Plan replaces the previous 'Saved' Torbay Local Plan 1995-2011, adopted in 2004, and supercedes all of the Policies and Proposals set out in the Written Statement and accompanying Proposals Map Booklet. 'A landscape for success' is now part of the statutory development plan for Torbay, providing an updated development strategy and a revised set of Policies for development management over the Plan period.

1.2.16 Once the three Neighbourhood Development Plans have been finally 'made' (or adopted) they will, together with the adopted Local Plan, jointly constitute the overall development plan for Torbay.

1.2.17 The Council's existing Adopted Supplementary Planning Documents, together with Sections 13-15 (The Historic Environment) and Sections 16-19 (The Natural Environment) of the 2004 Adopted Torbay Local Plan Environmental Guide, will continue to be used to inform the development management process, in so far as they remain consistent with guidance set out in the NPPF.

1.2.18 To ensure their continued relevance, it will be necessary to implement a programme of review, consolidation or replacement of such guidance in the context of the Adopted Torbay Local Plan 2012-2030 and other emerging Supplementary Planning Documents.





2. OPPORTUNITIES AND CHALLENGES

2. OPPORTUNITIES AND CHALLENGES

2.1 The Bay's USP - Unique Selling Point

What we mean by USP

2.1.1 The Bay's USP means its 'Unique Selling Point' and, for the purposes of this Plan, also its 'Under-Sold Potential'. It's what makes the Bay special, unique and distinctive. It's why the Bay is attractive to local people, visitors, businesses and investors – whether they are investing in a new business, a new home, spending money on holiday or simply enjoying what the Bay has to offer.

2.1.2 It's more important than ever before that we ensure the Bay plays to its strengths and makes the most of opportunities. For example, we know the Bay's marine, rural and historic environment makes it a very special place for many people. We must preserve and enhance those USPs, including Torbay's significant landscape, historic and biodiversity assets. But we can do more to make the most of the Bay's offer. This Plan includes more details of projects and proposals to add value to the Bay, including:

- the transformation of our town centres as leisure, lifestyle, living and working destinations – a new vibrancy to our town centres that enhances and realises the economic potential of the historic environment.
- ambitious proposals for the Bay's harbours and waterfront areas, making the most of their potential;
- high quality development of new and existing sites in Torquay Gateway, to create a fantastic environment for living, working and leisure at Torbay's main 'gateway';
- high quality development of new and existing sites in West Paignton, including the former Nortel site and Great Parks, and proposals to enhance Paignton's attractiveness for family holidays;
- creating new employment opportunities in Brixham, through eco-tourism for example, making the most of the Bay's unique Urban Geopark status, the AONB offer and marine experience.

2.1.3 To help make the most of the Bay's USP, this Plan is both ambitious and aspirational, encouraging innovation and entrepreneurism. It celebrates what's best about the Bay and seeks to tackle the most challenging issues, turning problems into potential and productivity. It embraces localism, linking people, power and place. It also supports people and helps make places to be proud of.

2.1.4 This Plan is not unduly prescriptive, as that will kill innovation and creativity, or over-protective (as little will be achieved). It does not look too far into the future, which is difficult to predict with certainty, but focuses on delivery of 'game changing' projects, specifically over the next 5 years. It is as much a business plan as a spatial plan, planning for success as every good business would.

What makes the Bay special?

2.1.5 People's view, or perception, of the character of the Bay varies hugely. At one end of the spectrum, people see the Bay as 'glamorous' – sunshine, big boats, luxurious hotels, modern spacious homes, fantastic beaches, world class tourism and

high profile businesses. At the other end of the spectrum, people perceive the Bay as a stag/hen weekend destination, a 'down at heel' place showing signs of market failure. It is also of course seen as a place to retire quietly. Both ends of the spectrum illustrate why it is that people want to invest time and money in the Bay, although it is evident that we all want to enhance the 'glamour' of the Bay and, at the same time, resolve the issues of disadvantage and deprivation.

The Torbay of 'yesterday'...

2.1.6 The Bay was once seen as a wealthy, prosperous place – the place to be and the place to be seen. It provided a very different offer to the 'sophisticated' visitor looking for sunshine, elegance and culture. The Bay has also been a destination for huge numbers of tourists, looking primarily for sun and sand. The Bay's architecture reflects the investment made by previous generations to attract more tourists to the Bay. Additionally, the Bay has provided a home to big businesses such as Nortel, and not only to those relating to tourism, such as Pontins. It has seen huge employment in the fishing industry. The Bay's green (rural), blue (marine) and yellow (beaches) assets, coupled with its sense of community, have ensured it has long been a destination for retirement.

The Torbay of 'today'...

2.1.7 Today there are a number of factors that continue to make Torbay unique. Its warm climate continues to attract retirees and increasingly Torbay attracts more footloose people and businesses. The proximity of town and country, of deep water and Dartmoor, of traditional and modern architecture is very attractive to investors.

2.1.8 It has a huge catchment, in terms of resident population with a 20–30 minute drive time, making it an attractive place for continued investment.

2.1.9 Torbay has a high level of self-containment within its workforce – 75.5% of residents also work within the Bay (2011 Census). This is similar to the percentage in the Devon, Cornwall and Somerset County Council areas, but significantly higher than the other more urban areas of Plymouth, Bristol and Exeter. Torbay has the highest self-containment score in the South West region, making its economy rather unusual.

2.1.10 It offers high quality education provision, one of the key factors for house buyers with young families. There is huge pride in the Bay and very distinct communities. Torbay has produced sporting, academic and business 'stars'.

2.1.11 The opening of the South Devon Highway is a 'game changer' for the Bay and for South Devon. The Council intends to utilise fully the opportunities presented by its construction.

2.1.12 All these attributes must be used to help tackle a number of challenges in Torbay. Gross Value Added (GVA) per head and incomes are low, which can help attract businesses. House prices are high, reflecting the desirability of Torbay as a place to live, but there are areas of poverty. There is on-going intervention and sympathetic regeneration, supporting the creation of jobs and training for local people, as well as the provision of homes that are affordable.

The Torbay of 'tomorrow'...

2.1.13 We live in extraordinary times, almost unprecedented in most of our lifetimes, so the future is a little difficult to predict. But we

know we must plan for success if Torbay is to be successful, and we know we need to be ambitious if we are to realise what Torbay can do. We therefore know we need to make bold decisions to secure the change and growth Torbay needs.

2.1.14 Talk to younger people in the Bay, for example those at South Devon College, about what they see as the future of the Bay and they will tell you about:

- The need for more jobs and business start up opportunities;
- Their worries about house prices;
- Crime, drugs, teenage pregnancy and continuing worries about safety in our town centres;
- The beauty of the Bay, but worries about the future of our towns;
- The need for more events and sport, in which young people are more involved;
- The need for and cost of new facilities for younger people.

2.1.15 Talk to businesses in the Bay and they will tell you:

- There are mixed perceptions of the Bay's economy – it's not all gloom!
- Delivery of the South Devon Highway is vital, as is capturing the benefits of the new road;
- Improvements are needed to the wider road network, especially the 'western corridor' linking Torquay, Paignton and Brixham;
- There is a need for the right type of high quality premises for growing businesses;
- High capacity broadband is essential for business success;
- Regeneration of our town centres is a 'must do'.

2.1.16 Many people ask "Where are the jobs?" and "Why would people move to Torbay?" It is often forgotten that there are some top class research and development facilities in the Bay – such as Oclaro, Spirent, Torbay Hospital. Torbay also has a growing pool of talent, with some very highly qualified people living and working in the Bay. Economic trends suggest that, over the next 3 to 5 years, there will be growth in tourism, hotel and catering, and in professional and financial services. Our priorities for inward investment include advanced electronics, medical and healthcare and business process outsourcing.

2.1.17 There are already a very high number of Small and Medium Enterprises (SMEs) and micro businesses in Torbay. 91% of businesses in Torbay are small or micro, with around 4,000 of these being operated from home. This reveals a niche opportunity for the Bay – as a place for high end design, research and development businesses – because it provides a fantastic location for 'lifestyle' businesses. We need the infrastructure, such as innovation space, competitive property and wage costs, to support start up, small and growing businesses.

2.1.18 So, we need to plan for success and play to the strengths of the Bay to achieve that success.

2.2 Key issues facing Torbay

2.2.1 The previous pages set out what is unique and special about the Bay, as well as pointing towards the Bay's 'Under-Sold Potential'. The next few pages headline the big issues facing the Bay, alongside the reasons why they are big issues and how this Plan deals with them. This then leads, logically, to aspirations for the Bay and the policies for delivering those aspirations.

Economic recovery and success

HEADLINE

2.2.2 There are significant success stories in Torbay's economy - for example thriving high-tech electronics, tourism and fishing industries. Torbay is the home to some extremely successful businesses, including Sutton Seeds and high tech companies such as Oclaro and Spirent. A review of new developments, either underway or proposed, reveal that hundreds of new jobs could come forward in the next five years, for example as a result of construction of the South Devon Highway and development at White Rock.

2.2.3 However, the last decade has been disappointing in terms of overall economic performance. For example, Torbay's economic performance (GVA) grew at a much lower rate than the South West or rest of England. Its economy has shrunk faster than regional and national rates, our GVA per head is the lowest in the region and unemployment is above the national average.

2.2.4 Torbay's key sectors can, with support, grow and create around 5,000–5,500 net new jobs over the next 20 years or so.

SUPPORTING FACTS

- Over the last 10 years Torbay's GVA per head has increased by 28.6% (South West 43.2%, England 44.3%).
- The 3-year survival rate of enterprises that started in 2007 in Torbay is 59.2%, the lowest survival rate for any South West county or unitary authority (South West 65.9%, England 62.9%). Torbay had 355 new businesses in 2010, a fall of -5.3% from 2009 (South West -0.6%, England 0.7%).
- Torbay has a significant and growing home working sector, with 12% of the resident workforce working at home in the 2011 Census.
- Torbay sees more business start-ups than Exeter, and it sees more business start-ups per head of population than Plymouth. 85% of Torbay's businesses are less than 10 employees. The big challenge is enabling the growth of businesses that are less than 10 years old and retention of those businesses.
- Nearly 85% of Torbay jobs are filled by Torbay residents - an increase of 10% since 2001.
- In 2009 there were 4.35 million tourist bed nights spent in Torbay and 2.5 million day visits.
- Five large modern hotels have opened in Torbay since 2008. Premier Inn Torquay has an occupancy rate of 97% - the highest of the chain's hotels in the south west.
- Median gross full-time annual pay among Torbay residents is £22,053, an increase of 12.7% on 2010. This is well below England (£26,615) and South West (£24,922) medians, and is the lowest of all South West county and unitary authorities.
- The unemployment rate (September 2015) for Torbay is 6.5% (South West 4.0%, England 5.4%).
- Health, education and public administration accounts for 36.7% of Torbay's jobs,

compared to 26.4% nationally.
- 56.8% of Torbay pupils achieved 5+ GCSEs grades A*-C or equivalent, including Maths and English (South West 56.5%, England 58.3%).

PLAN POSITION

2.2.5 The area's economic challenges create a compelling argument for the Local Plan to prioritise the creation of high quality jobs (see Aspiration 1 and Policy SS4). Progress towards creating jobs and improving the local economy will be assessed as part of the Local Plan review. The Plan assumes the percentage of working age population that are economically active remains at 76% throughout the Plan period, which aligns with the Economic Strategy position. The Plan's proposals for new jobs (see Policy SS4) are based on a reduction in unemployment from 8.3% to 5.5%, with a reduction in the number of unemployed by around 1600 by 2032.

2.2.6 The Plan recognises that economic growth is not as space hungry as it has been in the past. Policy SS5 identifies key growth sectors and likely space requirements across the Bay. Tourism is one of those sectors and the Plan sets out the spatial means by which Torbay will regain and improve its role as a premier tourism destination (see Policies TO1–TO3). The Plan recognises the importance of our town centres (Policy TC1) and marine economy (Policy TO3) to success, but also underlines the need for vibrant district and local centres (Policy TC2), and a thriving evening and night time economy (Policy TC5).

A better connected and accessible Torbay and essential infrastructure

HEADLINE

2.2.7 Good connections in and around the Bay, as well as between Torbay and national or international markets, are critical to its success. IT and transport connectivity has a significant role in addressing the development challenges we face now and in the future. Our quality of life depends on having convenient access to jobs, shopping, leisure and services.

SUPPORTING FACTS

- The South Devon Highway was completed in December 2015. For every £1 spent on the road, £9 will be generated in the local economy.
- £11.1 million has been secured in principle, from Heart of the South West LEP for improvements to the Western Corridor, Torquay Town Centre and Torquay Gateway. Further funding has been obtained for the proposed rail halt at Edginswell, Torquay.
- £2.75 million has been secured for Local Sustainable Transport, including improvements to the Torquay-Brixham Ferry Service and a new cycle route linking the north of the Bay with the seafront.
- £0.5 million has been secured for Better Bus Areas.
- Torbay, along with Devon and Somerset, has secured funding for Superfast Broadband (>24 Mbps). The Bay already has fibre-optic cabling.

PLAN POSITION

2.2.8 The Plan supports and promotes strategic transport improvements (see Policy SS6) to improve movement within the Bay, to other parts of Devon and internationally. It recognises the importance of ease of movement around the Bay, for example into town centres, and choice of transport options (see Policy TA1). The Plan ensures new development provides a range of physical, social and green infrastructure (see Policy

SS7), helping to avoid, for example, existing roads becoming too congested. It also supports installation of the most up-to-date and fastest ICT (see Policy IF1).

Protect and enhance a superb environment

HEADLINE

2.2.9 Torbay is defined by the sea to the east and south, countryside to the west and AONB to the south. Its administrative area is small. There is a limit to growth, not least because being three coastal towns means Torbay has only a 180 degree hinterland.

2.2.10 Torbay has a spectacular natural environment, with a superb Bay and nationally and internationally important landscapes. There is rare wildlife, and important rock and coral formations. Torbay's environment supports much of the Bay's economic activity and investment. Torbay has a rich historic environment, with significant prehistoric, mediaeval, 18th and 19th Century assets.

2.2.11 The Plan and previous options for growth have been the subject of Strategic Environmental Assessment and Sustainability Appraisal. The areas identified for strategic growth represent the most sustainable locations for growth in the Bay.

2.2.12 The recently refreshed SHLAA shows that, once 'constrained' sites have been excluded, there is overall capacity for approximately 8,900 new homes in the Bay in the period to 2030. Those 'constrained' sites, which are not considered as developable or deliverable in the Plan period, will be included in a reserve of land alongside sites in Teignbridge and South Hams Districts. This process is part of an on-going duty to co-operate to consider housing need and sustainability on a cross-boundary basis by the LPAs in the area. This reserve will only be drawn on when demand shows it is needed, having regard to the most up-to-date evidence of objectively assessed need (see Paragraph 7.5.13) and if the constraints originally identified remain valid. Each site will be assessed against its relative sensitivity (to other sites in the reserve) and will be brought forward on a 'least sensitive first' approach.

SUPPORTING FACTS

- Torbay is a UNESCO endorsed Global Geopark, the first urban area in the world to gain this status.
- 48% of Torbay's land area is countryside or has a landscape designation. 6% of Torbay's land area is covered by domestic buildings, compared to the county and regional average of 1%. 22% of land is covered by domestic gardens.
- Berry Head, Brixham has international designation as a Special Area of Conservation (SAC) and Torbay is part of a Marine SAC.
- Six square kilometres around Brixham are designated as Area of Outstanding Natural Beauty.
- Torbay has around 60 breeding pairs of Cirl Buntings – about 8.5% of the Country's population

PLAN POSITION

2.2.13 The Plan seeks to protect and enhance the Bay's superb environment (see Aspiration 3, and Policies SS8 and SS9), in recognition of the environmental, social and economic value of those assets, but within which there is scope for growth and change (see Policies SS1, SS2 and SS3). Specific policies, covering the natural environment, green infrastructure and historic environment, promote protection and improvement of the environment. Other policies, relating to urban

landscape protection areas and villages for example, recognise the need for sensitive, modest development and a healthy rural economy.

Create more sustainable communities and better places

HEADLINE

2.2.14 Provision of land for new homes, to meet demand, is a key test of soundness for this Plan. A rolling 5 year supply of land for new homes will be provided, by annual monitoring of delivery of new homes; by major reviews every 5 years with Local Authorities in South Devon; by the identification of sites in Neighbourhood Plans and by ongoing work (masterplanning and site development proposals) to move sites from having development potential to deliverable, viable development schemes.

SUPPORTING FACTS

- Housing supply has fallen by about 30% since the economic downturn in 2008, reflecting decreased spending power. There are unimplemented planning permissions for around 1,900 new homes in the Bay, as at January 2014. Cumulative provision on large sites has dropped from around 70 units per annum to around 25 units per annum. The long term average of new homes provision in Torbay is 450 per annum. In the last three years the average has fallen to around 390, with 256 homes completed in 2012/13.
- Over the last few years population projections from the Office for National Statistics (ONS) have varied significantly, depending on which base year was used for analysis. The most recent projections, 2012-based sub-national population projections, released May 2014, project a population increase from 131,500 people in 2012 to 136,000 in 2021 and 141,400 in 2030 - an increase of 9,900 people over the Plan period.
- The most recent (2012-based, published February 2015) DCLG Household Projections indicate an increase of 7,550 households in Torbay between 2012 and 2030. Torbay's population growth is driven by (domestic) migration, and the population projections assume an increase in inwards migration in the latter part of the Plan period.
- The previous projections (interim 2011-based sub-national) show an increase from 131,200 in 2011 to 138,800 in 2021. The 2010-based projections suggest a population of 143,000 in 2031 – an increase of 11,800. This is considerably less than the 2008-based projected increase of 18,400 people.
- Household size is predicted to fall from 2.17 people (2011) to about 2.07 in 2032 – a smaller fall than previously projected. Nonetheless, around 3,000 new homes will be needed just to meet the needs of Torbay's residents (even if there was no migration).
- The average age in Torbay is 43.7, compared to 39.1 in England. In Wellswood and Churston the average age is over 51.
- Life expectancy in Torbay for both men (78.0 years) and women (82.0 years) was lower than both the South West and England averages. Life expectancy is lower in more deprived areas.
- Teenage conceptions in Torbay fell by 17% over the last 2 years, following action by the Bay's Sexual Health team.
- Currently, about 1,415 households are on the waiting list for housing. The majority of these (1155) are one or two person households.
- Torbay's lowest quartile affordability ratio (house price to earnings ratio - a higher ratio means less affordable housing) is about 7.5 (South West 8.2, England 6.5). About 8% of the housing stock is affordable housing, compared to 18% nationally.

- Since 1995, about 75% of new housing has been on brownfield sites and two thirds of new housing has been 1 or 2 bed flats.
- There are approximately 14,000 (around 22% of housing stock) private rented properties in Torbay - of these 1,450 are Houses in Multiple Occupation (HMOs) and 83 licensable HMOs. HMOs form about 2.3% of Torbay's housing stock, which is above the national rate of about 1.6%.

PLAN POSITION

2.2.15 The Plan identifies the broad number and location of new jobs and homes to 2030 and beyond (see Policies SS1, SS4 and SS12). The term 'and beyond' is important because the Plan takes a positive, ambitious approach to enabling new jobs and homes, but it is impossible to predict with accuracy the rate at which the market will deliver those. The Plan identifies the levels of growth and change anticipated for each of the three main towns, as well as identifying those areas, such as Brixham Urban Fringe and AONB, where there is a strong emphasis on protecting and improving the natural environment. The Policies for 'places' have a strong connection with emerging neighbourhood plans, as well as policies in other strategies, and encourage more detailed proposals in neighbourhood plans.

2.2.16 The Plan also identifies the sites for delivery of new homes for at least the next 5 years (see Policy SS13) and the way in which proposals for new homes, on non-identified sites, will be assessed (Policy H1). The Plan changes the single threshold (15 units) approach of the former Local Plan to affordable housing, with affordable housing delivery now being achieved (see Policy H2) on developments of 3 homes or more on greenfield sites. The Plan recognises the important role of HMOs, but seeks to reduce their proliferation – for example in Core Tourism Investment Areas and Community Investment Areas (see Policy H4). The Plan promotes more sustainable communities by delivery of new development (Policy SS11); provision of sport, leisure and recreational facilities (Policy SC2); reducing health inequalities and promoting healthier lifestyles (Policy SC1) and by tackling child poverty (Policy SC5). A series of design-related Policies help secure high quality development in the Bay (Policies D1 to D6).

Respond to climate change

HEADLINE

2.2.17 Tackling climate change is a Government priority for the planning system and central to achieving sustainable development. Mitigating and adapting to climate change locally, as well as promoting social and economic change, provides a range of opportunities as well as constraints. These opportunities include renewable energy provision, local food production, an enhanced eco-tourism offer, and wise use of water in new development.

SUPPORTING FACTS

- Parts of Torquay and much of Paignton, east of the railway line, are in a high flood risk area.
- Torbay residents were responsible for a total of 4.5 tonnes of CO2 per capita in 2010, the lowest in the South West.

PLAN POSITION

2.2.18 The Plan embodies traditional environmental protection, such as development in areas of flood risk (see Policy ER1), and more contemporary Policies relating to energy (Policy ES1) and construction (Policy ES2). These Policies work in conjunction with Building Regulations.

2.2.19 Policies covering sustainable construction and design, flood risk, waste, minerals and renewable energy seek to minimise the impact of new developments and thus to have a smaller environmental footprint. These Policies (including Policies M1 'Minerals extraction' and W1 'Waste Hierarchy') seek to minimise the use of finite resources, reduce waste and maximise recycling.

2.3 The 'big-ticket' items promoted in this Plan

2.3.1 The Local Plan therefore covers some 'big-ticket' items for the Bay. The items listed below illustrate key projects being promoted and the delivery focused nature of the Plan.

Context for growth

- Local and Neighbourhood Plans working together to ensure a positive framework for high quality development, in the right place, at the right time and providing good outcomes for the Bay and local communities;
- A strong urban focus – on the Town Centres, brownfield sites, empty buildings and other urban sites, but out of necessity a limited amount of 'greenfield' development.

Economic recovery and success

- A strong emphasis on job creation (5,000–5,500 net new jobs), specifically high value jobs in key sectors such as tourism, advanced electronics, medical/healthcare, food production and processing;
- A focus on improved and modern employment space, to meet the needs of a range of business sizes, in the Town Centres and in key locations, such as Torquay Gateway, the former Nortel site, Claylands, Oxen Cove and Freshwater;
- A 'reinvention' and rejuvenation of our Town Centres, led by masterplans for Torquay and Paignton;
- Playing to the Bay's tourism strength and supporting the 'English Riviera' brand - investment in our harbours; core tourism investment areas, such as Brixham Harbourside; making the most of the historic and marine environment, water sports and the unique urban geopark status of the Bay.

A better connected and accessible Torbay

- Super-fast broadband, improved internet and Wi-Fi access across the Bay;
- Completion of the South Devon Highway and significant improvements through to Torquay Town Centre (via Torquay Gateway and Torre); and to the Western Corridor serving Paignton and Brixham;
- A new rail halt at Edginswell, Torquay, serving an expanded Torbay Hospital, the business and resident community.

Protect and enhance a superb environment

- Protection for and enhancement of AONB;
- Protect and enhance country parks;
- Identification of Village Envelopes for Churston, Galmpton and Maidencombe, with greater opportunity for sensitive, modest development to support local communities;
- New food hubs and geopark access hubs, and support for local food production;
- Improving feeding areas and flying routes for the Greater Horseshoe Bat;
- Protection for Cirl Buntings;
- Enhancement of the Yalberton Valley and

Westerland Valley for nature conservation and sustainable tourism;
- Protection for a sensitive marine environment including seahorses, sea birds and sea grasses.

Create more sustainable communities and better places

- Reinvigorate the Town Centres as places to be', for businesses, residents and visitors and more investment in deprived communities;
- Expansion of primary and secondary schools, and support for South Devon College expansion;
- An increased number of Urban Landscape Protection Areas;
- A healthier Bay, with improved access to recreation and leisure facilities, health impact assessments for major developments and Community Investment Areas;
- New sports and leisure facilities at Clennon Valley;
- Exploring, through community supported masterplanning and neighbourhood planning, the best ways to expand and improve communities at Torquay Gateway, and Collaton St Mary;
- Tackling poverty, utilising local labour arrangements, improving housing stock and energy-efficient homes;
- Construction of up to 7,500 new homes over the next 15 years, subject to market conditions;
- Provide affordable homes for local people;
- Support for affordable, self-build and custom-built homes for local people, across the Bay;
- Seek to minimise crime, fear of crime, disorder and antisocial behaviour through appropriate design, management and location of development;
- Improved waste water capacity.

Respond to climate change

- Investment in flood defences, storm and surface water mitigation;
- New green infrastructure, such as cycle routes, community and country parks;
- Investment in road, rail and bus service improvements, to reduce congestion and increase use of public transport.





3. VISION AND AMBITION

3. VISION AND AMBITION

3.1 Aspirations for the Bay

Our aspirations

3.1.1 This Plan has five aspirations for the Bay:

1. ***Secure economic recovery and success***
2. ***Achieve a better connected, accessible Torbay and essential infrastructure***
3. ***Protect and enhance a superb environment***
4. ***Create more sustainable communities and better places***
5. ***Respond to climate change***

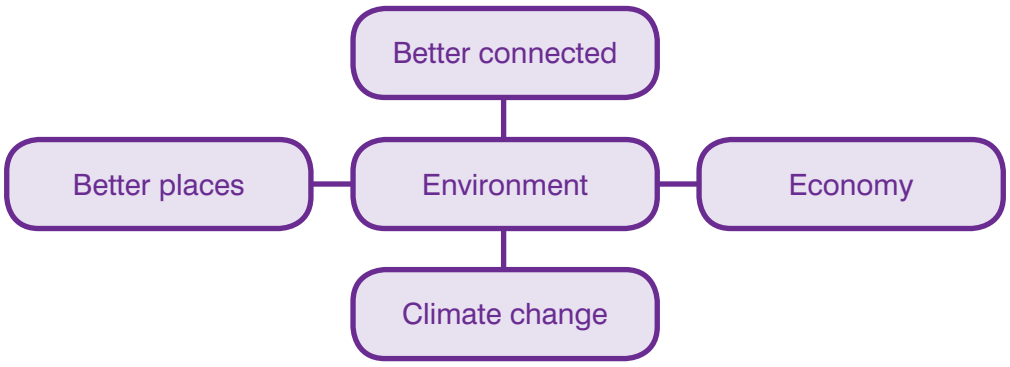
3.1.2 These aspirations are interconnected, but at their heart is the environment (see Figure 2).

3.1.3 Economic recovery and success is closely linked to the quality of the Bay's environment. We know how important the environment is for tourism and we know businesses are more productive when employees have access to green spaces and activity.

3.1.4 Climate change and the opportunities it presents for Torbay will have a very real impact on the environment; for example, further flood defence works, which also support urban regeneration, and the potential for 'green collar' businesses in Torbay.

3.1.5 Sustainable communities, and places where people want to be, include open space, parks, views, local food and energy production, affordable housing, ample educational facilities, and wise use of resources.

Figure 2 **Local Plan Aspirations**



3.1.6 A better connected Torbay will include high capacity broadband, which will encourage more sustainable travel; better trains and buses mean that people have easy access to work. Our high quality environment and tourism offer will be promoted nationally and internationally.

3.1.7 These aspirations, together with a series of objectives, are set out in more detail below.

Aspiration 1: Secure economic recovery and success

To achieve economic growth and deliver new jobs and housing, in order to promote equality, reduce disadvantage and poverty and increase Torbay's competitiveness. This will be achieved by meeting the following objectives:

- To provide sufficient, varied full-time employment and increase earning potential.
- To broaden the economic base in the Bay.
- To promote higher value uses and activities.
- To support and enhance traditional industries and jobs.
- To ensure a balanced provision of housing and employment
- To ensure the English Riviera achieves its potential as a premier tourist resort by continued investment in existing facilities, waterfront areas and marine environment, and the provision of new attractions.
- To cater for changing holiday demands and expectations to attract new visitors, investment in high quality facilities and the improvement of existing product and services
- To remove the obstacles to business growth and investment.
- To drive forward regeneration schemes and provide sufficient land and co-ordinated infrastructure to achieve sustainable growth.
- To retain college leavers and graduates within the Bay.
- To provide a range of goods, services, events and facilities that make Torbay a leading destination of choice for people with money to spend, particularly new and improved provision in the town centres.
- To strengthen Torquay town centre as the largest retail centre in Torbay and as a commercial, social and cultural focal point; Paignton and Brixham town centres to develop their role, on a proportionate basis, focused on meeting the needs of their own residents and tourists.
- To reduce dependency on the state to provide jobs and address local needs.

Aspiration 2: Achieve a better connected, accessible Torbay and critical infrastructure

To ensure that Torbay has excellent accessibility and connectivity within the Bay and elsewhere. This will be achieved by meeting the following objectives:

- To increase accessibility throughout the Bay and beyond with fast, frequent, reliable and sustainable travel, giving people real choice as to how they make their journeys.
- To improve road, rail links, cycling and walking routes, to reduce congestion and environmental impact.
- To encourage active travel to promote health and environmental sustainability.
- To promote water-based transport in the Bay, for both work and leisure.
- To deliver an integrated transport system, providing a choice of transport and supporting walking, cycling and public transport.
- To ensure the safe and convenient movement of people and goods.

- To minimise the length of journeys for employment, shopping and other activities by the careful siting of development and through the detailed planning of the mix of uses in growth locations.
- To provide next generation broadband connections.

Aspiration 3: Protect and enhance a superb natural and built environment

To conserve and enhance the richness and diversity of the built, historic, marine and natural environments, which provide Torbay with its unique setting and important economic benefits. This will be achieved by meeting the following objectives:

- To safeguard heritage assets including those at risk in a manner appropriate to their significance, having regard to their ability to deliver economic regeneration, express local identity, reveal social histories and narratives and increase the connection of communities with place.
- To ensure new development makes a positive contribution to local character and identity, including the wider landscape character, river corridors, open spaces, country parks and natural areas, and setting of proposals.
- To avoid mediocre design by the application of clear design standards, including the use of Torbay's Design Review Panel to maintain quality development that is well integrated in its surroundings and responds successfully to local character.
- To require conversions and extensions to positively enhance the existing building, especially in Conservation Areas, removing unsympathetic extensions and rectifying poor quality alterations where necessary.
- To safeguard existing and maximise opportunities for biodiversity enhancement in and around developments to deliver a net gain for biodiversity.
- To encourage the re-use of empty homes and businesses, including bringing back historic buildings into beneficial use.
- To make the most of the English Riviera's status as the world's first internationally recognised Urban Geopark in recognition of its geological, historical and cultural heritage and sustainable tourism value.

Aspiration 4: Create more sustainable communities and better places

To meet the needs of Torbay's residents, including disadvantaged and minority groups, and to provide everyone with a full range of opportunities in life. This will be achieved through meeting the following objectives:

- To build enough houses to give everyone a chance of a decent home.
- To end the cycle of deprivation linked to substandard accommodation and resist inappropriate conversions and poor design where this may exacerbate disadvantage and deprivation.
- To resist inappropriate out-of-centre retailing which would harm the vitality and viability of town centres, undermining their status.
- To diversify the leisure and cultural offer in the town centres, particularly the evening and

night time economy in Torquay.

- To create a more enjoyable, creative built and natural environment using heritage assets, public art and revitalisation of the public spaces to attract events, exhibitions and festivals that celebrate and enhance the culture of Torbay.
- To allow tall buildings in appropriate locations where this secures wider regeneration benefits and does not harm the Bay's assets.
- To provide a suitable and sustainable range of physical and community infrastructure to promote economic prosperity and social cohesion and contribute towards higher aspirations and achievement, particularly amongst the young.
- To support the expansion of existing educational establishments, especially South Devon College, and plan positively for new education and lifelong learning.
- To use planning tools such as Local Development Orders and Article 4 Directions to facilitate improved living standards.
- To provide more freedoms for local communities to determine their future direction, eg. by supporting preparation of Neighbourhood Plans.
- To help tackle hotspots of child poverty, multiple deprivation, high levels of crime and unemployment in Tormohun, Ellacombe, Roundham with Hyde and Watcombe, and pockets of deprivation and poverty in Blatchcombe and St Mary's with Summercombe.
- To support new and enhanced recreational, play and leisure facilities, to promote health and social well being for all, including young people.

Aspiration 5: Respond to climate change

To ensure the use of energy and natural resources, the sensitivity of the natural environment and public health needs are taken into consideration when planning new development. This will be achieved through meeting the following objectives:

- To support the development of 'green collar' businesses in the Bay.
- To promote the installation of low carbon and renewable technologies.
- To improve the energy efficiency of developments to reduce the reliance on fossil fuels and the impact of rising utility bills on poverty.
- To help deliver 'invest-and-save' projects to allow scarce resources to be channelled to the most productive use.
- To become resilient and adaptable to climate change.
- To minimise flood risk to new and existing development by incorporating climate change factors such as run-off, sea level rise, increased storminess and unpredictable weather.
- To recognise the multiple benefits provided by open spaces, biodiversity, green infrastructure such as green corridors/wedges, rural landscapes, beaches and the Bay itself, having regard to their statutory significance and value to the community over the lifetime of development.
- To minimise the generation of household, business and construction waste and reduce its negative impacts upon the environment by focusing on the prevention, re-use and recycling of waste as set out in the waste hierarchy and prevent pollution.

3.1.8 Each Aspiration and related set of objectives will be delivered through the collective implementation of the Local Plan policies set out in subsequent sections of this document.

3.2 Future outcomes

3.2.1 Torbay is planning for success. This Plan, coupled with Neighbourhood Plans (when 'made' or adopted), provides the framework to bring about sustainable growth and change in the short, medium and longer term.

Sympathetic, sustainable growth

3.2.2 Torbay's natural and built environment are both special. Torbay has international recognition as the only UNESCO endorsed Urban Geopark - the first urban area in the world to achieve this status. This is a huge economic asset as well as being valuable for its own sake. The Plan must make the most of investment opportunities arising from its environmental quality, for example in high class tourism and 'lifestyle' choices for people in the high tech sector able to work remotely. Super fast broadband connectivity is vital to enable the sort of growth Torbay needs.

3.2.3 Sympathetic economic growth will not only ensure we play to the Bay's strengths – its USP - but also maximise its 'Under-Sold Potential', including its environmental qualities, as these underpin much of the economic success of the Bay. So the creation of new jobs, which also leads to demand for new homes, needs to be carefully balanced – as it has in the past – with the quality of the Bay's environment.

3.2.4 The important issue for the Bay is what type of housing needs to be provided. Over the past decade there has been a focus on small apartments that has fuelled a large private rented sector- 22% of Torbay's housing stock, compared to 12% nationally. Building the right type of housing is probably more important than becoming entrenched in the 'numbers game'. There is a need for affordable housing, including shared equity homes, key worker housing and innovative ways of helping people into home ownership. There is a need to help the ageing population live independent and dignified lives, whilst reducing isolation. We need more family housing to help rebalance the demographic structure and meet the demand for workers. We also need flats and apartments, but not in the 'town cramming' style we've seen before.

3.2.5 This Plan does not support any growth at any cost. It does support growth and change that works for Torbay. To ensure that this growth is secured in a sustainable manner, proposals put forward should take account of the interrelationship between the Policies set out in this Plan. Figure 3 illustrates the four key 'policy dimensions' (ranging from strategic and broad to local and detailed) that need to be addressed by all proposals submitted to drive forward Torbay's successful growth.

Momentum and targets

3.2.6 A significant amount is already being done to support business growth, for example completion of the South Devon Highway. An assessment carried out by Deloitte has flagged up the risk to Torbay's future growth because the private sector is reluctant to speculatively develop space in Torbay as rents are low

compared to Plymouth, Exeter and Bristol. So, notwithstanding Torbay's high business start up rate, it is important for this Plan to facilitate both growth in the economy and delivery of the outcomes needed in the Bay.

3.2.7 This Plan sets out what is needed – spatially – over the next 20+ years. In the first five years, the Plan includes and prioritises economic growth and new jobs, the delivery of new employment space and support for business growth. This is an ambitious but deliverable 'target', which could lead to sustainable inward migration and reduce outward migration, particularly of young people.

3.2.8 It's important to know when 'targets' have been hit and when ambitions have been achieved. Consequently delivery of the Plan will be reviewed every year and a major review will be undertaken, with other local authority partners, every 5 years. This approach is consistent with NPPF requirements and with DCLG/ONS 10 year population and household projections to 2021 (see also Section 7.5).

Predict, provide and hope

3.2.9 The days of 'predict, provide and hope' when a local plan simply had to allocate land are long gone. Clearly the Local Plan has to identify both sufficient brownfield and greenfield sites, but it must go further to ensure that jobs and not just housing come forward. Detailed phasing agreements, including s106 Planning Obligations requiring investment into job creation, are an important element of this. Local Development Orders will be used alongside financial incentives, for example, to accelerate delivery of employment space and jobs.

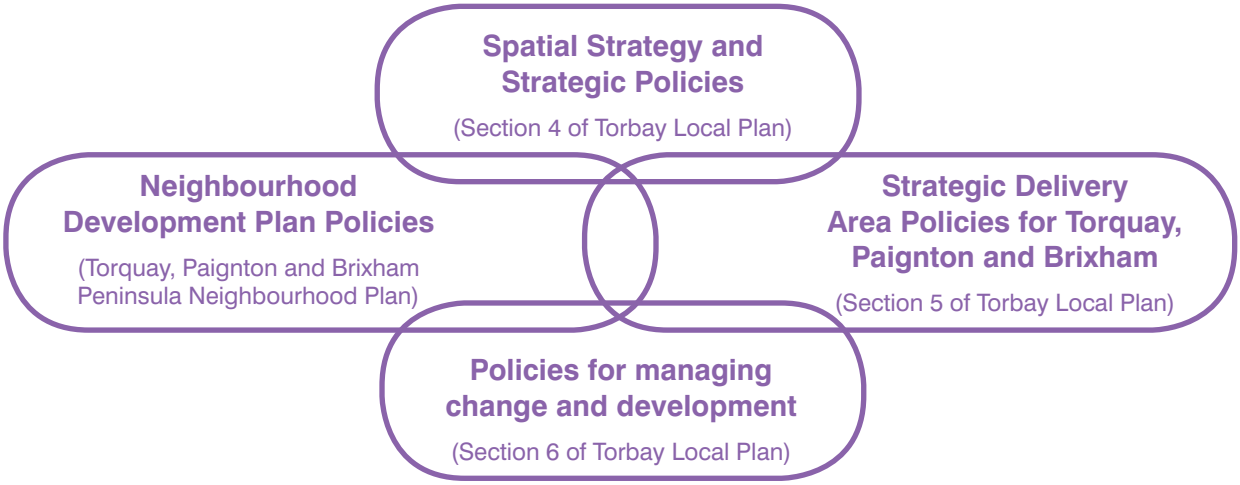
Achieving balance

3.2.10 It is very important for Torbay to get the balance of new homes, new jobs and new infrastructure right, as well as balancing growth and change against the need for environmental protection and enhancement.

3.2.11 It is equally important for the Local Plan not to be over-prescriptive about projects and developments. The Plan is flexible and responsive to what the market wants to deliver, and provides the 'hooks' on which projects can come forward via neighbourhood plans or planning applications. This approach also encourages innovation and creativity in the way in which projects come into fruition.

3.2.12 Further details outlining the Council's approach to the monitoring and review of the Local Plan are outlined in Section 7.5 of this Plan.

Figure 3 **Interrelationship between Local Plan and Neighbourhood Plan Policies**





4. SPATIAL STRATEGY AND POLICIES FOR STRATEGIC DIRECTION

4. SPATIAL STRATEGY AND POLICIES FOR STRATEGIC DIRECTION

4.1 A balanced and sustainable approach to growth

Introduction

4.1.1 This Section sets out the strategy for change and growth in the Bay to 2030 and beyond. This strategy has been shaped by extensive consultation, appraisal and consideration of growth options for the Bay.

4.1.2 The most appropriate way of addressing and embracing the various issues, objectives and outcomes identified in this Local Plan is considered to be through a Balanced Growth Strategy. This approach embraces growth, but puts the protection and enhancement of Torbay's environment at the heart of the growth strategy. It requires development in urban areas as a first principle, whilst accepting some greenfield expansion within identified future growth areas (see Key Diagram - Figure 4).

4.1.3 The Strategy recognises the importance of economic recovery and success in the Bay. Without a step change in the economic fortunes of the Bay, new jobs are unlikely to be created on the scale proposed in this Plan, in migration will remain low and out migration will increase, and there will be relatively small demand for new homes. The Strategy seeks to avoid that spiral of decline and help Torbay achieve balanced, sustainable growth.

4.1.4 A range of other place-based Strategic Delivery policies ensure that the best outcomes for the Bay are secured through carefully balancing the scale of growth and change against capacity for change, whilst also enabling new jobs, homes and retail provision in the right sequence and balance when they are needed. Maintenance of a rolling 5 year supply of housing land is critical, as is the need to ensure new jobs are provided – as a priority - in the Bay. This Plan has been subjected to rigorous testing to ensure the balance between growth and environmental protection is right.

The demand for jobs and homes

4.1.5 The Strategy provides space and infrastructure to support creation of 5,000–5,500 new jobs in the Bay over the next 18 years, replicating the levels of overall job growth witnessed in recent boom years. It identifies sites to meet demand for employment space over the first 5 years of the Plan period in key locations, such as town centres and Edginswell. It identifies broad areas, such as town centres, Torquay Gateway and West Paignton, where employment space will be delivered over the medium to longer term.

4.1.6 The Strategy also identifies sites and broad locations for the delivery of new homes, at a rate of 400–500 per annum, to meet demand over at least the first 15 years of the Plan and probably longer if local economic conditions and market delivery do not improve.

Torbay's capacity for growth and change

4.1.7 Torbay's towns are sandwiched between the sea and the countryside. Torbay has a land area of just under 63 square kilometres (24 square miles), of which 48% is countryside or has a landscape designation. Torbay's capacity for growth is therefore constrained by both countryside and the sea, both of which are vital to the economy of the area. It is the quality of Torbay's environment that attracts investment, visitors, new residents and businesses.

4.1.8 The growth strategy has been strongly influenced by evidence contained with the Strategic Housing Land Availability Assessment (2013) and in the Employment Land Review (2013).

4.1.9 The ELR was produced to advise the Council on how to meet the spatial requirements of the Local Plan's target of providing 5,000-5,500 jobs. This assessment was based on growth projections for key employment sectors in the Housing Requirements Report (2013). Consequently the Plan makes provision for more than 17 hectares of employment space to cater for demand over the next 20 years, with over 50% of this area being for non-B type uses in sectors such as retail, tourism and leisure.

4.1.10 The SHLAA was also refreshed in 2013 in order to provide a clearer, updated picture of the area's need and capacity, based on 2013 market conditions (which have rendered apartments, and high rise buildings, less viable). The refresh also took a more detailed view of the deliverability and sustainability of broad locations rather than simply identifying large areas. The SHLAA refresh assessed Torbay's maximum capacity for housing (over 20 years) as almost 11,200 homes, of which:

- Sites with existing commitments, such as planning permission, can deliver around 2,250 homes;
- Deliverable urban sites can provide around 2,500 homes;
- Greenfield sites can provide approximately 2,700 homes; and
- Small windfall sites (of less than 6 homes) account for about 2,200 homes.

4.1.11 However a significant number of sites (assessed as providing around 2,000 homes) identified in the SHLAA refresh have significant constraints to delivery, including policy implications associated with AONB, historic environment, valuable open space designations and loss of holiday accommodation.

4.1.12 In addition to the market and environmental capacity, the Council has commissioned various studies on infrastructure capacity. The Torbay Infrastructure Delivery Study (2011) assessed the infrastructure constraints of a 10,000 homes and job growth scenario. Although it did not identify an absolute infrastructure constraint at delivering this level of growth over 20 years, it highlighted a significant infrastructure funding gap of £160 million, of which £52.1 million is critical infrastructure. It also identified the age of the shared sewers in Paignton as a potential infrastructure pinch point. South West Water does not anticipate any absolute constraints to growth during the Plan period and does not wish to put an upper limit on growth in Torbay, but phasing is likely to be required as well as a need for developer contributions to overcome the sewerage issue.

4.1.13 Parsons Brinckerhoff carried out traffic modelling (SATURN model) for the Council in 2010. This suggested that a growth scenario based on 10,000 dwellings was achievable

with on-line improvements to the highways network including dualling of the Western Corridor. However, a higher 15,000 dwellings scenario would be likely to create significant congestion on the road network that could not be alleviated without major capacity improvements, including new road building. Other than completion of the South Devon Highway, there are no proposals for major new roads within the next 20 years in Torbay.

4.1.14 The Local Plan has been informed by a range of evidence, including that referenced above. On this basis, development sites and deliverable land provides capacity for around 9,000 new homes in Torbay. It remains to be seen whether there is market demand for that number, or that the market is capable of delivering it. Sites with significant constraints to delivery will be considered for future development (probably after 20 years), alongside other sites in South Devon, as part of cross-boundary 5 year reviews, and if demand for new homes within the South Devon area shows it to be necessary.

Responding to climate change

4.1.15 Change and growth over the Plan period must be achieved in a manner that responds to climate change, safeguards natural assets and minimises adverse impacts on the environment. Furthermore, developments which are designed to take a positive and holistic approach to delivering environmental sustainability will make a positive contribution to Torbay's economy and are more likely to help achieve the broad range of key Aspirations and objectives in the Local Plan.

4.1.16 This balanced and sustainable approach provides a positive response to climate change and supports the Bay's USP, ensuring that:

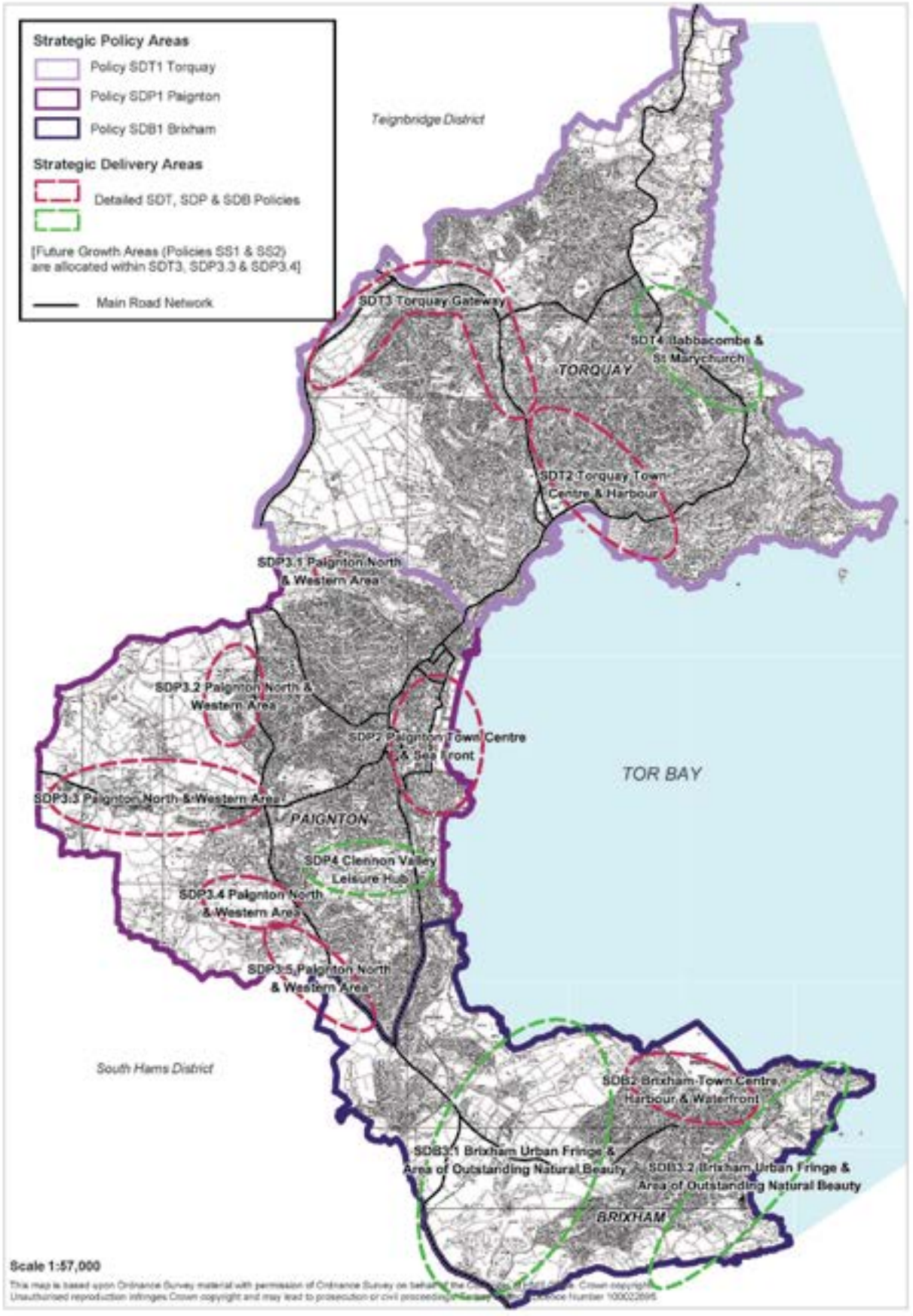
- Torbay maximises its opportunities within town centres and urban areas;
- The Bay's high quality environment is preserved and enhanced;
- Investment in essential infrastructure is secured via limited greenfield development; and
- A rolling 5 year supply of housing land is maintained

4.1.17 Delivery of this strategy, through the policies and proposals identified elsewhere in the Local Plan, will require the effective use of a range of available resources and development tools, including the Community Infrastructure Levy, New Homes Bonus, Local Enterprise Areas and Local Development Orders (see Section 7: Delivery and monitoring).

Growth Strategy

4.1.18 Policy SS1 proposes a Balanced Growth Strategy for Torbay, setting out the Council's approach to the timing and distribution of growth over the Plan period to 2030 and is supported by the Key Diagram (Figure 4) which shows the broad location of Strategic Delivery Areas where major new development will be focussed over the Plan period.

Figure 4 Key Diagram



Policy SS1 Growth Strategy for a prosperous Torbay

The Local Plan promotes a step change in Torbay's economic performance. It supports urban regeneration that creates sustainable living, working and leisure environments, supported by high quality infrastructure. This will be achieved within the Bay's built and natural environmental capacity, ensuring the environment continues to be a driver of economic success and that there is investment in the Bay's environmental assets.

Development should reinforce Torbay's role as a main urban centre and premier resort. All development should contribute to safeguarding the area's natural and built environment.

All development will make full and appropriate use of opportunities for low carbon and renewable energy technologies, consistent with the need to reduce Torbay's carbon footprint, and provide resilience to climate change.

The Plan supports the creation of 5,000-5,500 net additional jobs (equating to an average of around 275-300 jobs per annum) and delivery of at least 17 hectares of employment land over the Plan period, with an emphasis on bringing employment space forward as early as possible in the Plan period. The Plan also seeks to identify land for the delivery of an overall average of around 495 homes per annum, equating to about 8,900 new homes over the Plan period of 2012-2030.

Existing Commitments

In the first 5 years (2012/13-2016/17), the Plan will enable delivery around 2,000 new homes. Most of this growth will come forward on committed sites – with planning permission or allocated - and on urban brownfield sites, including windfall sites. These are shown in Appendix C (Table 25) and will be updated as part of the Council's annual monitoring activity.

Identified Sites

In years 6-10 of the Plan (2017/18-2021/22) , development will come from completion of committed sites and developable sites identified in Neighbourhood Plans. The pool of developable housing sites is included in Appendix C (Table 26) to this Plan. If Neighbourhood Plans do not identify sufficient sites to provide the housing requirements of the Local Plan, the Council will bring forward sites through site allocations development plan documents.

If it appears that a shortfall in 5 year supply of deliverable sites is likely to arise, the Council will bring forward additional sites as indicated in Policy SS12.

Strategic Delivery Areas

Strategic Delivery Areas (SDAs), shown outlined in red on the Key Diagram (see Figure 4, are the focii for delivery of growth and change in the Bay over the Plan period. They provide strategic and sustainable locations for new employment space, homes and infrastructure. Future Growth Areas

(see Policy SS2) are located within these SDAs. There will be some initial delivery of development in Future Growth Areas, within the first 10 years, if required to meet demand for new employment space and homes. Development in these areas will be set out in detail via masterplanning, concept plans and/or in neighbourhood plans. They will deliver a balance of jobs, homes and infrastructure, including green infrastructure. Future Growth Areas are shown on the Policies Map.

The focus areas for delivery of improvements to AONB, countryside and green infrastructure, as well as sport, leisure and recreation, are also illustrated (outlined in green) in the Key Diagram (see Figure 3).

Major development proposals, outside the built-up area and Future Growth Areas, will need to be the subject of environmental assessment. This will need to take account of the impacts of the proposed development itself and the cumulative impact of development.

The Plan will be reviewed at regular intervals to ensure that the growth strategy remains sustainable and conforms to the requirements of the NPPF, or subsequent Government policy.

Communities will have a greater influence in determining how development in their area will look and feel, specifically through the new framework of neighbourhood plans.

Explanation:

4.1.19 The Balanced Growth Strategy is based on the principles of sustainable development, having regard to:

- The need to meet as far as possible, Torbay's objectively assessed need, consistent with the sustainable development objectives set out in the NPPF;
- The Bay's capacity, including natural, built and archaeological factors;
- The need for a strong, competitive and sustainable economy;
- The provision of necessary infrastructure;
- The need to build resilience to the effects of climate change; and
- The minimisation of waste.

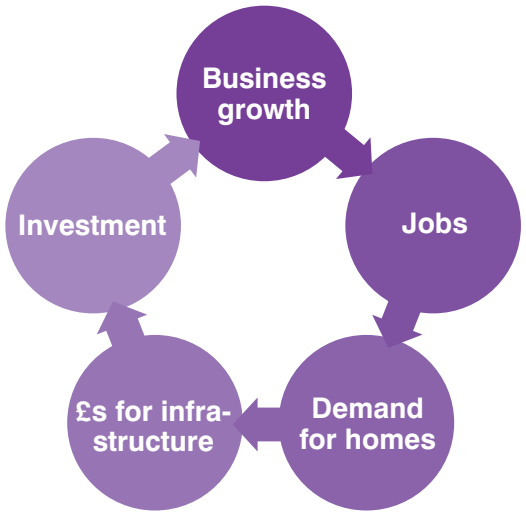
4.1.20 The Sustainability Appraisal and Habitats Regulations Assessment for the Local Plan has carried out plan level assessments of development proposals on greenfield sites identified as having significant constraints, such as in AONB. It will therefore be necessary for any development coming forward on those sites to be assessed at a project level in its own right, but also on the cumulative impacts taking account of development on more sustainable / less constrained sites in the Bay.

4.1.21 Torbay has significant environmental constraints, including being within the flight paths and foraging zones of the South Hams Special Area of Conservation. The Habitats Regulations Site Appraisal Report of the Torbay Local Plan (2014) identifies a number of mitigation measures for safeguarding the integrity of the SAC. The Greater Horseshoe Bat mitigation strategy should be implemented within development areas. In accordance with Policies SS8 and NC1 these should show how any adverse impacts of development are capable of being mitigated in perpetuity. Further details are set out in Policy NC1 and the Strategic Delivery Policies (e.g. SDT1) of this

Plan. This includes maintenance of darkened corridors to maintain flight paths, and the use of developer contributions to manage increased recreational pressure on the South Hams SAC resulting from increased housing numbers and recreational pressures.

4.1.22 The Council believes that a growth strategy of 8,000-10,000 homes and a minimum of 17 hectares (65,000 square metres net) employment space, with associated community facilities and green infrastructure, is the upper level of development that can be achieved in a sustainable way, without causing serious harm to Torbay's natural and historic environment or to the functioning of its infrastructure.

Figure 5 Cycle of economic success



Economic success

4.1.23 In order to facilitate economic recovery and success, and to meet business needs, the Local Plan promotes infrastructure for business growth and investment. This includes innovation space, work hubs, skills development, ICT improvements, delivery of the South Devon Highway and creation of high quality employment space in town centres, edge of towns (Edginswell and West Paignton) and within existing communities. Business growth will give rise to more employment opportunities which, in turn, will give rise to increased demand for new homes – alongside the demand arising from inward migration and reduced household size. New commercial space and homes will release funding for infrastructure which will encourage greater investment in Torbay. This is the cycle of success that Torbay needs, to avoid a continued spiral of decline, as illustrated in Figure 5.

Urban focus

4.1.24 The three town centres of Torquay, Paignton and Brixham will be the focus for new development and urban renewal. Mixed use development of town centre sites, including comprehensive urban regeneration, will be promoted to provide a range of employment, residential, leisure and commercial activities within the built-up area. The re-use of buildings will be actively promoted. However the Local Authority will resist the inappropriate development of urban green space or creation of very small apartments that could lead to the failure to deliver more sustainable, balanced communities.

Sequence and phasing of development

4.1.25 The Local Plan seeks to maximise the provision of new jobs, especially high quality employment. It also seeks to provide high quality housing on brownfield land, to regenerate the urban area and address the serious deprivation that exists within parts of Torbay. Broad Strategic Delivery Areas are identified on the Key Diagram, and covered in more detail in the area Policies (SDT, SDP and SDB).

4.1.26 Expected phasing is set out broadly in Policy SS1 above, with more details set out in Policies SS12 'Housing' and SS13 'Five year housing supply'. These Policies set out a trajectory and broad areas of housing growth. More detailed area specific requirements are set out in the Strategic Delivery Areas Policies SDT1, SDP1 and SDB1). Development over the first 5 years (2012-17) will largely arise on committed sites. These are indicated in Table 25 in Appendix C of the Local Plan, which will be regularly updated as part of the annual Housing Land Monitor and Authority Monitoring Report. Larger sites are expected to last until the second phase of the Plan (i.e. years 6-10) and be supplemented by mainly urban developable sites allocated in Neighbourhood Plans using the SHLAA as a starting point.

4.1.27 There will be an emphasis on delivering employment developments in the early phases of the Local Plan. This will include existing commitments to Use Class B1, B2 and B8 employment space provision at:

- White Rock, which includes a new Electronics Photonics Innovation Centre (EPIC);
- Edginswell Business Park;
- Town Centre sites, including Torwood Street and other developments in the adopted Town Centre Masterplans;
- Devonshire Park (former Nortel site), Paignton;
- South Devon College's emerging Hi-Tech Centre;
- Claylands, Paignton; and
- Land at Yalberton Road/Yannons Farm Paignton.

4.1.28 Whilst development in Future Growth Areas is anticipated to arise towards the latter part of the Plan period, it is noted that there is active developer interest in some sites such as Collaton St. Mary, Yalberton and White Rock, Paignton. The Plan will support early delivery where infrastructure, environmental and other relevant planning matters are satisfactorily addressed.

4.1.29 Where there appears to be a risk of a shortfall of deliverable sites against the Local Plan rolling 5 year requirement or overall housing trajectory, the Council will bring forward additional sites through site allocation development plan documents. In order to avoid a policy vacuum occurring after year 5 of the Plan (i.e. 2017), the Council will start to prepare site allocation documents if neighbourhood plans, which meet the necessary regulations and are in general conformity with the Local Plan, have not been submitted to the Local Authority by 31 March 2016. If this arises the Council will present site allocations documents to Council within 12 months (i.e. by 1 April 2017). It will be noted that neighbourhood plans and site allocation development plan documents only need to identify sufficient sites to maintain a rolling five year housing supply from 2017, with broad locations for longer term growth. Neighbourthood plans will not be required to allocate sites where there would be likely significant effects on Habitats Regulations related matters.

4.1.30 Some new development on greenfield sites is required in the latter part of the Plan period, post 10 or 15 years, depending on performance of sites in earlier phases. Policy SS2 deals with the Future Growth Areas from which these longer term sites are likely to come. These are likely to require the provision of strategic infrastructure before or in parallel with delivery of development. Two of the main growth areas (West Paignton and Torquay Gateway) are the subject of masterplans, which further define the precise nature and delivery of development.

4.1.31 This Strategy ensures a sufficient rolling 5 year housing supply, whilst making sure that development is sustainable in terms of being supported by physical, social or economic infrastructure.

4.1.32 The Local Plan will be monitored on an annual basis as well as being subject to more comprehensive five year reviews from the date of Adoption. The three Neighbourhood Plans are expected to play a major role in allocating sites in the second (years 6 -10, i.e. 2017/18-2021/22) and later phases of the Plan. Policy SS13 sets out the Council's 5 year housing supply position in more detail.

4.1.33 The five year reviews will also reassess whether the Growth Strategy remains appropriate with regards to future assessments of objectively assessed need, government policy and other material considerations (see Section 7.5).

Policy SS2 Future Growth Areas

Future Growth Areas are located within Strategic Delivery Areas (see Policy SS1) and are shown on the Policies Map. They show broad locations in which the Council, community and landowners will work together, through neighbourhood planning and / or masterplanning, to identify in more detail the sites, scale of growth, infrastructure (including green infrastructure) and delivery mechanisms required to help deliver the Local Plan. Future Growth Areas are proposed in the following locations:

1. Edginswell, Torquay;
2. Paignton North and West Area, including Collaton St. Mary, Paignton; and
3. Brixham Road, Paignton.

Development delivered within each of the Future Growth Areas must be integrated with existing communities, reflect the landscape character of the area as informed by Torbay's Landscape Character Assessment (2010), be timed in accordance with provision of essential infrastructure, be informed by ecological surveys and flood risk assessment and should be consistent with the levels of growth set out in Policies SDT1, SDP1 and SDB1, and their related SD Policies.

A bespoke Greater Horseshoe Bat (Greater Horseshoe Bats) mitigation plan for all development within the following Strategic Delivery Areas must be submitted and approved before planning permission will be granted:

SDP 3.2 Great Parks;
SDP 3.3 Totnes Road/Collaton St. Mary;
SDP 3.4 Brixham Road/Yalberton; and
SDP 3.5 White Rock.

The mitigation plans must demonstrate how the site will be developed in order to sustain an adequate area of non-developed land as a functional part of the local foraging area and flyway used by commuting Greater Horseshoe Bats associated with the South Hams Special Area of Conservation (SAC). The mitigation plan must demonstrate that development will

have no adverse effect on the SAC alone or in combination with other plans or developments. Development should have regard to Policy NC1 concerning the need for developer contributions to mitigate the impact of increased recreational pressure on the South Hams SAC.

Development will deliver the following:

(i) Provision of a range of residential schemes that offer a mix of housing types, including family housing and affordable housing;

(ii) Creation of a range of employment opportunities, delivered in the early stages of development, designed to meet identified economic growth sectors;

(iii) Essential transport and utilities infrastructure, as well as green infrastructure, and appropriate links to other planned facilities;

(iv) A suitable range of recreational, leisure and tourism facilities;

(v) High quality design standards that embrace sustainable and energy efficient construction techniques;

(vi) The creation of a strong sense of community through the effective design and layout of homes and the provision of local facilities, enhancing wherever possible existing communities within the locality;

(vii) Appropriate phasing to ensure overall a balanced provision of jobs, homes and infrastructure (including green infrastructure); and

(viii) Integrated green infrastructure rich in biodiversity to be enjoyed by local people.

All major development outside of the established built-up area should be within the identified Future Growth Areas. Major development outside of these areas will only be permitted where the site has been identified by the relevant Neighbourhood Plan or a subsequent development plan document, and has first been subject to Habitat Regulations Assessment that has concluded there will be no likely significant effect on the South Hams SAC. Such development proposals will need to take account of both the impacts of the proposed development itself and the cumulative impact of development.

Explanation:

4.1.34 Policy SS2 identifies Future Growth Areas to accommodate demand for homes, jobs and infrastructure over the longer term. As explained in Policy SS1, existing commitments and developable urban sites identified in the three Neighbourhood Plans are expected to provide for development needs for at least 10 years (i.e. to 2024).

4.1.35 The NPPF requires the identification of development land beyond 10 years "where possible" (Paragraph 47, third bullet point), and for the Local Plan timescale to "preferably" be 15 years. However, the Local Plan has sought to identify longer term strategic sites, in order to provide certainty, encourage investment and provide support for longer-term infrastructure planning.

4.1.36 The Future Growth Areas are based on evidence from the SHLAA (2013). It is not expected that all land within these Areas will be developed. This is unlikely to be sustainable or to meet with the requirements of Policy SS2. Rather they represent a broad canvass on which the adopted Masterplans and three Neighbourhood Plans will work up detailed proposals for sustainable growth, in partnership with developers, local communities and infrastructure providers. Broad parameters of growth levels, infrastructure needs and timescales, and site specific requirements are contained in the Strategic Delivery Area Policies (SDT, SDP and SDB).

4.1.37 Masterplans have been prepared for Torquay Gateway, Great Parks Paignton, and Collaton St Mary, Paignton as well as Torquay and Paignton Town Centres. The Masterplan for Great Parks was completed in 2013 as supplementary guidance. The Town Centre Masterplans were adopted by the Council as Supplementary Planning Documents on 1 June 2015. The Masterplans for Torquay Gateway and Collaton St. Mary were adopted as SPD on 10 December 2015 and February 2016 respectively. This suite of Masterplans is expected to inform Neighbourhood Plans.

4.1.38 Whilst the Masterplans are based on sound evidence and have undergone public consultation, all capacities identified by them will be treated as provisional until HRAs, drainage and other infrastructure assessment has been carried out for specific development proposals, and appropriate mitigation strategies put in place. Mitigation strategies should be informed by bat survey evidence using standards set out in the 2010 South Hams SAC Guidance or equivalent. Greater Horseshoe Bat mitigation strategies for the four Future Growth Areas should be implemented as recommended by the HRA Site Appraisal Report of Torbay Local Plan Strategic Delivery Areas (Proposed Submission Plan) 2014.

4.1.39 All of the Future Growth Areas are likely to have significant infrastructure requirements, particularly Paignton and Brixham. These include sewerage and highway infrastructure, green infrastructure and healthcare/education facilities. These need comprehensive planning and site assembly to ensure that development is sustainable. Therefore, most of the development in the Future Growth Areas is expected to be longer term, probably post-2024 and possibly later, with the possible exception of:

a) Torquay Gateway (where employment space is needed earlier in the Plan period); and

b) Wall Park, Brixham (if early delivery of approved development takes place).

This does not preclude Neighbourhood

Forums bringing forward development in the areas of search, particularly smaller brownfield sites, where this would accord with the overall Strategy.

4.1.40 Because the Future Growth Areas are based on the SHLAA (2013) which takes into account what land is considered to be suitable and reasonably available, they represent almost all of Torbay's future capacity for development outside the existing built up area. However the boundaries may be reviewed in the future should further evidence of land availability/deliverability become available. It is expected that this assessment will take place during the five year reviews of the Local Plan.

4.1.41 Any proposals that come forward for major development outside Future Growth Areas would need to be accompanied by comprehensive supporting evidence that demonstrated no unacceptable harm in respect of biodiversity and landscape considerations, and consistency with Policy SS1.

Policy SS3 Presumption in favour of sustainable development

When considering development proposals, the Council will take a positive approach in accordance with the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF). It will work proactively and in partnership with landowners, applicants and the community to find sustainable solutions, enabling development proposals to be approved where they will evidently provide a balanced approach to improving economic, social and environmental conditions.

Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in Neighbourhood Plans) will be approved, unless material considerations indicate otherwise. Where there are no policies relevant to the application, or relevant policies are out of date at the time of making the decision, the Council will grant permission unless material considerations indicate otherwise, taking into account whether:

1. Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; and

2. Specific policies in the NPPF indicate the development should not gain planning permission.

Explanation:

4.1.42 The Government has indicated that the default decision on planning applications is approval so long as this does not undermine key sustainability objectives set out in national policy statements. The presumption in favour of sustainable development is set out in Paragraph 14 of the NPPF and is the context for plan making and decision taking. It will be noted that Paragraph 119 and Footnote 9 of the NPPF indicate that some matters such as AONB, Habitats Regulations, flooding and coastal erosion and designated heritage assets may outweigh the presumption in

favour of sustainable development.

4.1.43 The Local Plan seeks to set out a supportive and enabling framework to allow high quality, sustainable development proposals to gain planning permission. Policy SS3 sets out the Council's presumption in favour of sustainable development. This ensures key objectives for sustainable development and regeneration are met, in line with the NPPF's requirement and good practice advice.

4.2 Aspiration 1: Secure economic recovery and success

Introduction

4.2.1 The Local Plan seeks to make a step change in the economic performance of the Bay, building on the recent signs of recovery and turning the tide in Torbay to address issues caused by past decline. The National Planning Policy Framework (Paragraphs 18-22) places great emphasis on securing economic growth. Development plans and planning decision making should put significant weight on using the planning system to support growth and to plan proactively to meet development needs.

4.2.2 The Plan supports Torbay's position as being 'open for business'. It identifies broad growth locations for employment and promotes town centre regeneration schemes. The Local Plan also has an important role in providing a framework for delivery of key infrastructure projects and supporting facilities such as South Devon College.

4.2.3 The Local Plan provides the spatial planning tools to help deliver the objectives in the Torbay Economic Strategy (2013). The Local Plan and Economic Strategy share an ambition to create more jobs. As such, the Economic Strategy is supported by the Local Plan's Growth Strategy (see Policy SS1 above).

4.2.4 As well a job numbers, the Strategy and Plan seek to improve the quality of jobs and raise wages and gross value added. This falls beyond the direct powers of spatial planning. However the Local Plan can assist by supporting town centre regeneration, supporting purpose-built Use Class B employment development, including innovation centres, and supporting education and skills training. The Economic Strategy is thus able to take a wider role, beyond land use planning matters. Together the Local Plan and Economic Strategy will help deliver positive change in Torbay, as well as delivering ambitions set out by the Heart of the South West Local Enterprise Partnership (see Table 1).

Table 1 Torbay Economic Strategy: priorities and actions

Priority	Key Action Areas
Driving business growth	❱ Torbay Enterprise Areas ❱ Claylands ❱ Business Support Programme
Sustaining the core economy	❱ Town centre regeneration ❱ Identification of a new visitor attraction ❱ Supporting delivery of the marine economy action plan for Torbay, including harbour infrastructure and infrastructure for the fishing sector
Raising skill levels and creating opportunities for all	❱ Strengthening the links between local education and training providers and local businesses ❱ Development and delivery of the Torbay Works Programme ❱ Development and delivery of the Key Sector Workforce Development Programme
Nurturing the knowledge economy	❱ Development of the medical and healthcare technology sector

4.2.5 Tourism is the core of Torbay's economy. The area attracts almost 3 million visitors per year, of which 1 million are staying visitors. In 2011 there was a 4% increase in visitor numbers from 2010. Torbay is the largest resort in Devon. Whilst it is only the 7th most populous resort conurbation in England and Wales, it is the 4th largest by employment. It is evident that the significant number of jobs in seaside tourism in Torbay reflects the area's continuing appeal to visitors and holidaymakers from around the country. Tourism is the area's largest employer, supporting around 13,000 full time equivalent jobs – about a fifth of all jobs. The English Riviera remains a strong brand both nationally and world-wide. The Employment Land Review (2013) has indicated tourism jobs as a significant source of new employment over the next 20 years, with a potential to create 460 jobs in hotels and additional jobs in related retail, restaurant and leisure sectors.

4.2.6 The three Town Centres of Torquay, Paignton and Brixham play a vital economic role. They are, literally and metaphorically, the 'shop windows' of the Bay. Consequently this Plan promotes a town centres first approach, especially for retail. The overall objective for town centres is to increase footfall and spend, by increasing the numbers of people living, working and spending time in and around the town centres

4.2.7 Torbay has a lack of good quality employment opportunities, as reflected in poor economic performance statistics. By playing to its strengths, such as specific sectors, the offer provided by its town centres and by bringing forward high quality employment land in key locations, this Plan can help Torbay – its people, businesses and places – achieve better economic performance and generate new job opportunities.

4.2.8 Mixed used developments, enabling

employment space to come forward (that would not otherwise be delivered) alongside infrastructure improvements and new homes, will ensure future growth is sustainable, timely and balanced. Failure to achieve this could result in higher levels of unemployment, economic inactivity or give rise to significant out-commuting. This would undermine the requirement in Part 1 of the NPPF to build a strong competitive economy and strong, vibrant, healthy communities.

Employment Land Review (2013)

4.2.9 It is acknowledged that less space is needed now, than in the past, to achieve the same levels of GVA and job numbers, and to meet the needs of growing sectors in the Bay over the Plan period. In addition, much of Torbay's growth in jobs, in tourism and healthcare for example, can be accommodated on existing sites or within existing premises.

4.2.10 The Employment Land Review (ELR) (2013) assesses Torbay's capacity, specifically on strategic employment sites, to meet its economic growth aspirations over the period 2012-2030 with particular reference to the next 10 years.

4.2.11 Based on expected growth sectors, the ELR identifies a requirement for an additional 17 hectares of new employment land (based on 30-40% site coverage), equal to about 65,000 square metres net. Over half of this (9.5 hectares or 36,200 square metres) should be for non-Use Class B type uses such as retail, tourism, leisure and recreation. About 7 hectares (26,500 square metres net based on 35-40% site coverage) are required for offices and up to 1 hectare (2,150 square metres) of industrial land.

4.2.12 The 17 hectares does not include space requirements for healthcare or education, which are assessed separately. Both sectors are expected to expand, with 2,200 new jobs in healthcare and 600 in education by 2032. These jobs are likely to be met in existing facilities (especially Torbay Hospital and South Devon College) or new/expanded facilities to meet the needs of new residential development. The ELR does not give a space requirement for these jobs, and the Council expects a large number to be 'spaceless' i.e. not requiring the construction of new floorspace. However, there is likely to be a need for new school facilities in the Plan period (see Policy SC3).

4.2.13 The ELR does not consider all employment sites in detail, but appraises 14 key areas (including the three town centres). It assesses that these areas have a capacity to create 42 hectares of employment land (either as mixed use development or for employment in their entirety).

4.2.14 Whilst this is more than the 17 hectares required, the ELR points out that it is important for businesses to have a range and choice of sites. Moreover some sites may require a higher level of enabling development (principally residential) to ensure that they are deliverable.

Policy SS4 The economy and employment

The Local Plan supports the regeneration of Torbay and improvement in its economic performance, with the aim of achieving a step-change in economic prosperity as set out in

Torbay's Economic Strategy. The Local Plan supports existing businesses and education facilities, it encourages new businesses and investment in order to create new jobs, and it enables expansion and diversification of the economy of the Bay.

The Local Plan supports the creation of at least 5000-5,500 net additional jobs by 2030 with an emphasis on delivering around 1375 net new jobs in the first 5 years of the Plan period.

To help achieve this objective, at least 65,000 square metres of employment space, comprising 28,000 square metres of Use Class B1- B2 space and 38,000 square metres of other employment uses are proposed on the sites in Policy SS5, as part of mixed use developments where appropriate. Additional provision will be made for healthcare and education where the need arises.

Phased delivery of mixed use development, especially in the first 5 years of the Plan, must include early provision of serviced employment space.

The Council will, in principle, support proposals that deliver employment space and high value jobs.

Explanation:

4.2.15 The Local Plan sets out a positive spatial framework to support the economic prosperity aspirations of the Community Plan and Economic Development Strategy. Whilst not an exclusive list, the Plan seeks to promote growth in sectors that are particularly important in Torbay, namely:

- Tourism, hotel and catering;
- Manufacturing;
- Professional services;
- Financial services;
- Advanced electronics / hi-tech;
- Medical / Healthcare;
- Education and training;
- Business Process Outsourcing; and
- Food production and processing.

4.2.16 There is a strong focus on town centre regeneration and revitalising traditional industries such as tourism and fishing, but new opportunities in growth sectors are also supported. The Council will use Local Development Orders (LDOs) to help reduce the burden on business through increasing 'permitted development rights'. For example, the refurbishment and revitalisation of existing employment estates could be undertaken under the provisions of an LDO.

4.2.17 The Council will work with developers to improve the employment prospects and skills base in the local population. This could involve, for example, securing training for new entrants into the construction sector and upskilling opportunities for existing construction workers.

4.2.18 The Employment Land Review (2013) indicates a requirement to provide around 65,000 square metres of employment space, equal to about 17 hectares (assuming 35-40% site coverage with buildings). Policy SS5 sets out how it is planned to meet this figure. Detailed mechanisms for delivering employment-led development, including the quantum, layout and phasing, will be determined through a combination of neighbourhood planning, masterplanning,

and supplementary planning documents.

4.2.19 The Council recognises that the deliverability of development is an important consideration and will publish guidance on the prioritisation of planning contributions, to ensure the delivery of employment within mixed use growth areas.

4.2.20 In providing employment uses on allocated sites or in Future Growth Areas, the first preference will be for on-site provision as part of a comprehensive and co-ordinated approach to strategic delivery. Where this is not practicable, for example for amenity or space reasons, the Council will seek a financial contribution towards employment creation or employment initiatives locally. These will be identified in Neighbourhood Plans and should support delivery of the Economic Strategy. Examples could include local training placements and apprenticeships, business start-up support, match funding for European Union and other moneys, and skills and training initiatives, for example, using South Devon College's expertise in delivering renewable energy solutions in new development and upgrading existing buildings. The Council will ensure that these are not used for CIL funded infrastructure.

4.2.21 The provision of Use Class B employment space will be particularly supported, although the Council recognise that a range of other uses (such as tourism) also provide valuable employment. The type of employment should be acceptable in planning terms and contribute to the overall well-being of the area.

4.2.22 The Local Plan also supports, in principle, a number of marine-related projects and initiatives which are currently being developed or investigated by Torbay Council, Torbay Development Agency (TDA), Tor Bay Harbour Authority and/or other partners, and are identified in the Tor Bay Harbour Authority Port Masterplan (2013).

4.2.23 The 65,000 square metres /17 hectares does not include provision for education or healthcare jobs, both of which are projected to expand significantly over the Plan period. Provision should be made for growth within these sectors, particularly at Torbay Hospital, South Devon College and other institutions. Development in Future Growth Areas should make provision for education and healthcare facilities in line with Policies SC3, SC1 and SC5.

4.2.24 Policy SC3 promotes local training arrangements, placements and apprenticeships, to maximise the benefits of development to the local economy.

Policy SS5 Employment space

In order to meet the needs of existing, growing and new businesses, sufficient high quality space will be provided to meet existing and arising requirements of employers. Specific sites will be identified through Neighbourhood Plans and Masterplans, drawing from the range of sites indicated in Table 2 (Sources of employment land). In particular, the provision of new and improvement of existing employment space will be supported in the following areas and projects:

1. Town centres;
2. Torquay Gateway;
3. West Paignton;
4. Refurbished / revitalised existing employment estates; and
5. As part of urban renewal projects.

This will include space and facilities for Use Class B employment uses and other non-Use Class B sectors including health, leisure, retail, tourism and education, which play an important role as employment generators in the Bay. For major employment or mixed use developments, the Council will seek around 25% of space to be provided as Use Class B space, to reflect the needs of the area and to increase GVA. In the case of mixed use developments, an element of cross subsidisation of employment uses from higher value land uses will be sought, to ensure the speedy delivery of the employment element of developments.

Proposals for out-of-centre retail uses and town centre uses will be considered on the basis of Policies TC1 to TC4.

Much of Torbay's employment space needs will be met within town centres and existing employment estates. However, to maximise opportunities for economic recovery, employment space will be brought forward within the Strategic Delivery Areas identified around Torquay Gateway and the West of Paignton.

The Council, in conjunction with Torbay Development Agency and Neighbourhood Planning Forums, will use Local Enterprise Areas and Local Development Orders to encourage provision of high quality employment space, environmental improvements, and better facilities serving employment within existing and proposed employment areas, so long as this is consistent with other Policies in this Plan.

The Council will, in principle, support the provision of work hubs, managed workspace and live-work units. The provision of live-work units will be treated as employment space and secured through the use of s106 Planning Obligations where appropriate.

Proposals for the loss of employment space will be considered on the basis of the impact on the economic prosperity of Torbay, the appropriate mix of uses within a locality and on amenity. Where there is no reasonable prospect of a site being used for other (non-Use Class B) employment purposes or such a use would conflict with the Local Plan, alternative uses that support sustainable local communities will be supported.

Where the proposed loss of employment space is agreed, the Council will seek financial contributions to mitigate the loss of employment. If planning permission is granted for B1 space the Council may restrict permitted development rights in respect of change of use to residential, in order to secure available, modern office space and retention of employment opportunities.

Explanation:

4.2.25 The NPPF requires Local Plans to plan proactively for economic growth, to provide sufficient land and support to meet existing and future needs of businesses and other employers.

4.2.26 The Torbay Employment Land Review (2013) sets out spatial requirements of around 65,000 square metres /17 hectares, needed to deliver the Economic Strategy, and advises on the potential of various locations to help achieve this growth. This figure does not include provision of space for healthcare or education. Whilst Policy SS5 allows for a mix of employment types, there is a need for Use Class B1 and B2 jobs to increase the Bay's value added and rebalance the economy away from the service sector. On this basis proposals that provide a high proportion of Use Class B space will be encouraged. The 25% noted above will not be seen as a maximum.

4.2.27 Table 2 sets out potential employment sites in Torbay, for information purposes. This should be read in conjunction with the Strategic Delivery Area policies (SDT, SDP and SDB). In the early stages of the Plan, employment is expected to come forward from employment land with planning permission at Edginswell Business Park (2.8 hectares) and White Rock (8.8 hectares). The Plan also seeks early delivery on employment sites on previously developed land such as Brown's Bridge (Torquay), South Devon College and new Innovation Centre, Devonshire Park (former Nortel site), Yalberton Road and Claylands (Paignton), as well as existing sites, such as Yalberton, that are in need of a 'refreshed' offer. There will also be an emphasis on regenerating the three Town Centres to bring forward improvements to existing and addition of new employment space. Masterplans setting out regeneration proposals for Torquay and Paignton Town Centres were adopted by the Council as SPD in June 2015. These sources are expected to provide at least 10 years of new employment space delivery. Committed and other deliverable employment sites are shown on the Policies Map for information, together with potential development sites for identification in the Neighbourhood Plans. In order to secure the delivery of modern employment buildings, an element of cross subsidy will be sought from Masterplans and in the consideration of strategic development schemes. This will be secured either through land equalisation agreements, direct provision of servicing of employment land/infrastructure or through developer contributions.

4.2.28 Policy SS2 requires that Future Growth Areas should provide a mix of jobs and housing as part of the longer term (10 years plus) growth trajectory. This will be achieved through a masterplanning approach to new strategic sites identified in Table 2 and Strategic Delivery Area Policies of this Plan (SDT, SDP and SDB) and Neighbourhood Plans, and in line with the space guidelines set out in Policy SS5. Future Growth Areas are expected to meet employment space requirements in the latter part of the Plan period. However sites will be brought forward where there are economic or social benefits in doing so, particularly where they are in commercially attractive locations and can be delivered sustainably.

Table 2 Sources of employment land

Area policy reference	Site	Approx. anticipated area	Notes
Deliverable sites with planning permission			
SDT3	Edginswell Business Park (Torquay)	2.8ha	Highly accessible land from South Devon Highway. Part of first 10 years' delivery.
SDP3.5	White Rock (Paignton)	8.8ha	Employment land element of approved mixed use business park and residential area. Part of first 10 years' delivery.
Refurbishment of existing sites – Developable to achieve qualitative improvements			
SDT3	Woodlands Trading Estate (Torquay)	-	Refurbishment and environmental improvements to existing employment area. Qualitative improvements to upgrade existing provision.
SDT3	Torbay Hospital (Torquay)	-	The overall emphasis of the site will be to concentrate on maintaining the long term healthcare needs of South Devon. There are opportunities for new health-related high tech employment and training, and scope to make better use of the site.
SDP3	Yalberton Industrial Estate (Paignton)	-	Refurbishment and environmental improvements to existing employment area. Qualitative improvements to upgrade existing provision.
SDB1	Northfields Trading Estate (Brixham)	-	Refurbishment and environmental improvements to existing employment area. Qualitative improvements to upgrade existing provision.
Town centre regeneration			
SDT2	Town Hall Car Park, Lower Union Lane / Union Street (Torquay)	-	Mixed use schemes as part of harbourside, waterfront and town centre regeneration.
SDP2	Victoria Centre, Station Lane, Hyde Road / Torbay Road, Crossways & Harbour (Paignton)	-	Mixed use schemes as part of harbourside, waterfront and town centre regeneration.

SDB2	Oxen Cove & Freshwater Cove (Brixham)	1.3ha	Mixed use harbourside development with a focus on marine related employment uses.
Opportunities in the built-up area			
SDT3	Brown's Bridge (Torquay)	8.2ha	Development of (former landfill) land at Scotts Bridge, Barton. Site of 16.3ha of which target of up to 50% to be employment. Developable within 10 years.
SDP1/SDP3	Claylands (Paignton)	6.8ha	Redevelopment of former waste site to provide a range of B1 and B2 uses. Site deliverable within 5 years.
Future Growth Areas			
SDT3	Edginswell/Torquay Gateway (Torquay)	9.4ha	Employment land as part of highly accessible urban extension served by South Devon Highway. Around 25% of total 37.4ha area of search is identified for employment. Probable delivery post year 10, but some may come forward sooner due to the commercial attractiveness of the location, subject to infrastructure funding.
SDP3	Yalberton (Paignton)	1.9ha	Development allocated for business use, rear of Yannons Farm. Known locally as the 'Jackson land'. Assumed 25% of 7.4ha site will be for employment use, as part of a mixed residential and employment development. Developable within 10 years to achieve mixed use development.
SDP3	Devonshire Park (former Nortel) (Paignton)	4.1ha	Redevelopment of site of former Nortel complex. Scope for mixed use development on site of 4.1ha, with at least 1ha of employment land sought. Previously developed land, so developable within 10 years, subject to site remediation.

SDP3	Collaton St Mary (Paignton)	4.75ha	Employment uses as part of sustainable urban extension. Future Growth Area of around 95ha. Subject to masterplanning it is anticipated that employment uses should complement and enhance the existing centre of the village. Development likely post-2023 due to infrastructure requirements.

4.2.29 This Policy supports the refurbishment and improvement of existing employment land, particularly where this is accessibly located. It is recognised that some redundant commercial buildings can provide a source of residential accommodation, where they do not meet business needs, subject to the requirements of Policy SS5. There will be many instances where commercial and residential developments can co-exist. However, care needs to be taken to avoid the redevelopment for residential use undermining the supply of employment land or premises, or sterilising an area from industrial use because of residential amenity issues. Therefore, whilst the Local Plan seeks to be flexible in allowing a range of employment opportunities beyond the Use Class B definition, proposals for non-employment uses on commercial land will need to be carefully considered. Where redevelopment of a site for non-employment purposes is approved, the Council will seek s106 Planning Obligations towards job-generating infrastructure which are not CIL funded. These contributions are essential to support training, new business space and reduce unemployment.

4.2.30 The Council will seek high quality schemes in areas of landscape sensitivity. Applicants will be expected to show how economic, social and environmental benefits outweigh any loss of greenfield land.

4.2.31 Home working is expected to become increasingly important, both because of the growth of flexible working arrangements, and improvements to ICT. The Council will promote live-work units, work hubs and other innovative ways of working as an element of employment provision. Around 200 live-work units should be delivered during the Plan period, some as part of the areas indicated in Table 2 above. These will be controlled primarily through design, but possibly also through planning conditions or s106 Planning Obligations, depending on the nature of the proposals and surrounding uses.

4.3 Aspiration 2: Achieve a better connected, accessible Torbay and essential infrastructure

Introduction

4.3.1 Good connections in and around the Bay, and between Torbay and both national and international markets, are critical to the Bay's success. Transport has a significant role in addressing the development

challenges we face now and in the future. Our quality of life depends on having convenient access to jobs, shopping, leisure facilities and services.

4.3.2 Torbay needs a high quality and integrated infrastructure system to support a strong and prosperous economy in the Bay. With the growing importance of the internet, the provision of superfast broadband connections will be vital to an area's prosperity.

4.3.3 Infrastructure covers a range of items and facilities, including:

- Physical infrastructure, such as roads and railways, electricity, gas and water supply, flood defences, drainage, sewerage capacity, telecommunications;
- Social and community infrastructure such as healthcare and education facilities, community centres, libraries, emergency services;
- Green infrastructure, such as open spaces, landscaping, allotments, nature reserves and waterways; and
- Blue infrastructure, such as water quality and beaches.

4.3.4 Funding of this wide range of infrastructure is one of the most significant challenges for the Local Plan. Government funding is likely to become increasingly scarce and funding streams such as Community Infrastructure Levy (CIL) and New Homes Bonus are unlikely to meet the wide range of demands in the Bay. It will therefore be important to make best use of other regeneration opportunities.

4.3.5 The South West Water (SWW) Business Plan for 2015-2020 was submitted to Ofwat in December 2013. This is based on an assessment of capacity and likely growth of population/households in the area, as a result of ongoing consultation with Torbay Council and other partners, including the development industry.

4.3.6 There is no restriction on development in Torbay. However, a SWW assessment shows that further modelling work will be required should the growth rate accelerate, and as 2020 is approached. The broad message is that there are no absolute waste water limits to growth in Torbay. Provision of new and upgraded infrastructure will require appropriate programming and costing, especially with regard to the local sewer network.

4.3.7 SWW is aware of concerns about the age of combined sewers. These will be dealt with through its capital maintenance programme (for example, freeing up sewer collapses, deformations and fat/debris) and provision of infrastructure for new development. Consistent with the Council's continuing co-operation with the Authority, SWW has been fully engaged in the preparation of the Masterplans for Future Growth Areas, to ensure a robust and sustainable infrastructure framework for these Areas.

4.3.8 Green infrastructure can help encourage walking and cycling, thereby having health benefits. It can also provide wildlife habitats and help support biodiversity. Sustainable drainage measures such as the creation of wetlands can have significant wildlife benefits and reduce flood risk. There will be an increasing need for renewable energy and micro-generation as replacements for fossil fuels.

4.3.9 The completion of the South Devon Highway is a fundamental element of the infrastructure needed to deliver the Local Plan objective of creating a more prosperous Bay.

It will provide vital improvement to the links with the sub region and beyond, increasing the accessibility of the Bay for business travellers, freight operators and tourists, whilst improving economic prosperity. In turn, this will create opportunities for business growth and for improving links for existing business and industries of the Bay.

4.3.10 The Western Corridor is a vital connecting route for the Bay as a whole. However, existing capacity and regular delays at various points along the corridor could be exacerbated by future growth. The introduction of junction improvement schemes and the dualling of key sections will improve the capacity of the road and are essential to the function of the network. These improvements must take place ahead of or in tandem with new development, with contributions for those improvements being provided by new development.



Policy SS6 Strategic transport improvements

The Council will support improvements to the strategic transport system that enhance the connections between the three towns, between Torbay and the rest of the sub-region, and between Torbay and national or international markets. The Council will seek to facilitate delivery of these schemes through the safeguarding of land and/or contributions from development. The following improvements are proposed:

Highway Network

1. Construction of the South Devon Highway and related junction improvements (opened December 2015).

2. On-line improvements and traffic management schemes in the following locations:
   (i) Torquay Gateway Corridor, Torquay
   (ii) Western Corridor, Paignton
   (iii) A385 Totnes Road, Paignton

Walking and Cycling Network

3. Development of the strategic public rights of way and cycling network, including the extension of the National Cycle Route Network, and the maintenance and improvement of the South West Coast Path. Effective integration with public transport services and linking of key residential and employment centres will be encouraged.

Rail Network

4. Maintenance and enhancement of the rail network serving the Bay including new or improved passenger and freight rail services to and from the Bay, a new station at Edginswell, Torquay and continued enhancement of existing stations.

5. Minimising the impact of development upon level crossings, and where necessary seeking developer contributions to help fund improvements to level crossings, where these are required as a result of development.

Ferry Service

6. Development of a frequent, all-year-round high quality ferry service and necessary land based infrastructure between Torquay and Brixham Harbours and other external ports, including use of water-based transport to deliver goods.

Bus and other Public Transport Services

7. Improvements to the bus and public transport networks to service new development and ensure connectivity within and between town centres, district and local centres.

Transport Hubs

8. Development of transport hubs in sustainable locations with good links to existing and planned residential areas, town centres and other retail centres, healthcare facilities and radial or orbital routes to increase accessibility, in particular in the following locations:
   (i) Broomhill Way, Torquay
   (ii) Gallows Gate, Torquay
   (iii) Occombe Farm, Paignton
   (iv) Churston, Brixham

Explanation:

4.3.11 An integrated transport system provides sustainable transport choices and will facilitate sustainable travel into and around the Bay. It is also intended to ensure a smooth running and efficient road network by promoting sustainable travel and by tackling issues that result in localised congestion and regular delays.

4.3.12 The strategic improvements identified in Policy SS6 are divided into those that improve the highway network and those that facilitate more sustainable transport. This reflects the prioritisation in the Local Transport Plan 3 (LTP3, 2011), and associated Implementation Plan, in on-going 'Foundation Schemes', such as bus service improvements and minor congestion relief schemes, and 'Targeted Capital Interventions' focussed on small geographical areas, such as specific junction upgrades.

Strategic Transport Network

4.3.13 To deliver the Local Plan's aspirations and objectives, improvements are needed to ensure the Strategic Transport Network, as well as its component networks, are fit for purpose and accessible, in order to ensure free movement around the Bay and to the wider sub region and beyond. This is vital to delivering economic prosperity and also to the support of new development.

4.3.14 For example, the provision of clear, legible and direct connectivity between Kerswell Gardens and Torquay Town Centre and Harbour, via Torre, is essential for the successful regeneration of Torquay Town Centre as well as the success of businesses and service providers along the route. Proposals such as junction improvements, a new railway station, a transport hub and new cycle routes will help improve this route into Torquay and support the role of the South Devon Highway. These will contribute directly to ensuring the success of the Strategic Delivery Policies for Torquay (Policy SDT1), and delivery is intended within the next 3-5 years.

4.3.15 Similarly, improvements to the Western Corridor are underway and scheduled for completion during the two first phases (i.e. years 1-5 and 6-10) of the Local Plan period, with substantial completion intended in the next 6 years. This is critical to the delivery of development both to the west of Paignton (Policy SDP3) and in Brixham (Policy SDB1).

4.3.16 Improvements to the A385 Totnes Road (Torbay / South Hams border to Tweenaway Cross, Paignton) will ensure better connectivity between Torbay, Totnes and national and international destinations for communities and businesses in Paignton and Brixham. A comprehensive solution to transport issues is needed to enable the longer-term development in Collaton St Mary (Policy SDP3.3); development contributions are expected to help fund these strategic improvements.

4.3.17 Improvements to the A385 should also alleviate congestion and reduce rat-running including through Marldon/Berry Pomeroy and Galmpton, and reduce impacts further afield. Improvements to the A385 will be carried out in co-operation with Devon County Council and South Hams District Council. This work is likely to take 10 years plus to carry out, and therefore significant development along the Totnes Road Corridor is likely to be towards the end of the Plan period.

Facilitating Sustainable Transport

4.3.18 The improvement and expansion of a safe pedestrian and cycle network throughout Torbay connects residential areas with

employment, shops and leisure facilities, and connects with the National Cycle Network. Detailed routing will need to address matters such as rights of way. This will encourage increased use of walking and cycling for journeys to work, school and for recreational purposes. New developments will play a key role in their expansion and improvement. Some routes are capable as acting as 'green trails' for walkers, cyclists and horse riders, thereby assisting the implementation of the Torbay Green Infrastructure Delivery Plan (2011).

4.3.19 In addition, footpaths such as the South West Coast Path and the National Cycling Network are valuable tourism and recreation assets.

4.3.20 Footpaths and cycle paths should be designed to accommodate wheelchair and mobility scooters, for example by being of sufficient width, clear of unnecessary obstructions and with appropriately designed gates. Further guidance can be obtained from the Council's Highways Team and in the NHS National Institute for Clinical Excellence Guidance PH41: Walking and Cycling (2012).

4.3.21 New developments may require the creation of additional bus services or stops to be provided to ensure the standard of provision is retained or enhanced, for instance by providing new destinations or increased weekend running. All residential areas should have access to education, employment and healthcare within 45 minutes by public transport, with an aim to achieve a minimum daytime service frequency of 30 minutes wherever possible throughout Torbay. There is also a commitment to continue improvements to bus information services. In considering the extension of these services, the Council will have regard to the cost and



viability of the service. It is important to ensure that public transport is as financially viable as possible, given the likely scarcity of public sector subsidy.

4.3.22 The rail network provides a vital connection not just throughout the Bay but to the sub-region and beyond. The rail network south of Paignton to Kingswear is operated by the Dartmouth Steam Railway. An integrated transport system must include new and additional train services to and from the Bay. Securing additional main line inter-city routes between Torbay, London and Birmingham is vital to provide fast and efficient long distance travel. Demand for local services between Torbay, Newton Abbot and Exeter is strong and future measures, such as the Devon Metro scheme, are proposed to increase the capacity and frequency of services, with new stations serving expanding, mixed use communities such as at Torquay Gateway. The Council will support measures to expand rail services past Paignton, subject to other Policies in the Local Plan and the Local Transport Plan.

4.3.23 Water transport also provides a valuable form of transport for commuters and tourists. A new regular all year round ferry service is proposed from Brixham to Torquay. This will help to reduce the reliance on the road network to access Brixham, whilst also reducing the Bay's carbon footprint and total number of car trips on the highway. There could also be ferry connections from Torbay to other external destinations along the South Coast and beyond. New ferry services do not require planning permission per se. However, harbourside and on-shore facilities and improvement will be supported subject to the other Policies of this Plan. Such works should have regard to the requirements of the Habitats Regulations and be acceptable in terms of the SAC and Marine Conservation Zone.

4.3.24 The development of well located, high quality transport hubs can help to reduce town centre congestion and pollution, reduce car journey length and improve the accessibility of urban centres. A number of these are proposed in the Local Plan, in locations that will help deliver the transportation objectives set out in Policies TA1 and TA2.

Policy SS7 Infrastructure, phasing and delivery of development

A range of physical, social and green infrastructure will be sought in order to help Torbay grow in a sustainable, healthy and prosperous way.

In order to be permitted, development must be supported by provision of the critical infrastructure required for the development to proceed. Development that does not meet critical infrastructure requirements such as those relating to flooding and highway safety or ecological/ environmental improvements to meet Habitats Regulations requirements will not be permitted.

Major development will be expected to contribute to the provision of an appropriate range of physical, social and environmental infrastructure, commensurate to the type and scale of development, and the needs of the area.

Where necessary, development will be phased to ensure it comes forward at the same time as, or following, the provision of infrastructure. New infrastructure should be provided in the most environmentally friendly way possible, consistent with meeting communities' needs, safety and amenity. Infrastructure should encourage healthier lifestyles and provide recreational opportunities by providing for walking, cycling and other recreational opportunities. Provision of new infrastructure will only be approved where the Council has ascertained that it would not have an adverse effect on the integrity of any sites protected under European legislation.

Planning conditions will be used, or s106 Planning Obligations will be sought, to ensure timely provision of physical, social or environmental infrastructure (where not covered by CIL) where required by a development.

In seeking developer contributions, regard will be had to:

1. The tests of lawfulness regulating developer contributions;
2. The need to prioritise critical infrastructure, e.g. flood defence works, highway safety works and/or ecological/environmental improvements to meet Habitats Regulations requirements;
3. Evidence of development viability;
4. The impact of the development;
5. Torbay Community Plan themes and objectives; and
6. Availability of other sources of funding including, but not limited to, CIL and ring-fenced government or other moneys.

Explanation:

4.3.25 It is clear that in a small geographic and self-contained area such as Torbay, much existing or new infrastructure has a strategic, Bay-wide impact, rather than a more local role.

4.3.26 Details of the infrastructure needed to accommodate employment and housing growth are set out in the Torbay Infrastructure Delivery Study (2012).

4.3.27 This Study categorises three types of infrastructure needed in relation to development:

1. *Critical infrastructure*: physical and enabling infrastructure, which must be delivered on time to allow proposed development to proceed in narrow physical or safety terms (e.g. road access, flood defence works, sewerage capacity, water and electricity). Green infrastructure necessary to make development comply with Habitats Regulations requirements, particularly affecting the SAC and Marine SAC ,will be treated as critical infrastructure;

2 *Necessary infrastructure*: needed to support development but would not necessarily have to be delivered ahead of it (for example, education provision, healthcare, sports facilities, open space); and

3. *Desirable infrastructure*: in order to add quality to the development and assist with wider sustainable development

objectives, such as community facilities.

4.3.28 A range of social and community infrastructure and green infrastructure is needed to support sustainable development. Green infrastructure is addressed in Policy SS9. Some green infrastructure, such as flood defences, is critical to human safety. Other green infrastructure items such as open space or biodiversity offsetting are necessary to development being carried out in a sustainable way.

4.3.29 The Torbay Infrastructure Delivery Study indicates a significant need for funding in order to deliver the infrastructure required to meet the Local Plan's development target. Some items such as the South Devon Highway and Western Corridor improvements have been completed or are already underway. Others, such as increasing the capacity of trunk sewers, will be brought forward with service providers such as South West Water as part of their Asset Management Plans. There will be a need for developer contributions, whether s106 Planning Obligations or CIL, to bridge infrastructure funding gaps.

4.3.30 The Assessment of Future Sewer Capacity Study to 2032 (2014) identifies the need for a programme of Sustainable Drainage Systems (SUDS) and Water Sensitive Urban Design (WSUD). Policies ER1, ER2 and W5 deal with flood risk and water management in more detail. There will be a need for developer contributions, whether s106 Planning Obligations or CIL, to help bridge infrastructure funding gaps. Matters that deal with critical infrastructure, such as flood protection, will be given the highest priority, and development will not be permitted if such matters cannot be satisfactorily addressed.

4.3.31 The Local Plan has been phased to allow less constrained sites, such as those within the built-up area and where good infrastructure exists or is being provided, to come forward earlier in the Plan period. Areas which will require longer term infrastructure provision, such as Collaton St Mary, are phased later in the Plan period.

4.3.32 It is emphasised that infrastructure planning is constantly evolving and requires choices to be made about priorities. Whilst developments require infrastructure to function, they also contribute to it, for example through developer contributions. Further information about the deliverability of the Local Plan is set out in Section 7: Delivery and monitoring.

4.3.33 There are likely to be different ways in which infrastructure can be provided. The Council will seek in particular the delivery of environmentally friendly infrastructure, such as sustainable drainage, water efficiency measures and renewable energy/micro generation solutions, so long as these have major biodiversity and recreation benefits and do not prejudice the effective operation of infrastructure or community safety.

4.3.34 Developer Contributions (s106 Planning Obligations and Community Infrastructure Levy (CIL)) are an important means by which key infrastructure funding can be raised from development, although these will only raise sufficient money to meet a fraction of Torbay's needs.

4.3.35 It is recognised that there may be a need to negotiate with developers about the provision of infrastructure items, having regard to viability and the many pressures upon s106/CIL funding. A Supplementary Planning Document will be published on developer contributions, and the negotiation

of development viability-related matters. However, notwithstanding the above considerations, developments that are unable to mitigate successfully matters such as flood risk will not be permitted.

4.3.36 S106 Planning Obligations are regulated by legal tests (which are set out in Paragraph 204 of the NPPF). It is not permitted to use s106 Planning Obligations for items that are funded by CIL. Nevertheless s106 Planning Obligations are a useful way of seeking infrastructure needed by major developments. A Supplementary Planning Document will be published setting out s106 Planning Obligations priorities.

4.3.37 Further information on Torbay's CIL is set out in Section 7.

4.4 Aspiration 3: Protect and enhance a superb environment

Introduction

4.4.1 Torbay has a spectacular natural environment, with a superb Bay and nationally and internationally important landscapes. There is rare wildlife and important rock and coral formations. Torbay's environment supports much of the Bay's economic activity and investment. It's vital that's not undermined. Indeed, this Plan promotes significant environmental enhancement, for example through new green infrastructure.

4.4.2 Torbay has a natural environment of international importance in terms of its biodiversity, geodiversity and landscape beauty. There is a high concentration of designated conservation sites, including two European Special Areas of Conservation, a National Nature Reserve and a number of Sites of Special Scientific Interest. About 31 square kilometres of Torbay is rural, about 45% of the Torbay Unitary Authority area. There are 45 kilometres of coastline and over 20 public beaches. About 42 square kilometres of sea are within Torbay's boundary.

4.4.3 Torbay's natural environment is of great importance for its own sake, but also of considerable value as a tourist attraction. The English Riviera is the only urban Global Geopark designated by UNESCO, recognising Torbay's varied and internationally significant geology across a range of geological periods. The south of the Bay is part of the South Devon AONB. The Council is committed to promoting sustainable development which protects and enhances the natural environment and helps to restore degraded assets.

4.4.4 There is much support for an improved green infrastructure network, made up of interconnected open spaces that provide environmental, social and economic benefits. These spaces connect the urban landscape with the wider countryside. They provide a range of functions, including walking, cycling, education, wildlife management, flood alleviation, local food production and energy production, and add value to Torbay's ecosystem.

Policy SS8 Natural environment

All development should have regard to its environmental setting and should positively contribute to the conservation and enhancement of the natural assets and setting of the Bay.

The Council will safeguard, conserve and enhance the valued qualities, features and attributes of sites protected under European legislation and other important natural landscape, including tranquillity, dark night skies, bathing waters, biodiversity and geodiversity within the Bay, commensurate with their importance. This will ensure that:

1. Sites, species and habitats protected under European, or equivalent, legislation will be protected from development. Development around the edge of the built-up area will be required to protect and manage wildlife and habitats, including corridors between them, in accordance with Policy NC1. Particular attention must be paid to Greater Horseshoe Bat flight paths, and Cirl Buntings.

2. Within the Area of Outstanding Natural Beauty (AONB), the conservation of the landscape and scenic beauty, biodiversity and geodiversity will be given great weight and afforded the highest status of protection. Development will only be permitted in exceptional circumstances where it can be demonstrated to be in the public interest. Planning applications should include an assessment of need for the development, economic impacts, alternative means and locations of provision, the impacts of the proposal on the environment, landscape and recreation, and the extent to which impacts could be moderated;

3. Development proposals outside of the AONB will be supported where they conserve or enhance the distinctive landscape character and biodiversity of Torbay or where the impact of development is commensurate with the landscape and ecological importance. However, it will be particularly important to ensure that development outside the AONB does not have an unacceptable impact on the special landscape qualities of an adjoining or nearby AONB or other valued landscapes such as country parks. In assessing new development outside AONB, the value of natural landscapes will be carefully considered, using the Torbay Landscape Character Assessment and other relevant management plans, to help ensure the objectives for their conservation are met; and

4. The Council will, in considering major planning applications, seek long term land management practices to maintain or restore landscapes, greenspace, dark corridors. and amenity open spaces, integrating biodiversity and green infrastructure objectives including improved public access. If development impacts adversely upon biodiversity, geodiversity or countryside management, developer contributions and mitigation measures will be required to improve management or enhancement of the natural environment with a goal of achieving a net gain in biodiversity.

Explanation:

4.4.5 In landscape terms, about 700 hectares around Brixham and the south of Paignton are within the South Devon Area of Outstanding Natural Beauty (AONB). In addition, some land to the south west of Paignton has an indirect effect upon the setting of the AONB within the South Hams. The AONB is a nationally important asset and must be given the highest status of protection from development and change. Policy SS8 is consistent with the NPPF.

4.4.6 The landscape character and management schedules contained in the Torbay Landscape Character Assessment (2010) will be taken into account when assessing the landscape impact of proposed development. Consideration should also be given to the strategic significance of key landscape areas in relation to maintaining the identity of settlements (see also Policy C1 'Countryside and the rural economy'). In addition, other plans give guidance on landscape and related management matters. These include the South Devon AONB Management Plan (2014), Torbay Green Infrastructure Delivery Plan (2011), Torbay Biodiversity and Geodiversity Action Plan (2007), River Basin Management Plan (South West River Basin District)(2009), Brixham Urban Fringe Study (2011) and Shoreline Management Plan (2011).

4.4.7 The Shoreline Management Plan sets out how coastal change should be managed and recommends where land and communities should be protected, taking account of predicted sea level rise. Development in coastal areas should also have regard to Policy C2 'The coastal landscape'. In addition to national sites, Torbay has a network of locally important wildlife sites and corridors. These are shown on the Policies Map and are addressed by Policy NC1 'Biodiversity and geodiversity'. Other Policies in the Local Plan such as C4 'Trees, hedgerows and natural landscape features' are also relevant. Regard should be had to the Torbay Biodiversity and Geodiversity Action Plan in respect of all target habitats and species in Torbay.

4.4.8 In negotiating landscape, biodiversity and green infrastructure mitigation packages as part of developments, the plans and other documents referred to above will be taken into account. The Council will require no overall detriment and will seek net gains to the natural environment in accordance with Paragraphs 9 and 117 of the NPPF. Policy C4 'Trees, hedgerows and natural landscape features' is also relevant. However, such mitigation measures cannot be used to compensate intrinsically unsuitable development (see Policy NC1). High quality bathing waters are an important asset both for ecology and tourism in Torbay. The Bathing Waters Directive requires that the quality of sea water be improved. Policies ER2, ER3 and W5 seek to minimise the impact of wastewater upon bathing water qualities, for example by removing existing and restricting new surface water connections to combined sewers.

4.4.9 Policies for the development of renewable energy will be considered on the basis of Policy ES2 'Renewable and low carbon infrastructure', and supported where they are consistent with landscape and other environmental policies.

4.4.10 Much landscape is man-made and there is an interrelationship between the historic and natural environment for example when considering hedgerows, field patterns and other naturalised features (see Policies SS9 and C4).

Policy SS9 Green infrastructure

The Local Plan seeks to integrate new development with strategic green infrastructure, and to protect and provide high quality green space at a local level.

Developments will be assessed against their ability to deliver high quality green infrastructure or contribute to the enhancement of the green infrastructure network. This assessment will seek to ensure that the following criteria are met, proportionate to the scale of development proposed:

a) A green infrastructure-led approach is followed in planning for and design of new development that considers the landscape context and relationship to existing and proposed green infrastructure assets and their functions;
b) Multifunctional and connected space with a range of mutually compatible functions is provided where practicable;
c) Public open space and public access are considered at an early stage and form a key driver for the layout of development schemes;
d) The safety, amenity and use of public open space, access routes and green corridors (including urban wildlife corridors) is considered, and schemes are designed to encourage community integration, civic pride and access for all;
e) Where necessary, green infrastructure should be designed to mitigate for loss of foraging habitat and/or linear features used as flyways by Greater Horseshoe Bats where the features lost contribute to the integrity of the South Hams SAC; and
f) Maintain existing and contribute to new tree planting and woodland creation.

Existing and proposed green infrastructure, including country parks, the strategic footpath network and the South West Coast Path, will be protected and managed to safeguard the asset. Developments will be required to make contributions proportionate to their scale for the protection, management and improvement of green infrastructure. Existing and new Geopark Access Hubs will be supported.

New Country Parks are proposed in the following locations:

1. Maidencombe, Torquay
2. Great Parks, Paignton

A new Countryside Access and Enhancement Scheme will be delivered at:

3. White Rock, Paignton

The Council will work with landowners and the community to secure green infrastructure links between Great Parks, Collaton St Mary and White Rock.

Explanation:

4.4.11 Green infrastructure is a network of multi-functional, accessible green spaces which provide multiple economic, quality of life and environmental benefits for the local community. It can include parks, gardens, woodlands, allotments, footpaths, coast and the sea.

4.4.12 The importance of the landscape, biodiversity and public access to green space has been recognised since the Victorian era. In recent times the health and community cohesion benefits of a network of rural and urban green elements have also been acknowledged.

4.4.13 Green infrastructure is a fundamental part of sustainable development and the Local Plan is committed to ensuring that new development protects and enhances a network that is vital to the future of Torbay. Paragraphs 69-70 of the NPPF set out a requirement for a range of green infrastructure elements, in order to foster the development of healthy and inclusive communities.

4.4.14 There is a variety of natural features that provide multiple benefits including urban green spaces and corridors, trees, ancient woodland, nature reserves, water courses and water bodies. The Council will seek to protect and improve these features because of their biodiversity and wildlife value, ability to generate green goods and services, and their contribution to human health and wellbeing. This includes activities such as climate regulation, water purification and flood risk management.

4.4.15 Green infrastructure objectives will be seen as a critical part of the considerations embedded at the start of any development project. The Council will work with key partners such as the Torbay Coast and Countryside Trust and Natural England, together with the wider South Devon Green Infrastructure Partnership, to improve Torbay's rich terrestrial and marine environments. This takes a network approach going beyond looking at individual sites to the bigger picture, including the links between spaces, the multiple purposes they can have and wider environmental benefits.

4.4.16 As a result, there are also green infrastructure links with neighbouring authorities, such as the Aller Valley green infrastructure and cycle links (Teignbridge District Council), and enhanced access to and within the Yalberton Valley and Kingswear Peninsular (South Hams District Council). The Recreational Impacts on Berry Head Study (2014) has indicated that development within 5km of Berry Head (broadly equivalent to SDB1 Brixham Peninsula) could place additional pressure on this component of the South Hams SAC. It has identified measures needed to be carried out to enhance the management and durability of Berry Head (See Policy NC1).

4.4.17 Because green infrastructure supports a wide range of activities and functions that are vital for society to function effectively, it will be considered as having the same weight as traditional 'grey' infrastructure such as roads, utilities and flood defences.

4.4.18 Existing and proposed green infrastructure assets are identified in the Torbay Green Infrastructure Delivery Plan (2011), including country parks and geopark access hubs. There are existing Country Parks at Cockington (Torquay), Occombe (Paignton) and Berry Head (Brixham). Due to the incidence of numerous overlapping Local Plan Policies within the Berry Head Country Park, the Key to the Policies Map shows a 'Berry Head Special Area'. This is not

a policy designation; it is shown for mapping purposes only in order to clarify the range of designations lying within it (see also Policy SDB1).

4.4.19 There are existing Geopark Access Hubs at Kents Cavern (Torquay), Occombe (Paignton), Goodrington (Paignton) and Berry Head (Brixham). Opportunities for further such Hubs will be explored at Maidencombe, Watcombe, Cockington, Great Parks, Yalberton Valley, White Rock, Lupton (Churston) and Sharkham. Additional Country Parks are to be delivered at Maidencombe and Great Parks, the latter adjoining and as part of new housing development. A Countryside Access and Enhancement Scheme will be delivered as part of new development at White Rock. Further similar opportunities may be available elsewhere, particularly as part of proposals coming forward within Strategic Delivery Areas. The Torbay Green Infrastructure Delivery Plan (2011), along with the neighbourhood planning process, will empower communities to identify key priorities for green infrastructure development over the next 20 years.

4.4.20 Country parks and other green infrastructure are often of historic importance, particularly Cockington (Torquay) and Berry Head (Brixham). Policy SS9 is relevant to the consideration of these historic assets

4.4.21 Consideration of green infrastructure matters should be a coordinated, cross-disciplinary approach to evaluating impacts and mitigation/compensation measures. Further advice about good practice can be obtained from Torbay Coast and Countryside Trust.



Policy SS10 Conservation and the historic environment

Development will be required to sustain and enhance those monuments, buildings, areas, walls and other features which make an important contribution to Torbay's built and natural setting and heritage, for their own merits and their wider role in the character and setting of the Bay. This includes all designated and undesignated heritage assets, including scheduled monuments, historic buildings (both nationally listed and of local importance), registered historic parks and gardens, conservation areas, and archaeological remains.

All heritage assets will be conserved, proportionate to their importance. In particular approval of a scheme causing substantial harm to, or loss of, a Grade II listed building, park or garden will be exceptional. Substantial harm to or loss of designated assets of the highest significance, notably scheduled monuments, Grade I and II* listed buildings and Grade I and II* registered parks and gardens will be wholly exceptional.

Proposals that may affect heritage assets will be assessed on the following criteria:

1. The impact on listed and historic buildings, and their settings;

2. The need to encourage appropriate adaptations and new uses;

3. The need to conserve and enhance the distinctive character and appearance of Torbay's conservation areas, while allowing sympathetic development within them;

4. The importance of protecting and promoting the assessment and evaluation of Torbay's ancient monuments and archaeological remains and their settings, including the interpretation and publication of archaeological investigations;

5. The safeguarding of the character and setting of Torbay's historic parks and gardens;

6. The impact on vistas and views of Torbay's historic features and areas which form part of the visual and tourist appeal of Torbay;

7. Whether the impact of development, alteration or loss is necessary in order to deliver demonstrable public benefits, taking into account the significance of the heritage asset. The more important the heritage asset, the greater the benefits that will be needed to justify approval; and

8. Whether new development contributes to the local character and distinctiveness of the area, particularly through a high quality of design, use of appropriate materials, or removal of deleterious features.

Proposals that enhance heritage assets or their setting will be supported, subject to other Local Plan Policies.

Explanation:

4.4.22 Torbay has a rich and varied history, which has helped create a high quality built environment in which to live, work and visit. The relationship with the sea has helped shape Torbay's built form. Its history is evidenced by a wide range of historic features, including Palaeolithic sites and finds of international importance such as Kents Cavern, Bronze and Iron Age field systems in St. Marychurch, mediaeval manors that remain the basis of settlement patterns, the best preserved monastic remains in Devon, and Napoleonic and Second World War fortifications in Brixham. Paignton boasts what is thought to be the oldest purpose-built cinema in Europe, which is a significant heritage asset. The Council will keep under review the need both for amendment to existing Conservation Area boundaries and for the designation of new Areas.

4.4.23 During the 19th Century, the main settlements in Torbay expanded in a very different way from previously. The arrival of the railway and development of tourism, combined with the close relationship with the coastal strip, the sea and buildings, resulted in the creation of a recognisable and unique locale: the English Riviera. This was and remains strongly influenced by an Italianate aesthetic, especially characterised by large ornamented villas set in landscaped grounds.

4.4.24 The integration of Torbay's heritage assets with modern development forms an important part of the maintenance and development of Torbay's unique character. Urban renewal, regeneration, and preservation of the historic environment can give rise to competing pressures. Careful development management is essential to ensure heritage assets and key features are conserved, while ensuring good quality development which contributes to the community good.

4.4.25 The historic environment is important not just for its own sake. It adds value to regeneration and has been a major draw in attracting visitors to the Bay and acting as a stimulus to economic and tourist activities. It is also a source of demonstrable local pride as well as a valuable educational and aesthetic resource.

4.4.26 Conservation areas are designated under conservation legislation, currently the Planning (Listed Buildings and Conservation Areas) Act 1990. Torbay has 24 Conservation Areas as set out, for information, in Appendix E and indicated on the Policies Map. Section 72 of this legislation sets out a duty in conservation areas to pay "special attention to the desirability of preserving or enhancing the character or appearance of the area".

4.4.27 The Planning (Listed Buildings and Conservation Areas) Act 1990 also provides special protection to listed buildings, and consent is required to make alterations or demolitions to the building, including internal features and features within the curtilage built before 1948. Torbay has over 890 entries in the National Heritage List for England (NHLE), comprising over 1,000 structures and buildings. Of these, 6 are Grade I and 30 Grade II*, comprising nearly 60 structures and buildings.

4.4.28 Torbay also has six parks and gardens which are listed in the National Register of Parks and Gardens of Historic Interest. The Register is intended to ensure that their historic value is taken into account when considering development proposals. Torbay's parks and gardens listed in the National Register are listed below. All are Grade II apart from Lupton, which is Grade II*.

1. Watcombe (Brunel) Park, Torquay
2. Barton Road Cemetery, Torquay
3. Castle Tor, Torquay
4. Princess Gardens and Royal Terrace Gardens, Torquay
5. Oldway Mansion, Paignton
6. Lupton Park, Brixham

4.4.29 A small number of historic buildings or sites have special protection as Scheduled Monuments, which are considered to be of national importance. They are protected under the Ancient Monuments and Archaeological Areas Act 1979. Works to or near Scheduled Monuments are controlled by Historic England. It is this body that authorises scheduled monument consents, rather than the local authority. Torbay contains 13 Scheduled Monuments and these are listed in Appendix E 'Conservation Areas and Scheduled Monuments'.

4.4.30 Policy SS10 seeks to ensure that heritage assets are safeguarded for the future, and where possible enhanced both for their own merits and as part of regeneration projects. It is also sufficiently flexible to ensure that any harm to the significance of a historic asset can be weighed against the wider benefits of an application, for example social, economic and environmental enhancement. This approach is consistent with the objectives of Historic England Advice Note 3 'The Historic Environment and Site Allocations in Local Plans'. An objective Statement of Historic Significance will be required in support of an application that has a potential impact on historic assets. This should be proportionate to the scale of the proposal, but is particularly relevant to applications affecting listed buildings.

4.4.31 Once heritage assets have been lost, they cannot be replaced, while their significance can be eroded through unsympathetic alteration or development within their setting. The Council will expect reasonable efforts to be made to find a viable use for a heritage asset in order to conserve its significance.

4.4.32 Historic Landscape Characterisation, Conservation Area Character Appraisals, the Torbay Historic Environment Record (HER) and the Torbay Heritage Strategy will be used to further inform and understand the contribution that designated and undesignated heritage assets make to Torbay's history, character and communities.

4.4.33 The Torbay Heritage Strategy was adopted in 2011. Its purpose is:

- to develop a strategy that will help maintain the local and community identity;
- to be mindful and respectful of the things that make Torbay a special place;
- to contribute to the quality of life for residents and the community;
- to initiate conservation-led regeneration to maintain geographical and historical character;
- to restore original and sentimental character to heritage assets; and
- to encourage an already thriving tourist economy.

4.4.34 Policies SS8 and C4 are relevant to natural features and naturalised man-made features (such as hedgerows or historic ruins) of historic and landscape significance.

4.4.35 In considering proposals that may affect historic assets or their setting, regard should be had to the ambitions of the Torbay Connected project to improve the legibility and enjoyment of buildings and spaces by showcasing cultural, geological and social heritage. This project arose out of plans to create a new creative hub at

Cockington Court and to strengthen the links with surrounding cultural facilities. The project has been taken Torbay-wide and is focussed on creating legible places that are distinctive, memorable and enjoyable to move around. This can be achieved by creative interventions in the design of buildings and spaces to promote Torbay's rich cultural, geological and social heritage. The existing hierarchy of buildings and public spaces provides a starting point in identifying sites that have the greatest influence on legibility and connectivity. Developers of sites that are likely to assist the delivery of Torbay Connected's aims will be encouraged to engage with the Council at an early stage in the scheme design to explore the possible ways of improving legibility and achieving strong place-making.

4.4.36 In determining planning proposals, the Council will seek to achieve improvements to the built and historic environment, and will seek to support proposals that enhance these. Regard will be had to the need to find uses for historic buildings that may now be less suitable for their current purpose. The use of traditional materials will be sought for all development and refurbishment proposals where it is appropriate to do so, including those materials that are locally sourced.

4.4.37 There are instances where removal of unsightly later additions to historic buildings will be sought when negotiating the change of use of buildings. Policy TO2 sets out criteria for considering proposed change of use of holiday accommodation, and seeks the removal of unsightly later 20th Century additions to historic buildings, which were only deemed acceptable to support tourism.

4.4.38 The Torbay Urban Design Guide Supplementary Planning Document was adopted in 2007. The SPD is subject to review but will continue to be used to inform decisions on development proposals in support of Policy DE1. In addition, the Conservation Area Appraisals and Torbay Streetscape Guidelines provide relevant advice on historic environment related matters. These include support for heritage-led regeneration, promoting greater understanding of the significance of the historic environment, sensitive adaption and the re-use of existing fabric and its contribution to delivering sustainable development.



4.5 Aspiration 4: Create more sustainable communities and better places

Introduction

4.5.1 Torbay's Community Plan (2011) aims to unlock Torbay's potential and drive forward its economic prosperity to give us prosperous communities with a higher quality of life and improved access to jobs. Development has a profound influence on quality of life and harnessing growth will help secure a long-term sustainable future for the Bay and its communities.

4.5.2 Development should help improve communities, reduce disadvantage and promote personal well-being. The physical and natural environment will help to deliver positive impacts on public health, community safety and local environmental quality. The design of new development and public spaces will improve people's living environment and the appeal of the Bay as a destination. Good access to recreation, leisure facilities and nature, good environmental quality and safe and secure public spaces are vital ingredients in providing an attractive place for residents, workers and visitors. Development should also provide a range of community infrastructure to enhance education, life-long learning and healthcare facilities.

4.5.3 Torbay has significant concentrations of deprivation. These are focused in the Tormohun, Ellacombe, Roundham with Hyde and Watcombe Wards. There are also pockets of deprivation and poverty in Blatchcombe and St. Mary's with Summercombe. In addition, around 9,600 people are in private rented accommodation funded by housing benefit. That accommodation is often of poor quality, the least energy-efficient, and occupied by young and vulnerable people.

4.5.4 Health indicators for Torbay show a mixed pattern strongly related to demographics and levels of deprivation. Overall, average life expectancy in Torbay is in line with national figures but at a Ward level, there is a difference as large as 7 years for both males and females between the most prosperous and most disadvantaged Wards.

Sustainable development

4.5.5 It is important that the Local Plan provides a strategy for success. New housing is a key element in this. Having a decent home is one of the most fundamental considerations that affect quality of life. A strong and balanced local housing stock is essential to the prosperity of the area.

4.5.6 There is also a need to link new housing to measures to improve the Bay's economic prosperity, to regenerate Torbay, to stem an oversupply of small apartments and provide more family housing. All this needs to happen at a time of austerity where public funding and development viability are at a premium.

4.5.7 The Local Plan looks to enhance the best of Torbay's natural environment. Historically Torbay has been good at re-using brownfield land. That trend will continue, with a strong emphasis on making best use of urban land and buildings. However, brownfield sites do not release significant funding for much needed infrastructure.

4.5.8 Some development on greenfield sites is inevitable, not least because Torbay does not have enough brownfield sites, and one side of Torbay is sea. Only the least sensitive

greenfield sites will be used, with community support, where they make a substantial contribution to economic recovery in the Bay and the provision of family homes.

NPPF housing requirements

4.5.9 The NPPF (Paragraph 47) requires Local Plans to meet the objectively assessed needs for market and affordable housing in the housing market area as far as is consistent with the policies set out in the Framework. Within this, a rolling 5 year supply of deliverable sites must be maintained, with a longer term trajectory of at least 15 years plus.

4.5.10 Paragraph 159 of the NPPF requires planning authorities to carry out assessments of housing need and demand. They should carry out Strategic Housing Land Availability Assessment (SHLAA) to establish realistic assumptions about the availability, suitability and likely economic viability of land to meet the identified need over the Plan period.

Evidence of requirements

4.5.11 Torbay's housing market area closely follows the Unitary Authority boundary, although population growth is primarily driven by inward migration.

4.5.12 Evidence of Torbay's housing need and demand will be kept under review, particularly as population and household projections are regularly refreshed (see Section 7.5). The current evidence is set out in:

- The most recent demographic data, currently the 2012-based ONS Population Projections (May 2014) and the 2012-based DCLG household projections (February 2015).
- Torbay Housing Requirements Report (2013). This looks at demographic, economic and need-based requirements. It concludes that 12,300 homes are required between 2012-32 if Torbay experiences economic success. If economic recovery and growth does not occur, the housing requirement is estimated to be around 8,500 homes.
- Exeter and Torbay Housing Market Assessment (SHMA), Torbay Update (2011). This identifies a need for 820 dwellings per year, around 60% of which should be affordable. It notes that the demand for market housing will decrease if migration rates fall.

4.5.13 The 2011 Census reported Torbay's population as 130,959 within 59,010 households. The 2012 household projections (released February 2015) project an increase of 7,550 households between 2012-2030, equal to about 420 per year. The 2012-based population projections (published May 2014) indicate a population increase of 9,900 people between 2012-30, which is a third lower than the 2011-based figure. Analysis of the projections shows that they are dependent upon high migration rates.

4.5.14 Within this picture there are several other factors that are of relevance:

- Population growth (due to inwards migration) accounts for 85% of growth in households in Torbay. About 10% of household growth is due to falling household size (sometimes called 'headship' or formation rates) and about 5% is due to other factors;
- Torbay, along with neighbouring Devon authorities, has a population growth driven by inward migration from elsewhere in the country. Local deaths have outstripped births so the local population would naturally fall without migration. ONS projections have been adjusted downwards over the past 10 years;

- Ageing population: about 24% of Torbay's population is aged 65+, which is projected to rise to 28% by 2021. However, the number of people aged 75+ actually fell between 2001 and 2011;
- Household sizes did not fall between 2001-11, but may fall in the future, although any fall is likely to be less fast than predicted in the mid Twenty Zeros. A fall to 2.07 persons per household in 2032 (from 2.17 at the 2011 Census) would generate a home grown need for about 3,000 additional homes;
- 34% of households in Torbay contain only one person. However, the English Housing Conditions Survey 2013 indicates that 49% of owner-occupiers choose to under occupy (i.e. have 2 or more spare bedrooms);
- Migration rates fluctuate significantly, with some evidence of a fall in recent years. The average net in-migration was 1,216 per year between 1991-2010, but only 400 per year 2007-2010; and
- Birth rates have risen significantly in the last decade. Average live births 2008-2011 were 1,441 per year compared to 1205 per year in 2001-2003. However, deaths in Torbay still outnumber births by approximately 5:4.

Land availability

4.5.15 Torbay's evidence of housing land availability is set out in the Strategic Housing Land Availability Assessment (2013). This refreshes the 2008 SHLAA carried out by Baker Associates.

4.5.16 The SHLAA refresh identifies a maximum capacity of 11,200 dwellings between 2012-2032. The Council and Neighbourhood Forums have used the SHLAA as evidence base for plan-making. The Council assess that the SHLAA's capacity is unlikely to be delivered in its entirety during the Plan period. This is due to a number of factors including:

- Constrained market rates of delivery, especially in the early part of the Plan Period;
- Landscape, Habitats Directive and infrastructure constraints on greenfield sites;
- Impact on town centre viability from excessive loss of car parks; and
- Danger of exacerbating urban deprivation by creating too many small apartments in inner-urban Wards.

4.5.17 The Council's assessment is that around 9,200 dwellings are developable within 20 years and about 7,500 in 15 years. Allowing for an element of non-completion this makes a range of between 8,000-10,000 homes over 20 years to be a positive but realistic figure.

Making better use of what we've got

4.5.18 The Council is also seeking to increase the supply of housing by bringing around 150 empty homes a year back into use, for the first 5 years of the Plan and thereafter, assuming that there remains a stock of empty homes. Although this would not usually require planning permission, the Council will consider whether there is a need for Local Development Orders, for example to make it easier to provide extensions or refurbishment works to out-dated accommodation, particularly where this would improve energy efficiency. Where bringing empty homes back into use would aid the supply of affordable housing, affordable housing contributions may be targeted towards meeting the 150 dwellings a year target.

4.5.19 Torbay has historically achieved a high rate of windfall development, and there is a

significant stock of small sites identified in the SHLAA where development could arise. Evidence indicates that housing supply of around 130 new homes per annum can be delivered on small sites (accommodating 5 or fewer net new homes) over the Plan period.

4.5.20 There is likely to be scope to provide spaceless housing growth by the conversion of commercial buildings and, for example, a careful reduction of secondary retail areas in town centres, working closely with Neighbourhood Forums to secure the right solutions. Care will be needed to ensure that the supply of viable business premises is not undermined, and that conversions do not perpetuate the supply of poor quality accommodation. Based on evidence in the SHLAA and annual monitoring, it is intended to provide around 50% of new housing on brownfield sites.

Phasing of new housing development

4.5.21 A number of significant sites have already reached an advanced stage in the planning process. They have been the subject of Sustainability Appraisal to ensure that it is appropriate to identify them in the Local Plan. These are identified as committed sites in this Plan and help meet housing demand over the first 5 years, at least, of the Plan period. These include Scotts Meadow and Hollicombe in Torquay, and Great Parks, Yalberton and White Rock in Paignton. These



sites, in additional to small sites, brownfield sites and windfall sites will meet demand for new homes in Torbay for around 10 years, i.e. the first two phases of the Plan period. Masterplans have been adopted as SPDs for Torquay and Paignton Town Centres, to help define delivery of new homes.

4.5.22 The Local Plan also identifies Future Growth Areas within the Strategic Delivery Areas, which are identified in Policy H1 and shown as broad locations on the Policies Map. The Local Plan indicates broad quantums of development (homes and employment floorspace), and green and physical infrastructure that these Areas are expected to accommodate. Masterplans have also been adopted as SPDs for Torquay Gateway and Collaton St. Mary to help create more sustainable communities, to ensure that they are well-planned and provide an appropriate range of infrastructure, and to help define timing of development. The Council will work with Neighbourhood Forums and other stakeholders to bring forward sustainable development in these areas. The Neighbourhood Planning process is an important tool through which such areas will be delivered.

4.5.23 Because of the need to provide or upgrade strategic infrastructure, the proposed Future Growth Areas are expected to be developed towards the latter part (post year 10) of the Plan period.

4.5.24 The Local Plan seeks to maximise the provision of affordable housing and has a tapered threshold for greenfield sites. This is set out in Policy H2 in Section 6.4.1. Where there is a demand for self-build housing, including that identified through Neighbourhood Plans or their evidence base, an element of self-build plots will be sought from development in accordance with Policy H3.

4.5.25 The delivery of homes will be monitored throughout the Plan period. This will be compared to ongoing evidence of need, infrastructure provision and economic performance. This may trigger a review of the number of homes required either upwards or downwards.

4.5.26 The distribution of new homes is set out in the Strategic Development Policies (SDT1, SDP1, SDB1). The expected approximate housing land supply over 20 years, and possibly beyond, is set out in Table 3 accompanying Policy SS12 below.

Policy SS11 Sustainable communities

Development will be assessed against its contribution to improving the sustainability of existing and new communities within Torbay, and especially the way in which it closes the gap between the most and least disadvantaged neighbourhoods. Development must help to create cohesive communities within a high quality built and natural environment where people want to live and work.

Proposals that regenerate or lead to the improvement of social, economic or environmental conditions in Torbay, and particularly within Community Investment Areas, will be supported in principle.

Development proposals will be assessed according to whether they achieve the following criteria, insofar as they are relevant and proportionate to the development:

1. Meet the needs of residents and enhance their quality of life;

2. Help to close the gap between the most and least disadvantaged people and neighbourhoods in Torbay;

3. Help to develop a sense of place and local identity;

4. Promote social inclusion, and seek to eliminate exclusion based on access to housing, health, education, recreation or other facilities;

5. Help to reduce and prevent crime and the fear of crime whilst designing out opportunities for crime, antisocial behaviour, disorder and community conflict;

6. Support local food production and consumption;

7. Create a well connected, accessible and safe community;

8. Contribute to the success of the local labour market by improving provision of and/or access to jobs and widening the pool of available labour;

9. Protect and enhance the local natural and built environment, where appropriate through planning contributions;

10. Deliver development of an appropriate type, scale, quality, mix and density in relation to its location;

11. Contribute towards any additional educational or training needs including the promotion and negotiation of local labour training arrangements, placements and apprenticeship schemes, and by promoting the provision of local employment space, in order to tackle worklessness;

12. Enable people to have access to local services to meet their day-to-day needs including open spaces, community halls (or rooms), play areas, leisure and recreation facilities and allotments; and

13. Provide a good standard of residential accommodation, by seeking to retain small to medium sized homes (2–4 bedrooms) and resisting change of use of these homes to HMOs and small self-contained flats. This applies especially in Community Investment Areas, identified on the Policies Map, and other areas with significant living environment deprivation.

Explanation:

4.5.27 Sustainable communities are places where people want to live, work and relax. They meet the diverse needs of existing and future residents, are sensitive to their environment, and contribute to a high quality of life. They are safe and inclusive, well planned, built and run, and offer equality of opportunity and good services for all. Buildings, open spaces and landscape all contribute to the character of the area and need to be considered as part of future development and to connect with established communities.

4.5.28 Good quality sustainable communities and neighbourhoods will have good access to employment and housing. Measures will be put in place to safeguard and improve the provision of facilities, such as those for health, education, social interaction, sport, recreation and transport, as well as services such as crematoria and cemeteries. The Council will help to address identified gaps in provision by the development of new facilities where levels of demand show this to be necessary.

4.5.29 Torbay Council, South Devon NHS Healthcare Foundation Trust and other partners are working together to narrow the gaps that exist between the least and most disadvantaged communities in the Bay. The Closing the Gap Project seeks to help address the inequalities in health, opportunity, well-being, achievement and ultimately life expectancy.

4.5.30 Health, well-being and the built environment are inextricably linked. Where new development occurs it is therefore important that the implications of the proposals upon the health and the well-being of the affected communities are considered. Health and well-being is clearly enhanced by attractive and inspiring environments, which offer a chance to make contact with nature.

4.5.31 Planning should create safe and accessible environments where crime and the fear of crime do not undermine quality of life or community cohesion (NPPF Paragraph 58 refers). The Police Architectural Liaison Officer (ALO) will provide advice and recommendations on designing out opportunities for crime, disorder, antisocial behaviour and community conflict in the built environment. In addition to design, the location and management of development are relevant. In appropriate cases, the Council will work with the Police ALO to assess the potential crime impact of development and, where impacts can be mitigated, the necessary management or mitigation measures (see also Policies TC5 'Evening and night time economy' and DE1 'Design').

4.5.32 Torbay, like many seaside resorts, is characterised by deep pockets of urban deprivation, which often exist close to more affluent areas. The Local Plan identifies Community Investment Areas as areas experiencing significant deprivation. Community Investment Areas are those locations (Super Output Areas - SOAs) which are indicated in the 2010 Indices of Multiple Deprivation as being within the 20% most deprived SOAs in England (accounting for 24,700 people).

4.5.33 These are clustered around:

- Hele and Watcombe, Torquay;
- Torquay central area;
- Paignton central area;
- Foxhole and Queen Elizabeth Drive, Paignton.

4.5.34 It is noted that the 2015 Indices of Deprivation indicate more widespread deprivation particularly in Torquay and Paignton Town Centres, Blatchcombe and Brixham Town Centre. The 2015 Indices

indicated 15 SOAs in the 10% most deprived and 20 within the 20% most deprived. Regard will be had to these revised areas where they are indicative of poor quality housing (living environment deprivation) or related matters.

4.5.35 The Plan supports investment in Community Investment Areas, and other areas which experience deprivation and related social issues. The Plan seeks to promote investment in such areas to provide new homes or mixed use schemes that help to achieve more balanced communities by delivering a mix of employment, family housing, healthcare, childcare, education and local centre facilities (see also Policy H1). In these areas the requirement to provide affordable housing on site may be relaxed, but commuted payments will be sought to support, alongside other funding streams such as Green Deal, the refurbishment and retrofitting of existing properties. The aim is to secure a better standard of accommodation, improved energy efficiency, renewable energy provision and improved public space.

4.5.36 Because Community Investment Areas are usually established built-up areas, the scope for new greenfield development within them is likely to be relatively limited. In appropriate circumstances, developer contributions from other areas may be pooled to support refurbishment, bringing vacant property into use or other environmental improvements, in Community Investment Areas. The Council and TDA are seeking to bring at least 150 vacant dwellings per annum back into use, which has multiple benefits of regenerating areas, providing affordable housing and building local skills through social enterprise.

4.5.37 The Council will use Local Development Orders, Article 4 Directions and Compulsory Purchase powers to help deliver comprehensive urban renewal schemes and the ambitions of this Policy.

Policy SS12 Housing

In accordance with Policy SS1, provision will be made for 8,900 new homes over the Plan period or beyond, so long as these can be provided without harm to the economy or environment, including sites protected under European legislation.

Housing provision will focus upon a sustainable pattern of distribution throughout the Bay, with an emphasis upon the regeneration of brownfield sites and town centre sites, and development of urban sites. Mixed use developments with an appropriate range of dwellings to meet current and future needs will be sought where appropriate. Provision will be made for affordable housing.

Major new housing schemes will be brought forward via partnership between landowners, developers, the community and Council, utilising Neighbourhood Plans, in accordance with the broad numbers set out in Table 3, Policies SDT1 'Torquay', SDP1 'Paignton' and SDB1 'Brixham'. Development within the Brixham Peninsula (Policy SDB1) should have regard to Policy NC1 concerning the need for developer contributions to mitigate the impact of increased recreational pressure on the South Hams SAC.

The overall provision of homes will be carefully monitored to ensure that it is provided in a sustainable manner, and maintains a rolling five year supply of deliverable sites in accordance with Policy SS13. Where there is evidence that there is a need to bring forward additional housing beyond the figure above, appropriate locations will be identified through cross-boundary review of strategic housing land availability.

Table 3 Source of new homes (rounded to nearest 5 dwellings)

Location	Approx numbers of new homes
Torquay (SDT 1)	
SDT2 Torquay Town Centre & Harbour	825
SDT3 Torquay Gateway	745
SDT4 Babbacombe and St.Marychurch	255
Elsewhere in SDT1 (excluding SDT2, 3 & 4)	1090
Small windfalls (<6 dwellings)	1040
Torquay sub-total	3955
Paignton (SDP1)	
SDP2 Paignton Town Centre and Seafront	590
SDP3 Paignton North and Western Area	2250
SDP4 Clennon Valley	N/A
Elsewhere in SDP1 (excluding SDP2, 3 & 4)	650
Small windfalls (<6 dwellings)	795
Paignton sub-total	4285
Brixham Peninsula (SDB1)	
SDB2 Brixham Town Centre and Waterfront	65
SDB3.1 & SDB3.2 Brixham Urban Fringe and AONB	260
Elsewhere within SDB1 (excluding SDB2, 3.1 & 3.2)	230
Small windfalls (<6 dwellings)	235
Peninsula sub-total	790
Total	**9035**

Explanation:

4.5.38 Evidence of housing need and demand is set out in the Strategic Housing Market Assessment (2013) and Torbay Housing Requirement Report (2013). The Strategic Housing Land Availability Assessment sets out a range of available sites, with options for increasing housing supply. The Council believes that the delivery of around 8,000-10,000 new homes is a good and reasonable balance of the need for new homes, economic growth, and environmental and infrastructure capacity limits. This figure meets the demographically implied provision in the 2012-based population projections and household projections derived from them, with an allowance for economic prosperity and meeting a backlog of need from hidden households. This figure will need to be reviewed and adjusted for changes in migration rates, household size and economic performance (and concomitant housing demand) as part of a major review of the Plan which will take place on a 5 yearly basis.

4.5.39 The Council will also keep vacant properties under review. Short-term vacancies will arise because of market churn (for example, dwellings being vacant between moves or whilst being refurbished) and should be added to housing requirements. Conversely long-term vacant dwellings (for longer than 6 months) represent a wasted resource that the Council is seeking to bring back into occupation (see Paragraph 4.5.18), and can be used to meet need. Current evidence indicates that the number of short and long-term vacant dwellings are roughly the same in Torbay (917 short-term and 1047 long-term in Autumn 2014), and therefore largely cancel each other out.

4.5.40 The Local Plan's housing target would meet the requirement as measured by the 2011-based (2013) DCLG Household Projections, which would equate to 8,800 dwellings if extrapolated to 2031. The figure will need to be reviewed through monitoring, and adjusted for changes in migration rates, household size and economic performance.

4.5.41 The Council has identified sufficient development land for at least 5 years. These, and urban sites identified by Neighbourhood Plans, are expected to provide housing supply for the next 10 years or more. Committed and other deliverable housing sites are shown on the Policies Map for information, together with potential development sites for consideration in the three Neighbourhood Plans (see also Appendix C). Strategic Delivery Areas are expected to provide longer-term growth, as set out in Policies SS1 and SDT1 to SDT3, SDP1 to SDP3, and SDB1 to SDB3 which set out a range of place-making requirements to ensure they are developed as sustainable communities.

4.5.42 Development in Torbay is nearing the area's total capacity. A cross-boundary review of strategic housing land availability will be undertaken as part of a longer-term assessment of growth options, particularly if there is evidence of significant employment growth, which would generate a demand for additional housing. The 2012-based DCLG Household Projections indicate 7,550 additional households in Torbay between 2012-30. These figures are not based upon short-term migration trends but assume that inwards migration will return to pre-2008 levels later in the Plan period. This strongly implies that economic success is built into the household projections. Therefore it is not expected that there will there be a jobs-generated housing demand above the Local Plan level for at least the first 15 years of the Plan (i.e. before the late 2020s), and possibly later.

4.5.43 Policy H2 sets out the Council's requirements for affordable housing, and Policy H3 supports the delivery of self-build housing.

Policy SS13 Five year housing land supply

The Council will maintain a rolling 5 year supply of specific deliverable sites sufficient to meet a housing trajectory of 8,900 dwellings over the Plan period 2012-30, including an allowance for windfall sites. The trajectory is:

400 dwellings per year for the period 2012/13 - 2016/17
495 dwellings per year for the period 2017/18 - 2021/22
555 dwellings per year for the period 2022/23 - 2029-30

New housing will be monitored to ensure that it is matched by the provision of infrastructure, particularly that which would support job creation. The 5 year supply of housing land will be updated annually as part of the Council's Housing Land Monitor.

Monitoring within the five year period

Sites comprising the Council's 5 year supply will be published annually as part of the Authority Monitoring Report.

Housing completions and permissions will be monitored on an annual basis to ensure that a rolling supply of deliverable sites sufficient to meet the five year requirement, and meet any shortfall within five years, is maintained (see Appendix C).

Where the supply of specific deliverable sites (plus windfall allowance) falls below this figure, or Neighbourhood Plans do not identify sufficient sites to meet Local Plan requirements in years 6-10 of the housing trajectory, the Council will either:

1. Bring forward additional housing land from later stages of the Plan, working closely with land owners, developers and Neighbourhood Forums; or

2. Identify additional sites through new site allocation development plan documents; or

3 Consider favourably applications for new housing, consistent with Policy SS2, H1 and other Policies of this Plan.

New housing leading to the 5 year supply figure being exceeded will be permitted where:

i. The proposal would bring social, regeneration or employment benefits, including through the provision or funding of infrastructure;

ii. The proposal would not lead to serious infrastructure shortfalls; and

iii. The proposal is consistent with other Policies in the Local Plan.

Five year review of the Local Plan

The Local Plan will be reviewed on a five year basis from adoption, and the housing trajectory adjusted if assessed by the Council to be necessary to meet objectively assessed needs. Further details of criteria to be considered at the five year review are set out at Section 7.5.

An early review of the Local Plan's housing trajectory will be triggered where there is evidence of a potential imbalance between jobs and homes.

Explanation:

4.5.44 The NPPF requires councils to maintain a 5 year (+5%) supply of housing land against their housing requirement as the first phase of a 15 year land trajectory. To be deliverable, sites must be available now, in a suitable location and have a realistic prospect of housing being delivered within 5 years - in particular, the site should be viable. A range of sites that are deliverable, taking into account likely build rates and constraints, will be set out on a yearly basis in the Council's Annual Housing Monitor.

4.5.45 There is currently (February 2016) sufficient housing land with planning permission to meet five years supply (+5%). The supply of committed sites will be monitored to ensure that they are reasonably deliverable within 5 years in terms of viability, demand or infrastructure phasing. The updated 5 year supply position will be published in the Council's Annual Housing Land Monitor and Authority's Monitoring Report.

4.5.46 The NPPF indicates that windfalls may be counted as part of the 5 year trajectory where there is evidence that such sites have consistently become available and will continue to come forward. Torbay treats windfalls in this context as sites of 5 or fewer units, although in practice larger windfalls may also come forward. The SHLAA (2013) indicates that an average of 130 dwellings per annum can be expected from windfall sites, based on evidence of past windfalls and stock of known small sites that may come forward. Although the creation of conversions to small flats will be resisted, there remains a heavy emphasis on use of brownfield land and it is therefore reasonable to expect that windfalls will continue to arise. Further details are set out in the SHLAA.

4.5.47 It is important that the provision of new homes keeps pace with the likely provision of jobs and that a shortage of homes does not impede job creation or deter inward investment. On this basis, the ongoing relationship between new homes and jobs will be reviewed on a yearly basis. If evidence suggests that a shortage of homes is in danger of curtailing growth, additional land will be identified through a Local Plan review. Examples of evidence that could trigger this review include:

- An increase of more than 275 net new Full Time Equivalent (FTE) jobs per annum for two consecutive years (based on Business Register and Employment Survey (BRES) data);
- Economic projections showing an increase in FTE jobs of more than 275 FTE per year sustained over a five year period;
- Population projections or mid year estimates indicate an increase of working age population (aged18-65) of more than 275 people per year over a five year period;
- Evidence of market signals (as set out in National Planning Practice Guidance)

indicating a high level of unmet demand for housing.

4.5.48 Where monitoring indicates a danger of a shortfall against the 5 year supply or overall trajectory, action to identify additional sites will commence in the first year of a shortfall being identified, to ensure that a rolling five year supply can be maintained, as set out in Policy SS12.

4.5.49 The Local Plan enables and expects Neighbourhood Plans to come forward and allocate land to assist meeting housing needs after the first five years – i.e. expected requirements from April 2017. The Local Plan identifies a pool of sites, based on a Strategic Housing Land Availability Assessment, which could provide a suitable selection of sites for development subject to further scrutiny through the neighbourhood planning process (see Appendix C). Neighbourhood Plans are at a draft stage of preparation for the Brixham, Paignton and Torquay areas which will cover the entire administrative area of Torbay. It is expected that these three Neighbourhood Plans will, drawing on the pool, allocate sufficient housing land to enable delivery of the growth strategy outlined in Policy SS1 and Table 4.

4.5.50 Over the 18 year Plan period 2012/13-2029/30 the Local Plan requires the provision of about 660 dwellings in the Brixham Peninsula area, about 3,950 in Torquay and just under 4,300 in the Paignton area. In the Local Plan's five year tranches, this equates to a minimum trajectory set out for general guidance in Table 4 below. This is a minimum trajectory intended to assist Neighbourhood Forums and ensure the maintenance of a rolling 5 year supply. It does not factor in the additional 5% buffer required by the NPPF (Paragraph 47). Tables in Section 5 of the Plan (Strategic Delivery Policies) set out where housing sites are expected to arise, and sites must not be held back simply to ration supply to the trajectory in Table 4.

Table 4 Local Plan phasing and housing trajectory (rounded to nearest 5 dwellings).

Plan Years	Financial Years	Torquay	Paignton	Brixham	Torbay
1-5	2012/13-2016/17	890	960	150	2000
6-10	2017/18-2021/22	1100	1190	180	2470
11-15	2022/23-2026/27	1230	1330	210	2770
16-18	2027/28-2029/30	740	800	120	1660
	Total	**3960**	**4280**	**660**	**8900**

4.5.51 Should Neighbourhood Plans not be 'made' (or adopted) by the Council (for example an emerging Neighbourhood Plan is found to not be in general conformity with the strategic policies of the Local Plan and/or does not pass the Examination or Referendum process) then under those circumstances the Council undertakes to produce a site allocation development plan document (DPD) to allocate land to meet housing needs later in the Plan period. Sufficient land is allocated within the Local Plan to meet housing needs during the first five years, so either Neighbourhood Plans and/or a site allocation DPD will allocate sites to contribute to providing clarity over housing supply after April 2017.

4.5.52 To deliver the second phase of the Local Plan and avoid a policy vacuum after 2017, the Council will assess the proposed

emerging Neighbourhood Plans when submitted to the Council, under Regulation 15 of The Neighbourhood Planning (General) Regulations 2012, to check that proposals endorse and implement the strategy in the Local Plan. If Neighbourhood Plans are not submitted to the Council in a form that it is in general conformity with the Local Plan by 31 March 2016, the Council will commence production of site allocation DPDs. This will be necessary in order to provide sufficient time to produce and adopt any such DPDs that may be required.

4.5.53 Where proposals are likely to result in the 5 year supply figure being exceeded, they will be supported where they would be sustainable in terms of assisting the provision of infrastructure, or providing mixed use developments that aid economic prosperity, and do not conflict with other Policies in this Plan. Where the Council's monitoring indicates that there is danger of housing supply falling below 400 dwellings per year (i.e. the pot that is realistically deliverable within 5 years falls below 2,000 homes), the Council will seek to bring forward sites from later in the Plan period or consider other ways in which supply can be maintained. For example, this might include taking a flexible approach on the requirement for affordable housing.

4.6 Aspiration 5: Respond to climate change

Introduction

4.6.1 The planning system has a key role to play in ensuring that new development during the Plan period makes a full contribution towards helping Torbay to mitigate and adapt to climate change. Responding positively to dealing with climate change should not rely on single issue solutions, such as reducing energy consumption, managing resources and waste, or promoting smarter travel choices. It is a co-ordinated strategy of actions, which reinforce each other, carried out in a holistic manner. Furthermore, delivering environmentally considered outcomes (including taking positive action on climate change) will have multiple benefits for helping to support numerous other aspirations of this Plan. This is a central thrust of effective land use planning and is fundamental to how this Plan seeks to achieve economic, social and environmental success.

4.6.2 The implementation of a Balanced Growth Strategy provides a range of opportunities for mitigating and adapting to climate change locally, as well as promoting social and economic change. In Torbay, the realisation of these opportunities will be facilitated through implementation of the policy framework set out in this Local Plan.

4.6.3 The Local Plan therefore embodies traditional environmental protection concerns, such as the protection of water courses and access to water supplies, seeking to avoid and manage risks to human health, buildings and ecosystems from uncontrolled development in flood risk areas, along the coast, or on unstable and contaminated land. It also embraces the need for urgent action to address the energy efficiency of homes and businesses and increase the use of low carbon and renewable technologies.

4.6.4 Management of waste and making the best use of mineral resources is also of major

importance. The Government Review of Waste Policy in England (2011) has emphasised that waste is a resource and defines the 'waste hierarchy' as prevention, preparing for re-use, recycling, other forms of recovery and disposing only as a last resort. The aim of sustainable waste management is to break the link between economic growth and waste generation and reduce the environmental impact of waste. The Council as a Waste Planning Authority (WPA) has had regard to this hierarchy in the preparation of this Local Plan and provides the policy framework to enable and facilitate the desired change in waste management methods. The hierarchy is capable of being a material consideration in determining individual planning applications.

4.6.5 As the Minerals Planning Authority (MPA), the Council is also required to provide a policy framework for mineral working, while contributing to the achievement of sustainable development. Policies in this Plan identify how and where minerals should be safeguarded and worked, and seek to ensure that mineral sites are managed and restored in a manner that contributes positively to the environment and the well-being of our community.

4.6.6 Over the Plan period, increasing household energy prices present one of the greatest potential risks to living standards and economic prosperity. Worsening rates of fuel poverty could endanger efforts to 'close the gap' between the best and worst off areas in Torbay. The Local Plan seeks to provide a framework for improving the resilience of communities to this threat, by promoting energy security, and to make low impact, environmentally friendly lifestyles much easier to realise.

Policy SS14 Low carbon development and adaptation to climate change

Commensurate with their scale and nature, development proposals will be required to minimise carbon emissions and the use of natural resources expected to arise during the lifetime of the development.

In particular, applications for major development will be expected to clearly demonstrate how taking a low carbon approach has influenced the design strategy for the development proposed. As a key part of delivering environmental sustainability in a holistic manner, this could typically include the consideration of construction methods and materials, design, energy, water consumption, waste management, travel planning and carbon offsetting.

Development should be designed to be appropriately resilient to the local climate, including extreme weather events, commensurate with the anticipated lifetime and use of the proposal.

In doing so, the projected effects of climate change should be fully considered as part of the design, layout, form and location of a proposed scheme. In particular, development proposals will be required to make the most of opportunities to provide resilience to climate change through:

1. Limiting the potential for summertime overheating within buildings as well as the surrounding external environment;

2. Conserving water supplies and minimising the risk and impact of flooding;

3. Avoiding responses to climate impacts which lead to increases in energy use and greenhouse gas emissions.

The Local Planning Authority will consider whether or not the proposal is resilient to climate change, in consultation with the Environment Agency, taking account of design, layout, form, location and the increase in flood risk to other properties and people.

Explanation:

4.6.7 Torbay has a small carbon footprint and is committed to its further reduction. This is set out in Torbay's Energy and Climate Change Strategy (2014), which translates locally the legally binding national targets to reduce carbon emissions by 34% by 2020, 50% by 2025 and 80% by 2050, on 1990 emission levels.

4.6.8 The NPPF recognises the importance of the planning system to help deliver radical reductions in carbon emissions. In order to achieve this, new development must make the most of opportunities to limit carbon emissions.

4.6.9 The South West Energy and Environment Group (SWEEG) has carried out research in the south west region which shows that local authorities have a crucial role to play in order for national greenhouse gas emissions reduction targets to be achieved, particularly through the influence of development via the planning system.

4.6.10 New development proposals should positively aim to minimise their associated carbon footprint both during construction and in use. This will help Torbay play its global role in limiting climate change. However, in doing so, the opportunities to also locally promote energy security and reduce fuel poverty (see Policy ES1), healthy lifestyles (Policy SC1), improve green infrastructure (Policy SS9) and biodiversity (Policy NC1), alleviate air pollution (Policy TA1), reduce water scarcity (Policy ER2), ease congestion (Policy TA2) and support local economic development (Policy SS4) present one of the greatest opportunities in this Plan period to improve life in Torbay.

4.6.11 Buildings should be re-used where possible and be designed to allow later conversion/adaptation to save embodied energy which would otherwise be lost through demolition. It is accepted there may be a trade off between energy efficiency and protection of the historic environment, subject to Policies SS10 and HE1.

4.6.12 Carbon offsetting may be appropriate for development proposals with an exceptionally high carbon footprint/intensity, including those as identified through the Environmental Impact Assessment process.

4.6.13 The effects of climate change and the implications for Torbay have been assessed as part of the Council's Climate Change Strategy and Local Climate Impacts Profile

(LCLIP). These documents illustrate the magnitude of change in weather patterns and sea level rise that can be expected (using UK Climate Projections data) as well as indicating the associated challenges and opportunities that this presents for Torbay. Climate change is projected to cause warmer, wetter winters; hotter, drier summers; more intense storms; and rising sea levels.

4.6.14 New homes and commercial properties should be capable of adaptation, to take account of predicted changes in weather patterns and possible lifestyle changes.

4.6.15 New development should be appropriately resilient to the impact of storm events including the effects of driving rain, high winds and stormwater flooding. Policy ER4 highlights the need for ground stability to be taken into account with regards to new development. The implications of increasing storm events and higher levels of winter time groundwater on ground stability should also be considered.

4.6.16 As the Building Regulations move towards zero carbon standards, higher degrees of thermal insulation and air tightness have the potential to worsen the case for overheating of properties. Therefore the design of new buildings will need to consider complimentary measures which limit the propensity of buildings to overheat by optimising orientation, shading and layout. As well as safeguarding occupant comfort, this is also important in the context of reducing carbon emissions in Torbay, as new buildings should be designed in such a way that reduces or eliminates the requirement for mechanical ventilation to compensate for overheating.

4.6.17 The provision of green infrastructure can play an important part in helping to build resilience into development proposals. With regards to the aims of this Policy, vegetative cover can be provided in the form of landscaped spaces, tree cover, green roofs and walls, which can be used to lessen overheating (through shading), reduce storm water run-off, reduce external ambient temperatures and improve biodiversity (see Policy NC1). It can also boost Torbay's 'green' economy.

4.6.18 The use of recognised sustainable construction assessment standards (such as the Code for Sustainable Homes, BREEAM, Passivhaus, Leadership in Energy and Environmental Design) are not specifically required to be carried out as part of development proposals. However, if development proposals are accompanied by an assessment against such a standard, this will be looked upon favourably by the local authority. As a minimum, applications should address how the proposal meets the requirements of this Policy through the design and access statement or a separate document.



5. STRATEGIC DELIVERY AREAS – A POLICY FRAMEWORK FOR NEIGHBOURHOOD PLANS

5. STRATEGIC DELIVERY AREAS - A POLICY FRAMEWORK FOR NEIGHBOURHOOD PLANS

5.1 BACKGROUND AND CONTEXT

5.1.1 The Torbay Local Plan has been developed in parallel with Neighbourhood Plans for Torquay, Paignton and Brixham Peninsula. The Local Plan, as the overarching strategy for the Bay, provides the framework within (or beyond) which Neighbourhood Plans add valuable detail on local outcomes, projects and sites. Policy SS2 and the area Policies below set out the broad location of development. This 'dovetail' approach is pioneering, forming an important element of Torbay's Neighbourhood Plan Frontrunner status, and ambitious. So, as the Local Plan has been heavily informed by Neighbourhood Planning and vice versa, there is much agreement on the key areas of change in the Bay, such as town centres, Torquay Gateway and West Paignton, and on those areas that need protection, such as the South Devon AONB and Yalberton Valley. Torbay will in



due course have three Neighbourhood Plans in place alongside the Local Plan, providing a very clear, positive statutory framework for investment and development in the Bay.

5.1.2 Emerging Neighbourhood Plans are already identifying sites and projects for future development. One of the roles of Neighbourhood Plans is to identify sites for employment and new homes to come forward over the medium to long term. Sites suggested by Neighbourhood Forums, as part of the SHLAA refresh, are included in the pool of sites to meet demand for new homes (see Appendix C). Neighbourhood Plans will add detail to the way in which these sites might come forward. Similarly, projects being identified by Neighbourhood Forums – in town centres for example – add valuable detail to the Local Plan and many are likely to come forward in the next few years.

5.2 Torquay

5.2.1 Torquay Strategic Policy Area

Policy SDT1 Torquay

Torquay is and will remain the primary commercial centre of Torbay. Harbourside and town centre sites will be developed for appropriate mixed uses, and the re-use of space within buildings for residential accommodation will be supported. The urban areas will be improved and renewed, with strong support for family homes.

Regeneration, comprehensive redevelopment and large scale investment will ensure that the town centre and Torquay Harbour areas evolve as the principal town centre and the centrepiece of a modern, prosperous and sustainable Torbay, whilst conserving or enhancing the historic and natural environment.

The Local Plan and Neighbourhood Plans will bring forward new housing, employment, green infrastructure and leisure provision in the Torquay Gateway area to the north west of Torquay. High quality exemplar developments will be sought, appropriate to their gateway setting, which respect and enhance the natural and built environment. Priority species such as Cirl Buntings and Greater Horseshoe Bats will be safeguarded. All development will be required to minimise or reduce surface water draining into combined sewers, in accordance with Policy ER2 in order to safeguard the Marine Candidate Special Area of Conservation.

The strategic green gap between Torquay and Kingskerswell will be maintained.

Torquay will deliver a minimum of 37,200 square metres (net) of employment floorspace and around 3,955 new homes over the Plan period. The sources and timing of delivery are set out in Tables 5 and 6 below and Policies SDT2 to SDT4. Policy W5 is also relevant.

Explanation:

5.2.1.1 Torquay is the largest town in Torbay. The economy is centred on tourism as well as a strong retail sector and growing commercial business market. A high class environment, focused on green infrastructure and an outstanding coastline makes the town attractive to visitors and investors. However, there are also communities with significant levels of deprivation and the economy has been traditionally hampered by infrastructure constraints. Torquay needs growth and development (including new homes and jobs) to deliver the social and economic changes needed to arrest decline whilst also protecting and enhancing its strong built and natural environmental assets. The reef off of Torquay is an important part of the Marine SAC, whilst the combined sewers elsewhere in Torbay are nearing capacity. In order to avoid harm from combined sewer outfalls, development should avoid additional surface water run-off into combined sewers in accordance with the hierarchy set out in Policy ER2.

5.2.1.2 In order to rise to the challenges of the 21st Century and to improve Torbay's commercial and retail position, it is proposed that Torquay retains its role as the core shopping area. However, Torquay also needs to develop as a multi-functional centre, including new commercial and residential floorspace.

5.2.1.3 The Council identifies a minimum need in Torquay of 17,000 square metres of Use Class B space and 20,200 square metres of non-Use Class B space. This Plan identifies a range of spaces for employment which could provide a potential of up to 81,600 square metres (B and non-B) in Torquay. This is in excess of the 37,200 square metres required, but provides flexibility, range and choice, recognising that delivering the full potential of employment space may prove difficult during the Plan period due to site specific constraints. Spaceless growth and the improvement of the efficiency of existing employment sites (such as Torbay Hospital) will also be facilitated through this Plan.

5.2.1.4 The town centre and harbour area (SDT2) will develop to build upon its strengths as a tourism, retail and leisure destination. Regeneration will help deliver a town centre which thrives because it is multi-functional and provides an excellent choice of services, opportunities and experiences which are irresistible to residents and visitors. Regeneration proposals should maintain or improve provision of public open space.

5.2.1.5 The Torquay Gateway (Policy SDT3) is a key area of growth for new homes and jobs, both of which are fundamental to the social and economic success of Torquay. Key infrastructure will be delivered in the area to support growth and deliver high quality designed, exemplary developments. These will deliver place-making opportunities to bring demonstrable benefits for new and existing communities.

5.2.1.6 Mixed use development is proposed in the Scotts Bridge/ Barton and Edginswell Valley areas to provide housing, employment and leisure. Improved road, rail, cycling and walking links to Torquay and Newton Abbot, as well as high quality green infrastructure, will be sought as an essential element of development.

5.2.1.7 The recreation and tourism role of Babbacombe and St.Marychurch (Policy SDT4) will be enhanced with sensitive developments that respect and strengthen the coastal setting.

5.2.1.8 It is estimated that, subject to an improvement in market delivery, existing planning permissions (for example at Scotts

Meadow, Hollicombe and Hatchcombe), SHLAA sites and windfall sites will provide land for around 1,110 new homes over the first 5 years of the Plan within Torquay.

5.2.1.9 Delivery will be supported by an integrated approach combined through this Plan, neighbourhood planning, masterplanning and partnership-working.

Table 5 SDT1: Source of new employment floorspace within Torquay (and indicative broad timescale by source)

Policy / site name	Commitments (mainly years 1-5 and 6-10 of Plan)	Deliverable urban / Neighbourhood Plan sites (mainly years 6-10 of Plan)	Future Growth Area (years 11-15 and 16-18 of Plan)	Notes and key infrastructure requirements
SDT2 Torquay Town Centre & Harbour	Spaceless growth; mixed use developments incorporating leisure/ employment	Town Hall Car Park, Lower Union Lane / Union Street. Mixed use developments incorporating leisure/ employment, etc. Scope for additional retail floorspace but emphasis on improving quality of provision.		Emphasis on mixed use regeneration of key sites, identified through neighbourhood planning and masterplanning.
SDT3 Torquay Gateway	11,200 sq m at Edginswell Business Park (2.8ha)	Torbay Hospital, Woodlands Trading Estate. 32800 sq m at Brown's Bridge (8.2ha)	37,600 sq m at Edginswell Future Growth Area (9.4ha)	Significant infrastructure required at Brown's Bridge and Edginswell to unlock development.
SDT4 Babbacombe & St. Marychurch				Core Tourism Investment Area, potential for growth in tourism employment which is likely to be spaceless.
SDT1 Torquay Totals	**11,200 sq m**	**32,800 sq m**	**37,600 sq m**	

Note: See also Appendix C (Table 27) for details of possible Neighbourhood Plan employment sites

Table 6 SDT1: Estimated source of housing in Torquay

Estimated delivery period (years)	1-5	6-10	11-15	16-18		
Policy / site name	**Commitments and other deliverable sites**	**Commitments (continued delivery), Neighbourhood Plan sites and Future Growth Area**			**Total**	**Notes and key infrastructure requirements**
SDT2 Torquay Town Centre & Harbour	224	327	191	82	824	Flood alleviation works in the town centre in addition to repairs at Meadfoot and Livermead Sea Wall, and Haldon and Princess Piers. +50 Town Hall car park (only possible as part of a mixed-use regeneration of site if preferred scheme of a large supermarket is not delivered here), +65 Temperance Street, +20 Lower Union Lane, +20 Terrace car park (155 in total, divided equally across years 6-20). Subject to retention of sufficient car parking.
SDT3 Torquay Gateway	112	224	200	210	746	Buckland Sewage Treatment works may require upgrading. Public transport improvements needed. Open space and leisure schemes important as part of place-making and green infrastructure.
SDT4 Babbacombe & St. Marychurch	128	127			255	Consider impact on infrastructure in predominantly built-up area.

SHLAA sites elsewhere within SDT1	447	205	100	336	1,088	Subject to annual monitoring
Windfalls	197	325	325	193	1,040	Subject to annual monitoring
Total Torquay	**1108**	**1,208**	**816**	**821**	**3,953**	

5.2.2 Torquay Town Centre and Harbour

Policy SDT2 Torquay Town Centre and Harbour

Torquay Town Centre will develop as the largest retail and leisure centre of the Bay and become the key sub-regional retail and leisure destination. This will help provide an improved, vibrant and more enjoyable shopping and leisure environment with better high street retail, eating and leisure facilities. Furthermore, regeneration of key sites will help strengthen its role as a commercial and social centre for residents and visitors, whilst conserving or enhancing the area's historic character and environmental value.

Developments within Torquay Town Centre and Harbour areas should comprise a mix of suitable town centre uses and help to increase substantially the numbers of town centre homes during the Plan period.

Any proposals that may lead to likely significant effects on sites protected under European legislation will only be permitted where no adverse effect on the integrity of the site can be shown.

Explanation:

5.2.2.1 Consistent with Policy SDT1, Torquay Town Centre and Harbour will be a focus for regeneration which supports its primary retail and commercial role. This means high quality development which improves the public realm and provides an improved, multifunctional Town Centre, including higher levels of residential development. The Town Centre will have a more focused shopping experience with a distinct high street retail offer to complement new housing and the development of a leisure-based retail offer at Torquay Harbour. This will provide a 'point of difference' to complement the rest of Torquay Town Centre, connected by Fleet Street/Fleet Walk, with a wide range of other town centre uses, making Torquay the complete package for residents and visitors. The lower part of the town is within Torquay Harbour Conservation Area and development will be expected to complement the area's historic character.

5.2.2.2 A number of key sites offer considerable opportunities for regeneration many of which will be further identified through neighbourhood planning and masterplanning processes.

5.2.2.3 There are a number of major development opportunities within the Town

Centre which could provide comprehensive renewal through expanding the quality of the retail offer, providing a wider mix of uses and delivering improved public spaces. This includes the southern side of Union Street (Nos. 50-114), parts of Lower Union Street, the Telephone Exchange and Temperance Street. These sites lie at the heart of the town centre and offer the largest area to provide an increase in provision in the town, consistent with its role as Torquay's primary commercial centre. This area's potential to provide attractive town centre living and as a retail and leisure destination is huge. Details are set out in Tables 7 and 8.

5.2.2.4 Other smaller sites in the Town Centre are needed to address identified needs, including larger format retail units which the town centre currently lacks. There are a number of buildings in the town centre which are visually unattractive, and in some cases underutilised, where redevelopment could greatly enhance the street scene. There are opportunities to create and enhance areas of public open space where people can visit, meet and relax. Provision of other green infrastructure assets such as street trees will provide cooling, shade and cleaner air.

Table 7 SDT2: Torquay Town Centre and Harbour - Key sites for employment

Policy / site name	Type of site / type of employment	Deliverable / developable
Lower Union Street area	Large area of town centre, comprising the southern side of Union Street, Temperance Street and Lower Union Street. To be brought forward for mixed-use including retail, office, leisure and residential. Other areas to be defined through masterplanning and Torquay Neighbourhood Plan.	Needs to be brought forward through masterplanning and private/public joint venture approaches to secure development.
Town Hall Car Park	Large surface level car park to rear of Torquay Town Hall. Potential mixed use development site with opportunities to include office, leisure, retail and residential uses.	Needs to be brought forward through masterplanning and private/public joint venture approaches to secure development.



Table 8 SDT2: Torquay Town Centre and Harbour - Key sites for housing (excluding windfalls - see Table 6)

Estimated delivery period (years)	1-5	6-10	11-15	16-18		
Policy / site name	**Commitments and other deliverable sites**	**Commitments (continued delivery), Neighbourhood Plan sites and Future Growth Area**			**Total**	**Notes and key infrastructure requirements**
Torre Marine	75				75	
SHLAA deliverable urban sites		275	139	30	444	
Other sites	149	52	52	52	305	+50 Town Hall car park, +65 Temperance Street, +20 Lower Union Lane, +20 Terrace car park. +155 in total divided equally across years 6-20. All car parks subject to retention of sufficient car parking.
Total SDT2	**224**	**327**	**191**	**82**	**824**	

5.2.3 Torquay Gateway

Policy SDT3 Torquay Gateway

High quality employment space, new homes, leisure and local retail facilities to serve the immediate area will be delivered in the Torquay Gateway to raise the economic prosperity of Torbay, complement town centre regeneration and help fund essential transport improvements serving the Bay.

A high quality of design will be required to enhance the built and natural environment, strengthen the sense of arrival into Torbay, and protect the green gap between Torbay and Kingskerswell. Design should include the provision of high quality green infrastructure assets, maximising cross boundary linkages where appropriate.

Off-site biodiversity offsetting will be required where on-site avoidance, mitigation and compensation does not provide a net gain in biodiversity. Any proposals that may lead to likely significant effects on sites protected under European legislation, including those relating to Greater Horseshoe Bats and Cirl Buntings, will only be permitted where no adverse effect on the integrity of the site can be shown.

Any detailed proposals for development in the area should first be informed by appropriate Greater Horseshoe Bat and Cirl Bunting surveys undertaken during a suitable time of year. Any biodiversity impact from development should be offset. Particular attention should be given to loss of grassland (foraging) habitat and internal hedgerows. A buffer of darkened hedgerow should be provided and maintained, particularly along the western buffer, in accordance with Policy NC1.

The provision of new employment will be a focus for new development within the Torquay Gateway, with the delivery of quality office space being particularly expanded at Edginswell. Redevelopment and refurbishment of existing employment estates, to provide modern employment space, will be supported.

Explanation:

5.2.3.1 Torquay Gateway is an important area of growth for Torquay. It extends in an arc from Gallows Gate to Edginswell Village and on to Lowes Bridge and Torre Station. In addition to providing new homes and jobs, there will be opportunities provided through strategic developments to improve connectivity for pedestrians, cyclists, public transport and motor vehicles within the area and to Torquay Town Centre. High quality design that reflects the strategic context of closely situated but distinct development sites will be important to the area's functional success. This is particularly important considering the opportunities to provide place-making improvements. Further details are set out in Tables 9 and 10.

5.2.3.2 The South Devon Highway is a key piece of strategic infrastructure to support both short-term (including existing sites with planning permission) and long-term growth in this part of Torquay as well as the rest of Torbay. A range of sites are identified to support future growth. In particular, the Edginswell Future Growth Area has been identified for a large mixed-use development which could deliver around 550 homes and 37,600 square metres of employment space. The site is developable but has been masterplanned to show how the necessary infrastructure can be delivered to unlock this development. The Torquay Gateway Masterplan was adopted as a Supplementary Planning Document in December 2015. An outstanding level of design will be needed due to the scale and location of the site. In particular the setting of Edginswell Hall and Village will be conserved or enhanced. The effective provision of green infrastructure will form part of the development, in order to improve the accessibility of greenspace in the area, improve connections between communities, manage flood risk (particularly minimising run-off into Aller Brook) and to maintain and enhance the strategic green gap between Torquay and Kingskerswell.

Table 9 SDT3: Torquay Gateway - Key sites for employment

Policy / site name	Type of site / type of employment	Area	Deliverable / developable
Edginswell Business Park	Use Classes B1/B2/ B8.	2.8ha, delivering 11,200 sq m	Deliverable - has planning permission and is partly built out.
Brown's Bridge	Part of site developable for employment which could be Use Classes B1/B2/B8 or leisure uses.	8.2ha, potentially delivering 32,800 sq m	Up to 50% of the site (accessed from Browns Bridge Road to the north) is suitable for the delivery of a wide range of employment uses. Significant investment required to deliver due to site constraints. Could be suitable for non-Use Class B employment space, linked to delivery of sports facilities/ pitches on-site. The remaining area of the site will be developed for sports pitches, recreation and a transport hub.
Torbay Hospital	Non-Use Class B, predominantly in the healthcare sector.		The overall emphasis for the site will be to concentrate on maintaining the long term healthcare needs of South Devon. Opportunities for new health-related high-tech employment and training, as well as scope to make more effective use of the site.
Woodlands Trading Estate	Use Classes B1/B2/ B8.		Refurbishment and environmental improvements to existing employment area. Qualitative improvements to upgrade existing provision and make more effective use of Estate.
Edginswell Future Growth Area	Mixed use development, of which 25% of the site may be suitable for employment provision.	9.4ha, potentially delivering 37,600 sq m	Large greenfield site requires range of infrastructure provision as part of site works, including green infrastructure and drainage. Needs to be masterplanned to ensure deliverability of site and infrastructure.

Table 10 SDT3: Torquay Gateway - Key sites for housing (excluding windfalls - see Table 6)

Estimated delivery period (years)	1-5	6-10	11-15	16-18		
Policy / site name	**Commitments and other deliverable sites**	**Commitments (continued delivery), Neighbourhood Plan sites and Future Growth Area**			**Total**	**Notes and key infrastructure requirements**
Scotts Meadow	90	65			155	Planning permission in place
SS2.1 Edginswell Future Growth Area	N/A	140	200	210	550	As part of a strategic mixed use development to be brought forward through masterplanning. This should make allowance for the high pressure gas pipeline north of the Future Growth Area, in consultation with National Grid.
SHLAA deliverable urban sites		19			19	
Other sites of 6+	22				22	
Total SDT3	**112**	**224**	**200**	**210**	**746**	



5.2.4 Babbacombe and St. Marychurch

Policy SDT4 Babbacombe and St. Marychurch

The area of Babbacombe and St. Marychurch will be conserved and enhanced to maintain and improve its tourism offer, and to augment the role of the district and local centres, whilst protecting its environment. Developments that promote an integrated, sustainable mix of uses that enhance these functions will be supported. Green infrastructure will provide improved access from urban to coastline and countryside areas, as well as opportunities for recreation and local food production.

Any proposals that may lead to likely significant effects on sites protected under European legislation will only be permitted where no adverse effect on the integrity of the site can be shown.

Explanation:

5.2.4.1 The environment and landscape of Babbacombe is of great local importance, particularly that which closely relates to the coastline. Opportunities to improve recreation provision and tourism opportunities, capitalising on the Bay's Urban Geopark status, will be encouraged. This includes improving the quality of, and access to, valued green infrastructure within the area.

5.2.4.2 Major residential developments will be limited to suitable brownfield sites that may arise through the Plan period, or are brought forward through the neighbourhood planning process.

5.3 PAIGNTON

5.3.1 Paignton Strategic Policy Area

Policy SDP1 Paignton

Paignton will be rejuvenated through high quality mixed use development of key town centre, harbour and waterfront sites. Improvement of the built environment will re-capture the historic character of the old town and appeal of the 19th Century 'Garden Suburb' to the east. Green infrastructure will underpin both recreational and flood-resilience measures.

The role of Preston District Centre and seafront will be enhanced for tourism, leisure and retail purposes. Appropriate development will be supported, particularly in the vicinity of Preston Down Road, whilst valued open space and countryside is protected and enhanced.

The role of Goodrington as a leisure and employment hub will be promoted and enhanced, whilst protecting the area's environmental assets.

Development sites to the west of Paignton will be delivered through neighbourhood planning and masterplanning to provide employment and family housing opportunities. This will be underpinned by enhanced transport infrastructure along the Western Corridor and A385 Totnes Road and will take account of environmental sensitivity through a green infrastructure led design approach. This will help to sustain Paignton's urban function, and in particular Paignton Town Centre as a destination in its own right. Landscaping, biodiversity and flood risk management measures will be needed to minimise the environmental impact of development, particularly cross-boundary impacts. Priority species such as Greater Horseshoe Bats and Cirl Buntings and their habitats will be safeguarded, and any impacts mitigated.

Paignton will provide a minimum of 30,100 square metres (net) of employment floor space and around 4,290 new homes over the Plan period. The expected pace and sequence of delivery are set out in Tables 11 and 12 below and Policies SDP2 to SDP4. Policy W5 is also relevant.

Explanation:

5.3.1.1 Paignton is the second largest town in Torbay, with a medieval core, 19th Century 'Garden Suburb' east of the railway, and significant 20th Century residential suburbs. It includes the District Centre of Preston.

5.3.1.2 There will be significant regeneration of Paignton Town Centre, Paignton Harbour and waterfront areas to enhance its role as a tourism destination and provide an improved retail function. Rejuvenation of the town, including its historic core, will be achieved through masterplanning, major investment and new development. This will help the town reclaim its attractiveness as a Garden Suburb attached to an historic medieval settlement. Improved links within the Town Centre and to other parts of the Bay will be encouraged. Policy SDP2 deals with Paignton Town Centre in more detail. Regard should be had to the conservation or enhancement of the built, natural and historic environment, particularly within conservation areas, in accordance with other Policies in this Plan.

5.3.1.3 The Council identifies a minimum need of 30,100 square metres of employment space, comprising 16,300 square metres of Use Class B space and 13,800 square metres of non-Use Class B space. This Plan identifies a range of spaces for employment which could provide in excess of 83,000 square metres (B and non-B) in Paignton. This is in excess of 30,100 square metres required, but provides flexibility, range and choice, recognising that delivering the full potential of employment space may prove difficult during the Plan period due to site specific constraints.

5.3.1.4 New mixed use developments on a group of sites to the north and west of Paignton will be promoted to provide a range of residential, employment, recreation and leisure facilities (see Policy SDP3). These will require a high quality of design and appropriate landscaping to protect and enhance the rural backdrop to the area, and should include the delivery of green infrastructure assets which provide multiple functions and benefits. A new Country Park at Great Parks and a Countryside Access and Enhancement Scheme at White

Rock are proposed to provide amenity, recreation and biodiversity benefits and sustainable transport links to the wider network, as set out in the Torbay Green Infrastructure Delivery Plan (2011). On-line improvements and provision of walking, cycling and public transport facilities will be required to minimise congestion on the Western Corridor.

5.3.1.5 Paignton has a number of non-strategic development opportunities identified in the Strategic Housing Land Availability Assessment (2013). Around an additional 900 dwellings are expected to arise on small developments (of less than 6 dwellings) over the Plan period. One source of these windfalls will be the reuse of redundant / under-utilised buildings, such as small hotels and commercial buildings. Greater Horseshoe Bat mitigation measures for Policies SDP3 and SDP4 Strategic Delivery Areas should be implemented according to the recommendations of the HRA Site Appraisal Report of Torbay Local Plan Strategic Delivery Areas (Proposed Submission Plan) 2014.

Table 11 SDP1: Source of employment floorspace within Paignton (and indicative broad timescale by source)

Policy / site name	Commitments (mainly years 1-5 and 6-10 of Plan)	Deliverable urban / Neighbourhood Plan sites (mainly years 6-10 of Plan)	Future Growth Areas (years 11-15 and 16-18 of Plan)	Notes and key infrastructure requirements
SDP2 Paignton Town Centre and seafront		Mixed use developments incorporating leisure/ employment etc. Scope for additional floorspace, but also emphasis on improving quality of provision.		Investment in sea wall or similar flooding infrastructure needed to unlock development.
SDP3 Paignton North and Western Area	White Rock 8.8ha (36,800 sq m) Claylands 6.8ha (27,000 sq m)	Yalberton (Jackson Land) 3.7ha (14,800 sq m) Devonshire Park (former Nortel Site) 1ha (4,000sq m)	Future Growth Area at Collaton St Mary.	Investment in Western Corridor to serve Growth Areas. Highway, drainage and landscaping infrastructure needed within Future Growth Area.
SDP1 Paignton totals	**15.6ha (63,800 sq m)**	**4.7ha (18,800 sq m)**	**83,000 sq m (excluding Collaton St Mary)**	

Note: See also Appendix C (Table 27) for details of possible Neighbourhood Plan employment sites

Table 12 SDP1: Estimated source of housing within Paignton

Estimated delivery period (years)	**1-5**	**6-10**	**11-15**	**16-18**		
Policy / site name	**Commitments and other deliverable sites**	**Commitments (continued delivery), Neighbourhood Plan sites and Future Growth Area**			**Total**	**Notes and key infrastructure requirements**
SDP2 Paignton Town Centre and seafront	68	165	43	314	590	Investment in flood defence/resilience infrastructure +60 Victoria Square, +30 Station Lane / Great Western Car Park, +40 Paignton Harbour (130 total) Subject to sufficient car parking being retained.
SDP3 Paignton North and Western Area	433	1,022	500	294	2,249	Improvements to Western Corridor. Longer term improvement to A385 Totnes Road. Significant investment in drainage and landscaping. 376 fewer dwellings in Collaton St Mary Masterplan than shown in the Proposed Submission Local Plan.
SHLAA sites elsewhere within SDP1	358	150		142	650	Subject to annual monitoring.
Windfalls	121	260	260	156	797	Subject to annual monitoring.
Total Paignton	**980**	**1,597**	**803**	**906**	**4,286**	

5.3.2 Paignton Town Centre and Seafront

Policy SDP2 Paignton Town Centre and Seafront

Paignton Town Centre will be regenerated in order to bring about improvements to its economy, built and natural environment. The connectivity from the Town Centre to the seafront, Paignton Harbour and surrounding parks will be restored and improved. New developments will complement the area's historic character, rejuvenating Paignton as a popular tourist destination, a modern Town Centre to support the needs of the local residents and tourists, and a garden suburb with strong family appeal.

Development will need to be resilient to the effects of sea level rise and contribute towards the provision of flood defences. Any proposals that may lead to likely significant effects on sites protected under European legislation will only be permitted where no adverse effect on the integrity of the site can be shown.

Developments within Paignton Town Centre, Harbour and seafront will comprise a mix of suitable uses including tourism, leisure, retail and residential, to deliver the indicative target areas set out Tables 13 and 14 below.

Explanation:

5.3.2.1 Paignton Town Centre will remain a focus for commercial activity and a major tourism attraction within Torbay. The Centre will be regenerated to strengthen and update its offer for businesses, tourists and residents. This will incorporate improved public space to help re-establish the formerly distinctive grid pattern of Paignton, linked to the regeneration of major development sites, connecting the medieval town with the Victorian garden suburb.

5.3.2.2 Better use of the Town Centre and historic buildings (especially the Torbay Picture House) will be encouraged to enhance the area's tourism and commercial role. Policy TO1 deals with Core Tourism Investment Areas. Policies TC1 and TC4 deal with town centre retail, including primary and secondary shopping areas.

5.3.2.3 It is critical that flood defence works are put in place, probably in the form of a new sea wall and coastal defence to alleviate the impact of climate change, wave action and upstream flooding. Notwithstanding the flooding issue, Paignton Town Centre is a highly sustainable location for development within an established town and well-served by public transport. It is therefore sequentially preferable to other out-of-town locations as a focus for development. In some instances an exceptions test will be required to support town centre development (see NPPF Paragraphs 99 to 105, and Section 07 of the NPPG) and all development must meet the requirements of site flood risk assessments. Development will need to avoid flood-vulnerable uses in high risk areas; in particular, basement flats will not be permitted in areas at risk of flooding.

5.3.2.4 Policies TC1 to TC4 set out a 'town centres first' approach for retail development in Torbay, and undertake to improve the vitality and viability of Paignton

Town Centre through masterplanning, which will identify retail, employment and residential opportunities. Paignton Town Centre has a significant retail role within Torbay, which should be maintained and enhanced. This does not, however, preclude allowing the redevelopment of more marginal parts of the retail area for other uses, particularly employment uses that assist the economic prosperity of the area.

5.3.2.5 There are several significant sites in Paignton Town Centre that need to be brought forward for development through a combination of the Paignton Neighbourhood Plan and masterplanning. The Crossways Shopping Centre is a 1960s parade that is in need of refurbishment. The SHLAA suggests an indicative figure of 150 apartments on this site. Commercial uses should be provided on the ground floor, with a target net increase in commercial floorspace. There may be scope to achieve a wider redevelopment of adjoining areas on Dendy Road and Torquay Road. Site assembly issues and the need for the apartment market to recover suggest that the site will come forward in a later phase of the Plan, although this would not preclude earlier delivery.

5.3.2.6 The former Woolworths/Dellers Hotel building on the corner of Hyde Road/ Torbay Road offers scope for redevelopment for residential and commercial use, preferably retaining retail on the ground floor. The historic façade of the former hotel should be retained.

5.3.2.7 Victoria Square and the adjoining car park are in pressing need of refurbishment or redevelopment. The SHLAA indicates that about 60 apartments could be provided as part of a mixed use development. Parking will need to be retained and appropriate provision made for the existing retail store. Due to flooding issues, residential use of the ground floor would not be appropriate and the site should incorporate flood defence measures, such as sustainable urban drainage, as far as are practicable. The community has expressed a strong desire to see the open space at Victoria Park protected.



5.3.2.8 Station Lane contains a new library and information/community centre, and there is scope to develop to the rear of the library, with a mix of commercial buildings, possibly with residential above. Development in this location should ideally integrate with transport improvements at the train and bus stations to help improve a sense of arrival and make better use of public open space.

5.3.2.9 Redevelopment proposals for Paignton Harbour are included within the Tor Bay Harbour Authority Port Masterplan (2013) and, coupled with the Paignton Town Centre Masterplan, will enhance its role and character for water-based businesses and activities, with associated maritime and tourism facilities, retaining the best buildings and facilitating redevelopment of other sites. Clearly, uses that require a waterside location will be preferred over those that do not need such a location, although there is scope for residential or similar uses on upper floors.

Table 13 SDP2: Paignton Town Centre and Waterside - Key sites for employment

Policy / site name	Type of site / type of employment	Deliverable / developable
Crossways Shopping Centre	Mixed use development of residential, commercial/leisure.	Developable. Comprehensive redevelopment scheme required.
Victoria Square Multi-Storey Car Park	Mixed use development. Opportunity for a wide range of leisure, commercial use, possibly with retail on upper floors.	Developable (subject to flood risk exceptions test). Site-sequential benefits over 'out-of-centre' and nearby greenfield sites (including Victoria Park). Development needs to make alternative provison for existing users and to accommodate flood protection and resilience measures. Need to retain/improve parking experience.
Corner of Hyde Road/Torbay Road	Mixed use redevelopment	Developable. Flood prevention measures required.
Paignton Harbour	Mixed use development e.g. watersports facilities, leisure uses.	Uses that require a waterside location will be supported
Station Lane / Great Western Car Park	Mix of residential and commercial development, whilst retaining parking.	Sequential test and flood risk exceptions test required. Flood prevention measures required.

Table 14 SDP2: Paignton Town Centre and Seafront - Key sites for housing (excluding windfalls - see Table 12)

Estimated delivery period (years)	**1-5**	**6-10**	**11-15**	**16-18**		
Policy / site name	**Commitments and other deliverable sites**	**Commitments (continued delivery), Neighbourhood Plan sites and Future Growth Area**			**Total**	**Notes and key infrastructure requirements**
Courtland Road	45				45	Committed site
Crossways				150	150	Mixed use development
Hyde Rd/ Torbay Rd				50	50	Mixed use development
Queens Park				50	50	Flood protection infrastructure.
SHLAA Deliverable Urban		122			122	Masterplanning of town centre
SHLAA Constrained Urban		43	43	64	150	Subject to Policy TO1 relating to Core Tourism Investment Areas, +60 Victoria Square, +30 Station Lane, +40 Paignton Harbour (130 total). Subject to sufficient car parking being retained in the Town Centre.
Non-identified sites of 6+	23				23	Seaford Hotel and Seaford Sands Hotel, committed sites
Total SDP2	**68**	**165**	**43**	**314**	**590**	

5.3.3 Paignton North and Western Area

Policy SDP3 Paignton North and Western Area

Mixed use developments will be brought forward in identified locations to the north and west of Paignton to provide a range of housing, especially family housing, employment, local recreation and local retail facilities.

Policy SDP3 comprises five broad areas, namely Preston Down Road (SDP3.1), Great Parks (SDP3.2), Totnes Road (SDP3.3), Brixham Road (SDP3.4) and White Rock (SDP3.5).

These locations should provide a balance of jobs and homes, whilst facilitating the provision of transport and other infrastructure and safeguarding the area's biodiversity and landscape character. Development should be accompanied by upgraded infrastructure, including along the Western Corridor and A385 Totnes Road, and improvements to sewerage capacity.

Development in these locations should provide resilience to the effects of climate change, particularly through the provision of green infrastructure, and adhere to planning guidance on Greater Horseshoe Bats within the South Hams SAC, as well as other species such as Cirl Buntings, in accordance with Policy NC1. On and off-site biodiversity offsetting will be required to provide a net gain in biodiversity. Any proposals that may lead to likely significant effects on sites protected under European legislation will only be permitted where no adverse effect on the integrity of the site can be shown.

New development should provide space for, and where appropriate contributions to, economic and community infrastructure. Greater Horseshoe Bat mitigation objectives for Great Parks, Collaton St. Mary Future Growth Area, Yalberton Industrial Estate, Claylands and Brixham Road, should be implemented as recommended by the HRA Site Appraisal Report of Torbay Local Plan Strategic Delivery Areas (Proposed Submission Plan) 2014.

Explanation:

5.3.3.1 The west of Paignton offers the largest area of land for expansion within Torbay, although there are infrastructure requirements that need to be met prior to or in parallel with major development. A significant amount of growth is already underway at Yalberton and White Rock. Further development is committed at Great Parks. This is shown as a grey (committed) site on the Policies Map. However, in the event of the development taking longer to build out than anticipated, it will be treated as a Future Growth Area (see Policy SS2 and below). These commitments, along with urban sites, are expected to provide Paignton's housing supply for at least 10 years from the Plan's adoption. The Council-owned former waste site at Claylands is being promoted for development by the Torbay Development Agency and expected to deliver around 6.8 hectares of employment land early in the Plan period.

5.3.3.2 Critically, the already committed development is dependent upon the

improvement of the A3022 Western Corridor. Some improvement works at Yalberton have already taken place, for example at Tweenaway Cross, and further funding (of around £7.5 million) is expected via the Heart of the South West Local Enterprise Partnership. In addition, funding from the Government's Pinch Point Fund will allow additional improvements to take place. However, further funding from developer contributions is needed to ensure a satisfactory and sustainable road network.

5.3.3.3 There are longer-term critical infrastructure items which need to be put in place before significant development on currently uncommitted sites within Policy SDP3 can be implemented. In particular, the single pipe sewers leading to Brokenbury Quarry waste water treatment works are in need of upgrading, or capacity increasing by removing storm water from the shared system. Secondly, the A385 Totnes Road is in need of a comprehensive approach to reduce existing congestion and minimise the number of new accesses onto it. The Local Transport Plan (LTP3 Implementation Plan for Torbay) includes a long term proposal (2021–2026) for improvements to the 'A385 West of Paignton'. Discussions are taking place between Torbay Council, Devon County Council and South Hams District Council in order to progress preparatory work on this project.

5.3.3.4 These constraints are expected particularly to affect the timing of any development at Collaton St. Mary, so that significant development would only be achievable towards the end of the Plan period. Some small or brownfield sites may come forward earlier, subject to assessment of their individual and cumulative impacts. Further details are set out in Tables 15 and 16.

5.3.3.5 Developments within the area covered by Policy SDP3 should seek to achieve better access to the countryside south and west of the developed area, providing recreation, landscaping and biodiversity value together with green infrastructure, including allotments. For example redevelopments in the area should consider opportunities for habitat enhancements, such as planting to provide bat and wildlife links through the area.

5.3.3.6 Preston Down Road (Policy SDP3.1) comprises two fields, one on each side of Preston Down Road. They are owned by Torbay Council. The SHLAA identifies each site as having a capacity of around 50 dwellings. The land is to the north of the Western Corridor and therefore less constrained than other areas in Policy SDP3. Development of the sites must be sensitive to the landscape setting, to minimise impact on the rural areas around the location.

5.3.3.7 Great Parks (Phase 2) (Policy SDP3.2) is the latter phase of a residential development that commenced in the early 1990s. The second phase has been assessed and is still considered to offer a sustainable location for development. Masterplanning and community engagement have been completed, and suggest that there is capacity to build around 450 dwellings on the remaining land at Great Parks The development should secure better access to countryside and the creation of new green infrastructure through the proposed Great Parks Country Park, which should be designed and landscaped to minimise flood risk. It is expected to take about 10 years to build out Great Parks Phase 2 due to completion rates.

5.3.3.8 As noted above, Collaton St. Mary (Policy SDP3.3) is likely to come forward towards the end of the 20 year Plan

period, due to the complex infrastructure and masterplanning needed to facilitate development. In addition to sewerage and strategic highway issues, there is a need to address local flooding and landscaping issues and to provide green and community infrastructure. It is envisaged that development should enhance the role of a village centre close to the existing pub, church, hall and school, and make provision for employment space. A smaller amount of housing (around 40 dwellings) is possible in the shorter term at the former Torbay Holiday Motel, which is an under-used brownfield site. However, there is a need for a comprehensive and co-ordinated approach to development in this area, to ensure resources are available for infrastructure improvements, to provide a more sustainable community and to ensure that development reflects and enhances the character of the village.

5.3.3.9 Brixham Road (Policy SDP3.4) is a significant growth area with mixed use areas at Yalberton Road under construction. Due to developer build-out rates this area is likely to be developed out over the next 10 years. Yalberton, White Rock and the Devonshire Park (former Nortel) site form part of an important employment and education hub, with South Devon College and a range of businesses in close proximity. Improvements and expansion of South Devon College, including provision of an energy centre / sustainable construction centre and similar facilities are a vital economic, social and cultural asset to the Bay.

5.3.3.10 There is some scope to expand beyond the existing land with planning permission both along Yalberton Road (on the site known as the Jackson land) and making better use of the Devonshire Park site on Long Road/Brixham Road. These sites should provide a significant amount of employment floorspace, although mixed use residential schemes will be supported where they provide enabling development and help meet housing needs. The Local Plan promotes them for mixed use development comprising a significant element of residential development to assist in the short to medium term supply of housing. As a broad guide, around 25% of the Devonshire Park (former



Nortel) site and 25% of the Yalberton Road (Jackson land) will be sought for employment uses, and 75% for residential. Strategic landscaping will be essential to protect the attractive rural hinterland/orchards to the west of Yalberton. Because the sites are brownfield (Devonshire Park) or already committed for development (Jackson land) and do not rely on improvements to the A385 Totnes Road, they are sequentially preferable to sites in the Collaton St. Mary area of search and could be implemented more quickly. Early delivery of employment will be required, subject to other Local Plan considerations.

5.3.3.11 White Rock (also known as Long Road South – Policy SDP 3.5) is a committed strategic mixed use employment/housing development that will provide 8.8 hectares of employment land, around 1,200 jobs and around 350 dwellings mainly over the first half of the Plan period.

Table 15 SDP3: Paignton North and Western Area - Key sites for employment

Policy / site name	Type of site / type of employment	Area	Deliverable / developable
Great Parks (SDP3.2)	Primarily residential, some employment generating use in new Local Centre	330 – 550 sq m	Masterplanning completed. Mainly residential.
Totnes Road/ Collaton St. Mary (SDP3.3) and nearby locations	Future Growth Area is around 95ha. It is expected that around 28ha would be developed, some of which would be for employment. 6.8ha employment land at Claylands, deliverable in early part of Plan.	6.8ha+	Claylands: deliverable through TDA. Collaton St. Mary- Masterplanning completed. Future Growth Areas – Significant infrastructure constraints (sewerage, drainage, highway). Likely to be developed in longer term (post year 10).
Brixham Road/ Yalberton (SDP3.4)	Yannons Farm (committed sites). Devonshire Park (former Nortel site) – mixed use scheme including employment.	1.85ha or 25% of the development area.	Deliverable –Committed mixed use developments including 3.7ha employment at Yalberton (Jackson land) 1ha at Devonshire Park (former Nortel site) – developable.
White Rock (SDP3.5)	Committed site providing local centre and high quality employment space	8.8ha employment land	Deliverable: Committed sites have permission and no significant constraints to delivery.

Table 16 SDP3: Paignton North and Western Area - Key sites for housing (excluding windfalls - see Table12)

Estimated delivery period (years)	1-5	6-10	11-15	16-18		
Policy / site name	**Commitments and other deliverable sites**	**Commitments (continued delivery), Neighbourhood Plan sites and Future Growth Area**			**Total**	**Notes and key infrastructure requirements**
SDP3.1 Preston Down Rd		50	50		100	Qualitative improvements to green infrastructure provision
SDP3.2 Great Parks	144	265	76		485	Western corridor improvements (underway). Masterplan completed.
SDP3.3 Totnes Rd / Collaton St. Mary		62	104	294	460	Masterplanning completed. Western corridor improvements (underway). Improvements to A385 . Flooding and sewerage infrastructure. New community facilities including primary school expansion. Development of brownfield land will be promoted in the shorter term. Reduction of 376 dwellings at Collaton St Mary as a result of Masterplanning
SDP3.4 Brixham Road / Yalberton	150	470	220		840	Western corridor improvements. Need to support investment in sewerage capacity and flood protection. New community facilities including primary school expansion. The former Nortel site (Devonshire Park) is closely related to the Policy SDP3.4 area. Early delivery of brownfield sites such as this will be supported.

SPD3.5 White Rock	125	175	50		350	Site has planning permission for mixed use development.
Non-identified sites of 6+	14				14	Kings Ash House (unless retained as offices)
Total SDP3	**433**	**1,022**	**500**	**294**	**2,249**	

5.3.4 Clennon Valley Leisure Hub

Policy SDP4 Clennon Valley Leisure Hub

Clennon Valley in Goodrington will develop its role as an outstanding leisure and recreation venue, providing activities and sports facilities for residents and visitors, within a superb natural setting. This will include, and be led by, a mix of leisure, recreational, tourism and community uses as the core activity in the area.

Development should comprise a landscape and green infrastructure-led design approach to ensure the conservation of a strategic green corridor linking Goodrington's beaches with the top of the valley and nearby holiday accommodation and parks. Development in this sensitive location should provide resilience to the effects of climate change and adhere to planning guidance on Greater Horseshoe Bats within the South Hams SAC. Any proposals that may lead to likely significant effects on sites protected under European legislation will only be permitted where no adverse effect on the integrity of the site can be shown.

Developments within the Clennon Valley Leisure Hub will comprise a mix of uses and deliver improvements to the recreation and tourism offer, whilst enhancing green infrastructure and biodiversity in the area.

Explanation:

5.3.4.1 Clennon Valley is an important recreation, leisure and tourism destination for the whole Bay. It provides a good opportunity for expanded sports and recreation provision, including a velodrome and closed road cycling circuit. A range of health, education and community uses are likely to be acceptable in this area, particularly where it can help towards meeting identified needs in the Torbay Sports Facilities Strategy (2015). Future investment in the Torbay Leisure Centre is anticipated to form a part of this additional provision.

5.3.4.2 Tourism uses, including water-based activities and holiday accommodation, are appropriate to this location. Seafront development should provide opportunities to improve permeability and public access to the beach and be of the highest quality reflecting the area's important natural setting.

5.3.4.3 Proposals should promote pedestrian and green links west-east, connecting South Devon College, Paignton Community College, Paignton Zoo, Long Road South Business Park and the wider

countryside to Quaywest, Goodrington Sands and the sea.

5.3.4.4 Development will be expected to incorporate and contribute towards flood alleviation and sea defence measures to provide resilience to climate change, using sustainable drainage methods wherever practicable. Flood vulnerable uses will be directed to areas of no/low flood risk.

5.3.4.5 All development should be of an appropriate scale and seek to minimise the impact on their surroundings, taking into account the special sensitivity and ecological value of the wider area. The green valley that connects the open countryside with the sea should be conserved and enhanced. Any built development should be located and designed to conserve this important natural corridor and respect its natural setting.

5.4 BRIXHAM

5.4.1 Brixham Strategic Policy Area



Policy SDB1 Brixham Peninsula

Brixham will accommodate appropriate but limited new growth. A range of developments will be sought to sustain a viable retail function, maintain an appropriate range of community facilities and meet local housing and employment needs. Brixham's role as a fishing port and resort, with a nationally important and historic working and creative harbour, will be enhanced. Development will include a new Northern Arm Breakwater and improved water-borne transport

facilities to support Brixham's regeneration and prosperity. The historic character, outstanding natural setting, and internationally important biodiversity value of the town and its setting will be safeguarded and enhanced.

Brixham is expected to provide sufficient land to enable delivery of at least 2,700 square metres of employment floorspace and 660 new homes over the Plan period.

Such development will only be acceptable if it can be accommodated without prejudicing the integrity of the Area of Outstanding Natural Beauty and Special Areas of Conservation, and provided that the interests of priority species, such as the Greater Horseshoe Bat and Cirl Buntings, can be safeguarded. Greater Horseshoe Bat mitigation measures will be required as recommended by the HRA Site Appraisal Report of Torbay Local Plan Strategic Delivery Areas (Proposed Submission Plan) 2014.

Mitigation measures for the wider SDB1 strategic delivery area include:

1) protection and management of existing trees;

2) retention of former hedge lines, managed as part of the development;

3) no increase in lighting in bat flyways to greater than 0.5 lux; and

4) reduction of the impact of additional recreational pressure on the SAC.

The expected delivery, pace and sequence of delivery are set out in Tables 17 and 18 below and Policies SDB2 and SDB3. Policy W5 is also relevant.

Explanation:

5.4.1.1 Brixham is bounded by the South Devon Area of Outstanding Natural Beauty (AONB) and its scope for outward expansion is therefore constrained by this nationally important designation. The AONB boundary largely comprises rural coastline as part of the wider South Devon AONB. The area around Berry Head is a Special Area of Conservation (The South Hams Greater Horseshoe Bat SAC), which is a European wildlife protection designation. The coast is also bounded by a candidate marine SAC designated for its reef and sea cave habitat. Due to the incidence of numerous overlapping Local Plan Policies within the Berry Head Country Park, the Key to the Policies Map shows a 'Berry Head Special Area'. This is not a policy designation per se; it is shown for mapping purposes only, in order to clarify the range of designations lying within it. The urban fringe area also serves an important tourism and recreation function and there is a need to balance the competing pressures on the area. New development should have regard to the Brixham Urban Fringe Study (2011), which describes management priorities and development opportunities in more detail.

5.4.1.2 The Recreational Impacts on Berry Head – additional HRA work for the Torbay Local Plan (2014) - has identified that the level of growth proposed by the

Local Plan could realistically increase the recreational pressure on the Berry Head to Sharkham Point component of the South Hams SAC. The data available suggests that there is a zone of influence of approximately 5 kilometres driving distance, roughly equivalent to development in the Policy SDB1 Brixham Peninsula area. The above HRA report recommends a number of mitigation measures that need to be implemented to ensure the integrity of the SAC is not compromised as a result of increases in recreational pressure (see Section 5.4.3.4 below). All mitigation must be delivered within a timescale linked to that of the development and targeted to resolve impacts on the European site.

5.4.1.3 Churston, Churston Ferrers and Galmpton are situated within the Brixham Peninsula area. Although they are separate settlements, they form part of the countryside between Paignton and Brixham and are partly within the AONB. The AONB's boundaries with the north western part of Brixham have been eroded in the past and in order to conserve the landscape and scenic beauty, there may be a case for redevelopment on brownfield sites to create a better landscaped transition between the built-up area and countryside. Where practicable, new development should include drawing back development from the AONB, or strengthen and improve landscaping. Regard should be had to the conservation or enhancement of the built, natural and historic environment, particularly within conservation areas, in accordance with other Policies in this Plan.

5.4.1.4 Whilst less sensitive parts of the rural hinterland outside of the AONB may provide scope for leisure, recreation or limited residential use, care must be taken to maintain the landscape character and avoid a coalescence of settlements (see Policy C1).

5.4.1.5 Improvements to sustainable transport are important to reduce reliance on the private car and 'rat-running', given the narrow street layout and relatively poor accessibility of Brixham. In particular an enhanced park and ride facility along the A3022 is proposed in the Local Transport Plan (LTP3) and on-line improvements to the Western Corridor from Windy Corner (see Policy SS6) will improve the accessibility of Brixham.

5.4.1.6 There is scope for further urban regeneration within the harbourside and waterfront areas of Brixham, as promoted in the Tor Bay Harbour Authority Port Masterplan (2013). This should support and improve maritime industries and tourism whilst also providing homes. Urban regeneration should consider the historic character whilst incorporating green infrastructure such as green spaces. Limited development on the edge of the built-up area will be promoted where it does not harm the SAC or the special landscape character and helps ensure the survival of community facilities.

5.4.1.7 The level of housing and employment proposed in the Brixham Peninsula is a reflection of the environmentally constrained and peripheral nature of this area. Improvements along the Western Corridor and at Windy Corner will be required to improve connectivity. It is estimated that, subject to an improvement in market delivery, existing planning permissions (such as at Sharkham and Paint Station), sites identified in the SHLAA (such as Northcliff Hotel) and windfall sites will provide space for up to 260 new homes over the first 5 years of the Plan.

Table 17 SDB1: Source of employment floorspace within Brixham Peninsula (and indicative broad timescale by source)

Policy / site name	Commitments (mainly years 1-5 and 6-10 of Plan)	Deliverable urban and rural / Neighbourhood Plan sites (mainly years 6-10 of Plan)	Future Growth Area (years 11-15 and 16-18 of Plan)	Notes and key infrastructure requirements
SDB2 Brixham Town Centre & Waterfront		Oxen Cove and Freshwater 1.3ha (2,000 sq m) Brixham Town Centre (500 sq m).		Allocate for B1/B2/ B8 uses, targeted at the maritime sector. Part of a mixed use scheme.
SDB3.1 Brixham Urban Fringe & AONB		Potential employment uses suitable to the rural setting, for example within the Village Envelope (200 sq m).		Implementation of Western Corridor/ Windy Corner improvements.
SDB3.2 Brixham Urban Fringe & AONB		Nothing additional identified.		Windfall sites considered, subject to impact on AONB / SAC and Western Corridor/Windy Corner improvements.
SHLAA sites elsewhere within SDB1		Northfields (2.5 ha existing). Torbay Trading Estate (1.4 ha existing).		Existing space to be identified in the Brixham Peninsula Neighbourhood Plan.
Total		**1.3ha (2,700 sq m)**		

Note: See also Appendix C (Table 27) for details of possible Neighbourhood Plan employment sites

Table 18 SDB1: Estimated source of housing within Brixham Peninsula

Estimated delivery period (years)	**1-5**	**6-10**	**11-15**	**16-18**		
Policy / site name	**Commitments and other deliverable sites**	**Commitments (continued delivery), Neighbourhood Plan sites and Future Growth Area**			**Total**	**Notes and key infrastructure requirements**
SDB2 Brixham Town Centre & waterfront	20		45		65	Investment in sea wall, Northern Arm Breakwater or similar flood defence infrastructure needed to unlock development.
SDB3.1 & SDB3.2 Brixham Urban Fringe & AONB	73	135	29	25	262	Provision of tourism to be considered. Note: Wall Park site has planning permission (165 dwellings). 30 dwellings assumed to be within first 5 years. The remaining 105 in years 6 -10. Note: Fishcombe Cove subject to AONB, tourism and transport impacts being acceptable.
SHLAA sites elsewhere within SDB1		52	139	38	229	Churston Golf Club included as medium / long-term possibility. Subject to annual monitoring.
Windfalls	66	65	65	39	235	Subject to annual monitoring.
Total Brixham	**159**	**252**	**278**	**102**	**791**	

5.4.2 Brixham Town Centre, Harbour and Waterfront

Policy SDB2 Brixham Town Centre, Harbour and Waterfront

Mixed use regeneration is proposed in the Brixham Town Centre, Harbour and waterfront areas. The objective of this Policy is to provide a range of retail, employment, leisure and residential facilities appropriate to the scale of the town, and to sustain its role as a vibrant maritime resort, to support and develop traditional industries and diversify the economic base. The provision of a Northern Arm Breakwater is proposed to enable the creation of additional employment and leisure opportunities.

Any proposals that may lead to likely significant effects on sites protected under European legislation will only be permitted where no adverse effect on the integrity of the site can be shown.

Developments within Brixham Town Centre, Harbour and waterfront are set out in Tables 19 and 20 below.

Explanation:

5.4.2.1 Brixham Town Centre will deliver an improved provision of good quality retail facilities and other town centre uses on lower floors with residential and office space above. This will include the redevelopment of the car park at Middle Street, to provide food retail, car parking to serve the town, smaller unit shops, residential units and improved public realm. The scheme will create a high quality and vibrant public realm with active ground floor uses including cafes, bars and restaurants.

5.4.2.2 The Harbour area will have improved sustainable transport links to reduce the need to travel by car. These will include park and ride facilities to serve Brixham and provide a transport interchange (Policy SS6.8), and the proposed improved water-based transport links for leisure and commuting (Policy SS6.6). Such measures will be accompanied by improved walking and cycling facilities to increase the permeability of the town centre and provide a high class working and recreational environment for residents and tourists. Schemes should incorporate green infrastructure assets into development, such as green space for relaxation and healthy living, and street trees for cooling, shade and cleaner air.

5.4.2.3 A longer term, key infrastructure proposal for the Harbour is the Northern Arm Breakwater which will transform Brixham into one of the largest sheltered deep water areas in the South West. It will also facilitate and enhance the capacity of mixed use employment-oriented development at Freshwater Quarry and Oxen Cove. This proposal has been the subject of various economic, ecological and hydrographical studies and is likely to be subject to an Environmental Impact Assessment at the detailed proposal stage.

Table 19 SDB2: Brixham Town Centre, Harbour and Waterfront - Key sites for employment

Policy / site name	Type of site / type of employment	Area	Deliverable / developable
Oxen Cove and Freshwater Quarry	Allocate for Use Class B1/B2/B8 uses, targeted at the maritime sector in waterfront locations.	1.3ha (2,000 sq m)	Developable, subject to sequential / exceptions flood risk tests and retention of aproproate level of car parking.
Brixham Town Centre	Primarily retail uses and other suitable main town centre uses.	500 sq m	Developable, subject to sequential / exceptions flood risk tests and retention of aproproate level of car parking.

Table 20 SDB2: Brixham Town Centre and Waterfront - Key sites for housing (excluding windfalls – see Table 18)

Estimated delivery period (years)	1-5	6-10	11-15	16-18		
Policy / site name	Commitments and other deliverable sites	Commitments (continued delivery), Neighbourhood Plan sites and Future Growth Area			Total	Notes and key infrastructure requirements
SDB2 Brixham Town Centre & Waterfront	20		45		65	Investment in sea wall, Northern Arm Breakwater or similar flood defence infrastructure needed to unlock development. Brixham Town Centre and waterfront sites could help fund harbourside regeneration.

5.4.3 Brixham Urban Fringe and AONB

Policy SDB3 Brixham Urban Fringe and Area of Outstanding Natural Beauty

The Area of Outstanding Natural Beauty around Brixham, including Berry Head National Nature Reserve, St. Mary's Bay and the wider Brixham urban coastal fringe, will be conserved and enhanced to protect its intrinsic landscape and biodiversity value, and for recreational and tourism purposes.

Development in this sensitive location should adhere to planning guidance for Greater Horseshoe Bats within the South Hams SAC. Adequate mitigations should be provided, in accordance with the HRA Site Appraisal Report of Torbay Local Plan Strategic Delivery Areas (Proposed Submission Plan)(2014), that ensure:

i) there are no further restrictions on potential movement of Greater Horseshoe Bats along the strategic flyway through the area; and

(ii) the retention and enhancement of foraging and on-site roosting opportunities.

Any proposals that may lead to likely significant effects on sites protected under European legislation will only be permitted where no adverse effect on the integrity of the site can be shown.

Development should seek to enhance existing green infrastructure assets, create new assets and provide improved connectivity between individual assets.

Developments within the Brixham Urban Fringe area should comprise a mix of suitable uses to meet the key requirements specified below, in the context of the Brixham Urban Fringe Study (2011) as set out in Tables 21 and 22 below.

Explanation:

5.4.3.1 Policy SDB3 covers the area to the west of Brixham (Policy SDB3.1) and to the east (Policy SDB3.2). The nationally and internationally important constraints that impact on Brixham's setting are recognised in the relatively low housing and employment requirements set out in Policy SDB1. Development within this area (Policy SDB3) will only be acceptable where it preserves and enhances the landscape, biodiversity or geodiversity character of the area, is of a sympathetic design and respects its outstanding natural setting.

5.4.3.2 Protection will be given to the sensitive landscape, ecological and geological features, wildlife corridors, SSSI, Area of Outstanding Natural Beauty, South Devon Special Area of Conservation (SAC) and candidate marine SAC. This will be delivered through sensitive and appropriate landscaping, and by steering development away from the most sensitive locations, including drawing back development from the AONB in the most sensitive areas.

5.4.3.3 All development will be expected to conserve and enhance the undeveloped coast area and maintain or enhance a coastal margin (Policy C2). This should include provision for its long term management and enhancement, and avoid the vulnerable areas subject to flood, erosion and instability referred to in Policy C3, as defined on the Policies Map. New developments in coastal areas should be appropriate to the coastal location, enhance public access to the coastal margin and reduce risk to life and assets.

5.4.3.4 The Recreational Impacts on Berry Head – additional HRA work for the Torbay Local Plan (2014) - has confirmed that the level of growth proposed by the Local Plan would increase the recreational pressure on the Berry Head component of the South Hams SAC. The evidence has also recommended a number of mitigation measures that need to be implemented to ensure the integrity of the SAC is not compromised as a result of increases in recreational pressure, as follows:

- Habitat management required to increase the resilience of the site over and above that already required to maintain the interest features of the site; and
- Increased visitor engagement work.

5.4.3.5 Redevelopment of tourist accommodation outside the built-up area should modernise or enhance the tourism offer. Sensitive redevelopment for residential purposes is proposed within the built-up area, to help maintain the viability of community facilities, strengthen the rural boundary and enhance the AONB, provided this does not harm the integrity of the SAC, including flight paths of Greater Horseshoe Bats. Consideration should be given to the long term integrity of habitats, flight paths and foraging areas, taking into account climate change management (see Policies SS2, NC1 and C3).

5.4.3.6 The park and ride facilities at Churston to serve Brixham (Policy SS6.8) are part of a network of measures including improvement of sustainable transport links within SDB2, provision of a transport interchange and improved water-based transport in the Harbour. Enhanced access to the surrounding countryside and Kingswear Peninsula, set out in the Torbay Green Infrastructure Delivery Plan (2011), should be promoted within all new developments (see also Policy SS9).

Table 21 SDB3: Brixham Urban Fringe and AONB - Key sites for employment

Policy / site name	Type of site / type of employment	Area	Deliverable / developable
Sites within Urban Fringe and/or AONB	Potential employment uses appropriate for rural setting within the Village Envelope or built-up area of Brixham.	Approximately 200sq m Use Class B and non-Use Class B space.	Limited development options due to landscape and biodiversity constraints.

Table 22 SDB3: Brixham Urban Fringe and AONB - Key sites for housing (excluding windfalls - see Table 18)

Estimated delivery period (years)	**1-5**	**6-10**	**11-15**	**16-18**		
Policy / site name	**Commitments and other deliverable sites**	**Commitments (continued delivery), Neighbourhood Plan sites and Future Growth Area**			**Total**	**Notes and key infrastructure requirements**
SDB3.1 Brixham Urban Fringe & AONB	9				9	
SDB3.2 Brixham Urban Fringe & AONB (Berry Head and Sharkham)	64	135	29	25	253	30 dwellings assumed to be within first 5 years. The remaining are within years 6-10. Provision of tourism to be considered. Note: Fishcombe Cove subject to AONB, tourism and transport impacts being acceptable.
Total SDB3	**73**	**135**	**29**	**25**	**262**	



6. POLICIES FOR MANAGING CHANGE AND DEVELOPMENT IN TORBAY

6. POLICIES FOR MANAGING CHANGE AND DEVELOPMENT IN TORBAY

6.1 Aspiration 1: Secure economic recovery and success

6.1.1 Town centres and retailing

Policy TC1 Town centres

The primary locations for retail and other town centre services and facilities in Torbay will be the town centres of Torquay, Paignton and Brixham, as defined in the Policies Map. The vitality and viability of these town centres will be enhanced through the regeneration of key sites. All future growth in retail and town centre uses should follow a town centre first approach, resisting out-of-town and out-of-centre retailing that would harm the vitality and viability of town centres. The Local Plan supports the following:

(i) The delivery of masterplans for Torquay and Paignton Town Centres;

(ii) Mixed use regeneration of key sites in town centres as identified in the relevant 'place' Policies (SDT2, SDP2 and SDB2), including the provision of major retail, leisure, cultural, recreational and event space, and the comprehensive redevelopment of parts of the town centres;

(iii) Employment and housing provision, within and near to town centres, particularly within peripheral parts of the designated town centre not covered by primary or secondary shopping frontage;

(iv) The re-use of under-utilised or outdated floorspace, above existing commercial premises in town, district or local centres, as a source of employment space and housing supply;

(v) Mixed use edge of centre developments that help to achieve more balanced communities by delivering a mix of employment, leisure, retail, family housing, healthcare, education and local centre facilities;

(vi) 'Meanwhile' uses that deliver more vitality to neighbourhood, local, district and town centres, where these help reduce the number of vacant properties and will support valuable, long term uses;

(vii) The use of heritage assets, public art and public space, events, exhibitions and festivals to provide a more enjoyable, creative environment in town centres; and

(viii) New or enhanced district, local and neighbourhood centres, that complement town centre facilities, provide a range of goods and services that meet the day-to-day needs of local communities, including the provision of healthcare facilities, local skills training facilities, local employment and local food outlets.

Explanation:

6.1.1.1 This Plan promotes a range of town centre redevelopments to provide new retail and leisure facilities as part of mixed use developments. This will improve the appeal and offer of the centres, ensuring multi-functionality, meet future identified need, retain expenditure and shoppers within Torbay and assist wider regeneration and environmental enhancement. It will also support the role of towns providing a range of other activities such as theatres and galleries. Masterplans (commissioned by the Council) and neighbourhood plans will have a key role in place-shaping within each of the three town centres. There is currently a lack of larger format units to suit the requirements of main high street retailers, particularly in Torquay Town Centre. This should be addressed within redevelopment proposals as appropriate. At the same time, the Council recognises that the short-term use of temporarily empty buildings ('meanwhile' uses) can bring welcome benefits to what might otherwise be blighted shop frontages.

6.1.1.2 A great opportunity also exists to strengthen tourist, cultural and leisure retail provision to further enhance the distinctive offer around Torquay Harbour. Smaller and independent retailers are essential in transforming towns into vital, vibrant and distinctive environments. They often flourish in secondary shopping areas, where rents are lower, and there is greater flexibility about permitted uses. District, local and neighbourhood centres also contain a variety of local shops that contribute to a range of goods and services which enrich Torbay's retail offer. These are covered by Policy TC2.

6.1.1.3 It is recognised that each of the three town centres is currently geographically spread out and there are opportunities to reduce their extent in order to focus town centre activities into a more compact and vibrant heart. To meet this objective, appropriate complimentary non-town centre uses may be supported on the periphery of the designated town centre area. All town centres contain historic elements, and Policy TC1, in conjunction with the 'area' Policies (SDT, SDP, SDT) and Policy HE1, seeks to make use of the historic environment to add value to the economy.

Policy TC2 Torbay retail hierarchy

Retail development will be supported within the following centres where it is appropriate to the role, function and scale of those centres, having regard to the shopping hierarchy below. Major developments will be sited in town centres, with smaller developments in district centres, then local centres and neighbourhood centres in sequential order and in relation to local needs and function.

The following centres (and, where appropriate, their associated primary shopping areas, primary and secondary frontages) are defined in accordance with the shopping hierarchy specified below and are shown on the Policies Map:

Shopping centre hierarchy	Torquay area	Paignton area	Brixham area
1. Town Centres	1. Torquay	2. Paignton	3. Brixham
2. District Centres	1. The Willows 2. St Marychurch	3. Preston	N/A
3. Local Centres	1. Barton Hill Road, Barton 2. Hele Road, Hele 3. Cadewell Lane, Shiphay 4. Plainmoor 5. Babbacombe 6. Old Mill Road, Chelston 7. Walnut Road, Chelston 8. Lucius Street 9. Belgrave Road 10. Higher Union Street, Torre 11. Wellswood 12. Lisburne Square, Torwood	13. Marldon Road 14. Foxhole 15. Three Beaches, Goodrington 16. Cherrybrook Square 17. Churston Broadway 18.Yannons 19 White Rock (when completed)	20. St Mary's Square
4. Neighbourhood Centres	1. Moor Lane, Watcombe 2. Fore Street, Barton 3. Condor Drive, The Willows 4. Queensway, Shiphay	10. Preston Down Road 11. Lower Preston 12. Sturcombe Avenue, Roselands 13. Great Parks (when completed)	15. Pillar Avenue 16. Briseham Road 17. Summercourt Way

	5. Upton Road, Upton 6. Sherwell Valley Road, Chelston 7. Ellacombe 8. Roundhill Road, Livermead 9. Edginswell (when completed)	14. Collaton St. Mary (when completed)	

Explanation:

6.1.1.4 Each of Torbay's town, district, local and neighbourhood centres have a different role based upon the available range and number of shops and services, the catchment population and the distance over which people are expected to travel to reach the centre.

6.1.1.5 Town centres are the most significant centres within the retail hierarchy in Torbay with large trade catchment areas. They will remain the focus for retail, commercial and other typical town centre-related activities, including leisure and cultural uses. Torquay is the key town centre in terms of size, range of facilities and levels of investment. Paignton and Brixham are of a smaller scale and trading influence. The need for consolidation and further development of the status of Torquay as Torbay's principal town centre is underpinned by evidence in the Torbay Retail Study Update (2013). This is not designed to restrict the development of Paignton and Brixham, but rather to provide a basis for directing new development of an appropriate scale to each centre, recognising their size, scope and retail significance.

6.1.1.6 District centres offer a good range of retail facilities and related services but to a more localised catchment area, often large areas of particular towns. Whilst Preston and St Marychurch are traditional district centres, with significant numbers of local traders, the Willows serves the car-borne shopper carrying out weekly or less frequent shopping visits.

6.1.1.7 A review of Torbay's existing local centres has been undertaken in order to strengthen the existing retail hierarchy and inform this Plan. As a consequence, an existing group of shops has been identified as a local centre (Lisburne Square, Torwood, Torquay). A new designation of 'neighbourhood centres' has been introduced in accordance with the NPPF, which comprises the allocation of three existing clusters of shops as neighbourhood centres, alongside the redesignation of some of the smallest previously existing 'local centres'.

6.1.1.8 Local centres provide a range of small scale retail and other related services capable of meeting local needs, top-up shopping, and act as the focus for the local community, such as post offices, newsagents, pharmacies and groceries. The provision of new local or neighbourhood centres may be required to meet the demand arising from major new residential developments, including those at Edginswell, Torquay and Great Parks, White Rock and Collaton in Paignton. When completed these new centres will form part of the retail hierarchy.

6.1.1.9 Neighbourhood centres are typically small parades with limited provision of facilities and serving a more local catchment.

Policy TC3 Retail development

(A) New retail development within town centres will be supported when:

1. It is of a scale appropriate to the nature and size of the centre and will complement its role and character;

2. It sustains the primary shopping role of the centre and positively contributes to improving its vitality and viability;

3. It does not undermine any special cultural or tourism appeal as a result of the loss of key retail, tourism, cultural or other facilities;

4. It enhances the overall attractiveness of the centre for its users through environmental improvements, better pedestrian permeability, improvements to vehicular access and parking arrangements, and other town centre management measures; and

5. It maintains the primary shopping function of primary frontages where appropriate.

(B) New retail development within district, local and neighbourhood centres (excluding The Willows) will be supported when:

1. It is of a scale appropriate to the nature and size of the centre and will complement its role and character; and

2. It provides for and sustains a range of services and facilities which contribute to the long-term vitality and viability of the centre and the ability of people to meet their needs locally.

(C) New retail development within The Willows District Centre must meet the following criteria:

1. Further retail development at The Willows (other than minor development) will only be permitted where it cannot be located within the three town centres, or the other district centres, and where it meets the tests for new out-of-centre retail developments set out below.

(D) New out-of-centre retail development must meet the following criteria:

1. Proposals should not cause any unacceptable impacts either individually or cumulatively on the vitality and viability of existing and planned centres in the catchment area of the proposal, including site proposals in the Local Plan and/or neighbourhood plans. Proposals for Use Class A1 retail comparison or convenience goods over 500 square metres gross, and town centre uses over 500 square metres gross, must provide a retail impact assessment;

2. No other town centre or edge-of-centre site is suitable, available or viable; and

3. Development would improve the spatial distribution of accessible facilities throughout the Bay and help to achieve greater social inclusion.

(E) Corner shops, village shops and isolated shops:

1. The introduction of new corner shops, village shops or shops serving isolated communities will be supported in principle, where such provision enhances the sustainability of new or existing communities, and is of an appropriate scale to cater for local needs.

Explanation:

6.1.1.10 In order to maintain an effective retail hierarchy that provides a balanced mix of retail and other complementary facilities, new development should be of a type and scale appropriate to the role and size of the particular centre. Local and neighbourhood centres also provide an opportunity to ensure other services, such as health, child care and employment training initiatives, are provided close to where they are needed.

6.1.1.11 Where a retail impact assessment is required, this should consider the likely cumulative effects of recent permissions, developments under construction and completed developments. Further requirements for impact assessments are set out in Paragraph 26 of the NPPF. The Torbay Retail Study Update (2013) recommends that out-of-centre proposals of more than 500 square metres of convenience or comparison retail floorspace should be accompanied by a retail impact assessment (see Paragraphs 6.31 and 6.32 of the Update).

6.1.1.12 It is important that the sub-regional role of The Willows District Centre should not develop to such an extent that it has an unacceptable impact on the viability of the retail and leisure role of Torquay Town Centre. Current concerns over its potential to further develop its role and thereby further increase its trading impact on Torquay Town Centre merits the requirement for any new development proposed at The Willows to meet the tests which normally apply to out-of-centre developments.

6.1.1.13 In appropriate circumstances, for example with a proposal for a large scale bulky goods outlet, for which a town centre location is not available or acceptable, an out-of-town centre location may be considered favourably by the Council.

Policy TC4 Change of retail use

Proposals for changes of retail use in town, district, local and neighbourhood centres should be of a type and scale appropriate to the role and function of the centre and frontage in which development is proposed. A change of use must not:

1. Undermine the vitality, viability or character of the centre as a whole;

2. Cause unacceptable fragmentation and isolation of retail premises; or

3. Result in the over-dominance of non-retail (Use Class A1) uses within a frontage or centre.

Within primary shopping areas and primary frontages, as defined in the Policies Map, premises should be predominantly Use Class A1 'retail', although Use Class A2 'financial and professional services' and Use Class A3 'restaurants and cafes' will be permitted where they support the vitality or retail function of the area.

Within secondary frontages, retail, leisure or commercial uses will be permitted where;

(i) The overall shopping character is not undermined; and

(ii) The proposed use will contribute positively to the centre as the focus of commercial and community life of the town.

Residential use will be permitted on upper floors, and on the ground floor of units in peripheral parts of the town centres which are not subject to a primary or secondary frontage designation, so long as these do not undermine the role or vitaility of town centres, for example by creating inactive frontages.

Outside these centres, proposals for change of use of corner shops, village shops and other isolated shops will only be permitted where this would not result in the significant loss of facilities serving the day-to-day needs of local communities.

Explanation:

6.1.1.14 Primary shopping areas and primary frontages are those that tend to perform a core Use Class A1 retail function, usually marked by the presence of big anchor stores and high street multiples. These locations make a significant contribution to commerce and a successful local economy and will be maintained and enhanced. Whilst some Use Class A2 and A3 uses may enhance primary shopping frontages, they should not be at a level or concentration that undermines their primary retail role.

6.1.1.15 Secondary shopping frontages generally contain a wider mix of retail activity and other town centre uses. A more flexible approach will be taken to the type and mix of uses permitted in secondary frontages, to retain variety, vibrancy and local distinctiveness

in centres. It is important that key regeneration areas are not undermined, for example by the introduction of dead frontages or uses that undermine the amenity of the area. In particular, Fleet Street (Torquay) and Torbay Road (Paignton) have been designated as secondary shopping areas in order to encourage a range of additional retail services, including leisure and eating uses consistent with a café culture, underlining these areas' important links between town centres and harbour/waterfront areas.

6.1.1.16 It is important that district, local and neighbourhood centres retain a mix of uses that provide a useful service to local communities. In particular, St Marychurch and Preston District Centres provide a range of small independent uses that add to the attractiveness of Torbay. Changes of use that undermine this balance and therefore the role of such centres will not be supported.

6.1.1.17 The introduction of residential accommodation into town centres is a sustainable form of housing and supports the vitality and viability of town centres. Residential development should comply with other Policies in the Plan, particularly those relating to design and housing. Ground floor residential uses should not create 'dead frontages' in the street scene and are thus more likely to be appropriate in the peripheral areas of town centres.

6.1.1.18 Shops located outside of these centres often provide an especially important service to local communities and help to sustain their viability. They can help to reduce car trips for day-to-day convenience needs, and are particularly important both in rural locations and built-up areas that are not within easy walking distance of local or established centres.

6.1.1.19 Neighbourhood plans and masterplans are expected to look in greater detail at specific features of importance within centres, promote local priorities and consider the particular impacts of proposals on centres of local importance. Neighbourhood Development Orders could be used to widen the range of permitted uses within shopping areas.

Policy TC5 Evening and night time economy

The Council supports, in principle, development that helps create a vibrant, diverse evening and night time economy within the town centres, seafront and harbour areas of the Bay. A development proposal must demonstrate that:

1. It will add vibrancy and a complementary offer to that currently available in the centre or area, attracting people of all ages;

2. It will support the creation of a balanced range of evening and night time uses through provision of new activities and venues;

3. It will not add to the cumulative impact of licensed premises, and those providing late night entertainment and services, in an unacceptable manner; and

4. It would not damage the vitality and viability of the centre, impact on amenity or cause disturbance to nearby and neighbouring uses (including residential properties).

Uses or developments that have an impact upon town centre monitoring, maintenance or policing will be required to make appropriate contributions towards the costs of any such monitoring, maintenance or policing arising from the development.

Explanation:

6.1.1.20 The evening and night time offer in Torbay is currently focused on the harbour areas of Torquay and Brixham and the waterfront of Paignton, and is overall more focused toward the night time economy. There is a need to diversify the offer in these areas to create a more balanced range of facilities with a more family friendly appeal. For example the Local Plan supports the provision and enhancement of cultural facilities such as theatres and art galleries.There is also a need for the town centres to diversify their current day time offer, and to extend their times of patronage, creating a more vibrant environment.

6.1.1.21 It is intended that future developments will create town centre, waterfront and harbour areas that can be accessed by all groups in the day and night without fear of intimidation or conflict. The Council has supported initiatives such as the Purple Flag scheme, which seeks to set new standards for attractions, facilities, safety and environmental qualities in the Torquay Harbour and seafront area.

6.1.1.22 While there are opportunities and benefits to expand the evening and night time economies, there are also associated problems with certain existing characteristics of the night time economy, particularly regarding alcohol-related crime and disorder, and noise nuisance from customers. This is a significant barrier to diversity as perceived risks discourage other groups such as older people and families from entering these areas at night. This sector needs careful management.

6.1.1.23 The award of the 'Purple Flag' for the effective management of the night time economy is a significant accolade. This requires ongoing management to ensure it is retained, for example to keep public toilets open and clean, clear up litter, and provide policing and pastoral support. Where planning applications come forward which could put demands on these matters, they will be required to make appropriate contributions and to partake in strategies and initiatives to mitigate the cumulative impact of venues.



6.1.2 Tourism, culture and marine economy

Policy TO1 Tourism, events and culture

Torbay's tourism offer will be developed in a sustainable and competitive manner, to enhance its role as a premier tourism destination. Tourist facilities and accommodation will be improved and modernised, and new tourism facilities provided, in order to attract new visitors, particularly overnight visitors, and increase overall spend. Growth sectors, such as sustainable tourism, will be actively encouraged.

The Council wishes to see the quality of accommodation improved with a wider range of new and refurbished facilities and services. This will be achieved through the following measures:

1. Supporting in principle the improvement of existing and provision of new tourist accommodation and attractions, subject to other Policies in this Plan. In particular proposals that make positive use of Torbay's marine environment, culture, heritage, biodiversity and Geopark will be encouraged;

2. The retention, improvement and creation of new, high quality tourism and leisure attractions, facilities and accommodation in sustainable, accessible locations with a particular focus on the following Core Tourism Investment Areas (CTIAs), as the main areas for investment in tourism;

    1. Babbacombe Downs, Torquay
    2. Harbourside, waterfront and Belgrave Road, Torquay
    3. Seafront, harbourside and Green Coastal Park, Paignton
    4. Goodrington Sands and Clennon Valley, Paignton
    5. Harbourside and waterfront, Brixham

3. Providing improved maritime facilities as part of the regeneration of harbourside and waterfront areas; and

4. Resisting the provision of small apartments and houses in multiple occupation (HMOs) in tourism areas and focusing interdepartmental enforcement action on problem uses, such as some HMOs, in tourism areas (see also Policy H4).

Any proposal that may lead to likely significant effects on a site protected under European legislation will only be permitted where no adverse effect on the integrity of the site can be shown. Development within the Brixham Peninsula (Policy SDB1) should have regard to Policy NC1 concerning the need for developer contributions to mitigate the impact of increased recreational pressure on the South Hams SAC.

Explanation:

6.1.2.1 Torbay has a fantastic brand – the English Riviera – and a wonderful tourism offer. There are some very positive signs of a changing tide for tourism. In general terms, the English Riveria is seeing increased visitor numbers and value, lengthening of the tourism season, increased spend, increased occupancies and overnight stays, growth in overseas visitor numbers and new tourism related development. For example, visitor spend in 2011 was 8% higher than in 2006.

6.1.2.2 Torbay is a resort in transition. Whilst there are signs of positive change, it also exhibits problems faced by traditional seaside resorts. The Tourism Strategy 2010-2015 'Turning the Tide' was adopted in 2009 to reverse this decline. The Torbay Trends Report 2006-2011 (2012) found that Torbay performed above the South West Region in terms of visitor numbers and surveyed business opinions. The ambition for Torbay is to develop tourism in a sustainable and competitive manner, to regain and enhance Torbay's role as a premier tourism destination and to become the events capital of the South West.

6.1.2.3 Policy TO1 provides a spatial context for both the Torbay Tourism Strategy (2009) (and its forthcoming replacement) and the Torbay Economic Strategy (2013). The Policy seeks to maintain and enhance the most important tourism areas as Core Tourism Investment Areas, as defined in the Policies Map. This is intended to accommodate the changing nature of the tourism industry and to provide a supportive framework and critical mass for the development of new leisure and tourism facilities, Supporting existing facilities, such as theatres and attractions, and promoting high quality all-year-round new facilities is vital to ensure the English Riviera can begin to reverse the decline in the tourism industry and provide for future success. At the same time, the Local Plan seeks to avoid compromising key tourism assets by conserving what is best and most valued about the Bay's tourism offer within a framework of responsible regeneration.

6.1.2.4 A place is often judged by the quality and quantity of its bedspaces, in hotels, guesthouses and bed and breakfast establishments (B&Bs). Torbay Council's approach, over the last few years, has been to keep the best accommodation, but allow poor accommodation to revert to residential use so long as there are other benefits. A review of planning permissions over the period 2009-2013 found that a fall in bedspaces had occurred largely within smaller hotels/ apartments or those that could be reasonably considered as out-dated. However, there has been a significant expansion in new purpose-built serviced accommodation, with five new hotels completed and several more in the pipeline (including at Torwood Street, Torquay and Oldway Mansion, Paignton).

6.1.2.5 This approach needs reinforcing and as a consequence, Core Tourism Investment Areas are proposed, as shown on the Policies Map. These are intended to ensure the retention and improvement of sufficient high quality accommodation and attractions in order to provide a critical mass needed by a premier resort. In particular proposals for new 4 or 5 star hotels would be supported in order to meet a growing demand for high class accommodation.

6.1.2.6 Core Tourism Investment Areas (CTIAs) are different from the Principal Holiday Accommodation Areas (PHAAs) defined in the previous Adopted Torbay Local Plan. They seek to promote and enhance a range of tourism activities and facilities, whereas PHAAs were primarily focussed

on accommodation. The CTIAs therefore cover a broader range of areas including harboursides, waterfronts and beaches. It should not be inferred that all areas within CTIAs are either suitable or proposed for development. For example they contain Babbacombe Downs, the lakes at Clennon Valley and coast near to Berry Head, where a significant emphasis will be on conservation of the environment, serving as a green link between different parts of the Bay. Such areas are of benefit to tourism because of their conservation interest, and the Plan does not seek or support development that would undermine their integrity. Nevertheless, such areas are expected to serve as foci for investment in tourism and related activities.

6.1.2.7 Although other areas, such as Cockington, Occombe and Berry Head Country Parks are not designated as CTIAs, it is nevertheless recognised that they have significant value for tourism because of their focus for rural crafts and green infrastructure. Policy SS9 deals with policy in Country Parks. Significant attractions such as Kents Cavern and Babbacombe Model Village fall outside the boundaries of CTIAs. However, the tourism role of these attractions is supported by Policy TO1.

6.1.2.8 A wide range of tourism markets will be promoted, including (but not limited to) those based on conferences, Torbay Geopark, maritime interest, short break holidays and traditional family breaks. Torbay has a rich heritage and tourism proposals that seek to enhance historic links, for example with Agatha Christie, will be supported.

6.1.2.9 Where appropriate, Local Development Orders will be introduced to allow high quality tourism facilities to come forward quickly.

6.1.2.10 Whilst CTIAs are a focus for tourism investment, there will be instances where proposals will arise outside CTIAs. These will be supported, subject to other considerations in the Local Plan and NPPF, particularly landscape, biodiversity and highways considerations. Where holiday facilities are approved in rural areas, conditions or s106 Planning Obligations will be sought to ensure their tourism use, including a contribution towards monitoring where necessary.

6.1.2.11 It is recognised that there will be some instances where the demolition of out-dated holiday accommodation will be justified in order to achieve modern fit-for-purpose buildings, subject to conservation considerations. Proposals for the change of use of tourist accommodation and uses to non-tourism use will be determined on the basis of Policy TO2.



Policy TO2 Change of use of tourism accommodation and facilities

Within Core Tourism Investment Areas (as shown on the Policies Map):

There is a presumption that the tourism role of premises should be retained and enhanced commensurate with their contribution to the area's tourism offer. The change of use of accommodation or facilities to non-holiday uses will only be permitted where:

1. It lacks an appropriate range of facilities and scope for improvement; and

2. Where it is demonstrated that there is no reasonable prospect of the site being used or redeveloped for tourism or tourism-related purposes.

Outside Core Tourism Investment Areas:

Facilities and accommodation outside CTIAs that make a major contribution to the tourism offer will be protected, in rural and urban areas. The change of use of holiday accommodation or facilities outside Core Tourism Investment Areas will be permitted where:

1. The holiday character of the area and range of facilities and accommodation offered are not undermined; and

2. One or more of the following apply: the site is of limited significance in terms of its holiday setting, views and relationship with tourism facilities; it can be demonstrated that there is no reasonable prospect of the site being used for tourism or related purposes, or; the redevelopment or change of use will bring regeneration or other benefits that outweigh the loss of holiday accommodation or facilities.

Inside and outside Core Tourism Investment Areas:

Proposals for small apartments and houses in multiple occupation (HMOs) will not be permitted where they would conflict with the tourism character and offer of the Bay (see also Policy H4).

Where a change of use away from tourism is permitted, there will be a requirement to restore buildings or land to their original historic form by the removal of unsightly features, signage, clutter and extensions relating to the holiday accommodation use. Where appropriate there will be a requirement to reinstate amenity space lost through over-development as a holiday use. A high priority will be given to restoring the character and appearance of buildings within conservation areas.

Explanation:

6.1.2.12 The 'Turning the Tide for Torbay' Tourism Strategy (2009) indicates there has been a significant change in the demand for tourism facilities and recommends that an oversupply of small and outmoded accommodation be reduced, whilst not reducing the amount of accommodation below a critical mass level. At the same time there is a need to retain and enhance good quality modern facilities in order to maintain the area's status as a premier resort. Whilst there remains a demand for a broad range of accommodation, evidence of occupancy and business performance (see above) suggests that larger hotels are performing better than smaller B&Bs. Seasonal occupancy is a particular issue.

6.1.2.13 Policy TO2 maintains and enhances the successful approach the Council has adopted over the last few years. It protects and enhances the most important and high quality accommodation and facilities, whilst allowing alternative use or redevelopment of some properties that are not viable as holiday accommodation. This mirrors the approach taken in many other seaside towns and seeks to ensure that run down or vacant properties do not detract from Torbay's appeal.

6.1.2.14 Applications proposing the loss of accommodation or facilities within Core Tourism Investment Areas (CTIAs) will be required to demonstrate that continued tourism use or redevelopment is no longer viable. Conservation considerations relating to the acceptability of redevelopment will be taken into account where assessing such proposals.

6.1.2.15 Applications for change of use or redevelopment of tourism accommodation or facilities outside CTIAs will not normally be required to demonstrate lack of viability unless they are of major significance. Where a change of use results in the loss of employment, the Council will seek s106 Planning Obligations to mitigate this impact.

6.1.2.16 In considering viability or related matters, the degree to which accommodation or facilities have been marketed and the level of investment in them will be taken into account. Neglect or under-investment will not, on their own, be sufficient reasons to grant planning permission away from tourism use.

6.1.2.17 Within CTIAs the Council will seek to ensure that new holiday accommodation remains for such purposes through planning conditions or s106 Planning Obligations, unless allowing residential occupancy brings clear economic benefits. Outside CTIAs the Council will seek to adopt a flexible approach to allow either residential or holiday use of apartments. However, residential use of holiday apartments will only be permitted where they offer a satisfactory standard of accommodation, having regard to Policies SS11 and DE3. Whilst there is a need for shared accommodation within Torbay, such uses can undermine the character and viability of Core Tourism Investment areas. Therefore proposals for HMOs and similar uses will be resisted in CTIAs and enforcement of unauthorised uses will be a priority.

6.1.2.18 The Torbay Tourism Strategy (2009) has indicated that there is a need for only a slight reduction in numbers of holiday park bedspaces. It is noted that there has already been a significant fall in holiday park bedspaces over the last five years. It is anticipated that improvements in the quality and modernisation of chalets will comprise the bulk of any further reduction. Proposals for the loss of holiday parks will be subject to

Policy H1, Policy TO2 and relevant landscape and environmental Policies in the Local Plan.

6.1.2.19 Some hotels and guesthouses have accrued unsightly clutter, signage or extensions that would not be currently permitted. The removal of such features will be sought as a condition of granting planning permission for a change of use. This will be particularly relevant for proposals affecting conservation areas and listed buildings. Proposals for redevelopment will be considered on the basis of Policy SS10 'Conservation and the Historic Environment', and HE1 'Listed buildings' if relevant.

6.1.2.20 As a minimum, in all areas, cosmetic features such as signage and awnings should be removed when conversion to residential use takes place. Many hotels and holiday flats comprise Victorian buildings with large 20th Century extensions, which were permitted because of their contribution to tourism rather than their design. Where feasible the Council will seek to remove unsightly features such as flat roof extensions and box dormers, particularly in conservation areas. In many cases their replacement by buildings that are more 'in-keeping' will be appropriate. However, it cannot be assumed that like-for-like replacement will be acceptable if the site has been over developed when judged against modern standards (see Policies DE1 and DE2). If the removal of unsightly features is considered to undermine the viability of development, an independent assessment of viability may be sought. The Council will seek to negotiate an acceptable design solution that improves the visual appearance of the building, and may agree to relax other s106 Planning Obligations to assist viability.

6.1.2.21 As well as improving the built environment, the removal of later extensions will often help improve the quality of living accommodation provided, by improving insulation, sound proofing and living accommodation standards, consistent with Policy DE3. These will improve the liveability and marketability of development.

Policy TO3 Marine economy

The Council will support investment in marine-related development where this produces economic, social or environmental benefits to the area, and where proposals are consistent with wider environmental, historic environment, landscape, biodiversity, ecology, amenity and coastal defence objectives. Sites of importance to marine-based activities will be protected for such use, subject to the other Policies in the Local Plan.

The following schemes will be investigated:

1. An extension to Torquay Harbour
2. Improvements to Paignton Harbour
3. Construction of Brixham Northern Arm Breakwater.

Any proposal that may lead to likely significant effects on sites protected under European legislation will only be permitted where no adverse effect on the integrity of the site can be shown.

Explanation:

6.1.2.22 Tor Bay is a beautiful natural harbour providing shelter from winds and waves from the west. Its natural protection has traditionally allowed ships to anchor in the Bay for shelter. The Bay is part of the Lyme Bay and Tor Bay SAC (Special Area of Conservation). It also contains a number of geological SSSIs (Sites of Special Scientific Interest) and is in a MCZ (Marine Conservation Zone). The coastline provides a flood defence for low lying coastal areas.

6.1.2.23 Tor Bay Harbour provides a large natural protected area of water for leisure, recreational, tourism and commercial use. The coastline and the harbour waters in Tor Bay are a valued resource for the community but the Harbour continues to be a 'working harbour' and the waters have to be shared with commercial shipping, cruise ships, fishing vessels and marine businesses serving shipping.

6.1.2.24 Fishing is vitally important to the port of Brixham. The new fish market and other fishing industry-related investment, totalling some £20 million, has helped safeguard Brixham's position as one of the most important fishing ports in England and Wales by value of catch, with an excellent reputation for the quality of its fish.

6.1.2.25 There are a limited number of cruise ship calls in the Bay and these tend to call between May and September. There are also marine service industries including towage services, pilotage, marine provisions services, sightseeing boats and cross-Bay ferries, and some marine engineering and small scale boat repair operations.

6.1.2.26 Torbay's unique and exceptionally attractive coastal setting offers considerable potential to support economic regeneration through further investment in marine-related development. A number of such projects and initiatives are identified in the Tor Bay Harbour Authority Port Masterplan (2013). These are currently being pursued or investigated by Torbay Council, Torbay Development Agency (TDA), Tor Bay Harbour Authority and other partners. In particular, the Council is proposing significant levels of investment in Brixham and Torquay Harbours, together with major improvements to Paignton Harbour. Such investment will capitalise on previous spend of more than £150 million on core harbour infrastructure which has delivered new jobs, business growth and support for the local economy. Accordingly, sites that are of importance to the marine economy will be safeguarded for such use (see also Policy C2).

6.1.2.27 In relation to all the above projects, and any others that come forward, the Local Plan requires development to avoid harm to marine ecology, biodiversity and geological conservation interests, including the seabed, reefs and sea caves. Where harm to a protected species of European significance cannot be avoided (e.g. within the Lyme Bay and Torbay Marine SAC), compensatory measures can only be allowed as a last resort, where the Secretary of State is able to confirm that the objectives of the development cannot be met in other ways, and that the proposal is of overriding public interest. In order to demonstrate this, a determination of Imperative Reasons of Overriding Public Interest (IROPI) will be required from the Secretary of State. Advice on such matters may be obtained from the Marine Management Organisation (MMO). Works to harbours or offshore facilities may require a Marine Licence from the Marine Management Organisation.

6.1.2.28 Projects are promoted subject to their acceptability in terms of environmental impact from physical impacts, contamination,

and non-toxic changes (for example to salinity, turbulence nutrients and organic matter), as well as minimising the impacts on main wildlife through piling, noise or other disturbance. Under the Conservation of Habitats and Species Regulations 2010 (as amended), a licence may be required to carry out works affecting marine mammals or their habitats. In any event the schemes outlined above are likely to require an Environmental Impact Assessment (EIA) and Habitats Regulation Assessment (HRA) to be carried out at the application stage. Less major works such as on-shore regeneration of Paignton Harbour may not require an EIA, subject to the findings of a screening opinion.

6.1.2.29 Marine activities and development should not prejudice the interest of defence and national security and the MoD should be consulted accordingly. Development will need to be safe over its planned lifetime and not cause or exacerbate flood and coastal erosion risk elsewhere. Visual, cultural, historical and archaeological impacts should also be considered. Torbay has an important maritime history and all three harbours are within conservation areas. Policy HE1 is relevant when considering historic assets.

6.1.2.30 Torbay Council must be satisfied that air quality, noise, vibration and water quality impacts have been taken into account and that any such impacts are acceptable. Development must consider how the effects on human health and wildlife can be mitigated and minimised.

6.2 Aspiration 2: Achieve a better connected, accessible Torbay and essential infrastructure

6.2.1 Transport



Policy TA1 Transport and accessibility

The Council is seeking to develop a sustainable and high quality transportation system which makes sustainable travel the first choice when travelling, thereby meeting the accessibility needs of everyone and promoting Torbay's economic competitiveness, whilst reducing the need to travel and its environmental impact.

This will be achieved through:

1. Promoting development in locations that are easily accessible and safely reached by foot, cycle, public transport, other sustainable transport or car;

2. Ensuring that the most sustainable and environmentally acceptable modes of transport are promoted as an integral part of developments, having regard to the following hierarchy of sustainability:

   (i) walking;
   (ii) cycling;
   (iii) public transport;
   (iv) car sharing;
   (v) low/ultra low emission vehicles; and
   (vi) private (high emission) transport.

3. Improving road safety, quality of life and equality of access for all, minimising conflict between road users and prioritising the transport hierarchy.

4. Ensuring that development is designed so that the use of cars is reduced wherever possible and residents have adequate access to employment, retail and community facilities within safe walking and cycling distance and via close proximity to bus stops, served by frequent bus services. Layouts should contribute to a connected network of footpaths, cycle routes and green infrastructure identified in the Torbay Green Infrastructure Delivery Plan. Employment proposals should seek to maximise the opportunities for sustainable transport of freight.

5. Incorporating, in new development, appropriate levels of car and cycle parking (see Policy TA3) that is well-designed, integrates with other public space uses and does not dominate the built environment;

6. Reducing the impact of signage and transport infrastructure within the street scene, to avoid proliferation of unnecessary clutter or harm to the historic features; and

7. Minimising the effect of development upon Air Quality Management Areas (AQMAs).

Explanation:

6.2.1.1 The Council is committed to sustaining and enhancing the transport system across the Bay, prioritising the most sustainable modes of transport, ensuring the free flow of movement on the highway network and encouraging a modal shift away from the private car. Active travel, specifically walking and cycling, has significant health as well as environmental benefits. The transport hierarchy ensures that as much emphasis as possible is given to the most sustainable modes of transport, but also to ensuring there is a choice of transport options for all. There is also a need to acknowledge that car ownership is likely to remain high, and therefore the implementation of policies to encourage walking, cycling and public transport is not intended to penalise car ownership.

6.2.1.2 Accessibility is vital to creating sustainable communities where services, employment and facilities are provided within easy walking distance of homes. Equally important is the need for good transport connections within the Bay and the wider sub-region.

6.2.1.3 It is important that future development makes an appropriate contribution to delivering these transportation goals, minimises the scale of impact on the highway network and contributes to improved accessibility and a healthy living environment. Where development does not include proposals for encouraging sustainable modes of transport, this may indicate that the proposal is unacceptable.

6.2.1.4 Air Quality Management Areas (AQMAs) have been designated in Hele, Torquay and Brixham Town Centre and are shown on the Policies Map. These areas are characterised by high levels of nitrogen dioxide caused by emissions from road transport, due to low vehicle speeds arising from localised congestion. Action Plans will be prepared by the Council for both AQMAs.

Policy TA2 Development access

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. Consideration will be given to the hierarchy of sustainable transport and the need to create a connected network of green infrastructure identified in the Torbay Green Infrastructure Delivery Plan. All such works shall seek to maintain or enhance the physical features that contribute to the character of the area.

Accessing the highway network:

Schemes which require new access to/from the highway network will be supported where they:

1. Provide vehicular and pedestrian access to a safe standard, including a satisfactory standard of visibility;

2. Maintain an acceptable network capacity or provide suitable mitigation for any negative impact on capacity;

3. Contain high quality provision for sustainable modes of transport, proportional to the scale and type of development;

4. Enhance public and/or community transport, cycling and pedestrian infrastructure, proportional to the scale and type of development;

5. Are essential to access the schemes and can demonstrate significant environmental, safety or economic benefits; and

6. Do not impact on the wider network, by causing/adding to congestion for example; and

7. Provide for safe turning/manoeuvring of vehicles within the site, particularly for commercial development.

In particular, new access points to the Major Road Network and the District Distributor Road Network (shown on the Policies Map) will not be permitted where there is an impact on road safety, or severe impact (including cumulative effects) on the function and operational efficiency of the Networks.

For major developments:

A good standard of access for walking, cycling, public and private transport should be provided in major development schemes. This will include measures for emergency service vehicles, waste collection vehicles and public transport vehicles to access the site in a way that would not disrupt the service they provide. Additionally, secure covered bicycle parking and changing facilities (e.g. in commercial developments) should always be included. Consideration must be given to the need to make appropriate provision of facilities for disabled persons, such as suitable levels, signage and parking bays.

A Travel Plan is required for all major developments likely to have significant transport implications, setting out how at least 30% of the potential users can gain access by foot, cycle or public transport, and how this will be monitored.

Explanation:

6.2.1.5 It is an important principle that new development should integrate with the surrounding area in terms of its connectivity and should be accessible by a wide range of means, including (but not exclusively) the private car. Development should ensure that people wishing to gain access to the site can do so by a choice of sustainable travel modes, ensuring that potential users can either walk or cycle safely and conveniently to and from the site. Safe, free-flowing and well-maintained vehicular access throughout development is a vital element of a high quality scheme.

6.2.1.6 Development proposals that require new access provision, and are likely to have an impact on the Major Road Network, will be permitted where the proposal does

not significantly reduce capacity on the road network or impose delays to essential services. Where development proposals are likely to have an impact on the distributor road network, they will be permitted where the development does not unacceptably increase traffic congestion or create difficulties for public transport, cyclists and pedestrians, or where public transport or highway improvements can be made to accommodate any impact. Fleet Walk in Torquay, Victoria Street, Paignton and Fore Street, Brixham are subject to pedestrian priority measures. However, they are also form important town centre routes with service and access requirements and their status in the highway network will be kept under review.

6.2.1.7 It is important that new developments provide a satisfactory standard of access to the wider highway network. For the majority of the network, visibility should accord with national guidance, for example the Manual for Streets and Design Manual for Roads and Bridges. Developments which have direct access to principal roads and high speed roads should accord with national standards, unless agreed otherwise. Schemes should protect or replicate features of landscape importance such as hedgerows, trees and townscape where this is compatible with the technical requirements noted above. Any additional cost of providing replacement features should be included at the outset of the proposal.

6.2.1.8 A Travel Plan is a key way to assist the management of the transport needs of an organisation or major development. It requires clear (SMART) targets for the use of the various travel options, with deadlines by when these will be achieved. Provision must reflect the transport hierarchy and be made to encourage the use of walking, cycling, public transport, and car sharing. It should also reduce the level of traffic generation and make appropriate provision for disabled users. Educational establishments will need additionally to consider the requirements for pupil/student and parent access.

Policy TA3 Parking requirements

The Council will require appropriate provision of car, commercial vehicle and cycle parking spaces in all new development. 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.

Extensions to, or sub-division of, houses or flats must not result in the net loss of parking provision to below the standards set out below, unless in town centre locations with good travel infrastructure, where alternatives may be considered.

Development proposals will be expected to meet the guideline requirements as set out in Appendix F.

Explanation:

6.2.1.9 Greater flexibility on levels of provision has been provided in town centres, where there is more opportunity to make journeys through walking and cycling. Changes of use will be particularly scrutinised to ensure they do not result in localised parking problems or harm an area's character, or undermine economic viability. Restrictions on the provision of car parking are sometimes used as a demand management tool. High traffic generating uses, particularly out of town developments requiring a Travel Plan, will need to examine how parking provision can affect the way people choose to travel. Levels of car parking provision should also take into account peak and seasonal effects, particularly the additional tourist demand during summer months. The layout and design of car parks should reflect the scale and character of the area; they should be accessible and safe, with careful consideration given to the pattern and scale of buildings and open spaces in the vicinity. They should positively contribute to the urban environment with appropriate hard and soft landscaping, surface materials and street furniture.

6.2.1.10 The standards reflect a balance between ensuring that the levels of car parking generated by any type of development are met on-site (and therefore overspill and the proliferation of on-street parking is limited) with the need to ensure that the consideration of sustainable transport is fully embedded into the design for new developments. The Local Plan recognises that many people will own motor vehicles and seeks to provide alternatives to car use rather than seeking to inconvenience ownership. The Plan therefore requires residential development to provide adequate on-site parking where possible, but these requirements should not dominate the site's appearance. Whilst courtyard parking may be acceptable, consideration will be given to the likelihood of its use. In broad terms, the provision of adequate and appropriate residential parking should be safe, convenient and discrete so that vehicles do not obstruct the highway or dominate the street scene.

6.2.1.11 Torbay Council will take a site-specific approach taking into account the above considerations. Where minimum requirements are expressed, significant deviations above these minimums will need to be fully justified to ensure this does not lead to an unacceptable reliance on car-based travel and or harmful social or environmental impacts.

6.2.2 Communications

Policy IF1 Information and communications technology

The introduction and installation of the most up to date and fastest telecom and other Information and Communications Technology (ICT) will be supported by the Local Plan.

Applications for ICT developments will be supported where the following criteria are met:

1. The opportunity to accommodate apparatus on an existing mast or structure in preference to new masts or structures has been fully explored;

2. Telecommunication apparatus and associated structures have been sited and designed in order to seek to minimise impact on the visual amenity, townscape, character and appearance of the surrounding area;

3. Development does not have an unacceptable impact, including cumulative impact, on residential amenity, landscape character or wildlife;

4. Existing landscape features have been utilised and/or an appropriate landscaping scheme has been prepared to minimise the impact on the visual amenity, character or appearance of the surrounding area;

5. If on a building, apparatus and associated structures should be sited and designed in order to minimise impact to the external appearance of the host building; and

6. Underground facilities and ducts should be sited and laid to minimise harm to tree roots or areas of archaeological importance.

When considering proposals for telecommunications or other ICT equipment, the Council will consider the operational requirements of telecommunications networks. It will be a condition of any approval given that any telecommunication apparatus and associated structures that subsequently become redundant will be permanently removed from the site and that land will be reinstated to its former condition or in accordance with details to be previously agreed with the Council.

Explanation:

6.2.2.1 There has been a huge expansion in telecommunications and computing in recent years. Mobile communications are now an integral part of everyday life and crucial to the success of most business operations. With the emergence of new services such as fourth generation services and the expansion of internet capable devices, there is likely to be a very large increase in demand for bandwidth, whether this is supplied via copper/fibre optic cables, WiFi or mobile networks.

6.2.2.2 The Plan cannot predict the future of technology, although it is relatively certain that technological changes will happen quickly. However, it is important that the planning process is proactive in supporting and encouraging ICT networks to maximise their economic and social benefits.

6.3 Aspiration 3: Protect and enhance a superb environment

6.3.1 Countryside, coast and greenspace



Policy C1 Countryside and the rural economy

In the open countryside, away from existing settlements, and in rural areas surrounding the three towns of Torbay, development will be resisted where this would lead to the loss of open countryside or creation of urban sprawl, or where it would encourage the merging of urban areas and surrounding settlements to the detriment of their special rural character and setting.

Major new development should focus on Future Growth Areas in the Strategic Delivery Areas set out in the Key Diagram, consistent with the ambition and policies of the Local Plan. Otherwise, development outside the main urban areas and Strategic Delivery Areas will normally only be permitted within the established boundaries of villages and hamlets, provided that it is of an appropriate modest scale and consistent with relevant Local Plan Policies, including those relating to landscape, recreation, biodiversity, design and conservation. Suitable infill development, refurbishments and conversions will be permitted within these settlements in order to meet the day-to-day needs of local communities, to promote the retention and development of local services and to help maintain their sustainability. Village Envelopes in Maidencombe and Churston/Galmpton are defined on the Policies Map.

Outside settlement boundaries, the following forms of development may be permitted, provided that the rural and landscape character, wildlife habitats, green corridors and historic features are not adversely affected and necessary mitigation measures are carried out to minimise any harm to the environment:

1. New homes for which there is a proven agricultural need, or self-build affordable housing where acceptable under Policy H3;

2. Development required for forestry, horticulture or agriculture;

3. Touring caravans and tents;

4. Tourist facilities appropriate to the rural area;

5. Development associated with outdoor sport and recreation appropriate in a rural area;

6. Sensitive conversion, alteration and extension of existing buildings;

7. Essential improvements to the highway network; and

8. Appropriate renewable energy development.

Where new development proposals come forward, the Council will also have regard to the need to protect, conserve or enhance the distinctive landscape characteristics and visual quality of a particular location, as identified in the Torbay Landscape Character Assessment, the suitability of development and the capacity of the countryside to accommodate change. Development in the countryside should not have adverse effect on the integrity of the South Hams SAC or other important habitats. It should also have regard to Policy NC1 to assess the in-combination effects of multiple developments that could affect Greater Horseshoe Bats and the integrity of the South Hams SAC, and the scope for developer contributions to mitigate the impact of increased recreational pressure on the South Hams SAC. The Countryside Area is shown on the Policies Map.

Explanation:

6.3.1.1 The open countryside of Torbay is a fundamental part of the sub-region's identity and a major component of the Bay's tourism offer. It provides amenity value and a range of recreational opportunities and is an integral part of the Bay's economy.

6.3.1.2 The Local Plan strikes a careful balance between protecting the integrity and character of the countryside whilst allowing development that is vital to the support of sustainable communities, such as self-build schemes (see Policy H3) and the rural economy. The Countryside Area is shown on the Policies Map and has been defined for the following reasons:-

- To identify the countryside around Torbay as a finite resource and to encourage its

best use;

- To safeguard Torbay from further urban sprawl and maintain important green wedges;
- To prevent the main urban areas of Torbay from merging with each other and neighbouring settlements;
- To preserve the special character of the towns and villages within Torbay's overall landscape setting;
- To recognise the need to adapt to changing demands in the countryside around Torbay and priorities for development;
- To concentrate building development within the urban area and prevent the unnecessary spread of inappropriate uses into the countryside; and
- To maintain a connected network of landscape features set out in the Torbay Green Infrastructure Delivery Plan (2011).

6.3.1.3 Different towns and urban areas in Torbay have very distinct identities that should be protected and wherever possible enhanced. Strategic green wedges are important to prevent urban coalescence and retain the valuable landscape setting that is characteristic of Torbay's urban areas. Policy SS8 will also be relevant to any proposed development in the Countryside Area as about a quarter of this Area is also overlaid by the nationally important AONB, and 40% is designated as undeveloped coast (Policy C2).

6.3.1.4 Areas of undeveloped countryside, country parks and green space are important wildlife corridors and green infrastructure assets that connect adjacent urban communities to the wider countryside (see Policy SS9). They also provide a range of social, environmental and amenity functions including flood alleviation (Policy ER1) and should therefore be retained for these purposes. Due to the strategic importance of these areas there will be a presumption against any development that would undermine their current role or character.

6.3.1.5 Importantly, the Local Plan provides a strategic planning policy framework to address both the need to support the rural economy and the need to guide development in rural areas of Torbay and the smaller settlements located in the countryside.

6.3.1.6 The Local Plan supports the rural economy by taking a positive approach to sensitive and sustainable new economic growth in the countryside. Developments should be consistent in their siting, orientation, scale, use, design, materials, landscaping and boundary treatment with their rural location. The impact on tranquillity and dark skies will also be considered where appropriate and reflected in the choice of lighting solutions to minimise the impact of light pollution, particularly on Greater Horseshoe Bats (see Policy SS8) and other wildlife. Within these parameters, the Plan also supports sustainable rural recreation, leisure and tourism developments that respect the character of the countryside.

6.3.1.7 It is important that agriculture and the rural economy are able to thrive and that the Plan is responsive to changing social and economic circumstances. The Plan provides opportunities for agriculture to become more competitive and diverse, and in addition to promote environmental aims (whilst protecting the best and most versatile agricultural land – see Policy SC4). The aim of the Local Plan is to facilitate sustainable development that supports traditional land-based activities and maximises new leisure and tourism opportunities requiring a countryside location. The Council therefore supports the growth of business enterprise in the countryside and the development and diversification of agricultural and related rural businesses, through

the conversion of existing buildings and construction of well-designed appropriately located new buildings.

6.3.1.8 The rural areas surrounding the built-up areas of Torquay, Paignton and Brixham are an important asset for Torbay. Many of these areas are of high landscape and biodiversity value, and of great visual and historic importance to residents and visitors alike. There is also an established rural economy in these locations that is subject to continual pressure for change. Within these areas there are also several villages and hamlets that are part of Torbay.

6.3.1.9 Proposals for development will be considered in the context of the Torbay Landscape Character Assessment (2010). This identifies areas of distinctive character and key characteristics to protect, conserve or enhance to help maintain those features which contribute to that distinctive character. It also describes the sensitivity of the landscape to change and potential mitigation and management strategies. The related Brixham Urban Fringe Study uses the LCA as the basis for a more detailed analysis of landscape compartments in the South Devon AONB surrounding Brixham, providing recommendations for conserving, maintaining and enhancing the integrity of the various designations.

6.3.1.10 Whilst significant levels of development are not envisaged for existing rural settlements, small scale development, refurbishments and conversions may be required in order to meet the needs of local communities (including infill housing schemes, meeting places, local shops and pubs) to help maintain their sustainability. Self-build and Community Right to Build Schemes may offer opportunities to meet identified local needs. The Local Plan will support such development within the designated Village Envelopes in Maidencombe and Churston/Galmpton, and the established boundaries of smaller hamlets, provided that it is at an appropriate scale and consistent with landscape policies.

6.3.1.11 Major development in the countryside is planned only for specific Strategic Delivery Areas (see Policy SS1, and Policies SDT1 to SDT4, SDP1 to SDP4 and SDB1 to SDB3). Any such development will be carefully coordinated through masterplans or concept plans, in liaison with local communities in the context of neighbourhood plans.

6.3.1.12 Forthcoming neighbourhood plans may add detail to this Policy concerning Village Envelopes, consistent with their ability to shape and direct sustainable development in their area, as set out in the NPPF. This could include amending the boundaries and/or further defining the nature of development which is acceptable.

Policy C2 The coastal landscape

The undeveloped coast:

The Council and partnership organisations will conserve the character of the undeveloped coast and seek to enhance its distinctive landscape, seascape, biodiversity, geological, recreational and cultural value. Development will not be permitted in the undeveloped coastal area unless proposals satisfy the following requirements:

1. Maintain the unspoilt character of the coastline, coastal landscape and seascape;

2. Maintain or improve public access for recreation; and

3. Provide sensitively designed development, including tourism uses, where there are clear economic or sustainability benefits that cannot be realised in alternative locations.

Development outside the undeveloped coast which may harm the intrinsic character of the area will be assessed with regard to visual impact.

The undeveloped coast is shown on the Policies Map.

The developed coast:
In the developed areas of coast, development will be permitted where it provides benefit to Torbay's economy and does not unacceptably harm the landscape character and appearance of natural, historic or geological assets.

Explanation:

6.3.1.13 Policy C2 deals with landscape and related matters to do with the coast. Policy C3 below addresses issues such as shoreline management, flooding and land stability which are associated with development in coastal areas.

6.3.1.14 The mean low water mark defines the limits within which Torbay Council has a statutory power to control the development and use of land. The coast is significant from an environmental, economic and social perspective and adds greatly to the quality of life for Torbay's residents. The scenic beauty, natural setting and seascape underpin Torbay's popularity as a place to live, work and visit and so it is important to protect the intrinsic landscape character of the undeveloped coast for its own sake, and as a significant, finite resource. The quality of life and distinctive local identity is enhanced by a large number of accessible award-winning bathing beaches and three harbours, which form an important recreational and amenity resource. The South West Coast Path extends along Torbay's coastline, providing an attractive environment for walking and is a popular tourist draw (see also Policies SS6 and SS9).

6.3.1.15 It is important that the qualities of the coastline are conserved for future generations, in particular the important areas of undeveloped coastline which extend landward to include areas that maintain a coastal character, and are within the visual envelope to and from the seaward side. Developments will only be permitted along the undeveloped coast to provide facilities for activities appropriate to the location, such as low-key rural tourism or recreation uses, where their introduction does not harm the scenic qualities and prevailing character, and any built development is kept to a minimum.

6.3.1.16 Consideration should be given to whether there are alternative locations where the development could feasibly be located, away from the undeveloped coast. The Torbay Landscape Character Assessment (2010)(LCA) identifies a number

of coastal landscape character types which incorporate the majority of the land within the undeveloped coast. The LCA should be used (in combination with any seascape analysis) as a basis for assessing the character and sensitivity of the area and its ability to accommodate new development. This will include parts of the developed coast where the LCA has identified 'undeveloped' maritime cliffs, coastal plateau and low lying beaches.

6.3.1.17 The majority of new development along the coast, therefore, will be focussed on the existing developed area. Due to the limited supply of land, acceptable forms of development will be either buildings or structures for the few activities that require a coastal location, such as water-based recreation or boat repairing (see also Policy TO3). However, schemes that provide significant regenerative benefits for Torbay's economy, such as the provision of major new tourist facilities, will be supported, subject to the criteria set out in this Policy. The impact of development especially at the coastal edge of the developed area will require careful consideration. Access points serving buildings or activities dependent on a coastal location will be safeguarded from development. Where appropriate, the improvement of public access to and along the coast will form an integral part of any proposals especially in relation the maintenance or provision of a continuous route around the coast (Marine and Coastal Access Act 2009).

6.3.1.18 The coastline looks out onto the waters of Tor Bay which are a part of the Lyme Bay and Torbay candidate Marine Special Area of Conservation (the designation does not include the working harbours, but does include underwater features) and a Marine Conservation Zone. This means that the potential effect of any new development should be considered to ensure there is not unacceptable damage to important habitats and species (for example, from run-off). An Appropriate Assessment will be required where a proposed development is likely to significantly affect the SAC.

6.3.1.19 Applicants should have regard to relevant marine planning documents, including the Tor Bay Harbour Authority Port Masterplan (2013) and coastal character assessments, where appropriate.



Policy C3 Coastal change management

The Council will support measures that are compatible with or actively support coastal change management. The Coastal Change Management Area is shown on the Policies Map.

Development in this Area, or reliant upon services within it, will be considered in the context of the Shoreline Management Plan and should meet the following criteria:

1. It does not adversely affect the natural and historic environment of the area, including geodiversity, maritime archaeology, marine ecology and the integrity of sites protected under European legislation;

2. It is appropriate for a coastal location and would not adversely affect or conflict with those aspects of the local economy which are dependent on the sea and a coastal location;

3. It will be safe through its planned lifetime without increasing risk to people or property and does not create a need for significant further coastal protection and sea defence works in undeveloped or developed coastal locations, or inhibit the ability to access, maintain and/or improve existing sea defence or coastal management assets;

4. It does not adversely affect sites or areas at risk from flooding, erosion and land instability arising from maritime influences;

5. In the exceptional circumstances where the proposal requires a coastal location, the developed coast will be the preferred area for development, provided that such schemes contribute to its physical regeneration and environmental enhancement; and

6. It is compatible with the character and landscape protection policies affecting the coast, does not compromise coastal routes and where practical enhances public access.

Temporary planning permissions and time-limiting conditions will be used where necessary, including to secure removal of development prior to the anticipated impact of coastal change.

S106 Planning Obligations will be required from development in areas where coastal defences need to be provided and/or maintained to facilitate development.

Explanation:

6.3.1.20 The amount of natural change occuring for any one length of coast depends on its degree of exposure to the sea and the underlying geology. Development adjacent to the coast may be at risk of landfalls, coastal recession and flood risk (Policy ER1 applies) which could pose a risk to buildings and their occupants, either now or during the lifetime of the development. Development will not be permitted where it endangers life, or requires costly preventative measures to stabilise land or property over its anticipated lifetime.

6.3.1.21 The Coastal Change Management Area incorporates the findings of the South Devon and Dorset Shoreline Management Plan (2011) (SMP2). It provides a vital tool in the planning and management of coastal erosion and flooding in short term (20 year), medium term (50 year) and long term (100 year) tranches. SMP2 advocates the continued protection of the existing developed area, which is already defended, in recognition of its social and economic value – referred to as 'holding the line'. There are no proposals to extend the area already defended. Where areas are undefended, the SMP supports the continued natural evolution of the coastline with 'no active intervention.' The 'managed realignment' of the coast in the Goodrington Sands North and Broadsands areas is identified as a means of retaining a naturally functioning beach, in the event of sea level rise.

6.3.1.22 Where development depends on maintenance of the sea defences, contributions towards the continuation of these may be required. When coastal change is expected, a Flood Risk Vulnerability Assessment may be needed and it is likely that permanent residential development will not be appropriate. The LPA may seek opportunities to relocate and roll back vulnerable built development in these areas, whilst maintaining coastal routes. Proposals on land outside the Coastal Change Management Area that rely on the development of necessary supporting services (such as access roads) within the Area must have regard to the Policy criteria above.

6.3.1.23 As such, the key material considerations for development on the coast include:

- The impact of the development on landscape and views;
- The impact of the proposals on ecology and land stability;
- The ability of the development to preserve or enhance public access;
- The Shoreline Management Plan, the Sea Torbay Coastal Zone Management Plan, the Tor Bay Harbour and Maritime Strategy, the Tor Bay Harbour Authority Port Masterplan, South Inshore and Offshore Marine Plans (Marine Management Organisation) and any related Integrated Coastal Zone Management Plan;
- Sea defence, flood risk and erosion including the safeguarding of development and habitats, including corridors; and
- Some marine works will require a marine licence and/or an Environmental Impact Assessment, as covered in Policy TO3. Early engagement with the Marine Management Organisation (MMO) and Natural England is advised.



Policy C4 Trees, hedgerows and natural landscape features

Development will not be permitted when it would seriously harm, either directly or indirectly, protected or veteran trees, hedgerows, ancient woodlands or other natural features of significant landscape, historic or nature conservation value.

Where the loss of, or impact on trees, hedgerows or landscape features is considered acceptable as part of development, replacement and other mitigation measures will be required through planning condition or legal agreement. These measures should at least off-set any such harm, and preferably achieve landscape and biodiversity improvements, and make provision for on-going management.

Development proposals should seek to retain and protect existing hedgerows, trees and natural landscape features wherever possible, particularly where they serve an important biodiversity role.

Proposals for new trees and woodlands will be supported in principle and will be a specific requirement of proposals in Strategic Delivery Areas and related Future Growth Areas.

Explanation:

6.3.1.24 Woodlands, trees and hedgerows can form important landscape features as well as providing valuable habitats and wildlife corridors.

6.3.1.25 Woodlands, and particularly ancient woodlands (those dating from about 1600) form traditional elements of the countryside, or important islands of green natural habitat within Torbay's urban areas. Such sites have developed a wide diversity of species and habitats through time. Once lost, this part of our heritage cannot be replaced. Two ancient woodlands (designated by Natural England) have been identified in Torbay, at Rams Hill Copse and Clennon Hill in Paignton. It is considered there may be other areas of woodland worthy of designation, expansion and protection.

6.3.1.26 Hedgerows, many of which are of traditional Devon Bank construction, are important elements within the landscape of Torbay. They can function as wildlife corridors linking wildlife sites. Hedges can also form very ancient land boundaries and may preserve historically important artifacts. It has been estimated that in any given 30 metre stretch of hedgerow, each shrub species represents one hundred years. A quarter of Devon's hedges are more than 800 years old. For these reasons, it is important that significant hedgerows are retained and their appropriate retention will be secured by planning conditions.

6.3.1.27 Established hedges have substantially more historic and environmental value than new hedges, which take time to mature and do not reflect historic enclosure patterns. Therefore existing hedges should be retained wherever possible. This is particularly important where they form part of the Greater Horseshoe Bat corridors identified in Policy SS8. Maintenance of hedgerows may be essential to maintain the integrity of the South Hams SAC and must be considered at an early stage of the planning process, in accordance with Policies SS8 'Natural environment' and NC1 'Biodiversity and geodiversity'.

6.3.1.28 Trees have a considerable environmental value and are particularly important in urban areas. Not only are they aesthetically pleasing in themselves but they can soften development, improve the environmental quality of our streets and provide a green framework to our towns. They can be important, both individually and in groups. In parts of Torbay, there are whole areas where trees are largely responsible for the character of the environment.

6.3.1.29 Whilst orchards are often not protected by Tree Preservation Orders (TPOs), and permission is not needed to prune trees grown for the production of fruit, orchards can nevertheless serve a valuable green infrastructure and local heritage role as well as being an excellent form of sustainable food production. Traditional orchards are a priority habitat under Section 41 of the Natural England and Rural Communities Act 2006. The Authority has a duty to conserve and enhance priority habitats when undertaking their functions. On this basis, proposals affecting orchards will be considered on the basis of Policies SS9, C4 and SC4.

6.3.1.30 Many people are less enthusiastic about trees close to their property, where they may be seen as obstructing views and taking away light, as well as causing maintenance problems and sometimes danger. Development may not be permitted if it is essentially incompatible with the retention

of trees. Proposals affecting trees will be carefully considered to ensure trees which are to remain do not cause unreasonable inconvenience to future occupiers.

6.3.1.31 By its very nature, the carrying out of development work can cause damage to tree roots by compaction and excavation. In determining planning applications, it will be necessary to ensure that construction is not carried out in close proximity to trees in such a manner as to cause damage.

6.3.1.32 Trees will be protected by imposing conditions on planning consents for development. These can specify measures to be taken to protect trees during and after the building process. Such conditions will be used whenever trees of amenity value are adjacent to development. New tree planting should seek to enhance existing, create new habitats or provide shelter belts.

6.3.1.33 TPOs may also be used to safeguard the amenity value of trees and to prevent them from being felled. They can be made on individual trees, groups of trees or on whole areas. Torbay has a rich legacy of trees, many of which are protected by Tree Preservation Orders. Similar protection applies to trees in conservation areas where there will generally be a presumption against felling such trees unless there are sound reasons for doing so. Additional information on tree coverage and management can be found in the document entitled Tree Woodland Framework for Torbay (2013), as well as in 'Protected Trees - Frequently Asked Questions (2012) and Tree Management and Protection - Frequently Asked Questions (2014), produced by Torbay Council.

Policy C5 Urban Landscape Protection Areas

Development within Urban Landscape Protection Areas (ULPAs), as shown on the Policies Map, will only be permitted where:

1. It does not undermine the value of the ULPA as an open or landscaped feature within the urban area; and

2. It makes a positive contribution to the urban environment and enhances the landscape character of the ULPA.

Designated Urban Landscape Protection Areas are as follows :

ULPA No.	ULPA Name
Torquay	
01	Watcombe Park and Watcombe Heights
02	Steps Cross, Watcombe
03	Mincent Hill, Barton
04	Clennon Lane, Barton

05	Scotts Bridge/Barton
06	Riviera Way Corridor
07	Lummaton Hill, Combe Pafford
08	Hele Woods/Windmill Hill Woods
09	Daison Woods
10	St. Marychurch Road (formerly Oddicombe Downs)
11	Babbacombe Downs
12	Cary Park
13	Markham Plantation and Sherwell Valley
14	Shiphay Manor (Girls' Grammar School)
15	Rowcroft/Shiphay Plantation
16	Chapel Hill, Torre
17	Stantaway Hill, Upton
18	Grange Road/Warberry Copse
19	The Quinta
20	Lydwell Road
21	Palace Hotel Grounds (North)
22	Palace Hotel Grounds (South)
23	Ansteys Playing Field
24	Ilsham Valley/Lincombe Slopes
25	Torwood Gardens
26	Daddyhole Plain
27	St. Johns Wood, Park Hill
28	Stentiford Hill
29	Torre Abbey Meadows and Sports Grounds
30	Sherwell Park
31	Ashfield Gardens
32	St. Matthew's Field
Paignton	
33	Preston Green
34	Parkfield
35	Paignton Green North
36	Paignton Green South
37	Queen's Park
38	Victoria Park

39	Paignton Cemetery and allotments
40	Monastery, Winner Hill
41	Primley Woods and Meadow to south
42	Goodrington Park/Roundham
43	Quay West Corner
44	Clennon Hill/Roselands Valley
45	Sugar Loaf Hill
46	Waterside, Goodrington
Brixham	
47	Tor Rocks, Broadsands
48	Galmpton Warborough
49	Brunel Woods, Galmpton
50	Battery Grounds
51	Shoalstone and Ashole Woods
52	Furzeham Recreation Ground
53	Parkham Field
54	Brixham Community College Playing Fields
55	Astley Park and Playing Fields
56	St. Mary's Churchyard and Park
57	Summercombe

Explanation:

6.3.1.34 These enclaves of special landscape quality set in or bordering the urban areas (some of which also skirt the coastal fringe) vary in size and make a considerable contribution to the environment in a variety of ways. Taken as a whole these protected urban landscape areas form a valuable part of Torbay's green infrastructure (see Policy SS9) and help ensure a healthy Bay (see Policy SC1).

6.3.1.35 Some act as local vantage points, some as amenity open space, some as green spaces that provide a natural and visual break within the local (urban) townscape and others as landmarks in the local scene. In some cases they perform all four roles. Designated ULPAs include both publicly owned/publicly accessible and privately owned/non-accessible sites. Some ULPAs are also of ecological significance. In early 2013, a detailed Review of Urban Landscape Protection Areas was carried out by Torbay Council. The purpose of this study was to re-assess the suitability of existing ULPAs against relevant criteria and to consider whether any boundary changes were needed, whether new ULPAs were justified, and whether or not any deletions or reclassifications were needed. Policy C5 reflects the findings and recommendations of this study.

6.3.1.36 It is important therefore that priority is given to protecting the essential landscape features of these areas, to ensure that their contribution to the landscape of the urban area is protected and maintained. Whilst the Policy does not necessarily preclude all development in these locations, it will be necessary to demonstrate that the quality of these areas is retained if it were to take place. In appropriate cases, the Council will consider the preparation of management plans to safeguard and improve such areas. Part of the Riviera Way Corridor ULPA is also identified as an area of search for a rail halt. The Council will seek to minimise any impact on the ULPA, whilst recognising that Network Rail's operational and safety standards must be met.

6.3.1.37 Some of these areas may qualify for designation as Local Green Space through the neighbourhood planning process, subject to Paragraphs 76-78 of the NPPF. In addition, other green areas of special importance to local communities not identified in this Policy may be worthy of designation.



6.3.2 Nature conservation

Policy NC1 Biodiversity and geodiversity

Development in all areas

The Local Plan seeks to conserve and enhance Torbay's biodiversity and geodiversity, through the protection and improvement of the terrestrial and marine environments and fauna and flora, commensurate to their importance. The promotion, improvement and appropriate management of Torbay's special environmental and geological qualities, and corridors between them, will be supported and will be a key element in promoting sustainable tourism and fostering pride in the area's unique environment.

Development should not result in the loss or deterioration of irreplaceable habitats or wildlife corridors. Where development in sensitive locations cannot be located elsewhere, the biodiversity and geodiversity of areas will be conserved and enhanced through planning conditions or obligations. Development proposals should minimise fragmentation, and maximise opportunities for the restoration and enhancement of natural habitats, including trees and ancient woodlands. The integrity of wildlife corridors and important features shown in the Torbay Green Infrastructure Delivery Plan (2011) should be conserved and enhanced.

All developments should positively incorporate and promote biodiversity features, proportionate to their scale. Where there is an identified residual impact on biodiversity, proposals will be expected to deliver a net gain in biodiversity through the creation or provision and management of new or existing habitats, in accordance with the Torbay Biodiversity and Geodiversity Action Plan (2007) and the Torbay Green Infrastructure Delivery Plan. If avoidance and mitigation are not sufficient, residual impacts must be off-set in a manner deemed acceptable by the Council.

Internationally important sites and species

Internationally important sites and species will be protected. Avoidance of likely significant effects should be the first option. Development likely to affect an international site will be subject to assessment under the Habitat Regulations and will not be permitted unless adverse effects can be fully mitigated.

In addition, development likely to have a significant effect on the integrity of the South Hams SAC will be required to provide biodiversity conservation measures that contribute to the overall enhancement of Greater Horseshoe Bat habitats.

Development around the edge of the built-up area that is within the Berry Head SAC Sustenance Zone or likely to affect strategic flyways of Greater Horseshoe Bats will as appropriate be required to protect existing hedgerows (including remnant hedges and veteran trees) that surveys show are being used as bat flyways. Such development will also enhance the existing flyways by providing features (such as linear corridors of hedgerows) to maintain and improve the ecological coherence of the landscape, necessary to maintain the Torbay population of Greater Horseshoe Bats in 'favourable conservation status'. This will include maintaining lighting levels at 0.5 lux.

Developer contributions will be sought from development within the Brixham Peninsula (Policy SDB1) towards measures needed to manage increased recreational pressure on the South Hams SAC resulting from increased housing numbers or visitor pressure.

Nationally important sites and species

Development on or likely to have an adverse effect on nationally important sites such as Sites of Special Scientific Interest will not normally be permitted. Such proposals will only be permitted in exceptional circumstances where the following can be met:

i) The benefits from development outweigh the impacts on the site and broader nature conservation interests; and

ii) Nature conservation impacts can be fully mitigated/compensated.

Consideration should be had to the cumulative impacts of developments. Development likely to cause harm to such sites or species that cannot be mitigated as above will therefore only be permitted where there is an overriding public interest considered to outweigh the impact(s) on nature conservation, where a thorough assessment of impacts (both individually and in combination with other developments) has been undertaken, and where consideration has been given to reasonable alternative sites for development.

Development that risks harm to Cirl Bunting habitats and territories will only be permitted where the benefits of development clearly outweigh the impacts, including in combination effects, and the impacts can be mitigated in full. Developers will be expected to provide mitigation on site, where practicable.

Locally important sites and species

Development in locally important sites will only be permitted where there are no reasonable alternative sites, where the reasons for development clearly outweigh damage to nature conservation interests, where every effort has been made to minimise any such damage, and where appropriate mitigation and compensation measures can be put in place.

Explanation:

Biodiversity

6.3.2.1 The NPPF requires local plans to identify and map sites of international, national and local importance and to avoid harm where possible, followed by mitigation of impacts, and then compensation for harm as a last resort. Where harm involves protected species of European significance, it must be noted that compensation can only be considered where it can be shown that the development proposal is in the national interest. Torbay has fauna and flora of international importance. The South Hams Special Area of Conservation is an archipelago Special Area of Conservation (SAC) that covers Berry Head and other sites within the South Devon area. The SAC is designated for its important habitats (particularly dry heaths, semi-natural dry grasslands and scrubland associations on calcareous substrates) and helps to support one of the largest populations in the country of the Greater Horseshoe Bat, one of Britain's rarest and largest bats.

6.3.2.2 The habitats of the SAC are susceptible to degradation through scrub invasion, erosion by walkers and eutrophication through dog fouling. The Council/TCCT have an existing responsibility to manage land in its ownership under the 2006 Natural Environment and Rural Communities Act.

6.3.2.3 A report by Footprint Ecology, Recreational Impacts on Berry Head – Additional HRA Work for the Torbay Local Plan (2014), identified that there is evidence to suggest that additional impacts on the Berry Head to Sharkham Point component of the SAC, arising from the level of growth proposed

by the Local Plan, are a realistic possibility. The data available suggests that there is a zone of influence of approximately 5 kilometres driving distance (roughly equal to Policy area SDB1, Brixham Peninsula). The report concluded that the possibility of significant effects cannot be ruled out and mitigation measures will be necessary. The potential mitigation measures identified include:

(i) Habitat management required to increase the resilience of the site over and above that already required to maintain the interest features of the site; and

(ii) Increased visitor engagement work.

6.3.2.4 Further work will be undertaken by the Council, and associated stakeholders, to further develop and provide estimated costs for the potential mitigation measures identified by the Footprint Ecology report to mitigate increased recreational pressure on the South Hams SAC within the SDB1 Policy area. The Council will produce a Supplementary Planning Document to set out the evidence base, proposed zone of influence, mitigation costs and approach for securing developer contributions.

6.3.2.5 Development within the Brixham Peninsula (Policy SDB1) will be assessed, proportionate to the scale and nature of the proposal, to determine whether there is potential to cause additional recreational impact. Where potential impacts are identified, appropriate mitigation will be required to ensure that there will be no adverse impact on the South Hams SAC. Mitigation is likely to include habitat management and visitor engagement work.

6.3.2.6 Appropriate land management practices must ensure flight paths for bats are maintained and that there is suitable provision for their activity, including foraging, roosting and mating. SAC elements in the wider countryside need to be protected, such as a range of feeding sites, to ensure population numbers of the bat population are sustained and to maintain 'favourable conservation status' of the species. The presumption in favour of sustainable development (NPPF, Paragraph 14) does not apply where an Appropriate Assessment is required. Land required for compensatory measures for European sites will be given the same protection as the sites themselves.

6.3.2.7 In relation to Greater Horseshoe Bats, Policy SS8 is consistent with Regulation 39 of the Habitat and Species Regulations (2010) and with Natural England's High Level Conservation Objectives for the South Hams SAC. It aims to maintain the Greater Horsehoe Bat population at favourable conservation status, which is a requirement of the South Hams SAC conservation objectives. Favourable conservation status is defined in the EU Habitats Directive (1992). The criteria in Paragraph 3 of Policy NC1 are intended to address and mitigate the in-combination effects of development. Natural England has produced the South Hams SAC Greater Horseshoe Bat Consultation Zone Planning Guidance and Map. This Guidance should be followed where a proposed development is located within a Greater Horseshoe Bat sustenance zone or strategic flyway as identified within the Guidance. This includes the requirement for full bat surveys to be carried out between April and October.

6.3.2.8 Additional guidance has now been prepared by Kestrel Wildlife Ltd, entitled 'Strategic Mitigation Strategy for the South Hams Greater Horseshoe Bat SAC', on behalf of the five South Hams SAC local planning authorities. Certain developments (such as building mounted wind turbines) which

normally proceed as permitted development may require the LPA and Natural England to ascertain if the integrity of the SAC may be adversely affected.

6.3.2.9 Further additional evidence for the Local Plan has been prepared by Kestrel Wildlife Ltd, specifically to advise on the implementation of the Local Plan HRA Site Appraisal Report. This provides guidance on likely favourable buffers, and account should be had to this guidance in the implementation of Policy NC1, in particular the need to ensure the following:

- The maintenance of Greater Horseshoe Bat habitat connectivity across the landscape;
- The provision of adequate foraging habitat;
- The provision, where appropriate, of adequate permeability through built development following existing and new flight paths; and
- The provision of new bespoke roosts where they will provide 'stepping stones' across the landscape.

6.3.2.10 The Council and its partner agencies such as the Torbay Coast and Countryside Trust will monitor and review likely in-combination effects of multiple developments to ensure that the favourable conservation status of Greater Horseshoe Bats and the integrity of habitats are not harmed, particularly the South Hams SAC. Where appropriate, developer contributions will be sought towards the management and mitigation of these effects.

6.3.2.11 Lines of vegetation, such as hedgerows, help bats navigate the landscape and should be protected. Negative light impacts should also be avoided. As already noted, the Local Plan seeks to maintain and enhance a bat friendly corridor around the rural edge to link roosts and foraging areas within the South Hams SAC. Berry Head hosts numerous bat roosts and foraging areas and is also part of a National Nature Reserve. There are also 12 Sites of Special Scientific Interest (SSSIs), 3 Local Nature Reserves, and over 80 Local or County Wildlife Sites within Torbay.

6.3.2.12 Torbay has both European and UK protected species and also UK priority habitats and species. Torbay has one of the largest populations of Cirl Buntings in the UK. They are one of Britain's most endangered song-birds. However, targeted protection and management has achieved increases in the numbers of Cirl Buntings. Guidance on this species has been produced by Devon County Council in collaboration with RSPB (November 2014). Development should safeguard Cirl Bunting habitats, either directly or by contributing to offsetting by provision of receptor habitats.

6.3.2.13 Torbay also has populations of bat species, reptiles, seabirds and seahorses. These are protected under non-planning legislation including the EU Habitats Regulations, the Wildlife and Countryside Act 1981 or local protection frameworks, such as County Wildlife Sites. Torbay also has several areas of ancient woodland that form an irreplaceable biodiversity resource both for its diversity of species and for its longevity as woodland. Veteran or aged trees outside ancient woodland are also particularly valuable. Irreplaceable habitats should be protected; to be acceptable, development would clearly need to outweigh any harm.

6.3.2.14 The Torbay Biodiversity and Geodiversity Action Plan (2007) sets out key objectives and actions for protecting and enhancing priority habitats and species. Regard should be had to these when considering biodiversity offsetting.

Supplementary Planning Guidance will be produced to set out how biodiversity offsetting will operate, and where appropriate how planning contributions towards biodiversity will be used.

6.3.2.15 Locally important sites include locally designated wildlife or geological sites of regional or countywide significance, local wildlife sites, local nature reserves and sensitive intertidal habitats. It is vital to ensure habitats are conserved and enhanced as an important part of the development process. Developments should also consider the integrity of the Rural and Urban Wildlife Corridors identified in the Torbay Green Infrastructure Delivery Plan (2011).

6.3.2.16 Torbay has a very rich marine environment and is one of 28 Sensitive Marine Areas in England. The coastal waters are designated as Lyme Bay and Torbay Candidate Marine Special Area of Conservation (SAC). They host a number of reefs and sea caves, supporting a variety of marine life. Torbay has also been designated a Marine Conservation Zone (MCZ) (November 2013) between Oddicombe Beach and Sharkham Point, protecting nine different marine habitats which includes the intertidal area. The Local Plan requires development to minimise the impact on sewer outfalls, particularly at Hopes Nose, Torquay. In particular the provision of sustainable urban drainage and water-sensitive urban design is promoted by Policies ER1 'Flood risk', ER2 'Water management' and W5 'Waste water disposal'.

6.3.2.17 The Council will seek to improve the net biodiversity and geodiversity value of Torbay, including increasing the number and proportion of Local Wildlife Sites (CWS and RIGS) in 'positive management'. This could include enhancing the status of Proposed and Unconfirmed Wildlife Sites (UWS). Development should therefore be located to minimise its impact on biodiversity. There will be instances where development has a knock-on impact on habitats. Mitigation and/or compensation will be necessary to ensure that a net gain in biodiversity is achieved. This may include offsetting unavoidable impacts as a last resort of the mitigation hierarchy. Measures such as strengthening of flight paths, corridors, appropriate planting of biodiversity-rich species, the creation of habitats and biodiversity management programmes will be required through planning condition or s106 Planning Obligations. Biodiversity impact is an on-site acceptability matter and cannot be avoided to assist scheme viability.

6.3.2.18 New development should maximise opportunities to create features for wildlife through landscaping and design; this may include artificial bird nesting and bat roosting sites/boxes where appropriate.

6.3.2.19 A schedule of Torbay's SSSIs, National Nature Reserves and Local Sites of Wildlife and Geological Interest is set out in Appendix D. The Council supports the RSPB's aspiration for an average provision of one new bird or bat box per new dwelling. Supplementary guidance will be produced on maximizing opportunities for wildlife features in design and landscaping.

Geodiversity

6.3.2.20 Torbay's great importance goes back to the Middle Devonian Period (395-345 million years ago) and it is recognised as the World's first urban area to become a UNESCO endorsed Global Geopark. This was awarded in 2007 in recognition of its rich geological, historical and cultural heritage. The English Riviera Global Geopark is one of just 87 Geoparks around the world. The

Geopark status aims to protect geodiversity and to promote geological heritage to the general public, as well as to support sustainable economic development of the area, primarily through the development of geological tourism.

6.3.2.21 Torbay's designation as a Global Geopark is based upon the outstanding international importance of 32 geosites spanning a story of three geological time periods over 400 million years. In this context, Torbay has made a huge historical contribution in terms of the development of geological and archaeological sciences. Many of Torbay's geologically important sites are disused quarries that have exposed geological and fossilised features, and are designated as Sites of Special Scientific Interest (SSSIs) or Regionally Important Geological Sites (RIGS). These are listed in Appendix D. RIGS are also identified in sections of exposed coastal cliffs in the undeveloped and developed coast (Policy C2). Torbay has a rich heritage of prehistoric artifacts including ancient tools at Kents Cavern.

6.3.2.22 The purpose of the Geopark is to explore, develop and celebrate the links between geology and the area's natural heritage. It is a driver for education, tourism, culture and regeneration. In this context, geological tourism is an important aspect of tourism which allows Torbay to benefit from its unique assets. Geopark status has to be maintained, and since designation, it has undergone rapid development establishing itself as a leading member within the Global Geopark network. Development affecting geological sites of interest should retain, protect and provide for the appropriate management of such features.

6.3.3 Historic environment

Policy HE1 Listed buildings

Development proposals should have special regard to the desirability of preserving any listed building and its setting, or any features of special architectural or historic interest which it possesses. Proposals for the alteration or extension of any listed building will not be permitted if the character of the building would be adversely affected.

Suitable uses for listed buildings will be supported where this would help to conserve their historic fabric and character. In appropriate cases, planning policies may be applied in a flexible manner to accommodate such uses. Changes of use, demolition or development which damage the fabric or character of a listed building will not be permitted. New development should respect the significance, scale, form, orientation and architectural detailing of any listed building it affects.

Explanation:

6.3.3.1 Policy SS10 'Conservation and the historic environment' deals with historic environment matters including conservation areas and Historic Parks and Gardens.

6.3.3.2 Torbay has over 890 entries in the National Heritage List for England (NHLE), comprising over 1,000 structures and buildings. Of these, 6 are Grade I and 30 Grade II*, comprising nearly 60 structures and buildings. It is therefore likely that a significant number of proposals will arise in the Plan period that affect them. Many are also within conservation areas. Historic buildings are an important part of the character and urban form of Torbay and as such it is important that they are maintained. Nationally, Historic England is working to remove the common misconception that listed buildings must be preserved effectively just as they are. This is not the case; their goal is positive conservation and managing change, rather than preservation. This approach allows historic buildings to change and adapt to new uses and circumstances in a way that keeps their heritage value intact and ensures their long-term maintenance and viability.

6.4 Aspiration 4: Create more sustainable communities and better places



6.4.1 Housing

Policy H1 Applications for new homes

Proposals for new homes within Strategic Delivery Areas, and elsewhere within the built-up area, will be supported subject to consistency with other Policies in this Plan.

Proposals for new homes on unallocated sites, including the renewal of existing permissions, will be assessed on the following criteria, proportionate to the scale of the proposal:

1. The need to provide a range of homes, including family homes, affordable homes, and opportunities for self-build homes, to meet the full objectively assessed needs as far as is consistent with other policies in the NPPF, Local Plan and neighbourhood plans;

2. The maintenance of a rolling 5 year supply of deliverable sites;

3. The opportunity to create mixed, balanced and prosperous communities, including employment provision, with good access to social and environmental infrastructure;

4. The creation of high quality living environments, including the protection of the amenity, recreation opportunities and access to facilities of all residents;

5. The capacity of physical, social and environmental infrastructure, including highways and sewerage, to accommodate development;

6. The objective to maximise the re-use of urban brownfield land and promote urban regeneration, whilst creating prosperous and liveable urban areas;

7. The landscape and biodiversity impacts of the proposal and the objective to achieve a net gain in biodiversity;

8. The objective to reduce the need to travel by car, whilst making appropriate arrangements for vehicle ownership; and

9. Consistency with other Policies in the Local Plan and neighbourhood plans.

Explanation:

6.4.1.1 Key development areas are identified in this Plan and will be brought forward through the local and neighbourhood planning process. Policy SS11 and SS12 set out that where there is a danger of a shortfall in provision, additional sites will be brought forward through site allocation development plan documents. However, a significant proportion of Torbay's housing supply has historically arisen on previously unidentified windfall sites. Given the emphasis on making the best use of the built up area, there are likely to be a large number of proposals for development of small windfall sites.

6.4.1.2 Policy H1 sets out a supportive approach to maximising delivery on brownfield sites, subject to amenity, infrastructure and design issues covered elsewhere in this Plan.

6.4.1.3 Policy H1 also sets out key considerations for dealing with proposals for applications affecting unidentified land, and greenfield sites within the built-up area, including new homes in the gardens of existing dwellings. These are intended to be applied proportionately to the scale of a proposal.

6.4.1.4 In considering proposals for new development, the Council will consider the availability of physical, social and environmental infrastructure and the need

to maximise the use of brownfield land. The need to provide access to a range of social and environmental infrastructure, including employment, and to minimise the need to travel by car, will be taken into account. A balanced strategy in relation to new homes and employment will be promoted (see Policies SS1 and SS4 above). Proposals that promote a sustainable pattern of development, for example by linking in with existing infrastructure, will be supported.

6.4.1.5 Housing proposals need to have regard to other Policies in this Plan. Policy NC1 sets out natural environment considerations, with an objective of achieving a net gain in biodiversity. Countryside and landscape Policies C1 to C5 will be relevant. All new homes should create good quality living environments for both existing and new residents, in accordance with Policies SC1 to SC5 of the Plan and meet design requirements set out in Policies DE1 to DE4.

Policy H2 Affordable housing

The provision of affordable housing will be sought on greenfield sites of 3 dwellings or more, and brownfield sites of 15 dwellings or more, to meet the housing needs of local people. Affordable housing will be sought on the following sliding scale, up to 30% of dwellings on qualifying sites:

Net new dwellings/ assessed site capacity	Affordable housing target	Method of delivery
Development of Brownfield Sites		
3-5 dwellings	Zero	N/A
6-10 dwellings	Zero	N/A
11-14 dwellings	Zero	N/A
15-19 dwellings	15%	Usually through on-site provision. Commuted payments will only be accepted where this would achieve more effective provision of affordable housing, or bring significant regeneration benefits.
20+ dwellings	20%	Usually on-site. Commuted sums will only be accepted where this would achieve more effective provision of affordable housing or bring significant regeneration benefits.
Development of Greenfield Sites		
3-5 dwellings	10%	Usually through commuted payment.
6-10 dwellings	15%	Usually through commuted payment.
11-14 dwellings	20%	Usually through on-site provision. Commuted payments will only be accepted where this would achieve more effective provision of affordable housing, or bring significant regeneration benefits.

15-29 dwellings	25%	On-site. Commuted sums will only be accepted in exceptional circumstances, where this would achieve more effective provision of affordable housing or bring significant regeneration benefits.
30+ dwellings	30%	On-site. 25% affordable housing and 5% self-build plots in accordance with Policy H3.

A site's overall capacity to accommodate dwellings will be taken into account when calculating affordable housing requirement, and artificial sub-division or under-development of sites will be resisted.

Provision of affordable housing, or contributions on smaller sites, will be sought on the basis of one third social rented housing, one third affordable rent and one third shared ownership housing. An element of self-build plots will be sought on larger greenfield sites, in accordance with Policy H3.

A higher level of shared ownership/key worker housing may be agreed where this would aid economic prosperity, regeneration or promote the creation of mixed communities.

Proposals that exceed the minimum affordable housing requirements will be supported subject to other Policies in the Plan, including the need to create mixed and balanced communities and meet local needs.

Where developers wish to reduce significantly the level of affordable housing provision, an independent assessment of viability will be required, with the developer underwriting the cost of the viability assessment.

The Council may agree to a reduced scale of affordable housing provision on sites where early delivery is possible.

Where a contribution is agreed in lieu of on-site provision, it should reflect the cost to the developer of providing on-site affordable housing.

In order to secure additional investment in disadvantaged areas of Torbay, the Council may agree to a reduction, or zero provision, of affordable homes on sites in those areas. Development of such sites will be expected to provide significant benefits to the creation of more sustainable, balanced communities as assessed against the criteria in Policy SS11.

Explanation:

6.4.1.6 There is a pressing need for affordable housing in Torbay to meet the needs of local people who are unable to afford open market house prices or rents.

6.4.1.7 Torbay has relatively few large sites that can be developed and a large proportion of its housing supply has historically arisen from small sites. Accordingly, the Council will seek an element of affordable housing on greenfield sites of 3 or more dwellings. The Council will have regard to any minimum threshold that may be set by Government.

6.4.1.8 The definition of affordable housing for planning purposes is set out in Annex 2 of the NPPF, which is reproduced in the

Glossary to the Local Plan (Appendix A).

6.4.1.9 Affordable housing should be provided on-site where practicable. Developments should be 'tenure neutral' as far as practicable, so that affordable housing is not distinguishable from market housing by layout, design or materials. It is accepted that on smaller sites it may be more effective to provide an off-site contribution. The value of this contribution should be equivalent to the developer/subsidy required for on-site provision. An off-site contribution will only be accepted where there are sound planning reasons to do so. There is strong presumption in favour of on-site delivery for sites of 15 or more houses.

6.4.1.10 The need to create mixed, prosperous and balanced communities will be taken into account in considering all proposals, particularly where there is a requirement to provide affordable housing. Proposals for financial or other contributions, in lieu of affordable homes on site, will need to show that this will achieve positive outcomes in terms of reducing deprivation and social exclusion. Alternative methods of on-site provision of affordable housing and affordable home ownership, such as Community Land Trusts and self-build housing (see also Policy H3), will be considered favourably where they result in improved provision or greater benefit to the community.

6.4.1.11 The Council has sought to set the affordable housing rates, and brownfield threshold, at a modest level. This is intended to support the viability of development. A five year review of the Plan will reassess the affordable housing policy and thresholds in the light of their effectiveness and taking account of market circumstances at that time.

6.4.1.12 When assessing affordable housing requirements, regard will be had to the overall site, to avoid it being subdivided or artificially developed in phases as a way of reducing the liability to affordable housing. It will be assumed as a starting point that sites are capable of providing 30 dwellings per hectare gross, although extenuating factors will be considered. Developments of apartments are likely to be capable of providing significantly higher levels than 30 dwellings per hectare.

6.4.1.13 The Council recognises that, in some instances, affordable housing provision is a matter for negotiation. This may be because of abnormal development costs, or where there is a need to vary tenure in the interest of creating mixed and balanced communities. In such instances, the Council will negotiate a greater proportion of intermediate or key worker housing in order to create a viable and sustainable development.

6.4.1.14 There is a general expectation that requirements for self-build housing will be reduced before other affordable homes as part of any negotiation process. However, regard will be had to evidence of need within the community where development arises.

6.4.1.15 Where developers seek to relax affordable housing polices for viability reasons, they will be expected to undertake an assessment of viability as a basis for negotiations. A viability assessment will be commissioned by the Council and the costs associated with its production will be recouped from the applicant. The level of assessment should be proportionate to the scale of the development. Any reduced affordable housing contributions will be subject to an early completion requirement, or deferred calculation of viability. Deferred calculation would reassess viability at the point of sale of market units. Appropriate further contributions would be made at that time, should viability improve to the extent

that the original affordable housing provision would be viable. In considering viability matters, regard will be had to best practice, particularly as set out in National Planning Practice Guidance (NPPG).

6.4.1.16 However, proposals will be resisted where the reduction in affordable housing or other community benefits would be reduced to the extent that the development would be unsustainable.

6.4.1.17 Revised supplementary planning guidance will be published on matters such as tenure mix, calculation of affordable housing contribution, viability testing, and deferred payments arrangements.

6.4.1.18 A significant proportion of Torbay's housing needs will continue to be met by the private rented sector. The Council's Housing Strategy will set out ways to ensure high quality private rented sector accommodation, and good management standards. Institutional investment in purpose-built accommodation is one way that the Homes and Community Agency seeks to increase the supply of good quality rented housing, and the Local Plan will seek to support such proposals.

Policy H3 Self-build affordable housing and exception sites

To accommodate demand for self-build homes, the provision of at least 5% of dwelling plots for sale to self-builders will be sought as an element of affordable housing provision identified in Policy H2, on sites of 30 dwellings or more. This will be controlled by the following means:

1. The provision of serviced plots in an agreed location will be set out through a s106 Planning Obligation;
2. Where plots have been made available and marketed appropriately for at least 12 months and have not sold, the plot(s) may either remain on the open market as affordable self-build or be offered to the Council or a Housing Association for a further six months, before being disposed of by the developer as open market housing; and
3. Planning permissions should include conditions requiring self-build developments to be completed within 3 years of a self-builder purchasing a plot.

In the countryside, the development of sites for affordable self-build housing to meet the needs of the local community will be permitted, as a rural exception, where:

(i) There is a proven need for affordable housing from households that have a strong local connection with the local community;

(ii) The site adjoins a settlement and does not have a disproportionate impact on local environmental, landscape, or historical assets;

(iii) The scale of provision is limited to meeting the identified local need; and

(iv) Dwellings are subject to a planning obligation which retains all the dwellings as affordable housing in perpetuity and gives priority to occupation by those with a strong local connection with the local community.

Where appropriate, the Council will seek to ensure that self-build homes will be developed in accordance with an agreed design code.

Explanation:

6.4.1.19 Self-build housing (also known as 'custom-build') is housing built or commissioned by individuals (or groups of individuals) for their own occupation. Where provided as affordable housing, they should also meet the definition of affordable housing in Appendix A of the Local Plan and Annex 2 of the NPPF, i.e. be provided for people who cannot afford to buy or rent a house on the open market.

6.4.1.20 The Council recognises the potential benefits to the local community (lower cost market housing) and the local economy (providing work for local builders and tradesmen) of increasing the supply of self and custom-build developments within Torbay. In line with NPPF requirements, Torbay Council has made attempts to assess the demand for self-build housing within Torbay. An assessment from a leading supplier to the self-build market, indicated a 'reasonable interest' in self-build within the Torbay area with significant numbers of their customers searching for self-build plots within a 25 mile radius of Torbay and also a significant number of members currently living within the Torbay area. In the first half of 2013 there were 121 active searches for self-build opportunities within a 25 mile radius of Torbay. From April 2016, the Council is required to keep a register of persons wishing to self-build and to have regard to that register as a material planning consideration.

6.4.1.21 A significant barrier which limits opportunities for self-build developments is the availability of land. Without a policy which provides opportunities for prospective self-builders, it is unlikely that they will be able to compete with volume house builders for sites and opportunities for self-build will be limited.

6.4.1.22 Therefore a small element of serviced self-build plots are sought from larger greenfield housing sites, subject to a cascade mechanism which would allow them to revert to general needs affordable housing or market housing, should they not be taken up by self-builders. Such plots will be subject to s106 Planning Obligations or conditions requiring their completion within a reasonable time scale and to a high standard of design.

6.4.1.23 The development of new housing in Torbay is largely limited to existing built-up areas, Future Growth Areas and Village Envelopes, subject to other policy considerations in this Plan. Development outside these areas will be generally resisted (See Policy H3). Exceptionally, this Policy permits affordable self-build housing outside these areas where there is an identified local need.

6.4.1.24 With regards to exceptions sites in the Countryside Area which this Policy supports, regard will be had to the definition of rural exceptions sites in the NPPF. This advises that such provision should support the needs of local communities by accommodating households who are either residents or who have existing family or employment connections.

6.4.1.25 Further guidance will be published on custom-build housing, either through updated affordable housing supplementary planning guidance and/or through forthcoming neighbourhood plans. This will address matters such as how long plots need

to be marketed before they may 'cascade' as other forms of housing – 12 months will be used as a starting point. In addition, where self-build plots are secured on rural exceptions sites or as affordable housing, planning conditions will be used to restrict occupancy to people with a local connection. The operation of this will also be addressed in guidance, as will other implementation measures such as health and safety, length of build programme and working hours.

6.4.1.26 The requirement for self-build dwellings will be kept under review as part of the annual monitoring of housing delivery in Torbay and the five year review of the Local Plan.

6.4.1.27 As part of the requirement to provide 5% of dwellings for self-build housing on larger sites, in order effectively to ensure delivery of affordable housing under a range of circumstances, the Council will offer flexibility to developers to identify alternative models to the provision of services plots. This could include self-build/custom-build approaches that encompass 'self-finish' or 'watertight shell' schemes.

Policy H4 Houses in Multiple Occupation (HMOs)

The conversion of HMOs to self-contained dwellings will be encouraged and supported.

Applications for new buildings or sub-division of existing buildings into non-self-contained residential accommodation (HMOs) will only be permitted where the following criteria are met:

1. The property is located within easy reach of public transport and community facilities;
2. An acceptable standard of residential accommodation can be provided;
3. The scale and nature of the use would not harm neighbourhood amenity, for example by way of noise, general disturbance, litter, on-street parking or impact on visual amenity;
4. The proposal would not lead to an over-concentration of similar uses that could exacerbate existing social and economic deprivation or lead to a community becoming imbalanced;
5. The proposal would not adversely affect the character of holiday areas, particularly Core Tourism Investment Areas;
6. Adequate storage facilities can be provided for cycles, waste and recycling collection; and
7. There is supervision by a resident owner or manager, or an appropriate alternative level of supervision. The ongoing management will be secured through condition or s106 Planning Obligations where appropriate.

Explanation:

6.4.1.28 An HMO is a building or part of a building that is being occupied as a main residence by more than one household, i.e. unrelated people who do not live together as a family, but share some facilities such as a bathroom or kitchen. HMOs with more than 6 occupants are 'sui generis' and require planning permission. Small HMOs of 4-6 people fall within Use Class C4. These require planning permission where permitted development rights to change use have been removed, for example through an Article 4 Direction.

6.4.1.29 Planning control of HMOs is separate from housing legislation. The Housing Act 2004 defines licensable HMOs as 5+ occupants living in more than 1 household in buildings of three stories or more.

6.4.1.30 Houses in multiple occupation (HMOs) can provide a useful low cost form of accommodation in an area like Torbay where below average wages and a high prevalence of seasonal work and under-employment exist. Changes to housing benefit entitlement are also expected to result in a greater demand for this type of accommodation.

6.4.1.31 However, a proliferation of houses in multiple occupation can raise concerns, particularly in deprived areas and tourism areas. The Centre for Social Justice's 'Turning the Tide' report (2013) notes that an oversupply of extremely cheap accommodation in holiday resorts can fuel a range of problems for such towns.

6.4.1.32 Torbay has about 1,450 houses in multiple occupation, of which only 83 currently fall under Housing Act 2004 Licensable standards. HMOs form 2.3% of Torbay's housing stock compared to a national rate of 1.6%. There is concern that such large numbers of HMOs, or badly managed individual properties, can worsen the levels of deprivation in the Bay, which in turn could undermine the tourism offer and impede the regeneration of the resort.

6.4.1.33 On this basis, 'sui generis' or Use Class C4 HMOs will be resisted where there are concentrations of deprivation or where a proliferation of such properties could be harmful to achieving mixed and balanced communities. As a guideline, applications for HMOs in areas that fall within the top 20% most deprived Super Output Areas (SOAs), or where HMOs constitute more than 10% of the housing stock in a SOA or 20% in any given street, are considered unlikely to meet the tests of Policy H4 (See also Policy SS11). Exceptions may be made where they provide a particular service or bring regeneration benefits.

6.4.1.34 The Council will resist HMOs that could lead to deterioration in the living conditions of existing residents. Policy DE3 'Development amenity' also applies to HMOs. HMOs should contain adequate provision for waste and recycling, cycle storage and resident amenity space. Whilst space provision for HMOs is likely to be less than self-contained dwellings, regard should be had to standards such as the HCA's Housing Quality Indicators. These indicate an area per single bedspace of 30-35 square metres. It is reasonable that a proportion of communal lounges and kitchens, for example, should be considered as contributing to this space. Where permission is granted for HMOs, the Council will require the property to be appropriately managed, either through planning condition or s106 Planning Obligations.

6.4.1.35 The location of HMOs within Core Tourism Investment Areas will need particular scrutiny to ensure there is not a detrimental impact on the tourism character of the area. There will be an expectation that HMOs will not be approved in CTIAs and other key tourism locations, and unauthorised HMOs will be subject to enforcement action.

6.4.1.36 Policy H4 will apply to all HMOs. The Council will use these Policy criteria in considering whether to pursue enforcement action against existing unauthorised HMOs. The Policy aims to reduce the number of poor quality HMOs and to slow the growth in their number in the Bay, whilst acknowledging that well-run establishments can contribute to

meeting a need for low-cost accommodation. The Policy will be reviewed within two years, from adoption of the Local Plan, to assess its effectiveness against these aims.

6.4.1.37 Note that Policy H4 does not apply to accommodation where significant care is provided, which is dealt with in Policy H6.

Policy H5 Sites for travellers

Applications for caravan sites for travelling people, including residential sites for settled occupation, transit sites and temporary stopping places, will be assessed against the following criteria:

1. Sites will be acceptable within the built-up area, provided that their operation is not to the detriment of the visual amenities of adjoining areas, and subject to satisfactory landscaping;
2. Sites should not be to the detriment of the amenities of adjoining areas in respect of noise and other disturbance arising from the movement of vehicles to and from the site, the stationing of vehicles on the site, and any on-site business activities (which should at all times be incidental to the residential use of the site);
3. Sites should be provided with a satisfactory means of vehicular access, together with adequate provision for turning and parking;
4. Sites should be provided with an appropriate level of essential services including access to drinking water, refuse collection and sewage disposal;
5. Sites should be located within reasonable distance of local services and facilities (e.g. shops, schools and hospitals);
6. Temporary stopping places and transit sites may be acceptable on temporary vacant/ unused land, subject to the above criteria; and
7. Sites will be acceptable outside the built-up area only if they are well-screened and do not conflict with landscape, nature conservation, countryside and agricultural protection Policies in the Local Plan.

Explanation:

6.4.1.38 Current national planning policy and guidance on traveller sites is set out in 'Planning policy for traveller sites', published in March 2012 as a sister document to the NPPF. This document contains a definition of 'gypsy and traveller' for the purposes of planning. This is a definition based on lifestyle and not ethnicity. Where there is an identified need, councils should maintain a 5 year supply of pitches.

6.4.1.39 The Council recognises that travellers' particular land use requirements for accommodation and work need to be met, just as for the settled population. Many travellers are self-employed, either on a permanent or seasonal basis, in activities specifically associated with their itinerant lifestyle.

6.4.1.40 The Council is required to carry out six-monthly counts of gypsies and other travelling people on behalf of DCLG. On the

basis of the very low (usually nil) returns during recent years, and the relatively small number which passes through the area in the intervening periods, it is not considered that a need exists for the allocation of specific sites for travelling people in the Local Plan. This position was reinforced by evidence arising from the Devon-wide Gypsy and Traveller Housing Needs Assessment (2006).

6.4.1.41 A local assessment of traveller accommodation need in Torbay was carried out by the Council in Summer/Autumn 2013. The study confirmed that no evidence existed that indicated a need for the Council to make provision for permanent or transit site accommodation for travellers, namely 'gypsies and travellers' and 'travelling showpeople'. However, it is intended that the need for accommodation will be kept under review in conjunction with other Devon authorities. At present, there are no sites within Torbay that accommodate travellers and, furthermore, there has been no history of any planning applications for any type of sites in the unitary area.

6.4.1.42 Applications for privately owned and operated sites of the following type may arise during the Plan period:

1. Residential sites for settled occupation (with infrastructure including provision of sanitation and other services);
2. Transit sites (possibly with limited facilities); and
3. Temporary stopping places (with normally only basic facilities)

6.4.1.43 The criteria put forward in this Policy attempt to reflect the variety of circumstances that might surround any applications which may be submitted. There may be circumstances where planning conditions can be used to ensure particular proposals are acceptable. Conditions limiting development for a specific period may be particularly relevant where temporary sites are proposed on vacant land and sites awaiting development.

Policy H6 Housing for people in need of care

The Council will support measures to help people live independently in their own homes and to live active lives within the community, subject to other Policies in this Plan. This will be achieved through the following measures:

1. All new dwellings should be capable of adaptation for disabled people, where practical. Housing developments of 50+ dwellings should provide a minimum of 5% new homes to Building Regulations Approved Document Part M4(2) (accessible and adaptable dwellings) standard. Disabled adaptations or annexes for relatives will be supported unless they significantly and demonstrably conflict with other Local Plan Policies.
2. New sheltered housing (within Use Class C3) will be supported where it is within easy reach of community facilities, shops and public transport;
3. New care homes, extensions to existing care homes (Use Class C2) and development of retirement villages will only be approved where:
   (i) clear evidence of need is provided with the development proposal;

(ii) they are accessible to facilities and public transport;

(iii) they will not harm the creation or retention of mixed and balanced communities;

(iv) they will not add undue pressure on local healthcare or social services; and

(v) in the case of existing care homes, this leads to an improvement in the quality of care facilities provided.

Proposals involving the loss of existing care accommodation will be supported where the facilities are not needed, or it does not represent the most appropriate way of delivering care. Where such a change of use is agreed, the creation of family homes or employment space will be encouraged.

The Council will seek financial contributions via s106 Planning Obligations to meet likely local healthcare and social service costs arising from care facilities and sheltered accommodation, unless applicants are able to show that this contribution would not be appropriate.

Explanation:

6.4.1.44 An ageing population can bring considerable social and economic benefits to an area. However, it also raises significant health and accommodation issues and costs. In addition, there is a wide range of people with some form of physical or mental care need who may require some form of assistance to live independently.

6.4.1.45 The policy of Torbay Council and the Torbay and South Devon NHS Foundation Trust is to help people to live in their own homes for as long as possible. This is considered to be better for welfare and is cheaper than residential care. The policy of helping people to live in their own homes is likely to lead to a reduced local need for care homes. However, the direct replacement and substitution of existing care homes which are not fit for purpose, to offer new facilities in Torbay with new models of care, in keeping with the aspirations of an Integrated Care Organisation, will be supported. Regard should be had to the design policies in the Local Plan in relation to the sympathetic conversion of such buildings (existing care homes), particularly the removal or improvement of unsightly features and additions.

6.4.1.46 The Local Plan therefore supports measures that will help people live independently. Adapting homes to provide facilities such as wheel chair access will not usually require planning permission, however a sympathetic view will be taken of people's needs in instances where permission is required. The creation of 'granny annexes' will be supported subject to design and neighbour amenity matters. It will usually be necessary that annexes are subject to a planning condition requiring planning permission to be sought for them to be used as a separate dwelling.

6.4.1.47 Applications for sheltered housing often have similar land use implications to general needs housing and will be supported subject to other Policies in this Plan. It is recognised that sheltered housing is likely to be subject to different space, parking and open space standards to general needs housing. Nevertheless, accommodation where all day-to-day living facilities are contained within a living unit will be considered as

falling within Use Class C3 (dwelling house) for purposes of affordable housing and other developer contribution matters.

6.4.1.48 The Council will work closely with the Torbay and South Devon NHS Foundation Trust to ensure that proposals affecting people with care needs are properly considered having regard to best practice and people's welfare.

6.4.1.49 Where an application is likely to lead to an increase in health and social care costs in the area, the Council will seek s106 Planning Obligations to meet the additional cost to the area. This will not be sought where applicants are able to show that accommodation will be taken primarily by local people, or where alternative provision is made to provide health and social service care.

6.4.2 Design and development

Policy DE1 Design

Development should be well-designed, respecting and enhancing Torbay's special qualities. These include the waterfront and natural setting of the Bay, and the character of the natural and built environment, including areas and buildings of historic interest and settlement patterns. Schemes should design out opportunities for crime and disorder.

Major development should be informed by a townscape and/or landscape assessment, including historical context of the site, existing and previous land uses (including agricultural land quality where appropriate) as well as movement patterns through and/or around the site.

Development proposals will be assessed against their ability to meet the design considerations set out below:

Design considerations for development

Function	
1.	Be adaptable to future change and needs, including that of occupiers;
2.	Promote diversity through a balanced mix of uses that work together and encourage sustainable living;
3.	Make the best use of space in terms of ground coverage and height;
4.	Be designed to reduce crime and the fear of crime by the promotion of safety and security in the design of buildings and surrounding space, whilst ensuring that amenities are not unduly affected. Design should also minimise opportunities for community conflict, antisocial behaviour and maximise safety for all;
5.	Be economically and socially viable in terms of density, mix, function and location;
6.	Where appropriate ensure equality of access and use for all sectors of the community;
7.	Integration of the development and surrounding green infrastructure, including sustainable drainage and water-sensitive urban design;

8.	Achieve a net gain in biodiversity, including tree and hedgerow planting and habitat creation;
9.	Avoid noise and light pollution; and
10.	Promote tenure-neutral design, materials and location of affordable housing.
Visual appeal	
11.	Be uncluttered and attractive, including where appropriate the removal of unsightly additions when considering the conversion of existing buildings;
12.	Acknowledge local character, and develop distinctive character in townscape and landscape terms, using existing landform features;
13.	Have a clear urban structure and grain that integrates with the surrounding context;
14.	Relate to the surrounding built environment in terms of scale, height and massing;
15.	Make the most of opportunities to restore/improve key gateways into the Bay and to create a focal point;
16.	Evolve high quality architectural detail with a distinctive and sensitive palette of materials;
17.	Protect important local and longer-distance views and impact on the skyline, especially from public vantage points, having regard to the location and prominence of the site; and
18.	Integrate with the existing street scene and features, including trees.
Quality of public space	
19.	Positively address the street with active frontages;
20.	Respect existing street frontages and built form;
21.	Ensure definition of space that clearly and coherently defines private and public areas;
22.	Be legible, permeable and accessible to all users;
23.	Provide opportunities for active lifestyles including walking and cycling (Active Design)
24.	Provide public space and routes that are attractive, safe, uncluttered and work effectively, including a means of storing waste which minimises impact on the street scene;
25.	Positively enhance the built environment;
26.	Avoid creating gated communities;
27.	Incorporation of existing trees and native species; and
28.	Provision of high quality hard and soft landscaping.

Explanation:

6.4.2.1 The design of development has a vital role in the development of place and the evolution of the Bay. Torbay benefits from a diverse range of historic architectural styles within its towns and some outstanding countryside. Some post-war development has nevertheless diluted the quality and character of its surroundings. Government guidance requires new development to be of a high standard of design and to avoid mediocrity. In order to respect and build upon the area's distinct character, the Council intends to raise the standard of design that is acceptable.

6.4.2.2 Good design is not just about the architecture of a building. It is also about the spaces within which the development sits, and the quality of the relationships between the development and surrounding areas. Design and layout should take account of neighbouring buildings, uses and the wider area. The Council considers that good design is about making places that are functional, visually appealing, with a high quality public realm.

6.4.2.3 The Torbay Design Review Panel (DRP) was set up in 2008 to help improve the quality of urban design and architecture through the planning process. The DRP acts as an advisory body, providing professional design advice on key development proposals. While it does not have statutory decision making powers, its guidance reports will be used as a material planning consideration when applications are taken to the Council's Development Management Committee.

6.4.2.4 Torbay Council has an Adopted Urban Design Guide Supplementary Planning Document (2007) that provides further detail on the principles underpinning sound urban design.

6.4.2.5 Section 17 of the Crime and Disorder Act 1998 makes it a legal duty for planning to consider crime prevention. Consideration should be given in the location, design, and management of development to preventing crime, disorder, community conflict and antisocial behavior. Such matters should be addressed in design and access statements. The Council will work with the Police Architectural Liaison Officer (ALO) to minimise crime, disorder, antisocial behaviour and conflict. Design should seek to promote healthy and active lifestyles. Guidance and a developer checklist on 'Active Design' is available from Sport England.

6.4.2.6 To ensure that development proposals meet the requirements of this Policy, a Design and Access Statement should accompany planning applications proportionate to the scale of the proposal. Such statements should provide a site analysis describing how the proposal has evolved, the philosophy behind the proposal, how the proposal responds to its context and how it connects with surrounding areas. They should be updated as the design process evolves.

6.4.2.7 Development likely to harm (directly or indirectly) existing trees or woodlands will only be permitted where appropriate measures are in place for the retention and management of existing trees and landscape features. The Council will seek advance planting where practicable. Appropriate protection measures will include approved management programmes, planning conditions or s106 Planning Obligations, conservation area legislation or tree preservation orders (see also Policy C4).

Policy DE2 Building for Life

To demonstrate the delivery of high quality urban design, major development proposals with a residential component will be assessed against the Building for Life 12 (BfL12) design tool (or equivalent version/methodology).

A development proposal will be supported by the Council when it performs positively against BfL12, and secures as many 'green lights' as possible under its 'traffic light' system. When a development proposal does not reduce the number of 'amber' and 'red lights' scored in the BfL assessment, where reduction is considered possible and such reduction would improve the quality of development, the Council will not grant planning permission. Site and scheme specific constraints will be taken into account.

Explanation:

6.4.2.8 Torbay Council is committed to the principles of Building for Life. It is a standard that can be used by local authorities to assess the design quality of new homes and neighbourhoods. It was originally promoted by the former Commission for Architecture and the Built Environment (CABE) and has since been revised by the Design Council in 2012. The current version, Building for Life 12 (BfL12), comprises 12 criteria, prompted by questions, which help achieve the delivery of functional, attractive and sustainable places. A well-designed scheme will perform well against all 12 criteria and the performance is determined using a traffic light system of green, amber and red. The assessment supports the delivery of the aspirations of this Local Plan as well as government policy and guidance promoted through the National Planning Policy Framework.

6.4.2.9 Building for Life provides a useful guide for developers on the standards that are now expected and what factors are considered when assessing design. The criteria are not exhaustive or meant to be regarded as providing a ceiling to innovation. Rather they are seen as helping to provide a framework for assessment which is supported by Torbay Council.

6.4.2.10 The BfL12 framework aims to form a collaborative dialogue with the 12 criteria being used at the start of and throughout the development and consultation process. It is important that BfL 12 is considered at the outset of design proposals and should therefore form an integral part of pre-application discussions. The Council's Design Review Panel will be used to ensure that proposals secure high quality development that achieves as many 'green lights' as possible. The purpose of BfL 12 is to enable a conversation about design in new schemes between local authority and applicant, thereby arriving at a mutually supported result. A properly evidenced self-assessment of BfL 12 by the applicant will be required alongside a planning application. The local authority may also choose to carry out its own assessment of a scheme using BfL 12 criteria. In such cases where there is disagreement between the local authority and the applicant regarding the conclusions of the assessment, the Council will use the advice of the Design Review Panel to inform its conclusions and recommendations .

Policy DE3 Development amenity

All development should be designed to provide a good level of amenity for future residents or occupiers and should not unduly impact upon the amenity of neighbouring and surrounding uses. This will be assessed using the following criteria:

1. The impact of noise, nuisance, visual intrusion, overlooking and privacy, light and air pollution;

2. Satisfactory provision for off-road motor vehicle parking, bicycles and storage of containers for waste and recycling;

3. Scale and nature of the use, specifically where this would be overbearing, or lead to an over-concentration of similar uses which would harm the amenity of the area;

4. Impacts on existing living conditions and standards of accommodation of other uses;

5. New dwellings should comprise self-contained accommodation with separate access;

6. New residential development will need to have particular regard to outlook;

7. Provision for useable amenity space, including gardens and outdoor amenity areas;

8. New homes should be developed at a density which makes good use of land, whilst avoiding town cramming and the loss of open space; and

9. Adequate floorspace should be provided in residential development to achieve a pleasant and healthy living environment.

Where necessary, in order to limit the impact of new development, the Council may seek to restrict the use of hours of operation, time and volume of deliveries, vehicular access and operation of machinery, as well as other measures necessary to preserve amenity.

Explanation:

6.4.2.11 The Council wishes to ensure that all new homes meet high standards of residential accommodation, both in terms of quality of life for residents, and the creation of liveable, safe neighbourhoods. All applications will be expected to contribute towards making Torbay a better place in which to live.

6.4.2.12 The Council will consider the impact of the development in terms of the noise and disturbance it may generate or be subject to. Developments likely to affect amenity by virtue of noise or disturbance, traffic movements, fumes, dust, vibrations, light, heat and littering, on a regular basis or into the evening and night-time, will not be considered favourably, and will be encouraged to locate away from residential areas to avoid harm.

6.4.2.13 Residential developments should be designed to protect privacy in proposed and existing dwellings so that the outlook and quality of space provided will not be compromised.

6.4.2.14 New dwellings should make provision for external amenity/garden space where possible. As well as providing amenity space, gardens can act as a sustainable urban drainage measure, assisting flood risk management and promote biodiversity. As a guideline, a minimum space of 55 square metres for houses and 10 square metres for apartments (which could be provided communally) will be sought. The Council's greenspace requirements are set out in the Adopted Torbay Greenspace Strategy and Action Framework Supplementary Planning Document (2008). All dwellings should make provision for the storage of recycling bins/ boxes and secure cycle parking.

6.4.2.15 New dwellings should be self-contained as far as possible and of a reasonable size. All new homes, whether created by sub-division, redevelopment or new-build should therefore provide a good standard of accommodation, having regard to safety, space, amenity, parking and design. Regard will be had to the Government's Nationally Described Space Standard when considering applications (see Table 23). These space standards are intended to be operated flexibly with regard to viability and other considerations. However, the creation of small apartments by subdivision/conversion will be resisted where this would result in an unpleasant or unhealthy living environment or exacerbate concentrations of deprivation (see also Policy SS11).



Table 23 Dwelling Space Standards

Number of bedrooms (b)	Number of bed-spaces (p-persons)	Minimum Gross Internal Area (GIA) (sq m)			Built in storage (sq m)
		1 storey dwelling	2 storey dwelling	3 storey dwelling	
1b	1p	39 (37*)			1
	2p	50	58		1.5
2b	3p	61	70		2
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	

Number of bedrooms (b)	Number of bed-spaces (p-persons)	Minimum Gross Internal Area (GIA) (sq m)			Built in storage (sq m)
		1 storey dwelling	2 storey dwelling	3 storey dwelling	
4b	5p	90	97	103	3
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4
	8p	125	132	138	

Notes: This table reflects the Nationally Described Space Standard.

The Gross Internal Area (GIA) of a dwelling is defined as the total floorspace measured between the internal faces of perimeter walls that enclose a dwelling. This includes partitions, structural elements, cupboards, ducts, flights of stairs and voids above stairs. GIA should be measured and denoted in square metres.

**Where a studio has a shower room instead of a bathroom, the floor area may be reduced from 39 square metres to 37 square metres, as shown bracketed.*

6.4.2.16 With regards to the standards set out above, they will, in most circumstances, be applied with less flexibility to developments involving conversion compared to new-build developments, where there may be greater opportunities to provide high standards of living through careful design without necessarily reaching the minimum internal floorspace standard. However, as a guide it is expected that all new dwellings should aim to meet the minimum standards.

6.4.2.17 The above also applies to shared housing (HMOs) which are also covered by Policy H4. In the case of shared housing, some allowance may be made for communal areas that are available for residents. Very small accommodation (of less than 30 to 35 square metres) will not be permitted where this could result in an imbalance of accommodation types, such as a heavy emphasis on one-bedroom apartments, harm the living environment and intensify concentrations of deprivation.

6.4.2.18 Support will be given to the provision of accessible and adaptable homes that are capable of adaptation to meet the changing needs of residents.

6.4.2.19 New homes often result from the conversion of existing buildings, many of which are in conservation areas. In such instances the Council will seek the removal of incongruous features and, where feasible the restoration of a building's original character. Where the removal of incongruous features is argued to make development unviable, the Council will require an independent viability assessment and will require appropriate

aesthetic improvements to render the development acceptable in design terms (see also Policy TO2 and supporting Explanation).

6.4.2.20 New dwellings will be expected to strike an appropriate balance between making good use of land, whilst avoiding town cramming or harm to neighbours' amenities. As a general guideline, a minimum density of 30 dwellings per hectare will be sought on greenfield sites. However, in some instances landscape or ecology considerations may dictate lower densities.

Policy DE4 Building heights

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 (the most commonly occurring height) within the character area in which it is located, unless there are sound urban design or socio-economic benefits to justify deviation from this approach.

The introduction of new tall buildings above the prevailing height will be supported where they:

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

Explanation:

6.4.2.21 Torbay Council commissioned the Building Heights Strategy in 2010 to establish the most appropriate locations for tall buildings and also the appropriate height for building throughout the Bay. The guidance in this Strategy will be used to inform the implementation of this Policy in determining planning applications.

6.4.2.22 The term 'tall buildings' in the Torbay context is defined as buildings that are significantly higher than the prevailing height and/or have a considerable impact on the skyline. This is in line with Historic England's Advice Note 4 'Tall Buildings' (2015).

6.4.2.23 Tall buildings can deliver regenerative benefits, contribute to the re-use of brownfield land and reduce development

pressure on greenfield sites. If well-designed and built in suitable locations, tall buildings can form architectural and visual landmarks, create visually dynamic skylines and help define the area.

6.4.2.24 The Strategy identified that Torbay has a number of sensitivities to tall buildings, including conservation areas, special landscape character and prospect views, which are important in defining the character and image of Torbay. These sensitivities cover much of Torbay.

6.4.2.25 The Strategy defines the following broad character areas that cover the Bay:

- Coastal Zone
- Terraces
- Stations
- Town Centres
- Suburbia
- Corridors
- Villas
- Business and Retail Parks
- Landscape-dominated

6.4.2.26 In considering building heights, they should reflect the character and urban form of the surroundings for new development, in all character areas. As such, there is a presumption that new development will be constructed to the prevailing height (most commonly occurring height) in the local area, unless there are sound urban design or socio-economic reasons for not doing so.

6.4.2.27 There are areas of the Bay that may be suitable for tall buildings, such as town centres and station character areas, where they can support the vitality of these places and emphasise the importance of their role in the character and function of Torbay. The remainder of the Bay outside these areas is unlikely to be acceptable for tall buildings in order to maintain existing low rise residential character, residential amenity, landscape character and green, uninterrupted hilltops. This does not preclude tall building in these other areas but identifies that a more limited opportunity exists.

6.4.2.28 Where there are deviations from the prevailing building height, or where tall buildings are proposed, justification and supporting evidence should be provided as part of a Design and Access Statement. Additional graphical illustration, 3D modelling and 'fly-throughs' should be provided to help assess the impact of proposals for tall buildings.

Policy DE5 Domestic extensions

Extensions to domestic dwellings will be permitted where:

1. The plot is large enough to accommodate the proposed extension without resulting in a cramped or over-developed site, or the loss of important trees or hedgerows;

2. The extension would not dominate or have other adverse effects on the character or appearance of the original property or any neighbouring properties, or on the street scene in general;

3. The extension would not cause harm to the amenity of nearby properties, for example

through overlooking, overbearing impact, loss of light or privacy, or water run-off;

4. The extension would not result in the loss of parking, including garage space, where no suitable alternative exists to serve the property;

5. Highway safety would not be impaired; and

6. No net additional surface water should drain into shared sewers.

Explanation:

6.4.2.29 The majority of house extensions are relatively small in scale, and many do not require planning permission. However, they can cause problems for adjoining properties due to loss of privacy or overbearing impact.

6.4.2.30 It is also important that house extensions respect the character of the original building and the surrounding area and should therefore be of an appropriate scale or design. Resultant loss of off-street parking provision can also lead to loss of residential amenities for neighbouring properties.

6.4.2.31 Cumulative increases in water run-off should be minimised as far as possible, for example by draining storm water into soakaways. The impact of 'urban creep' (for example, building over gardens) is identified by the 2014 Torbay Hydraulic Modelling of Sewer Capacity in Torbay study as having a greater impact on sewer capacity than the effect of new greenfield development. Accordingly measures to minimise surface water running into shared sewers will be sought. This could include permeable surfaces, increased planting and water butts, as well as promoting water efficiency measures in the home (see also Policy ER2).

6.4.2.32 Many house extensions do not require planning permission; in many situations they may be permitted development under the Town and Country Planning General Development Order. However, permitted development rights are complex and affected by many factors. In some cases normal permitted development rights have been taken away by planning condition or legal agreement. Permitted development rights relate largely to dwelling houses and therefore other types of property, such as flats, require planning permission for most alterations and extensions.

6.4.2.33 For the above reasons, it is usually advisable to contact the Council before any work is undertaken.

Policy DE6 Advertisements

Advertisements will not be permitted where:

1. They would harm visual or aural amenity; or

2. They would undermine public safety.

Explanation:

6.4.2.34 Properly managed and well-designed advertising can add enormously to the colour and vitality of commercial areas, but in the wrong place it can appear out of place and distasteful or even offensive. The land use and visual character of an area are crucial in determining the appropriate level of advertising. Most advertisements appear in the context of buildings and it is important that they have regard to and fit in with the character of any buildings to which they relate, and the area in which they are situated.

6.4.2.35 Large advertisement hoardings can have a powerful impact on the street scene. The Council's aim is to control them carefully to ensure their effect is minimal and not detrimental to the surrounding area. In sensitive situations, hoardings may need to incorporate other design features to soften their impact. Smaller advertisement signs may be acceptable in appropriate situations subject to the criteria set out in this Policy.

6.4.2.36 Where the introduction of specific types of advertisements is considered likely to harm public safety, such advertising will not be permitted. Whilst impact on public safety commonly arises in relation to danger caused to pedestrians and road users, the Council will also seek to ensure that advertising does not undermine the safe operation of railways, harbours and docks, waterways and aircraft. In addition, advertisements should not have an unacceptable impact on crime prevention measures within the local authority area.

6.4.2.37 Proposals for hoardings which contribute to the environmental improvement of unsightly sites will be supported in principle on a temporary basis, subject to the criteria set out above and to their removal when the site has been developed.

6.4.2.38 The display of advertisements is subject to a separate consent process within the planning system, which is set out in the relevant Control of Advertisements Regulations. Applicants should have regard to the location of Areas of Special Control of Advertisements in Torbay.

6.4.3 Social change and balanced communities

Policy SC1 Healthy Bay

All development should contribute to improving the health and well-being of the community, reducing health inequalities and helping to deliver healthy lifestyles and sustainable neighbourhoods proportionate to the scale of the proposal.

To achieve these requirements, applicants should demonstrate that they have had regard to the following:

1. Consideration of the opportunities available to address the causes of ill-health in the local area;

2. Promotion of healthy, safe and active living for all age groups, including healthy living

options for older people; and

3. Improvement of access to medical treatment services, including the provision of healthcare clusters where appropriate.

Major residential developments of 30 or more dwellings or other development creating over 1,000 square metres of floorspace will be required to undertake a screening for a Health Impact Assessment (HIA), and a full HIA if necessary, proportionate to the development proposed, to demonstrate how they maximise positive impacts on health and healthy living within the development and in adjoining areas. This will also apply to smaller-scale developments where there are reasons to indicate that a proposal may give rise to a significant impact on health.

Explanation:

6.4.3.1 Health indicators for Torbay relating to poor health and premature mortality show a relationship strongly related to demographics and levels of deprivation, including examples of significant levels of health inequality. Overall, average life expectancy in Torbay is in line with national figures but at a ward level, there is a difference as large as 8 years between the most prosperous and most disadvantaged wards. The major causes of early mortality remain cancer and cardiovascular disease although early deaths from these illnesses have been steadily falling in Torbay for some time. Smoking remains a major cause of preventable disease and alcohol misuse in men is a particular lifestyle issue that translates into a high number of alcohol-related hospital admissions in Torbay, when benchmarked against the whole of the South West. The rate of teenage conceptions also continues to be a priority concern. Torbay's population exhibits lower levels of physical activity and a higher proportion of persons who are overweight or obese compared to regional and national averages. Torbay's 2014/2015 Joint Strategic Needs Assessment provides an assessment of the current and future health and social care needs in Torbay, taking account of the wider social, environmental and economic factors which impact on health and well-being.

6.4.3.2 Health, well-being and the built environment are inextricably linked. New development has the potential to positively or negatively affect the wider determinants ('the causes of the causes') of health in our neighbourhoods. Where new development occurs it is therefore important that the implications of the proposals upon the health and the well-being of the affected communities are considered (see Figure 6). This approach reflects the Marmot Review 'Fair Society, Healthy Lives' (2010) which considered health inequalities in England. It proposed an evidence-based strategy to address the social determinants of health, i.e. the conditions in which people are born, grow, live, work and age and which can lead to health inequalities.

6.4.3.3 Development can contribute to creating healthier communities in a number of ways, for example by providing decent accommodation, reducing the effect of fuel poverty, providing open space and recreation areas, access to healthy food and supporting active travel. Developments should consider how they can promote healthier outcomes,

Figure 6 Determinants of health and well-being in neighbourhoods



particularly within Community Investment Areas as indicated on the Policies Map (see Policy SS11). Proposals will be expected to assess their impact on health, proportionate to the scale of development. Most proposals should deal with this as part of their Design and Access Statement, although residential developments of 30 or more dwellings or other development creating over 1,000 square metres of floorspace will be asked to carry out a screening for a HIA, and a full HIA if deemed necessary. HIAs can consider the potential impacts of proposals on health and health inequalities. They may identify actions that can be taken to enhance the positive effects, and mitigate or eliminate the negative effects of development. They should explore the opportunities for healthy living and the demands that are placed upon health services and facilities arising from the development.

6.4.3.4 It is important to look not just at the relative provision of services and access to facilities (such as hospitals, GP surgeries, healthcare centres and dentists) but also at wider inequalities, for instance sources of deprivation, that have a strong influence on health outcomes.

6.4.3.5 Opportunities within development should be taken to improve the accessibility of facilities to meet the need of existing and future residents, in particular to ensure that an increase in population does not impose an unacceptable burden on services. New development should contribute towards creating healthy and sustainable communities and neighbourhoods through the provision of additional and improved health facilities, with more opportunities for physical activity and healthier lifestyle choices. These include improvements to the pedestrian environment, cycle routes, sports and recreation facilities, play areas and open space. The Torbay Green Infrastructure Delivery Plan (2011) aims to improve the connections between people and nature, and to enhance personal well-being. Guidance on active design is available from Sport England.

6.4.3.6 Social interaction arising from the staging of events, activities and meetings clearly enhances community cohesion. Community halls and meeting rooms help strengthen the dynamism and integration of communities. Other facilities such as day centres, crèches, day nurseries and places of worship also make a substantial contribution towards people's lives and need to be located where they can be easily accessed. Developments can contribute towards

providing these facilities according to their scale, location and the quantity and quality of existing provision.

6.4.3.7 Health and well-being is clearly enhanced by attractive, inspiring environments which offer a chance to make contact with nature. Consideration should be given to the particular role that can be fulfilled by planting programmes, measures to enhance biodiversity and restore habitats and grow food locally (see Policies SS8 and SC4). The highway network also creates impacts on existing communities and the natural environment of surrounding areas. In this respect, air quality will be an important consideration in determining applications. Additional advice on Health Impact Assessments and the relationship between planning and health will be prepared by the Council as a Supplementary Planning Document.



Policy SC2 Sport, leisure and recreation

Development should provide access to sport, leisure and recreation facilities according to the additional demand it generates and the capacity, condition and location of existing facilities. Where a need is identified for new facilities, they should be provided in appropriate locations, preferably co-located with existing and other planned sports facilities, where they are accessible by a range and choice of transport and comply with other Policies in this Plan, particularly in relation to residential amenity.

An assessment of existing provision of such facilities will be required with development proposals proportionate to their scale, allowing the Council to determine whether a contribution is needed towards new facilities or the enhancement of existing provision.

Major new leisure facilities should be developed on accessible and well-located sites,

wherever possible, using available town centre sites as first preference, then edge of town centre sites, district centre locations and existing concentrations of facilities. Any proposal that may lead to likely significant effects on sites protected under European legislation will only be permitted where no adverse effect on the integrity of the site can be shown.

The following proposals are identified in the Local Plan:

1. Sports facilities at Brown's Bridge (The Willows), Torquay (area of search);

2. A Closed Road Cycle Circuit at Clennon Valley, Paignton;

3. Enhanced sports facilities at Torbay Leisure Centre, Clennon Valley, Paignton;

4. A Velodrome at Clennon Valley, Paignton (area of search);

5. A Watersports Centre at Broadsands, Paignton; and

6. Sports facilities at Churston, Brixham (area of search).

There will be a presumption against loss of existing recreational and leisure facilities, unless:

i) An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or

ii) The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or

iii) The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

Explanation:

6.4.3.8 Torbay has produced a number of nationally and internationally known sports people. South Devon College's Sport Academy programme includes an 'Elite Sporting Champions' group, designed to nurture talented future sporting champions.

6.4.3.9 Torbay has a fantastic environment for sport and recreation, and there are clear links to health, well-being and productivity. Assessments of existing and future sports and recreational need have been undertaken as an integral element of the Council's Torbay Sports Facilities Strategy (2015), the Torbay Playing Pitch Strategy (2015), Torbay's Play Strategy 2005-2010 and the Torbay Green Infrastructure Delivery Plan (2011).

6.4.3.10 This evidence base will be updated periodically as required and this Policy should be applied to development proposals in relation to the most up-to-date evidence available at the time. The Council has recently refreshed this evidence base with the development of a new Sports

Facilities Strategy and Playing Pitch Strategy, completed in 2015 with a rolling programme of implementation.

6.4.3.11 The Local Plan has an important role in protecting and enhancing existing provision, supporting the development of new facilities and helping to bring forward the ambitions of people, clubs and representative organisations. In this context, the Council is supporting investment in a Velodrome in Paignton, together with a Watersports Centre on the coast at Broadsands. New or enhanced sports facilities are proposed in other parts of the Bay, including at Torbay Leisure Centre. A number of proposals indicated in Policy SC2, at The Willows, Clennon Valley and Churston, are shown as areas of search whilst detailed plans are finalised. Whilst all these projects are deliverable, it is possible, however, that alternative, more viable and sustainable provision can be made on other sites to satisfy demand. If, for example, suitable alternative provision is made in place of sports facilities at Churston, the Council will not pursue delivery of such facilities at Churston.

6.4.3.12 The provision of sports facilities often involves significant investment, and proposed new sites must be capable of sustaining and servicing any development through, for example, adequate car parking, and accommodating appropriate intensification of use, such as floodlighting. However, in accordance with other Policies in this Plan, relating specifically to countryside and design, provision of sports, recreation and leisure facilities in more rural areas will need to be sensitively and carefully designed to ensure the facility, and its use, complements and does not unduly harm the character and appearance of the area. In Churston, for example, it is anticipated that a sports facility will comprise pitches, ancillary facilities (such as changing rooms), and a community recreation area suitable for its rural location.

6.4.3.13 The availability, within an acceptable safe walking distance, of sport, leisure and recreation facilities is an essential ingredient of a sustainable, healthy community. The Council's Adopted Torbay Greenspace Strategy Supplementary Planning Document (2008) sets out accessibility standards and an associated audit of facilities.

6.4.3.14 Where proposals result in the loss of open space or recreation facilities, the above Policy and Paragraph 74 of the NPPF require an assessment of their value to be carried out and replacement facilities of equivalent or better quality, quantity or location, to be provided.

Policy SC3 Education, skills and local labour

The Local Plan will support the improvement of existing and provision of new educational facilities to meet identified needs in Torbay. This includes both the expansion of schools to meet identified short to medium-term needs, and construction of new schools to address longer-term requirements associated with the delivery of new homes.

The Council will support initiatives and developments that improve skills and links between work and education, particularly through South Devon College and the Torbay and South Devon NHS Foundation Trust.

The Council will support the delivery of key worker housing and self-build housing where there is a clear link between skills development and future employment of those people involved in those types of project.

The Council will promote and negotiate use of local labour training arrangements, placements and apprenticeship schemes during the construction phases of major developments and encourage the use of local labour wherever possible.



Explanation:

6.4.3.15 The Local Plan supports the delivery of the Council's capital programme to address current pupil number increases across Torbay. Policy SS7 seeks developer contributions towards infrastructure, including education facilities, where this is needed for development to proceed.

6.4.3.16 Over the longer term, the Local Plan supports provision of full coverage of education facilities located close to local communities, that promotes excellent outcomes for all parts of the community.

6.4.3.17 Detailed proposals need to be developed in partnership with the Council's Children's Services, schools, South Devon College, local communities and developers through masterplanning of Strategic Delivery Areas. Indicative projects include:

- Expansion and improvement of South Devon College;
- Identification and delivery of a new primary school site to serve the 'Torquay Gateway' development;
- If expected town centre regeneration takes place within Torquay then further expansion projects will be required at several schools in the town;
- Additional primary school provision in

Paignton, should growth occur above predicted levels;

- Identification of a site for a ninth secondary school in the Bay, if there were a significant development along the Totnes Road corridor and if demand has not been met elsewhere; and
- The provision of studio schools, for 14–19 year olds, to provide specialist skills and education, for example South Devon High School, based at South Devon College.

6.4.3.18 Department of Education funding will be sought to compensate the local community for the loss of open space, in line with Policies SC1 and SC2.

6.4.3.19 Torbay's high level of self-containment (that is, the number of working age people who live and work in the same area) underlines the importance of ensuring that people in Torbay have the skills needed by growing and new businesses.

6.4.3.20 The Council recognises the role of key worker and self-build housing in strengthening links between work and skills, and housing. Policy H2 seeks a proportion of affordable housing to be provided on larger development sites. An element of key worker housing may be provided as part of this, subject to the Council's agreement. Policy H3 promotes self-build housing, particularly where secured by mechanisms such as community land trusts, to provide affordable housing for local people in housing need.

6.4.3.21 The Council is unable to require the use of local labour. However, it will encourage developers to use local construction companies and to employ local people where it is practical to do so. This is particularly the case in self-build and similar schemes where an element of 'exception' to planning policies is made in order to permit development. For example, developers will be encouraged to use employment and skills plans to better establish links between education and employment.

Policy SC4 Sustainable food production

The enhancement of existing and provision of new sustainable local food production facilities will be supported, including food hubs, orchards and allotments, subject to other Policies in this Plan.

The change of use or redevelopment of allotment sites will not be permitted unless appropriate alternative provision is made, or it can be demonstrated that there is no demand for the facility.

Development which would result in the detriment to or loss of the best and most versatile agricultural land (Grades 1, 2, or 3a) will only be permitted where there is an overriding need for the development and it is demonstrated by the applicant that it cannot be accommodated on lower grade land. Where development is proposed and there is a choice between sites of different grades, development should take place on land of the lowest grade feasible, subject to other Policies in the Plan.

Residential development schemes of 30 or more units should include provision for sustainable food production, including allotments, proportionate to the scale of the development.

Explanation:

6.4.3.22 Growing local food encourages people to lead more active, healthy lifestyles and generates community cohesion, as exemplified by the English Riviera Food & Drink Trail. Sustainable food production is a component in creating a low-carbon society and it helps the Bay become more resilient to future food insecurity. Local food has fewer food miles, and therefore less associated carbon emissions, and also helps support the local economy. A Torbay Local Food Summit (2009) identified allotment shortage, lack of community growing areas and a lack of producer outlets in towns as key issues to be resolved.

6.4.3.23 A food hub has been established at Occombe Farm, Paignton. During the Plan period, the potential to deliver additional food hubs will be explored at Watcombe (Torquay), Great Parks (Paignton) and Lupton House (Churston). The accommodation of new development will inevitably put pressure on productive agricultural land, especially in an area as constrained (in terms of land area) as Torbay. The location of Strategic Delivery Areas, as identified in this Plan, has been informed by Sustainability Appraisal and Habitats Regulations Assessment. Consequently, the loss of best and most versatile agricultural land has been minimised. However, more detailed masterplanning work for the Strategic Delivery Areas and related Future Growth Areas will seek to utilise lower grade land before any use of Grades 1, 2 or 3a land.

6.4.3.24 Development and changes of use which result in the loss of high grade agricultural land will need to establish that alternative, previously developed sites within existing developed areas have been investigated. Where there is an overriding need to develop on agricultural land of Grades 1, 2 or 3a and there is a choice between sites of different grades, land of the lowest grade should be developed, unless the lower grade land has an environmental value in terms of its landscape, nature conservation and historic or archaeological status which outweighs its agricultural significance.

6.4.3.25 The on-site provision of new allotments will be sought from all major residential and mixed use schemes. However, it is recognised that the opportunity for major development schemes to realistically deliver allotments may be limited. For instance, site-specific constraints and circumstances will have an impact. It is recognised that the opportunities to deliver allotments may be better realised through larger, strategic developments (for instance those contained within Future Growth Areas – see Policy SS2) which offer a scale of development and site with greater prospects to secure their delivery. Whilst orchards may also be covered by Policy C4, they are an excellent form of sustainable, local and healthy food production. The enhancement of orchards will be supported, particularly where this would strengthen the growing of local varieties of fruits.

Policy SC5 Child poverty

New development will be assessed for its contribution towards reducing child poverty, proportionate to the scale and nature of the proposal. The following will be taken into account:

1. The provision of affordable homes, to rent or to buy, in order to provide a range and choice for low-income families;

2. The provision of energy efficient new homes and use of renewable energy, in order to address fuel poverty;

3. Encouragement of landlords to re-use empty homes and support improvements to the existing housing stock, in order to improve property conditions;

4. The provision of open/play space, adequate garden sizes and improved access to the countryside or urban greenspace, in order to provide local, affordable activities and play space; and

5. The need to support investment in existing schools and make appropriate contributions, and improve equality of access to high quality education provision for all, including early-years education.

Explanation:

6.4.3.26 The number of children aged 0 to 15 living in the 10% most deprived areas for Income Deprivation and Childrens Index (IDACI) has increased from 681 to 2,301 between 2007 and 2010. Child poverty is focussed in particular wards and neighbourhoods in Torbay and can lead to children experiencing issues relating to their cognitive, social and emotional development.

6.4.3.27 The Council has produced a Child Poverty Strategy 2011–2020 (2012). This reveals that 24% of children under the age of 16 live in poverty across the Bay, but the proportion is higher in deprived communities. Hotspots of child poverty, multiple deprivation, high levels of crime and unemployment are well documented in Tormohun, Ellacombe, Roundham with Hyde, and Watcombe. There are also pockets of deprivation and poverty in Blatchcombe and St Mary's with Summercombe. Torbay's lack of affordable houses also exacerbates the effect of high house prices and rents upon child poverty.

6.4.3.28 Applications for new development will be expected to be prepared taking account of these considerations, as articulated in criteria 1. to 5. of this Policy.

6.5 Aspiration 5: Respond to climate change

6.5.1 Environmental sustainability

Policy ES1 Energy

The Local Plan will seek to ensure that carbon emissions associated with energy use from new and existing buildings (space heating, cooling, lighting and other energy consumption) are limited.

All major development proposals should make it clear how low-carbon design has been achieved, and how the following sequential energy hierarchy has been applied in doing so. Proposals should identify ways in which the development will maximise opportunities to achieve the following (in sequential order):

1. Conserve energy by reducing energy demand through siting and design. This includes the use of building orientation, layout and landscaping to optimise solar gain, ventilation and cooling;

2. Use energy efficiently within the fabric of the building;

3. Incorporate the use of decentralised heat, cooling and power systems; and

4. Use on-site or near-site renewable technologies to achieve further reductions in carbon emissions.

New development should connect to a district heating network where there are existing proposals or schemes. Where there are significant opportunities for a communal heat network but only at a future date, the development should be designed to allow later connection.

The retrofit of energy efficiency measures to existing buildings will be encouraged and supported. Opportunities for reducing carbon emissions associated with energy use will be sought through the development management process as part of the wider conversion/ refurbishment of buildings where planning permission is required.

Explanation:

6.5.1.1 The delivery of new homes and jobs, while simultaneously managing greenhouse gas emissions, means creating an urban environment that makes more efficient use of resources, particularly energy, in both new and existing built development. Development will be expected to radically reduce greenhouse gas emissions to their lowest practicable levels by following a sequential energy hierarchy. The hierarchy takes account of the relative cost of different solutions by ensuring that the lowest cost and most effective means of achieving carbon savings are implemented first.

6.5.1.2 Relatively simple solutions such as the careful siting, layout and orientation of buildings, together with effective landscaping, can greatly influence future energy demand from a development. The use of thermal modelling to test different design and layout options of a scheme (in the context of seeking to reduce energy demand and limit overheating – see Policy SS14) can be of great value to support development proposals, particularly for major developments.

6.5.1.3 Energy efficiency needs to be maximised in the fabric and design of new buildings and the stock of poorly insulated buildings reduced. This will principally be managed through Building Regulations (Part L) and the move towards tighter carbon compliance standards. However, there may be opportunities, particularly on larger sites to use building designs that go further in dealing with both regulated and non-regulated emissions.

6.5.1.4 New development may provide an opportunity to establish energy-generating systems at a local (decentralised) level to promote local energy security. The feasibility of district heating networks is closely related to the mix of users (residential, industrial etc.) and the presence of 'anchor loads' that provide a critical mass for their operation. The prospects of establishing a network are also likely to increase in central urban areas and may provide a chance to connect poorly insulated housing and help reduce fuel poverty.

6.5.1.5 The residential sector is responsible for generating the greatest proportion of greenhouse gas emissions in Torbay. Targeted activity which will reduce emissions in existing buildings will be particularly encouraged, for example the retrofitting of energy-saving and renewable energy technologies. Actions which reduce exposure to energy costs and fuel poverty are of acute importance.

6.5.1.6 The Passivhaus standard is a building assessment which fully embraces the aims of the energy hierarchy (a low energy consumption approach) going well beyond current building regulations to provide excellent thermal performance and exceptional air tightness with mechanical ventilation. The standard can also be complementary to other assessment methods such as the Code for Sustainable Homes and BREEAM. Carbon emissions and energy costs are incredibly low with these types of buildings. Proposals which adopt Passivhaus principles will be given great weight in terms of decision making and meeting the requirements of this policy. Note that these standards are voluntary but could provide an effective design methodology to support the ability of new development to meet Building Regulations and Local Plan/ NPPF Policy requirements.

Policy ES2 Renewable and low-carbon infrastructure

The Council will support, in principle, proposals for new renewable and low-carbon energy generating systems at all scales, including district heat and power and community projects. The wider environmental, community and economic benefits of proposals of these systems will be given great weight.

Proposals for renewable and low-carbon infrastructure will be considered against other Policies in the Local Plan. Development will not be permitted where the negative impacts of the proposal outweigh the benefits of the scheme. In particular, provision of new renewable energy infrastructure will only be approved where the Council has ascertained that it would not have an adverse effect on the integrity of any site protected under European legislation.

Explanation:

6.5.1.7 The UK Government has significant binding targets to reduce carbon emissions and increase the uptake of renewable energy generation. Proposals will be assessed individually on their merits. However, it is important that sufficient weight is given to the benefits of proposals.

6.5.1.8 Where negative impacts are identified, the applicant is encouraged to work with the Council to deliver an appropriate solution. The Council's Sustainable Energy Assessment (2011) shows the considerable potential for the deployment of a range of renewable energy technologies to support economic, environmental and social outcomes. These opportunities are illustrated in the Energy Opportunities Plan, including the potentially most viable locations for district heat networks, which can be found within this evidence base document.

6.5.2 Environmental resources

Policy ER1 Flood risk

Development must be safe for its lifetime, taking account of its future use, function and government projections of how the risk of flooding may change in response to climate change. The sequential approach, as outlined in the National Planning Policy Framework, must be used to guide new development towards sustainable locations, giving priority to sites with the lowest risk of flooding and taking account of the vulnerability of the proposed land uses. Areas subject to flood risk are shown on the Policies Map.

Development proposals will be expected to 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. Where development is necessary in areas at risk of flooding it should be laid out and designed to ensure buildings and their surroundings are appropriately resistant and resilient to all forms of flooding, would be safe and would not increase the risk of flooding to third parties. Mitigation measures such as Sustainable Drainage Systems (SUDS),

Water Sensitive Urban Design (WSUD) and water storage areas will be required to restrict site discharge rates, alleviate downstream flood risk, prevent increased discharge from Ilsham Combined Sewer Oufall (CSO) during flood events and encourage biodiversity.

Proposals should have regard to the Council's Local Flood Risk Management Strategy and comply with the requirements of any subsequent Action Plan. In this context, the Council will produce a Supplementary Planning Document setting out detailed guidance on the use and application of WSUDS and SUDS.

Development that contributes directly to downstream flooding and increased discharge from Ilsham CSO during flood events will not be permitted until the appropriate flood protection measures referred to above are put in place. Developers will be required to contribute to these works as appropriate (see Policy SS7 'Infrastructure, phasing and delivery of development').

SUDS should seek to maximise benefits for amenity, water quality, recreation and biodiversity and take account of the vulnerability and importance of existing ecological resources. A financial contribution may also be requested for capital improvement works to the existing drainage infrastructure.

Torbay has now been designated as a Critical Drainage Area and as a consequence all developments will require a basic Flood Risk Assessment (FRA). A more detailed FRA will be required for proposals with a site area of 1 hectare or greater within Flood Zone 1, including where they impact on catchments draining into Flood Zones 2 and 3, and for all new development within Flood Zones 2 and 3. A Flood Risk Assessment will also be required for development close to seafronts within Flood Zone 1 where there may be a risk of flooding due to wave action. Development of basement accommodation, including changes of use or basement parking will not be permitted where there is danger of inundation and consequent risk to life.

On sites which benefit from existing flood defence schemes, consideration should be given to how the development will be safe and satisfactorily defended for the lifetime of the development, having regard to the future maintenance, modifications and enhancements that will be required to retain the existing level of protection. A financial contribution towards flood defence works may be requested by the Council. Development will be resisted where this requires disproportionate costs for flood defence works, or generates substantial obligations for the public sector.

Development must not result in the loss of access to watercourses, or flood defence assets, for maintenance, clearance, repair or replacement.

Proposals which provide functional improvements to a floodplain, open up culverts or restore the natural characteristics of catchments will be promoted and encouraged, particularly where this reduces flood risk, improves water quality, maintains water resources, enhances biodiversity, or produces other benefits, such as improved amenity or provision for recreation.

Explanation:

6.5.2.1 This Policy seeks to avoid inappropriate development in areas subject to flooding, and to direct development away from areas of highest risk. Events in Torbay and elsewhere have shown the disruption and distress caused by flood events which, at worst, can lead to the loss of life and damage to property.

6.5.2.2 The risk from flooding is very low in most parts of Torbay. However, due to the Bay's topography, climate, proximity to the sea and the nature of watercourses and sewers, flooding can occur rapidly, giving people little time to react. It is therefore particularly important that new development considers flood risk.

6.5.2.3 Indicative flood risk zones are shown on the Policies Map. However, they are not intended to be definitive and it is the responsibility of the applicant to ensure that proposals meet the requirements of the Local Plan and NPPF. More detailed information can be found in the Torbay Strategic Flood Risk Assessment 2008/2010 (SFRA) and Torbay Local Flood Risk Management Strategy (2015). Most of the coastal fringe and land adjacent to watercourses is within a medium or high risk flood area – Flood Zones 2 and 3. This includes parts of Brixham, Paignton and Torquay Town Centres, Higher Brixham, Torquay waterfront, Torre Abbey Meadows, parts of Preston and Goodrington, Occombe and Clennon Valleys, Broadsands, Kings Ash Road, Totnes Road, Churston and Galmpton. Policy C3 is also relevant to such areas. It is important to note that coastal frontages may be at risk of flooding from wave action, even where they are mapped as Flood Zone 1. This must be recognised in planning for such areas.

6.5.2.4 The Council's approved Torbay Local Flood Risk Management Strategy explains the key flood risks in Torbay, the measures that have already been taken to minimise these risks, and the measures and actions that will need to be taken in order to minimise these risks further. The ensuing Action Plan will be used to inform the medium term plan for flood defence funding in liaison with South West Water. It will allow flood risk management actions to be prioritised and for investment plans to be focused and coordinated.

6.5.2.5 The greatest risk of tidal flooding coincides with extreme storms, high tides and easterly winds. This could potentially lead to the local over-topping or breach (failure) of existing flood defences. Fluvial flood events have tended to arise where rainfall exceeds the capacity of watercourses, or as a result of problems within culverts. A key factor influencing the magnitude of fluvial flood events is the steep topography present in much of Torbay.

6.5.2.6 There is sufficient land within Flood Zone 1, where the probability of flooding is low, in order to deliver the majority of the future growth identified by the Local Plan.

6.5.2.7 A sequential test should be undertaken, in accordance with the National Planning Policy Framework and National Planning Practice Guidance, to ensure that development such as residential use (including caravans and mobile homes) is appropriately located. Developers should have regard to the potential for flood risk now and in the future, when undertaking the sequential test, as set out in the Torbay Strategic Flood Risk Assessment (2008/2010). When undertaking the sequential test, consideration should be given to the local flooding characteristics identified in the Council's Level 1 and 2 SFRAs and to the

Torbay Strategic Housing Land Availability Assessment (2013). Where the Exception Test is applied, preference will be given to proposals able to demonstrate significant regeneration benefits or lead to the achievement of Local Plan objectives.

6.5.2.8 The Level 1 SFRA shows the extent and distribution of flood risk through a series of flood maps. The maps highlight the risk of fluvial and tidal flooding events. The SFRA also sets out the circumstances in which surface water, sewer and groundwater flooding may be an issue.

6.5.2.9 The Level 2 SFRA provides greater detail about the flood risk characteristics within the major flood risk areas identified by the Level 1 assessment, drawing on the results from tidal and fluvial modelling. It examines the consequences of over-topping or a breach (failure) of flood defences by mapping the potential depth of floodwater and the severity of the flood hazard, taking account of flood velocity. The Level 2 SFRA provides clear guidance on the risk management measures which should be adopted, in order to mitigate flood risk.

6.5.2.10 For all development (including changes of use) in Flood Zones 1, 2 or 3, the Council will work with developers to seek opportunities to reduce the overall risk of flooding in the area and beyond, through the layout and form of development, including sustainable drainage systems and green infrastructure. The opportunity to reduce the vulnerability of existing basement flats in areas of flood risk will be particularly encouraged. Changes of use of existing basements to 'more' and 'highly' vulnerable uses will not be acceptable. Similarly, the reorientation of existing residential accommodation that would result in self-contained basement dwellings will not be permitted where there would be no unfettered access to high ground, or higher floors that are above potential flood levels within the building in question.

6.5.2.11 The Environmental Agency's South Devon Catchment Flood Management Plan (2009) contains long-term actions to reduce the number of people and properties at risk from inland flooding.

6.5.2.12 The Torbay Strategic Housing Land Availability Assessment (2013) does not distinguish between sites according to flood risk. However it does provide a useful reference source in indicating the supply of reasonably available land for housing outside the high and medium flood risk areas.

6.5.2.13 It is recognised that the intense pressure on Torbay's finite land supply will mean some development will continue to occur in flood risk areas, and this will help to sustain the vitality of the existing urban area and contribute to the regeneration of the local economy. The acceptability of such proposals will be determined with regard to the compatibility of land uses in the National Planning Policy Framework and National Planning Practice Guidance, and the specific package of mitigation measures being proposed. Such developments must be safe over their lifetime and take into account the effects of climate change (also see Policy SS14).

6.5.2.14 The Council will require developers to enter into a legal agreement securing the provision of Sustainable Drainage Systems (SUDS), where technically feasible, to control surface water run-off, safeguard and improve the quality of rivers, coastal waters and ground water and protect and enhance biodiversity, amenity or recreation. The amount and rate of water flowing off the

development site must not be greater than the situation prior to development.

6.5.2.15 The whole of Torbay is designated by the Environment Agency as a Critical Drainage Area (CDA). For this reason, all development will require a basic Flood Risk Assessment. The catchments within Torbay are typically small, steep, and in the most part highly developed in nature. There is also a legacy of culverting (piping) of the watercourse channels which adds to the risk of flooding and as such all new development must deliver a reduction in current rainfall run-off rates. This requirement also applies to brownfield sites that will have to match the same standards. All off-site surface-water discharges from new development should mimic greenfield performance up to a maximum 1 in 10 year discharge. On site, all surface water should be safely managed in conditions up to the 1 in 100 event plus an allowance for climate change. To satisfy the above will require additional water sensitive urban design (WSUD) and water storage areas to be created within the site, compared to the normal SUDS design, thereby contributing to a reduction in flooding downstream. Policies ER2 'Water management' and W5 'Waste water disposal' also promote the use of SUDs and WSUDs.

6.5.2.16 The Torbay Green Infrastructure Delivery Plan (2011) demonstrates some of the opportunities present in Torbay for the enhancement, restoration and creation of habitats for wildlife. These include wetlands and reed beds, which can collect, store and filter dirty water, provide a habitat for wildlife and a natural form of flood defence. Ensuring that more development schemes provide sustainable drainage systems will help towards reducing the likelihood of urban sewer flooding. Further details are set out in the Torbay Flood Risk Management Strategy. A sustainable drainage and water sensitive design supplementary planning document will be prepared, setting out how sustainable water management can be incorporated into development and retrofitted into the urban area.

6.5.2.17 The Government has stated that individuals and businesses that benefit the most from flood defences (for example by lower insurance premiums and averted damage) should pay a greater proportion towards their cost, giving effect to the 'beneficiary pays principle' (DEFRA, 2010). A financial contribution for the maintenance and improvement of flood defence infrastructure will be requested where it protects a proposed development, or makes a development feasible, which otherwise, could not be permitted.

6.5.2.18 New development will need to be designed and constructed to minimise flood risk by the careful layout of land uses and activities to ensure flood resilience and resistance. Safe access, escape routes, refuge areas and evacuation plans may need to be provided. Where a development site has different flood risk characteristics (for example where it straddles flood zones), vulnerable uses should be directed to the part of the site with the lowest flood risk. Particular care will need to be taken with proposals to provide new basement accommodation or underground car parking, as these uses are particularly difficult to defend. Development is unlikely to be permitted where there is a danger of inundation of such areas, as this poses a danger to life.

6.5.2.19 In accordance with this Policy, a Flood Risk Assessment (FRA) may be requested to support a planning application. This should demonstrate how the risk of all forms of flooding has been considered, any

mitigation measures proposed, and identify the effects of 'adding in' climate change. Impacts both upstream and downstream in the catchment will need to be examined where there is a risk of fluvial flooding or surface water run-off. The detail provided by the FRA should be proportionate to the flood risk posed to and by the proposed development. Details of the measures, proportionate to the scale and nature of the proposal, that will be used to address flood risk will be required when a planning application is submitted. Attention is drawn to Paragraphs 103 - 104 and footnote 20 of the NPPF.

Policy ER2 Water management

Development proposals must:

1. Provide for adequate water supplies and the efficient use of water including its re-use and recycling;

2. Avoid harm to surface waters (including rivers and coastal waters), sensitive water-reliant habitats and species and sites protected under European legislation, and any adverse impacts on the quality and quantity of groundwater. Regard should be had to the cumulative effects of developments;

3. Prepare and submit, as part of a planning application, Pollution Prevention Plans where there is a significant risk of adverse effects on aquatic ecosystems;

4. Provide appropriate sewage disposal systems with separate foul and surface water, and particularly through sustainable drainage measures, reduce water being discharged into shared sewers (see also Policy W5 'Waste water disposal'); and

5. Deliver appropriate mitigation measures in accordance with the Government's current Water Framework Directive objectives.

All development should seek to minimise the generation of increased run-off, having regard to the drainage hierarchy, whereby surface water will discharge to one of the following, listed in order of priority:

i) An adequate infiltration system (for example swales, soakaways, infiltration basins, filter drains, rain gardens), or where that is not reasonably practicable;

ii) A main river or water course, or where that is not reasonably practicable;

iii) A surface water sewer or highway drain, or in the last resort where none of the above are reasonably practicable;

iv) To a combined (foul and surface water) sewer, where discharge is controlled to be at greenfield discharge rates.

In Torquay, where development has not met criteria i) to iv) listed above, it will be subject to an individual Habitats Regulations Appropriate Assessment.

Development may need to be phased in accordance with the provision of adequate water-related infrastructure and a financial contribution, or works in kind, may be required in order for development to proceed. This would include funding to ensure the provision of any necessary additional surface water management schemes.

Explanation:

6.5.2.20 This Policy seeks to minimise the effect of development on water bodies, and to deliver Water Framework Directive objectives and appropriate mitigation measures set out in the South West River Basin Management Plan (2009) produced by the Environment Agency / DEFRA. One of the principles of the Water Framework Directive is that there should be no deterioration in water quality status arising through development. The Council will seek to use development to bring about improvements to bathing waters and marine habitats through the design of development and off-site contributions where appropriate.

6.5.2.21 New development in Torbay will give rise to the need for additional infrastructure to treat and supply water, and dispose of waste water. It is vital that water is used efficiently, by both new and existing development, to reduce the demand on energy, for example from the pumping of water, and to avert adverse environmental effects, such as over-abstraction from water bodies.

6.5.2.22 The Council will require a Pollution Prevention Plan (PPP) to be prepared where the development poses a significant risk to the water environment, including the Marine candidate Special Area of Conservation (SAC), from either the construction process and operation, or design of buildings (for example through run-off). The PPP should identify how the potential for adverse effects on aquatic ecosystems or socio-economic assets, such as the coastal bathing waters, will be managed. The physical and chemical modification of water bodies will be resisted where this harms their function or results in damage to habitats.

6.5.2.23 Groundwater resources are an invaluable source of water for public supply, industry, agriculture and rivers but can be harmed by a range of activities, such as contamination from industrial uses or infilling in the urban area. The Council will seek to prevent or limit the entry of pollutants and protect water resources by refusing planning consent for developments which it considers pose an unacceptable risk to groundwater. The Council may require measures, such as the provision of Sustainable Drainage Systems (SUDS), to minimise or remove the risk. Further details are set out in the Torbay Flood Risk Management Strategy. A Supplementary Planning Document will be prepared setting out how sustainable water management can be incorporated into development and retrofitted into the urban area. As set out above, the use of sustainable drainage systems such as swales, soakaways, infiltration basins, filter drains and

rain gardens will be the first preference.

6.5.2.24 Natural England has expressed serious concerns about the effect of combined sewer overflows from Ilsham (also referred to as Hopes Nose), Torquay on the integrity of the marine reefs which are an important element of the Marine candidate Special Area of Conservation (SAC). In Torquay, development will need to show that there is no likely significant effect (LSE) on the Marine SAC, including the combined impact. In order to achieve this, proposals will need to show that:

- Drainage discharges into (a) adequate infiltration systems, (b) a main river or water course, or (c) a surface water sewer or highway drain (i.e. not a combined sewer); and
- They can demonstrate that they avoid or cancel out the risk of increased run-off, and thereby an increased risk of spills at the Ilsham CSO.

6.5.2.25 However, where proposals are reliant upon discharge to the combined sewer system, posing a risk of increased spills at the Ilsham CSO, it is likely that they will contribute to a LSE on the Marine SAC and will therefore require Appropriate Assessment, especially in order to assess their 'in combination' effect with other such proposals.

6.5.2.26 The age and capacity of shared sewers, especially in Paignton, has been identified as a major infrastructure constraint. Policy W5 deals with waste water disposal in more detail. However, better use of existing infrastructure and water efficiency will be as important as new sewerage infrastructure in ensuring a sustainable future. Development proposals must provide adequate sewerage infrastructure to cope with the anticipated increase in sewage and surface water, including the impact of extreme weather events. Foul and surface water drainage should be separated to reduce the likelihood of flooding and contamination downstream. Measures to promote the conservation and reuse of water such as water butts and rain/grey water harvesting will be supported. The use of natural sewage treatment, such as wetland / reed beds, is encouraged where practicable. The phasing of development may be required in line with a timetable for the provision of critical water and drainage infrastructure improvements required to serve a development proposal.

Policy ER3 Contamination

Development proposals must take the following environmental considerations into account:

1. Where identified or suspected contamination presents a risk to public health and safety, buildings, structures or the natural environment, appropriate investigations and remedial or precautionary measures will need to be agreed with the Council; and

2. Developers will need to demonstrate that any identified or suspected contamination can be satisfactorily overcome without risk to health.

Explanation:

6.5.2.27 To ensure the best use of the limited supply of available land, it may sometimes be possible to put contaminated land to a suitable, beneficial use. Whilst contamination is not generally a significant issue in Torbay, there are isolated sites where previous or current land uses suggest a remediation strategy will need to be agreed with the Council before development commences.

6.5.2.28 As such, development provides an opportunity to deal with issues which have historically resulted in land being sterilised, or its use being restricted, and to deal with ongoing contamination issues. The Council has prepared a Contaminated Land Strategy in accordance with the Environmental Protection Act 1990 – Part IIA, published in 2001 and reviewed in 2005.

6.5.2.29 The full process developers will need to follow when dealing with sites, where contamination is either known or suspected, is set out in Torbay Council's Local Planning Guidance Note – A Guide for Developers to the Assessment and Remediation of Land Affected by Contamination in Devon (2006).

6.5.2.30 The Council will request appropriate site investigations and reports to be undertaken to assess the ground conditions and to identify the remedial, preventative and precautionary measures that will be required. The examination of any development site may need to consider surrounding land and activities, including any pathways through which a pollutant could potentially transfer. The sensitivity of the proposed end use is especially relevant, particularly where residential development is proposed with gardens; sites with a history of contamination could present risks from growing vegetables or dermal contact with soils. The degree of exposure, in terms of the time users of a development spend staying in an area, will be taken into account. Site investigation reports and recommendations for remedial, preventative or precautionary measures must be submitted with major planning applications.

Policy ER4 Ground stability

Development proposals must take the following considerations into account:

1. Appropriate investigations and remedial or precautionary measures will need to be agreed with the Council where identified or suspected ground instability presents a risk to public health and safety, buildings, structures or the natural environment; and

2. Developers will need to demonstrate that any identified or suspected ground instability can be satisfactorily overcome in order for development to proceed.

Explanation:

6.5.2.31 Ground stability is an issue in the immediate coastal area and inland due to the natural movement of the ground and underlying strata. Where land stability has been identified as a concern or is suspected, developers will be expected to undertake a geotechnical investigation in accordance with the Council's requirements. Conditions will be attached to planning permissions to ensure necessary procedures are followed (see also Policy C3 'Coastal change management').

6.5.3 Waste

Policy W1 Waste hierarchy

All development should seek to minimise the generation of waste, having regard to the following waste hierarchy:

1. **Prevention:** Using less material in design, manufacture and re-use. Using less hazardous material and other measures to minimise waste generation.

2. **Re-use and recycling:** Increase recycling and composting through the kerbside collection regime and ensuring adequate existing recycling facilities in Torbay as well as the improvement or development of new facilities where appropriate. Explore opportunities for storage, re-use and collection facilities. Provision of waste audit statements demonstrating accordance with the waste hierarchy for major developments.

3. **Recovery:** Maximise the recovery of residual waste, through a partnership approach with other Devon Authorities for the use of the site in Plymouth for 'energy from waste recovery'.

4. **Disposal:** Minimise the amount of residual waste which is disposed of and minimise the exporting of waste for disposal to Devon.

Development proposals will be expected to provide a scheme of sustainable waste management, proportionate to the scale and nature of the proposal. As a minimum, all developments should make provision for appropriate storage, recycling, treatment and removal of waste likely to be generated. As a minimum, residential units should provide adequate space within the curtilage for waste and accessible kerbside recycling bins and boxes.

Explanation:

6.5.3.1 As a Waste Planning Authority (WPA), Torbay is required to produce waste planning policies under national planning legislation.

6.5.3.2 National waste planning policy is set out in the National Planning Policy for Waste, published in October 2014. It confirms the waste hierarchy and contains detailed advice for plan-making and decision-taking on waste matters.

6.5.3.3 The Government's approach to waste has emphasised that waste is a resource and defines the 'waste hierarchy' as prevention, preparing for re-use, recycling, other recovery, and disposing only as a last resort. The aim of sustainable waste management is to break the link between economic growth and waste generation and reduce the environmental impact of waste. WPAs should have regard to the hierarchy in the preparation of plans and provide the framework to enable and facilitate the desired change in waste management methods. The hierarchy is capable of being a material consideration in determining individual planning applications.

6.5.3.4 Torbay is dependent upon Devon Council Council (DCC) for much of its waste

management. The Torbay Waste Sites Identification - Waste Sites Appraisal Report (2013) assesses the suitability of eleven potential sites for waste disposal, and finds that they all have a high level of constraint, and none are suitable for inclusion in the Local Plan.

6.5.3.5 The County Council's Devon Waste Plan was adopted in December 2014. Waste Topic Paper 2: Duty to Co-operate: an assessment of Cross-Boundary Waste Movements was prepared as a supporitng document by DCC to assess cross- boundary issues. This acknowledges the lack of suitable sites within Torbay and makes provision for 38-40,000 tonnes of CIW (commercial and industrial waste) per annum by 2031. This figure assumes that Torbay is successful in reducing waste and achieving 50% recycling rate by 2031. It also assumes that Torbay's residual local authority collected waste (LACW) will be delivered at the Plymouth Dockyard energy from waste incinerator. This facility will process approximately 32,000 tonnes of residual waste from Torbay.

6.5.3.6 On this basis, consistent with the National Planning Policy for Waste, it is important that all development seeks to minimise its waste generation by having regard to the waste hierarchy. Major development and other proposals likely to generate significant waste should undertake a Waste Audit and Five Year Waste Management Plan, as set out in Policy W2. However, smaller developments should also have regard to the hierarchy, in proportion to the scale of the proposal. For all new residential developments and for conversions of existing buildings into residential use (particularly multi-occupancy properties and Houses in Multiple Occupation) sufficient and accessible storage space for waste and recycling will be required within the curtilage. Planning Obligations will be sought for additional waste infrastructure requirements. In some instances, a bespoke waste management plan will be required.

6.5.3.7 The Waste Audit should demonstrate how waste will be minimised as far as possible in both construction and operational phases and managed in an appropriate manner in accordance with the waste hierarchy.

6.5.3.8 Integrating waste management alongside other spatial planning activity is a fundamental part of delivering sustainable development. All development should seek to minimise waste during construction and operation. Proposals that are likely to generate significant volumes of waste through the development or operational phases (community or visitor use) will be required to include a waste audit as part of any planning application.

Policy W2 Waste audit for major and significant waste generating developments

Development proposals which are likely to generate significant volumes of waste must include a Waste Audit and Five Year Waste Management Plan setting out how waste generation will be reduced during the construction and operation of the development. This will include provision of appropriate on-site facilities for re-use, recycling (composting where appropriate) and collection of waste. Schemes should include measures to:

1. Prevent and minimise, re-use and recycle waste (including composting where appropriate);

2. Minimise the use of raw materials;

3. Minimise the pollution potential of unavoidable waste;

4. Seek alternative modes of transport (to the use of roads) to move waste;

5. Make provision for the storage and collection of waste. Planning contributions for off-site waste management facilities may also be required; and

6. Dispose of unavoidable waste in an environmentally acceptable manner;

The audit should be proportionate to the scale of the proposal, number of visitors and likely waste generation.

Proposals for waste disposal must incorporate a satisfactory scheme for the reclamation of the site to an appropriate after-use, progressively wherever possible, and at the earliest possible opportunity, and progressively during site operation where possible.

Explanation:

6.5.3.9 Policy W2 requires a Waste Audit to be carried out to assess and manage the impact of major development and uses that can be reasonably expected to generate significant levels of waste.

6.5.3.10 The Waste Audit should demonstrate that waste will be minimised as far as possible in both construction and operational phases and managed in an appropriate manner in accordance with the waste hierarchy. The Waste Audit and Five Year Waste Management Plan should include details relating to the minimisation of the use of raw materials, the nature and volumes of waste generated and how waste has been minimised and segregated (i.e. sorting, storage, recovery and recycling facilities). Other measures should also be included to manage waste that cannot be incorporated within the new development, or that arises once it is operational. For residential and commercial development the provision of reduction and/or recycling infrastructure should be identified and support for community composting schemes demonstrated where appropriate. Before granting planning permission, additional waste management measures may also be required to ensure movement up the waste hierarchy.

Policy W3 Existing waste management facilities in Torbay

Existing, allocated or consented waste management sites (for the re-use, recycling and composting, transfer, treatment, recovery or disposal of waste) will be protected unless no longer required or alternative provision can be made. Development proposals that would prevent or prejudice the use of such sites for those purposes will not be permitted unless conflicts can be satisfactorily mitigated.

The continued enhancement and improvement of the Torbay Household Waste Recycling Centre (HWRC) and Waste Transfer Station at Yalberton, Paignton will be supported.

Explanation:

6.5.3.11 The Waste Planning Authority must demonstrate sufficient waste management capacity and allocate sufficient provision of waste management sites to meet Torbay's need. This is based on an assessment of capacity of current operational sites and future demand derived from the Torbay Municipal Waste Management Strategy (MWMS). A Waste Site Assessment was carried out in 2013, which identified very limited scope for deliverable major new waste management facilities in Torbay.

6.5.3.12 The continued enhancement of existing waste management sites including the Torbay HWRC and Waste Transfer Station at Yalberton to accommodate additional facilities will be supported, to ensure sufficient capacity to serve Torbay to 2031. The need for additional local Household Waste Recycling Centres elsewhere in Torbay during the Plan period will be kept under review. The impact of all operations must be minimised and sites restored where appropriate in accordance with Policy W4. Yalberton Tor Quarry currently operates as a Construction, Demolition and Engineering Waste (CDEW) facility in Torbay.

6.5.3.13 It is essential that waste management facilities (whether proposed or existing) are safeguarded from any development proposals in close proximity to them which may prevent or prejudice their operation. This Policy should also be applied to waste management sites with planning consent.

Policy W4 Proposals for new waste management facilities

Preference will be given to proposals for waste management facilities that are in accordance with the waste hierarchy and located on previously developed land. Individual sites should be well-related to the transport network (including rail and water), to centres of population and sources of waste, and be compatible with neighbouring land uses. Proposals should not have adverse impacts upon human health, amenity, land stability, flood risk and features of environmental and biodiversity importance.

Development of facilities for the management of special types of waste (including clinical or hazardous waste) should serve a defined local need and particular consideration will be given to any health, environmental and amenity impacts.

The immediate and wider impact of facilities on the surrounding environment should be minimised through high quality design solutions, with the use of sympathetic materials and colour schemes, and effective methods of landscaping and screening. Specific site management issues should be carefully addressed including amenity, litter, vermin and birds, the impact of odours, lighting, noise, vibration, hours of operation, access and transport movements.

Where appropriate, provision for restoration and after use will be required.

Explanation:

6.5.3.14 Torbay Council's current (2013) assessment indicates that whilst there is potential for recycling sites and some inert landfill capacity (at Yalberton Quarry), suitable or deliverable sites cannot be identified for significant recovery or landfill capacity for municipal, commercial and industrial waste generated in the area.

6.5.3.15 Policy W4 deals with planning applications that may come forward for new or enhanced waste management facilities on sites that have not been identified for such uses. Current National Planning Practice advises that for new waste disposal facilities, applicants should be able to demonstrate that the envisaged facility will not undermine the waste planning strategy through prejudicing movement up the Waste Hierarchy. If proposals are consistent with an up-to-date Plan, there is no requirement to demonstrate 'need'.

6.5.3.16 Where existing facilities are seeking expansion or extension, the LPA will still consider the cumulative effect of previous waste disposal facilities on a community's well-being. This includes the impacts on environmental quality, social cohesion and inclusion, and economic potential. Appendix B of the National Planning Policy for Waste sets out locational criteria for testing the suitability of sites.

6.5.3.17 When considering the need for such facilities the Council will take into account the capacity of existing recycling, composting and recovery facilities, and proposed facilities that have planning permission or are the subject of a current planning application. Proposals for residual waste treatment facilities should not undermine the waste hierarchy outlined in Policy W1.

6.5.3.18 The provision of small to medium waste facilities that are necessary in order to transfer waste effectively to points of treatment or disposal may be supported on sites that are well-related to the transport network, centres of population and sources of waste. They should not have adverse impacts upon features of environmental importance, endanger human health or harm residential amenity. Urban sites, including employment or brownfield land, are likely to be most appropriate for such use where surrounding land uses are suitable, and amenity issues can be dealt with satisfactorily.

6.5.3.19 Consistent with the National Planning Policy for Waste, waste management facilities should be well-designed so that they contribute positively to the character and quality of an area. Careful attention will therefore need to be given to landscaping and screening, measures to reduce noise and dust problems, and local highway and access matters. Sensitive methods of working, restoration and after-care should form part of any proposal. If the proposed development is likely to have significant

environmental effects, an Environmental Impact Assessment will be required.

6.5.3.20 There are currently no proposals for new facilities to deal with clinical waste. Any small-scale proposals that do come forward should be proposed to meet an identified local need, closely related to the source.

Policy W5 Waste water disposal

New, enhanced or extended waste water treatment facilities will be supported where such proposals aim to improve the quality of discharged water or reduce the environmental impact of the operation of the waste water treatment facility.

Development proposals will be required to demonstrate that the proposal can be delivered and operated without giving rise to unacceptable impacts on water treatment and disposal, or deterioration in the service received by residents and businesses. In considering minor development proposals, the Council will have regard to the in-combination impact of such developments and their effect on local capacity or flows.

Proposals for housing developments, particularly in allocations relating to Policies SDT1, SDP1, SDB1 and related Future Growth Areas, will not be permitted if South West Water, Natural England or the Environment Agency confirm that:

1. Waste water treatment works or other sewerage infrastructure serving these developments have insufficient capacity to accommodate the additional development, without increasing the risk of overflows of untreated sewage into the environment; or

2. There would be an increase in the levels of pollutants or spills (see definition below) likely to have an adverse effect on the integrity of the Lyme Bay and Torbay Marine candidate Special Area of Conservation, due to insufficient capacity within the combined sewer system and/or of treatment works; or

3. The proposal would otherwise increase the risk of overflows of untreated sewage into the environment.

Appropriate measures to reduce the impact of development on the sewerage system, such as natural or sustainable drainage and water conservation measures, will be required, proportionate to the scale and nature of development.

In addition, development of previously developed land must be in accordance with the hierarchy set out in Policy ER2 to ensure that development schemes do not exacerbate sewer flooding and Combined Sewer Outfall (CSO) spills. This will apply in particular, to development that discharges into Hope's Nose CSO in Torquay.

A Health Impact Assessment will be required for new or extended waste water treatment facilities.

Explanation:

6.5.3.21 Waste water treatment facilities are essential infrastructure, necessary to protect human health and water quality.

6.5.3.22 South West Water is responsible for submitting its Asset Management Plan to Ofwat, which sets out a capital maintenance plan and infrastructure required for new development. The current Asset Management Plan, covering 2015-2020, was submitted to Ofwat in December 2013. South West Water does not envisage significant constraints in delivering the overall growth expected within Torbay to 2020. However, the need to upgrade local infrastructure may influence the starting point and timing of any development beyond 2020, until the extra capacity has been delivered.

6.5.3.23 The delivery of critical waste water infrastructure post-2020 will be assessed with South West Water in the context of the masterplanning of the Local Plan's Future Growth Areas. This assessment, along with other considerations set out in Section 7 of the Plan, will inform the five year review of the Local Plan.

6.5.3.24 The Edginswell area of Torquay is served by Buckland Waste Water Treatment Works, located on the Teign Estuary. It is likely that the Buckland facility will require upgrading within the Plan period (possibly within 5-10 years). This is located within the Teignbridge District Council area and serves homes in both authorities. Development proposals in the north of Torbay, for example in the Torquay Gateway area, that need to use this facility may be required to provide financial contributions towards its enhancement.

6.5.3.25 Brokenbury Waste Water Treatment Works (WWTW) at Churston serves most of Torbay. This is not expected to require significant upgrading during the Plan period to accommodate growth. However, it is important that adjacent land is safeguarded to allow for possible future upgrading. In the event of a requirement for new treatment or pumping buildings materialising, the Local Plan will support the provision of such infrastructure provided it does not give rise to unacceptable environmental impacts.

6.5.3.26 Notwithstanding the capacity of Brokenbury WWTW itself, the Torbay Infrastructure Delivery Study (2012) suggests that there is likely to be a requirement to upgrade sewers in Paignton over the Plan period. Upgrading to existing sewers would be part of South West Water's capital maintenance programme. New development will be required to minimise run-off into the combined sewer, for example through the use of sustainable drainage measures.

6.5.3.27 Much of Torbay has combined sewers, which places an additional load on the network, especially as the effects of climate change become more apparent. Spills are defined as potential impacts caused by flood events that lead to consequential discharges from the land via Combined Sewer Outfalls (CSO), particularly at Ilsham/Hopes Nose. As a result these may lead to changes in the physical and/or chemical conditions of the overlying water above the qualifying features of the SAC (for example reefs) such as changes in temperature, turbidity, salinity and increases in nutrients and organic matter.

6.5.3.28 The Council, in partnership with South West Water, commissioned an assessment of Sewer Capacity in Torbay (2014) to consider the deliverability of the Torbay Local Plan within Torbay's sewer

capacity. This confirmed that the Local Plan is deliverable within the strategic sewer network's capacity. However the Study requires water efficiency measures, and reduction in water run-off from urban creep to be achieved. Consequently new development will be required to have separate foul and storm water drainage systems. Details of these should be submitted at the planning application stage. In addition, Water Sensitive Urban Design (WSUD) and Sustainable Drainage Systems (SUDS) is recommended to reduce the impact of climate change and urban creep (for example, as a result of hardstandings). The Council will support measures to reduce the amount of storm water and grey water (for example, from run-off, washing or cooking) going into the shared sewer. Policy ER2 deals with water management in more detail.

6.5.3.29 Another option considered by the Torbay Infrastructure Delivery Study (2012)is the possibility of a new trunk sewer serving the north and west of Paignton (see Policy SDP3). Much of the development in this area is likely to arise after 2020 due to the need to address strategic sewerage issues, among other factors. These will be addressed through the development management process.

6.5.3.30 It is important that water quality of the Marine candidate Special Area of Conservation is not harmed by pollutants or outfall in storm events. Natural England is the advisory body with responsibility for such matters. Because of concerns about the capacity of Torbay's waste water infrastructure, possible overflows of untreated sewage into the water environment and impact on bathing water quality, all planning applications should be supported by details of how the proposed development will be drained and waste water dealt with. Such details, and details of mitigation measures, will be required at application stage, and not left to consideration through conditional approval. Details should be proportionate to the scale of the proposal.

6.5.3.31 For appropriate new developments, the Council will consider the use of natural sewage treatment methods (including reedbeds) and sustainable drainage measures. Some of these are promoted by the Torbay Green Infrastructure Delivery Plan (2011), and South West River Basin Management Plan (2009). This will help meet Water Framework Directive objectives, which the Council will ensure are not undermined by development.

6.5.4 Minerals

Policy M1 Minerals extraction

The process of identifying, appraising, designing and implementing proposals for new or disused sites for minerals extraction will be subject to the following criteria:

1. The need for the mineral, taking account of aggregate landbanks for Devon;

2. Likely effects on designated sites of environmental and historic importance, geodiversity or biodiversity;

3. Impact on the surface water flow regime and groundwater sources;

4. Compatibility with surrounding land uses, including historic character and landscapes, and in particular protected landscapes such as AONB;

5. Proximity to local communities and the need to maintain and enhance the local landscape character and setting of settlements;

6. Proximity to primary end use markets and ease of access by road or alternative transport modes;

7. The ability for a site or sites to deliver significant contributions to habitat creation and priority species as well as geodiversity gains where applicable;

8. The provision of Pollution Prevention Plans, including a method statement for management of all potentially polluting activities; and

9. There are no unacceptable impacts on human health, noise-sensitive properties and aviation safety; unavoidable noise, dust and particle emissions or vibrations should be controlled, mitigated or removed at source.

Extensions to existing/disused sites will be given priority over new sites, subject to environmental acceptability. The cumulative effects of activities and sites will also be considered.

Proposals for the extraction of building stone that demonstrate a local need for the mineral (such as the repair of heritage assets) will be supported, subject to the above criteria and other relevant Policy requirements of this Plan.

An acceptable programme of progressive working throughout its life, early restoration and after-use should be submitted.

Explanation:

6.5.4.1 Paragraph 145 of the NPPF requires Mineral Planning Authorities (MPAs) to plan for a steady and adequate supply of aggregates. Torbay Council is meeting this requirement by cooperating in the preparation of a Devon Local Aggregate Assessment with the other Mineral Planning Authorities in the County and Region. As part of this work, it has been established that the potential aggregate resources within Torbay are limited to limestone, for which Devon has a landbank equivalent to 53 years. Torbay is adequately served by two existing limestone quarries in South Devon (Stoneycombe at Kingskerswell and Linhay Hill at Ashburton), each of which has sufficient reserves to last beyond the Plan period. Consequently, it is not considered necessary for Torbay to make provision for further land-won aggregate resources in the Plan period.

6.5.4.2 The Council has worked closely with Devon County Council in the preparation

of the Devon Minerals Plan 2011-2031. This sets out the vision and objectives for minerals planning in Devon, together with a policy framework to maintain supply and limit the impacts of their working.

6.5.4.3 Limestone aggregate was available from Yalberton Tor Quarry (previously the only active quarry in Torbay) but this site now has planning approval for the operation of recycling aggregates, at which point its extraction permission was revoked. The site will still contribute to the sustainable supply of recycled aggregates.

6.5.4.4 The extraction of building stone within the Devon area is very limited and non-existent in Torbay. Previous quarrying at Berry Head in Brixham has had a large impact on the Head's appearance, and significant quarrying here would be likely to conflict with the area's landscape and biodiversity designations. However, the Strategic Stone Study 2012 (a Devon-wide study identifying the significant stone types used in the past and their potential current sources) indicates that there is a need for a range of building stone which is not available at present. The protection of locally important building stone is addressed in Policy M2 below. Proposals for extraction would be considered in the context of Policy M1.

6.5.4.5 The geology of Torbay is considered unlikely to contain significant deposits of fossil fuels, such as shale gas, that would be commercially exploitable. However, any proposals for mineral extraction, exploration, appraisal and production, including hydraulic fracturing ('fracking') will be assessed against Policy M1 and other relevant Policies in the Plan.

6.5.4.6 The Water Framework Directive would apply to any major works affecting the quality, quantity or flow of surface water. The Technical Guidance to the NPPF (2012) sets out the additional guidance in relation to mineral extraction (including the need to address issues relating to dust, noise, stability and restoration).

Policy M2 Maximising the use of secondary and recycled aggregates

The Council will support developments that promote and maximise the use of secondary and recycled aggregates.

Sites for the reception, processing and distribution of secondary and recycled aggregates will be supported, subject to meeting other Policy requirements of this Plan, near to the source of raw materials in the following locations:

1. Industrial areas and previously developed land;

2. Within existing, proposed or suitable former minerals developments; and

3. Co-located with existing or proposed waste management facilities.

Proposals should satisfy criteria 2 to 9 in Policy M1. Any new development that might constrain the effective operation of existing facilities will be resisted.

Explanation:

6.5.4.7 In order to secure their long-term conservation and make best use of mineral resources, the NPPF (Paragraph 143) states that MPAs should safeguard the potential for the production of secondary and recycled minerals. Producing recycled aggregate helps to reduce demand for primary aggregates. The Council will seek to safeguard existing and any proposed minerals recycling facilities, for the reception and processing of construction and demolition wastes. The main source of alternative aggregates arises from construction, demolition and excavated waste (often referred to as CDE waste). Policies W1, W4 and SS14 also seek to reduce the amount of raw materials in construction, minimise waste production and to maximise the use of secondary and recycled aggregates. Yalberton Tor Quarry now has planning approval for the operation of recycling aggregates. Policy TA1 encourages the consideration of alternative modes of transport to move aggregates. The jointly prepared annual Devon-wide Local Aggregate Assessment includes an assessment of all aggregate supply including secondary and recycled sources. Although secondary aggregates (which in Devon are derived from china clay waste and ball clay waste, or potentially incinerator bottom ash) are unlikely to be generated in Torbay, any facility for their processing would be considered in the context of this Policy.

Policy M3 Preserving and safeguarding of limestone resources and key local building stone

The Council will seek to safeguard important mineral resources and sites. The use of local building stone in new development and for restoration purposes (particularly of heritage assets) will be encouraged. The redevelopment of buildings constructed in local stone should ensure the re-use or salvage of such material.

Any proposal on or in the vicinity of an important mineral resource, including a Mineral Safeguarding Area, should demonstrate that it will not cause unnecessary sterilisation or prejudice the future extraction of important minerals or building stone on these sites.

Explanation:

6.5.4.8 Minerals are a finite resource. The NPPF requires that proven mineral resources should be protected by designation as Mineral Safeguarding and Mineral Consultation Areas to avoid being needlessly sterilised by non-mineral development.

6.5.4.9 In order to allow flexibility in demand and ensure long-term supply, Devon County Council (Torbay's neighbouring MPA) has identified the need for safeguarding of aggregate and mineral resources for future generations, some of which lie adjacent to Torbay's boundary. In consultation with Devon

County Council and consistent with this approach, Torbay has identified an area of Devonian Limestone as a resource which lies largely in the south of Torbay from the River Dart valley at Galmpton across the northern part of the Brixham Peninsula from Churston to Berry Head.

6.5.4.10 A Mineral Safeguarding Area (MSA) is shown on the Policies Map. Its identification has been based on the known location of the resource (British Geological Survey records) but aligned to field boundaries predominantly in the undeveloped area to prevent unnecessary sterilisation of the mineral resource. The MSA does not state the quality of the resource or presume that the resource will be worked, nor does it preclude all development. However, dependent on the scale and location of any proposed development, an assessment may be required of the likely effect on the mineral resource beneath or adjacent to the development site.

6.5.4.11 Traditional stone forms a strong element underpinning the character of many of Torbay's individual buildings and conservation areas. The use of local materials, building methods and details helps to enhance local distinctiveness. Imported stone does not often reflect this local distinctiveness and can detract from the stone in older buildings, harming the character of the area. It is therefore necessary to protect key local stone types both now and in the future, for the ongoing maintenance and restoration of some of our most important historic buildings, the preservation and enhancement of conservation areas and the maintenance of local distinctiveness (see Policies SS10 and HE1). It is envisaged that access for small-scale, limited extraction for key local stone (to meet a specific need) may be required, subject to environmental and amenity impact.

6.5.4.12 Torbay is fortunate in being able to source a suitable traditional building stone (limestone) at Stoneycombe, Kingskerswell, adjacent to Torbay. A number of potential building stone quarries are identified within Torbay in the Strategic Stone Study (2012). However, there is only one location, at Berry Head Quarry in Brixham, where extraction of limestone required for conservation purposes is currently viable. Any major development in the vicinity of this quarry (50 metres) will require consultation with the MPA to consider whether such development will result in the loss of such facilities / resources, whether it would prevent their future operation and whether there is a need for small-scale extraction for the repair of heritage assets.



7. DELIVERY AND MONITORING

7. DELIVERY AND MONITORING

7.1 Introduction

7.1.1 It is important that the Local Plan is capable of being implemented, rather than being simply a wish list of unrealistic proposals. The first part of this section considers delivery mechanisms, which are critical to planning for a successful Torbay. Broadly, these fall into the following interrelated areas:

i) **Delivery through partnership**: Neighbourhood Planning, Torbay Development Agency, Heart of the South West Local Economic Partnership and other public/private partnerships.

ii) **Measures to grant planning permission**: Either through a planning application or by extending the right to carry out developments without an express planning permission.

iii) **Funding mechanisms**: To help provide infrastructure, including s106 Planning Obligations, Community Infrastructure Levy and New Homes Bonus.

iv) **Monitoring and review**: Annual monitors and five yearly reviews.

7.2 Delivery through partnership

7.2.1 The Localism Act 2011 and National Planning Policy Framework have shifted power downwards towards local communities, by the creation of neighbourhood plans. Neighbourhood plans allow communities to add considerable detail to promote growth equal to, or higher than, the Local Plan. When adopted, they are part of the formal development plan and have weight in decision-making. They should be in general conformity with the Local Plan but should not promote less development than set out in the Plan. Once 'made' (or adopted) and in general conformity with the Local Plan, neighbourhood plans take precedence over non-strategic policies in the Local Plan.

7.2.2 Two types of body are able to bring forward neighbourhood plans. Neighbourhood forums and parish councils are able to prepare neighbourhood development plans, which are able to bring forward development above local plan levels. They are also able to bring forward Neighbourhood Development Orders, which can extend permitted development rights for development that local areas wish to see.

7.2.3 Torbay is a Neighbourhood Plan Frontrunner and has a very ambitious programme of full neighbourhood plan coverage, running parallel with Torbay Local Plan production. Three Neighbourhood Plans are being prepared, one each for Brixham Peninsula, Paignton and Torquay.

7.2.4 These Neighbourhood Plans are intended to be a key delivery vehicle of the Local Plan. In particular they will allocate medium term (years 6-10) sites from the pool of developable land identified in the SHLAA. They will also play an important part in the delivery of development in Future Growth Areas. More detail on the proposed

five yearly reviews of the Local Plan and maintaining an up-to-date housing trajectory are set out later in this Section.

7.2.5 To help deliver the Local Plan, as well as adding detail and value to Neighbourhood Plans, the Council has proposed the preparation of a number of masterplans. A masterplan for Great Parks, Paignton was completed in December 2013. This followed a three day community workshop (Enquiry by Design approach).

7.2.6 Four more masterplans have been commissioned. Two of these are delivery-focused masterplans for Torquay and Paignton Town Centres and both were Adopted by the Council in June 2015 as Supplementary Planning Documents (SPDs). A third covers the growth area of Torquay Gateway and was Adopted by the Council in December 2015 as an SPD. The fourth masterplan focuses on West Paignton / Collaton St Mary. This was Adopted by the Council as an SPD in February 2016. These masterplans have had a high degree of community engagement during their preparation.

7.2.7 It is intended that the masterplans will be incorporated into the neighbourhood plans. However, if this does not take place, for example because of timing issues, their status as Adopted Supplementary Planning Documents will aid delivery in these Key locations through the development management process.

Torbay Development Agency and public private partnership

7.2.8 The Council is only one player in the development process. A wide range of other infrastructure providers are involved in ensuring that development has physical, environmental and social infrastructure. More details are set out in the Torbay Infrastructure Delivery Study (2012).

7.2.9 The Torbay Development Agency is a public/private partnership organisation charged with enabling development, securing funding and promoting regeneration sites for development. It is responsible for the Council's Economic Strategy as well as working with developers to bring forward development of key sites, particularly where the Council has an interest in development land.

7.2.10 The TDA and Council are developing a Housing Strategy, which will guide the implementation of sustainable development of the growth areas identified in this Plan.

7.2.11 The Heart of the South West Local Enterprise Partnership (HoSW LEP) covers Plymouth, Torbay, Somerset and Devon. This area provides a home for 1.6 million people and has an output of £28 billion (GVA 2011) per annum. Torbay Council, Torbay Development Agency and the HoSW LEP have a close working relationship, which has supported the production and publication of a new Strategic Economic Plan for the LEP area. Torbay Council will continue to work closely with the HoSW LEP, and other partners in the LEP area, to deliver the Strategic Economic Plan.

7.3 Measures to grant planning permission

Measures to grant planning permission, either through a planning application or by extending the right to carry out developments without an express planning permission

7.3.1 The Local Plan seeks to promote sustainable development and regeneration by providing a supportive and cohesive environment for investment by both the public and private sectors. Developers are an indispensible part of this process. The Council therefore seeks to enable and encourage sustainable development. Policy SS3 sets out a presumption in favour of sustainable development. This reflects the Government's approach set out in the NPPF (in particular Paragraph 14).

7.3.2 The Council wishes to extend the range of developments that do not require express permission, subject to relevant safeguards. Measures include Neighbourhood Planning Orders, Local Development Orders and Local Enterprise Areas.

7.3.3 The Council and TDA will work with the Local Enterprise Partnership to secure and promote Local Enterprise Area status for appropriate areas, which will include a package of measures to enable investment and development to come forward quickly, with certainty and clarity.

7.3.4 The Council and TDA will bring forward other measures to support businesses and encourage inward investment. In particular it will promote Local Development Orders to grant a range of uses/ buildings that can be developed without express planning consent in appropriate industrial areas, and subject to appropriate environmental safeguards. It is intended to pilot several LDOs within the first five years of the Local Plan, in partnership with the TDA and local businesses.

7.4 Funding

Funding mechanisms to help provide infrastructure, including s106 Planning Obligations, Community Infrastructure Levy and New Homes Bonus

7.4.1 This Section looks at how proposals can be funded. The planning system provides several mechanisms, including the Community Infrastructure Levy, s106 Planning Obligations (also variously referred to as s106 Agreements, s106 Contributions, s106 Obligations) and similar legal agreements, and the Government's New Homes Bonus payments. Other mechanisms, such as Tax Increment Finance and the Regional Growth Fund will also be used to help meet infrastructure needs. The following Paragraphs also highlight the issue of gaps in funding availability and impact on deliverability.

7.4.2 The TDA has established a Growth Fund, targeted at Torbay's growing businesses. The Growth Fund complements the proposed LDOs to be introduced by the Council.

7.4.3 Planning permission should not

be bought or sold. However, the financial benefits of an application may be a material consideration (see box below).

Community Infrastructure Levy (CIL)

7.4.4 The Community Infrastructure Levy (CIL) is a tax on developments that create 100 square metres of new floorspace, or new-build dwellings. Social housing and developments used for charitable purposes are exempt from CIL.

7.4.5 CIL can be used by local authorities to help pay for the infrastructure needed to support development identified in an up-to-date development plan. It can be used for a wide range of physical, social and environmental capital, but cannot be used to remedy existing deficiencies unless new development would exacerbate these problems. CIL must be related to viability and cannot be used as a policy tool in its own right.

7.4.6 The Localism Act requires that a "meaningful proportion" of funding is spent in the neighbourhood where development arises. The Government has confirmed that this is 15%, as a minimum, or 25% where a Neighbourhood Plan has been 'made' (or adopted).

7.4.7 A CIL Charging Schedule has been prepared in conjunction with the Local Plan. The 'Regulation 123' List indicating where the Council intends to spend CIL will be published on the Council's website.

Financial considerations and planning permission: what the law says

Section 143 of the Localism Act 2011 amends Section 70 of the Town and County Planning Act 1990 to set out that a local planning authority should have regard to material considerations in dealing with applications:

(a) The provisions of the development plan, so far as material to the application;

(b) Any local finance considerations, so far as material to the application; and

(c) Any other material considerations.

Local finance considerations are defined to mean the following: (a) a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown, or (b) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy.

S106 Planning Obligations

7.4.8 S106 Planning Obligations are still needed to deal with direct site mitigation matters. By law these must be:

a) Necessary to make the development acceptable in planning terms;

b) Directly related to the development; and

c) Fairly and reasonably related in scale and kind to the development.

7.4.9 In some instances it will be preferable to use s106 Planning Obligations to

provide infrastructure, particularly for urban extensions and larger scale development that creates a demonstrable need for infrastructure or facilities. Legal rules are in place to prevent 'double dipping', i.e. using CIL and s106 for the same purpose.

7.4.10 From April 2015, it has not been possible to pool s106 Planning Obligations for more than five developments. However, s106 Planning Obligations may be pooled for non-CIL chargeable items such as monitoring.

7.4.11 It is intended to address and seek the following through s106 Planning Obligations:

- Site acceptability matters such as landscaping, servicing and direct access (may also be carried out through s278 Agreements under the Highways Act 1980).
- Town centre management/policing and mitigation, where an application gives rise to specific issues.
- Affordable housing, including off-site contributions.
- Specific infrastructure, including green infrastructure needed for major developments (where not CIL-funded).
- Monitoring, where an application gives rise to specific monitoring costs, for example holiday occupancy, shared accommodation and remediation.

7.4.12 Where the imposition of s106 Planning Obligations is argued to render development unviable, the Council will negotiate obligations sought on the basis of an independent assessment of viability. However, because they are necessary to make development acceptable in planning terms, there will be instances where reducing s106 Planning Obligations or other requirements on viability grounds would render development unsustainable.

New Homes Bonus

7.4.13 New Homes Bonus is intended to create a "powerful, simple, predictable and effective incentive" (DCLG) to local authorities and communities to facilitate housing growth. The scheme match funds average council tax receipts for six years following a new house being registered for council tax, or net number of empty homes being brought back into use, with an extra payment for affordable homes.

7.4.14 New Homes Bonus is not ring-fenced, but the Government expects local authorities to work closely with communities affected, in order to understand their priorities for investment and to communicate how the money will be spent and the benefits it will bring.

7.4.15 The amount of money that New Homes Bonus generates will depend directly on growth levels, and the future of the NHB scheme. The Local Plan's target of around 400-500 new homes a year would result in a New Homes Bonus raising about £8 million over the next five years, allowing for a two year period of economic recovery. In addition, of course, additional dwellings increase the council tax base. The NHB scheme is currently the subject of Government review.

Other funding streams

7.4.16 The Council and other partners, such as the Torbay Development Agency, will work to maximise funding from other sources such as the Regional Growth Fund to support sustainable growth in Torbay. The Regional Growth Fund is a funding pot intended to boost private sector job creation in areas that are heavily dependent on public sector employment, and therefore vulnerable to reductions in public spending.

7.4.17 It is unlikely that key infrastructure projects can be fully funded through council tax, revenue support grant and other forms of direct funding. Therefore top-up funding and other sources of income will be needed to deliver 'big-ticket' items such as the South Devon Highway. The Government has confirmed that local authorities will be able to use anticipated CIL revenues to support prudential borrowing.

7.4.18 The Government introduced the Business Rate Retention Scheme in 2010, which allows local authorities to borrow against future uplift in business rates.

7.4.19 In recent years, Torbay has been successful in winning funding for smaller transport schemes from a variety of government-backed sources. From 2011/12, a Local Sustainable Transport Fund became available, offering a combination of capital and revenue to provide support for projects that offer a range of benefits. This would be additional to the yearly allocation of funding through the Council's Local Transport Plan.

7.4.20 The Council is working with key infrastructure providers such as South West Water and the Environment Agency to ensure that their asset management plans and projects are geared towards securing funding to support Torbay's growth trajectory.

Bridging the funding gap

7.4.21 The Torbay Infrastructure Delivery Study (2012) indicated that there is likely to be an infrastructure funding gap of around £150 million over the Plan period, based on a 'wish list' of all infrastructure. This is too great for sources such as CIL to meet, and therefore the Study recommends a prioritisation of essential, necessary and desirable infrastructure. In any event there is more scope for certainty over the next five years, as infrastructure costs of matters such as the South Devon Highway are known, as well as the location of development.

7.4.22 Masterplans for Torquay and Paignton Town Centres, Torquay Gateway and Collaton St Mary, Paignton will include project prioritisation, identifying funding opportunities for major development schemes and delivery of infrastructure to support major developments. Masterplanned areas may require an element of cross-subsidy of employment land (Use Class B space) by higher value uses, either through equalisation agreements or s106 Planning Obligations.

7.4.23 During the first part of the Plan period, it is proposed to put key infrastructure in place, in particular:

- South Devon Highway (completed at the end of 2015);
- Super-fast broadband, improved internet and Wi-Fi access;
- Improved bus and rail access in strategic corridors;
- Western Corridor (on-line) Improvements (Tweenaway Cross is now complete, other works within 5 years);
- Flood protection/climate change resilience: seven key schemes are identified for funding from the Environment Agency (which are likely to be on-going beyond five years); and
- Investment in renewable energy, such as combined heat and power.

7.5 Monitoring and review

Delivery timescales and outcomes

7.5.1 It is appropriate to divide the Local Plan into phases of delivery. Clearly there is greater certainty in the earlier phases of the Plan.

7.5.2 Whilst not hard and fast, the Plan may be divided into the following phases:

Years 1-5 (2012/13-2017/18)

Years 6-10 (approximately 2018/19-2023/24)

Years 11-15 (approximately 2024/25-2029/30)

Years 15+ (approximately 2030/31 and beyond).

7.5.3 The earlier stages of the Plan will be focused upon achieving economic recovery and putting key infrastructure in place, in order to support a longer term 'virtuous circle' of sustainable growth.

7.5.4 The early phase (to 2017/18) will also seek to regenerate the built-up area, especially the town centre and waterfront areas of all three towns. There will be a rationalisation of holiday accommodation and provision of mixed use development on allocated Local Plan sites at Yalberton and White Rock, Paignton. Great Parks, Paignton will also be largely developed within this time frame.

7.5.5 In this first phase of the Local Plan, it is considered possible to meet the housing requirement on land with planning permission, land already allocated for development (such as those locations noted above), or brownfield windfall sites. It is not considered necessary to allocate new greenfield sites for housing until the later phases of the Plan. However, the housing land supply position will be monitored to ensure a rolling 5 year supply, in accordance with Policy SS12.

7.5.6 Delivery of the Local Plan will be kept under review in order to determine whether it is sustainable to release further land (see below).

7.5.7 The medium term (approximately 2018-2023) will continue the urban regeneration focus identified above, and continue to build out any outstanding development at Great Parks, Yalberton and White Rock, Paignton. This is likely to include the development of sites identified in the SHLAA. The details of these will be identified in the neighbourhood planning process.

7.5.8 In the longer term, the focus on urban regeneration will continue. Post-2024 (or post-2030, depending on market delivery and the condition and availability of infrastructure), Future Growth Areas will be developed, subject to review of the Local Plan (see below).

7.5.9 Detailed phasing, jobs/housing targets and critical infrastructure are set out in the Spatial Strategy and Strategic Delivery Policies in Sections 4 and 5 of the Local Plan.

Annual monitoring

7.5.10 The Local Plan promotes an approach of 'plan, monitor and manage', ensuring that development is delivered in a sustainable way and is at the heart of the Plan. The Council carries out a series of annual topic monitors. These are essential to gauging the delivery of the Local Plan Aspirations and related objectives (set out in Section 3.1), the place-making Policies in Section 5 and development management Policies in Section 6.

7.5.11 Specifically the following items are

monitored annually:

- Planning permissions, commencement and completion of housing (including affordable housing, source (brownfield, greenfield, conversion) and type of dwelling;
- Market signals such as house prices/ earnings ratio and assessments of demand;
- Economic indicators such as earnings, GVA, Indices of Deprivation (when statistics become available);
- Demographic indicators (Population and Household projections, subject to ONS/ DCLG publication);
- Employment space, and floorspace/jobs created;
- Town centre vacancy rates and other health indicators.

7.5.12 Data derived from these Monitors will feed into the Council's Authority Monitoring Report (AMR), which will report on development plan progress and a wide range of relevant local spatial planning matters. Specifically, housing and affordability data will be monitored to ensure that a rolling 5 year housing supply is maintained.

Five year Local Plan review

7.5.13 To be effective the Local Plan needs to be kept up-to-date. The National Planning Practice Guidance indicates that plans will need to be reviewed, in whole or part, at least every five years.

7.5.14 The NPPF requires every effort to be made objectively to identify and then meet housing, business and other development needs in an area, insofar as this does not conflict with other policies in the Framework. Policy SS12 sets out how the delivery of housing will be adjusted to ensure an ample supply against economic and other needs within the targets in Policy SS1.

7.5.15 A more major review of the Local Plan will be carried out on a five yearly basis, to assess need, and whether this can be met within Torbay. It will also need to consider the characteristics of the local housing market area as part of the on-going co-operation with neighbouring authorities. Consideration of these factors may entail an adjustment either upwards or downwards of growth trajectories as part of a refreshed Local Plan.

7.5.16 It is recognised however that proposals for new development may be brought forward prior to this formal five year Plan review. Any such proposals would need to be accompanied by comprehensive supporting evidence to demonstrate, firstly, that there will be no unacceptable harm to biodiversity and landscape considerations and, secondly, that the proposal was consistent with the overall Local Plan Growth Strategy set out in Policy SS1.

7.5.17 Torbay is unusual in that population projections vary greatly depending on migration rates and assumptions about economic success. The Housing Requirement Report (2013) sets out a detailed assessment of housing requirements at 2013. It will be monitored on an annual basis, but a major review will need to be carried out in five years. In particular this review will consider:

Evidence of housing need and demand

- **Demographic trends:** (including ONS population projections, DCLG household projections, birth rates). Torbay's population is largely driven by domestic inwards migration and there is evidence that this has fallen in recent years. In addition, household sizes have remained relatively constant between 2001-11.
- **Economic performance:** (including job creation) from Business Register and

other surveys, against a baseline of 59,000 jobs in 2012 (NOMIS Business Register), unemployment, GVA levels (from NOMIS/ ONS data), employment floorspace created (from annual employment monitoring), degree of self-containment. The fully assessed housing requirement set out in the Housing Requirement Report is based on Torbay's economy reversing recent trends and performing very successfully over the next 20 years. Whilst local plans should be positively prepared, they must also be realistic; and growth forecasts may need revising. The Local Plan seeks to minimise the need to travel (for example, by avoiding excessive commuting levels that could arise if the balance between housing and employment get seriously out of step). Therefore progress towards improving the quality and quantity of employment in Torbay will be an important consideration when reviewing the Local Plan.

- **Market and social signals:** (including land and house prices, rents and lower quartile affordability [via Land Registry, Annual Survey of Hours and Earnings, local agents], updated Strategic Housing Market Assessment (SHMA), housing-related deprivation [via household surveys/Indices of Multiple Deprivation]), waiting list data, homelessness and concealed households.

Supply factors: Environmental capacity (i.e. whether need can be met without harming sustainability matters raised in the NPPF)

- **Land availability:** Updated SHLAA and Housing Monitor.
- **Housing Monitor:** (including data on completions, commencements and stock of planning permissions). Relevant to both a 5 year rolling supply and longer-term trajectory of developable sites.
- **Progress towards providing key infrastructure:** (including, in particular, highway improvements/provision of sustainable drainage and sewerage capacity). Also progress towards masterplanning of sustainable communities and progress/funding for necessary and desirable infrastructure.

Evidence of environmental impacts

- **Landscape and biodiversity:** (including mitigation and management, and assessment of off-site impacts such as bathing water quality), through measures such as: Biodiversity Action Plan habitats proposed, created or managed; Landscape and Visual Impact Assessment (LVIA) for any allocations within or affecting the setting of the AONB; other landscape assessments; the 2010 South Hams Greater Horseshoe Bat Guidance and information from masterplans, applications etc regarding bat activity; Site Conditions Assessments for Sites of Special Scientific Interest and European sites; Site Improvement Plans for European sites and; Marine Protection Zone Management Plans.

7.5.18 Assessment of these factors will affect the pace of change and possibly the allocation of longer-term sites. On the basis of the current growth trajectory, the Local Plan assesses that Torbay is able to meet its development land requirements until around 2030. If economic recovery is slower than expected and delivery rates remain constrained by the market or falling demographics, then this stock of land will last considerably longer. Conversely if the economy improves and delivery rates pick up, the timetable for releasing future growth areas will need to be speeded up.

7.5.19 An overarching component of the Council's approach to Local Plan monitoring and review will therefore be the systematic cross-boundary assessment of housing

and commercial need, land availability and development sustainability. Torbay and the adjoining Teignbridge District Council have agreed to a coordinated and positive review of the Councils' Local Plans every five years, taking account of joint monitoring. This process will also involve the other adjoining local planning authority, South Hams District Council.

7.5.20 The review will involve the creation of a South Devon Delivery Review Panel comprising the three local authorities, relevant infrastructure and environmental agencies, and housing and development interests. This body will oversee the need for and location of further development, including jobs and homes, on a sub-regional basis, taking account of jointly prepared and consistent evidence. This will be necessary in order to inform future reviews of the Local Plans of each of the three local planning authorities.



APPENDIX A
GLOSSARY OF TERMS

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Table 24 Glossary of terms

Term	Definition
Adoption	The final confirmation of the formal status of a Local Plan, made by a Local Planning Authority. This follows the receipt of an Inspector's Report of Examination confirming the overall soundness and legal compliance of the Local Plan.
Affordable housing	Housing that is available for people who cannot afford to buy or rent houses generally available on the open market. It comprises social rented, affordable rented and intermediate housing. 'Low cost market housing' (e.g. small dwellings) is not classified as affordable housing for planning purposes. A full description is included in the NPPF Annex 2 (see 'NPPF' in this Glossary).
Air Quality Management Areas (AQMAs)	Areas designated by local authorities because they are not likely to achieve national air quality objectives by the relevant deadlines.
Agricultural Land Classification	The Agricultural Land Classification provides a method for assessing the quality of farmland to enable informed choices to be made about the future use of land. It defines land according to five grades with Grades 1, 2 and 3 being the best and most versatile for growing crops.
Ancient woodland	Ancient woodland is any wooded area that has been wooded continuously since at least 1600 AD and includes: › 'ancient semi-natural woodland' mainly made up of trees and shrubs native to the site, usually arising from natural regeneration › 'plantations on ancient woodland sites', areas of ancient woodland where the former native tree cover has been felled and replaced by planted trees, usually of species not native to the site Ancient semi-natural woodland and plantations on ancient woodland sites have equal protection under the NPPF.
Area of Outstanding Natural Beauty (AONB)	Areas of high scenic quality that have statutory protection in order to conserve and enhance the natural beauty of their landscapes. Natural England has a statutory power to designate land as Areas of Outstanding Natural Beauty under the Countryside and Rights of Way Act 2000. Approximately 700 hectares around Brixham and the south of Paignton are within the South Devon Area of Outstanding Natural Beauty
Article 4 Direction	Direction issued by the Council requiring planning permission to be obtained for works that would otherwise be permitted development.

Authorities' Monitoring Reports (formerly Annual Monitoring Report - AMR)	Prepared by planning authorities to monitor progress in achieving strategic planning aims and objectives. Monitoring has regard to specified targets and indicators, for example percentage of development on previously developed land and progress of development plans.
Balanced Growth Strategy	The Adopted Torbay Local Plan defines a Balanced Growth Strategy. This is set out in Policy SS1.
Biodiversity	A range of natural habitats and species of plants and animals essential to maintain the earth's ecosystems.
Biodiversity Action Plan (BAP)	Plan identifying targets to improve and protect biodiversity in an area. The Torbay LBAP (The Nature of Torbay 2006-2016) translates the national, regional and county priorities into local action and also promotes the conservation of species and habitats that are important on a local level to Torbay.
Brownfield site (or previously developed land)	Land that is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure. The definition excludes land in areas such as private residential gardens, parks, recreation grounds and allotments. A fuller list of exclusions in contained in Annex 2 of the NPPF.
Building Research Establishment Environmental Assessment Method (BREEAM)	An environmental assessment and rating method for buildings. It uses measures of performance to evaluate a building's specification, design, construction and use. This includes aspects related to energy and water use, the internal environment (health and well-being), pollution, transport, materials, waste, ecology and management processes.
Building for Life	Where an assessment is undertaken to score the design quality of planned or completed housing developments against 12 criteria. These criteria are intended to help deliver design excellence through functional, attractive and sustainable housing.
Building Regulations	Minimum standards to secure the health and safety of people in or about buildings. They set functional requirements for the design and construction of buildings, the provision of services and fittings, and the conservation of fuel and power and access to facilities. Torbay Council's Building Control Team administers local authority building control in Torbay.
Built-up area (or urban area)	The area of Torbay that is predominantly urban in character and not designated in the Local Plan as either 'countryside area' (Policy C1) or 'undeveloped coast' (Policy C2).
CABE (The Commission for Architecture and the Built Environment)/ Design Council	The Government's advisor on architecture, urban design and public space from 1999 to 2011. CABE has now become part of the Design Council.

Charging Schedule (for CIL)	A list setting out the rates at which Community Infrastructure Levy (CIL) is charged, measured by pounds per square metre of new floorspace.
Closing the Gap	A project to tackle inequalities within Torbay including health, social and economic deprivation. The primary targets for many inequalities are the Wards of Roundham with Hyde, Tormohun and Ellacombe as these Wards have some of the most severe deprivation.
Coastal Change Management Area	An area identified as likely to be affected by coastal change including physical change to the shoreline through erosion, coastal landslip, permanent inundation or coastal accretion.
Code for Sustainable Homes	The Code has now been withdrawn but was a national standard for the sustainable construction and design of new homes. It measures the sustainability of a new home against nine categories, rating the whole home as a complete package. It covers energy/CO2, water, materials, surface water run off, waste, pollution, health and well-being, management and ecology.
Combined Sewer Outfall (CSO)	Where a sewer containing foul and surface water discharges into the sea. The Local Plan seeks to minimise discharges from CSOs.
Community Infrastructure Levy (CIL)	A levy that local authorities in England and Wales can choose to charge on new developments in their area. The money can be used to support development by funding infrastructure that the Council, local community and neighbourhoods want. The charge is based on the size and type of new floorspace (See also Charging Schedule).
Community Investment Areas	Areas of significant deprivation that are the focus for community investment, and where uses that could worsen deprivation are restricted. The Local Plan's CIAs are based on the Super Output Areas that are within the 20% most deprived areas in England in the 2010 Indices.
Community Land Trust	An independent non-profit trust which own or control land and facilities in perpetuity for the benefit of the community.
Community Partnership	Voluntary groups based on the Ward boundaries within Torbay. They provide an opportunity for people who live and work in the Bay to discuss issues of common concern and to understand and influence the way in which services are provided in their area.
Community Plan	A plan developed and prepared by the Torbay Strategic Partnership on behalf of Torbay's residents. It aims to drive forward economic prosperity with a higher quality of life and improved access to jobs.
Connectivity	The directness of links and the density of connections in a transport network. As connectivity increases, travel distances decrease and route options increase, allowing more direct travel, creating a more accessible transport system.
Comparison goods	Clothing and footwear; do-it-yourself goods; household goods and recreational goods.

Conservation Areas	Areas of special architectural or historic interest, designated by virtue of the Planning (Listed Buildings and Conservation Areas) Act 1990.
Contaminated land	Land that has been polluted either by previous uses or naturally occurring contaminants.
Core Tourism Development Areas	First identified by the new Torbay Tourism Strategy 2010-15. They are intended to incorporate the most concentrated areas of holiday accommodation where there is an enhanced holiday atmosphere and a range of visitor services. Many of the areas are those which Council strategies have identified as being a focus for regeneration and investment.
Convenience goods	Food, alcoholic drink, tobacco, newspapers.
Country Parks	Significant places that contribute to England's accessible natural greenspace. Many are located near or within towns and cities and therefore close to where people live. They provide a wide range of opportunities for recreation, health and education and improve the quality of life for their local communities.
Dark Corridors	These include unlit areas such as planting and hedgerows around the built-up area which serve as bat flightpaths and other biodiversity roles. While these areas are likely to have a recreation role, they should be kept unlit and flightpaths maintained (see Policies SS8 and NC1) .
De minimis	Development or activities considered to be too minor to fall within the scope of planning control.
Department for Communities and Local Government (DCLG)	Government department charged with responsibility for planning. Sometimes also referred to as CLG.
Department for Culture, Media and Sport (DCMS)	The Department for Culture, Media and Sport (DCMS) protects and promotes cultural and artistic heritage and helps businesses and communities to grow by investing in innovation.
Deprivation	A measure of poverty based on a number of criteria such as income, economic circumstances and environment. The most recent Indices are the Indices of Deprivation 2015. (See also Community Investment Areas).
Design and Access Statement	A statement made at a pre-planning application stage by a developer, indicating the design principles upon which a proposal is to be based. It may also be submitted in support of a planning application.
Development	The carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land.

Development management	Describes the positive and proactive process of creating sustainable and high quality developments. These developments should respond to the locally determined vision for an area, the needs of local public service providers and the Policies set out in the Development Plan (see below). It requires a focus on outcomes as well as the impacts of a particular development proposal. The Development Management Team at Torbay Council oversees the determination of planning applications.
Development Plan	Development Plan has a specific legal meaning in planning terms. Planning law requires planning decisions to be taken in accordance with the development plan unless material considerations indicate otherwise. (Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990). The Development Plan comprises adopted local plans and made neighbourhood plans. It also includes any "saved" policies from previous plans"
Development Plan Document (DPD)	Introduced as part of the Planning and Compulsory Purchase Act 2004, and amended by Section 112 of the Localism Act 2011, these documents have legal weight. (See also Supplementary Planning Document.)
Devon Metro	Proposals being developed by Devon County Council and Torbay Council which would result in the provision of new stations and services and improved infrastructure across the rail system between Torbay, Exeter and Axminster and associated branch lines.
District Centre	Shopping areas providing a range of key shops and local and associated facilities such as banks and restaurants serving the community. They are larger than local centres.
Duty to Co-operate	A legal duty (created in the Localism Act 2011) on local planning authorities, county councils in England and public bodies to engage constructively, actively and on an on-going basis to maximise the effectiveness of local and marine plan preparation relating to strategic cross-boundary matters.
Economically active	People aged 16 or over who are either in employment or registered unemployed.
Economic development	This includes development within Use Class B (offices, laboratories, high tech, light industry, general industry and warehousing) public and community uses, and main town centre uses such as retail.
Economic Strategy	An Economic Development Strategy provides a vision for a local economy and sets out how it can be realised. Torbay Council's Strategy was adopted in 2013.
Edge-of-centre	Site within easy walking distance (approx 300 metres) of a town centre.

Employment Land Review	This study was commissioned by Torbay Council to review employment land to inform the emerging Local Plan and to provide guidance on wider regeneration issues. It was produced in 2013 by Peter Brett Associates.
Energy from Waste Plant	Incineration of waste and use of heat generated for heating/electricity.
English Heritage	See Historic England.
Environment Agency (EA)	An executive non-departmental public body responsible to the Secretary of State for Environment, Food and Rural Affairs. Its principal aims are to protect and improve the environment, and to promote sustainable development.
Environmental assets	These range from essential resources like water and air to landscape and historic and archaeological features, which give an area its unique character.
Environmental Impact Assessment (EIA)	The legal requirement for some major developments to have their effect on the environment appraised before the granting of planning permission.
European sites (sites protected under European legislation)	Sites within the European Union (EU) network of classified Special Protection Areas (SPAs) and Special Areas of Conservation (SACs) designated under Article 4 of the EU Habitats Directive (EEC/92/43). Also referred to as Natura 2000 sites. In Torbay, there are two such sites - the South Hams SAC and the Lyme Bay and Torbay Marine SAC (SAC).
Evidence base	The information and data gathered to justify the 'soundness' of the policy approach set out in the Local Plan, including physical, economic, and social characteristics of an area.
Examination	Also Examination in Public (EiP) or Independent Examination. Testing of a local plan by an independent examiner to assess whether the plan has been prepared in accordance with legal requirements and whether it is sound. (See also Tests of Soundness).
Flood Risk Assessment (FRA)	Assessment of risk needed to accompany a submitted planning application in areas subject to risk from flooding. The Environment Agency and Torbay Strategic Flood Risk Assessment detail what the Council would expect to see in a FRA.
Full Objectively Assessed Need For Housing (FOAN)	Term used in Paragraph 47 of the NPPF (and subsequently clarified in the Courts) to refer to the need for market and affordable housing in an area. FOAN is an 'unvarnished' total figure that is not adjusted by constraints or other policy considerations. (See also Housing Requirement).
Future Growth Areas	An area of land, normally greenfield in nature, identified within the Local Plan as one being suitable to accommodate housing or employment future growth, but which is still subject to formal allocation as part of the site allocation process.

Geodiversity	All the variety of rocks, minerals and landforms and the processes which have formed these features throughout geological time. It provides an insight into past climates, earlier environments and life on earth.
(Urban) Geopark	Aims to protect geodiversity and to promote geological heritage to the general public as well as to support sustainable economic development of the area, primarily through the development of geological tourism. In 2007, the English Riviera became 1 of just 57 UNESCO endorsed Geoparks in the world.
Greenfield site	Previously undeveloped land, including private residential gardens. See Annex 2 of the NPPF for a fuller definition and list of what is considered to be greenfield land.
Green Infrastructure (GI)	Network of green spaces and other environmental features. It is a multi-functional resource capable of providing a wide range of environmental and quality of life benefits for local communities.
Green Infrastructure Delivery Plan	Torbay Council, Natural England and Torbay Coast and Countryside Trust produced a delivery plan for Green Infrastructure in April 2011. This strategic document aims to guide the delivery of a healthy Green Infrastructure network in Torbay over the next ten years.
GVA (Gross Value Added)	A measure of economic value and the contribution of each person, producer or area to the economy.
Habitats Directive	EU Directive (92/43/EEC) requiring the conservation of natural habitats and of wild fauna and flora. The Directive set up a network of sites identified as Special Areas of Conservation and requires their protection and management. The Habitats Directive requires Member States to take measures to maintain or restore natural habitats and wild species at a favourable conservation status.
Habitats Regulations Assessment (HRA)	The assessment of impact of land use plans or proposals on European protected sites, required by the Habitats Directive.
Health Impact Assessments	A means of assessing the health impacts of plans and projects and provide an opportunity to promote better public health and well-being.
Heart of the South West Local Enterprise Partnership	The Heart of the South West Local Enterprise Partnership is partnership between the private sector, local authorities, universities and further education across Somerset, Devon, Plymouth and Torbay. Its purpose is to lead and influence economic growth, job creation and prosperity across the Heart of the South West.
Hectare	Metric measurement of land of 10,000 square metres or 100M2 (2.471 acres).

Heritage asset	A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions because of its heritage interest. A heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).
Historic England	National body with responsibility for protecting the historic environment; provides advice to Central and Local Government on historic building conservation and archaeology. Formerly English Heritage.
Historic environment	All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed.
Historic Environment Record (HER)	A database of information on all known archaeological and historic sites in Torbay's administrative area, which is available for public inspection. It comprises both primary and secondary sources: original documents, historic maps, learned society journals, antiquarian observations and excavations, aerial photographs and modern archaeological fieldwork.
Historic Parks and Gardens	A listing and classification system for historic parks and gardens similar to that used for listed buildings. The register is managed by Historic England. The listing includes the grounds of large stately homes, small domestic gardens and designed landscapes such as parks and cemeteries.
Household Waste Recycling Centre	A centre for the disposal of household recyclable materials.
Houses in Multiple Occupation (HMOs or HiMOs)	Building or part of a building that is being occupied as a main residence by more than one household, i.e. unrelated people who do not live together as a family and share some facilities such as bathroom or kitchen. HMOs with more than 6 residents are a 'sui generis' use (no specific Use Class) and require planning permission. Class C4 HMO is defined as between 4-6 unrelated persons living together.
Housing density	Ratio of numbers of houses to land area, usually expressed as dwellings per hectare.
Housing requirement	The housing requirement is the housing figure in the Local Plan. It is a policy-adjusted figure that takes into account constraints (see FOAN).
Inert waste	Waste that will not biodegrade or decompose. Includes uncontaminated soil, sand, clay, rocks and glass.
Infilling/infill site	Development within the existing built-up urban form or between existing buildings.

Infrastructure	'Physical infrastructure' refers to facilities as well as roads, water supplies and sewers. Services such as education and health are often termed community or social infrastructure. (See also Green Infrastructure)
Inspectors Report of Examination	A report issued by a planning inspector regarding the planning issues debated at the independent examination of a Development Plan.
Key Diagram	Map showing significant items of infrastructure and locations for strategic growth and regeneration that are integral to the delivery of the Torbay Local Plan strategy. Key diagrams are indicative rather than defining precise boundaries. (See Policies Map).
Landfill	Depositing of waste into or onto the ground.
Landscape character	The distinct and recognisable pattern of elements that occur consistently in a particular type of landscape. It reflects particular combinations of geology, landform, soils, vegetation, land use and human settlement.
Land Use Monitors	Annual monitoring documents prepared by Torbay Council covering housing and retailing. They are used to inform decisions that the Council makes as a planning authority. Together with other evidence, they will be used to inform reviews of the Local Plan.
Listed Buildings	List of buildings of special architectural or historic interest compiled by the Government under the Planning (Listed Buildings and Conservation) Act 1990. Grade I buildings are of the most importance, followed by II*, followed by Grade II.
Live-work unit	A live work unit consists of both a commercial, office and a residential component that is occupied by the same resident.
Local Centres	Areas of shops and similar uses generally serving only the immediate area; smaller than District Centres (excludes parades of shops of purely neighbourhood significance. (See Neighbourhood Centres).
Local Development Framework	The Local Development Framework (LDF) is a non-statutory term used to describe a folder of documents, which includes all the local planning authority's local development documents.
Local Development Orders	Introduced with the Planning and Compulsory Purchase Act 2004. They allow local authorities to extend permitted development rights for certain forms of development.
Local Development Scheme	A schedule setting out details of development plan and related documents being prepared by the local planning authority, including details of their content and timetabling.
Local Economic Partnership (LEP)	Locally owned partnerships between local authorities and businesses to determine economic priorities and undertake activities to drive economic growth and create jobs. Torbay is part of the Heart of the South West Local Enterprise Partnership.

Local Green Space	Through local and neighbourhood plans, communities are able to identify for special protection green areas of particular importance to them. By designating land as Local Green Space they are able to rule out new development other than in very special circumstances. Identifying land as Local Green Space should therefore be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or reviewed, and be capable of enduring beyond the end of the plan period.
Local Nature Reserve (LNR)	Sites of importance for wildlife, geology or public enjoyment, designated under national legislation. The principal aim is to care for the natural features which make the site special. Some LNRs are also nationally important Sites of Special Scientific Interest.
Local Planning Authority (LPA)	Council responsible for carrying out forward planning and development management functions (eg. Torbay Council)
Local Plan	Local Plans are documents that set out a vision and a framework for the future development of the area. Together with any neighbourhood plans that have been adopted, an adopted local plan forms the development plan for the area. Planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise (required by section 38(6) of the Planning and Compulsory Purchase Act 2004).
Local Planning Regulations	Town and Country Planning (Local Planning)(England) Regulations 2012. Regulations governing all key stages of local development plan preparation, including public participation, consultation, consideration of representations, formal 'submission' to central government, independent examination and adoption.
Local Transport Plan 3 (LTP3)	A strategy and implementation plan for the improvement of local transport systems in Torbay and Devon. The Strategy covers the period 2011-2026, the Implementation Plan covers a 5 year period from April 2011.
Localism Act 2011	The Localism Act is legislation covering a range of matters intended to shift power from government back into the hands of individuals, communities and councils. The planning provisions of the Act include the power to abolish Regional Spatial Strategies and the introduction of the 'duty to co-operate' in plan preparation. The Localism Act also allows communities to prepare neighbourhood plans.

Manual for Streets	Manual for Streets was published in March 2007 with a further version, Manual for Streets 2 in September 2010. It provides guidance for practitioners involved in the planning, design, provision and approval of new streets, and modifications to existing ones. They aim to increase the quality of life through good design which creates more people-oriented streets. Although the detailed guidance in the documents apply mainly to residential streets, the overall design principles apply to all streets within urban areas.
Marine Conservation Zone	Marine Conservation Zones are protected areas at sea where human activity is restricted to protect wildlife and habitats. These Zones allow sustainable use of the sea whilst protecting a range of species and habitats from damaging activity.
Masterplan	A type of planning brief outlining the preferred usage of land and the overall approach to the layout of an area. To provide detailed guidance for subsequent planning applications.
Material consideration	A matter that is relevant to making a planning decision. This is ultimately a matter for the Courts. The NPPG 21b-009 indicates that material considerations generally relate to the use of land in the public interest, rather than the protection of purely private interests.
Major Development	A formal definition of Major Development is set down in the Town and Country Planning (Development Management Procedure) (England) Order 2015. Broadly this includes: Developments of 10 or more dwellinghouses or residential development on sites of 0.5 hectare or more; the provision of a building or buildings where the floorspace to be created by the development is 1,000 square metres or more; waste and minerals development.
Mineral Planning Authority (MPA)	Authority responsible for minerals management. Torbay is the Mineral Planning Authority for Torbay.
Minerals Safeguarding Area (MSA)	An area designated by an MPA which covers known deposits of minerals which are desired to be kept safeguarded from unnecessary sterilisation by non-mineral development. The NPPF places an obligation on all MPAs to define Mineral Safeguarding Areas (MSAs) and adopt appropriate policies to ensure that deposits of local and national importance are not needlessly sterilised. The presence of an MSA does not preclude other forms of development and does not presume that the defined resources will be worked. They simply provide an alert to the fact that minerals may be sterilised by non-mineral development and this should be taken into account by the planning process.
Modal split	The types of method of transport used (walking, bus, car).
Monitor	See Land Use Monitor.
Municipal waste	Waste collected and disposed of by local authorities, generally consisting of household and similar waste.

National Nature Reserve (NNR)	Some of the finest sites in England for wildlife and geology. Natural England is empowered to declare NNRs. The Berry Head to Sharkham Point NNR comprises the Berry Head promontory and Sharkham Point.
National Planning Policy Framework (NPPF)	The National Planning Policy Framework was published in 2012 and sets out the Government's planning policies for England and how these are expected to be applied. The NPPF introduces a presumption in favour of sustainable development. The NPPF replaces most previous Planning Policy Guidance Notes (PPGs) and Planning Policy Statements (PPSs).
National Planning Practice Guidance (NPPG)	Online practice guidance which complements the NPPF and expands upon Government planning policy. It is published as an online resource at http://planningguidance.planningportal.gov.uk/blog/guidance. Often referred to as Planning Practice Guidance (PPG).
Natural England	A non-departmental public body of the UK government. It aims to protect and improve England's natural environment and encourage people to enjoy and get involved in their surroundings.
Neighbourhood Centres	Small shopping parades of purely neighbourhood significance. (See also Local Centres).
Neighbourhood Development Orders	Orders that enable communities to use neighbourhood planning to permit the development they want to see without the need for planning permission. They may be introduced by neighbourhood forums.
Neighbourhood Forum	Community group charged with producing neighbourhood plans and Local Development Orders.
Neighbourhood Planning/Plans	Neighbourhood plans have been taken forward by the Localism Act. Neighbourhood Forums and Parish Councils are able to use neighbourhood planning powers to establish planning policies for the development and use of land in their neighbourhood. Torbay Council is part of the Neighbourhood Planning Front Runners Scheme, which has enabled it to secure Government funding to support the preparation of three Neighbourhood Plans in Torbay.
New Homes Bonus	Designed to create a fiscal incentive to encourage local authorities to facilitate housing growth. It aims to ensure the economic benefits of growth within a local area are more visible, by matching the council tax raised on increases in effective stock, over a six year period.
Out-of-centre	A location that is clearly separate from a town centre, but not necessarily outside the urban area.
Park and ride	An arrangement whereby car users are encouraged to leave their vehicles in identified car parks on the periphery of the town or city and complete the remainder of their journey by some form of public transport, usually bus or rail.

Permitted development	Some, usually small scale, development that does not need to obtain planning permission, by virtue of being exempted in the Town and Country Planning (General Permitted Development) Order 2015 or being granted by a Local Development Order.
Place-making	Place-making is a multi-faceted approach to the planning, design and management of public spaces. It capitalises on a local community's assets, inspiration, and potential, with the intention of creating public spaces that promote people's health, happiness, and well-being.
Plan, monitor and manage	A method of assessing growth levels that sees population as one factor in estimating numbers and seeks to review needs during the plan period. Generally regarded as a more measured approach to planning than 'predict and provide' (see below).
Planning Inspectorate (PINS)	Executive Agency for DCLG dealing with planning appeals, national infrastructure planning applications, examinations of local plans and other planning-related and specialist casework in England and Wales.
Planning Obligations (or s106 Planning Obligations, or Section 106 Agreements)	Legal agreements negotiated, usually in the context of planning applications, between local planning authorities and persons with an interest in a parcel of land, and intended to make acceptable development which would otherwise be unacceptable in planning terms. Obligations can also be secured through unilateral undertakings by developers. The CIL Regulations 2010 set out tests of lawfulness regulating s106 Planning Obligations (which are reiterated in Paragraph 204 of the NPPF).
Policy	Course of action to be pursued. Adopted Torbay Local Plan Policies have weight in determining development proposals (see Development Plan above). Introductory text and Explanations (also called reasoned justification) do not carry this full weight but are still material considerations.
Policies Map	A map which geographically explains the policies and proposals in the Local Plan.
Predict and provide	A method for determining the need for development for new housing on the basis of population projections.
Primary Shopping Area	Defined area in town centres where retail development is concentrated (generally comprising the primary shopping frontages and those secondary frontages which are adjoining and closely related to the primary shopping frontages)
Primary Shopping Frontage	The main shopping frontages of core town centre shopping streets, comprising predominantly Use Class A1 retail shops.
Purple Flag	An accreditation scheme that recognises excellence in the management of town and city centres at night, run by the Association of Town Centre Management. Torquay Harbourside was awarded a Purple Flag in 2011, which has been retained.

Recycling	Processing of waste to produce a useable raw material or product; sometimes also loosely applied to the re-use of materials.
Reduction (waste)	1 Reducing the volume of waste by compaction. 2 The use of technology that generates less waste. 3 Production of longer lasting products with lower pollution potential. 4 Removing material from the waste stream e.g. through composting green waste.
Regionally Important Geological Site (RIGS)	Site of geological interest, which are selected locally. They are now more formally called Local Geological Sites
Regulation 123 List	A list of infrastructure projects that the Council wishes to fund through CIL. (See Charging Schedule).
Residential Density	The ratio of numbers of dwellings to site area (occasionally people to site area).
Scheduled Ancient Monuments	An archaeological site that is considered to be nationally important and is included on a list of sites compiled by the Department for Culture, Media and Sport. They are protected by law.
Secondary Shopping Frontages	Shopping frontages adjoining but outside the main shopping core, where a mixture of retail and non-retail uses usually exist.
Self-build housing	The Planning Practice Guidance applies the term self-build (or custom-build) to anybody who is building their own home or has commissioned a home from a contractor, house builder or sub-contractor. Self-builders must own the property and occupy it as their principal residence for a minimum of three years after the work is completed. (See also Policy H3 of the Local Plan).
Sequential test	1 Test that seeks to locate town centre uses in town centres first (see Paragraph 24-27 of the NPPF). Out-of-town centre retail proposals may also be subject to an impact test. 2 Test seeking to direct development away from areas of high flood risk. In certain instances development may be permitted in areas of flood risk, subject to an exceptions test. (See Paragraphs 100-105 of the NPPF and NPPG 07-018 and 07-019).
Sheltered housing	Housing designed to meet the needs of people such as the active elderly who require a degree of extra security, which may be provided by a warden.
Shoreline Management Plan (SMP)	An assessment of the risks associated with coastal processes. SMPs include an action plan that prioritises flood and erosion risk management schemes that are needed over the short, medium and long-term and where they will be required.

Sites of Special Scientific Interest (SSSIs)	The very best wildlife and geological sites in England. Natural England now has responsibility for identifying and protecting SSSIs under the Wildlife and Countryside Act 1981 (as amended).
Small and Medium Enterprise (SME)	An independent business managed by its owner or part-owners and having a small market share either by number of employees or turnover.
Soundness	To be considered 'sound', a Local Plan must be justified (founded on robust and credible evidence and be the most appropriate strategy) and effective (deliverable, flexible and able to be monitored).
South Devon Highway	Scheme to improve the A380 between Penn Inn, Newton Abbot and Kerswell Gardens, Torquay with construction of the South Devon Highway (formerly referred to as the South Devon Link Road or Kingskerswell Bypass). This provides a new carriageway to improve the link between Torbay and South Devon, bypassing the village of Kingskerswell. This is seen as vital for unlocking economic benefits for the area as well as delivering significant environmental gains. The South Devon Highway opened in December 2015
South West Devon Waste Partnership (SWDWP)	Plymouth City Council, Devon County Council and Torbay Council joined together to form this partnership in order to procure a sustainable long term solution for dealing with residual waste. This responds to the need to reduce the amount of waste being disposed of at landfill sites.
Superfast broadband	Generally comprising broadband with download speeds of 24 megabytes per second or faster.
Special Areas of Conservation (SAC) and candidate Marine SAC	Areas which are given special protection under the European Union's Habitats Directive. They provide increased protection to a variety of plants, animals and habitats and are intended to support global efforts to conserve the world's biodiversity. The legal requirements relating to the designation and management of SACs in England are set out in The Conservation of Habitats and Species Regulations 2010.
Special needs housing	Housing for people with special needs. This can include a degree of support but can also include specially designed features to meet the needs of people with disabilities.
Starter home	A house that is usually the first which a person or family can afford to purchase, often using a combination of savings and mortgage financing. More recently the Government has further defined it as a newly-built property that must be sold to someone who is a first-time buyer below the age of 40, with a discount of at least 20 per cent off the market value.
Sterilisation (of minerals)	Related to rendering mineral deposits unworkable by permitting other development on land containing such minerals.
Strategic development	Although there is no legal definition (as opposed to major development), strategic development is taken by the Torbay Local Plan to mean development of 30 dwellings or more, or development of importance to meeting overall Local Plan or NPPF objectives.

Strategic Environmental Assessment (SEA)	A process to ensure that significant environmental effects arising from policies, plans and programmes are identified, assessed, mitigated, communicated to decision makers and monitored, and that opportunities for public involvement are provided. European Union Directive (2001/42/EC) requires national, regional and local authorities to carry out strategic environmental assessment on certain plans and programmes. SEA is encompassed by the wider Sustainability Assessments.
Strategic Flood Risk Assessment (SFRA)	A Strategic Flood Risk Assessment (SFRA) Level 1 is an overview of flood risk within a specific area. It aims to provide general guidance to planning officers, developers and other interested people about areas where flood risk is an issue. The Level 2 Assessment is a more detailed study considering the detailed nature of the flood hazard, taking account of the presence of flood risk management measures such as flood defences.
Strategic Housing Land Availability Assessment (SHLAA)	An assessment required by the NPPF to establish realistic assumptions about the availability, suitability and likely viability of land for housing.
Strategic Housing Market Assessment (SHMA)	An assessment (required by Paragraphs 47 and 159 of the NPPF) of all sources of housing need within an area. It should be prepared with neighbouring authorities where housing market areas cross administrative boundaries.
Strategic Transport Network	Includes all major roads and rail routes.
Supplementary Planning Document (SPD)	Established by the Planning and Compulsory Purchase Act 2004, an SPD can be used to provide guidance on a range of local planning matters and provide greater detail about policies contained within development plan documents. SPDs cannot make policy or allocate land, but can provide guidance on implementation.
Sustainability Appraisal (SA)	An appraisal of the economic, environmental and social effects of a plan from the outset of the preparation process to allow decisions to be made that accord with sustainable development.
Sustainable communities	Places where people want to live and work, now and in the future.

Sustainable development	"Development which meets the needs of the present without compromising the ability of future generations to meet their own needs" (Brundtland, 1987). It relates to social progress that recognises the needs of everyone, the protection of the environment, prudent use of natural resources and the maintenance of high and stable levels of growth and employment. In its widest sense, it aims to ensure that the decisions reached now do not prejudice the ability of future generations to enjoy an acceptable quality of life. The NPPF sets out the Government's view of what sustainable development means in practice for the planning system.
Sustainable (Urban) Drainage Systems (SUDS)	Water management practices and facilities designed to drain surface water in a manner that will provide a sustainable approach to drainage rather than using 'traditional' practice of routing run-off through a pipe to a watercourse. (See also Water Sensitive Urban Design).
Tax Increment Financing (TIF)	Government proposal for new powers that allow local authorities to borrow against predicted growth in their locally-raised business rates. This borrowing can be used to fund key infrastructure and other capital projects, which will support locally-driven economic development and growth.
Tests of Soundness	Tests set out in the NPPF (Paragraph 182) requiring local plans to be positively prepared, justified, effective and consistent with national policy.
Torbay Coast and Countryside Trust (TCCT)	Charitable Trust with responsibility for the management and conservation of Country Parks, woodland and coastal areas in Torbay.
Torbay Connected	A project that aims to improve the legibility of places and spaces through art and cultural commissioning and development. Provides guidelines on how sound legibility principles can be incorporated into development proposals and the refurbishment of public spaces.
Torbay Design Review Panel	The Torbay Design Review Panel was established in 2008 by the Torbay Culture and Environment Partnership to promote the highest possible quality of design in Torbay and to ensure that the built environment matches the quality of the natural environment.
Torbay Development Agency (TDA) / Torbay Economic Development Company (TEDC)	Established by Torbay Council to promote the physical and economic regeneration of Torbay and to deliver benefits to the local community. It provides a range of business support services and is a key promoter of inward investment to the area, job creation and improvement of the local skills base.
Tor Bay Harbour Authority	The Tor Bay Harbour Authority manages the whole of Tor Bay Harbour.

Torbay Strategic Partnership (TSP)	A body that brings together at a local level the different parts of the public sector as well as the private, business, community and voluntary sectors so that different initiatives and services work together and support each other.
Torbay Town Centres Company	An organisation set up in 2008 to co-ordinate and manage the town centres within the Torbay area and to facilitate the designation of Business Improvement Districts.
Tourism attractions and facilities	A range of accommodation, attractions , amenities etc. that contribute to the role and holiday and leisure character of area. They include (but are not limited to) holiday accommodation, cafes, restaurants (and other food and drink uses), local shops, museums, zoos, historical and cultural uses, leisure uses, and other recreational attractions for sport or maritime activities.
Traffic management	Measures to control and alleviate traffic problems. Demand management measures seek to reduce single occupancy car use in order to relieve pressure on the network.
Transport hierarchy	Range of transportation modes seeking to ensure that as much emphasis as possible is given to sustainable transport such as walking, cycling and public transport.
Travel Plan	Plan that should be drawn up by developers, employers and operators of premises to encourage staff and customers to use alternative means of transport to the private car.
Tree Preservation Order (TPO)	An Order made by a Council to protect a tree (or trees) because of amenity value. It can be applied to a single tree, group of trees or woodland.
UNESCO	The United Nations Educational, Scientific and Cultural Organisation (UNESCO) is an agency of the United Nations that sponsors programmes to promote education, communication and the arts.
Urban Landscape Protection Area (ULPA)	Largely undeveloped land within or close to urban areas which is protected because of its local landscape, amenity or ecological value.
Use Classes Order	Order that classifies certain types of use of buildings (and in some cases land) into broad categories (for example, Use Classes A, B, C and D). Changes of use within a specific Use Class are not classed as development and do not need planning permission. The current Use Classes Order came into force in 2015.
Waste hierarchy	A 'ladder' of waste management methods in order of their sustainability. The hierarchy comprises waste prevention at the top, followed by minimisation and recovery (for example, reuse, recycling and composting) and finally disposal (such as by landfill).
Waste Planning Authority (WPA)	Local Authority with responsibility for land use planning control over waste management. Torbay Council is a WPA.

Water Sensitive Urban Design (WSUD)	Incorporating sustainable drainage measures into the built environment to minimise surface water draining into combined sewers.
Western Corridor	An area to the west of Paignton focused on the A380 / A3022 running from Churscombe Cross, Marldon to Windy Corner, Galmpton.
Wildlife Sites	**County Wildlife Site (CWS)** A County Wildlife Site is a discrete area of land, water, foreshore or seabed which is considered to be of nature conservation significance for its constituent wildlife (or biodiversity) in, at least, a County context. **Unconfirmed Wildlife Site (UWS)** Sites identified as having possible interest but not fully surveyed. Some of these sites will be areas of significant wildlife interest. A Proposed County Wildlife Site is an area that has been surveyed but is awaiting consideration from the CWS Designation Panel; a site that has been surveyed at an unfavourable time of year and is awaiting a re-survey, or an area that has been identified through a survey carried out by a third party, and meets the CWS criteria, but the landowner has declined CWS designation. **Other Sites of Wildlife Interest (OSWI)** These are sites that have been surveyed but they do not reach CWS standard. They will include the old designation of Local Wildlife Site (LWS).
Windfall sites	In general windfall sites are defined as sites that are not identified as available in the development plan. The Torbay Local Plan specifically defines windfalls as sites of 5 or fewer net new dwellings, which were below the threshold considered in the SHLAA. However, larger windfall sites are also likely to arise during the Plan period.



APPENDIX B
SCHEDULE OF SUPPORTING DOCUMENTS

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1. Background and approach

Following the adoption of the Torbay Local Plan 1995-2011 in 2004, and the introduction of the new Local Development Framework process in the same year, the Council carried out a review of the key spatial planning issues likely to be faced in Torbay over the following three decades. This work was carried out in the context of preparation of the (then) proposed new Torbay Core Strategy.

This review has been an ongoing process, accompanied by regular monitoring of the availability and suitability of evidence, in order to help the authority to build the basis for an effective planning policy framework to guide future development in the area.

The requirement for local plans to be based on thorough evidence has been embraced in guidance set out in the NPPF (Paragraphs 158 to 177). The Council recognises the importance of ensuring that the direction taken by the Council's development plan documents has been informed by relevant data.

The Local Planning Authority accordingly commissioned a number of research and evidence base studies to support the evolution of the original Torbay Core Strategy and subsequently the emerging Torbay Local Plan, 'A Landscape for Success'. In some instances, preparation of these documents has also drawn on a number of studies of wider corporate interest. In each case, the LPA has sought to secure appropriate involvement of local communities, stakeholders and commercial interests. This programme of work is considered to be proportionate to the issues that need to be addressed and available resources.

2. Local Plan evidence base

An initial list of key evidence base studies was reproduced in Appendix C of the Proposed Submission Local Plan, published in February 2014. It was updated in July 2014 when the Plan was formally submitted to the Government. The list subsequently formed the basis of the Local Plan Examination Library, which contains a far more comprehensive set of documents (see www.torbay.gov.uk/localplanexamination). The Library comprises Local Plan Submission Documents, other related Local Plan material and a full set of additional material submitted to the Local Plan Examination, in addition to the evidence base studies set out in this Appendix.

The schedule below provides details of the key documents that have informed the evolution of the Local Plan, from its early preparatory stages to the close of the Local Plan Examination in October 2015. As such, they provide the relevant evidence and guidance for the new policy framework set out in the Adopted Torbay Local Plan 2012-2030.

3. Local Plan evidence base documents

Community

Torbay Community Plan 2011 - Working for a healthy, prosperous and happy Bay (Torbay Council, 2011)

Public Health Annual Report 2013 (Torbay Council/NHS)

Torbay Playing Pitch Strategy (Torbay Council, February 2015)

Torbay Sports Facilities Strategy (Torbay Council, February 2015)

Strategy for the Arts and Creative Industries in Torbay 2006 – 2016 (Torbay Council, undated)

Housing

Devon-Wide Traveller Accommodation Assessment (RRR, 2015)

Review of the demand for gypsy and traveller accommodation in Torbay (Torbay Council, February 2014)

Exeter and Torbay Strategic Housing Market Assessment (ORS, 2007)

Exeter and Torbay Strategic Housing Market Assessment Update (ORS, 2011)

Torbay Housing Requirement Report (PBA, May 2013)

Torbay Strategic Housing Land Availability Assessment plus Appendices (PBA, August 2013)

Economy

Torbay Tourism Strategy 2010-2015, plus Action Plan and Executive Summary (Torbay Council, 2009)

Torbay Economic Strategy 2013-2018 (TDA, July 2013)

Torbay Employment Land Review (PBA, October 2013)

Tor Bay Harbour and Maritime Strategy 2007-2017 'Catching the Wave' (undated)

Tor Bay Harbour Authority Port Masterplan (Royal Haskoning DHV, July 2013)

Torbay Retail Study Update plus Executive Summary (GVA Grimley, September 2011)

Torbay Retail Study Update plus Summary (GVA Grimley, December 2013)

Torquay Gateway Masterplan, Edginswell, (Adopted Supplementary Planning Document - Torbay Council, December 2015)

Torquay Town Centre Masterplan (Adopted Supplementary Planning Document - Torbay Council, June 2015)

Paignton Town Centre Masterplan (Adopted Supplementary Planning Document - Torbay Council, June 2015)

Collaton St Mary Masterplan (Adopted Supplementary Planning Document - Torbay Council, February 2016)

Transportation

Local Transport Plan 3 – Implementation Plan [Part B: Torbay] (Devon County Council and Torbay Council, March 2011)

Local Transport Plan – Devon and Torbay Strategy 2011 – 2026 (Devon County Council and Torbay Council, April 2011)

Western Corridor Saturn Modelling Study (Parsons Brinkerhof, 2010)

Infrastructure and resource management

Torbay Municipal Waste Management Strategy (Torbay Council, 2008)

Torbay Waste Sites Identification – Appraisal Report plus Site Assessments (Appendix) (Torbay Council, September 2013)

Devon Waste Plan plus Policies Map; Pre-Submission Consultation (Devon County Council, December 2013)

Devon Waste Plan plus Policies Map: Adopted Plan (Devon County Council, December 2014)

Devon Minerals Plan 2011-2031: Options Consultation Paper (Devon County Council, March 2011)

Devon Minerals Plan 2011-2031: Pre-Submission Consultation (Devon County Council, August 2015)

Devon Minerals Plan 2011-2031: Cross-boundary Minerals Issues Report (Devon County Council, June 2012)

3rd Devon Local Aggregate Assessment 2004-2013 [First Draft, May 2014 / Final Version: December 2014] (Devon County Council, December 2014)

Strategic Stone Study - A Building Stone Atlas of Devon (English Heritage, September 2012)

Torbay Contaminated Land Strategy (Torbay Council, 2001; reviewed 2005)

Torbay Energy and Climate Change Strategy 2014-2019 (Torbay Council, July 2014)

Strategic Flood Risk Assessment Level 1 (Torbay Council, October 2008)

Strategic Flood Risk Assessment Level 2 (Torbay Council, December 2010)

South Devon and Dorset Shoreline Management Plan (South Devon and Dorset Coastal Advisory Group, 2011)

Torbay Green Infrastructure Delivery Plan (TCCT / Torbay Council / Natural England, April 2011)

Torbay Sustainable Energy Assessment (AECOM, November 2011)

Torbay Infrastructure Delivery Study: Volumes 1 and 2 [including Viability Report] (Roger Tym & Partners / Baker Associates, January 2012)

Torbay Whole Plan and CIL Viability Study (PBA, February 2014)

Torbay Water Cycle Study (Torbay Council, 2012)

Hydraulic Modelling of Sewer Capacity in Torbay (AECOM, September 2014)

Environment

Torbay Wildlife Study (DWT, 1991)

Torbay Wildlife Study (Update) (DWT, 1998)

Torbay Biodiversity and Geodiversity Action Plan (TCCT, 2007)

Torbay Landscape Character Assessment: Parts 1 and 2 (Enderby Associates, 2010)

Brixham Urban Fringe Study (Enderby Associates, 2011)

South Hams SAC - Greater horseshoe bat consultation zone planning guidance (BAT1) (Natural England, June 2010)

Review of Urban Landscape Protection Areas (ULPAs) (Torbay Council, June 2013)

South Devon AONB Management Plan 2014 -2019 (South Devon AONB Unit, 2014)

Berry Head Management Plan: 2007 - 2017) (Torbay Coast and Countryside Trust / Torbay Council, August 2008

Torbay Heritage Strategy (Torbay Council, April 2011)

Torbay Building Heights Strategy (Urban Initiatives, December 2011)

Monitoring

Torbay Authority Monitoring Report 2013 (Torbay Council, December 2013)

Torbay Housing Land Monitor [produced annually] (Torbay Council, July 2014)

Torbay Retail Monitor [produced annually] (Torbay Council, July 2014)

South Devon and Torbay 2014/2015 Joint Strategic Needs Assessment [JSNA](Torbay Council, 2014)



APPENDIX C
POOL OF HOUSING AND EMPLOYMENT SITES

APPENDIX C POOL OF HOUSING AND EMPLOYMENT SITES

Sites within the three tables in this Appendix have been identified in one, or a combination of, the following documents: Strategic Housing Land Availability Assessment (SHLAA), Torbay Housing Land Monitor, and Employment Land Review (ELR). SHLAA references begin with 13, or letter T. Torbay Housing Land Monitor numbers either have no prefix, or prefix C (Conversion) or R (Redevelopment).

Sites in Table 25 below are 'Committed development sites' (shown on the Policies Map as greyed out areas labelled with a prefix 'CDS', for information purposes). They are sites for 6 or more dwellings (net) and had planning permission or were considered imminently deliverable at the time of the Proposed Submission Plan (February 2014). Consequently, at the time of Local Plan adoption (December 2015), some of these sites may have time-expired or been constructed.

The Council monitors housing land on an annual basis in order to update its Five Year Housing Land Supply (of which the sites below form part) and will keep this list under review.

Table 25 Committed development sites

Map Site Label	Site Name	Town	Planning Application Reference	SHLAA/Housing Land Monitor Reference
CDST1	Suite Dreams Hotel, Steep Hill, Maidencombe	Torquay	P/2006/1183 P/2008/0832 P/2011/0356	C811
CDST2	English House Hotel, Teignmouth Road	Torquay	P/2007/2059 P/2011/0181 P/2011/0361	C817
CDST3	Scotts Bridge/ Barton (remainder)	Torquay		H1.1
CDST4	Hatchcombe Lane, Scotts Bridge/Barton	Torquay	P/2006/1340 P/2008/1534	196/B6/H1.3
CDST5	Beechfield Avenue, adj. former landfill site	Torquay	P/2009/0775	937/H1.4
CDST6	Area 4 South, Scotts Meadow	Torquay	P/2010/1388	988

Map Site Label	Site Name	Town	Planning Application Reference	SHLAA/Housing Land Monitor Reference
CDST7	331 Teignmouth Road	Torquay	P/2005/0740	R687
CDST8	Adj. 85 Shrewsbury Ave & 46-48 Coombe Lane	Torquay	P/2010/0139	310
CDST9	Snooty Fox, Fore Street	Torquay	88/0547; 97/0999;02/0895 P/2004/2047 P/2013/1125	R288a
CDST10	South Devon Hotel, St. Margarets Road	Torquay	P/2007/1228 P/2013/0057	832
CDST11	Westhill Garage, Chatto Road	Torquay	P/2009/0422 P/2012/0078	R754
CDST12	178 St. Marychurch Road	Torquay	P/2008/1268 P/2009/1268 P/2012/1214	R740
CDST13	1 Warbro Road	Torquay	P/2007/1949 P/2010/1383	R726
CDST14	Zephyrs Hotel, St. Albans Road	Torquay	P/2011/1309	C1050
CDST15	Fairlawns, 27 St. Michaels Road	Torquay	P/2008/0356/MPA P/2011/0505	C826
CDST16	The Pines, 78 St. Marychurch Road	Torquay	P/2011/0552	R772
CDST17	Torre Station Yard	Torquay	P/2012/1155	992
CDST18	Palace Hotel, Babbacombe Road	Torquay	96/1367; 99/0653 01/0436; 04/0812	R297/H1.8
CDST19	Queensway (Rainbow Estate)	Torquay	94/0865; 95/0167 P/2007/2095, P/2007/01146	11
CDST20	Le Papillion, 18 Vansittart Road	Torquay	P/2008/1256	C967
CDST21	Country House, 62 Ellacombe Road	Torquay	P/2008/1654	C956

Map Site Label	Site Name	Town	Planning Application Reference	SHLAA/Housing Land Monitor Reference
CDST22	Country House, 62 Ellacombe Road	Torquay	P/2008/1704	C956
CDST23	Land adj. 84 Grange Road	Torquay	P/2007/1420	864
CDST24	Tor Manor, Tor Church Rd	Torquay	P/2004/0243 P/2005/1491 P/2007/0677 P/2008/0705 P/2012/0632	C453
CDST25	111 Abbey Road	Torquay	P/2011/1391 P/2012/0472	C1053
CDST26	16 Market Street	Torquay	P/2008/0124	866
CDST27	Walton Lodge, Middle Warberry Road	Torquay	P/2006/1149 P/2009/0049 P/2011/0015	224
CDST28	Bishops Court Hotel, Lower Warberry Road	Torquay	P/2008/1623	C900
CDST29	Spa View, Lower Warberry Road	Torquay	P/2009/1344 P/2012/1107	R762
CDST30	3 Melville Place, Melville Street	Torquay	P/2006/1921 P/2009/1243	R723
CDST31	Conway Court Hotel	Torquay	P/2010/1080	T807
CDST32	42 Warren Road	Torquay	P/2011/1085	C1038
CDST33	Former Royal Garage, Torwood Street	Torquay	P/2009/0690	R758
CDST34	Torbay Court, Chelston Road	Torquay	P/2006/0982 P/2012/0127	C716
CDST35	Pavilion/Marina Car Park	Torquay		T833
CDST36	Lincombe Hall Hotel	Torquay	P/2010/0738	R759

Map Site Label	Site Name	Town	Planning Application Reference	SHLAA/Housing Land Monitor Reference
CDST37	Hollicombe Gas Works, Torbay Road	Torquay	P/2008/0114	985/H1.10
CDSP1	Meadowfield Hotel, 36 Preston Down Road	Paignton	P/2006/1508 P/2008/1296 P/2010/0782	R712
CDSP2	1 Fortescue Road	Paignton	P/2011/0906	C1080
CDSP3	Great Parks Phase 2	Paignton		H1.11
CDSP4	13-39 Langridge Road	Paignton	P/2011/1056	R777
CDSP5	Oldway Mansion and Fernham	Paignton	P/2011/0925	986
CDSP6	Great Parks Phase 2	Paignton		H1.12
CDSP7	25-35 Smallcombe Road	Paignton	P/2011/0777	R776
CDSP8	Kings Ash House, Kings Ash Rd	Paignton	P/2006/1571 P/2010/0666 P/2012/1223	R733
CDSP9	Former Paignton Police Station, Southfield Road	Paignton	P/2011/0324	R775
CDSP10	Former Library, Courtland Road	Paignton	P/2013/0324	HC233
CDSP11	10 Palace Avenue	Paignton	P/2010/1227	943
CDSP12	Seaford Hotel, 2-4 Stafford Rd	Paignton	P/2011/1201	C1081
CDSP13	40-88 & 73-79 Hayes Rd; 149-179 Totnes Road	Paignton	P/2009/1179	R774
CDSP14	Totnes Rd Service Station (adj. 141), Totnes Road	Paignton	P/2005/1398 P/2007/1370 P/2011/0395	R693

Map Site Label	Site Name	Town	Planning Application Reference	SHLAA/Housing Land Monitor Reference
CDSP15	Seaford Sands Hotel, 17 Roundham Rd	Paignton	P/2011/0105	R782
CDSP16	Yannons Farm	Paignton	P/2012/1351 P/2010/0289 P/2009/1287	956
CDSP17	Marine Park Holiday Centre, Grange Road	Paignton	P/2009/1084/ MOA P/2012/1078 P/2012/1079	954
CDSP18	White Rock	Paignton	P/2011/0197	
CDSP19	R/O 10-16 & 18-20 Gibson Rd	Paignton	P/2008/0206	880
CDSB1	Churston Court Farm	Brixham	P/2008/0088 P/2010/0177	C887
CDSB2	Berry Head Garage, Berry Head Road	Brixham	P/2005/1381 P/2010/0902	R697
CDSB3	Wall Park	Brixham	P/2013/0785	T700
CDSB4	Brixham Town Centre	Brixham		H1.18
CDSB5	Paint Station	Brixham	P/1989/1577 P/2006/1066	163/H1.19
CDSB6	Douglas Avenue	Brixham	P/2011/0470	908
CDSB7	Sharkham (Former Dolphin Holiday Camp)	Brixham	P/2004/1032 P/2007/1064 P/2008/1386 P/2010/1083	782/H1.22

Sites in Table 26 below have been identified, principally in the SHLAA, as sites that have potential for development, primarily for housing (shown on the Policies Map with diagonal grey hatched lines, for information purposes). They are subject to consideration in Neighbourhood Development Plans.

Table 26 Possible Neighbourhood Plan housing sites

Map Site Label	Site Name	Town	SHLAA Reference
TNPH1	Holiday Parks, Kingkerswell Road	Torquay	13232

Map Site Label	Site Name	Town	SHLAA Reference
TNPH2	Torquay Holiday Park	Torquay	T738
TNPH3	Land to North of Nuthatch Drive	Torquay	T749
TNPH4	Starpitten Lane	Torquay	T818
TNPH5	Land off Plantation Way	Torquay	T748
TNPH6	Land to the r/o Lichfield Avenue	Torquay	T926
TNPH7	Site 2, Higher Cadewell Lane	Torquay	T853
TNPH8	Site 1, Higher Cadewell Lane	Torquay	T852
TNPH9	Foxlands, York Road	Torquay	13060
TNPH10	Torquay Girls Grammar School, Shiphay Manor	Torquay	T814
TNPH11	Quintaville, Junction Reddenhill Road	Torquay	13020
TNPH12	Torre Station	Torquay	T856a
TNPH13	16/18 Lower Thurlow Road	Torquay	T876
TNPH14	Palace Hotel (tennis courts)	Torquay	T761
TNPH15	Richwood Hotel, 20 Newton Road	Torquay	13160
TNPH16	Transport Yard, Berachah Road	Torquay	T721
TNPH17	300-302 Union Street	Torquay	T753
TNPH18	Sherwell Valley Garage	Torquay	T841
TNPH19	Tor House and Gospel Hall - Former B & Q	Torquay	T754
TNPH20	Zion Methodist Church, Zion Road	Torquay	T872
TNPH21	Town Hall Car Park	Torquay	TM001
TNPH22	Garage Premises, Laburnum Street	Torquay	T794
TNPH23	Barclay Court Hotel, 29 Castle Road	Torquay	13011
TNPH24	Land R/O Market Street	Torquay	T887
TNPH25	Ansteys Lea Hotel, Babbacombe Road	Torquay	T864
TNPH26	Municipal Chambers, Union Street	Torquay	T795
TNPH27	Lower Union Lane/Union Street	Torquay	TM003, 13228, 13221 T782
TNPH28	Site opposite Market, Market Street (former Blockbuster site)	Torquay	13237
TNPH29	Braddons Street disused playground, Stentiford Hill	Torquay	T726
TNPH30	Roebuck House, Abbey Road	Torquay	13003
TNPH31	Lower Union Lane Office Block	Torquay	13221
TNPH32	22-28 Union Street	Torquay	13053

Map Site Label	Site Name	Town	SHLAA Reference
TNPH33	3-9 Pimlico	Torquay	T801
TNPH34	Pimlico	Torquay	13229
TNPH35	39 Abbey Road	Torquay	13001
TNPH36	Shedden Hall Hotel, Shedden Hill Road	Torquay	T884
TNPH37	Adjacent to Abbey Hall, Rock Road	Torquay	R149
TNPH38	Brampton Court Hotel, St Lukes Road South	Torquay	13176
TNPH39	8-9 Braddons Hill Road West	Torquay	13100
TNPH40	Melville Street Joinery Works	Torquay	R232
TNPH41	40-44 Swan Street	Torquay	13045
TNPH42	Lansdowne Hotel, Old Torwood Road	Torquay	T881
TNPH43	Fleet Walk Shopping Centre	Torquay	T766
TNPH44	The Golden Palms, Cary Parade	Torquay	T834
TNPH45	The Terrace Car Park	Torquay	HC090
TNPH46	Hermosa, Higher Woodfield Road	Torquay	T877
TNPH47	Ingoldsby House, Chelston Road	Torquay	T802
TNPH48	Land adjacent Broadley Drive, Livermead	Torquay	T707
TNPH49	La Rosaire, Livermead Hill	Torquay	13024
TNPH50	Lee Hotel and Restaurant, Torbay Road	Torquay	T893
PNPH1	Land at Preston Down Road North	Paignton	13195
PNPH2	Land at Preston Down Road South	Paignton	13196
PNPH3	Vauxhall Garage, Torquay Road	Paignton	T709
PNPH4	Land at 4-6 Eugene Road	Paignton	13123
PNPH5	Modern Motoring, Torquay Road	Paignton	13189
PNPH6	63 Manor Road	Paignton	13148
PNPH7	Great Parks Phase 2	Paignton	H1.13
PNPH8	Land r/o Quarry Terrace, Marldon Road	Paignton	13166
PNPH9	Lyndhurst Hotel, Lower Polsham Road	Paignton	13069
PNPH10	Vacant Land, Warefield Road	Paignton	13056
PNPH11	Crossways Shopping Centre	Paignton	13240
PNPH12	Lighthouse, Esplanade Road	Paignton	13066
PNPH13	Victoria Square/Multi Storey Car Park	Paignton	T787

Map Site Label	Site Name	Town	SHLAA Reference
PNPH14	Corner of Hyde Rd and Torbay Rd	Paignton	13242
PNPH15	4 Palace Avenue	Paignton	13162
PNPH16	Station Lane	Paignton	H1.014
PNPH17	Queens Park and Rugby Club	Paignton	13250
PNPH18	Silverlawns Nursing Home, 31 Totnes Road	Paignton	13051
PNPH19	Angleside House, Cleveland Road	Paignton	T718
PNPH20	Paignton Harbour	Paignton	T857
PNPH21	20 Roundham Road	Paignton	T797
PNPH22	Sunhill Apartments, 19 Alta Vista Road	Paignton	13006
PNPH23	Council Depot, Borough Road	Paignton	T826
PNPH24	Grange Road Golf Driving range	Paignton	T825
PNPH25	Land off Grange Road	Paignton	T824
PNPH26	Alan Kerr Garage, Brixham Road	Paignton	13105
BPNPH1	5 Broadsands Road	Paignton	HC213
BPNPH2	Churston Golf Club, Dartmouth Road	Brixham	987
BPNPH3	Knapman's Builder's yard, off Stoke Gabriel Road	Brixham	13264
BPNPH4	Fishcombe Cove	Brixham	13126
BPNPH5	Northcliff Hotel	Brixham	T822
BPNPH6	Torbay Industrial Estate	Brixham	T791
BPNPH7	74 New Road	Brixham	13155
BPNPH8	Brixham Police Station, Rea Barn Close	Brixham	13168
BPNPH9	King's Barton, Summer Lane	Brixham	T886
BPNPH10	Beverley Court, Upton Manor Road	Brixham	T894
BPNPH11	St. Mary's Industrial Estate	Brixham	H1:021

Note: Where car parks are indicated, any development is subject to retention of sufficient car parking in the area.

Sites in Table 27 below have been identified, mainly in the Employment Land Review, as sites that have potential for development, primarily for employment investment (shown on the Policies Map with vertical grey hatched lines, for information purposes) and are subject to consideration in Neighbourhood Development Plans.

Table 27 Possible Neighbourhood Plan employment sites

Map Site Label	Site Name	Town	Source
TNPE1	Brown's Bridge	Torquay	ELR2013
TNPE2	Torbay Hospital	Torquay	ELR2013
TNPE3	Woodlands Trading Estate	Torquay	ELR2013
TNPE4	Town Hall Car Park	Torquay	ELR2013
TNPE5	Lower Union Lane/ Union Street	Torquay	ELR2013
PNPE1	Crossways	Paignton	SHLAA2013
PNPE2	Victoria Square/Multi-Storey Car Park	Paignton	ELR2013
PNPE3	Corner of Hyde Rd/ Torbay Rd	Paignton	SHLAA2013
PNPE4	Station Lane/Great Western Car Park	Paignton	SHLAA2013
PNPE5	Paignton Harbour	Paignton	SHLAA2013
PNPE6	Yalberton Industrial Estate	Paignton	ELR2013
PNPE7	Claylands	Paignton	ELR2013
PNPE8	White Rock	Paignton	ELR2013
BPNPE1	Oxen and Freshwater Cove	Brixham	ELR2013
BPNPE2	Northfields	Brixham	ELR2013
BPNPE3	Torbay Trading Estate	Brixham	



APPENDIX D

SITES OF SPECIAL SCIENTIFIC INTEREST, NATIONAL NATURE RESERVE AND LOCAL SITES OF WILDLIFE AND GEOLOGICAL INTEREST

APPENDIX D SITES OF SPECIAL SCIENTIFIC INTEREST, NATIONAL NATURE RESERVE AND LOCAL SITES OF WILDLIFE AND GEOLOGICAL INTEREST

Table 28 Torbay Sites of Special Scientific Interest and National Nature Reserve

Name of SSSI/NNR	Town	Notified
Lummaton Quarry	TORQUAY	SSSI Notified 1952
Babbacombe Cliffs	TORQUAY	SSSI Notified 1976, amended 1986
Hopes Nose to Walls Hill	TORQUAY	SSSI Notified 1952
Kents Cavern	TORQUAY	SSSI Notified 1952, extended 1975 & 1993
New Cut, Lincombe Drive	TORQUAY	SSSI Notified 1996
Meadfoot Sea Road	TORQUAY	SSSI Notified 1987
Daddyhole	TORQUAY	SSSI Notified 1988
Dyers Quarry (near Daddyhole Plain)	TORQUAY	SSSI Notified 1988
Occombe	TORQUAY	SSSI Notified 1992
Roundham Head	PAIGNTON	SSSI Notified 1974, amended 1986
Saltern Cove	PAIGNTON	SSSI Notified 1952, extended 1985
Berry Head to Sharkham Point	BRIXHAM	SSSI Notified 1952, amended 1986, designated as a National Nature Reserve 2000

Table 29 Local Sites of wildlife and geological interest

Designation	Town
Ancient Woodlands Inventory (AWI)	
Clennon Hill Wood	PAIGNTON
Rams Hill Copse	PAIGNTON
Big Wood	BRIXHAM
Barn Copse	BRIXHAM
The Grove/Ball Copse	BRIXHAM
County Wildlife Site (CWS)	
Ashleigh	TORQUAY
Black Head (part)	TORQUAY

Cockington Court	TORQUAY
Corbyn Head/ Livermead Head	TORQUAY
Daddyhole Cove to Peaked Tor Cove	TORQUAY
Ilsham Marine Drive	TORQUAY
Lower Gabwell Fields (Labrador Bay)	TORQUAY
Maidencombe	TORQUAY
Petit Tor to Watcombe Coast	TORQUAY
Smalldon Lane & Easterfield Lane	TORQUAY
St. Marychurch Downs	TORQUAY
Thatcher Point (part)	TORQUAY
Torquay Golf Course	TORQUAY
Blue Waters Drive	PAIGNTON
Broadsands Marsh	PAIGNTON
Clennon Ponds	PAIGNTON
Clennon Woods	PAIGNTON
Occombe Woods West	PAIGNTON
Ramshill (Westerland Way)	PAIGNTON
Tor Rocks	PAIGNTON
Berry Head Farm (part)	BRIXHAM
Churston Ferrers	BRIXHAM
Churston Point to Elberry Cove	BRIXHAM
Churston Railway	BRIXHAM
Elberry Cove to Churston	BRIXHAM
Galmpton Common	BRIXHAM
Lupton Park	BRIXHAM
Sharkham Point	BRIXHAM
Southdown & Woodhuish (Yards Lane to Southdown)	BRIXHAM
The Grove	BRIXHAM
Local Nature Reserve (LNR)	
Occombe Farm & Scadson Woods	PAIGNTON
Occombe Valley	PAIGNTON
Sugar Loaf Hill & Saltern Cove	PAIGNTON

Regionally Important Geological Site (RIGS)	
Barton Quarry	TORQUAY
Black Head to Anstey's Cove	TORQUAY
Chapel Hill	TORQUAY
Hollicombe Head-Corbyn Head	TORQUAY
Hope's Nose (south)	TORQUAY
Petit Tor to Maidencombe	TORQUAY
Quarry Woods Quarry	TORQUAY
Barcombe Mews Quarry	PAIGNTON
Crystal Cove	PAIGNTON
Goodrington Road Cutting & Quarry	PAIGNTON
Breakwater Quarry	BRIXHAM
Brixham Cavern	BRIXHAM
Brokenbury Quarry, Churston Ferrers	BRIXHAM
Churston Cove to Churston Point	BRIXHAM
Sharkham Point to Berry Head	BRIXHAM
Other Site of Wildlife Interest (OSWI)	
Asheldon Copse (part)	TORQUAY
Black Head (part)	TORQUAY
Brunel Woods	TORQUAY
Burial Grounds to Stoodley Knowle	TORQUAY
Chapel Hill	TORQUAY
Chelston Slopes to Sherwell Valley	TORQUAY
Cockington Court	TORQUAY
Daison Wood	TORQUAY
Edginswell	TORQUAY
Great Hill	TORQUAY
Lincombe Slopes	TORQUAY
Mainline Railway	TORQUAY
Marldon Road	TORQUAY
Mincent Hill	TORQUAY

Rainbow Fields	TORQUAY
Scadson Plantation/ Ten Acre Brake	TORQUAY
Shiphay Hospital	TORQUAY
Sladnor Park (part)	TORQUAY
Stantaway Hill	TORQUAY
Stentiford Hill	TORQUAY
Torbay Ring Road	TORQUAY
Warberry Copse	TORQUAY
Windmill Hill	TORQUAY
Brake Copse	PAIGNTON
Dartmouth Road	PAIGNTON
Grange Farm	PAIGNTON
Higher Blagdon Woods - Butshill	PAIGNTON
Lower Blagdon Woods	PAIGNTON
Lower Yalberton	PAIGNTON
Meadowside	PAIGNTON
Occombe Woods East	PAIGNTON
Paignton Zoo	PAIGNTON
Primley Woods	PAIGNTON
Shorton Woods	PAIGNTON
Sugar Loaf Hill	PAIGNTON
Torbay to Dartmouth Railway	PAIGNTON
Waddeton Woods (part)	PAIGNTON
White Rock	PAIGNTON
Yalberton Quarry	PAIGNTON
Yalberton Stream	PAIGNTON
Alston Lane	BRIXHAM
Battery Grounds	BRIXHAM
Berry Head Farm	BRIXHAM
Brokenbury Quarry, Churston Ferrers	BRIXHAM
Churston Quarry	BRIXHAM
Kennels Road	BRIXHAM
Manor Farm, Galmpton	BRIXHAM
Mudstone Lane	BRIXHAM

New Road - Monksbridge	BRIXHAM
Rydons	BRIXHAM
Unconfirmed Wildlife Site (UWS)	
Asheldon Copse (part)	TORQUAY
Barton West	TORQUAY
Sladnor Park (part)	TORQUAY
Thatcher Point (part)	TORQUAY
Torre Abbey	TORQUAY
Walls Hill	TORQUAY
Broomball Plantation	PAIGNTON
Highfield Crescent	PAIGNTON
Waddeton Woods (part)	PAIGNTON
Stoke Hill Road & Whitehill Lane	PAIGNTON



APPENDIX E
CONSERVATION AREAS AND SCHEDULED MONUMENTS

APPENDIX E CONSERVATION AREAS AND SCHEDULED MONUMENTS

Table 30 Conservation Areas in Torbay

No	Area	Designation Date	Last Revisions	Character Appraisal Adopted
1	Maidencombe, Torquay	1986	-	2005
2	Watcombe Park, Torquay	1988	-	2005
3	Barton, Torquay	1987	-	2005
4	St Marychurch, Torquay	1980	1987	2005
5	Babbacombe Downs, Torquay	1982	-	2005
6	Cary Park, Torquay	1987	-	2005
7	Torre, Torquay	1989	-	2005
8	Tormohun, Torquay	1989	-	2005
9	Upton, Torquay	1989	-	2005
10	Cockington, Torquay	1980	1988	2005
11	Chelston, Torquay	1978	1989	2005
12	Belgravia, Torquay	1988	-	2006
13	Abbey Road, Torquay	1989	-	2005
14	Warberries, Torquay	1975	1990	2006
15	Torquay Harbour	1975	1988	2004
16	Lincombes, Torquay	1975	-	-
17	Shorton, Paignton	1989	-	2005
18	Polsham, Paignton	2001	-	2009
19	Old Paignton	1986	1987	2006
20	Roundham & Paignton Harbour	1985	-	2009
21	Galmpton, Paignton	1989	-	-
22	Churston, Brixham	1970	1985	-
23	Brixham Town	1971	1999	-
24	Higher Brixham	1976	-	2011

Table 31 Scheduled Monuments in Torbay

Scheduled Monument No	Title	Common Name	Scheduled Area (ha)	Grid Ref
10717	Kent's Cavern, Torquay		1.61	SX 9341 6413
10874	Windmill Cave, Brixham		0.62	SX 9245 5598
24840	Torre Abbey		8.80	SX 9080 6368
29694 01	Berry Head Fort and Battery	Berry Head Fort No. 3	5.67	SX9449 5650
29694 02	Hardy's Head Battery	Hardy's Head Battery	0.03	SX 9405 5666
29695	The Old Redoubt, 540m south west of Berry Head Fort	Berry Head Fort No. 1	1.66	SX 9417 5609
33024	St. Michael's Chapel, Chapel Hill		0.03	SX 9030 6509
33025	Chambered Tomb, 630m north west of Elberry Farm	Broadsands Barrow	0.02	SX 8931 5732
33026	Ashhole Cavern		0.04	SX 9370 5668
33027	Prehistoric Field System at Walls Hill	Walls Hill	5.18	SX 9345 6505
33036	World War II Emergency Coastal Battery and remains of a Victorian practice battery, at Battery Gardens	Battery Gardens, Brixham	3.83	SX 9207 5690
33048	The Bishop's Palace, Tower Road	Bishops' Palace, Paignton	0.36	SX 8861 6076
33796	Two prehistoric hilltop enclosures. A ditch system and four bowl barrows, 300m north of Barton Pines Inn. Partly within neighbouring authority		15.73	SX 8485 6154
33798	Two bowl barrows at Beacon Hill, 120m south of The Beacon. Partly within neighbouring authority	Beacon Hill	0.50	SX 8576 6203



APPENDIX F
CAR PARKING REQUIREMENTS

APPENDIX F
CAR PARKING REQUIREMENTS

Car parking requirements for specific locations and types of development

Town Centres

There is no specified minimum threshold for main town centre uses. In general, existing car parks and on-street parking will be able to service new development. Car-free development may be permitted within town centres, where there is good access to public transport and the potential to utilise spaces within existing car parks. The Council will exceptionally seek provision on-site, for example where a change of use could lead to problems with overspill and indiscriminate parking, which can harm visual amenity or create hazards for traffic and pedestrians. The need for operational commercial vehicle space will be considered.

Where offices are located in town centres, the requirement for on-site provision will be relaxed to 20% of the standard for out-of-centre, subject to the availability of public parking spaces, particularly long-stay parking provision. The Council will seek financial contributions for the use of existing long-stay spaces.

In all instances provision should be made to encourage walking, cycling and public transport as preferred modes of transport through Travel Plans and other measures. This may include the provision of facilities such as bus shelters, showers and changing facilities.

District and Local Centres

Type of development / Use Class	Estimated requirement / guide
A1 Shops, A2 Financial and Professional Services	A minimum will be negotiated taking into account the impact of the use and existing parking provision. The need for operational commercial vehicle spaces will be considered.
Other uses	A minimum will be negotiated taking into account the impact of the use and existing parking provision.

Out-of-centre

Type of development / Use Class	Estimated requirement / guide
Convenience stores above threshold of 1,000 sq m of gross floorspace	Generally 1 car space per every 14 sq m of gross floorspace.
Comparison stores, including garden centres, above threshold of 1,000 sq m of gross floorspace	Generally 1 car space for every 20 sq m of gross floorspace.
Retail stores below 1000 sq m of gross floorspace	A minimum will be negotiated taking into account the impact of the use and existing parking provision
B1 including offices above threshold of 2,500 sq m of gross floorspace	1 space per 30 sq m of gross floorspace.
B2 general industry	1 space per 35sq m of gross floorspace.
B8 storage and distribution	1 space per 200sq m of gross floorspace.
For cinemas, theatres and conference facilities above threshold of 1,000sq m of gross floor space.	1 space per 6 seats Places of entertainment should have appropriate provision for people with disabilities.
Leisure and recreation facilities	1 car space per 25 sq m of gross floorspace
Swimming pools	1 car space per 10 sq m of water space.
Car sales, motor repair and service stations	1 visitor's car space for every 10 cars displayed for sale, 3 car spaces for each vehicle service bay.

Car parking requirements for specific types of development

Residential

	Type of development	Estimated requirement / guide	Notes
a)	Dwelling houses	2 car parking spaces per dwelling unit, of which 1 can be a garage and 1 with electric charging facilities.	In locations such as town centres where there is a greater choice of transport, this standard may be reduced. New dwellings with parking within the curtilage offer the opportunity to promote sustainable technologies such as electric vehicles. Provision of charging points will be supported in car parking areas where practicable. Garages will only be considered as parking spaces where they meet the requirements of note h) in the 'Other parking considerations' section (Table 40).

	Type of development	Estimated requirement / guide	Notes
		Provision of secure and covered cycle storage for at least 2 cycles per house.	Note that the provision of minimum residential parking standards is intended to allow for car ownership, but reduce on street parking. Residential developments will be required to seek to reduce car use through travel plans and provision of good walking, cycling and public transport facilities.
b)	Flats	1 car parking space per flat. Provision of secure and covered cycle storage for at least 1 cycle per flat.	Electric vehicles and car clubs will be supported. 20% of available spaces should have electrical charging points. Garages will need to meet the requirements of note h) in Table 40. Parking for visitors should also be provided.
c)	Elderly persons' sheltered flats / dwellings	1 space per 5 units.	Provision should also be made for mobility scooters with dedicated electric charging points. Storage should be covered, secure and easy to use wherever possible and must form an integral element of the design of the development.
d)	Homes for the elderly and people in need of care	1 space per 8 residents.	Provision should also be made for mobility scooters with dedicated electric charging points. Storage should be covered, secure and easy to use wherever possible and must form an integral element of the design of the development.
e)	HMOs	1 space per 2 bedrooms, plus 1 cycle space per bedroom.	In instances where the location of the HMO and its setting may limit the parking available, the availability of public spaces will be taken into account. See note f) on 'Cycle provision' in Table 40.
f)	Domestic extensions and ancillary buildings	1 space per 2 bedrooms.	Compensatory provision for displaced car parking, garaging and cycle storage. On-site parking displaced by the development should be replaced where necessary.

Hotels and holiday developments

	Type of development	Estimated requirement / guide	Notes
a)	Hotels and guest houses, including extensions.	1 space per bedroom, plus appropriate provision for coaches. Provision for setting down and picking up guests by car or coach should also be provided	In instances where the location of the hotel and its setting may limit the parking available, the availability of public spaces will be taken into account.
b)	Holiday flats, caravans and chalets	1 parking space per unit.	Garages will only be considered as a parking space where they meet the requirements of note (h) in Table 40.

Education facilities (excluding language schools)

	Type of development	Estimated requirement / guide	Notes
a)	Higher and further education establishments	1 space per 3 staff members (full time equivalents), plus 1 space per 20 students attending the establishment, plus 1 cycle space per 10 students.	Relates to total number of students visiting the establishment, not full-time equivalent figures. Plus disabled facilities. A more favourable approach to the parking ratio will be considered in town centres. See note j). on school travel plans in Table 40.

b)	Primary and Secondary schools	1 space per 2.5 staff members (full time equivalents) plus 1 cycle space per 10 students.	Plus disabled facilities and 3 non-motorised scooter parking spaces/10 pupils. See note j). on school travel plans in Table 40.
c)	Pre-school and Nursery	1 space per 4 staff members (full time equivalents), plus 1 cycle space per 4 staff.	See note j). on school travel plan in Table 40.

Healthcare

	Type of development	Estimated requirement / guide	Notes
a)	Health Centres and Surgeries	1 space per practitioner plus 1 space per 3 ancillary staff.	'Practitioner' to include doctor, dentist, nurse and health visitor.
b)	Hospital related development	Essential vehicles as required plus 2.5 spaces per bed.	

Marinas

	Type of development	Estimated requirement / guide	Notes
a)	Marinas	1 car and trailer space plus 1 space per berth.	Transport assessment and travel plan required

Other parking considerations

	Type of development	Notes
	Context and specifications	A parking space for new development will be regarded as a minimum of 2.4ha by 4.8m. Parking spaces for disabled persons should be a minimum of 4.8m by 3.6m (or where side-to-side, 4.8m by 2.4m with a minimum of 1.2 m between them). Parking courts will also require maneuvering space of 6m to enter and exit a space. Where parking spaces are accessed directly from the highway, a space shall be 3.2m by 6m (5.5m minimum where there is no door opening into the parking area) to ensure that the highway is not obstructed. The Council's Highways Design Guide and Manual For Streets 2 provide more general guidance. It is recognised that existing spaces may sometimes below this standard.
a)	Other uses	Car parking standard for uses not set out in this schedule will be determined on a case by case basis dependent upon the scale, location and requirements of the use. This will be balanced against the ability to utilise more sustainable forms of travel as primary means of access.
b)	Shared use of parking, where there is realistic potential.	Shared use of parking, particularly in town centres and as part of some mixed use proposals, will be sought, especially where peak parking times/levels from the different uses do not coincide and there is good access by public transport.
c)	Electric charging facilities and infrastructure	All new development should, where viable, include provision for electric charging points and their necessary infrastructure. Electric vehicle charging points enjoy permitted development rights.
d)	Car Clubs	For all residential developments over 100 units, provision for the secure parking of 1 car as part of a community car club scheme will be encouraged. For industrial and retail developments in excess of 300 employees, 1 space will be encouraged.
e)	Provision for people with disabilities and parents with young children	Up to 10% of the total allocation of car parking spaces should be dedicated and appropriately designed for disabled people and provide for safe, easy and direct movement for those with mobility difficulties. Certain uses should also provide for parents with young children.
f)	Cycle provision	For residential development, a minimum of 2 cycle spaces per dwelling should be provided; for non-domestic uses, 1 space per two employees. Cycle storage should be covered and secure and easy to use wherever possible and must form an integral element of the design of the development.

g)	Parking courts	For major residential or mixed use schemes, the Council may support the initial use of parking courts for other communal uses, such as allotments. This consideration will go hand in hand with use of a Travel Plan and active monitoring of on-street parking, congestion and free flow of traffic. Where such monitoring shows unacceptable risks to safety/amenity as a result of lack of off-street parking provision, the communal facility will be required to be used for parking.
h)	Parking within the curtilage will only include garages where specified criteria are met	Garages will only be counted as parking spaces where they are large enough to both accommodate cars and make provision for general storage (including cycle storage), or alternatively, provision for general storage can be made elsewhere within the curtilage. Where garages meet this criterion, retention of garages for parking will be required by planning condition. Minimum single garage internal dimensions (6m by 3.30m) to provide internal circulation space (1m on driver's side and 0.45m for passenger vehicle door opening). If no dedicated alternative storage is provided within the curtilage, additional width of 0.75m for cycle storage and 1m depth/width for refuse storage is required.
i)	Operational commercial vehicles	Proposals for new commercial space and public venues should make provision for the parking and turning of commercial vehicles (for example delivery vehicles, coaches and car transporters)
j)	Travel Plans for schools	School Travel plans are required where provision for 30 or more extra pupils is planned. A Transport Assessment is required for proposals generating over 30 trips during the morning peak period of 8-9am.

Tor Bay Harbour Authority
Port Masterplan



Fit for a Sustainable Future
for the Bay and the three enclosed Harbours of Brixham, Paignton and Torquay

July 2013

Client
Tor Bay Harbour Authority
Torquay Harbour Office
Beacon Quay
Torquay
TQ1 2BG

www.tor-bay-harbour.co.uk

Project Manager
Torbay Development Agency
3rd Floor Tor Hill House
Union Street
Torquay
TQ2 5QW

www.torbaydevelopmentagency.co.uk

Consultant
Royal HaskoningDHV
Rightwell House
Bretton
Peterborough
PE3 8DW

www.royalhaskoningdhv.com

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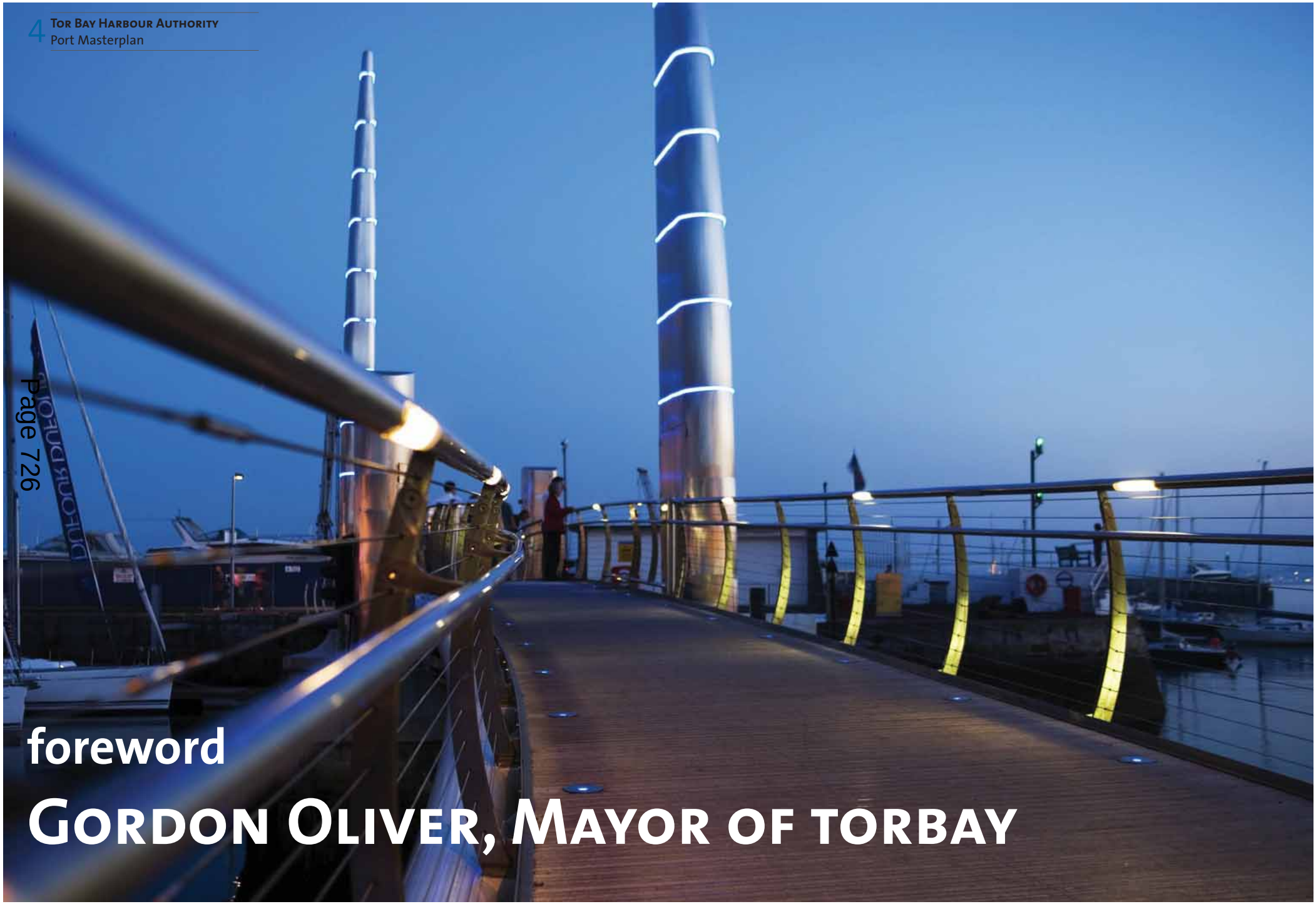
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foreword

Gordon Oliver, Mayor of torbay

Foreword by Gordon Oliver, Mayor of Torbay

"Torbay's coastal location has been the most influential factor in our history and it is also an essential part of our future. With its sheltered location and horseshoe shape, Tor Bay offers a reliable, safe anchorage that has traditionally been enjoyed by merchant shipping. These qualities have enabled the Bay to play a pivotal part in British maritime history including hosting the naval fleet during the Napoleonic Wars.

Furthermore the geography provides near perfect conditions for prestigious and historic sailing competitions. The first Tall Ships race was held in 1956 from Torquay to Lisbon and Tall Ships remain regular visitors to the Bay today. The historic fishing harbour at Brixham is the birth place of modern trawling and today it has the highest value of catch of any fishing port in England and Wales. The single statutory harbour (created in 1970) and its collective estate (including Brixham, Torquay & Paignton) continues to be a crucial part of Torbay's infrastructure and economy today, and with growing demand for this valuable resource it is now time to set out our plan for the future.

The enclosed harbours are essential for the fishing industry and other commercial interests and they will play a key role in creating jobs for the future and stimulating economic growth. The Bay remains popular with leisure users and balancing their needs with those of industry and the natural environment is essential if we are to maintain a vibrant and sustainable harbour for future generations to use and enjoy. In the last 10 years significant progress has been made with widespread waterfront regeneration at Torquay Harbour, complete with the hugely popular Town Dock pontoon berthing project.

More recently an investment of some £20m has seen a new fish landing quay, office complex, fish processing units, fish restaurant and new state of the art fish market at Brixham Harbour. Meanwhile, supported by the Environment Agency, critical repairs have been undertaken to our major sea defences in both Torquay and Brixham. In total the last decade has probably seen over £50m spent on core harbour infrastructure development. This level of investment in our harbour has helped to provide new jobs, deliver growth and help support the local economy.

Creation of this Port Masterplan offers a unique opportunity to set out, for the first time, a practical and realistic strategy for the future of Tor Bay Harbour and its enclosed harbours. This plan, which considers the legitimate needs of the whole range of harbour users and the wider community, can then be considered alongside more traditional land based planning documents such as the Local Plan.

I therefore look forward to seeing how the ideas suggested in the Masterplan emerge over the next 20-25 years, especially now that strategic thinking and decision making will be better informed."



Executive Summary

Executive Summary

1. Introduction

The Port Masterplan has been prepared by Royal HaskoningDHV for Tor Bay Harbour Authority (TBHA). The Masterplan covers the area within the limits of TBHA's jurisdiction and includes the enclosed harbours of Brixham, Paignton and Torquay.

The Harbour Authority is responsible for improvements to the Harbour facilities to accommodate changes in the needs and demands of port customers, port users, stakeholders and legislation in order to ensure a growing business. Great efforts and significant expenditure has been made in preparing for and implementing a number of developments over the years (approximately £50m in the last 10 years alone).

The purpose of the port masterplan is to:

- Identify the port's own strategic planning for the medium to long term
- Inform port employees, port users, the local community and key stakeholders as to how they can expect to see the port develop over the coming years
- Assist regional and local planning bodies, and transport network providers, in reviewing and preparing their own development strategies in accordance with the port's future development

The Tor Bay Harbour Authority – Port Masterplan is a high level document that provides overall strategic spatial development guidance on the most sustainable future for Tor Bay Harbour and the three enclosed harbours. The Port Masterplan for Tor Bay Harbour will:

- form part of the evidence base for the new Torbay Local Plan and assist regional and local planning bodies, and transport network providers, in preparing and revising their own development strategies
- inform port users, employees and local communities as to how they can expect to see the port develop over the next 20 years in response to anticipated changes in the marine industry (both commercial and leisure), the fishing and tourism industries, as well as industry trends within the regional ports sector
- clarify the port's own strategic planning for the medium to long term
- show how the Harbour Authority expects to grow and develop its business over time
- indicate where changes of land-use are likely to be required to support growth
- highlight environmental measures to ensure that the Harbour Authority makes a positive contribution to the environment and amenity

2. Context of Tor Bay and the three enclosed harbours of Brixham, Paignton and Torquay

Tor Bay is a beautiful natural harbour providing shelter from winds and waves from the westerly sector. Its natural protection has traditionally allowed ships to anchor in the Bay for shelter. The Bay is part of the Lyme Bay and Tor Bay candidate SAC (Special Area of Conservation). It also contains a number of geological SSSIs (Site of Special Scientific Interest) and is in a potential MCZ (Marine Conservation Zone) proposed by Defra. The coastline provides a flood defence for low lying coastal areas.

Although the Bay is used for many recreational activities it is also well used by merchant ships, naval vessels, tugs and towed barges and other vessels. The Bay is also used as a Port of Refuge by marine casualties looking for a safe haven from south westerly storms. This makes the Bay very much a 'working harbour'.

Brixham Harbour is the largest fishing harbour in England and Wales by value of catch. It is well protected from wind and waves from most sectors due to the shape of the Bay but is slightly exposed to refracted swell waves and wind waves from the north to north west sectors. This exposure limits the development opportunities in the Outer Harbour.

The harbour is surrounded by an attractive residential area and the harbour has a new large fish market. The outer harbour provides swinging moorings for boats and a large marina with pontoons. The Breakwater provides a well-used promenade for residents and visitors. There is a well-used slipway at Oxen Cove on the western side of the Outer Harbour.

The Inner Harbour is home to a fleet of six heritage sailing trawlers and a replica of the Golden Hind. It also provides some moorings for boats.

Paignton Harbour entrance faces north and although largely protected from most wind waves it is exposed to swell waves from the eastern sectors. The harbour provides a location for a number of marine related businesses

including a crab processing factory and for recreational sailing activities particularly during the summer months. The harbour dries out at low tide and has a shortage of boat storage areas. The harbour has two slipways, one on the East Quay and one on the West Quay. It also has a small area for boat parking and dinghy storage.

Torquay Harbour is well protected from wind and waves from most sectors except refracted waves from the east to the southeast sectors. This exposure limits the location of marina pontoons in the Outer Harbour. The harbour accommodates two marinas for boats and yachts, maritime events, visiting yachts, passenger boats, fishing vessels, commercial vessels and tenders for cruise ships. Haldon Pier has a modern wide slipway and Beacon Quay contains shops, marine businesses, cafes and space for trailers and a dinghy park. Princess Pier is a popular promenade and provides access to sightseeing boats and cross-bay ferries. The Old or Inner Harbour lies behind a new half tide cill and pedestrian lifting bridge and is planned to have new pontoon berths in 2014. South Pier has a mobile crane for launching and recovery of boats and a fuelling station.

3. The strategy for Tor Bay and the three harbours of Paignton, Brixham and Torquay

The visionary strategy outlines the ambition and targets as well as the future desired position of Tor Bay Harbour. Furthermore, it forms a sophisticated framework for the development of options and for the port masterplan itself.

The overarching strategy for Tor Bay Harbour Authority is to provide a high quality service that is committed to improve Tor Bay Harbour and provide a cleaner and safer environment by addressing the following objectives:

- Maintain Tor Bay Harbour and the three enclosed harbours under the management of one Port Authority
- Review and use the statutory powers of the Harbour Authority to fulfil its statutory duties in a timely manner for the purpose of improving, maintaining and managing the harbour while continuing to contribute, where possible, to the finances of the owning authority
- Develop robust partnerships with key maritime stakeholders to attract and deliver commercial port businesses contributing to job creation and the local economy
- Manage the harbour in a sustainable manner by supporting a variety of maritime activities including fishing, shipping, marine related businesses, heritage, eco-tourism and marine recreational facilities.
- Balance the responsible stewardship of the marine environment with appropriate socio-economic development and use of Tor Bay
- Measure and monitor the needs and wishes of harbour users, the local community and visitors through appropriate research
- Improve connectivity between the enclosed harbours by upgrading facilities for marine transport

4. Consultation and Community Engagement

Community and stakeholder engagement was essential in generating a two way communication forum in which interested parties could discuss ideas, concerns and wishes as well as identifying areas where the Port Masterplan could assist with projects being led by other groups.





During the development of the Tor Bay Harbour Authority – Port Masterplan the following consultation events have been undertaken:

- Consultation Event held on 11th October 2012
- Drop-in Stakeholder Events on 11th, 12th and 14th February 2013
- Email distribution of the draft Port Masterplan to stakeholders and incorporation of feedback
- Appraisal by Harbour Committee on 3rd June 2013
- Presentation of final Port Masterplan on 23rd July 2013

5. Tor Bay Harbour

Tor Bay Harbour provides a large natural protected area of water for leisure, recreational, tourism and commercial use. The coastline and the harbour waters in Tor Bay are a valued resource for the community but the Harbour continues to be a 'working harbour' and the waters have to be shared with commercial shipping, cruise ships, fishing vessels and marine businesses serving shipping.

Fishing is vitally important to the port of Brixham. The new fish market has helped safeguard Brixham's position as one of the most important fishing ports in England and Wales by value of catch with an excellent reputation for the quality of its fish.

There are a limited number of cruise ship calls in the Bay and these tend to call between May and September. There are also marine service industries including towage services, pilotage, marine provisions services, sightseeing boats and cross-Bay ferries and some marine engineering and small scale boat repair.

Regional Connectivity

Tor Bay is approximately 18 miles to the south of Exeter and 26 miles to the east of Plymouth. It is linked to Exeter and the motorway via the A380 and completion of the South Devon Link Road (Kingskerswell Bypass) in 2015 will remove the bottleneck between Torbay and the wider M5 corridor. It is connected to the south and west including Plymouth via the A385.

Torbay is not linked to high speed rail services between London, Exeter, Plymouth and the Midlands unless passengers change at Newton Abbot. However, Torbay does benefit from three railway stations and the proposed 'Devon Metro' project.

Local Connectivity

The three towns of Torquay, Paignton and Brixham (that make up Torbay) are linked by an eastern and western transport corridor. The eastern corridor comprises the A3022, A379 and B3199 and the western corridor, the A380 and A3022. The three enclosed harbours at Torquay, Paignton and Brixham are linked by the South West Coast Path which follows the coastline. There are also a number of cross Bay ferry services that link the three enclosed harbours, however these are generally seasonal.

Spatial and socio-economic SWOT analysis

A spatial and socio-economic SWOT (Strengths, Weaknesses, Opportunities and Threats) analysis was carried out. The main outcomes are based on strategic port and transport planning, overall tourism & business aspects as well as on the maritime and environmental background. The detailed analysis is not included in this Executive Summary.

Policy background – Planning and Transport

The following document forms the land use development plan for the area, as of June 2013:

- Torbay Local Plan (April 2004) (this Local Plan is under review in 2013 – see 'A Landscape for Success')

Other documents and plans include:

- National Planning Policy Framework (March 2012)
- National Policy Statement for Ports (October 2011)
- Regional Planning Guidance for the South West (RPG 10) (Sept 2001) (revoked May 2013)
- Regional Spatial Strategy for the South West: Secretary of State's Proposed Changes (July 2008)
- Devon Structure Plan (October 2004) (revoked May 2013)
- LDF - Core Strategy DPD - Regulation 25 Draft Core Strategy: Vision, Objectives and Growth Options (September 2009)
- A Landscape for Success: The Plan for Torbay to 2032 and beyond Local Plan Consultation Draft (September 2012)
- The emerging Torquay, Paignton and Brixham Neighbourhood Plans

One of the key features of the statutory plans in this area is that they are dated, which will have implications for the relevance of other documents and plans (material considerations). As the Port Masterplan is intended to cover the next 25-30 years many of the existing plans and guidance will be replaced.

A Landscape for Success is the first draft of the new emerging Local Plan. It is based on the Core Strategy, referred to above, and the initial comments made on that document from the public consultation carried out to date.

In summary the specific polices related to Tor Bay Harbour and the enclosed harbours are:

- support for investment in marine-related development where this produces clear economic benefits to the area
- within seafront and harbour areas, development that helps create a vibrant and diverse evening and night time economy

- the retention, improvement and creation of new, high quality tourism and leisure attractions and facilities in the harbour, waterside and seafront areas of Torquay, Paignton and Brixham
- making a proactive use of the marine environment and maritime heritage for leisure, tourism and employment, and supporting existing visitor attractions
- the provision of facilities, such as new harbour/marina facilities and a new national visitor attraction
- providing improved maritime facilities as part of the regeneration of harbourside and waterfront areas

In particular for Brixham, the policy includes the improvement of the harbour's role as a fishing port with a nationally important working harbour through a number of schemes including better water based transport facilities.

The emerging Torquay, Paignton and Brixham Neighbourhood Plans are the new form of development plan documents introduced by the 2011 Localism Act. All these plans are at the earliest stage of preparation – the Pre-submission consultation and publicity.

The Local Transport Plan – Devon and Torbay Strategy 2011 - 2026 (April 2011) contains a number of policies related to transport and the harbours.

In summary there are a number of key transport themes that the Port Masterplan will need to support, namely:

- Connectivity, protecting and enhancing the accessibility to the working harbours for all transport modes
- Traffic Growth, managing any increase in traffic demand from the proposed Port Masterplan to ensure the continued viability and attractiveness of the harbours
- Parking demand, managing the need to provide parking and recognising the need to prioritise limited parking for key harbour users

Natural Environment

Tor Bay has a number of environmental designations that recognise the high environmental quality of the Bay. It has shallow coastal sites for seagrass which provide shelter for marine flora and fauna including seahorses. The rocks and rocky coastline provide roosts for seabirds and some areas have seasonal protection for nesting and over-wintering seabirds. The coastline is mainly limestone and sandstone and this geology provides a home for many diverse species of marine life.

The beaches in Torbay have won many awards and the coastal waters in Tor Bay are of good quality. Any development will need to minimise the impact on water quality and protect the existing mussel farm and any future aquaculture.

The seabed in the Bay consists of soft muddy sands and the muddier areas of the Bay hold moderately rich communities of marine flora and fauna. In particular the Bay contains a number of areas of eelgrass. There are also marine caves that provide shelter for a rich variety of marine flora and fauna.

This huge diversity of marine life attracts animals from further up the food chain. Any developments must not significantly impact on any protected species and management of the Bay should protect such species.

Tor Bay contains a number of geologically important sites featuring some of the best examples of the range and diversity of bedrock reef, stony reef, and sea caves.

The effect of climate change on Tor Bay Harbour is likely to be a sea level rise of 0.4m over the next 70 years (UK Climate Projections (UKCP09) – Marine Report Chapter 3 Estimates of relative sea level changes using high central estimate values), increased storminess with a consequential increase in wave heights and fluvial flooding, increased rainfall intensity and frequency leading to a greater risk of pluvial flooding and increased summer temperatures. Any developments should provide protection against future wave overtopping and contribute to flood protection.



Recreation, leisure and tourism

Tor Bay provides a large area for water sports recreation and leisure use including swimming, sailing, water skiing, diving, motor boating, sea angling, kayaking, kite surfing, paddle

boarding, rowing and personal watercraft. These activities require land based facilities and amenities to support them and there are currently insufficient boat repair and launching facilities and storage areas. The beaches are also used for walking and beach sports.

5. Proposals for Tor Bay Harbour

A large number of ideas were collected at the Consultation Meeting held on 11th October 2012 and these have been investigated by the consultants' team and discussed with Tor Bay Harbour Authority at several meetings. The proposals taken forward were generally highlighted as being achievable, viable and making a positive contribution to tourism, marine businesses and to facilities for residents in Torbay.

Tor Bay Harbour

The following proposals were put forward for Tor Bay:

- Sea angling locations within the statutory harbour limits including at Babbacombe Pier
- An artificial reef in Tor Bay to provide opportunities for leisure divers
- Development of land at Broadsands to provide a maritime centre with dinghy and boat park and launching facilities
- Support to any eco-tourism in the Bay and opportunities presented by the Geopark

Brixham Harbour

A number of ideas for tourism related, marina facilities and maritime business developments were collected at the Consultation Event. Some ideas for the Outer Harbour depend on the construction of a new Northern Arm breakwater. The following proposals were selected with the first five proposals able to be developed without the Northern Arm.







- A half tide cill and cill gate with a pedestrian lifting or swing bridge as an extension of Middle Pier
- Redevelopment of the Coastguard Building after it is vacated in 2014
- Development of a small reclaimed area adjacent to Strand Quay to support maritime events
- Possible development of a Maritime Museum for heritage fishing vessels
- Return of South Quay to marine related use
- A new Northern Arm breakwater
- Redevelopment of the old derelict tanker berth to provide a bulk fuel station for fishing vessels and/or a Tall Ship berth.
- A new reclaimed area along the south western side of the Outer Harbour to provide a berth for Pelagic fishing vessels, facilities for a hatchery and shellfish storage and depuration, a boat maintenance facility, a recreational slipway (to replace the Oxen Cove slipway), boat repair businesses, boat building & marine related retail premises, additional car parking and boat storage, a Facilities Building for a new marina and improved access to Oxen Cove
- Additional marina pontoon berths on the west side of the Outer Harbour
- An extension to the marina adjacent to the existing Victoria Breakwater

Paignton Harbour

The harbour area is relatively small and this limits the viability of any potential development. There is a wish to retain the 'quaintness' of the harbour.

The following proposals were selected:

- Redevelopment and refurbishment of South Quay
- Relocation of crab processing factory and store to an inland site
- Retain listed buildings and consider redevelopment or refurbishment
- Potential for redevelopment of the existing Harbour Light restaurant
- Raising of East Quay wall to limit overtopping
- A new slipway on the seaward side of the East Quay
- Extension to East Quay to improve passenger boat facilities and better protect the harbour from surge waves







Torquay Harbour

The harbour is already well developed and therefore some ideas were based on possible extensions to Haldon Pier and Princess Pier to provide additional berths in deeper water. The following proposals were selected:

- Widen the Strand Quay to create a promenade and an area for events
- Provide pontoon berths in the Inner Harbour (already planned for 2014)
- Maintain access for heavy goods vehicles to Beacon Quay and Haldon Pier along Victoria Parade
- Modify landscaping in Victoria Parade to provide drop-off bays
- Acquire fuel station and refurbish or relocate to Haldon Pier
- Provide landmark 'gateway' to Harbour at Beacon Hill entrance
- Improve facilities for passenger sightseeing boats at the Fish Quay
- Install pontoons for fishermen adjacent to the west end of Princess Gardens
- Extend Beacon Quay over top of listed D-Day slipways to provide wider area for boat park, promenade and coach marshalling
- Relocate and improve the passenger ferry pontoon and brow at Beacon Quay
- Provide improved pontoons and access brow for visiting yachts and cruise ship passengers on inside of Haldon Pier
- Refurbish and upgrade old ferry landing stage on west side of Princess Pier to provide safe all tide access to ferries
- Improve provision for sea angling off Princess Pier





- Provide slipway and boat park on south side of Haldon Pier
- Provide pontoons for visitors and passenger boats inside Princess Pier
- Provide berthing dolphins on seaward side of outer arm of Princess Pier for events such as Tall Ships
- Extend Haldon Pier westwards to provide multi-purpose berth for vessels up to 5.5m draught.
- Install mobile or fixed crane on Haldon Pier to lift out boats
- Integrate Masterplan with proposed hotel development on North Quay
- Transfer Living Coasts site into the Harbour estate
- Review flood protection

6. Socio economic considerations

Tor Bay Harbour and the three enclosed harbours provide employment mainly within the Torbay area. Employment is provided by commercial harbour activities including the fishing vessels, fish market and fish processing at Brixham Harbour, support services, marine supplies and towage services, sightseeing boats and cross-Bay ferries, mussel farms, boat repair and servicing in Tor Bay Harbour generally and limited numbers of retail businesses in all the enclosed Harbours. The marinas at Brixham Harbour and Torquay Harbour also provide employment. The harbour also supports recreational sailing, wind surfing, sail boarding, water skiing, sea angling and diving.

The development of new marine infrastructure is expensive and needs to provide a financial return based on an increase in employment as well as lease or sale value to businesses. Developing business cases that are viable for some of the schemes set out in this plan may not be possible, however grant funding will be sought where projects offer benefits to the wider economy by improving the amenities of the harbour.

For example the fishing industry is vital to Brixham and this could be enhanced by the provision of fishing vessel repair facilities and improved fish processing businesses. Also the enclosed harbours and the natural environment of the Bay are essential to marine tourism and leisure activities and many of the proposals contribute to enhancing facilities for boats, sea angling, diving and maritime events. The plan should also support the maintenance of services to ships anchoring in the Bay, to cross-Bay ferry operators and facilities to attract more cruise ships.

7. Implementation and delivery

The proposals for development are comprehensive but they cannot all be implemented and delivered at once. Many of the proposals will require funding from a number of sources. Some of the proposals are for developments where some of the implementation stages have already been completed or are currently in progress.

The proposals have been divided up into short term (0 to 5 years), medium term (5 to 15 years) and long term (15 to 30 years). Many of the proposals, while improving the harbour areas, cannot demonstrate a positive return on investment and therefore require capital grants or enabling compensatory developments. In order to implement most of these proposals a number of pre-construction steps are required, including environmental scoping studies, environmental field studies and investigations, EIA and a number of consents and licenses.

Some proposals are within the statutory powers of Tor Bay Harbour Authority under the Tor Bay Harbour Act 1970 or have permitted development rights under the Local Plan.

The Tor Bay Harbour Authority – Port Masterplan is a strategic document for the future development of Tor Bay Harbour and the three enclosed harbours. It contains a number of proposals for development and these may be implemented over the 30 year period of the Port Masterplan. However circumstances and demands can change and the Port Masterplan provides a strategic framework that needs to be flexible and will require review periodically and ideally every 5 years.



chapter 1
Introduction

chapter 1_Introduction

This Port Masterplan has been prepared by Royal HaskoningDHV for Tor Bay Harbour Authority (TBHA). The Masterplan covers the area within the limits of TBHA's jurisdiction and includes the enclosed harbours of Brixham, Paignton and Torquay.

Setting the scene

The following section sets the scene for where the harbour is now, highlighting the actions and activities undertaken by the Harbour Authority over the last 30 years. It provides an overview of the purpose and approach of the Tor Bay Harbour Authority – Port Masterplan.

The Harbour Authority is continuously responsible for improvements to the harbour facilities to accommodate changes in the needs and demands of port customers, port users, stakeholders and legislation in order to ensure a growing business. Great efforts and significant expenditure (approximately £50m in the last 10 years alone) has been made in preparing for and implementing the following developments for Tor Bay Harbour and the three enclosed harbours by the Harbour Authority over the last 30 years.

Major improvement projects include the following:

- Development of Torquay Marina
- Oxen Cove Reclamation
- Development of Brixham Marina
- Prince William Walkway – Brixham Harbour
- North Quay Toe-Piling – Paignton Harbour
- East Quay Low Water Extension – Paignton Harbour
- Middle Pier Capping – Brixham Harbour
- Middle Pier Crane – Brixham Harbour
- Accelerated Low Water Corrosion Remedial Works – Brixham Harbour
- Brixham Harbour Town Pontoon
- Torquay Inner Harbour Impounding Works
- Beacon Quay Harbour Estate Redevelopment – Torquay Harbour
- Torquay Inner Harbour Lifting Bridge and Half-Tide Cill
- Beacon Quay Widening Works and New Slipway – Torquay Harbour
- Torquay Harbour 'Town Dock' Pontoon Berths
- New Quay, Fish Market and Harbour Estate Redevelopment – Brixham Harbour
- Passenger Boat Pontoons and Access Brows – Torquay and Brixham Harbours

Purpose of the Port Masterplan

In 2010 the Department for Transport (DfT) issued "Guidance on the preparation of port master plans". This guidance sets out the overall purpose of undertaking a Port Masterplan which is to:

- Identify the port's own strategic planning for the medium to long term
- Inform port employees, port users, local community and key stakeholders as to how they can expect to see the port develop over the coming years
- Assist regional and local planning bodies, and transport network providers, in reviewing and preparing their own development strategies in accordance with the port's future development

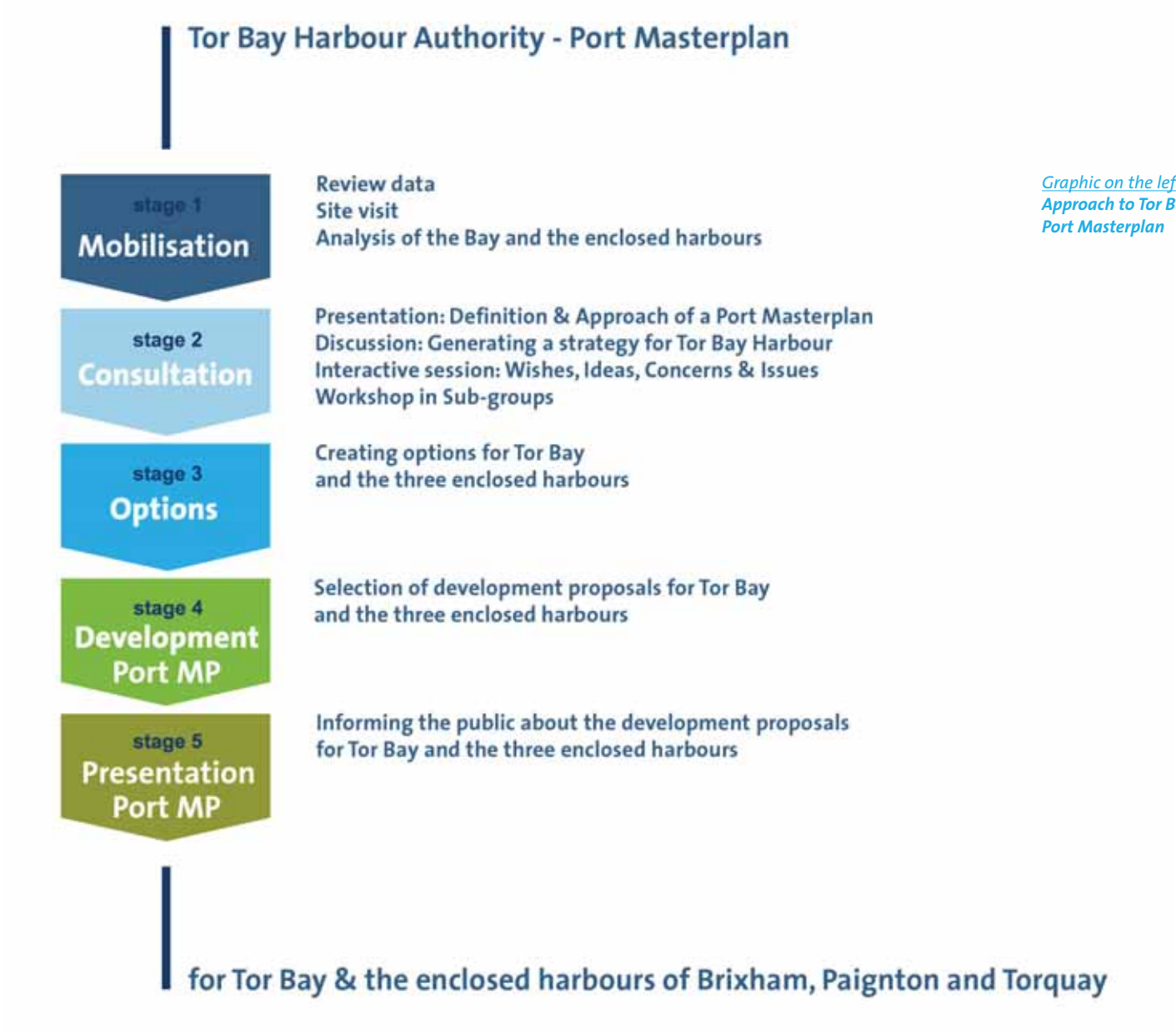
How to understand this document

The Tor Bay Harbour Authority – Port Masterplan is a high level document that provides overall strategic spatial development guidance on the most sustainable future for Tor Bay Harbour and the three enclosed harbours.

A Port Masterplan acts as a framework document to set the scene for the future of the port and to ensure sustainable development. It is not meant to include detailed plans of developments for implementation. The nature of a Port Masterplan is to provide flexibility and aspirations for development over both the short and longer term. It is possible that only a few of the proposals will be realised quickly, but it is essential to provide the long-term framework and overarching umbrella for future development in order to create synergy in developments and enable strategic planning for the future.

In addition the Port Masterplan replaces the existing strategic document A Tor Bay Harbour and Maritime Strategy 2007 – 2017 'Catching the Wave'.

A Port Masterplan is also a very helpful tool for communicating with all involved parties. The document, especially the vision and strategy, can be used for all related marketing activities for both external and internal use within the Harbour Authority, the Local Authority and the Torbay Development Agency.



Graphic on the left
Approach to Tor Bay Harbour Authority – Port Masterplan

Approach of the Port Masterplan

The following briefly summarises our approach and the stages undertaken to complete the main aspects of a successful Port Masterplan process.

The key to our approach was a flexible, staged, step by step process that enabled the evolution of outcomes, ideas and the incorporation of issues at each stage by Tor Bay Harbour Authority, the Torbay Development Agency, the Local Authority, harbour users, stakeholders, the community and the rest of the port masterplanning team.

The main stages that have been undertaken since July 2012 are as follows:

- Undertaking an initial consultation event to inform key stakeholders about the masterplanning process and to manage expectations
- Creating a strategy that will inform the options and the overall development
- Presenting options to the public during the drop-in sessions on 11th - 14th February 2013 in Brixham, Paignton and Torquay
- Developing and presenting the Tor Bay Harbour Authority – Port Masterplan to the public, harbour users, the community and key stakeholders

Another key strength of this process was that it provided a clear record of how the plan was developed and gave the opportunity at every stage, for all parties to make positive contributions, fostering a holistic team approach.

In our experience this approach demonstrates the importance we place upon consultation which facilitates 'buy-in' and 'sign-off' at each stage of the process. This ensures that no one is left out and helps promote active participation and ownership of the planning process.

This approach enables the planning to start and remain focused on the key issues by ensuring that the planning team's findings and ideas, initial and draft plans can be reviewed and commented on by the most important groups, such as the local authority, the community as well as other key stakeholders and of course the Tor Bay Harbour Authority.

Why we are producing a Port Masterplan

The main purpose of the Port Masterplan is to provide the spatial context to Torbay Council's Marine Economy Action Plan and to Tor Bay Harbour Authority's existing maritime strategy.

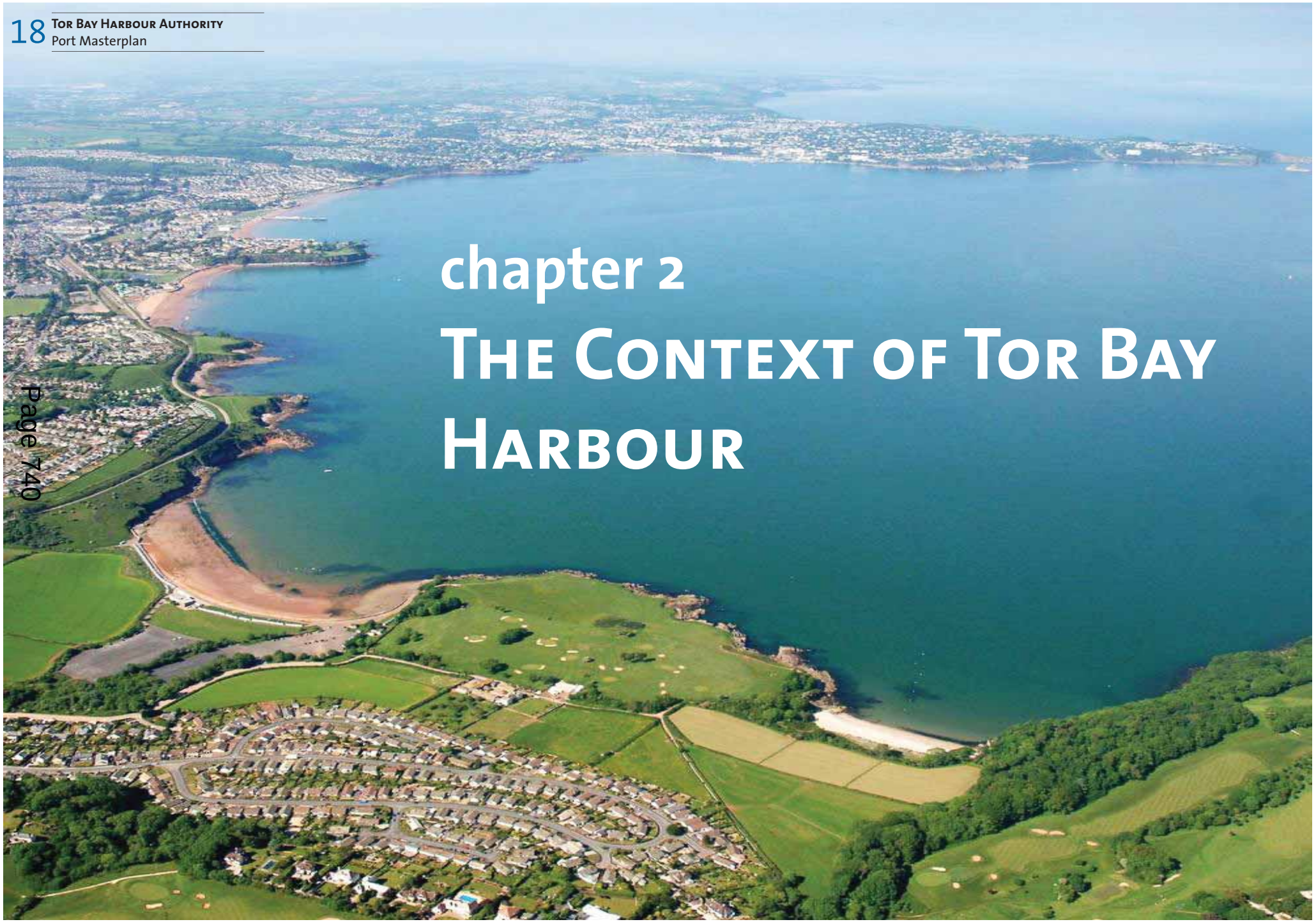
The Port Masterplan for Tor Bay Harbour will:

- form part of the evidence base for the new Torbay Local Plan and assist regional and local planning bodies, and transport network providers, in preparing and revising their own development strategies
- inform port users, employees and local communities as to how they can expect to see the port develop over the next 20 years in response to anticipated changes in the marine industry (both commercial and leisure), the fishing and tourism industries, as well as industry trends within the regional ports sector
- clarify the port's own strategic planning for the medium to long term
- show how the Harbour Authority expects to grow and develop its business over time
- indicate where changes of land-use are likely to be required to support growth
- highlight environmental measures to ensure that the Harbour Authority makes a positive contribution to the environment and amenity

The Port Masterplan will cover the area within the jurisdiction of Tor Bay Harbour Authority, which includes the Bay itself and the three enclosed harbours of Brixham, Paignton and Torquay.

For clarification

This is a port masterplan. Tor Bay Harbour Authority owns the harbours of Brixham, Paignton and Torquay and technically these harbours are all ports and the harbour is the Bay. The definition of a harbour is a protected area of water where ships can seek refuge. Within the text the term 'harbour' is used to describe Tor Bay and 'enclosed harbours' or the individual harbour name is used to describe the three ports.



chapter 2
The Context of Tor Bay Harbour

chapter 2_ The Context of Tor Bay and the three enclosed Harbours of Brixham, Paignton and Torquay



Tor Bay - an attractive natural harbour for residents and tourists

This section sets out the general characteristics of Tor Bay and the three enclosed harbours of Brixham, Paignton and Torquay and highlights the main uses of each harbour location. It also includes spatial considerations including positive as well as critical aspects for all elements of the harbour.

Tor Bay

Tor Bay is a beautiful natural harbour providing shelter from winds and waves from the westerly sector. Its natural protection has traditionally allowed ships to anchor in the Bay for shelter.

The Bay is part of the Lyme Bay and Tor Bay candidate SAC (Special Area of Conservation). It also contains a number of geological SSSIs (Site of Special Scientific Interest) and is in a potential MCZ (Marine Conservation Zone) proposed by Defra. The coastline provides a flood defence for low lying coastal areas.

Tor Bay is a popular venue for water sports where it is used for sailing, water skiing, swimming, angling, kite surfing, wind surfing, motor boating, kayaking, paddle boarding, rowing and personal watercraft. There are demarcated controlled areas for swimming and other water sports in use between May and September and within these areas speeds must not exceed 5 knots.

Tor Bay hosts a number of maritime leisure events including long distance swims, dinghy and keelboat championships, rowing regattas, trawler races, powerboat racing and angling festivals. The Bay is also visited by cruise ships which moor in the Bay off Torquay Harbour and have done since the 1960s.

Tor Bay also provides anchorages for commercial shipping and which are often serviced by local shipping agents and businesses. There are frequent seasonal passenger ferries that cross the Bay connecting Torquay, Paignton and Brixham Harbours.

Although the Bay is used for many recreational activities it is also well used by merchant ships, naval vessels, tugs and towed barges and other vessels. The Bay is also used as a Port of Refuge by marine casualties looking for a safe haven from south westerly storms. This makes the Bay very much a 'working harbour'.

Brixham Harbour





Brixham Harbour - a major fishing harbour with a long heritage and flourishing related businesses including a marina

Brixham Harbour

Brixham Harbour is the most important fishing harbour in England and Wales by value of catch. It is well protected from wind and waves from most sectors due to the shape of the Bay but is slightly exposed to refracted swell waves and wind waves from the north to north west sectors. This exposure limits the development opportunities in the Outer Harbour.

The harbour is surrounded by an attractive residential area and the harbour has a new large fish market with a chill store, harbour offices and processing units. There is a basin for fishing vessels. The Outer Harbour provides 250 swinging moorings for boats and a large marina with pontoons. It also has a RNLI station with an adjacent slipway at the root of the Breakwater. The Breakwater provides a well-used area and a promenade for residents and visitors. There is another popular slipway at Oxen Cove on the western side of the Outer Harbour.

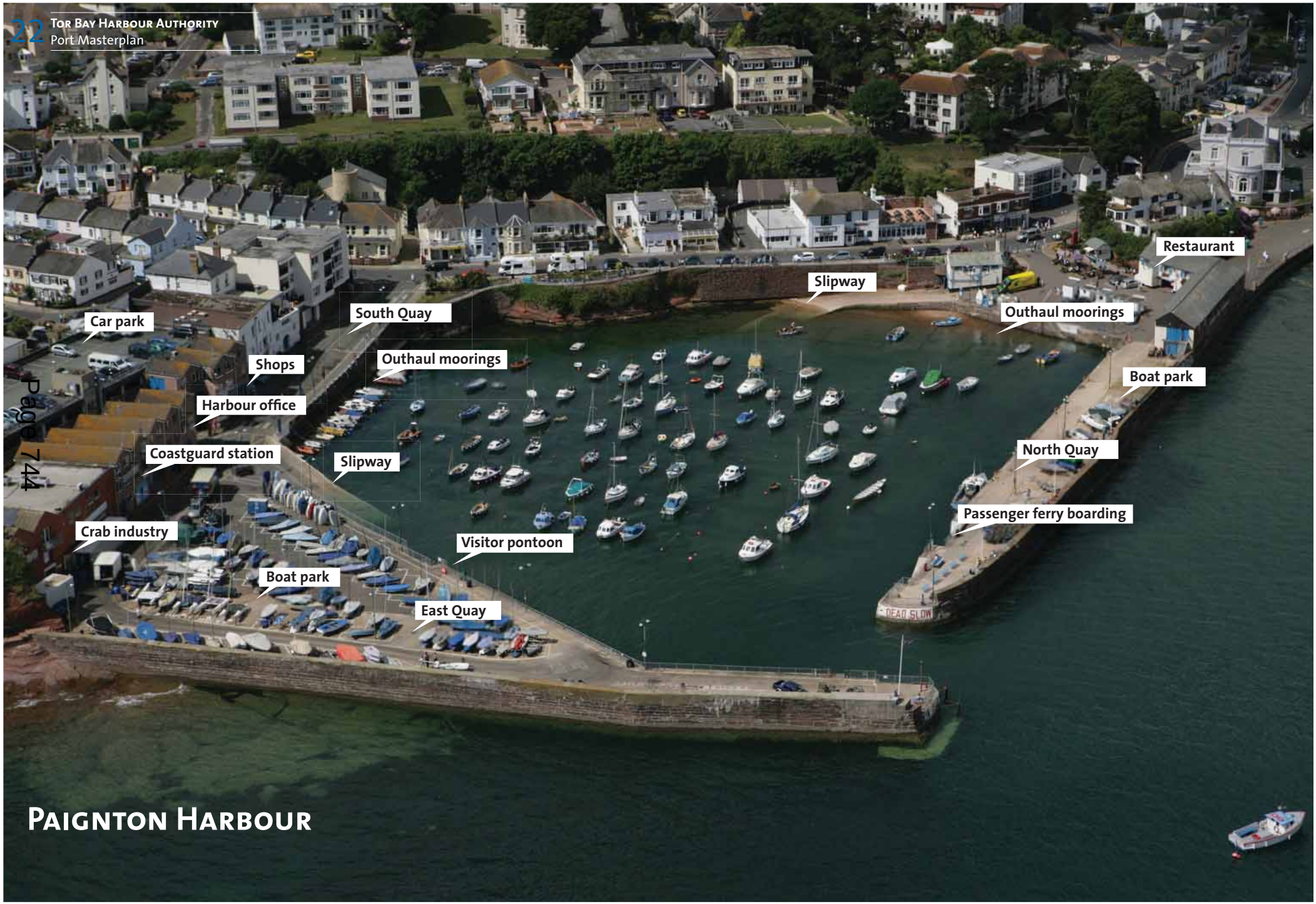
The Inner Harbour is home to a fleet of six heritage sailing trawlers and a replica of the Golden Hind. It also provides some moorings for boats.

Spatial considerations - positive aspects

- Harbour and promenade forms a lively town centre with a strong maritime and fishing identity
- Harbour is a point of tourism attraction including fish restaurants
- Harbour is well embedded in the urban area
- Wide variety of the components of harbour uses are in harmony (boat marina, fisheries, moorings, fishing boat repair and heritage vessels)
- Good public access along the Breakwater and other inner harbour piers
- Public multi-use Breakwater (angling, walkers, jogging, canoeing etc.)
- New harbour building with fishing industry forms a landmark building
- Good views along the harbour border from the urban area
- Good condition of breakwater, but needs continuously maintaining

Spatial considerations - critical aspects

- Wide and open outer harbour
- Because of the strong urban embedded surroundings and the cliffs, there is limited possibility to extend the harbour landside e.g. to allocate space for additional buildings
- Access to main entrance of the harbour is an urban road and rather narrow for HGVs, especially as the narrow road is informally used as a pedestrianised area
- Limited parking spaces at the main entrance of the harbour
- Additional parking spaces for harbour users only accessible via residential road (off Blackball Lane) and very narrow public right of way alongside the harbour
- Inner Harbour dries out at low tide
- Harbour has very small landside area
- Harbour users have to use public parking area which doesn't always have sufficient spaces
- There are insufficient boat repair facilities
- Insufficient depths for larger fishing vessels (draft greater than 4.5 m) at existing berths



Paignton Harbour



Paignton – a small recreational harbour with marine related businesses

Paignton Harbour

Paignton Harbour entrance faces north and although largely protected from most wind waves it is exposed to swell waves from the eastern sectors.

The harbour provides a location for a number of marine related businesses including a crab processing factory and recreational sailing activities particularly during the summer months.

The harbour dries out at low tide and has a shortage of boat storage areas. The harbour has two slipways, one on the East Quay and one on the West Quay. It also has a small area for boat parking and dinghy storage.

Seasonal passenger ferries to and from Brixham and Torquay call at the harbour. Sea angling can be carried out from the seaward side of the harbour walls.

Spatial considerations – positive aspects

- Compact harbour embedded in the urban, mostly residential area of Paignton
- The complete harbour has 24/7 land access for public
- Good visual aspect from Roundham Road towards the harbour
- Kerb-side parking provided along Roundham Road and multi-storey car parking accessible via Cliff Road
- There are several historical buildings on the north side of the harbour
- Harbour has 2 slipways
- Sheltered harbour entrance except in Easterlies
- Opportunities for redevelopment within the Harbour Estate

Spatial considerations – critical aspects

- Small harbour without any opportunities to extend on landside
- There are two separate harbour areas (North/West Quays and South/East Quays) not related nor connected with each other
- No clear indication which of these quays form the main entrance
- Fish processing factory on South Quay has insufficient storage and unsuitable access for HGVs
- Multi-storey car parking not obviously visible or well signposted
- Limited kerb-side parking spaces along Roundham Road and at same time underused multi-storey car parking
- No additional capacity for marine related business units and shops
- The open storage area within the harbour is not efficiently used, only ground level storage
- Harbour dries out at low tide
- Unknown conditions of breakwater arms
- Lack of footfall in harbour area as disconnected from town centre
- Narrow single access road along South Quay


Commercial pontoons
Princess Gardens
Slipway
North Quay
Inner Harbour Moorings
Old Fish Quay
Torquay Marina (MDL)
Bridge/Cill
Pontoon berths
Derelict Landing Stage
Fuel berth
South Pier
D-Day ramps
Passenger ferry boarding
Town Dock
Harbour Master's office
Princess Pier
Beacon Quay
Living Coasts
Outer Harbour
Slipway
Haldon Pier
Visitors pontoons
Torquay Harbour



Torquay Harbour – a historic harbour with many marina spaces and tourism facilities

Torquay Harbour

Torquay Harbour is well protected from wind and waves from most sectors except refracted waves from the east to the southeast sectors. This exposure limits the location of marina pontoons in the Outer Harbour. The harbour is embedded in the town centre. The harbour accommodates two marinas for boats and yachts (Town Dock (170 berths) and Torquay Marina (440 berths)), maritime events, visiting yachts, passenger boats, fishing vessels, commercial vessels and tenders for cruise ships.

Haldon Pier has a modern wide slipway and Beacon Quay contains shops, marine businesses, cafes and space for trailers and a dinghy park. Princess Pier is a popular promenade and provides access to sightseeing boats and cross Bay ferries. Adjacent to the harbour is a listed Edwardian Pavilion. The Old or Inner Harbour lies behind a new half tide cill and pedestrian lifting bridge and is planned to have new pontoon berths in 2014, replacing the current trot moorings. There is a visitor pontoon alongside Haldon Pier and this can be used in season. There is limited keelboat storage on the south side of South Pier. South Pier also has a mobile crane for launching and recovery of boats and a fuelling station.

Spatial considerations – positive aspects

- High quality harbour in terms of atmosphere and well looked after
- Large enclosed harbour
- Attractive views from the adjacent public realm area and from the urban surroundings
- A "soft-end" (clean use) harbour with marinas, ferries and boat moorings, not a heavy industrial harbour
- Landmark building for Harbour Authority and maritime related shops
- Link between Harbour Authority building and marina club strengthens the maritime identity
- Inner harbour bridge forms landmark feature, especially at night
- Tidal gate maintains water level in Inner (Old) Harbour
- Pedestrian access to all the piers for 24/7
- Pedestrianised promenade and semi-pedestrian areas connect the town with the harbour
- The Living Coast attraction next to the harbour reinforces visits due to proximity
- Princess Pier is well used for walking, ferry, sightseeing boats and sea angling
- Large slipway available at all states of the tide

Spatial considerations – critical aspects

- Due to being so embedded in the surrounding areas, there are limited opportunities to extend the harbour on the landside
- Semi pedestrianised area of Victoria Parade restricts access for HGVs which must be maintained
- Only one access route to Beacon Quay and Haldon Pier
- No natural gateway to harbour
- Insufficient parking for both harbour users and visitors
- Very little potential extension of marina style berthing due to current lack of space
- Poor condition of Princess Pier
- Listed D-day slipways restrict development of harbour in the Beacon Quay area
- Limited water depths in harbour
- Lack of slipway for dinghies on seaward side of Haldon Pier

chapter 3
The Strategy for Tor Bay Harbour Authority



chapter 3_ The Strategy for Tor Bay Harbour Authority

This section describes the strategy for Tor Bay and the three enclosed harbours of Brixham, Paignton and Torquay. It sets out the priorities and objectives for Tor Bay Harbour Authority to ensure healthy maritime related businesses and to meet the spatial requirements of its port users' needs and demands. The visionary strategy outlines the ambition and targets as well as the future desired position of Tor Bay Harbour. Furthermore, it forms a sophisticated framework for the development of options and for the Port Masterplan itself.

This is the strategy for Tor Bay Harbour Authority

The overarching strategy for Tor Bay Harbour Authority is to provide a high quality service that is committed to improve Tor Bay Harbour and provide a cleaner and safer environment by addressing the following objectives:

- Maintain Tor Bay Harbour and the three enclosed harbours under the management of one Port Authority
- Review and use the statutory powers of the Harbour Authority to fulfil its statutory duties in a timely manner for the purpose of improving, maintaining and managing the harbour while continuing to contribute, where possible, to the finances of the owning authority - Torbay Council
- Develop robust partnerships with key maritime stakeholders to attract and deliver commercial port businesses contributing to job creation and the local economy
- Manage the harbour in a sustainable manner by supporting a variety of maritime activities including fishing, shipping, marine related businesses, heritage, eco-tourism and marine recreational facilities.
- Balance the responsible stewardship of the marine environment with appropriate socio-economic development and use of Tor Bay
- Measure and monitor the needs and wishes of harbour users, the local community and visitors through appropriate research
- Improve connectivity between the enclosed harbours by upgrading facilities for marine transport

This strategy has been created firstly based on the findings of the spatial and socio-economic SWOT analysis, secondly on the outcomes of the discussion and feedback provided by key stakeholders at the consultation event and finally based on a continuous dialogue with Tor Bay Harbour Authority supported by the Torbay Development Agency.



chapter 4
Consultation and Community Engagement

chapter 4_Consultation and Community Engagement



Consultation event held in Oldway Mansion in Paignton on 11th October 2012

The key ingredient to enable a successful sustainable planning process for Tor Bay Harbour is developing a collaborative approach in which the consultation process involves not only statutory bodies and key stakeholders but most importantly local community groups, societies and individuals.

The consultation process can take many forms, with the aim of reconciling differing objectives and issues; enabling experts and lay people to challenge assumptions, utilising local knowledge and aspirations.

As mentioned in chapter 1, a principal objective for the Port Masterplan is to inform port users, employees and local communities about future port developments.

Community and stakeholder engagement was therefore essential in generating a two way communication forum in which interested parties could discuss ideas, concerns and wishes as well as identifying areas where the Port Masterplan could assist with projects being led by other groups.

During the development of the Tor Bay Harbour Authority – Port Masterplan the following consultation events have been undertaken:

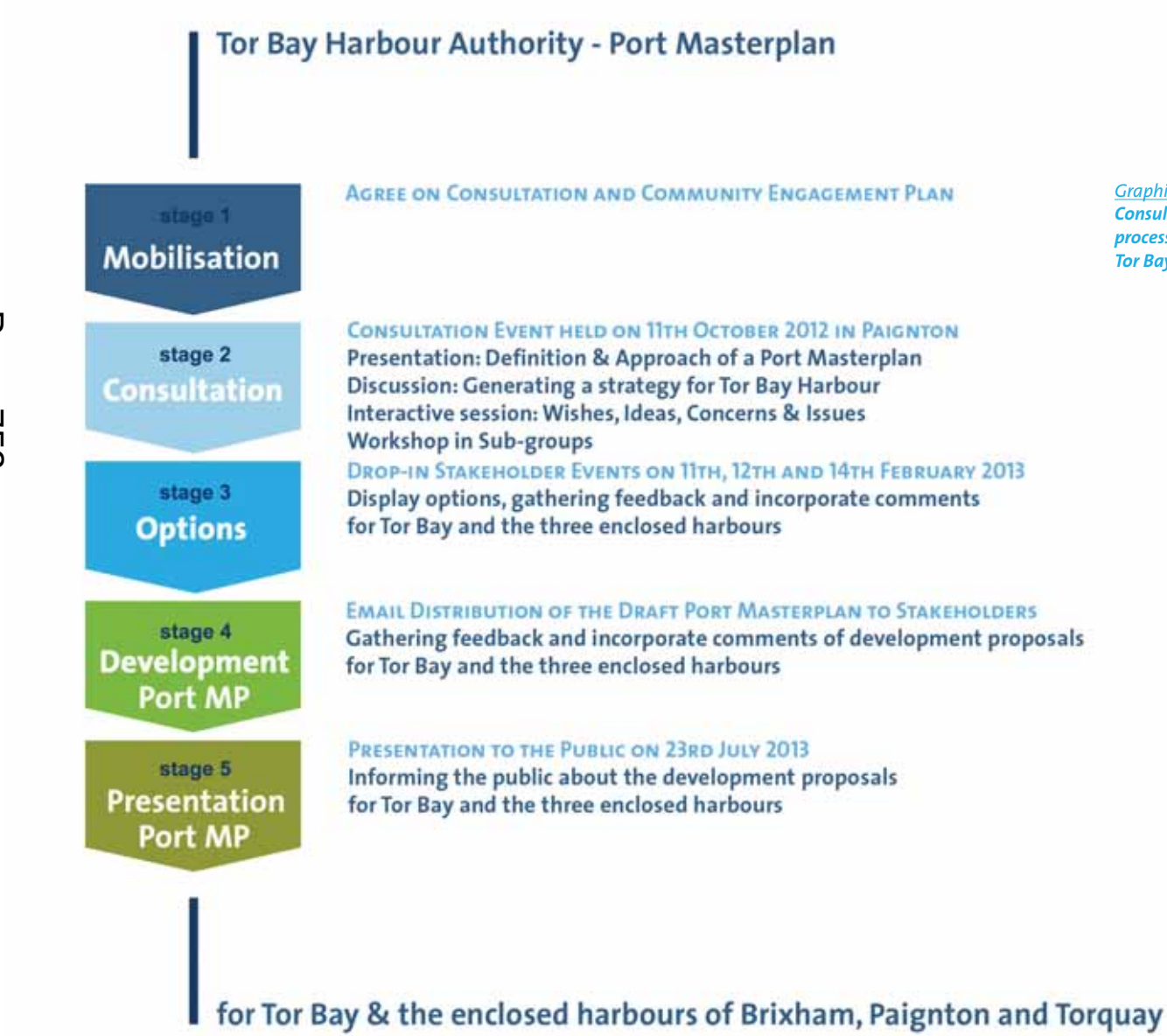
- Consultation Event held on 11th October 2012
- Drop-in Stakeholder Events on 11th, 12th and 14th February 2013
- Email distribution of the draft Port Masterplan to stakeholders and incorporation of feedback
- Appraisal by Harbour Committee on 3rd June 2013
- Presentation of final Port Masterplan on 23rd July 2013

During the consultation event the following questions were considered and discussed in the teams:

- What future would you like for Tor Bay Harbour and the three enclosed harbours?
- Do you have any ideas for the development of the harbours?
- What do you see as the key issue affecting harbour development?
- If more marina space is needed, where would be the best location and are there any impacts?
- What further improvements could be made to the fisheries business in Tor Bay?
- Should each harbour have its own specific focus and if so what would it be?
- How could we improve the integration of the three harbours and the Bay?
- What can increase business opportunities in the harbour including cruise, events etc.?

In addition, specific topics were also discussed during a workshop session in sub-groups to achieve a holistic and sustainable development for Tor Bay Harbour:

- Harbour activity areas and land use
- Harbour Authority boundary and surroundings
- Transport, connectivity and destination
- Business opportunities and socio economic
- Climate change and sustainability
- Heritage, landscape and environment
- Recreation, tourism and event culture
- Visual aspects, access and entrances



Graphic on the left
Consultation and Community Engagement process during the preparation of the Tor Bay Harbour Authority – Port Masterplan

Consultation event held in Oldway Mansion in Paignton on 11th October 2012

The purpose of the Consultation Event was not only to inform key stakeholders about the definition and approach of the Port Masterplan, but also to provide the opportunity for interactive sessions such as group discussions and workshops.

The workshop was intended to build a communication bridge between the Harbour Authority and key stakeholders and to create a platform that allows a wide variety of thoughts and views to be expressed.

For that reason, two interactive workshops were organised for the 11th October that allowed creative and dynamic discussions to take place sharing professional experience. This event also enabled the Harbour Authority to engage public opinion for the future development options for Tor Bay including the three enclosed harbours of Brixham, Paignton and Torquay.

A summary leaflet was prepared and circulated to highlight the key outcomes of the stakeholder consultation event and to capture information which assisted in shaping of the next steps in the Port Masterplan process.

Drop-in Stakeholder Events on 11th, 12th and 14th February 2013

The drop-in Stakeholder Events were organised to engage public opinion, get feedback and responses to the proposed development options displayed at Brixham, Paignton and Torquay. Presentation panels were displayed for the public to view and comment on and were also made available on the Harbour Authority website.

Harbour Authority staff and the Torbay Development Agency were in attendance to answer any questions. Feedback forms were provided that also allowed consultees to express any other ideas or views that occurred to them. The feedback given on the proposed development options has generally been incorporated into the Tor Bay Harbour Authority – Port Masterplan.

Email distribution of the Draft Port Masterplan to stakeholders

In mid April 2013 the draft Port Masterplan was circulated via email to key stakeholders and made available on the Harbour Authority website. Comments were invited from stakeholders and the draft document was publicised through the local press. Responses were received from a number of individuals and organisations including the Marine Management Organisation, Natural England, English Heritage and the Heart of the South West Local Enterprise Partnership.

Detailed responses to all the feedback received have been published on the Harbour Authority website. The response table sets out where the draft plan was amended to reflect the feedback, and where it was not the reasons for this are outlined.

The preparation of the Port Masterplan was an evolving and transparent process that took into account feedback at every stage.



"A Port Masterplan can only be successful when incorporating the ideas and wishes of local businesses, port employees and local residents into the port's future development and business.

At the same time only a healthy and financially strong port business allows the community to be supported."

chapter 5
Tor Bay Harbour



chapter 5_Tor Bay Harbour

Significance of the harbour

Tor Bay Harbour provides a large natural protected area of water for leisure, recreational, tourism and commercial use. The coastline and the harbour waters in Tor Bay are a valued resource for the community but the harbour continues to be a 'working harbour' and the waters have to be shared with commercial shipping, cruise ships, fishing vessels and marine businesses serving shipping.

The harbour is significant in providing shelter for vessels from storms emanating from the westerly sector. It also has an environmentally important coastline and waters and the Bay is part of the Lyme Bay and Tor Bay candidate SAC (Special Area of Conservation), contains a number of geological SSSIs (Site of Special Scientific Interest) and is in a potential MCZ (Marine Conservation Zone) proposed by Defra. It has shallow coastal sites of seagrass which provides shelter for marine flora and fauna including rare seahorses. The rocks and rocky coastline provide roosts for seabirds and some areas have seasonal protection for nesting and over-wintering seabirds.

The coastline is mainly limestone and sandstone and this geology forms part of a 'Global Geopark' network, as well as providing a home for many diverse species of marine life. Furthermore, the coastline also provides a flood defence for low lying coastal areas.

Fishing and commercial activities

Fishing is a mature sector in Torbay, and vitally important to the port of Brixham. There are 262 fishing vessels (2011 MMO (Marine Management Organisation)) employing 489 fishermen (2011 MMO) in its administration and 23% of the workforce in Brixham (2003 study) is dependent on the fishing sector. In 2004 there were 25 beam trawlers and over 200 inshore day boats. The new fish market built in 2010/2011 has helped safeguard Brixham's position as one of the most important fishing ports in England and Wales by value of catch with an excellent reputation for the quality of its fish. There are opportunities for growth in the sector by providing better fish processing facilities and supporting product development and promotion.

In 2011 the following quantities of fish were landed:

Type	Quantity (tonnes)	Value £
Demersal	4,199	11,924,000
Pelagic	2,134	698,000
Shellfish	7,413	13,500,000
	Total	**£26,122,000**

This is the highest value of catch in England and Wales; and about 16% of the total value of catch at all ports in England. These figures are extracted from the Marine Management Organisation "The UK Fishing Industry in 2011 - Landings".

Brixham fishermen participate in the Responsible Fishing Scheme and try to exploit the fish stocks within safe and sustainable limits. Beam trawlers have been modified to make the trawls lighter and to replace the sledge design with rollers.

There are a limited number of cruise ship calls in the Bay and these tend to call between May and September. In 2013 six cruise ship calls are planned. Cruise ships have passenger numbers between 400 and 1,200. Passengers come ashore at Torquay Harbour, with some passengers boarding coaches for day and half-day excursions.

There are also marine service industries including towage services, pilotage, marine provisions services, sightseeing boats and cross-Bay ferries and some marine engineering and small scale boat repair.

Transport and connectivity

Regional Connectivity

Tor Bay is a natural harbour situated in the southwest of England, approximately 18 miles to the south of Exeter and 26 miles to the east of Plymouth.

Torbay is the urban community that surrounds the Bay. It is linked to Exeter and the motorway via the A380 and completion of the South Devon Link Road (Kingskerswell Bypass) in 2015-2016 will remove the bottleneck between Torbay and the wider M5 corridor.

Torbay's connections to the south and west including Plymouth are via the A385 passing through Totnes. Until the A385 road joins the A38 the road is a single carriageway road which can experience severe delays in peak periods.

Accessibility by rail to Torbay is compromised by not being linked to high speed rail services between London, Exeter, Plymouth and the Midlands and currently passengers wishing to travel further afield from Torbay must change at Newton Abbot. However, Torbay does benefit from three

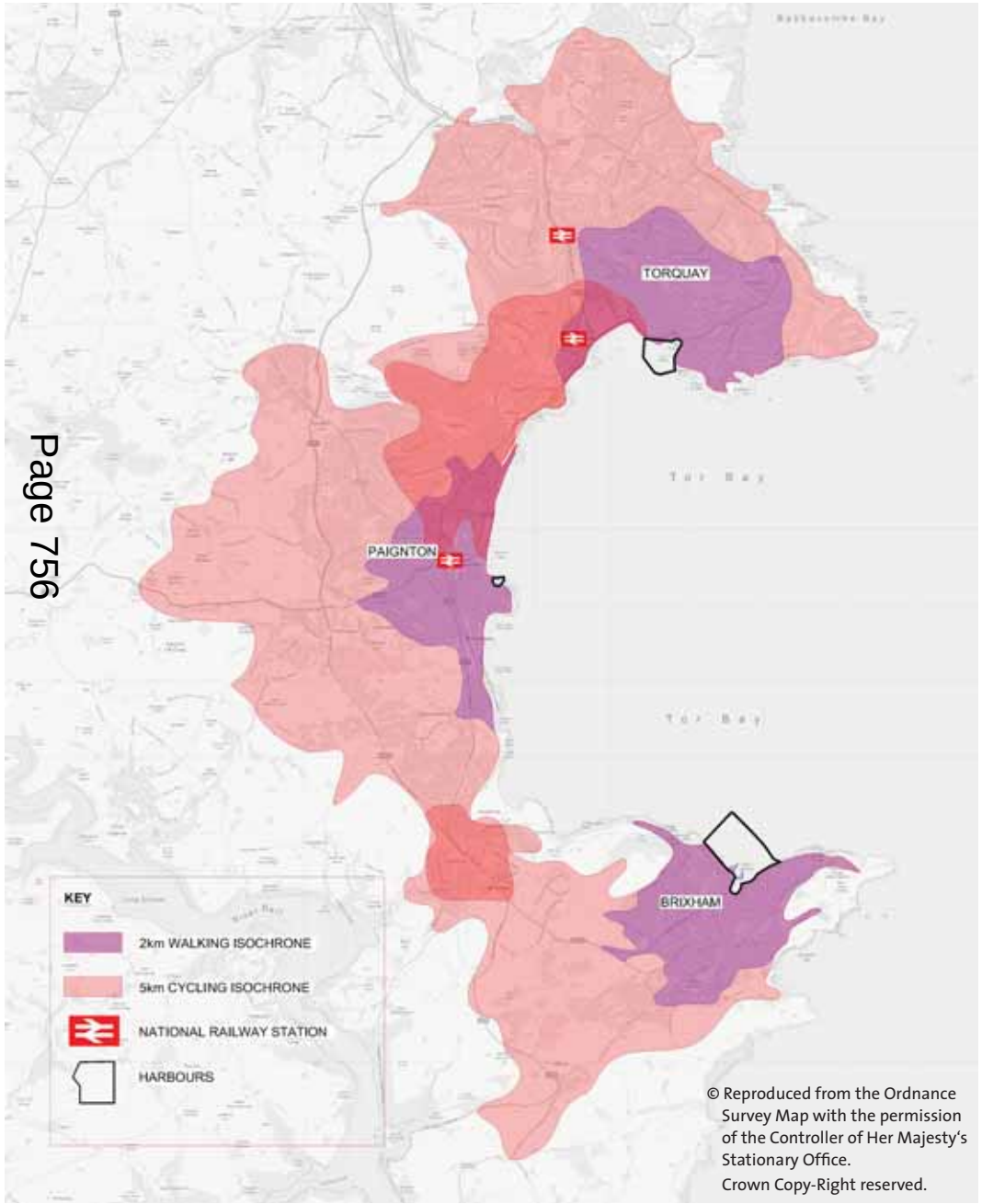


Figure on the left
Walking and cycling catchment areas of the harbours at Tor Bay

railway stations and the proposed 'Devon Metro' project will provide an additional station at Edginswell as well as improvements to rolling stock and an increase in the frequency of services from Torbay to Newton Abbot and Exeter from hourly to half hourly. The Devon Metro project will significantly enhance the passenger experience from Torbay and reduce interchange times to the wider rail network.

Local Connectivity

The three towns of Torquay, Paignton and Brixham (that make up Torbay) are linked by eastern and western transport corridors. The eastern corridor comprises the A3022, A379 and B3199 and the western corridor, the A380 and A3022.

The eastern corridor is predominately single carriageway carrying up to 20,000 vehicles a day.

The western corridor provides the main link for travel between the three towns and the wider highway network. The western corridor is dual carriageway from its junction with the A3022 north of Torquay to its junction with the B3060 to the north west of Paignton and carries up to 23,000 vehicles per day. The remainder of the western corridor is predominantly single carriageway with localised widening on the approaches to the main junctions.

Stakeholder consultation identified that there are numerous congestion hotspots on the highway network within Torbay and that this is compounded by significant levels of traffic seasonality during holiday periods, particularly during the summer holidays and bank holiday weekends.

The addition of holiday traffic to a highway network that is almost at capacity means that roads cannot function effectively.

There is a good network of buses connecting the three main towns and key local amenities such as the colleges, hospital and town centres; of particular note are services 12 and 67. Service 12 connects the three towns and Newton Abbot following the eastern corridor with a 10 minute frequency. Service 67 connects the hospital with the three towns and the college with an hourly frequency. Whilst there is a comprehensive and frequent bus network within Torbay, the buses must negotiate the same congestion that other vehicles experience.

It is recognised that walking trips of up to 2km and cycling trips of up to 5km have the potential to substitute for short car trips and form part of a longer journey by public transport. The Figure on page 34 shows a 2km walking and 5km cycling isochrone from Torquay, Paignton and Brixham harbours. The darker orange shaded area is where cycling isochrones overlap between each harbour.

It is evident from the Figure that within Torbay walking and cycling to the harbours is achievable for the majority of residents and offers significant potential for mode shift.

Within Torbay the key focus for cycling has been the delivery of 'National Cycle Route' No 28. To date the route from Torquay seafront to Paignton has been completed and there are plans to link Torbay with Newton Abbot and Goodrington Sands with Brixham.

The three enclosed harbours at Torquay, Paignton and Brixham are linked by the South West Coast Path which follows the coastline.

There are a number of cross harbour ferry services that link the three enclosed harbours at Torquay, Brixham and Paignton, however these ferry services are generally seasonal and predominantly only attractive to tourists due to slow speed and poor reliability of service in stormy weather.

There is a seasonal Park and Ride facility at Brixham and there are plans to make this permanent and provide a new facility at Torquay as well as investigating options for Paignton.

Torquay Harbour Connectivity

The main access for vehicles to Torquay Harbour is via Victoria Parade, a narrow single carriageway road with wide footways and high pedestrian flows. Vehicles wishing to access the harbour from the wider highway network travel via the A379 before linking to the A3022.

The A379 from its junction with the A3022 to the harbour is predominantly a dual carriageway, however the presence of on street parking and changes in priority has effectively reduced this to a single lane carriageway.

Torquay Harbour and town centre are located adjacent to each other which offers significant benefits in terms of encouraging linked visits and travel by walking and cycling, however there are competing pressures between the needs of pedestrians moving between and around the town centre and harbour and the operational needs of the harbour.

Torquay benefits from two railway stations namely, Torre and Torquay. Torquay railway station is the closest of the two stations to the harbour (approximately 1.5km) and there are good walking, cycling and bus links between the two. The Torquay railway station is approximately 1.5km from Torquay Harbour and there are good walking, cycling and bus links between the two. Parking availability adjacent to the harbour in Torquay is limited and often full particularly during the tourist season.

Paignton Harbour Connectivity

The main access for vehicles to Paignton Harbour is via Roundham Road, a narrow single carriageway road with on street parking. Vehicles wishing to access the harbour from the wider highway network travel via Sands Road before linking to the A379, A3022 and finally A380 or A385.

Paignton Harbour is remote from the town centre, railway station and bus station which are all approximately an 800m walk. Walking routes between the harbour and town centre are numerous but poorly defined and cycling is entirely on road. At Paignton Harbour there is an existing multi storey car park which is currently underutilised.

Brixham Harbour Connectivity

Brixham is the most southerly of the three enclosed harbours in Tor Bay and as such does not benefit from the direct road links to A380 and A385 like Torquay and Paignton. The main access for vehicles to Brixham Harbour from the wider highway network is via Middle Street. Middle Street links to the A3022 via a one way system.

Brixham Harbour and town centre are located adjacent to each other which offers significant benefits in terms of encouraging linked visits and travel by walking and cycling, however there are competing pressures between the needs of pedestrians moving between and around the town centre and harbour and the operational needs of the harbour.

The nearest railway station to Brixham is located at Paignton approximately 11km away and as such is only realistically accessible by private car, taxi or bus.

The Inner Harbour at Brixham forms a natural barrier to the movement of pedestrians from east to west.

There are three main cars parks for Brixham namely the Central (short stay) and Harbour and Marina (long stay) car parks. In addition there is a seasonal Park and Ride site at the A379, A3022 junction to intercept tourist traffic.

Spatial SWOT analysis

The spatial and socio-economic SWOT analysis looks specifically at the strengths, weaknesses, opportunities and threats within the Tor Bay Harbour area. The main outcomes are based on strategic port and transport planning, overall tourism & business aspects as well as on the maritime and environmental background.

Strengths

- Tor Bay Harbour is well protected with good anchorages for ships
- Significant Harbour Estate that makes the harbour sustainable
- Strong identity as the English Riviera and used for marketing opportunities for tourism
- Cruise ships call and anchor in the Bay
- Unique character of the individual harbours and embedded in the surrounding areas
- Improvements undertaken to public realm within and next to some of the harbours
- Good provision of leisure and recreational boating facilities
- Leading fishing harbour in England and Wales by value of catch with modern facilities
- Attractive area for living and working
- All the enclosed harbours are under one Harbour Authority
- Choice of several Yacht and Sailing Clubs
- Awareness of the need to have a plan for development
- Tor Bay Harbour has good seawater quality, diverse marine habitat and bio-diversity and a variety of environmental designations including Geopark status
- Torbay has one of the safest road networks within the South West
- Region is well connected to the national road network through the dual carriageway A380
- Public transport and cycle ways are improving
- Marine engineering training provision at South Devon College
- Railway branch line linking Paignton and Torquay to the national rail network

Weaknesses

- Some unused and derelict harbour facilities
- Narrow roads, congestion and lack of parking around the Bay
- Lack of repair facilities for boats
- Shortage of onshore facilities for marine leisure
- Lack of cold storage and processing facilities
- Lack of cargo handling facilities
- Lack of boat repair and maintenance facilities
- Lack of usable shoreline
- Towns not keeping up with the standard of the harbour improvements
- Lack of space in enclosed harbours
- Insufficient Maritime Marketing
- Tor Bay anchorages exposed to easterly weather
- No railway connections into any of the enclosed harbours
- Insufficient water depth in some areas of the enclosed harbours which results in drying out at low tide
- Local Authority port governance not fully developed or fully fit for purpose

Opportunities

- Enhancement of natural beauty of the Bay
- Review governance model to allow the port to be a more efficient business (similar to TDA for economic development)
- Improve sea defences against flooding
- Expand marina style berthing and capacity
- Infrastructure improvements should be flexible for multiple use
- Improve inadequate road infrastructure
- Provide sufficient shelter and berthing facilities within the enclosed harbours
- Change public perception of Tor Bay as being a beach destination and a place for the elderly
- Reinforce strong identity for being English Riviera
- Improve transport links including domestic passenger boats
- Additional multi-storey car parking
- Better facilities for cruise ships and domestic boats
- Provide additional boat launching facilities
- Provide boat repair and maintenance facilities for recreational craft and fishing vessels
- Provide maritime related businesses and sport activities to strengthen the maritime culture / identity
- Provide better access to identified areas for local residents and tourists to the enclosed harbours by means of open days, schools visits etc.
- Refurbish or replace derelict port infrastructure
- Provide additional employment
- Use the designations of Candidate Special Area of Conservation (cSACs): Lyme Bay and Torbay (Dorset and Devon Coast) and potential Marine Conservation Zone (MCZ) to attract business and tourism
- Investigate possible rail link into future harbour developments

Threats

- Lack of finance and funding for developments particularly for breakwater extensions
- Risk of overdevelopment and piecemeal development of the enclosed harbours and the surrounding areas
- Conflict between space requirements for different uses in the enclosed harbours including ferry services, sailing and slipway access
- Development causing damage to the environment
- Increase costs of energy affecting transport and maritime activities
- Increase traffic caused by developments
- Development causing exclusion of visitors to the enclosed harbours
- Effect of climate change on developments and existing infrastructure
- Harbour-side land should be safeguarded for marine related use and not lost to residential development
- Danger of losing maritime culture
- Political will to allow changes, drive change and support changes
- Status of Port Masterplan not being statutory within the planning system
- Competition from other harbours for water sports events
- Reduced demand for marina space due to economic downturn
- Loss of employment due to maritime industries contracting
- Shortage of maritime skills in the area
- Traffic congestions due to Kingskerswell Bypass being late
- Fishing industry could reduce or disappear
- Competition from nearby ports for any cargo

throughput opportunities
- Development will put more pressure on waste treatment and could increase risk of flooding
- Erosion of cliffs at Holicombe could disrupt railway due to covenant not requiring maintenance by Network Rail
- Localism Act gives right for community to challenge and potentially to run some harbour services
- MCZ designation could hinder growth by either stopping development or making it prohibitively costly

Policy background – Planning

Development Plan Policy Framework

The Planning and Compulsory Purchase Act 2004 requires that "...for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the (development) plan unless material considerations indicate otherwise."

This section outlines the statutory plans to be taken account of and other relevant planning documents and plans, otherwise known as "material considerations", which have some weight or relevance in the planning system. It will also focus on the key relevant policies for the harbours, economy and tourism in Torbay.

The following document forms the land use development plan for the area, as of June 2013:

- Torbay Local Plan (April 2004) (this Local Plan is under review– see 'A Landscape for Success')

Other documents and plans include:

- National Planning Policy Framework (March 2012)
- National Policy Statement for Ports (October 2011)
- Regional Planning Guidance for the South West (RPG 10) (Sept 2001) (revoked May 2013)
- Regional Spatial Strategy for the South West: Secretary of State's Proposed Changes (July 2008)
- Devon Structure Plan (October 2004) (revoked May 2013)
- LDF - Core Strategy DPD - Regulation 25 Draft Core Strategy: Vision, Objectives and Growth Options (September 2009)
- A Landscape for Success: The Plan for Torbay to 2032 and beyond Local Plan Consultation Draft (September 2012)
- The emerging Torquay, Paignton and Brixham Neighbourhood Plans

Material Considerations

One of the key features of the statutory plan in this area is that it is dated, which will have implications for the relevance of other documents and plans (material considerations).

As the Port Masterplan is intended to cover the next 25-30 years many of the existing plans and guidance will be replaced. Therefore detailed reference to the past and existing plans and guidance is included in an Appendix as they have had an influence on the production of this Masterplan, despite some being revoked.

These plans and guidance include the following:

- Regional Planning Guidance for the South West (RPG 10) (revoked May 2013)
- Regional Spatial Strategy for the South West: Secretary of State's Proposed Changes (July 2008)
- Devon Structure Plan (October 2004) (revoked May 2013)
- Torbay Local Plan (April 2004)
- LDF - Core Strategy DPD - Regulation 25 Draft Core Strategy: Vision, Objectives and Growth Options (September 2009)

Emerging Statutory Plans

Although there are a number of dated plans in the area, there are also a number of emerging plans which have not yet been adopted, but are of increasing significance the nearer they are to completion. They are all guided by the National Planning Policy Framework for overall strategic direction and will form the statutory development plan in the future as two distinct documents; the Local Plan and Neighbourhood Plans.

National Planning Policy Framework (March 2012)

The National Planning Policy Framework (NPPF) replaced the Planning Policy Statements (PPSs) and the Planning Policy Guidance notes (PPGs) in 2012. Of initial relevance is paragraph 215 which states that "...weight should be given to relevant policies in existing plans according to their degree of consistency with this framework", therefore the more consistent with it, the more significant they are.

The framework is very strategic and limited in terms of its guidance. On the economy it states in paragraph 20 that plans should achieve economic growth and in relation to tourism, in paragraph 23, that a range of suitable sites should be allocated in town centres for tourism.

National Policy Statement for Ports

This Policy Statement provides a framework for decisions on proposals for new port development by the Maritime Management Organisation and local planning authorities where relevant. The NPS for Ports is intended for nationally significant infrastructure projects (NSIP) covered by the Planning Act 2008 as amended by the Localism Act 2011. None of the proposed developments for Tor Bay Harbour would be classed as NSIPs. Reference is also made to ports in the UK Marine Policy Statement (Section 3.4). This states that "...In almost all cases, port developments that affect

the marine environment will need to be licensed by the relevant licensing authority, although some activities may be exempted from marine licensing. Both types will need to be considered in marine planning. Where a port has worked with stakeholders to produce a Master Plan, this may provide marine plan authorities with a strategic view of the potential direction of future port development. In the case of harbour maintenance works, a Master Plan may also create an opportunity for a licensing authority to discuss the possible need and timing for approval of a programme of works to be carried out."

A Landscape for Success: The Plan for Torbay to 2032 and beyond Local Plan Consultation Draft (September 2012)

This is the first draft of the new emerging Local Plan. It is based on the Core Strategy, referred to above, and the initial comments made on that document from the public consultation carried out to date.

In terms of specific polices for the harbour, Policy E3 on the Marine Economy outlines that "The Council will support investment in marine-related development where this produces clear economic benefits to the area..." This policy would cover the proposed Northern Arm, Brixham; the East Quay extension, Paignton and the Haldon Pier extension, Torquay subject to a number of specific requirements. With specific regard to the evening and night time economy, Policy TC 5 again subject to specific criteria, within seafront and harbour areas of the Bay the Council wants to see "development that helps create a vibrant, diverse evening and night time economy".

For Tourism in the area there is a more detailed policy T1. This is where the Council wants to see renovated facilities and services and outlines a number of requirements. This includes "The retention, improvement and creation of new, high quality tourism and leisure attractions, facilities..." in the harbour, waterside and seafront areas of Torquay, Paignton and Brixham. Also making a positive use of the marine environment and maritime heritage "... for leisure, tourism and employment, and supporting existing visitor attractions and the provision of facilities, such as new harbour/marina facilities and a new national visitor attraction...", as well as "providing improved maritime facilities as part of the regeneration of harbour side and waterfront areas".

Also Policy C2 on the Coast, in relation to the Developed Coast states that development will be permitted "where it provides benefit to Torbay's economy" and does not unacceptably harm the character of natural, historic and geological assets or lead to increased risk of flooding or coastal erosion.

There is also a specific policy on the main three towns within Torbay.

The approach to Torquay generally, under policy SDT 1, is for the area, including the harbour, to "evolve as the principal town centre and the centrepiece of a modern, prosperous and sustainable Torbay." Policy SDT2 on Torquay Town Centre & Harbour identifies the town centre as the main retail and leisure centre of the Bay, as well as the main sub-regional retail and leisure destination. Developments within these areas should include a mixture of suitable town centre uses and it goes on to identify a number of priorities to be considered.

For Paignton in relation to Policy SDP 1, the aim is to rejuvenate the area "...through high quality mixed use development of key town centre, harbour and waterfront sites". More specifically under Policy SDP 2 on the Paignton Town Centre and Seafront, the aim is to turn around the recent decline in the town and develop the connection between the town centre to the sea front and harbour.

Finally for Brixham the approach outlined in Policy SDB 1 is to improve the areas "...role as a fishing port with a nationally important working and creative harbour" through a number of schemes including better water based transport facilities. Under Policy SDB 2 a mixed use approach to regeneration will be used to support its position as a lively maritime resort. It also proposes the Brixham Northern Arm Breakwater development.

Torquay, Paignton and Brixham Neighbourhood Plans

These are the new form of development plan documents introduced by the 2011 Localism Act, which gave local communities the right to produce statutory plans for their local area. Torbay Council managed to win funds as part of the Neighbourhood Planning Front Runners Scheme, which has provided funding from central government to support the production of all these plans, which cover the same time frame as the Local Plans; a twenty year period. All these plans are at the earliest stage of preparation – the Pre-submission consultation and publicity – and have still to issue the submission draft, and have the examination, referendum and with adoption to follow.

In terms of the plans, although at an early stage, only the Brixham Neighbourhood Plan has any policy aspirations,

which makes reference to the emerging Torbay Local Plan policies. In relation to the Policy T1 on Tourism, it wants to see the requirements of the Disability Discrimination Act 2005 more clearly met and for the more general Policy T2, on the change of use of facilities, there is concern about the loss of tourism facilities without any significant justification.

The Brixham Peninsula Neighbourhood Forum have, at the time of writing, expressed the following general solutions to the challenges facing the area; developing a thriving local economy and enhancing the transport infrastructure. However, the draft Plan contains some general ideas for the harbour, which come under the section headed 'Economy'.

In relation to tourism, the harbour provides an opportunity to make Brixham a centre for marine leisure activities and a cill in the inner harbour would improve its aesthetics and appeal to tourists. With regard to industry, the marine sector offers opportunities in industry, research and education and is identified as the "biggest potential sector for large scale development" for the "marine technology, engineering, aquaculture, food processing, marine electronics and navigation". Oxen Cove is identified as "a good site for marine related industry". In terms of transport there is concern about the lack of sustainable alternatives, new ferry infrastructure including building the Northern Arm, a late night ferry service and better parking facilities at Oxen Cove.

The Torquay Neighbourhood Forum are currently producing the Torquay Neighbourhood Plan but at the time of writing there is no plan with formal policy or proposals, only a draft report on the work carried out to date, which contains a few initial proposals regarding sites for redevelopment or regeneration, which could be the basis of some site specific policies. This includes the Strand buildings that are identified for redevelopment, including Debenhams, for a mix of residential, hotel and retail (including restaurants) developments. Also the redevelopment of the Terrace Car Park with a quality development as it does not currently make the most of the views of the harbour. However adequate parking for the harbour area needs to be retained.

In addition there is concern over the closeness and interface between night time uses and the residential uses in the harbour area which includes changing the use of nightclubs.

For the Paignton Neighbourhood Plan, attracting more tourists to the Seafront and Harbour area will be a key objective of the Plan, as it is not currently well used by tourists. This is alongside supporting a heritage 'Theme', protecting the harbour's 'quaintness' and developing water sports for tourists.

Policy background – Transport

The Development Policy Framework relevant to the Tor Bay Harbour Authority Port Masterplan is set out in Policy background – Planning and outlines the statutory plans and other relevant planning documents which have informed the development of the Masterplan. This section details the salient transport policy which has set the transport context for the development of the Masterplan.

The Local Transport Plan – Devon and Torbay Strategy 2011 – 2026 (April 2011) provides the local context for planning for transport in Torbay and sets out the following vision for Torbay by 2026:
"...Torbay will have excellent connections to Devon and the rest of the UK. Residents and visitors will find it easy to move around, explore and experiences Torbay's beautiful urban and marine environment. People will enjoy better health and quality of life using improved cycling, walking and public transport links for work, leisure and education. A low carbon sustainable transport system will contribute towards the public realm, distinct character and function of the three towns of Torquay, Brixham and Paignton."

In terms of transport the National Planning Policy Framework (March 2012) states; "All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;

- safe and suitable access to the site can be achieved for all people; and
- improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe."

The emerging Local Plan for Torbay A Landscape for Success: The Plan for Torbay to 2032 and beyond Local Plan Consultation Draft (September 2012) sets out that "Good connections in and around the Bay, and between Torbay and national or international markets, are critical to the Bay's success".

To help achieve this the Plan will encourage the development of a sustainable and high quality transportation system which makes sustainable travel the first choice for travelling and support strategic improvements to the transport system which improve connections between the three towns, the rest of the sub-region and national and international markets.

Section 3 of the Local Development Framework LDF - Core Strategy Development Plan Document (DPD) - Regulation 25 Draft Core Strategy: Vision, Objectives and Options for Growth (September 2009) sets out the 24 key strategic objectives to address the key themes contained within Torbay's Community Plan Working for a healthy, prosperous and happy Bay. The following strategic objectives are considered to be relevant to the development of the transport aspects of the masterplan - a safe and sustainable transport system; improved accessibility; provision of satisfactory transport infrastructure; and improving access to recreational space.

The transport policy review provides a broad overview of the current statutory plans and material considerations considered to be relevant to developing the Masterplan.

Further details are contained within Appendix C along with details of any out of date and revoked policies and plans and emerging Neighbourhood Plans which have been reviewed in the context of developing the Masterplan. The emerging Neighbourhood Plans contain the following transport issues related to the enclosed harbours:

- Brixham – improve marine transport infrastructure and better integration of car parks
- Paignton – enhancing harbour off street parking facilities
- Torquay – retain adequate parking for harbour area and improve bus stops

It is recognised that the Masterplan provides limited opportunities to influence transport issues at a regional level, however the Masterplan will be key in influencing transport issues in the local area.

It is apparent from a review of the transport specific policy that there are a number of key transport themes that the Masterplan will need to comply with, namely:

- Connectivity, protecting and enhancing the accessibility to the working harbours for all transport modes;
- Traffic Growth, managing any increase in traffic demand from the proposed Masterplan to ensure the continued viability and attractiveness of the harbours; and
- Parking demand, managing the need to provide parking and recognising the need to prioritise limited parking for key harbour users.

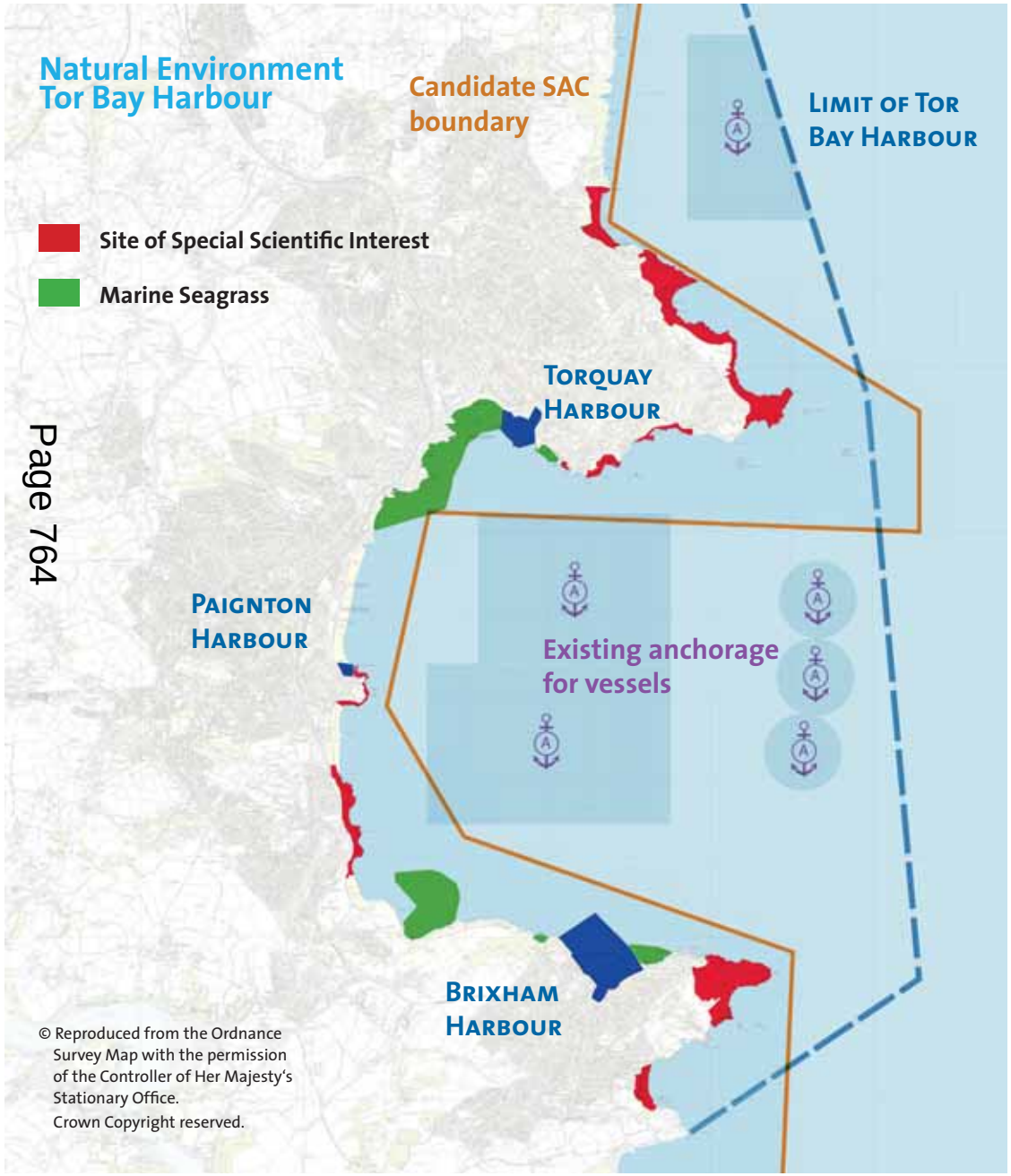


Figure on the left
Natural environment along the coast at Tor Bay

Natural environment

The coastal waters of Tor Bay Harbour are a valuable asset. The Harbour has a high environmental quality with a number of environmental designations and is an important economic resource with major fishing and tourism activities. It also provides facilities for the local community and for recreation.

Tor Bay is part of the Lyme Bay and Tor Bay candidate SAC (Special Area of Conservation), contains a number of geological SSSIs (Site of Special Scientific Interest) and is in a potential MCZ (Marine Conservation Zone) proposed by Defra. These recognise the high environmental quality of Tor Bay. It has shallow coastal sites of seagrass which provide shelter for marine flora and fauna including seahorses. The rocks and rocky coastline provide roosts for seabirds and some areas have seasonal protection for nesting and over-wintering seabirds. The coastline is mainly limestone and sandstone and this geology provides a home for many diverse species of marine life.

Tor Bay Harbour Authority is objecting to the establishment of an MCZ within the Tor Bay Harbour limits on the grounds that the socio-economic impacts are unquantifiable. However if the MCZ is approved by Defra, then its requirements would be adhered to.

Air quality

Air quality in Tor Bay is generally good but road transport, agriculture and shipping all produce pollutants. These include particulates from diesel engines, nitrogen oxides (NOx) and sulphur oxides (SOx). There are a number of Regulations based on EU Directives and IMO Conventions

that are aimed at reducing air pollutants from shipping. Any harbour or marine developments are likely to require an Environmental Impact Assessment which will assess the effect on air quality.

Water quality

The Environment Agency monitor the water quality at beaches in Tor Bay and these are generally within the guideline standard (BW1) in the Bathing Water Directive (1976).

This Directive has been revised (2006) and assessments are in a transition period up to 2015 and beaches will then fall into the categories good (equivalent to the guideline standard) or excellent (approximately twice the guideline standard). The beaches in Torbay have won many awards including five beaches with Blue Flag awards, and many beaches with Keep Britain Tidy Quality Coast awards and Marine Conservation Society Good Beach Guide recommendations. Assessments made under the Water Framework Directive (WFD) indicate that coastal waters in and adjacent to the candidate SAC boundary in Tor Bay are of good quality.

There are threats to the water quality in Tor Bay; mainly marine pollution including oil discharges, discarded plastic and cans; and increased turbidity due to anchoring. Discharges from contaminated run-off from roadways and hardstandings and from sewage outfalls particularly around Hope's Nose will also impact on water quality in Tor Bay and might particularly affect the existing mussel farm and any future aquaculture.

Flora, fauna and biodiversity

The majority of the Bay consists of soft muddy sands. The muddier areas hold moderately rich communities of marine flora and fauna characterised by the heart urchin and brittle stars, whilst the cleaner sands closer inshore hold dense populations of the razor shell, heart urchins and eel grass (Zostera marina). A variety of anemones, worms, molluscs and small fishes are found within the eelgrass beds.

The most notable animal is the short snouted seahorse Hippocampus hippocampus found at Hope's Cove and the spiny seahorse (Hippocampus guttulatus). These were also found in Babbacombe Bay in a 2007 survey but a survey at Brixham Harbour in 2008 found no seahorses. Burrowing anemones are common, and large colonies of rafting brittle stars are known to wander the sediments of outer Tor Bay forming dense carpets of tens of thousands per square metre.

The most striking sublittoral communities found in Tor Bay are those on limestone, particularly from Sharkham Point to Churston Cove and Princess Pier to Petit Tor Point. The rock supports abundant piddocks and is covered in sea squirts, anemones and sponges. The many outcrops in the Bay are covered in mussels and many mussels and carpet anemones cover the sea bed off the Ore Stone together with the locally rare sea slug, Okenia elegans.

The highest density of marine caves in the Great West Bay occurs between Sharkham Point and Babbacombe Bay. These caves provide shelter for tube-worms, barnacles, sponges, anemones and sea squirts. Many animals such as the Devonshire cup coral and plumose anemone manage to survive above low water in the damp and shady conditions of the caves. Tor Bay may well contain one of the largest areas of eelgrass beds in England.

These beds are an important habitat for a large number of species including hydroids, crustaceans, polychaete worms, heart urchins, and gastropod molluscs, and as a nursery ground for juvenile fish.

In the intertidal zone, sponges in particular are abundant and many of the rocky shores hold over a dozen species. One of the most important inter-tidal sites is found on the limestone wall of Princess Pier, which has the richest aggregation of sublittoral species found in the Bay.

Hollicombe holds one of the densest populations of the green sea urchin Psammechinus miliaris on the south west coast of Britain.

This huge diversity of marine life attracts animals from further up the food chain including occasional dolphins, porpoises and seals, gannets, scoters, divers and grebes. Eelgrass beds and rocky seabed zones are particularly attractive to these groups. The Bay is also occasionally visited by basking sharks in the summer months and the coast between Tor Bay and Plymouth is of international importance for this species.

Any developments must not significantly impact on any protected species and management of the Bay should protect such species. For example seagrass beds can be damaged by boats anchoring or by trawling for scallops.

Soils and geology

Tor Bay contains a number of geologically important sites and these are included in the area covered by the English Riviera Geopark which was endorsed by UNESCO in 2007. Several geological sites in the English Riviera Geopark are representative of aspects identified in the Geological Conservation Review (GCR) carried out by the British Institution for Geological Conservation (BIGC). Within the English Riviera Geopark a number GCR sites are recognised including the SSSIs at Oddicombe, Babbacombe Cliffs, Black Head to Anstey's Cove, Hope's Nose and Thatcher Rock, Daddyhole, Dyers Quarry, Roundham Head, Saltern Cove, Shoalstone and Berry Head to Sharkham Point. The Lyme Bay and Torbay candidate SAC site features reefs and sea caves.

It has been identified by Natural England as one of the best examples of the range and diversity of bedrock reef, stony reef, and sea caves in the UK for protection under the Habitats Directive and is estimated to contribute 0.9 percent of the UK's total reef resource to the Natura 2000 network.

The reef features surrounding Berry Head principally comprise limestone ridges, boulders and pinnacles. The complex reef features, including ridges, vertical drop-offs, pinnacles and deep gullies, support a rich variety of species. Within Torbay, the reefs comprise discrete areas associated with the many headlands and coves (and include from south to north: Brixham to Ivy Cove reefs, Churston Point, Armchair Rock, Roundham Head and Hollicombe rocks to Livermead sands). The reefs in Tor Bay have a more diverse composition with limestone outcrops recorded in the southern half of the Bay, and sandstone in the northern half. Hope's Nose reef (including Thatcher Rock and the Ore Stone) are large areas of limestone reef extending around the northern headland of Tor Bay.

A large number of sea caves have been identified within Tor Bay and the surrounding coastline from Mackerel Cove in the north to Sharkham Point in the south. Examples of the classical wave-eroded sea caves are found at all the sites and occur in several different rock types, and at levels from above the high water mark of spring tides down to permanently flooded caves. Many of the caves have a rich fauna, which varies considerably between caves. A number of nationally significant species have been found within these caves.

Climate change and flooding

The Torbay Strategic Partnership has signed the Nottingham Declaration on Climate Change and Torbay Council is a member of this partnership. Torbay Council has also produced the Climate Change Strategy for Torbay 2008-2013.

The effect of climate change on Tor Bay Harbour is likely to be a sea level rise of 0.4m over the next 70 years (UK Climate Projections (UKCP09) – Marine Report Chapter 3 Estimates of relative sea level changes using high central estimate values), increased storminess with a consequential increase in wave heights and fluvial flooding, increased rainfall intensity and frequency leading to a greater risk of pluvial flooding and increased summer temperatures. Over time this may lead to more frequent sea-front closures and beach closures and a significant economic impact.

Any developments should provide protection against future wave overtopping and contribute to flood protection.

Recreation, leisure and tourism

Tor Bay itself provides a large area for water sports recreation and leisure use including swimming, sailing, water skiing, diving, motor boating, sea angling, kayaking, kite surfing, paddle boarding, rowing and personal watercraft. These activities require land based facilities and amenities to support them and there are currently insufficient boat repair and launching facilities and storage areas. The beaches are also used for walking and beach sports. The South West Coast Path provides for walkers and also links the three enclosed harbours and other features along the coastline of the Bay.



chapter 6

Proposals for Tor Bay Harbour

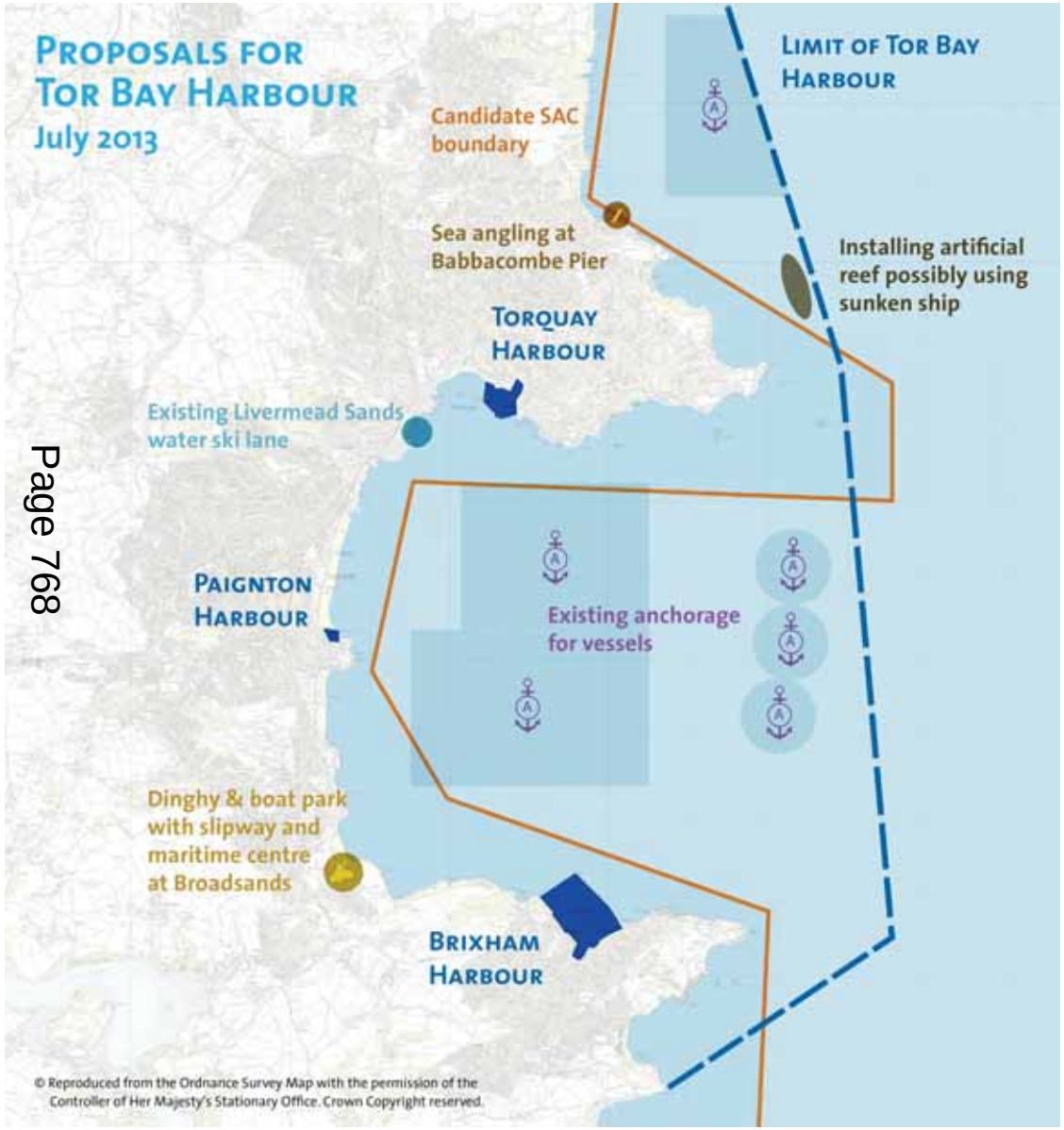


Figure on the left
Proposals for Tor Bay Harbour

CHAPTER 6_ PROPOSALS FOR TOR BAY HARBOUR

This chapter presents proposals for the future development of the Harbour and these developments need to align with the strategy as outlined in chapter 3 and they need to be sustainable.

Tor Bay Harbour

A large number of ideas were collected at the Consultation Meeting held on 11th October 2012 and these have been investigated by the consultants' team and discussed with Tor Bay Harbour Authority at several meetings. The following proposals were highlighted as being achievable, viable and making a positive contribution to tourism, marine businesses and to facilities for residents in Torbay:

- The identification and support of sea angling locations within the statutory harbour limits including at Babbacombe Pier
- The sinking of an old ship to form an artificial reef in Tor Bay to provide opportunities for leisure divers
- The development of the Council owned land at Broadsands to provide a maritime centre with dinghy and boat park and launching facilities
- The support to any eco-tourism in the Bay and opportunities presented by the Geopark

A submerged breakwater offshore from Paignton Sands to increase the wave protection to this low lying coastal area was considered. However the construction of such a breakwater would result in the creation of a 'tombola' and this would draw beach material from the north and south ends of the beach. Since the north end of the beach already suffers from some loss of beach material, this idea was discarded. The breakwater would also require some changes to leisure boating activities in the area off Paignton Sands.

The development of the Berry Head Quarry area was considered but TBHA do not own the land (which is leased to the Torbay Coast & Countryside Trust). Access to the old quay is restricted and it is adjacent to a conservation area for bats.

Broadsands Maritime Centre

The proposed development of a maritime centre with dinghy, boat park and slipway at Broadsands has the potential to lead to an increase in traffic and demand for parking in the local area. Whilst this increase is likely to be minor on a day to day basis, special events (such as regattas) will increase demand and require careful planning.

Broadsands has significant car park capacity and future proposals should consider if there is a need to maintain this level of parking or if the area can be better utilised for other purposes. The promotion of more sustainable forms of transport including enhancements to the pedestrian routes from the bus stops on the A379 and the extension of the cycle route from Paignton to Brixham via Broadsands, will assist in managing future traffic demand.

The area of Broadsands beach is important for wintering birds including Cirl Buntings and Great Crested Grebes. Studies would be required to assess the impact of any proposed development.



Figure on the left
Proposals for Brixham Harbour

Brixham Harbour

A number of ideas for tourism related, marina and maritime business developments were collected at the Consultation Event and these have been investigated. Some ideas for the Outer Harbour depend on the construction of a new Northern Arm breakwater, particularly for expansion of the marina facilities. However although the Arm would not have a significant environmental impact it is costly and needs sufficient income generating developments to support this cost. The following proposals were selected as being achievable, viable and making a positive contribution to tourism, recreational sailing and businesses in Brixham. For some proposals grant funding will need to be secured to enable a viable business case to be produced.

The first five proposals could be developed without the Northern Arm:

- A half tide cill and cill gate with a pedestrian lifting or swing bridge as an extension from the Middle Pier to the quay below King Street. This location would retain some of the drying grids for maintaining small boats.
- Redevelopment of the Coastguard Building for harbour related use after it is vacated in 2014 (currently outside the ownership of TBHA)
- Development of a small reclaimed area adjacent to Strand Quay to support maritime events
- Possible development of a Maritime Museum for the heritage fishing vessels and contribute to the improvement of facilities for the town
- Return of South Quay to marine related use
- A new Northern Arm breakwater consisting of a main breakwater running north east from a point clear (south) of AstraZeneca's intakes and outfalls to their

Environmental Laboratory and a small stub extension to the existing Victoria Breakwater running south west providing a slight overlap with the outer end of the main breakwater

- Redevelopment of the old derelict tanker berth to provide a bulk fuel station for fishing vessels and/or a Tall Ship berth. Other commercial bunkering to coasters sheltering in the Bay could also be provided. A pipeline to the root of the Victoria Breakwater could provide a loading point for road tankers serving other parts of the harbour and other harbours
- A new reclaimed area along the south western side of the Outer Harbour running from the Fish Market Quay to the root of the Northern Arm to provide:
  - A berth for Pelagic fishing vessels
  - Facilities for a lobster/scallop hatchery and shellfish storage and depuration
  - A boat maintenance facility consisting of either a slipway with rail mounted cradles or a boatlift for boats up to 30m long
  - A recreational slipway for boats (to replace the Oxen Cove slipway)
  - Locations for boat repair businesses, boat building & marine related retail premises
  - Additional car parking and boat storage
  - A Facilities Building for a new marina
  - Improved access to Oxen Cove
- Additional marina pontoon berths on the west side of the Outer Harbour directly to the south of the Arm
- An extension to the marina adjacent to the existing Victoria Breakwater

The proposed reclamation at the west side of the harbour in front of Oxen Cove and Freshwater Quarry will essentially create two distinct and separate areas. To the south adjacent to the existing fish market will be a more industrial area including boat repair & building etc. and to the north there will be a new marina including boat storage and retail units.

It has been highlighted that there is a desire to create a new link road to the Fish Quays and Oxen Cove to alleviate traffic borne impacts on Blackball Lane and Overgang Road. However, it is considered that a new route from Overgang Road to Oxen Cove would require a significant investment due to the engineering solutions required to overcome the steep cliffs and change in elevation. Furthermore, any solution is likely to have an adverse environmental impact upon the area. A more acceptable option would be to manage the interaction between HGVs, cars and pedestrians at Oxen Cove by segregating the various users. Cars will continue to access via Blackball Lane, whilst it is proposed that HGVs will utilise the existing access from The Quay to service the requirements of an expanded Oxen Cove. The creation of the proposed marina at Oxen Cove will increase the footfall along the South West Coastal Path. It is important to protect this route and ensure that the route is opened up to make it an integral part of the proposed marina, in contrast to the industrial part of the harbour where segregation is entirely appropriate. This will have the benefit of increasing footfall through the marina and associated retail units creating a pleasant public realm.

The proposed development of the marina area at Oxen Cove will necessitate the remodelling of the existing parking area. It is proposed that access for cars will continue via Blackball Lane but it would be advantageous to remove coach parking from this area. This will have a number of benefits including reducing the impact of large vehicles using the narrow roads to access Oxen Cove and freeing up more space for other harbour users. It is proposed that coaches continue to drop off at Brixham Harbour but that parking is relocated away from the centre of Brixham to a more suitable location.

The proposed increase in marina space, redevelopment of Oxen Cove and development of the heritage fishing museum has the potential to significantly increase peak traffic volumes. Without mitigation the increased traffic demand will impact upon an already congested network further reducing the attractiveness of the harbour. Whilst the proposed redevelopment of Oxen Cove has the potential to increase the parking supply this would both detract from valuable development space, be unlikely to meet future demand and will encourage vehicle trips into the town centre adding to congestion. The promotion of alternative modes of transport, especially Park and Ride (as set out in the Local Transport Plan), would free up land for other harbour uses, whilst reducing traffic congestion and enhancing the attractiveness of the town and harbour.

The proposed lifting or swing bridge across the Inner Harbour will provide a direct route from the new marina at Oxen Cove to the east side of the Inner Harbour thereby reducing severance and increasing the pedestrian footfall along the Harbour Estate. The Southern Quay area is currently used for parking vehicles and servicing boats and it is important that redevelopment allows this area to be explored safely by pedestrians.

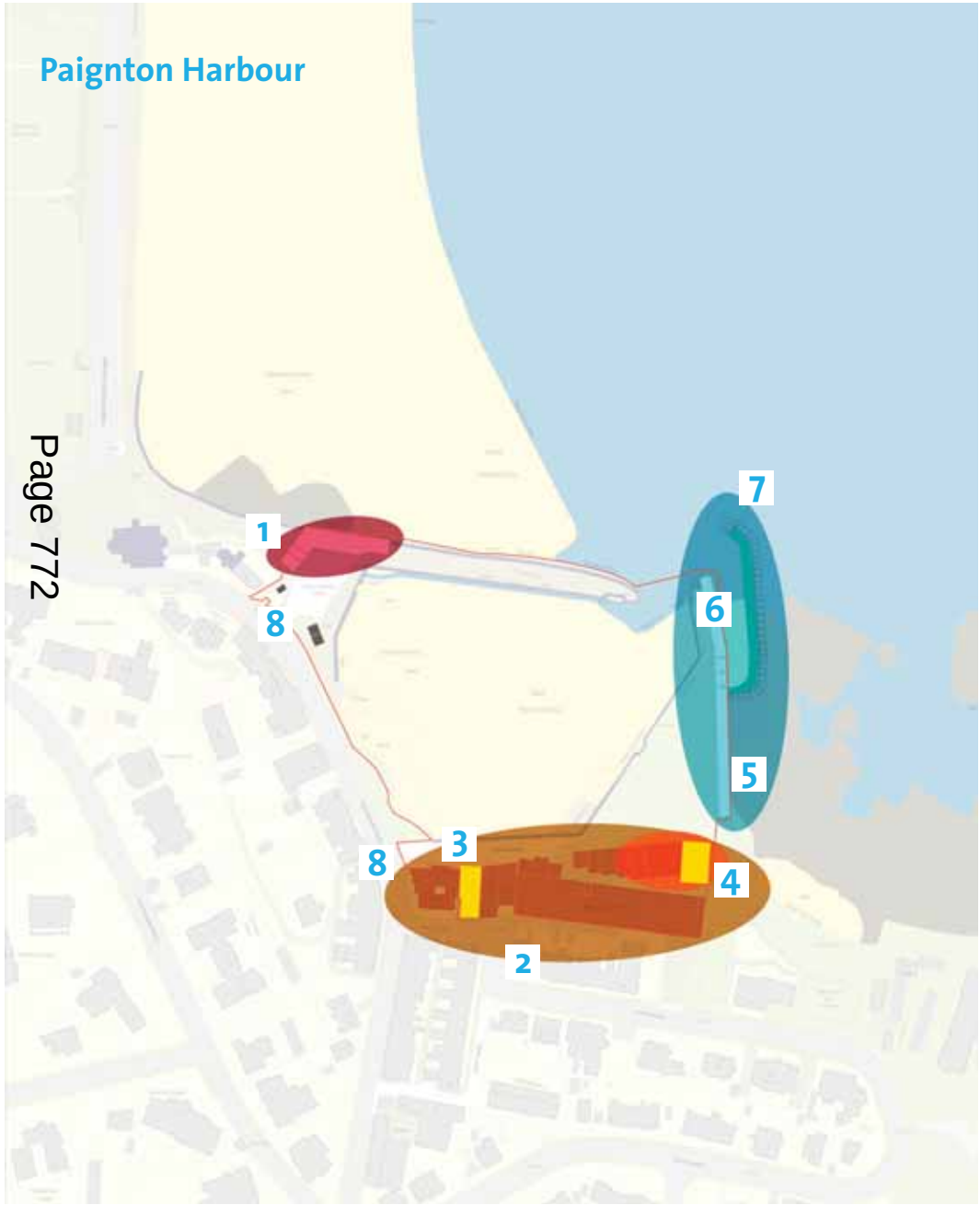


Figure on the left
Proposals for Paignton Harbour

1_Potential for redevelopment of the existing Harbour Light restaurant
2_Redevelopment and refurbishment of South Quay
3_Retain listed buildings
4_Relocation of crab processing factory
5_Raising of East Quay wall
6_New slipway to seaward
7_Extension to East Quay
8_Enhance the harbour entrance

Paignton Harbour

The Consultation Event identified a number of developments to enhance recreational sailing activities and these have been investigated. The harbour area is relatively small and this limits the viability of any potential development. For example consultees suggested extending the East Quay to form a longer breakwater with an extended storage area to provide greater protection.

The consultation for the Paignton Neighbourhood Plan identified the need to safeguard the 'quaintness' of the harbour, attract more tourists to the harbour area, encourage more water sport use of harbour and support a heritage theme for the harbour.

The following proposals are highlighted as being achievable, viable and making a positive contribution to tourism, recreational sailing and businesses in Paignton. For some proposals grant funding will need to be secured to enable a viable business case to be produced.

- Redevelopment and refurbishment of South Quay for light industrial marine related businesses, marine retail and water sports clubs/youth groups
- Relocation of crab processing factory and store to an inland site
- Retain listed buildings and consider redevelopment or refurbishment
- Potential for redevelopment of the existing Harbour Light restaurant
- Raising of East Quay wall with a shaped wave wall to limit overtopping
- A new slipway on the seaward side of the East Quay for recreational dinghies and boats to be launched at most tides with access through an opening in the existing wall and protected by a flood gate (this is outside the existing harbour boundary)
- Extension to East Quay to improve passenger boat facilities and better protect the harbour from surge waves (this is outside the existing harbour boundary). This extension would be very expensive and is unlikely to support a viable business case without significant grant funding
- Enhancement of entrances to harbour to North Quay and South Quay to make entrances more obvious and visible by improving signage and introducing landmark features

The reclamation of a small area along the west side of the harbour was considered to provide a promenade between the north and south sides of the harbour and to enhance access. However comments were received that this would reduce the area of the harbour and hence reduce the space for moorings.

It has been identified through the masterplan process that the key transport issues for Paignton are to make the harbour more conspicuous and accessible from the wider highway network and town centre to encourage visitors to come to Paignton.

To achieve this it is proposed to enhance the signing for the harbour and parking provision from the main 'A' roads and to provide a comprehensive suite of pedestrian signs between the harbour, town centre, train station, bus station and nearby beaches.

There is an existing multi storey car park at Paignton Harbour that is generally under-utilised and it is proposed that this car park is refurbished. The availability, attractiveness and cost of parking in this facility are likely to have a significant influence upon the viability and attractiveness of the harbour and could be promoted through the use of interactive message signs.

The proposed relocation of the crab processing facilities and change of focus to lighter marine use is unlikely to lead to significant increases in traffic and may reduce the numbers of HGVs needing access the harbour. However, access to the harbour for large vehicles remains key and the masterplan seeks to protect this.



Figure on the left
Proposals for Torquay Harbour

Torquay Harbour

A number of ideas for tourism related developments, marina facilities, commercial usage and maritime business developments were highlighted at the Consultation Event and these have been investigated. The harbour is already well developed and therefore some ideas were based on possible extensions to Haldon Pier and Princess Pier to provide additional berths in deeper water.

However the extensions would need sufficient income generating developments and/or significant grant funding to support their cost. The following proposals were selected as being achievable, viable and making a positive contribution to commercial use, tourism, leisure sailing and marine related businesses in Torquay.

- Widen the Strand Quay by 10 metres to create a promenade, an area for events and to preserve the listed cobbled slipway by possible enclosing it and infilling with granular fill
- Provide 173 pontoon berths in the Inner Harbour (already planned for 2014)
- Maintain access for heavy goods vehicles to Beacon Quay and Haldon Pier along Victoria Parade
- Modify landscaping in Victoria Parade to provide drop-off bays for harbour users adjacent to the Inner Harbour
- Acquire fuel station and refurbish or relocate to Haldon Pier
- Provide landmark ‘gateway’ to harbour at Beacon Hill entrance
- Improve facilities for passenger sightseeing boats at the Fish Quay
- Install pontoons for fishermen adjacent to the west end of Princess Gardens

- Extend Beacon Quay as a deck over top of listed D-Day slipways (or remove under existing Harbour Revision Order) to provide wider area for boat park, promenade and coach marshalling and provide information boards
- Relocate and improve the passenger ferry pontoon and brow at Beacon Quay
- Provide improved pontoons and access brow for visiting yachts and cruise ship passengers on inside of Haldon Pier
- Refurbish and upgrade old ferry landing stage on west side of Princess Pier to provide safe all tide access to ferries
- Improve provision for sea angling off Princess Pier
- Provide slipway and boat park on south side of Haldon Pier adjacent to Living Coasts with flood gate to prevent flooding
- Provide pontoons for visitors and passenger boats inside Princess Pier
- Provide berthing dolphins on seaward side of outer arm of Princess Pier for events such as Tall Ships
- Extend Haldon Pier westwards by up to 250 metres from end of existing and provide mooring dolphin with access walkway some 30 metres further west. Widen extension to 30 metres to provide multi-purpose berth for vessels up to 5.5m draught.
- Install mobile or fixed crane on Haldon Pier to lift out boats
- Integrate masterplan with proposed hotel development on North Quay
- Transfer Living Coast site into the Harbour Estate
- Review flood protection

There is a proposal to build a hotel and private apartments on top of part of the marina car park adjacent to the Pavilion. As part of this redevelopment the promenade on the west side of the Inner Harbour will be improved and vehicular access to the Fish Quay will be maintained. The redevelopment will incorporate the Pavilion which will form part of the hotel.

It has been identified through the Port Masterplan process that there is a requirement for loading and unloading facilities alongside the inner harbour and to maintain and where possible enhance access for coaches and HGVs along Victoria Parade. To provide for loading and unloading it is proposed that the existing landscaped area and footway along Victoria Parade are remodelled. It is proposed that improvements would be designed in a manner similar to those undertaken on the eastern side of Victoria Parade whereby the loading bays are incorporated into the overall footway. This will provide a shared dual use public realm feature that is an attractive pedestrian area but does not impinge on the operation of the harbour.

There are proposals within the Torbay Local Plan to enhance the pedestrian environment along Cary Parade, The Strand and Victoria Parade and whilst the Port Masterplan supports these aspirations it is important that the any proposed changes recognise that Torquay Harbour is a commercial entity and that future proposals protect and where possible enhance access to the harbour and support the commercial viability of the harbour.

There are also proposals to attract more cruise ships and other commercial passenger vessels to Torquay Harbour. By providing improved berthing facilities for smaller cruise ships and other commercial vessels with shallower drafts, the range of ship sizes that would be able to visit Torquay will be increased. The ships that are likely to be attracted are projected to carry between 100 and 1,200 passengers.

Developing a Travel Plan with cruise ship operators to ensure traffic demand from passenger transfer is managed through providing coaches or promoting public transport and walking routes in and around Torquay by clear pedestrian route signs to local amenities from the disembarkation point is key to the long term viability of the cruise ship industry in Torquay.

The impact of up to 1,200 passengers transferring to coaches would only increase traffic demand by 10 – 30 coaches depending upon ship and coach size. The proposed jetty enhancements will include the provision for an area to turn a coach and service vehicles and to allow (approximately 10) coaches to wait to pick up passengers, this capacity will need to be carefully managed through the co-ordination of passenger disembarkation.

The requirement to provide for coach parking and a turning area will have an impact upon available space for boat storage along the jetty; however this could be offset by the proposed Beacon Quay widening.



chapter 7
Socio Economic Considerations

CHAPTER 7_ Socio Economic Considerations

This chapter highlights the existing employment related to fishing, marine support services, ferries, leisure, recreation and tourism and identifies potential increases in employment in the areas of marine environmental tourism, fish processing, boat repair, ferry services and cruise tourism.

Tor Bay Harbour provides a large area of water (16 square miles) and 22 miles of attractive coastline for leisure and recreational use.

Tor Bay Harbour and the three enclosed harbours provide employment mainly within the Torbay area. Employment is provided by commercial harbour activities including the fishing vessels, fish market and fish processing at Brixham Harbour, support services, marine supplies and towage services, passenger boats and cross Bay ferries, aquaculture, boat repair and servicing in Tor Bay Harbour generally and limited numbers of retail businesses in all the enclosed harbours. The marinas at Brixham Harbour and Torquay Harbour also provide employment. The harbour also supports recreational sailing, wind surfing, sail boarding, water skiing, sea angling and diving.

Torbay has the highest number of tourism related employment of any local authority in the UK, with 1 in 6 people working in the sector and provides about one quarter of all employment in the area. The three enclosed harbours, beaches and attractive coastline are some of the main reasons why many tourists visit the area.

The tourism offer for Torbay is branded as the English Riviera and although there has been a decline in the number of visitors in 2011 the area still attracted approximately 1.1 million staying visitors and 2.9 million day visitors. Total visitor spend in 2011 was approximately £382 million. In future tourism can be increased by enhancements to the harbour areas and the potential attractions of the marine environment and the English Riviera Global Geopark. Tourism is also supported by cruise ships arriving in Torquay Harbour.

The Port Masterplan has as one of its objectives (Section 3) the development of partnerships to attract commercial port businesses to contribute to job creation. Many of the proposals (Section 6) are aimed at fulfilling this objective. However the development of new marine infrastructure is expensive and needs to provide a financial return based on an increase in employment as well as lease or sale value to businesses. Developing business cases that are viable for some of the schemes set out in this plan will not be possible; however where projects offer benefits to the wider economy by improving the amenities of the harbours grant funding will be sought.

For example the fishing industry is vital to Brixham and this could be enhanced by the provision of fishing vessel repair facilities and improved fish processing businesses. Also the enclosed harbours and the natural environment of the Bay are essential to marine tourism and leisure activities and many of the proposals contribute to enhancing facilities for boats, sea angling, diving and maritime events.

The plan should also support the maintenance of services to ships anchoring in the Bay, to cross-Bay ferry operators and facilities to attract more cruise ships.



chapter 8
Implementation and Delivery

chapter 8_Implementation and Delivery

The proposals in Section 6 are comprehensive but they cannot all be implemented and delivered at once. All the proposals have to be planned and designed and then any appropriate environmental assessment must be carried out together with identified field studies and investigations and various consents obtained. Where required for land based developments planning consent has to be sought. As set out above many of the proposals will require funding from a number of sources which could include Flood Defence Grant in Aid (Environment Agency and Defra), the Regional Growth Fund (Department of Business, Innovation and Skills), the Coastal Communities Fund (Department of Communities and Local Government) and the Growing Places Fund (Heart of the South West Local Enterprise Partnership). Funding will also be required from any developer partners and they may be able to access finance through the SW Regional Infrastructure Fund and Tax Increment financing. Other sources of funding include either land sales (but TBHA do not wish to sell Harbour Estate land) or lease of areas for development.

There are also charges that will be applied in relation to the development. These are contributions under Section 106 of the Town and Country Planning Act 1990, but these will be restricted where charges are liable from the Community Infrastructure Levy when this comes into force. However, these charges are available to contribute to the relevant development as this money is available for Torbay Council and the Neighbourhoods to spend.

Some of the proposals are for developments where some of these implementation stages have already been completed or are currently in progress.

The following implementation and delivery timeline is proposed.

Timeline	Harbour	Proposal	Implementation constraints
Short term 0 to 5 years	Tor Bay	Identify and support sea angling locations within the statutory harbour limits	Compliance with DDA for access and assess environmental impact
		Facilities for eco-tourism in the Bay and the English Riviera Geopark	Clarification of requirements
	Brixham	Return of South Quay to marine related use	Alternative car parking
		Redevelopment of the Coastguard Building for harbour related use after it is vacated in 2014	Currently outside the ownership of TBHA
		Carry out environmental and geotechnical field studies, investigations and assessments for the Northern Arm breakwater in preparation for applications for consent and seek funding	Concept design completed (2011). Environmental Scoping completed (2011). Business Case prepared (2013).
	Paignton	Relocation of crab processing factory and store to inland site	Alternative site
		Retain listed buildings and consider redevelopment or refurbish of South Quay	Review leases
		Explore possibility to redevelop the existing Harbour Light restaurant	Plans of current tenants
	Torquay	Provide 173 pontoon berths marina in the Inner Harbour	Implementation planned for 2014
		Maintain access for heavy good vehicles to Beacon Quay and Haldon Pier along Victoria Parade	Review of Local Plan policies
		Modify landscaping in Victoria Parade to provide loading and delivery bays for harbour users	
		Integrate masterplan with proposed hotel development on North Quay	Clarification of plan for hotel
		Improve facilities for passenger boats at Beacon Quay	
		Install pontoons for fishermen adjacent to the west end of Princess Gardens	

Timeline	Harbour	Proposal	Implementation constraints
Short term 0 to 5 years	Torquay	Provide improved pontoons and access brow for visiting yachts and cruise ship passengers on inside of Haldon Pier	
		Transfer Living Coasts site in to the Harbour Estate Provide slipway on south side of Haldon Pier adjacent to Living Coasts	Review of lease and internal transfer within Torbay Council Outline plan and environmental assessment required. May not be useable in waves from westerly sector
		Review flood protection	Results of current EA studies
Medium term 5 to 15 years	Tor Bay	Artificial reef in ca. 20 metres of water off Anstey's Cove	Environmental impact assessment. Identify suitable ship/ hulk
		Maritime centre at Broadsands with dinghy and boat park and launching facilities	Outline plan needed. Planning consent and environmental impact assessment required
	Brixham	Development of a small reclaimed area adjacent to Strand Quay to support maritime events and for a possible Maritime Museum for the heritage fishing vessels	Outline plan needed
		Improved access to Oxen Cove and Freshwater Quarry via Overgang Road and Blackball Lane	Review status of regeneration development planned for Oxen Cove (2008)
		Northern Arm breakwater	Has permitted development rights under Local Plan.
		Extension to the marina adjacent to the existing Victoria Breakwater	Discuss with MDL
	Paignton	Redevelopment and refurbishment of South Quay for light industrial marine related businesses, marine and sailing retail and water sports clubs/youth groups	Outline plan needed. Planning consent required
		Raising of East Quay wall with a shaped wave wall to limit overtopping	Consult with EA and Defra
	Torquay	Widen the Strand Quay by 10 metres to create promenade and area for events and preserve listed cobbled slipway in infill	Listed slipway built in 1867
		Acquire fuel station & refurbish or relocate to Haldon Pier	
		Provide landmark 'gateway' to Harbour at Beacon Quay entrance	
		Extend Beacon Quay over top of listed D-Day slipways	Existing Harbour Revision Order provides for removal
		Improve provision for sea angling off Princess Pier	
		Provide pontoons for visitors and passenger boats inside Princess Pier	
		Install mobile or fixed crane on Haldon Pier	

Timeline	Harbour	Proposal	Implementation constraints
Medium term 5 to 15 years	Torquay	Extend Haldon Pier westwards by up to 250 metres from end of existing and provide mooring dolphin	Identify demand and environmental assessment required
Long term 15 to 30 years	Brixham	Half tide cill and cill gate with a pedestrian lift or swing bridge as an extension from the Middle Pier to the quay below King Street	Not financially viable unless part of major redevelopment of Inner Harbour
		Reinstatement of the old derelict tanker berth to provide a bulk fuel station for fishing vessels	
		Reclaimed area along the south western side of the Outer Harbour	Outline plan required. Environmental impact assessment required
		Berth for Pelagic fishing vessels	Identify demand
		Facilities for a lobster/scallop hatchery and shellfish storage and depuration	Identify demand
		Boat maintenance facility consisting of either a slipway with rail mounted cradles or a boatlift for boats up to 30m long	Outline plan required
		Recreational slipway for boats	
		Boat repair businesses, boat building & marine related retail premises	Identify demand
		Additional car parking and boat storage	
		Additional marina pontoon berths on the west side of the Outer Harbour	Identify developer
		Facilities Building for a new marina	
	Paignton	New slipway on the seaward side of the East Quay. Exposed to easterly waves & not usable all the time	Outline plan & environmental assessment required
		Extension to East Quay to improve passenger boat facilities & better protect the harbour from surge waves	Outline plan & environmental assessment required
	Torquay	Refurbish and upgrade old ferry landing stage on west side of Princess Pier	Outline plan required for all-tide boarding bridge
		Provide berthing dolphins on seaward side of outer arm of Princess Pier	Identify demand
		Widen extension to Haldon Pier to 30m to provide multi-purpose berth	Identify demand

Many of the proposals while improving the harbour areas, cannot demonstrate a positive return on investment and therefore require capital grants or enabling compensatory developments. In order to implement most of these proposals the following steps are required:

- Preparation of Business Case including identification of demand
- Outline plan of requirements
- Environmental scoping study where required
- Environmental field studies and investigations including hydraulic modelling where required
- Geotechnical investigations where required
- Planning Application where required
- Marine Management Organisation, Marine License when required
- Environmental impact assessments where required to support applications for consent
- Identification of development partners and sources of funding
- Procurement of construction

Some proposals are within the statutory powers of Tor Bay Harbour Authority under the Tor Bay Harbour Act 1970 or have permitted development rights under the Local Plan.

The Tor Bay Harbour Authority – Port Masterplan is a strategic document for the future development of Tor Bay Harbour and the three enclosed harbours. This document contains a number of proposals for development and these may be implemented over the 30 year period of the Port Masterplan. However circumstances and demands can change and the Port Masterplan provides a strategic framework that needs to be flexible and will require review periodically.



Appendices

Appendices

A References
B Policy background – Planning
C Policy background – Transport
D Environmental Designations

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B Policy background – Planning

This Appendix provides detailed reference to the past and existing plans and guidance as they have had an influence on the production of this Masterplan, despite some being revoked.

These plans and guidance include the following:

- Regional Planning Guidance for the South West (RPG 10) (Sept 2001) (revoked May 2013)
- Regional Spatial Strategy for the South West: Secretary of State's Proposed Changes (July 2008)
- Devon Structure Plan (October 2004) (revoked May 2013)
- Torbay Local Plan (April 2004) (this Local Plan is under review in 2013 – see 'A Landscape for Success')
- LDF - Core Strategy DPD - Regulation 25 Draft Core Strategy: Vision, Objectives and Growth Options (September 2009)
- LDF - Torquay Harbour Area Action Plan - Regulation 27 (November 2010)

Regional Planning Guidance for the South West (RPG 10)

This guidance was adopted in September 2001 and sets out the strategic regional planning strategy for the South West region from 1996 to 2016. Although dated and now revoked, this document is relevant as it provided the strategic guidance for the production of the other current development documents; the Structure and Local Plan.

Also although not originally produced as a development plan document, since September 2004 it gained the status of a Regional Spatial Strategy (RSS) under the provisions of the Planning and Compensation Act 2004, and therefore is part of the development plan for Torbay. It was going to be replaced by the new RSS for the South West, but this has not occurred due to the Government's plans to abolish the regional tier of plan making, which is in its final stages of occurring. There are a couple of significant policies in this plan for the Port Masterplan, Policy SS 3, which addresses the Sub-Regional Strategy and Policy SS16 on Torbay.

The focus of Policy SS 3 for Torbay, under the Central sub-region section, is simply to "Encourage ... economic diversification...". More specifically Policy SS 16 focuses on the need for investment in new strategic facilities for tourism, support for economic restructuring and the attraction of inward investment through regeneration redevelopment, improving transport linkages, as well as promoting their high quality, which are all still relevant to the Port Masterplan.

Regional Spatial Strategy for the South West: Secretary of State's Proposed Changes (July 2008)

This draft strategy set out the regional strategic planning strategy for the whole of the South West region between 2006 and 2026. However, it was never adopted because of the Government's plans to abolish the regional plan making, which was confirmed by the 2011 Localism Act.

There are two key policies for Torbay. Policy HMA5 states that in terms of its role as a town centre: "Torbay will regenerate its roles as a tourism, employment and service centre... by providing for: tourism development in Torquay, Paignton and Brixham; and...re-use of previously developed land and buildings." Also Policy TO2 on safeguarding and investing in tourism destinations, states that for the major resorts of Torbay, its role of should be "maintained and enhanced ... by safeguarding existing high quality accommodation and facilities, developing new facilities where appropriate and be of an appropriate scale and supporting the specialisation of resorts into particular markets suited to their location."

Devon Structure Plan (October 2004) (revoked May 2013)

This plan sets out the strategic county planning strategy for the whole county of Devon for the period 2001 to 2016.

The 2004 Planning and Compulsory Purchase Act contained the requirement that all the existing statutory Development Plans and their planning policies were to be 'saved' (or remain in force) for 3 years until they were replaced by the then new planning documents; Regional Spatial Strategies (RSS) and Local Development Frameworks(LDF). However, to extend this time beyond 2007 a request to "save" the policies further was made and granted by the Secretary of State.

There are two main policies relevant to Torbay concerning the economy and tourism. Policy ST13 on Torbay Principal Urban Area states that at Torbay " ... priority should be given to: 2) developing and diversifying the economy through economic restructuring, regeneration in the town centres, investment in new strategic facilities for the tourism industry and offering a range of economic investment opportunities".

Also specifically Policy TO1 covers tourism development in resorts and requires that the need for additional tourist facilities should not "adversely impact on the environment" and that "Local Plans should also identify the main tourist areas within which proposals that would detract from their tourist function and character would not be permitted."

Torbay Local Plan (April 2004)

The Local Plan was adopted in April 2004 and outlines detailed planning policies and proposals for Torbay for the period 1995 – 2011. These plans, policies and proposals were also saved (except three of them) under the 2004 Planning and Compulsory Purchase Act and will remain in force until they are superseded by the emerging new Local Plan currently being produced.

There are two specific detailed economic proposals of relevance to the Port Masterplan. The first is Policy E7 on The Fishing industry and the Port and Waterfront of Brixham, where the "development and regeneration of the fishing industry and diversification of the Port and Waterfront of Brixham is proposed...". The second is Policy E8 Northern Arm Breakwater, where a "Northern Arm Breakwater is proposed at Brixham Harbour". There are also two Tourism polices concerning the Torquay Waterfront Project.

Policy TU1 on harbour side and waterfront regeneration addresses the enhancement of these and adjoining waterfront areas in Torquay and Brixham. It contains a number of detailed requirements including the protection of the (economic, maritime, tourism and retail) roles of these areas; resisting changes of use which detract from the special character of the Torquay Harbour; supporting new development which contributes to all year round tourism; and maintaining a high standard of design and other works to enhance the visual attractiveness of the harbour side and waterfront settings. Also Policy TU2 contains proposals for new tourist facilities (including land adjacent to the Quay West site, Goodrington near Paignton).

LDF - Core Strategy DPD - Regulation 25 Draft Core Strategy: Vision, Objectives and Growth Options (September 2009)

This plan covers the same period as the Regional Spatial Strategy and contains the local strategic policy for Torbay, rather than detailed sites and development management policies and proposals. This plan is effectively the first draft, but it did not progress further due to changes outlined in the NPPF, which made reference to a single Local Plan for its area rather than the suite of documents which was introduced by the 2004 Planning and Compulsory Purchase Act.

In terms of policies, there are three important policies. Firstly, Policy SO11 on improving economic prosperity aims to promote "...economic diversification and supports existing and traditional industries and business". Secondly, Policy SO13 on promoting high quality tourism aims to achieve this through improving the provision of facilities, by protecting "...key tourism shop window areas from change to inappropriate uses, in order to conserve the future of the tourism industry". Thirdly, Policy SO22 sets out the need for the delivery of recreation, leisure and tourism facilities including "... high quality active seafronts, walking and cycling networks, family-oriented attractions..."

LDF - Torquay Harbour Area Action Plan - Regulation 27 (November 2010)

This plan also covers the same period as the Regional Spatial Strategy, but includes detailed policies and proposals for the Torquay Harbour area. This pre-submission document was the third draft of the plan, but as with the Core Strategy did not progress further due to the move to produce a single Local Plan, as identified by the NPPF.

There are four Strategic Harbour Policies in this plan, but the most significant is Policy THS on a Sustainable Harbour area. This requires all development to meet a number of requirements including supporting the area's revitalisation; sustaining uses and activities that significantly affect the commercial competitiveness and daily operation of the harbour and its area, having a high quality of design that enriches the harbour area's attractiveness; and respects the Conservation Area status and natural environment, by protecting these features. Policy TH2 refers to Flooding and coastal management and requires developments to provide the appropriate flood risk management measures. Policy TH3 covers Transport and access and most of these requirements are picked up in the emerging Torquay Neighbourhood Plan.

In addition to this, the Plan contains are a further 11 policies that are site specific allocations. Policy TH14 refers to enhancement of the Inner Harbour with new pontoon berths.

C Policy background – Transport

The Development Policy Framework relevant to the Tor Bay Harbour Authority Port Masterplan is set out in Appendix B Policy background – Planning. This Appendix details the salient transport policy which has set the context for the development of the Masterplan.

This section outlines the statutory plans to be taken account of and other relevant planning documents and plans, otherwise known as "material considerations", which have some weight or relevance in the planning system.

Statutory Plans

Local Transport Plan – Devon and Torbay Strategy 2011 – 2026 (April 2011)

The local context for planning for transport is provided by Local Transport Plans. The Devon and Torbay 3rd Local Transport Plan was adopted in April 2011. The Local Transport Plan sets out that the vision for Torbay by 2026 will be:

"...Torbay will have excellent connections to Devon and the rest of the UK. Residents and visitors will find it easy to move around, explore and experience Torbay's beautiful urban and marine environment. People will enjoy better health and quality of life using improved cycling, walking and public transport links for work, leisure and education. A low carbon sustainable transport system will contribute towards the public realm, distinct character and function of the three towns of Torquay, Brixham and Paignton"

The key elements of Torbay's transport strategy are detailed below along with the areas of relevance to the development of the Masterplan:

- Enabling Economic Growth and Development, this includes improvements to footways, cycleways, public transport, improved information systems, congestion and junction improvements
- Torbay's Built and Natural Environment, this includes travel planning, 20mph zones, and addressing air quality management areas
- Improve Safety and Health, this includes cycling and

walking improvements, and road safety measures
- Promote Access to Education, Employment and Services, this includes improvements to public transport and improvements to the public realm in the town centres.
- Making the Big Connections, this includes improvements to rail services and enhancing the A380 through Kingskerswell for public transport and cycling

National Planning Policy Framework (March 2012)

In terms of transport the NPPF states; "All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure
- safe and suitable access to the site can be achieved for all people and
- improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe."

The NPPF also stipulates "All developments which generate significant amounts of movement should be required to provide a Travel Plan."

A Landscape for Success: The Plan for Torbay to 2032 and beyond Local Plan Consultation Draft (September 2012)

The Plan for Torbay sets out that:
"Good connections in and around the Bay, and between Torbay and national or international markets, are critical to the Bay's success".

To help achieve the aims of a better connected, accessible Torbay the Plan sets out the following transport related policies:

- Policy TA-1 Transport and Accessibility, sets out how the Plan will encourage the development of a sustainable and high quality transportation system which makes sustainable travel the first choice for travelling
- Policy TA-2 Strategic Transport Improvements sets out that Torbay Council will support strategic improvements to the transport system which improve connections between the three towns [Torquay, Paignton and Brixham], the rest of the sub-region and national and international markets

The emerging Torquay, Paignton and Brixham Neighbourhood Plans

Appendix B Policy background – Planning, sets out that the neighbourhood plans for Torquay, Paignton and Brixham are at the earliest stage of preparation (Pre-submission consultation and publicity) and have still to issue the submission draft, with the examination, referendum and adoption to follow.

However, the draft plans provide an overview of the key transport issues and preliminary proposals and are therefore considered to be relevant to the production of the Materplan.

Draft - Brixham with Broadsands, Churston & Galmpton Neighbourhood Plan (December 2012)

The Brixham Neighbourhood Plan identifies traffic congestion and inadequate parking space among the challenges facing the area. The plan identifies a number of transport issues that are considered to be relevant to the production of the Masterplan and they can be grouped into the following broad categories:

- Junction capacity improvements
- Cycle links between Brixham and Paignton
- Integrated real time bus, car and ferry
- Improved ferry service, facilitated by the northern arm and including a late night ferry service
- More and better use of car parks within Brixham
- Improved Park and Ride facilities and dedicated bus services and
- Improved facilities for coaches to encourage more coaches to bring tourists into Brixham

Draft Paignton Neighbourhood Plan (October 2012)

The Paignton Neighbourhood Plan identifies that improvements to the points of arrival and connectivity are key to achieving the aims of the plan. The Plan identifies specific areas of Paignton for improvements of which the Transport Hub and Seafront and Harbour are considered to be relevant.

Proposals for the Transport Hub that are considered to be relevant to the Masterplan include; improved access for pedestrians and mobility impaired users between transport points of arrival and; improved signage for visitors and tourists. There is also reference to further work to assess the options for moving all the transport connections on to one site.

The proposals for the Seafront and Harbour area identified that retaining and enhancing existing harbour off street parking facilities for greater use by tourists is a key transport priority.

Draft Torquay Neighbourhood Plan (October 2012)

The Torquay Neighbourhood Plan identifies five key objectives for Torquay of these, improvements to Torre Station signage and improved bus stops and interchanges at the harbour are considered to be relevant to the production of the Masterplan.

Material Considerations

The following section provides a review of the other relevant planning documents and plans, otherwise known as 'material considerations' that have been taken account of when developing the Masterplan.

LDF - Core Strategy DPD - Regulation 25 Draft Core Strategy: Vision, Objectives and Growth Options (September 2009)

Section 3 of the Local Development Framework Core Strategy sets out the 24 key strategic objectives to address the key themes contained within the Community Plan.

The following strategic objectives are considered to be relevant to the development of the masterplan:

- SO15 A safe and sustainable transport system
- SO16 Improved accessibility
- SO17 Provision of satisfactory transport infrastructure and
- SO23 Improved access to recreational space

D Environmental Designations

The Nature of Torbay – A local biodiversity and geodiversity action plan 2006-2016

List of Environmental Designations

Site Designation	EU Code/ SSSI ID	Location	Manager
Special Areas of Conservation (SAC)	UK0012650	Berry Head to Sharkham Point, Brixham (South Hams)	Owned and managed by the Torbay Coast and Countryside Trust
National Nature Reserve (NNR)		Berry Head and Sharkham	Owned and managed by the Torbay Coast and Countryside Trust
Sites of Special Scientific Interest (SSSI)	1001340	Babbacombe Cliffs	English Riviera Global Geopark
	1000812	Hope's Nose to Walls Hill	English Riviera Global Geopark
	1001519	Meadfoot Sea Road	English Riviera Global Geopark
	1000084	Daddyhole	English Riviera Global Geopark
	1006369	Occombe	English Riviera Global Geopark
	1003052	Roundham Head	English Riviera Global Geopark
	1002967	Saltern Cove	English Riviera Global Geopark
	1001416	Berry Head to Sharkham Point (same as SAC)	English Riviera Global Geopark
Local Nature Reserve (LNR)		Saltern Cove and Sugar Loaf Hill	Owned by Torbay Council and managed by Torbay Coast and Countryside Trust

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PORT MASTERPLAN
ADDENDUM 2019-2024

TORBAY COUNCIL

EXECUTIVE SUMMARY

In 2013 The Tor Bay Harbour Authority published its Port Masterplan which set out, for the first time, a practical and realistic long-term strategy for the future of Tor Bay Harbour over the following 20-25 years. The Masterplan was designed as a 'living document' and the subject of periodic updates to remain aligned with the evolving needs and wishes of Harbour users, reinforce and build on achieved successes, and to identify and react to new challenges and opportunities.

In the 5 years since its publication much has changed. Operationally, the Bay's popularity as a working and recreational harbour has increased with greater number of marine events held every year. The fishing industry based primarily in Brixham has expanded, and the Bay remains a regular destination anchorage for cruise ships and other merchant vessels.

Many of the projects identified to improve the Bay and its 3 enclosed ports of Brixham, Paignton and Torquay have been successfully delivered, including improvements to Princess Pier and Beacon Quay in Torquay, improved fendering and other infrastructure for the fishing and shell-fishing industry in Paignton and Brixham. Inevitably a lot of the Port Masterplan has yet to be delivered but this is only to be expected: we are only 5 years into a 25-year programme.

There have been many changes to the operating environment, too: reductions to central government funding of Local Authorities, combined with increased demands upon its services, have left Torbay Council (among many others) facing severe financial pressures. The consequences of the 2016 Brexit vote have yet to crystallise but could present challenges for tourism, and the marine and environmental sectors which will have to be addressed quickly if business continuity is to be maintained. It might also result in greater opportunities eg for the fishing industry. It is probable that the administrative burden will increase eg as a result of increased customs checks of non-UK vessels landing to Torquay or Brixham, and proactive steps are being taken to mitigate this.

As part of ongoing efforts to minimise the impact of human activity on Tor Bay's natural environment – while also allowing, where possible, for those activities to take place - the Harbour Authority have been closely involved in several Bay-wide initiatives to improve sustainability. These have included monitoring the recently introduced Torbay inshore Marine Conservation Zone; working alongside Living Coasts and others by contributing to the design and installation of experimental eco-moorings to hopefully reduce scouring of the seabed caused by mooring and anchor chains; and working with the Community Seagrass Initiative and Fishing for Litter projects, among others.



INTRODUCTION

In 2012 the Tor Bay Harbour Authority commissioned Royal Haskoning DHV to consult on and draft a strategic Port Masterplan for Tor Bay and the three enclosed ports of Torquay, Paignton and Brixham. This document was published in 2013 by the Harbour Authority to set out, for the first time, a practical and realistic long-term strategy for the future of Tor Bay Harbour over the following 20-25 years.

The Port Masterplan was unashamedly ambitious in its reach and undoubtedly comprehensive in its breadth: it considered not only the physical infrastructure requirements of the Harbour's ports and the wishes of its users, but it also encompassed the wider environmental and socio-economic aspects including tourism, transport links, employment opportunities, and its contribution to the health and wellbeing of residents and visitors.

When the Port Masterplan was published, the Torbay Local Plan and the towns' Neighbourhood Plans were still being developed, and thus a key purpose of the Port Masterplan was to inform, influence and assist their development by explaining to local communities and the marine industry how they could expect to see the Harbour and its ports develop over time.

Pleasingly, the Port Masterplan has stood the test of time: although much has changed over the intervening period, it remains a valid and actionable document, requiring only a minor update – the purpose of this Addendum, which is designed to be read in conjunction with the original publication. Objectives and projects which have already been achieved are identified; those that are ongoing are critically reviewed against the current and foreseeable operating environment and modified as necessary to ensure that they can be delivered. New opportunities are identified and incorporated into the Addendum. Similarly, those objectives described in the 2013 publication which are either undeliverable or no longer pertinent are also categorised along with an explanation of why they will no longer be pursued.

This document has been developed after extensive consultation with stakeholders and the public to reflect their evolving aspirations and requirements. Consultation events were held on a number of throughout the summer of 2018 at each of the enclosed ports to ensure that as many views as possible could be captured and considered.

THE BAY AND ITS THREE PORTS

Tor Bay

Tor Bay Harbour, the waterfront, the three enclosed ports and the coastline all form the central part of Torbay's built and natural environment. The focal point is the wide and open bay which provides substantial protection from the prevailing south-westerly weather. It is truly a community resource. It is a 'working' harbour in which cruise ships and merchant vessels frequently anchor to land passengers, change crews or undertake at-sea hull inspections. In poor weather it is a 'port of refuge' for vessels seeking shelter. The Bay accommodates inshore passenger ferries to connecting the towns of Torquay, Paignton and Brixham to Teignmouth and Dartmouth.

The absence of strong tidal currents, rip-tides or eddies, as well as its gently shelving sea-bed make it an ideal and popular destination for recreational and leisure vessels and hosts many maritime races and events each year. It is a regionally-significant tourist destination and also supports a fishing industry of national importance.

Tor Bay is also visited by cruise ships which anchor off Torquay Harbour both because of its location - it neatly links the destinations of Hamburg or Southampton in the east, to Cork or Dublin in the west, and the Iberian Peninsula to the south. It is also the ideal 'gateway' to Exeter, Dartmoor and many South Devon attractions as well as a popular destination in its own right. It is also the diversionary harbour of choice for cruise vessels which cannot safely make Plymouth or Dartmouth in poor weather.

A number of merchant vessels make use of Tor Bay's sheltered deep water anchorages to temporarily lay-over, to swap crews or to conduct under-water hull inspections. Historically they also used to conduct hull cleans and propeller polishing activities but these stopped several years ago due to concerns over the potential to introduce environmental pollutants into the Bay. A number of technological advances have addressed these reservations and it is hoped that these will recommence in the near future, hopefully increasing the number of visiting merchant vessels.

Connectivity

Since the 2013 publication of the Port Masterplan the Bay has become increasingly well connected to the South Devon hinterland and beyond: recent large-scale road network improvement projects including the A380 South Devon Expressway have reduced journey times for the 30,000 vehicles which daily travel between Torbay and Newton Abbott by up to 40 minutes. This will be further improved if the Torquay Gateway Scheme is progressed.

Ongoing road widening works along the 'western corridor' are also improving Brixham's connectivity to Paignton, Torquay and beyond. However, immediate road connectivity to each of the three ports remains single-carriageway only, and there are competing pressures between resident, tourist and commercial traffic, all of which continue to increase in volume.

Intra-port connectivity has similarly improved with regular seasonal foot-passenger ferries which operate between the three ports of Tor Bay and also to Teignmouth and Dartmouth.

However the fast ferry service which commenced in 2015 was scrapped in 2017 due to lack of customer demand.

Rail connectivity for the Bay has similarly stalled despite the line at Dawlish being rebuilt after it was washed away in 2014, as the rail improvements outlined in the Local Transport Plan have been indefinitely delayed due to funding considerations.

Brixham

Brixham remains the 4th largest fishing port in the UK and the largest in England and Wales by value of catch landed; this is illustrated in the table below:

Type	Quantity (thousand tonnes)		Value (£m)	
	2012	2017	2012	2017
Demersal	4.2	4.7	11.9	15.6
Pelagic	2.1	1.6	0.7	0.5
Shellfish	7.4	8.7	13.5	24.6
total	13.7	15	26.1	40.7

Since the Port Masterplan was published in 2013 both the quantity and value of fish and shell-fish product have increased and the fishing port is approaching capacity in terms of vessels that it can accommodate. Similarly, the fish market is reaching capacity shore-side regarding the number and size of lorries that it can safely accommodate. An objective of this Addendum is to address these capacity issues to ensure that the fishing industry can continue to grow and evolve into the future.

Brixham's heritage fishing fleet continues to be an active and visible presence in and around the Bay and, along with the commercial fishing fleet described above, remains a key element of Brixham's attraction as a tourist destination particularly during the main summer season when the town can become congested with both people and traffic. Parking within the town remains at a premium and the plans within this Addendum are, where practicable, cognisant of their impact on the availability of parking.

In addition to the MDL-operated marina, Brixham also hosts approximately 200 swinging moorings in the outer harbour. There is an aspiration to replace these with a piled 'walk ashore' pontoon system which would reduce their footprint and enable further development of the harbour; however the 2013 Masterplan noted that this could not be undertaken without the further environmental protection provided by a northern breakwater arm.

Paignton

Paignton Harbour is a compact and enclosed working harbour which completely dries out at low tide. It is situated within an urban and mostly residential area of Paignton, lending it a strong community feel by virtue of its active dinghy sailing, rowing and Sea Scout groups. It is surrounded by several historic buildings, vibrant restaurants and café as well as some small commercial marine units, particularly on South Quay, including crab vivier tanks. It is spatially dislocated from the town centre and experiences reduced footfall and vehicle traffic as a result. Addressing the perceived gap will unlock the unlocked potential of Paignton Harbour, and this plan seeks to achieve just that.

The busy East and North Quays are used to store many dinghy-sized craft and canoes, some fishing-related stores and seasonal passenger-ferry boarding stations.

Ample car parking behind the buildings on South Quay exists but is underused except during the high season, and the harbour's two

slipways are popular launching sites.

The harbour walls are aging but sound, however many of the buildings on South Quay require refurbishment. Many of the businesses and clubs wish to expand but are prohibited from doing so due to lack of space or inefficient building's design or layout. In particular the demand for storage outstrips supply due to spatial constraints.

The 2013 Port Masterplan noted the need to raise, and potentially to extend, the East Quay wall to improve environmental protection as well as the possibility of building a new slipway and quay wall on its outer (seaward) side. These have not yet commenced due to cost, but remain high priorities, however other Masterplan projects are being taken forward, particularly the redevelopment of the Harbour Light building and the redevelopment of South Quay.

Torquay

Torquay Harbour is a modern enclosed harbour from which a small but significant commercial fishing industry as well as a number of passenger ferry companies operate. Visually the harbour is dominated by pontoon-style berths for recreational vessels, split approximately evenly between MDL and Local Authority ownership, and the harbour has almost reached capacity: there is very little room afloat for further berths.

The harbour is protected by the twin arms of Haldon Pier and Princess Pier, the latter being recently refurbished (2018) when the derelict landing stage was removed. Haldon Pier was historically a popular berth for small to medium sized coasters but is unlikely to ever operate in this capacity again for several reasons: rock armouring prohibits berthing along the outer face and the harbour entrance is too narrow to allow such vessels to manoeuvre safely alongside the inner face. Furthermore Haldon Pier requires substantial refurbished if the current vehicle weight restriction is to be revoked, which presently curtails the volume of cargo that can be discharged alongside. Instead, the visitors' pontoon is moored alongside the inner face and provides walk-ashore access to the toilets, showers, shops and cafes situated along Beacon Quay on the harbour's northern side.

The Beacon Quay slipway is an extremely popular launching point for small vessels and in summer often requires active management to prevent congestion. Further west along Beacon Quay are the historically significant, but despite their listed status are sadly dilapidated, WWII landing craft ramps from which some of the armed forces which participated in D-Day departed. Between the ramps and slipway is the Town Dock which is used by passenger ferries and cruise vessel tenders to land and pick up passengers.

There is a fuel berth on South Pier which vends both petrol and marine diesel but this needs substantial renovation before it can be permitted to recommence trading. This Pier, along with the adjoining bridge and cill, provides further protection for vessels moored in the Inner Harbour which dovetails into the lower part of the town and is surrounded by commercial premises as a consequence.

The route from the Town Dock to the town centre has been the focus of improvements in Torquay to reflect its 'gateway' status into and out of the town from the water. The focus in this Addendum will be the less conspicuous but equally important quay walls around other parts of the harbour as part of an ongoing programme of future-proofing and renovations.



THE NEED FOR PORT MASTER-PLANNING

The Harbour Authority is continuously responsible for improvements to the harbour facilities to accommodate changes in the needs and demands of port customers, port users, stakeholders and legislation in order to ensure continuing success.

Published in 2013, the main purpose of the Port Masterplan was to provide a practical and realistic long-term strategy for the future of Tor Bay Harbour over the following 20-25 years. It was designed as a 'living document' and is the subject of periodic updates (of which this document is the first) to remain aligned with the evolving needs and wishes of Harbour users, reinforce and build on achieved successes, and to identify and react to new challenges and opportunities.

This Port Masterplan is a high level framework document that provides overall strategic spatial development guidance on the most sustainable future for Tor Bay Harbour and its three enclosed ports. It is not meant to include detailed plans of developments for implantation but instead provides flexibility for development over the longer term.

It is also designed to communicate the Harbour Authority's aspirations to the wider community and other planning bodies to ensure that future harbour development remains coherent with change delivered through the Torbay Local Plan, Neighbourhood Plans and other regional and local strategies.

THE APPROACH FOR THIS ADDENDUM



Designed to remain relevant for up to 20 years, much of the Port Masterplan remains germane as a 'capstone' document which articulates the broader strategic setting. This Addendum, and each of those which follow will serve to update the contextual and other changes which have occurred since the 2013 publication and to provide greater levels of clarity and detail regarding priorities, proposed developments and a proposed delivery plan for the forthcoming 5-10 year timeframe.

Like the Port Masterplan, this and future Addendums are deliberately ambitious and, to a certain extent, aspirational: many of the plans are not currently funded and it may prove impossible to deliver these capabilities within the desired timeframe (or indeed at all if circumstances so dictate). However it is important to describe future plans and projects in sufficient detail that future growth, however piecemeal, remains coherent. Each delivery plan should thus not be viewed as stand-alone project but instead a piece within a wider holistic 'jigsaw'.

The development of this Addendum followed closely to that employed for the original Port Masterplan. Stakeholder workshops were undertaken during the summer in each of the three harbours to understand what had changed since publication of the Port Masterplan and to identify future requirements and priorities. These workshops focused on 4 questions:

- What changes have taken place since publication of the Port Masterplan?
- What are the future requirements of Tor Bay Harbour that we must address?
- What are your ideas for the development of the harbour?
- What is your order of priority for future development?

Each workshop concluded with a plenary session to gauge areas of collective agreement. These were incorporated into a draft version of this document which was circulated amongst consultation attendees for feedback prior to its being presented to the Harbour Committee for endorsement and subsequent Council adoption.

THE STRATEGY FOR TOR BAY HARBOUR AUTHORITY

The overarching strategy for Tor Bay Harbour Authority remains unchanged from that published in the Port Masterplan:

'to provide a high quality service that is committed to improve Tor Bay Harbour and provide a cleaner and safer environment by addressing the following objectives:

- Maintain Tor Bay Harbour and the three enclosed ports under the management of one Harbour Authority
- Review and use the statutory powers of the Harbour Authority to fulfil its statutory duties in a timely manner for the purpose of improving, maintaining and managing the harbour while continuing to contribute, where possible, to the finances of the owning authority – Torbay Council;
- Develop robust partnerships with key maritime stakeholders to attract and deliver commercial port businesses, contributing to job creation and the local economy;
- Manage the harbour in a sustainable manner by supporting a variety of marine activities including fishing, shipping, marine-related businesses, heritage, eco-tourism an marine recreational activities;
- Balance the responsible stewardship of the marine environment with appropriate socio-economic development and use of Tor Bay;
- Measure and monitor the needs and wishes of harbour users, the local community and visitors through appropriate research; and,
- Improve connectivity between the enclosed ports by upgrading facilities for marine transport.'

These objectives remain unchanged from the original Port Masterplan because they were designed with longevity in mind, and despite changes to the operating context they remain valid. That notwithstanding their priorities have undoubtedly changed: issues surrounding port governance have diminished in relative terms compared to the protection of the marine environment for example.

The plans and projects detailed later in this document each contribute towards one or more of these objectives.

WHAT HAVE WE ACHIEVED SINCE THE LAST PLAN?

Much has been achieved since the original plan was published in 2013. These include:

The Bay

- The establishment of an inshore Marine Conservation Zone (MCZ) around the Bay in 2013 has enhanced the protection of the Bay's natural environment;
- The number of our beaches which have been granted the prestigious Blue Flag award standard has risen despite the threshold criteria for water quality having been substantially raised in 2015. This reflects the continuing improvement in our natural environment and also the facilities offered at the waterfront;
- New seasonal passenger ferry links to Teignmouth have reinforced the Bay's attractiveness as a tourist destination;
- The continuing use of the Bay as a place of refuge in inclement weather and also as a destination for cruise vessels provides an economic boost to the area.

Torquay

- The replacement of the swinging moorings in the Torquay inner harbour with walk-ashore pontoons. This has considerably improved safe access for harbour users to and from their vessels and enhanced the security of the vessels while berthed in the harbour;
- Permanent pontoons have been installed at the foot of Princess Parade for the commercial fishing fleet in Torquay, which has both increased the number of vessels which can be accommodated in the harbour and improved safe access for the fishermen;
- Seasonal pontoons have been installed along the inner face of Haldon Pier for visitors to improve the amenity and appeal of the port;
- The provision of improved pontoons and access brow for cruise ship passengers inside Haldon Pier;
- The obsolete landing stage on Princess Pier has been removed and the walkway refurbished to improve pedestrian access, particularly disabled access;
- The decking along Beacon Quay has been replaced with a composite surface, making it substantially safer especially in wet weather by improving its non-slip properties;
- The Harbour Authority has recently re-acquired the marine fuel station and investigating how best to refurbish it to ensure a future fuelling capability remains in Torquay;
- The wave screen in the outer harbour has been upgraded and is designed to better withstand any wave action during storms.

Paignton

- Refurbishment of the Harbour Light building is expected to commence in early 2019.
- Improved flood protection gates at the top of the slipway



Brixham

- Repairs to the Victoria breakwater following storm damage, the emplacement of more robust rock armouring along part of its seaward face as well as raising the breakwater's height by 50cm is expected to substantially improve its utility as a breakwater and future-proof it against rises in sea level due to climate change for up to 50 years.
- Better fendering of the Fish Quay's northern face will ensure that the more exposed landing berths remain operational in a wider range of inclement weather than at present;
- The expected installation of a shell-fish landing jetty in Oxen Cove will raise the harbour's capacity will meet the growing demand by an increasing number of vessels to land a greater volume of stock.

Perhaps unsurprisingly (since we are only 5 years into a 25 year plan) a number of plans outlined in the Port Masterplan have yet to be delivered. While a few are no longer relevant, most are still needed although perhaps a few require modifying to reflect the changing operating environment, while other, new, requirements have emerged.

Those that will not be taken forward include:

- The extension to Haldon Pier to provide a deep water berth. This is not considered viable due to cost, the disruption to the inshore Tor Bay MCZ and also the lack of suitably deep water to attract sufficient vessels alongside to justify the cost of construction. Moreover the fragile material state of the existing Haldon Pier would require costly and extensive maintenance works to bear the likely vehicular traffic and plant needed to make the pier a useful loading and unloading berth.
- Additional slipway on the seaward side of Paignton's East Quay and on the seaward side of Haldon Pier. Although these will be kept under review, there is sufficient launching capacity around the Bay to offset the need for the construction of additional slipways. Moreover the cost of construction is unlikely to ever be recouped from the launching fees they could generate and they would both be vulnerable to surge or flood damage in an easterly storm.
- A half-tide cill and lift bridge in Brixham. Experience from Torquay has shown that this would be very costly to build and require an increased number of harbour staff to manually lift and lower the bridge. Even if a pontoon berthing system similar to that in Torquay's inner harbour were built it is unlikely that the cost of the cill and bridge could ever be recouped.

SWOT ANALYSIS

The SWOT (strengths, weaknesses, opportunities and threats) analysis published in the Port Masterplan has been updated here to reflect the changes which have taken place over the intervening 5 years.

Strengths	Weaknesses
Tor Bay Harbour is well protected with good anchorages for ships	Some unused and derelict harbour facilities
Significant Harbour Estate that makes the harbour sustainable	Aging critical harbour infrastructure eg piers, quays and harbour walls
English Riviera is a strong marketing and tourism brand	Lack of waterfront space to expand harbour businesses, particularly fishing industry
Unique character of the individual ports	Congested road networks, particularly in high season
Good provision of leisure and recreational boating facilities, including a number of active yacht clubs	Lack of lift out/repair facilities for vessels eg MFVs
4th largest fishing port in UK with excellent reputation for quality	Shortage of onshore marine leisure facilities
Tor Bay is recognised as a port of refuge	Lack of cargo handling facilities
Attractive area for living and working	Lack of cold storage and fish processing facilities
All ports come under one governing Authority	No rail connections to the enclosed ports
Outstanding natural environment with variety of designations eg MCZ	Tor Bay anchorages exposed to easterly weather
Excellent water quality	Infrastructure & water depth are insufficient to accept cargo/ cruise vessels alongside
Safe road network which is continually improving	Vulnerability to effects of climate change, particularly Paignton
Paignton and Torquay connected to national rail network	Paucity of car parking
	Shortage of maritime skills

Opportunities	Threats
Growth in ‘green’ tourism, investment and research	Climate change and coastal erosion
Potential to run Tor Bay Harbour as an ‘arm’s length’ company of the council similar to TDA	Unknown consequences of Brexit on fishing and tourism industries (eg access to markets, loss of grant aid, disruption etc)
Space for development in Brixham harbour	Lack of finance to fund harbour infrastructure developments /size of financial contribution to the Council
Improvement potential for transport links	Risk of piecemeal development without a coherent overarching vision (eg like this document)
Installation of climate change defences could enhance built environment	Increasingly onerous legislative and regulatory environment could stifle development
Potential for further growth in visiting cruise and fishing vessel numbers	Competition from other harbours/ fishing ports/ cruise destinations
Brexit may provide opportunities eg additional landing quota/TAC	Introduction of electronic fish market auction could result in product landed to other ports instead of Brixham
Introduction of electronic fish auction could increase volume/value of product landed	Very lean staffing levels at each of the enclosed ports
Installation of a floating breakwater in Brixham would attract cargo and passenger vessels to the Bay	
Introduction of a hull-cleaning service would attract additional vessels into the Bay	
Potential for multi-storey parking	
Links to regional Higher and Further Education establishments	
External development funding opportunities	

DEVELOPMENT PLANNING POLICY

This document, and the Port Masterplan which preceded it, have been developed with regard to the wider policy frameworks such as the National Planning Policy Framework (updated 2018), the National Policy Statement for Ports (2012), the Torbay Local Plan (2015) and the more recent Neighbourhood Plans. This document has also been written with reference to the DEFRA publications Coastal Concordat and the separate South Inshore and South Offshore Plan.

National Policy Statement for Ports

The Government policy for ports seeks to encourage sustainable port development to cater for long-term forecast growth in volumes of imports and exports by sea in order to (amongst other things):

- Contribute to local employment, regeneration and development;
- Preserve, protect and where possible improve marine and terrestrial biodiversity;
- Be adapted to climate change;
- Minimise use of greenfield land;
- Enhance access to port and the jobs, services and social networks they create, including for the most disadvantaged;
- Being an engine for economic growth.

South Inshore and South Offshore Marine Plan (known as the South Marine Plan)

This DEFRA-authored document was published in 2018 to introduce a strategic approach to planning within the inshore and offshore waters between Folkstone and the River Dart. It provides an evidence-based framework for marine users and regulators to shape and inform decisions over how the area's waters are developed, protected and improved over the next 20 years. It sits alongside other regional marine plans that are (or will be) published to encompass the whole of the UK coastline.

The South Marine Plan contains a number of objectives and policies of which those below are the most relevant.

Objective 1: To encourage effective use of space to support existing and future sustainable economic activity through co-existence, mitigation of conflicts and minimisation of development footprints

S-CO-1: Proposals will minimise their use of space and consider opportunities for co-existence

Policy aim: Enables plans to be spatially planned to maximise use of limited space

S-PS-1: Proposals that have adverse impact on current activity and future port expansion should be avoided or minimised

Policy aim: Ensures proposals do not restrict current port activity or future growth

S-AQ-1: Sustainable aquaculture … will be supported

Policy aim: Recognises importance of aquaculture industry

Objective 2: To manage existing, and aid the provision of new, infrastructure supporting marine and terrestrial activity

S-INF-1: Support to appropriate land-based infrastructure which facilitates marine activity

Policy aim: Supports integration between marine and land-use plans

S-AQ-2: Support for proposals that enable the provision of infrastructure for sustainable fisheries & aquaculture & related industries

Policy aim: Encourages supporting infrastructure for marine industries

Objective 3: To support diversification of activities which improve socio-economic conditions in coastal communities

S-FISH-1: Proposals that support diversification of sustainable fishing industry, or enhance its resilience to climate change should be supported

Policy aim: Enables fishing industry to manage climate change risks & maximise sustainable use of marine resources

S-TR-1: Proposals supporting tourism & recreation activities…should be supported

Policy aim: Enables greater range of employment opportunities and minimises economic risks

Objective 4: To support marine activities that increase or enhance employment opportunities

S-EMP-1: Development of marine related activities will be supported

Policy aim: Enables maximum sustainable activity, prosperity and opportunities for all

Objective 5: To avoid, minimise, mitigate displacement of marine activities, particularly where of importance to marine communities

S-SOC-1: Support to proposals that promote social benefits

Policy aim: Protects against displacement of activities which provide a social benefit

S-FISH-3: Proposals that enhance access to sustainable fishing or aquaculture sites should be supported

Policy aim: Enables support for sustainable fishing and aquaculture

Objective 7: to support the reduction of environmental, social and economic impacts of climate change

S-CC-2: Proposals should demonstrate resilience to climate change throughout lifetime of proposal

Policy aim: Enables climate change resilience of developments & activities

Coastal Concordat

The Coastal Concordat is one of a suite of actions the Government and regulatory bodies (eg DEFRA, DfT, DCLG, MMO, EA, NE) are taking to achieve more efficient and coordinated regulation to enable sustainable growth in the coastal zone. Although Torbay Council is not currently a signatory to the Concordat it nevertheless benefits from the application of its principles when applying for regulatory and other permissions to undertake maintenance or development activities.

The Torbay Local Plan: a landscape for success

The Torbay Local Plan recognises the importance of the harbours and commits to investment and regeneration of harbours and harboursides, including infrastructure for the fishing industry which it identifies as "vital to success". In particular it articulates several 'area' policies thus:

SDB1 (Brixham)
Mixed use harbourside development with a focus on marine related employment uses.

SDB2 (Brixham)
The provision of a northern arm breakwater is proposed to enable the creation of additional employment and leisure opportunities.

SDP1 (Paignton)
Mixed use schemes as part of harbourside, waterfront and town centre regeneration of Paignton.

SDT1 (Torquay)
Mixed use schemes as part of harbourside, waterfront and town centre regeneration of Torquay.

Neighbourhood plans

Although the Torquay Neighbourhood Plan identifies its seafront and harbour as the primary 'core tourist investment area' for Torquay which "should be the main focus for investment" it also seeks to "integrate water based sports and activities into the tourism offer" through:

- Easier access to the water for all users, including the storage and launching/ recovery of small craft from beaches and harbours;
- Ensuring infrastructure investment to support Blue Flag/Quality awards for beaches;
- Linking the ports along the south west coast with coastal ferry services.

The Paignton Neighbourhood Plan seeks improvements to the harbour frontage (PNP3) which retains the 'quaintness' of the harbour, attracts more tourists and enables more use of the harbour for water sports.

The Brixham Peninsula Neighbourhood Plan seeks to sustain a vibrant harbour-side economy (J5) by further developing it as a working harbour, utilising the land in Freshwater Quarry and Oxen Cove for marine related employment (J7) including engineering and boat repair facilities, boat storage and shellfish processing and a multi-level car park along with access to a northern arm breakwater.

IMPLEMENTATION AND DELIVERY

Tor Bay Harbour

A large number of ideas were collected during the consultation events and augmented those already captured in the Port Masterplan. Over the next 5 years the Harbour Authority will consolidate our recent achievements and also lay the foundations for future success through the delivery of three broad themes: improving visibility and access to the water; reinforcing the Bay as a safe, vibrant and attractive destination; and environmental stewardship. The activities which support their delivery are listed below:

Improving visibility and access to the water

- The use of enhanced signage of the enclosed harbours, and proposals to improve their footfall will raise their visibility from landward. In tandem the Authority will champion the retention of adequate nearby car parking.
- Outside of the enclosed ports the Authority will advocate the retention and maintenance of launching sites (eg slipways) around the Bay if the Shoreline Management Plan and their importance to the local marine community would make it appropriate to so.

Reinforcing the Bay as a safe, vibrant and attractive destination

- The number of maritime events that take place annually in the Bay is increasing annually and we will continue to support and facilitate these wherever possible.
- As the popularity of open water swimming grows there are an increasing number of swimmers who throughout the year are venturing further into the Bay where swimmers have not previously been encountered. A swimmers code of practice and an education campaign to encourage vessels to keep a better lookout will be introduced to ensure everyone's safety.
- Numbers of visiting cruise vessels have halved over the previous 5 years and the Authority will seek to reverse this decline by re-launching Tor Bay as a destination in its own right and also a gateway into the heart of the south west. We will attempt to build a stronger regional profile by collaborating with other local ports which also accommodate cruise vessels.

Environmental stewardship

- We will work proactively with other agencies to identify where future climate change adaptations may be required, for example additional or augmented sea defences, and support efforts to attract external funding for such projects.
- The introduction of an Environmental Management Plan will enable the protection of the Bay's nationally acclaimed natural environment to be sensibly balanced against the growth of the Bay's tourist, fishing and other industries.

Brixham Harbour

The outcome of a very well attended and energetic stakeholder workshop was broad agreement with the ideas set out in the Port Masterplan albeit with some important refinements. There was universal agreement that the recent and welcome growth of the fishing industry required further port

expansion to allow the increased spatial demands of the fish market, equipment storage and MFV berths to be met; improved marine engineering support, with a boat hoist/lift-out facility for at least the majority of the MFVs; the replacement of the swinging moorings with 'walk-ashore' pontoon facilities; more space to host resident and visiting maritime event activities as well as winter boat storage; and perhaps most importantly better environmental protection in the form of a northern arm floating breakwater. This last item was seen as the sine qua non to ensure the future sustainability of Brixham harbour and lower town particularly given the forecast impact of future climate change as evidenced by the damage wrought by Storm Emma earlier in 2018. The importance of tourism generally, and the heritage fishing fleet in particular, was also reaffirmed.

The following projects are those which will be prioritised over the next 5-10 years:

Improving sea defences

- Grant funding will be sought to continue the improvements to Victoria Breakwater which have already commenced with the placement of additional rock armour on the external face and raising the height of the wall to compensate for expected sea-level rises due to climate change.
- Funding and other approvals will be sought for a northern arm floating breakwater to enhance the environmental protection to Brixham harbour. This is a significant departure from previous plans which have sought the construction of a stone breakwater. While the latter undoubtedly has greater longevity and provides even better protection it has always been prohibitively expensive (approximately 6 times the expense of a floating breakwater) and has a very large 'footprint' on the fundus (seabed) and is thus environmentally very intrusive. Consideration of a floating solution has several advantages in that it provides the necessary environmental protection at significantly reduced cost, has a much reduced environmental footprint, allows medium sized vessels (and even small cruise liners!) to berth alongside and can accommodate vehicular traffic.

Enabling commercial growth

- Further land reclamation between the Fish Quay and Oxen Cove to provide additional MFV landing berths and to allow road access between the two sites. It would also enable further fish cold/freezer storage, offices and fish market hall, and equipment storage spaces to be built, and reduce the traffic volume along Blackball Lane and Overgang Road and thus away from the closest residential areas neighbouring the western side of the harbour.
- Development of the derelict tanker berth at the end of Victoria breakwater into a marine engineering facility, possibly with a boat hoist capability, will be investigated and if cost-effective will be pursued.
- A limited dredging campaign to deepen the fairway, and landing and fuel berths, is seen as essential to keep Brixham harbour open for the deeper-draught vessels.
- Replacement of the existing swinging moorings in the outer harbour with walk-ashore pontoon berths, including dedicated visitor berths. This will require the northern arm floating breakwater to be installed first as otherwise the pontoons would be too environmentally exposed.

Recognising Brixham's heritage

- In the inner harbour an increased focus on heritage, including the Brixham heritage trawlers and the 'Golden Hind' with better berthing facilities.
- Installation of a boardwalk along the south western side of the inner harbour to support maritime events.
- Support efforts to increase the profile of the south-eastern part of the harbour, particularly that adjacent the MDL marina and breakwater slipway, as being predominantly recreational in nature. This may include further infrastructure for dinghies, gigs and other small vessels, and supporting those who wish to move out of Oxen Cove to do so.

Progressing these projects will have the effect of creating distinct 'zones' of differing character around the harbour: the inner harbour would be focussed on heritage and tourism; the western side of the outer harbour being the most 'industrial' and the south eastern side being focussed on recreation. Such deconfliction will ensure that safety of navigation remains paramount and avoids congestion as the harbour becomes busier.

Paignton Harbour

The consultation revealed a number of issues which the stakeholders wanted to address: the port is set away from the town centre and as a result its visibility within the community is lower than that of the other two harbours. Stakeholder consultation feedback indicated that some visitors are unaware that Paignton has a harbour and even some residents rarely or never visit. Commercial activity around the harbour has reduced as a result of the low foot-fall and even though the harbour is flanked by a multi-storey car park this is rarely more than half full except in the high season. In summary, connectivity and storage space would be transformational to the harbour's future.

The harbour stakeholders are proud of the harbour's continuing commercial nature and while landings from its small but locally important fishing fleet has increased, crab processing no longer takes place on site. Commercial vehicular traffic has also reduced. There was some concern that the imminent (in 2018) redevelopment of the Harbour Light building could presage a dilution of the harbour's distinct working character and which could instead become centred more on retail and restaurants, but many felt that if this could be achieved without detriment to the existing commercial activities then it would be welcomed.

During the consultation concerns were raised about the reduced foot-fall, the lack of space generally but specifically the availability of storage for equipment, boats and trailers and greater environmental protection especially from easterly storms. Refurbishment of South Quay was also considered, particularly if such redevelopment could address some of these issues, and while all agreed that there was now a much reduced requirement for a second slipway off East Quay, there was strong demand to infill part of the western side of the harbour to generate more space around the harbour which most wished to see converted from swinging moorings to a walk-ashore pontoon-based system if the environmental protection along East Quay was improved and potentially extended. During the period of this Addendum the following deliverables will be sought:

Improving sea defences

- Subject to obtaining the appropriate planning and other regulatory clearances

and identifying funding (including grant funding) the Authority would seek to improve environmental protection from wind and wave damage by enhancing the sea defences.

- Installing rock armour along the East Quay's outer face to absorb some of the wave energy, thereby reducing the frequency that water 'over tops' the quay wall;
- Countering future sea-level rise brought about as a result of climate change by raising the height of the East and North Quay walls by up to 50cm;
- Conducting a feasibility study of extending East Quay northwards by up to 40m to provide greater protection of the harbour mouth and reduce the swell experienced in the harbour during poor weather.

Improving the visibility of the harbour

- Audit the existing signage on vehicular and pedestrian approaches to the harbour. Where necessary, liaise with Highways to improve signage. Fencing and other street furniture will also be studied to ensure that it is not inadvertently discouraging footfall eg by directing footfall in the wrong direction.
- Many pedestrian visitors approach the harbour through the arch under the Harbour Light building, however their vista through the arch is limited by a number of wooden kiosks. It may be possible to improve this vista through a review of their number, sizing and location.
- There was a strong desire among stakeholders to reclaim land along the western edge of the harbour to connect North and South Quays. The land reclaimed would substantially address the existing (and increasing) demands for usable quayside space in Paignton, would improve connectivity around the harbour and make the best use of an area of currently under-utilised harbourside.
- As identified in the original Port Masterplan the buildings along South Quay require refurbishment and/or redevelopment. A development partner has been sought by the Council to determine the scope of these works and to identify appropriate solutions to ensure that the built environment surrounding the harbour remains fit-for-purpose, sustains vibrant and financially sustainable marine recreational, commercial and youth communities, and becomes an attractive visitor destination.

Torquay Harbour

All sectors of Torquay's stakeholder community were represented at the consultation event held at the end of a busy summer. It was recognised that spatial constraints precluded large-scale change in Torquay, however there are a number of small but important enhancements to the infrastructure and services which will ensure that the harbour continues to meet the needs of its users to a high standard. The items which will be progressed over the next 5-10 years include:

Improving sea defences

- Seek grant funding for the refurbishment and repair of Haldon pier. This is vital as both a sea defence and a working quay where vessels load and unload. The pier is increasingly being 'over topped' by waves in inclement weather (a situation which is likely to become more frequent as the

climate changes) and at present there is a 20 tonne weight bearing restriction which limits the size and types of vehicles that can drive onto the pier.

Enabling commercial growth

- Recommissioning of the marine fuel station, particularly for the sale of petrol: while diesel can be obtained at Brixham, the next closest ports selling petrol are Dartmouth to the west and Portland to the east. Recommissioning is given a high priority because of the safety implications of hand-filling vessels from containers at their berth.
- Refurbishing North Quay: both the quay wall and surface are in a poor state of repair and require upgrading. Reorganising the lay-out to provide further (much-needed) storage space, and the aspiration to facilitate the provision of ice (eg by installing a small ice machine), will support Torquay's small but significant commercial fishing industry.

A better stakeholder experience

- Installation of more recycling bins.
- Install visitor pontoons along the inner face of Princess Pier.
- Investigate the feasibility of recommissioning the inner harbour slipway.
- Where possible, enable the Royal Torbay Yacht Club's aspirations to establish a waterfront presence. Although there is a paucity of operational space, innovative design solutions may create the room for a small waterfront presence.
- Increase the quantity of available dinghy parking space.
- Investigate the feasibility of installing a slipway along the outer face of Haldon Pier.

Improving the visibility of the harbour

- Audit the existing signage on vehicular and pedestrian approaches to the harbour. Where necessary, liaise with Highways to improve signage. Fencing and other street furniture will also be studied to ensure that it is not inadvertently discouraging footfall eg by directing footfall in the wrong direction.

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Torquay Rethink

Town Centre Masterplan

A Vision for the Heart of the English Riviera.

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PART 1 Background



Introduction

1.0

1.1 The Purpose of the Masterplan Document

1.1.1 The Brief

In January 2014 the Mott MacDonald team (Lavigne Lonsdale, Stride Treglown, iCube, Urban Movement) were appointed to deliver masterplans for specific areas of Torquay – the town centre and the gateway site at Edginswell. This has followed their involvement in the neighbourhood planning work with the Princes Foundation since 2012.

The main thrust of the masterplans is to;

- Be deliverable, commercially viable and realistic
- Respond and reflect the emerging Neighbourhood Plans and new Local Plan,
- Understand the uniqueness of the Torquay and the individual sites,
- Build on the sense of place,
- Consider 'game changing' ideas

The process of producing the masterplans has included a significant amount of consultation and preparation which is identified in this report (refer to Section 3). A similar study has also been carried out for Paignton town centre and land at Collaton St Mary which has been done by a separate team that included Stride Treglown. This masterplan covers Torquay Town Centre.

1.1.2 Torquay Today

Torquay is the largest town in Torbay. The economy is centred on tourism as well as a strong retail sector although this has suffered over the last 5 years. A high class natural environment focussed on the harbour and coast, makes the town an attractive place for visitors and investors. However, there are also communities with significant levels of deprivation and the economy has traditionally been hampered by infrastructure constraints.

Torquay needs planned growth and sensitive development (including new homes and jobs) to help deliver the social and economic changes needed to arrest decline whilst also protecting its strong environmental assets and tourism value.



In order to rise to the challenges of the 21st century and to improve Torbay's commercial and retail position, it is proposed that Torquay retains its role as the core shopping area, but that it needs to develop as a multi- functional centre with improved retail and new commercial and residential floorspace.

1.1.3 Masterplan 1 | Town Centre

The town centre effectively covers the harbour, Fleet Street and Union Street and the adjoining context. The Centre has declined from being a leading retail destination since the late 1960s.

However, there are a number of major development opportunities within the Town Centre which could provide comprehensive renewal by expanding the retail offer, providing a wider mix of uses and delivering improved public spaces. This includes areas along Union Street at the heart of the Town Centre, offering the opportunity to improve Torquay's retail offer, attract town centre living and leisure.

There are other opportunity areas such as the coach park, the harbour front and adjoining the town hall. In addition there are a number of buildings in the centre which are of a poor standard and visually unattractive. In some cases these buildings are underutilized and would greatly enhance the street scene if redeveloped. There is in addition a great opportunity to create attractive areas of public open space where people can visit, meet and relax, and provision of other green infrastructure assets such as street trees will provide cooling, shade and cleaner air.

There are inherent land use zones and character areas to the Town Centre which means that it can be sub divided into broad areas, as shown in Figure 1. This includes :

- Civic & Parks Quarter (Torre & Upton)
- Retail (Union Street & Fleet Walk)
- Harbour/Tourism Area (Parade/Strand)

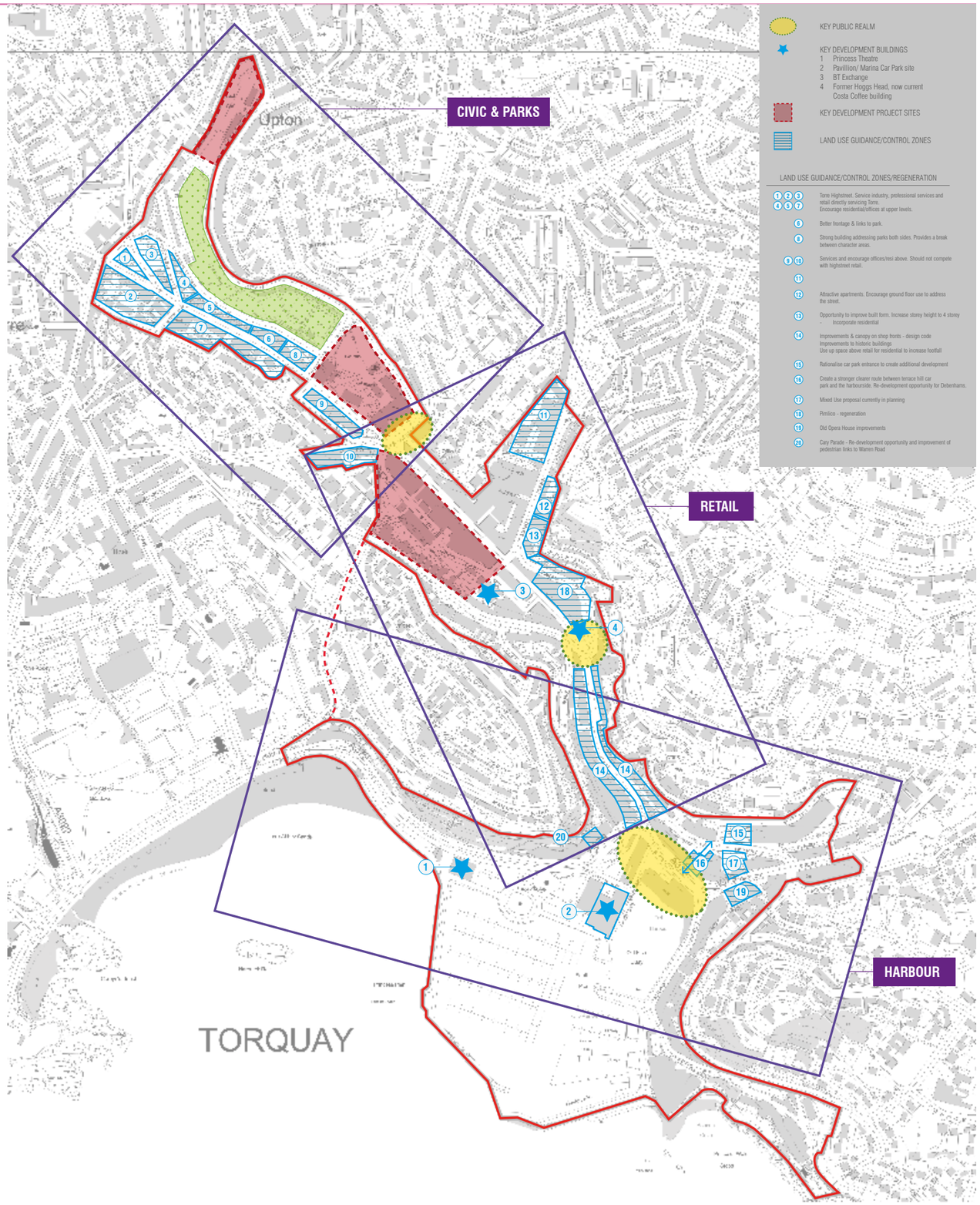


Figure 1: Inherent Land Use and Character Areas



Existing Policy Context

2.0

2.1 The National Planning Policy Framework

This summary of the National Planning Policy Framework (NPPF) published by the Department of Communities and Local Government in March 2012 provides an overview of the NPPF.

This National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan "should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise". It is desirable that local planning authorities should have an up-to-date development plan in place. This masterplan helps to articulate the vision for the regeneration of the town centre as underpinned by both the Council's current Local Plan and its emerging, new Local Plan.

The UK Sustainable Development Strategy suggests there are three dimensions to sustainable development which translate into three roles for the planning system:

1. Economic Role
2. Social Role
3. Environmental Role

The NPPF is guidance for local authorities in drawing up plans, and a material consideration in determining applications.

At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

- For plan-making the presumption means that Local Planning Authorities (LPA) should positively seek opportunities to meet the development needs of their area.
- For decision making the presumption means approving applications that accord with the plan without delay in the absence of a plan or policies, granting permission unless adverse impacts would demonstrably outweigh benefits when assessed against the NPPF

Policies in Local Plans should follow the approach for the presumption in favour of sustainable development. In addition, the application of the presumption will have implications for how communities engage in neighbourhood planning. Neighbourhoods should:

- develop plans that support the strategic development needs set out in Local Plans,
- plan positively to support local development,
- identify opportunities to use Neighbourhood Development Orders to enable development that is consistent with the Neighbourhood plan to proceed



Core planning principles in the NPPF are that planning should:

1. be genuinely plan-led, with up to date, positive local and neighbourhood plans that empower local people and support predictable and efficient planning decisions.

2. be a creative exercise in finding ways to enhance and improve the places in which people live their lives;

3. "proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. …

4. "always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;

5. "take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;

6. "support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy);

7. "contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework.

8. "encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;

9. "promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production);

10. "conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations;

11. "actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable; and

12. "take account of and support local strategies to improve health, social and cultural well-being for all, and deliver sufficient community and cultural facilities and services to meet local needs.

2.2 The Emerging Local Plan

Torbay Council's new Local Plan, A Landscape for Success, will replace the current Adopted Torbay Local Plan 1995-2011 and provide a framework for guiding development and investment across Torbay for the next 20 years. This masterplan builds on the aspiration within these documents for investment and regeneration in Torquay Town Centre which, together with the Torbay Economic Strategy, represents the strategic objectives of what the town centre should aim to be.

The Local Plan

http://www.torbay.gov.uk/index/yourservices/planning/strategicplanning/newlocalplan.ht

The Economic Strategy

http://www.torbaydevelopmentagency.co.uk/dbimgs/efstrategy.pdf

Relevant policies that relate to the study area include;

Policy SDT2 - Torquay Town Centre and Harbour

Torquay Town Centre will develop as the largest retail and leisure centre of the Bay and become the key sub-regional retail and leisure destination. This will help provide an improved, vibrant and more enjoyable shopping and leisure environment with better high street retail, eating and leisure facilities. Furthermore, regeneration of key sites will help strengthen its role as a commercial and social centre for residents and visitors, whilst conserving or enhancing the area's historic character and environmental value. Developments within Torquay Town Centre and Harbour Cluster areas should comprise a mix of suitable town centre uses and help to substantially increase the numbers of town centre homes.

Objectives for Torquay Town Centre & Harbour

- A focus for regeneration and renewal – which supports its primary retail & commercial role, particularly expanding the quality of the retail offer
- A place to be – a reinvigorated town centre which stimulates investment in and renewal of deprived communities
- High quality development - which improves the public realm and provides an improved, multifunctional town centre
- A 'point of difference' - a more focused shopping experience with a distinct high street retail offer to complement new housing and the development of a leisure based retail offer at Torquay Harbour
- The complete package – for residents, businesses and visitors as a place to live, work, shop, eat and play. A wider mix of town centre uses which respond to and are better integrated with each other through improved public spaces
- A connected town centre – clear, legible and direct connectivity to the town centre is essential for successful regeneration

2.3 The Emerging Neighbourhood Plan

The Torquay Neighbourhood Plan is being developed in parallel with the Torbay Local Plan being prepared by Torbay Council. More than that, each plan informs and strengthens the other. The local plan (titled "a landscape for success") provides the big picture for the whole Bay, and the neighbourhood plans for Brixham, Paignton and Torquay will add detail about local outcomes, projects and sites.

The Torquay Neighbourhood Plan (TNP) is on-going. All current Community Partnership (CP) statements and draft TNP is on the TNP website - http://torquaynp.org/

Nine community partnerships have been set up across Torquay, each one aiming to ensure that the needs and aspirations of its area are included in the plan. Those partnerships are:

1. Barton and Watcombe
2. Cockington, Chelston and Livermead
3. Ellacombe
4. Shiphay and The Willows
5. Hele and Lower Barton
6. St Marychurch, Maidencombe and District
7. Torre and Upton
8. Torquay town centre
9. Wellswood and Torwood

The Town Centre masterplan area lies within the Tormohun Ward, which incorporates the Torre and Upton CP and the Town Centre CP. Smaller but significant parts of Ellacombe CP (around Market Street) and a portion of Wellswood CP (around the Imperial Hotel just along from the harbour and along Torwood Street) are also included.

A neighbourhood plan has to comply with national planning policy, European guidance and regulation, and the local plan whose area it lies within. A statement of compliance for this plan is included in the plan. The plan also aims to complement and not conflict with other plans, particularly the neighbourhood plans for Brixham and Paignton.

The plan, in common with the local plan, covers the period from now until 2032 and beyond. The development proposals it contains relate to the local plan's development horizon and further articulate how and where Torquay will develop.

The plan is for the whole of Torquay and for each of its neighbourhoods, aimed at securing sustainable development to promote investment in the town's physical and social fabric, strengthening its economy, conserving its heritage, promoting its natural beauty and growing a safer and healthier community.

The emerging plan includes the following policies related to the Town Centre:

1 Transport and Movement

The flow of traffic into Torquay is about to be improved by the opening of the South Devon Link Road, bypassing Kingskerswell and providing a link to the Torbay Ring Road. However, there remains a need to improve access to the town centre, sea front and car parks, for the benefit of residents and visitors alike.

The TNP suggests approaching the town centre and sea front routes become confusing, unclear and indirect. Signposting is poor or absent, routes veer away from destinations, the sense of welcome is diminished for visitors and investors, and residents are inconvenienced, all of which has a significant negative effect on the town. The plan endorses changing the one way system into and out of the town centres. It acknowledges that the most direct route towards the town (Higher Union Street) only carries traffic out of and away from the central area. It proposes that this flow should be reversed and a new, direct route into the town centre provided.

The TNP also suggests the coach station is poorly located and should be moved to be adjacent to the railway station where enhanced facilities can be provided for travellers arriving by train or coach. This is a better point of arrival, will provide a better first impression of the town for visitors, and is more easily accessible for coaches. Relocation of the coach station will also release the existing site for new development, which should incorporate improvements to Upton Park.

2 Town centre and key strategic development opportunity areas

Torquay town centre is ready for new investment. The central area has a strong retail history, with distinct character areas having developed to serve different functions which largely continue today. The upper part of the town is predominantly used by local residents whereas the lower part of the town and the harbour area is more strongly aimed at the visitor. There are more cafés, restaurants and pubs around the harbour, more banks and other commercial premises in the upper town, more small independent retailers around the market, and so on.

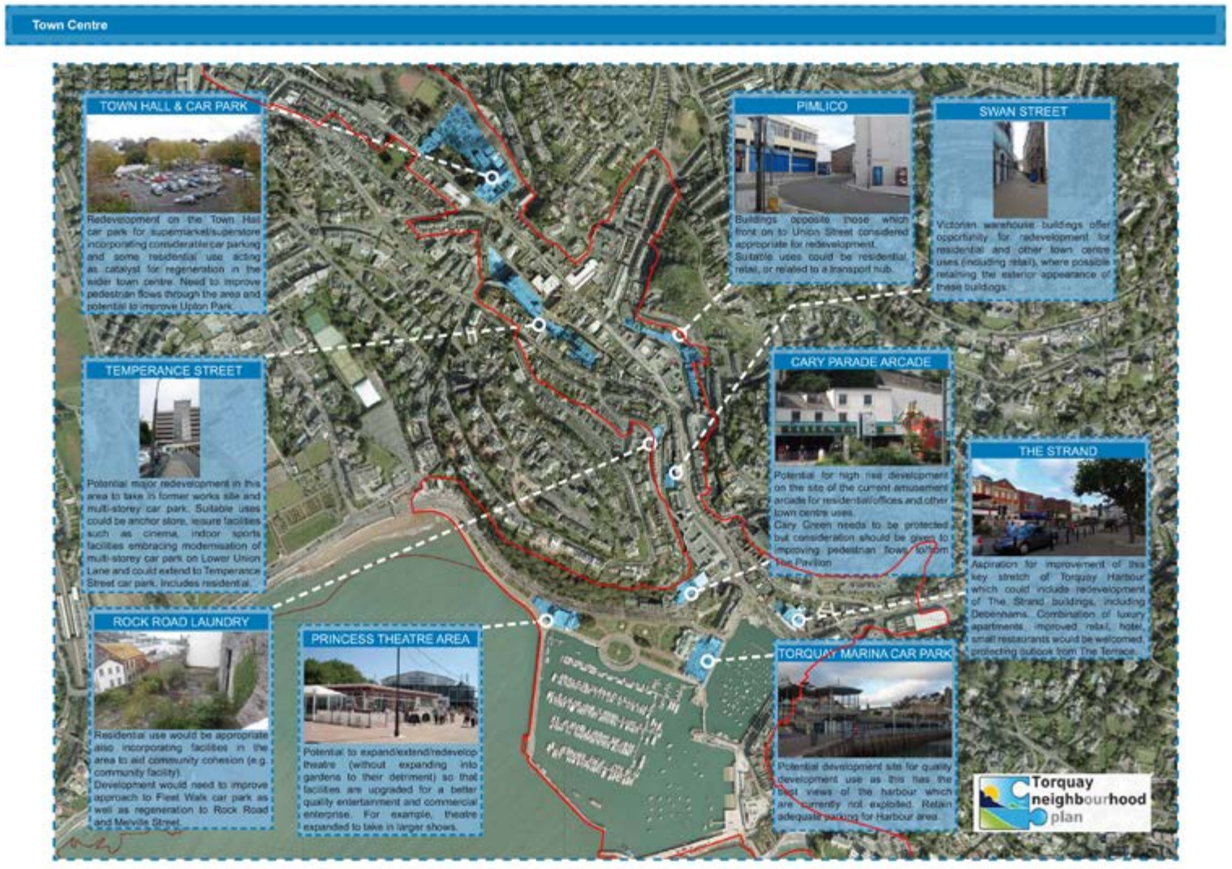
The plan identifies key areas with scope for major redevelopment in the town centre, to act as catalysts to support regeneration of its economy and attract stronger investment in its future.

Key opportunities for developments of strategic significance in the town centre / harbour area:

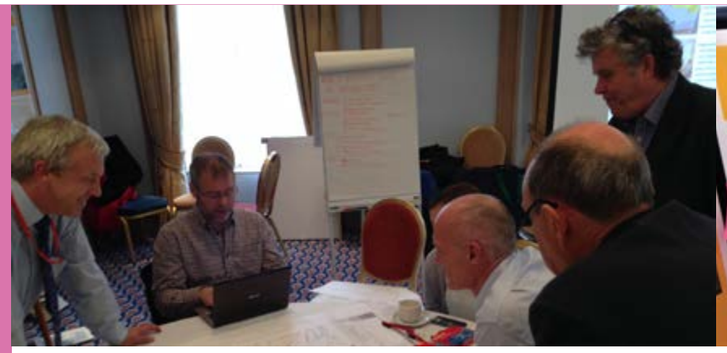
a. between Pimlico and Lower Union Street – scope for a major redevelopment scheme providing the potential for high quality retail and other commercial activities, including an anchor store, other mixed uses and residential use of upper floors.

b. the Marina car park – scope for a landmark development, of an appropriate design to a high quality, to make a striking and positive contribution to the setting of the harbour and surroundings.

c. the Princess Theatre area – scope for a new theatre, providing a facility of regional importance in association with a creative arts and culture centre.



3.0 Consultation







3.1 Process

From the outset, this masterplan has been developed with a real emphasis on community engagement. Indeed, many of the projects within this document germinated from ideas and proposals put forward directly from the community. Strengthened by a well developed Neighbourhood Planning process in Torquay, a 'bottom-up' approach has been taken to engagement and consultation.

The first stage of the consultation and engagement process took place during the production of the first draft masterplan and included the following:

- 1st Public Exhibition 1st April 2014
- 1st Stakeholder Workshop 2nd April 2014
- 2nd Public Exhibition 21st May 2014
- 2nd Stakeholder Workshop 21st May 2014
- An online survey (to support the 2nd Public Exhibition) ran from May to August 2014
- A number of stakeholder meetings with various groups including- Torquay Neighbourhood Forum, business owners, land owners, developers in the town centre as well as numerous other local community groups and representatives.

This work has been instrumental in terms of defining the areas of change and the content of the masterplan. Some of the main findings have been;

- Torquay has Unique Selling Points and Aspirations
- Torquay and the Bay has much to offer.
- Torquay is located in one of the Country's most attractive and aspiration Counties
- It has a unique and beautiful coastal, maritime and landscape setting
- It has outstanding schools
- It will have improved road and rail links (by 2015)
- It will have super fast broadband (by 2016)
- It has a rich history which is translated in its architectural merit.
- It has a vast amount of leisure activities on its doorstep.
- It has a strong and passionate community.

Through the process of talking to stakeholders, councillors and the community, the town's aspirations have been found to include;

- Building on the maritime and harbour experience
- Creating a vibrant, varied and higher quality evening economy which includes retail, restaurants, cafés & night clubs for all ages.
- Creating a thriving town centre which focuses on both a regional retail offer and a retail/leisure offer with a mix of high street stores and independent high quality retailers.
- Creating a cultural destination, linked to its growing creative industries.
- Providing an environment that allows and helps businesses to start, expand and grow within the town and compete in local, regional, national and international markets.
- Provide a culture that encourages excellence and ambition.
- Create a town where people have the opportunity to grow up in the town and stay in the town and get high quality, high value jobs and retain the knowledge economy within the Bay.

As part of the masterplan process, a comprehensive consultation process has been carried out to inform the masterplan. This augments the previous work that the team carried out as part of the Princes Foundation with the Neighbourhood Forum.







Objectives:

Movement :

i. Make it easier to move around and to find your bearings in the town, particularly when you arrive as a visitor by both car and by public transport (train/ coach/ bus/taxi).

ii. Make it easier to find the parking and to improve the parking quality and standard.

iii. Consider how buses and taxi's use the town centre.

The Harbour and sea front at the Heart of the Town :

i. The water front has always been the main attractor in the town but, it needs to be looked after, improved in order for it to become a world renowned harbour destination. The harbour is the 'Covent Garden ' of Torquay.

ii. Public transport (buses and taxis) are an important part of the Bay. However, the presence of buses on the Strand needs to be carefully considered so that an improved pedestrian experience can be created on the most valuable asset of the town- the harbour.

There is a significant amount of public feeling regarding the Carey Green proposals and how to utilise the existing Pavilion. Some of the community ideas have included moving the pavilion into the inner harbour and much work was carried out looking into the viability for this. For the purpose of this document, we have identified current schemes that are in planning at present but have not identified them as 'agreed' solutions. Some work does need to be carried out around the marina and Carey Green/Parade in order to make the most of this unique location.

The Town Centre :

i. attract better quality retailers and an improved offer

ii. possibly reduce retail extent and concentrate on an improved offer

iii. encourage a mix of retail offers including high street 'named' retailers in addition to independent, high quality retailers. The retail offer varies from the Harbour to the Union Street experience. This area needs to become the 'Oxford Street' of Torquay.

iv. needs to encourage vertical mixed uses (apartments and offices above shops)

v. needs to enhance some of the architectural historic buildings and remove / re-develop some of the less attractive modern /run down premises- possibly encourage change is uses from retail to residential in order to increase the footfall in the centre.

vi. The town centre has character areas which need to be enhanced;

- The Civic and Urban Park Quarter
- The Retail Quarter
- The Harbour and Leisure Quarter
- The Specialist Local Centre (Torre)

A full summary of the outputs from the various consultation stages can be found in a separate document, on the Council's website.

A second stage of consultation took place on the draft consultation masterplan and was carried out in accordance with Regulation 12 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and Torbay Council's Statement of Community Involvement 2014. The consultation ran for four weeks from 27 October to 24 November 2014. The draft masterplan was advertised and placed for consultation on the Council's website and at public libraries and buildings across Torbay. Consultation bodies were notified in writing. Public notices and news articles appeared in the local news media and public consultation events took place in conjunction with the Torquay Neighbourhood Forum and with local business representatives. Representations and comments made on the consultation draft masterplan have been taken into account in changes made to this final version.

PART 2 Town Centre (incl. Harbour & Sea Front)



Context Issues 4.0

4.1 Plan Areas and Baseline Context

4.1.1 Social Demographics

Taken as a whole, the population of Torquay is older and more affluent than the average in Great Britain. However, this picture is not uniform across Torquay and there is significant inequality (mainfested most starkly in terms of wealth, employment and health) between more affluent areas and more deprived areas. The Torquay population is predicted to become increasingly aged. People will live longer, with more active lives, working longer, but are still likely to need more intensive care and support at the end of their lives.

There are 3 main groups in Torquay

- Prudent pensioners (13% of Torquay population):

These are comfortably off retired people found in many seaside towns and elsewhere around the country. There are many over 75s as well as younger retired people. A lot of the households are pensioner couples or singles. Retirement homes are also common. Much of the housing in these areas is flats, either converted or low rise purpose built. Many are owner occupied and often of high value; others are privately rented. Holiday homes are also common. Residents tend to be well educated, and employment for those who are not retired tends to be in managerial and professional occupations. Most of the people in this group have a comfortable standard of living, having provided for their old age with above average levels of savings and investments. Although predominantly of retirement age, householders are far from inactive. They are prepared to take on charity and voluntary work and show a marked propensity to be members of bodies such as the National Trust. Many have an interest in fine art and antiques. These sophisticated senior citizens are both financially smart and socially active. They have ensured that they will enjoy a relaxed and refined retirement.

- Blue collar groups (16% of Torquay population):

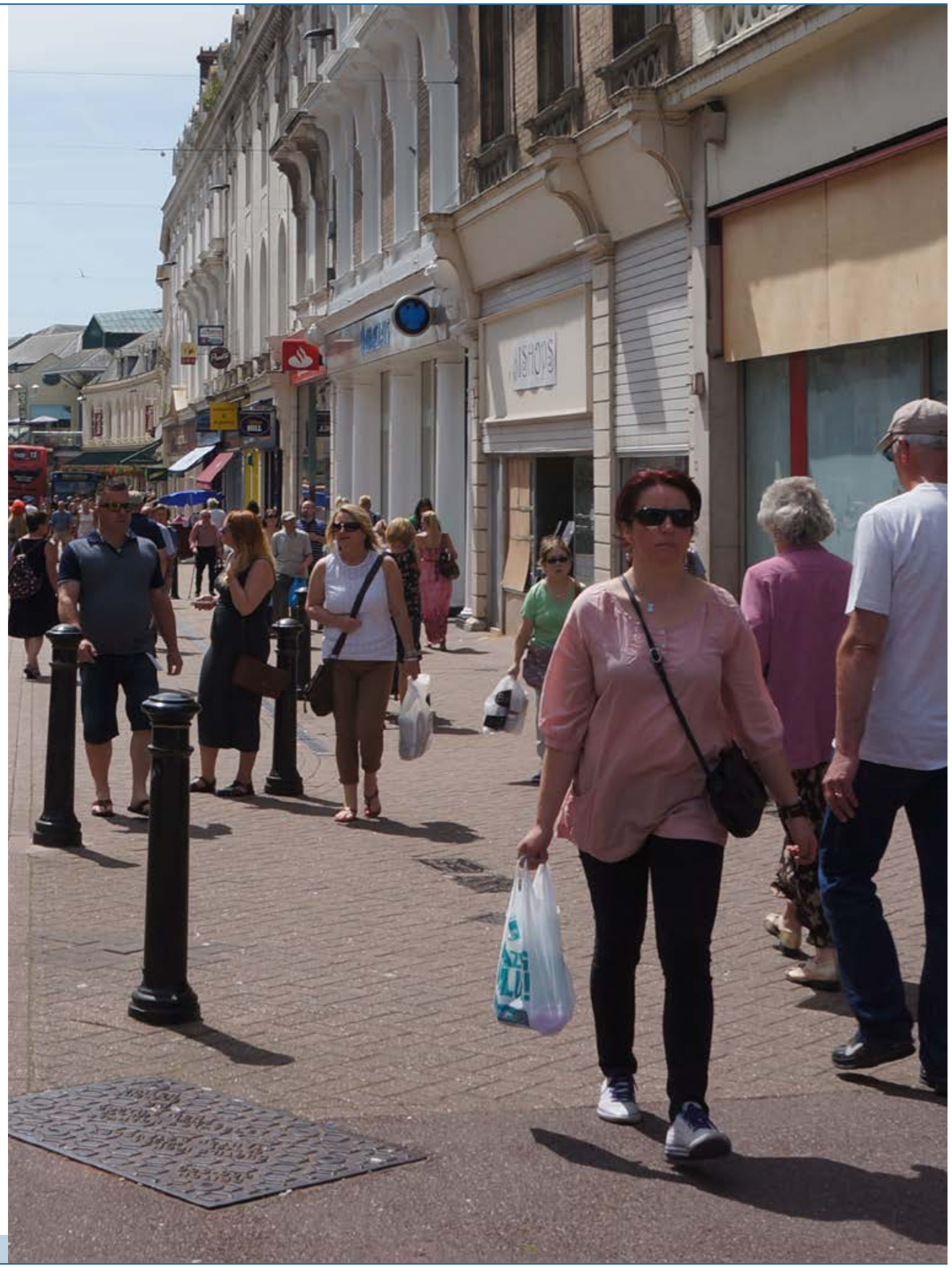
These are communities where most employment is in traditional blue-collar occupations. Families and retired people predominate with some young singles and single parents. Most property is two or three bedroom terraced housing. Many are being bought on a mortgage although renting from private landlords, local authorities and housing associations is common in some areas. Levels of educational qualifications tend to be low. Most employment is in factory and other manual occupations. There are many shop workers as well. Incomes range from moderate to low and unemployment is higher than the national average, as is long term illness. There are pockets of deprivation in this group. Car ownership is below the national average, and cars tend to be lower value and often bought second hand. Some of the better off areas within this group have modest levels of savings and investments, but many find it hard to save regularly from modest incomes. There are some households with high levels of debt. The tabloid press is favoured reading and other interests include camping, angling, bingo and horse racing, as well as watching cable TV and going to the pub. These people have a modest lifestyle but most are able to get by.

Torquay as a town has a population of 65,245 people (2011 Census) which has grown over the last 10 years and is expected to increase by 13% by 2026.

- Affluent greys (14% of Torquay population) :

  These people tend to be older empty nesters and retired couples. Many live in rural towns and villages, often in areas where tourism is important. Others live in the countryside where the economy is underpinned by agriculture. The Affluent Greys are prosperous, live in detached homes and many have two cars. Employment is typically in managerial and professional roles. Given the rural locations, there is also a significant number of farmers. These are high income households and even those that have retired have good incomes. The majority own their homes outright, and with no mortgage to pay are able to invest their money in a wide range of financial products. In their leisure time they enjoy gardening and golf. They appreciate good food and wine, and will go on regular holidays. These older, affluent people have the money and the time to enjoy life.

There is also a significant issue related to people classified as “hard pressed” in Torquay than in great Britain. These groups are concentrated in areas close to the north of the Town Centre and within the Town Centre and equate to approximately 15,500 people. This does have a knock on effect on the Town centre in terms of the type of shops, the type of café’s and the general retail experience along the upper sections of Union Street. Clearly more needs to be done to reduce the percentage of families and individuals that are hard pressed but more also needs to be done to encourage other demographics into the heart of Torquay so that a more balanced community can be maintained in the town centre.



4.1.2 Employment

Torquay and the Bays employment sectors are varied and include tourism, professional services, Language Schools, hi-tec industries (communications), agri/maritime R&D etc. These growing markets have been identified in the LEP strategy (Local Enterprise Partnership) Strategic Economic Plan 2014-2030, regional objectives (for Devon, Somerset, Plymouth and Torbay) which include;

- By 2030, there is distinctive legacy of 'better jobs' from the investment in Hinkley, marine and other transformational assets
- By 2030, proportion of businesses in knowledge economy has increased
- By 2030 there is a ratio of high/medium tech businesses matching regional
- By 2020, HoTSW (heart of the South West) is recognised as one of the best places in the UK to start and grow a small business
- 2020 the natural capital of the HoTSW area is enhanced and of increasing value to businesses and communities.
- By 2030 increase the competitiveness of our businesses so GVA/hour matches national average
- By 2020, reduce youth and long term unemployment by half*
- By 2020, create an extra 50,000* jobs
- By 2030, increase average wages to match national average maximising productivity & employment opportunities
- By 2030 reduce rail journey times from Plymouth to London by 40+*minutes
- By 2020, 100% of the population able to connect to Super fast Broadband
- By 2020, 60%* of adult population qualified to L3 or above and 40*to Level 4 or above
- By 2030, deliver 170,000 new homes

In relation to Torquay, those objectives translate into the following ;

- Delivery of the South Devon Link Road by 2015.
- Securing and Delivering the Edginswell Business Park
- Securing and delivering town centre office/employment uses as a part of Town Centre regeneration
- Assisting with the improvement and growth of Kerswell Gardens for B1 & B2 employments uses in an improved business/employment park environment due to its strategic location next to the South Devon Link Road.
- Increasing the quality and turnover of the tourism market.

Current growth forecasts (based on TDA business barometer survey dated winter 2013/2014) suggest that there is a growing confidence in the market and that there is a latent demand for the following in Torquay ;

- Quality open plan office accommodation of varying sizes, primarily up to 500sq ft but also a smaller percentage for 3,000-5000 sq ft and over 20,000 sq ft. The location for these offices is in the town centre and also at Edginswell. These will require good road access, good broadband speeds and ample parking provision.
- There is a growing demand for incubator units and grown on space. The innovation centre at Upton has 100% occupancy and there are plans to increase the offer with an additional building.



Innovation centre

4.1.3 Tourism & Leisure

- "Torbay has a fantastic brand – the English Riviera – and a wonderful tourism offer. There are some very positive signs of a changing tide for tourism. In general terms, the English Riviera is seeing increased visitor numbers and value, lengthening of the tourism season, increased spend, increased occupancies and overnight stays, growth in overseas visitor numbers and new tourism related development. For example, visitor spend in 2011 was 8% higher than in 2006."

- "Torbay is a resort in transition. Whilst there are signs of positive change, it also exhibits problems faced by traditional seaside resorts. The Tourism Strategy 2010 – 2015 'Turning the Tide' was adopted in 2009 to reverse this decline. The Torbay Trends Report found that Torbay performed above the South West Region in terms of visitor numbers and surveyed business opinions. The ambition for Torbay is to develop tourism in a sustainable and competitive manner, to regain and enhance Torbay's role as a premier tourism destination and to become the events capital of the South West."

- Total value of tourism and leisure industry in Torbay in 2013 estimated at £445 million (according to English Riviera Tourism Company) – that's a 3% increase on 2012 and the third year in a row of tourism growth.

- The harbour area of Torquay forms one of a number of Core Tourism Investment Areas in Torbay identified within the Council's new Local Plan. The harbour plays an important role as an area to support the changing nature of the tourism industry, the development of new tourism and leisure facilities and support existing facilities.

4.1.4 Retail

- The following information is based on the Torbay Retail Study Update 2013, carried out by GVA. Torbay lies somewhat behind Exeter and Plymouth as a retail location. This is due in part to smaller catchment area, division of retail spend into three town centres, and a poor road network. The viability of town centres remains constrained by lower expenditure growth and the continued rise of internet shopping.

- However, the completion of the South Devon Link Road in 2015 will provide an opportunity for increased expenditure in town centres.

- Torquay is the largest town centre in the Bay, and the main focus for comparison (non food) goods stores (ranked 133rd in the UK). Torquay is well provided for bulky retail and the Willows is a popular destination. But the town is only 60% of the size of Exeter town centre (in terms of retail floorspace) and has suffered from vacancies.

Sub Regional Retail Hierarchy

	2011 Rank	2007 Rank	Retail floorspace (Sqm)
Plymouth	28	18	143,400
Exeter	27	37	121,100
Torquay	133	108	75,600
Newton Abbot	270	256	59,100

Convenience Stores (food stores):

Need is confined to Torquay town centre. A very small existing need for food stores is identified in Torquay. This is projected to rise to about 1,000 sq m by 2021 and 2,700 by 2031. No significant need for additional food stores is identified in Paignton or Brixham. However, new local centres (e.g. at Edginswell Torquay, Great Parks and Yannons Farm, Paignton) may be required to provide some small scale provision to satisfy very local demand arising from planned growth.

Comparison Stores (non-food):

Need is confined to Torquay town centre in the longer term (post 2021). At 2021 this is projected to be for 1,800 sq m of non food floorspace, rising to 11,000 sq m by 2031. There is only a very small longer term need for additional non-food floorspace in Paignton and Brixham (of about 600 sq m in each town by 2031). More significant effort should be made to improving the quality of existing floorspace in all three towns.

Bulky Comparison Goods (i.e. products that would not normally be sold in the High Street, such as washing machines and furniture): There is some capacity for bulky goods floorspace, at about 1,500 sq m by 2021 rising to 6,300 sq m by 2031.

GVA's Policy Recommendations

- A town centre first policy is supported - especially for Torquay town centre. In addition, GVA recommend that the Council should undertake proactive masterplanning of town centres to overcome site assembly etc issues and help town centres maintain their market share. A mix of leisure, eating and retail uses should be considered, not just retail.

- There is scope for some bulky goods retail in the north of Torbay. The Local Plan or Masterplans should identify an area in Torquay (e.g. in the Torquay Gateway area) that can accommodate bulky items retail.

- The Council should resist proposals for major retail or leisure outside of the town centre areas. Torquay should be the focus as the main town centre.

- Proposals for more than 500 sq m of retail floorspace in an out of centre location should require an assessment of their impact (N.B. this is less than the default 2,500 sq m threshold in the NPPF).

- The Willows, Torquay should retain its formal status as a District Centre, but its growth should be controlled to prevent adverse impacts on town centres.

- The Retail Update was not supportive of " factory outlet centre" type retail (i.e. a retail hub focusing on end of line or other discounted items), as this could detract from existing town centres and divert trade from the non-discounted retail sector.

- Torquay has the best opportunities for new floorspace. The Town Hall car park is the best location for a new supermarket. But the focus should also be on improving existing floorspace (due to little capacity for comparison floorspace in the short term). The north western side of Union Street is the biggest single mixed use regeneration opportunity. Other opportunities exist in the harbour e.g. Pavilion, Marina Car Park. GVA recommend a mixed use approach incorporating leisure uses, restaurants etc. as well as retail.

4.1.5 Housing:

The new Local Plan proposes between 8-10,000 homes and 5-6000 jobs over the plan period. The Council believes this is a positive approach based on maximising the level of economic regeneration and social benefits that growth can bring to Torbay, whilst remaining within environmental and infrastructural limits – a sustainable approach to growth.

Torquay Town Centre and the whole Torquay Gateway area (wider than just the masterplan area) are identified as key areas to facilitate growth and change in Torbay over the next 20 years. Torquay as a whole is expected to deliver over 4000 homes over the plan period with sites allocated through a combination of the emerging Torbay Local Plan and the emerging Torquay Neighbourhood Plan.

The new Local Plan sets out a sliding scale of affordable housing requirements seeking to minimise the viability impact on smaller and brownfield sites. Greenfield and larger sites will be expected to contribute greater levels of affordable housing.

4.2 Town Centre (Existing)

4.2.1 Strengths & Weaknesses

Strengths:

The Council and community believes the weaknesses of the town centre can be summarised as:

Brand
The English Riviera is an extremely strong brand.

Business
There is a strong business community in the town centre, captured by its Business Improvement District status.

Diversity
Catering for a wide range of customers including local residents, family visitors, young people studying or visiting, business visitors and traditional 'empty nesters' on holiday in Torbay.

Local Demand
There is a substantial population with a higher than (national) average domestic income and a very substantial number of people within a 20 minute drive time of Torquay.

Integrated Offer
There is very close proximity between the working Harbour, main shopping street, central services and beaches. It provides a unique harbour retail and café culture offer

Glorious Heritage
The Harbourside is the nucleus from which the origins of modern Torquay can be traced. This has resulted in a legacy of fine buildings, parks and gardens. The English Riviera has received international recognition for its historical, geological and cultural heritage and is part of the UNESCO Global Geopark network. It is part of the world's only urban geopark.

Investment
Torquay's Harbour area has benefited from sustained and significant public and private sector investment, including Beacon Quay, a relatively new pedestrian bridge across the Harbour, a Big Wheel and other public realm improvements.

Retail
The mix of large and small, national and local retailers has helped to avoid Torquay becoming a stereo-typical carbon copy shopping area. The town centre also has sites for potential retail development to enhance this diverse offer.

Leisure
Hotels – Existing hotels, particularly around the seafront, are highly regarded. There is continuing investment in new hotel space in the town centre.

Night Time Entertainment
The vibrant night time economy gives a wide choice of restaurants, clubs, bars and live entertainment. The town centre has been awarded a Purple Flag.

Weaknesses:

The Council and community believes the weaknesses of the town centre can be summarised as:

Demographics
The town centre is split between tourism to the south (around the harbour) and local shopping to the north (along Union Street). The 'retail offer' is seen as a poor quality with very little high quality choice. This is partly a response to the demographics that surround the town centre where some of the poorest neighbourhoods in the town can be found.

Retail : Size
The length of the retail street is seen as 'too long' and therefore struggles to maintain full occupancy at a high level.

Retail : Offer
The retail offer is seen generally as low quality with limited specialist higher quality retail provision. Shoppers will either go to the Willows or Exeter/Plymouth for the higher quality retail experience.

Leisure/ Night time
The night time offer around the harbour front is improving but the High Street is still poor and there is still a perception of 'Stag and hen nights' which needs to be reviewed.

Town Centre residential :
The town centre residential offer is poor with larger sections of the main streets with no residential above shops and a large proportion of social rental/rental and HMO's (houses of multiple occupancy) close to the centre. This means that the demographics within the town centre are not balanced.

Leisure
The holiday market in Torquay has for a long time been biased towards the cheaper coach trips and lower quality bed & Breakfast accommodation. Whilst this is still a market, there is a shift in the offer. The number of higher quality hotels, higher quality self catering apartments and shorter year round breaks is a growing market and will help to transform Torquay into a higher quality leisure destination.

Ownership
Ownership issues for major re-development

Funding
Funding for major re-development
Funding for minor re-development

Rates
Business rate control & flexibility

Car parks
Car parking provision, quality and management

4.2.2 Opportunities & Constraints

The following Plans provide the opportunities and constraints related to the areas within the town centre masterplan.

Access (private vehicles, public transport and pedestrians)

Private Vehicles

- Ambiguous signage for visitors around Torre Station
- Convoluted one way system to get to the town centre
- Limited legibility to show where the centre is and where the parking for the town centre is
- The existing car parks are very poor quality and feel unsafe at night.

Public Transport

- Public transport works well but the Strand is being used as a bus station which creates a poor quality experience along the harbour frontage.
- Taxi ranks around the post office roundabout need to be better defined so that they do not hinder pedestrian movement
- The Torre Station is a poor quality environment for the visitor and has limited connection to the Town centre
- Torquay Station has limited connection to the town centre and other modes of transport (eg coaches)

Pedestrians

- Legibility and signage in the town centre is poor
- There have been recent upgrades to the public realm on Union street but these could be augmented with improvements to the harbour, post office roundabout and town hall.

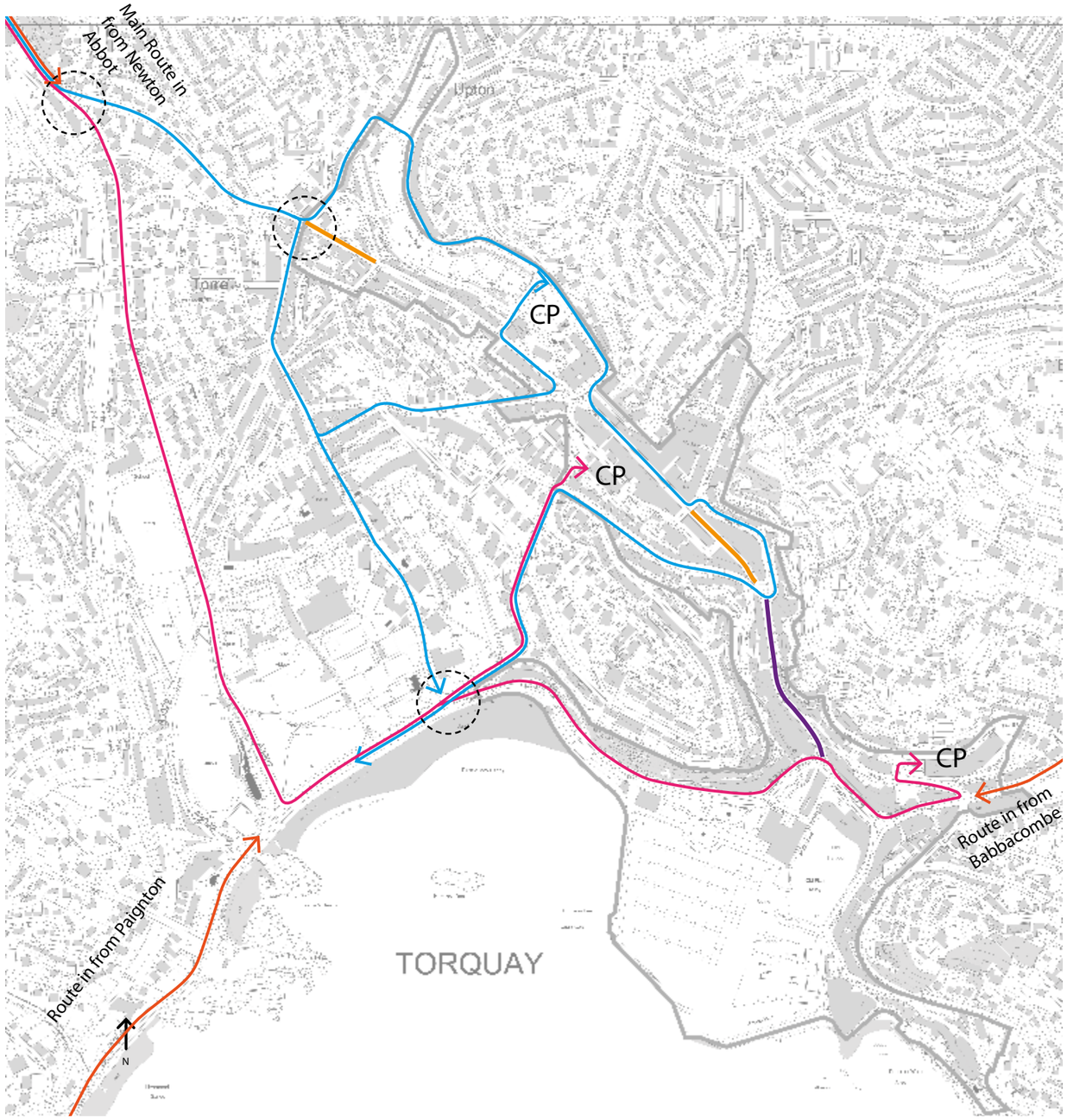


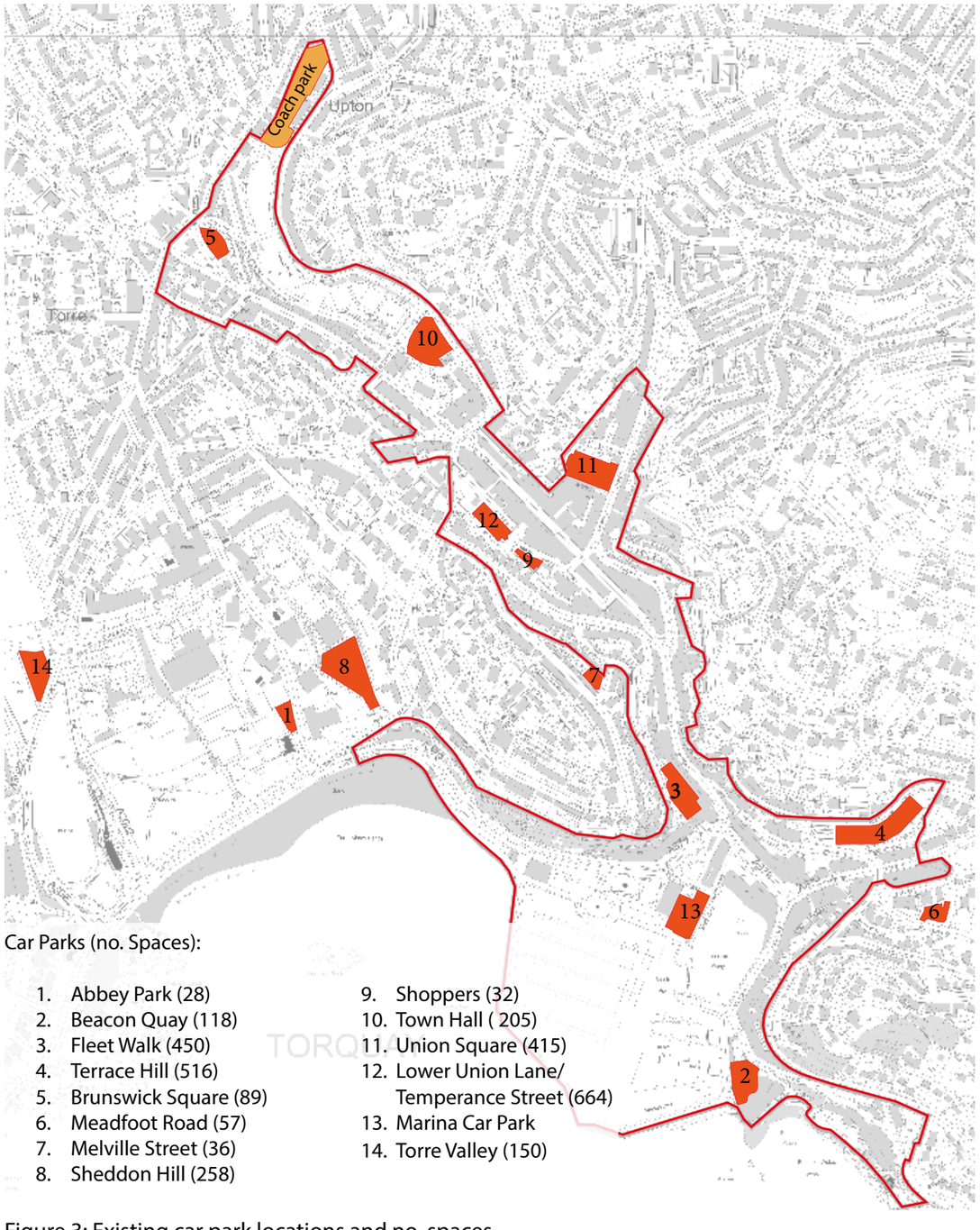
Figure 2: Existing Road Access into Torquay Town Centre & Harbour

Key:

- Fork/ split in the road creating confusion for drivers
- Main route through to the Town Centre
- Main route through to the Seafront
- Bus Only Access
- Pedestrianised Zones
- CP Car Park

Parking

- Car parks are poorly sign posted
- Parking charges have the potential to deter users on a regular basis (eg employees/residents) when the Willows is free.
- Existing car parks are poor quality and do not feel safe at night (particularly Temperance Street.)



Car Parks (no. Spaces):

1. Abbey Park (28)
2. Beacon Quay (118)
3. Fleet Walk (450)
4. Terrace Hill (516)
5. Brunswick Square (89)
6. Meadfoot Road (57)
7. Melville Street (36)
8. Sheddon Hill (258)
9. Shoppers (32)
10. Town Hall (205)
11. Union Square (415)
12. Lower Union Lane/ Temperance Street (664)
13. Marina Car Park
14. Torre Valley (150)

Figure 3: Existing car park locations and no. spaces

Public Ownership

The Council own a significant quantity of land in the town centre which needs to be invested in.

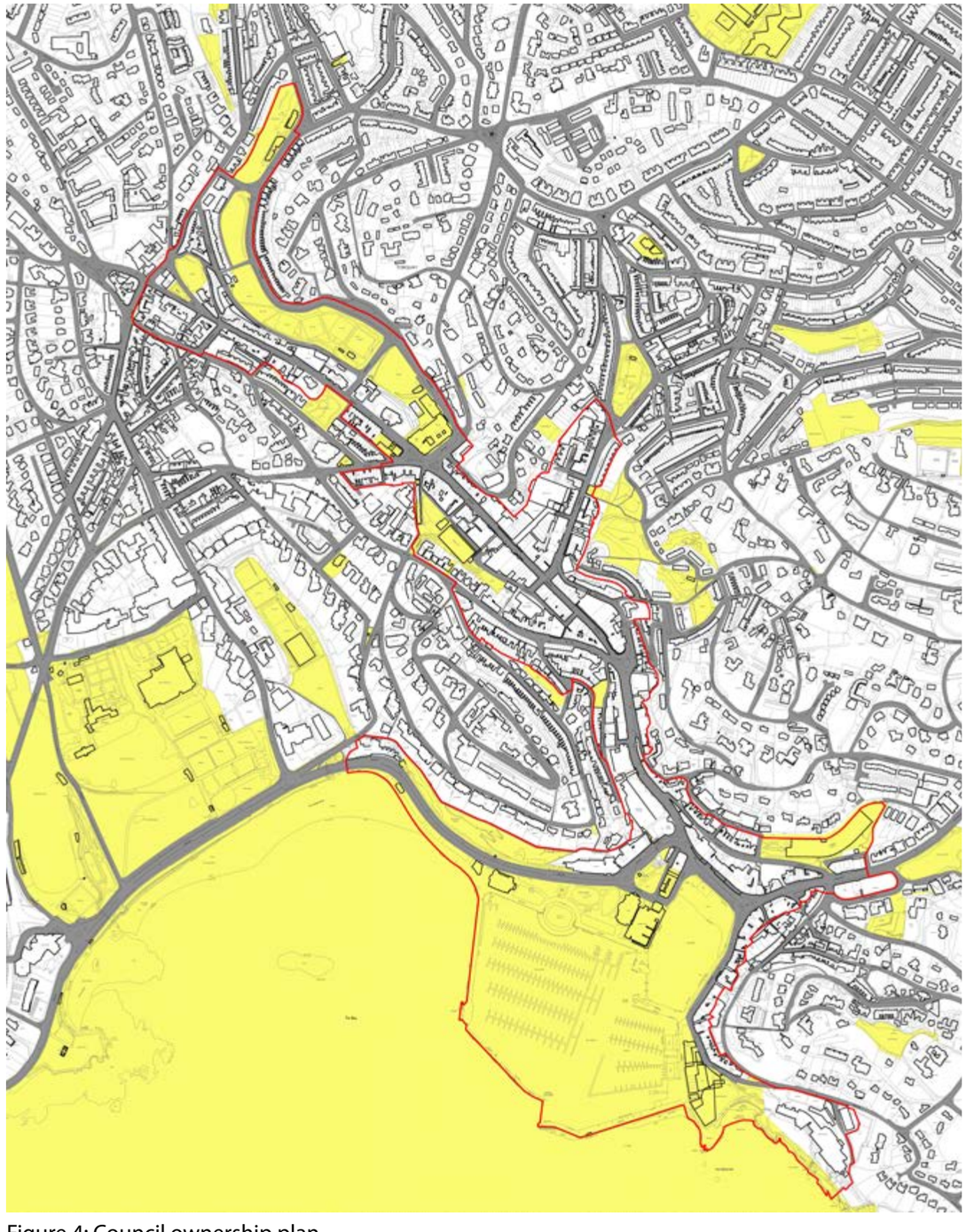


Figure 4: Council ownership plan

Land Use

The town centre can be subdivided into the character areas:

- Civic/ Parks
- Retail core
- Harbour/ Leisure

Civic/Parks

- includes the Torbay Council offices
- large park but requires significant investment
- includes the library, job centre, EF main centre,
- reinforce this area as a civic hub with attractive parks and gardens

Retail Core

- this covers Union Street (upper & lower) , the Fleet and parts of the Strand.
- there are significant areas of derelict land and under- utilised land in the town centre area.
- the size of the existing retail core is large but the mix of uses is not significantly attractive enough to encourage inward investment or shopper confidence.

Harbour/leisure

- this is a mixed use area and includes retail and leisure /restaurant uses.
- this is the major asset of Torquay town centre and is seeing investment interest.
- activities that create a higher quality offer should be encouraged that enhance the existing offer but at its expense.

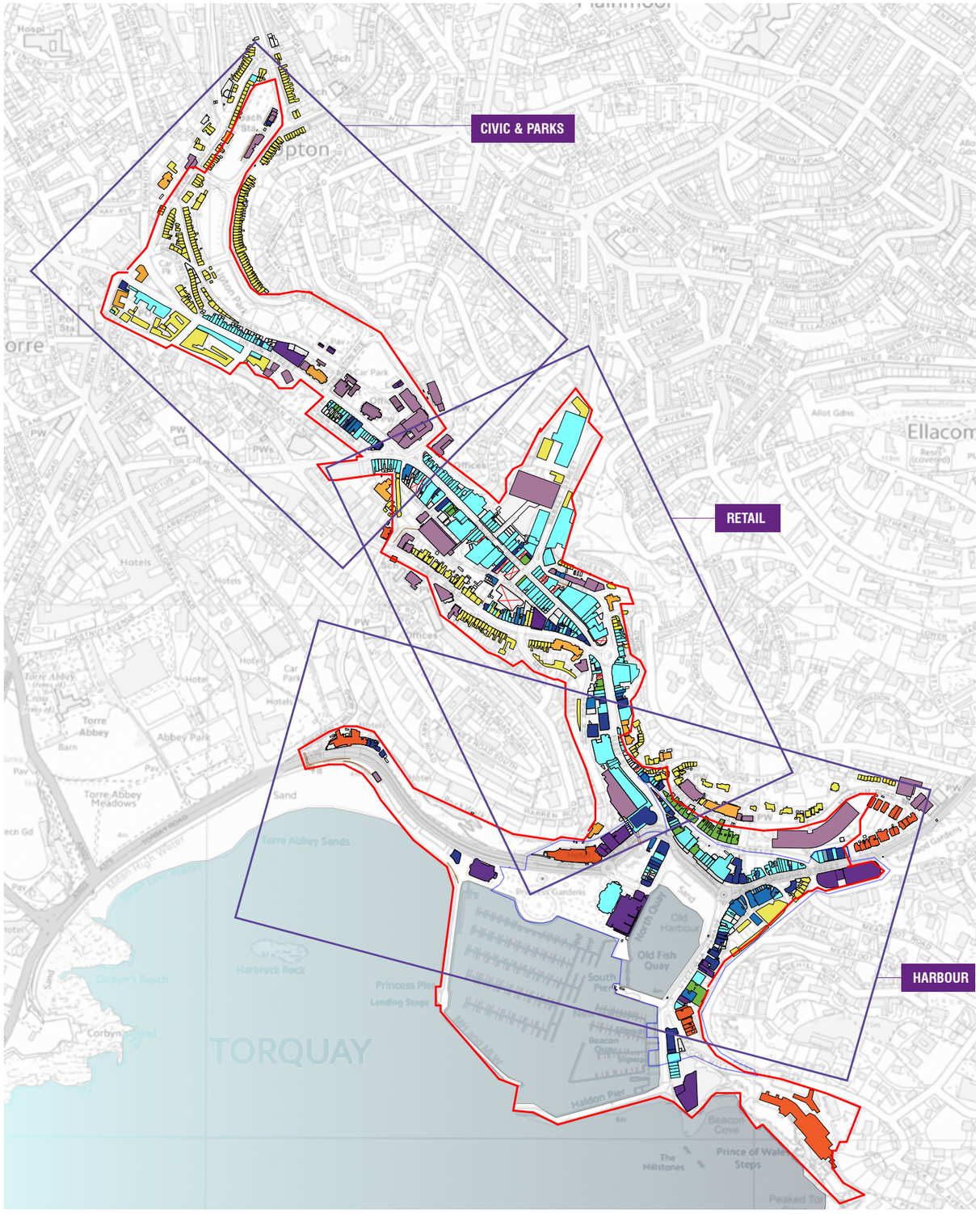


Figure 5: Existing land use plan

Historical

Torquay town centre is constrained by the surrounding topography and has grown along a valley feature- hence the reason why it is linear.
A large part of the centre is in a Conservation Area and include some beautiful buildings. These should be retained and enhanced.



Figure 6: 1880's-90's Map of Torquay



Figure 7: 1904 Map of Torquay



Figure 8: 1930's Map of Torquay

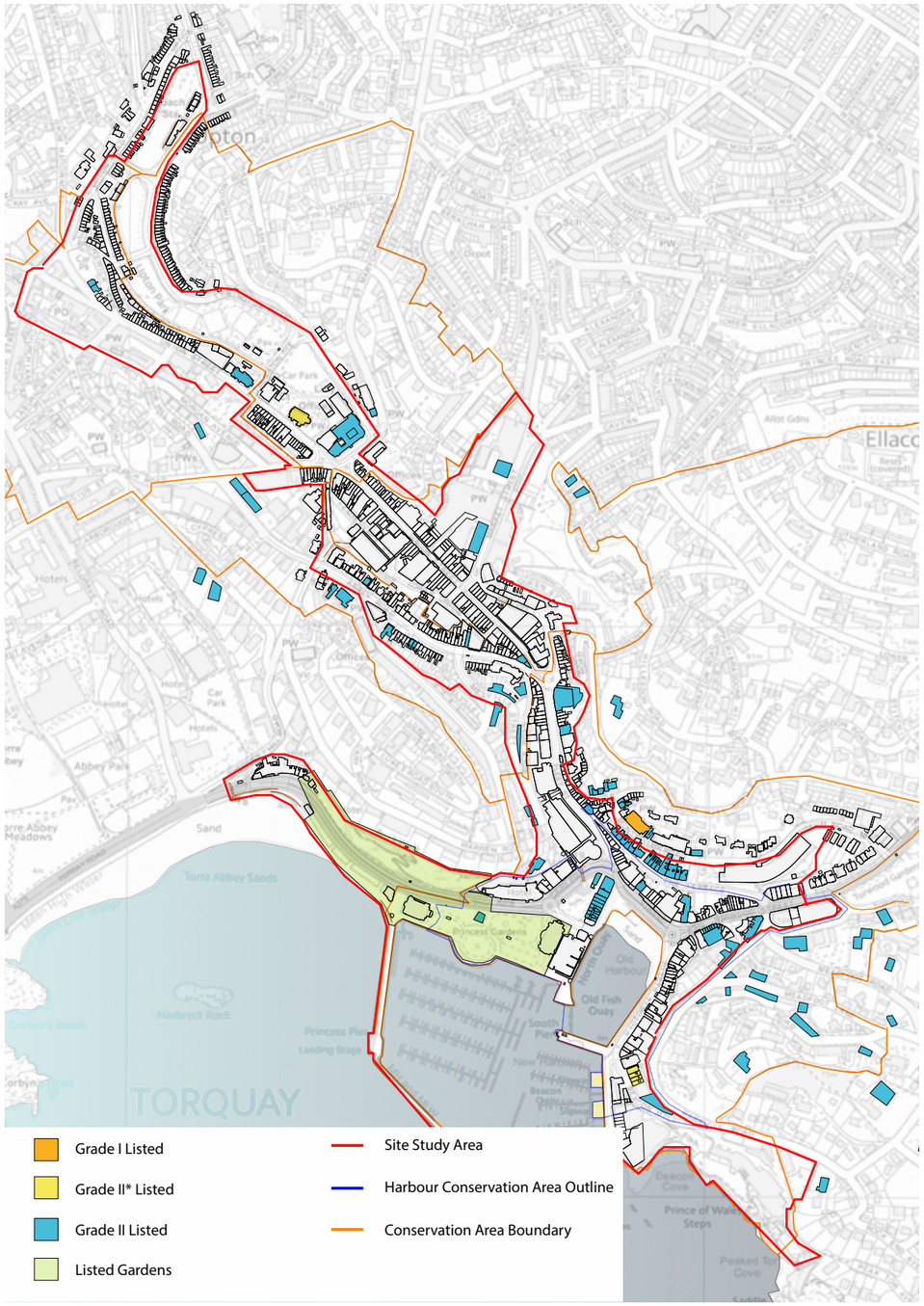


Figure 9: Listed buildings within the study area

Flooding

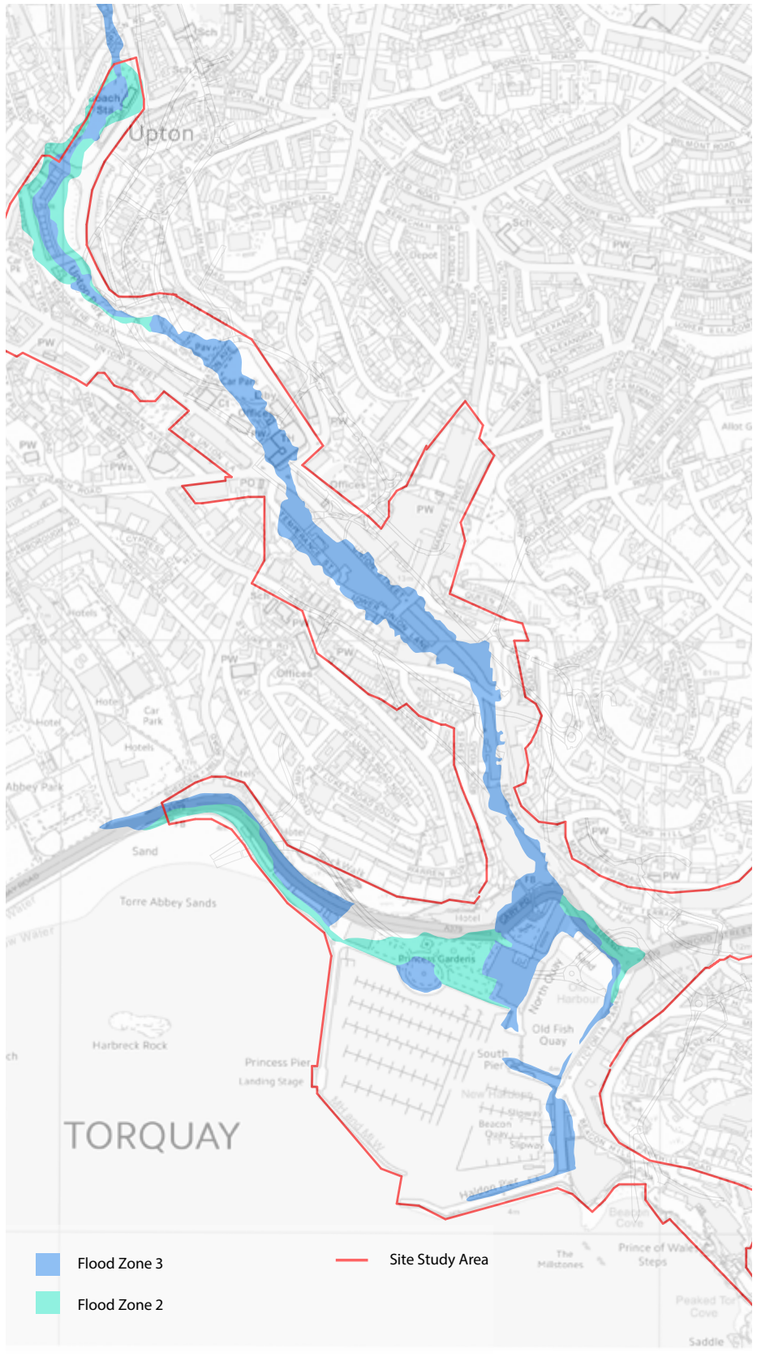


Figure 10: Flood Map within the study area

Recent Achievements :

i. The English Riviera Tourism Company (ERTC) wins the Silver medal awards for Tourism Information in the Visit England Tourism awards in 2014 .

ii. The Abbey Sands development is nearing completion and has already become an asset to the town in terms of providing a striking focal building on the waterfront and providing additional restaurant destinations along the frontage.

iii. Torquay won 15 awards for its beautiful beaches - more than anywhere else in the country - as well as a Purple flag for being one of the safest places in the country for a night out.

iv. For the second year running, Torquay was voted top seaside destination in England in the 2015 Tripadvisor Traveller's choice awards. Torquay also featured fourth in the Tripadvisors Traveller's Choice awards for Top 10 Destinations in the UK after London, Edinburgh and Lllandudno.

v. £90m pound investment in the Palace Hotel to make it into a luxury leisure and residential development.

vi. Mitch Tonks, the acclaimed restaurateur has opened Rock Fish restaurant on Victoria Parade on the harbour front. Again showing growing confidence in the high quality destination at Torquay.

vii. Other large scale development opportunities are currently in the planning system which demonstrate that the market is becoming more buoyant and that there is willing private investment for the town.

viii. Proposals for a new station at Edgsinswell are moving forward with a view to being delivered by 2017.











5.0 The Vision Town Centre



5.1 The Vision: Town Centre

2031 : Torquay is the 'Heart of the Riviera'.

It is the grand, elegant town of Torquay with a rich history linked to its beautiful coastal, maritime and landscape setting.

This unique setting provides a fantastic place to live, work and play .

Its connections to London, and the Midlands (Birmingham) has improved massively due to its improved road & rail network.

High quality tourism is one of the leading services with an international reputation but the bay is now also the south west's premier destination for advanced digital, hi-tec communications, and agri/maritime science industries as well as international language study.

The super fast broadband capabilities has enabled business's to set up and thrive in Bay and allow people to have a flexible work/life balance whilst still being on the cutting edge of the creative and science industries.

Current aspirations for the town centre suggest vitality could be delivered through a combination of the following actions;

- 'restructuring' the town centre;
- increasing town centre residents population;
- improving access and movement;
- potentially reducing the length of the retail offer but focussing mixed use development on Temperance Street, Pimilico, Torwood Street and in the harbour
- improving connections and links between the centre and the waterfront;

Consequently, the masterplan should promote the following:

1. Key urban locations for mixed use regeneration including major retail, leisure, cultural and recreational opportunities

2. Employment, health and housing provision - including a careful scaling back of secondary shopping areas.

3. The re-use of under-utilised floorspace, above existing businesses, as a source of employment space and housing supply

4. A strong town centres first approach to development, particularly for retail uses.

5. A limited number of mixed use edge of centre developments. These will help to achieve balanced communities by delivering a mix of employment, leisure, retail, family housing, healthcare, education and local centre facilities.

6. 'relaxed' planning requirements to support invest ment into re-use of redundant / vacant properties and the public realm around them.

7. 'meanwhile' uses that help make the transition from vacant property to valuable, long term use.

8. Encourage high quality investment into the Town Centre - leisure/ employment/ residential & retail.





5.2 The Masterplan Area

In order to deliver the vision, the masterplan for the town centre defines a number of key components as follows;

1. The main character areas,
2. The key public realm improvements
3. The key buildings for re-development
4. The key development project sites and green infrastructure improvements
5. Identifying areas for land use planning changes

These interventions are described in the following pages.

LAND USE GUIDANCE/CONTROL ZONES/REGENERATION

1 2 3 4 5 7	Torre Highstreet. Service industry, professional services and retail directly servicing Torre. Encourage residential/offices at upper levels.
6	Better frontage & links to park.
8	Strong building addressing parks both sides. Provides a break between character areas.
9 10	Services and encourage offices/resi above. Should not compete with highstreet retail.
11	
12	Attractive apartments. Encourage ground floor use to address the street.
13	Opportunity to improve built form. Increase storey height to 4 storey - Incorporate residential
14	Improvements & canopy on shop fronts - design code Improvements to historic buildings Use up space above retail for residential to increase footfall
15	Rationalise car park entrance to create additional development
16	Create a stronger clearer route between terrace hill car park and the harbourside. Re-development opportunity for Debenhams.
17	Mixed Use proposal currently in planning
18	Pimlico - regeneration
19	Old Opera House improvements
20	Cary Parade - Re-development opportunity and improvement of pedestrian links to Warren Road

Character Zones

Key Public Realm

Key Development Project Sites

Land Use Guidance/ Control Zones

Upton Park Refresh

1. Princess Theatre. Key building on the Torquay waterfront. Theatre could be improved to provide adequate space for west end productions. Opportunity for iconic building in this location.
2. Pavilion/ Marina Car Park site (planning application currently being furtehr developed for consideration by Torbay Council.
3. BT Exchange building- key building within Temperance St site. It is unlikely that BT will move from this building within the near future but the masterplan ultimately hopes to provide some improvement here- potentially introducing other tenants at ground floor to create more activity at street level.
4. Former Hoggs Head, now current Costa Coffee building.

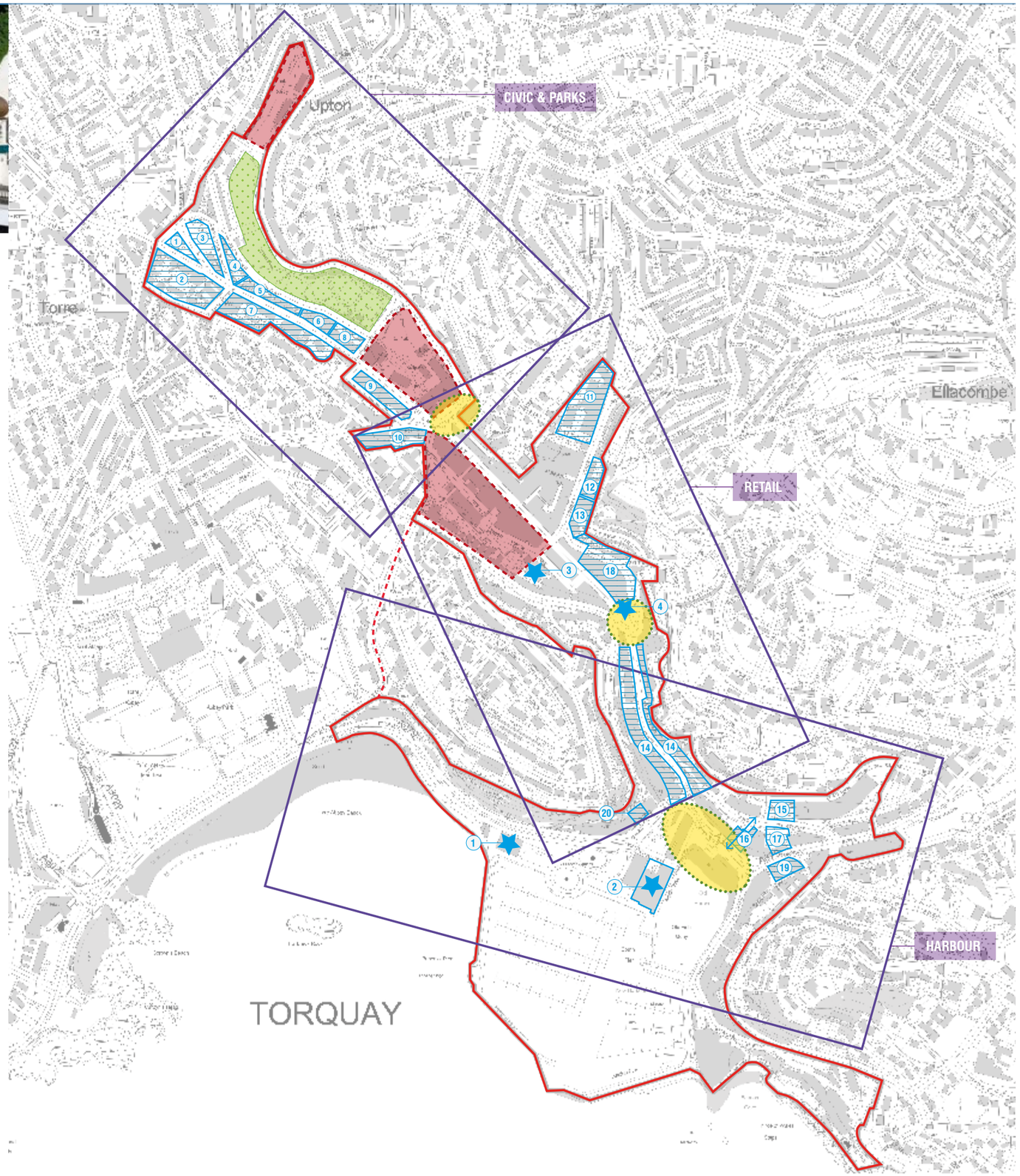


Figure 11: Masterplan Area

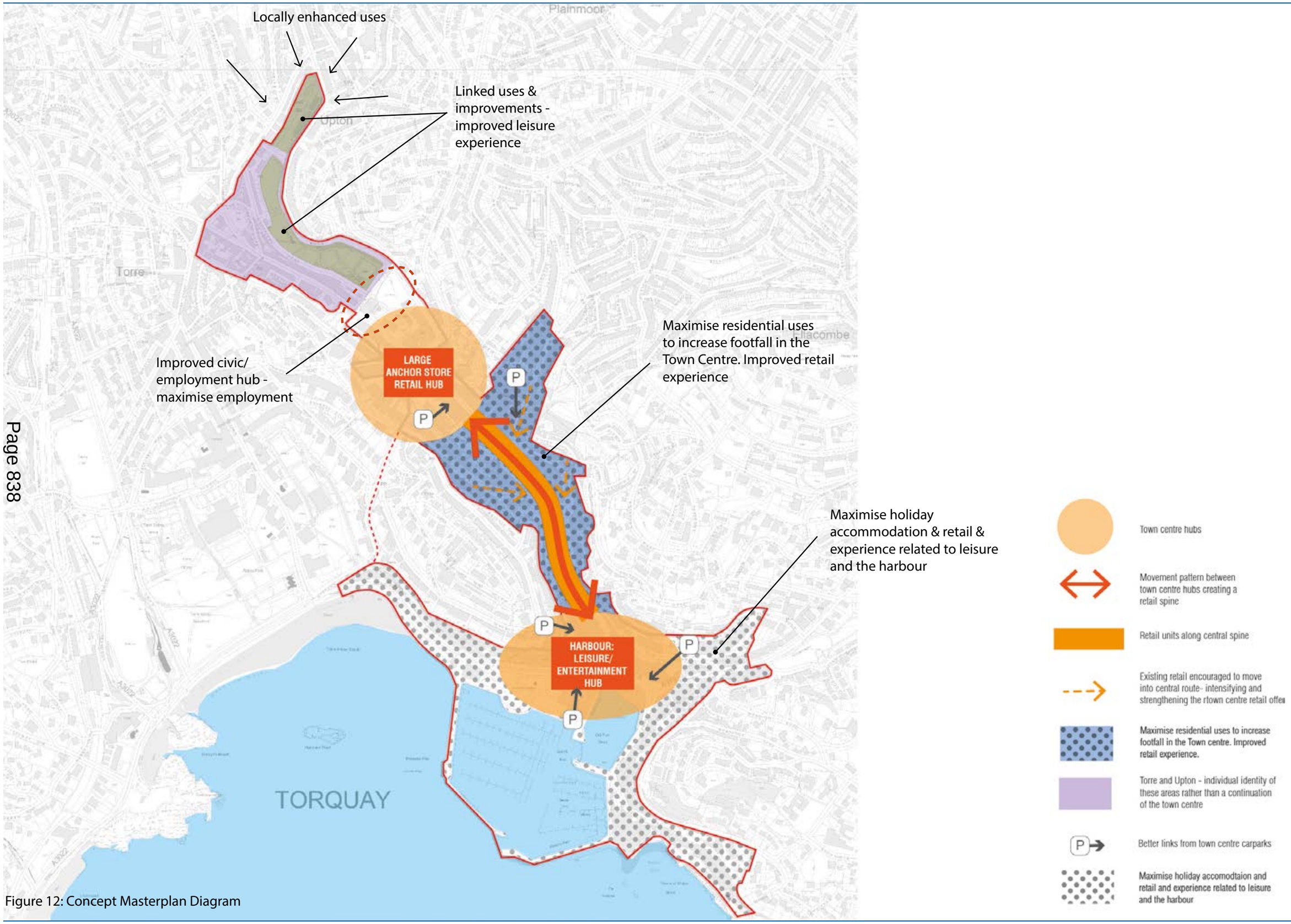


Figure 12: Concept Masterplan Diagram

5.3.1 Civic & Parks

Key Project: **Town Hall/ Carpark Block**

This is a significant area in relation to the masterplan for the town centre and for the future success of the upper Union Street area.

Site Area = 67,000 sqft
Current Use = Car parking 208 spaces

History : original consented scheme in 2011 for Offices

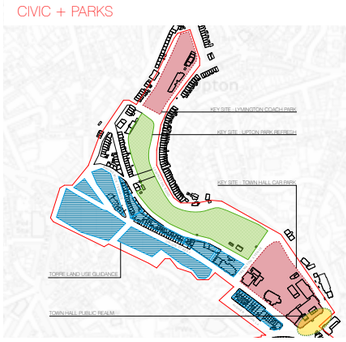
Recent schemes : Feasibility study for a 35,000ft² retail unit

Other issues :

- Move Western Power building/substation
- Underground culvert constraint
- Possible wider area if the library, courthouse were included

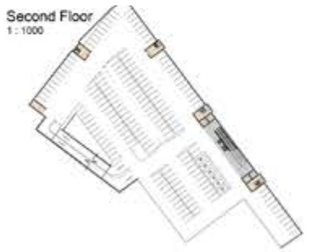
This masterplan presents three options for this site in order to illustrate flexibility. A food retail led development is the most deliverable and preferred option of Torbay Council at this present time.


Sketch Perspective











Option 01:

This option looks at proposing a supermarket in the centre of Torquay

Land Use Budget :

Retail	80,000sq ft
Parking	350 Spaces

Note : Library relocated to Town Hall


Sketch Elevation Along Tremation Avenue



Figure 13: Town Hall/ Car Park Block Option 01

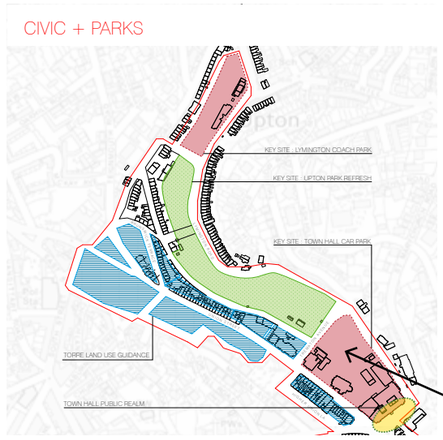




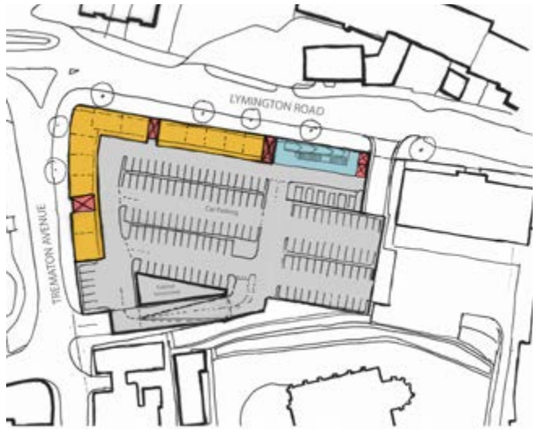
Option 02

Land Use Budget :

Food retail	41,500sqft
Residential	52 units





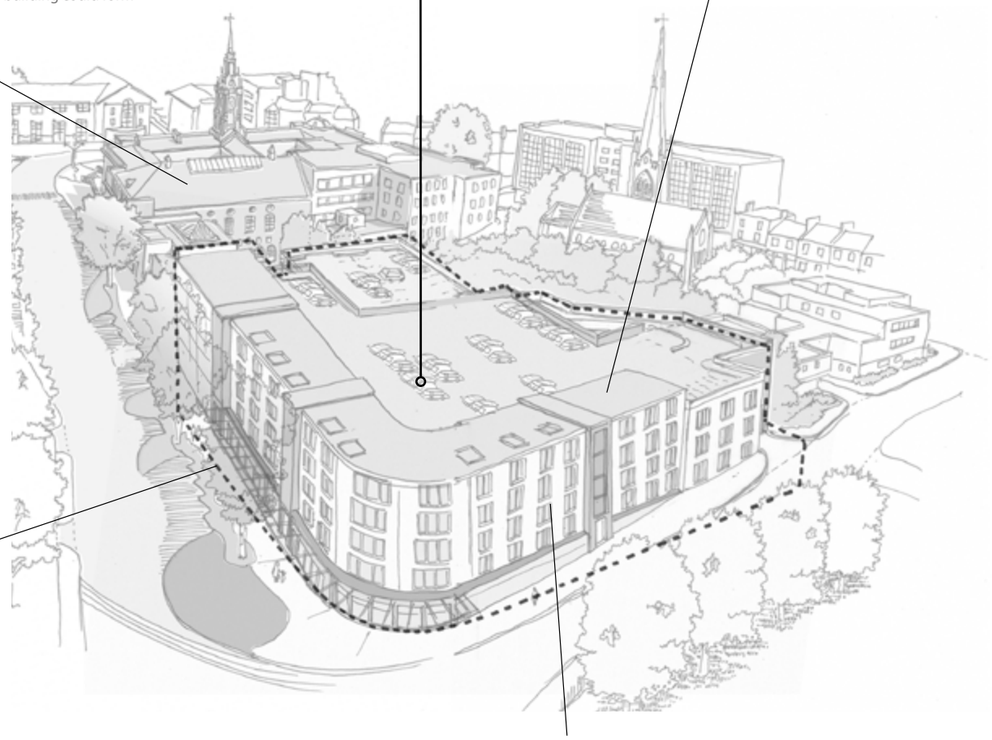


Town Hall

A grand and significant building at the top of Union Street. Feedback from 1st stakeholder event suggests a grand hotel or museum/exhibition building could form appropriate uses for this building.

Carparking

3 levels of car parking above ground floor retail

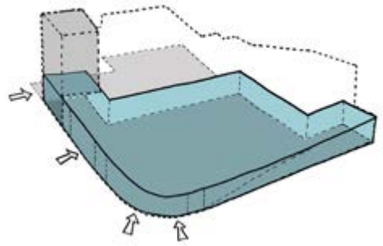


Retail unit >41,500ft²

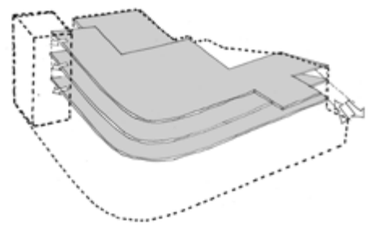
Retail space at ground floor with frontage onto Tremanton Avenue and Lymington Road

Residential Units

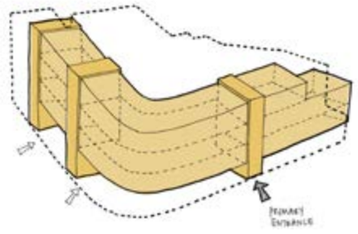
3 storeys of residential provide a strong street frontage to Trematon Avenue and Lymington road and shield the car park behind



RETAIL



CARPARKING



RESIDENTIAL

Figure 14: Town Hall/ Car Park Block Option 02

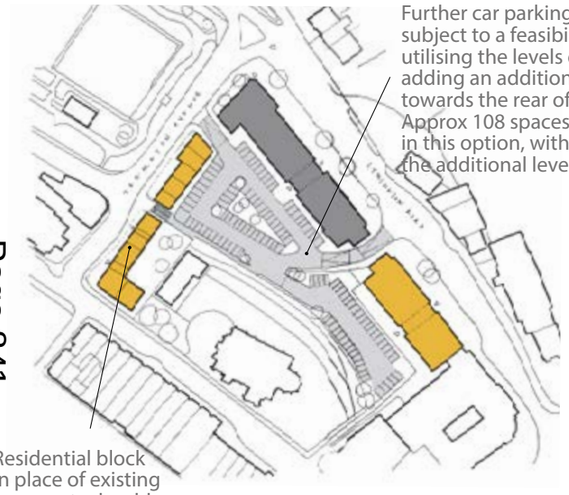
Option 03:

This option looks to enhance the Civic/commercial facilities in the town centre but with resi wrap/ improved frontage

Land Use Budget :

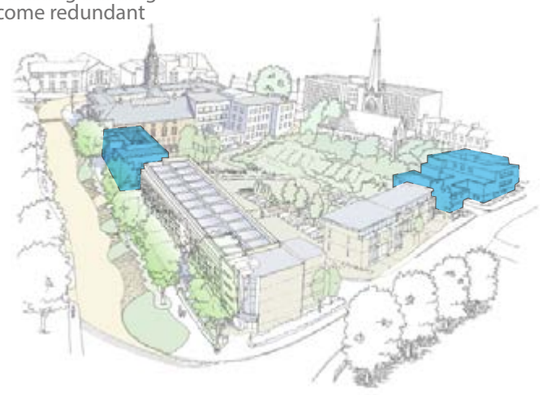
Residential	50 units
Commercial	181,200 sq ft
Parking	108 spaces

The retail component would be moved to the Temperance Street site.

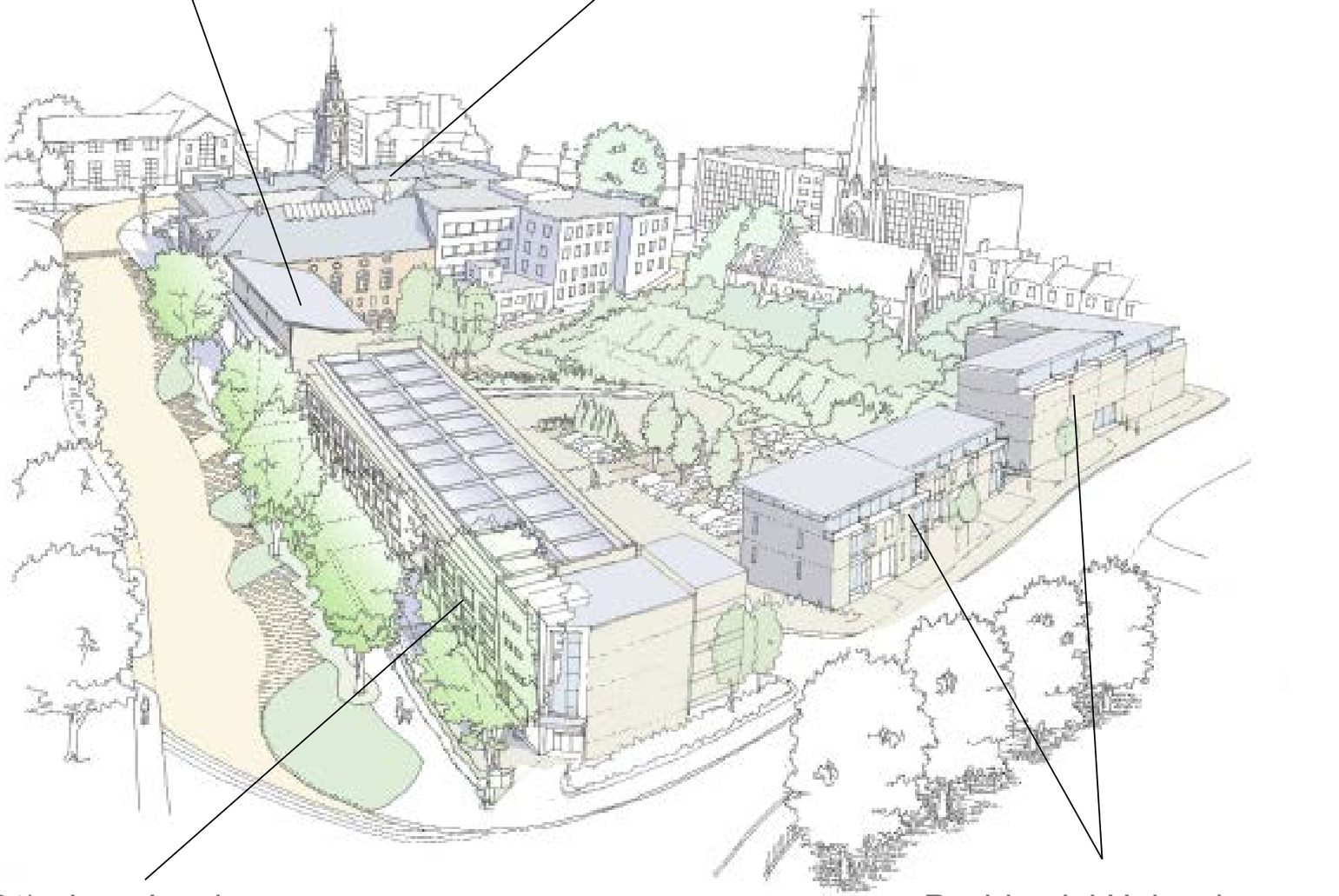


Further car parking may be achievable subject to a feasibility study- by utilising the levels of the site and adding an additional layer of parking towards the rear of the site. Approx 108 spaces can be achieved in this option, with approx 70 without the additional level.

Residential block in place of existing law courts should the existing building become redundant



SCHEME PHASING
Blocks provide flexibility to phase the scheme as and when buildings become available



Innovation centre/link to new library

Possible reuse/redesign of existing library block to suit future needs

Town Hall

A grand and significant building at the top of Union Street.

Offices (B1) along Lymington Road

New business hub within town centre

Residential Units along Trematon Avenue

Units provide street frontage to Trematon Avenue and shielding of the car park from raised bowling green opposite to the northwest

Figure 15: Town Hall/ Car Park Block Option 03

Project: Castle Circus Public Realm

In order to facilitate a revised one way system (in the entirety suggested in this masterplan), there would need to be some amendments to the street system around Castle Circus. Whilst a more detailed assessment needs to be carried out by the Highways Authority, Figure 18 shows the likely changes to traffic flows and how the public realm could be enhanced.

The enhancements would include ;

i. removal of street clutter - raised planters, signage etc

ii. increase in the pedestrian public realm and a reduction in the amount of road surface.

iii. introduction of public art and seating

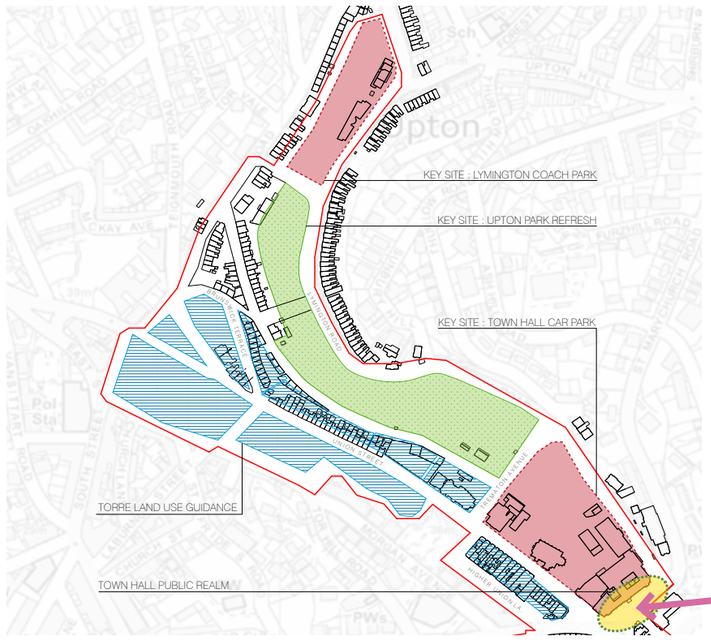


Figure 16: Castle Circus Location Plan

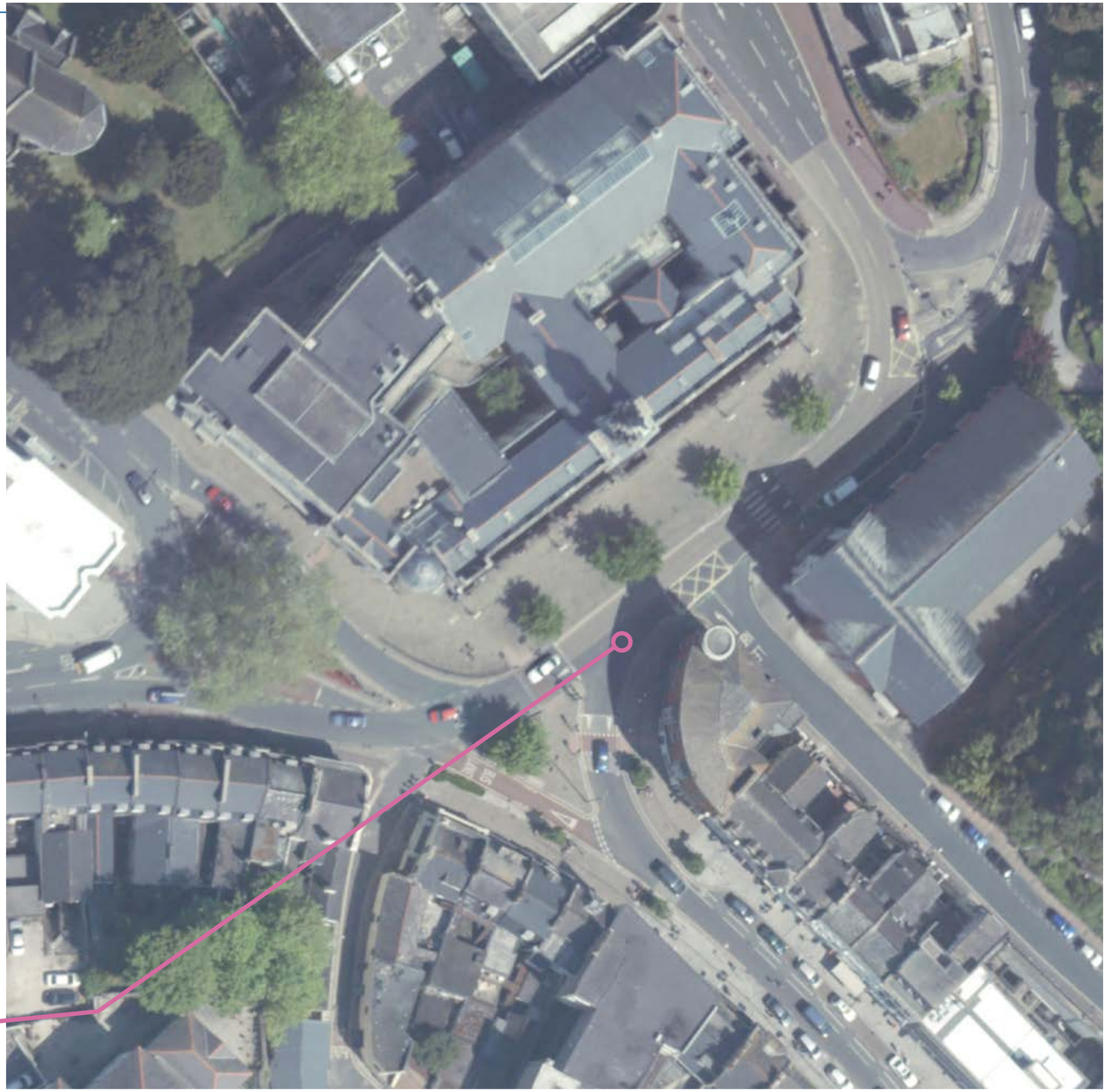


Figure 17: Existing aerial view of castle circus



Figure 18: Proposed highways and public realm layout at Castle Circus

Other Projects:

Project : Upton Park/Coach Park

LHC consultants produced an Upton Park renewal scheme on behalf of Torbay Council. This document supports all the proposals including

- Instigate and enhance the LHC Upton Park proposals
- Remove trees to allow more light into the park
- Move sports pitch provision to coach park site to allow for the permaculture area without losing sports provision. Improve the appearance of the coach park
- Combine coach/bus station site into a site outside of the town centre
- Snooker hall- (sports centre)- Consider upgrading as this is a poor building frontage onto the park

The masterplan considers that both the coach park and Upton Park should be seen as one area. The areas are interlinked in that Upton Park fails to work as a free flowing park due to the presence of the tennis courts and netting which act as a barrier to pedestrian movement. The tree cover is also very dense and so light penetration is poor. This could be improved by moving some of the sports provision to the coach park.

The Coach park is underutilised at present and is a poor use of space so central to Torquay.

The aim is to move the tennis courts over to the Coach Park and make an all weather Multi use Games Area which could be used for tennis, basketball, 5-a-side football etc . The scheme retains parking for the innovation units and allows for some coach parking (as an option) but other sites on the outskirts of the town are more suitable for coach/lorry parking . A large part of the coach park cannot be used for built development due to the below ground constraints and so this would be a useful way of combining the two adjacent spaces and making them more efficient and integrated whilst also improving drainage in the flood plan. Four potential options have been identified.

Refer to Figures 21 - 24 & 26 for the illustrative layouts and sketches.





Figure 19: LHC proposal for Upton park

Play Area, Rehwaldt Landscape



Coach Park, Plat Design



Play Area, Annabau Landscape



Issues :

- below ground utilities
- unattractive treatment
- inefficient use of space within the town centre. car Park not fully utilised.
- attractive large trees
- National Express office is not located in the car park.

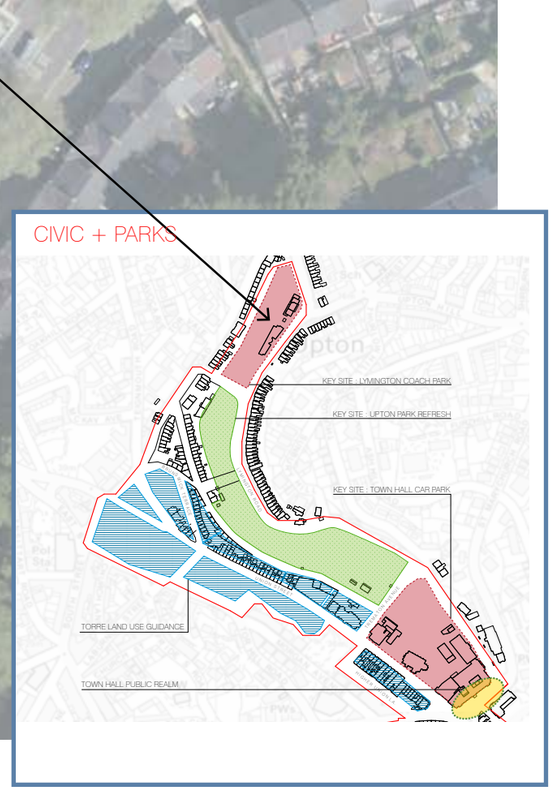


Figure 20: Existing Coach Park Location Plan

Reduced coach parking

Potential for additional work space studios set against the large retaining wall and additional car parking (subject to utility

proposed innovation building extension (previous agreed solution as Existing)

Proposed MUGA and improved landscaping

Coach Park Option 2 : Additional work space studios if the coach parking is removed.



Figure 21: Coach Park Option 1

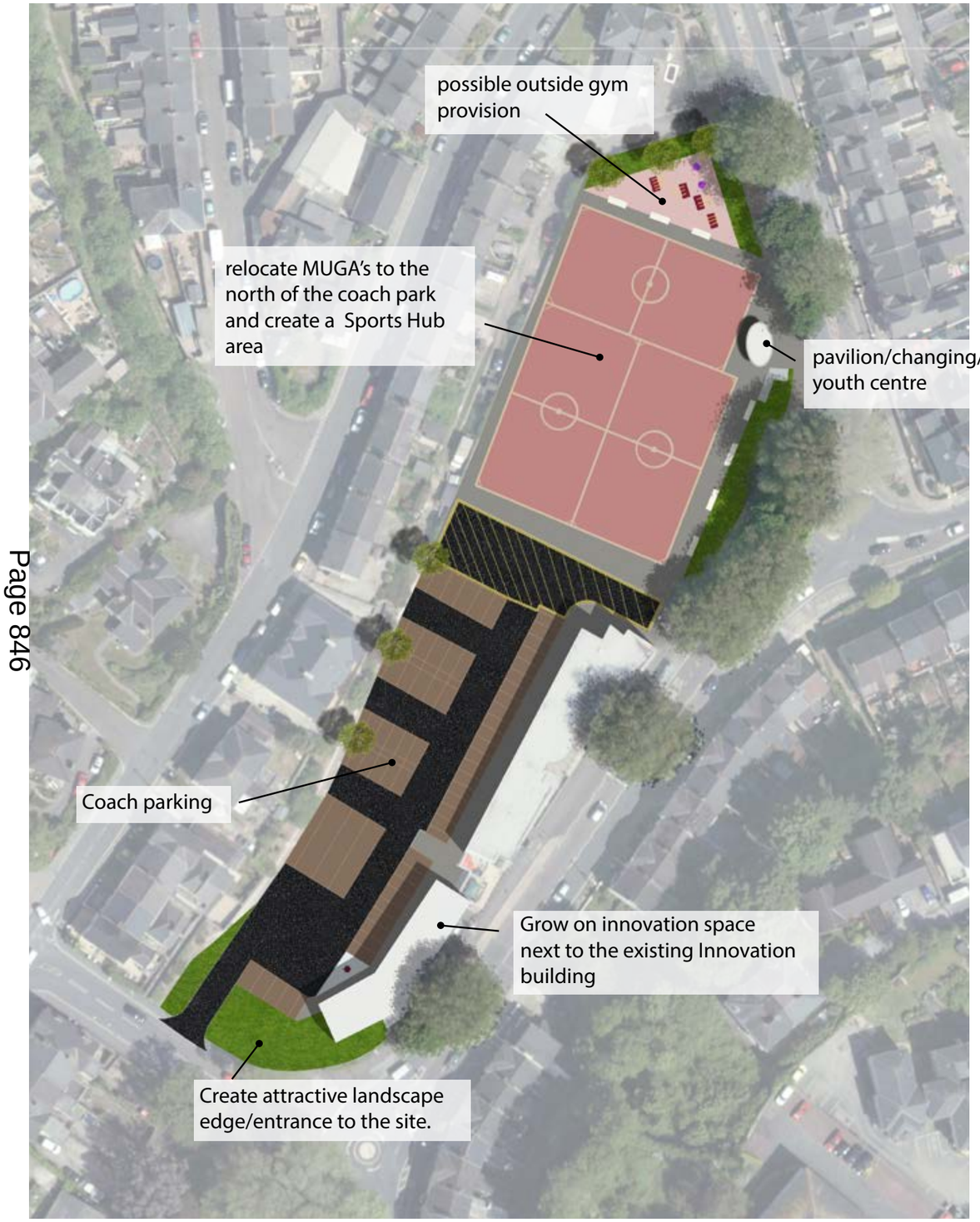


Figure 22: Coach Park Option 3 : Sports Hub with coach parking

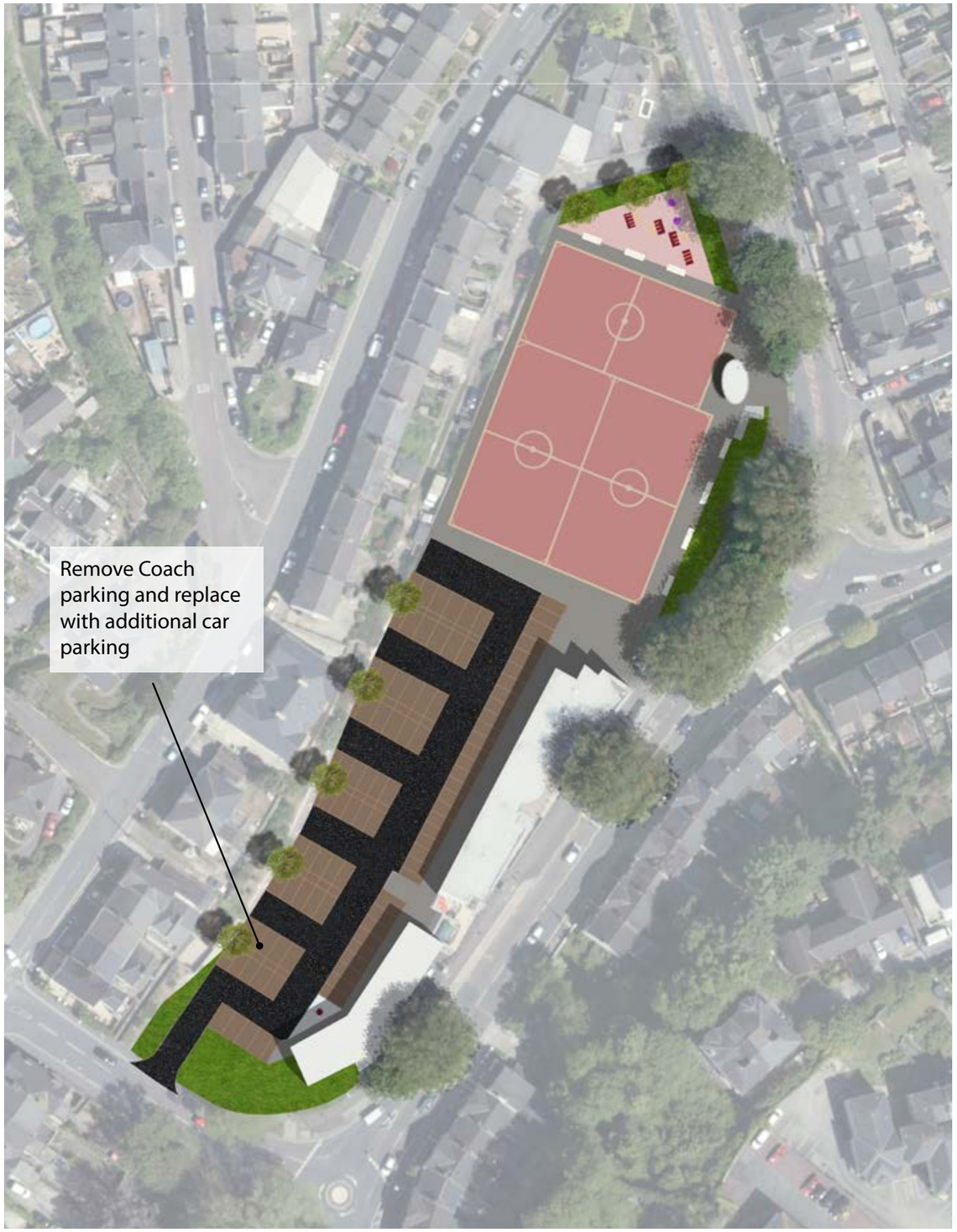


Figure 23: Coach Park Option 4 : Sports Hub without coach parking

Land use Budgets:

Option 1 : Proposed work space 8 units
1 no MUGA
116 no parking spaces
5 no coach spaces

Option 2 : Proposed work space 24 units
1 no MUGA
166 no parking spaces

Option 3 : Proposed work space 10 units
3 no MUGA's & an outside gym
56 no parking spaces
3 no coach spaces

Option 4 : Proposed work space 10 units
3 no MUGA's & an outside gym
86 no parking spaces



Figure 24: Sketch proposal for the Coach Park





Figure 25: Existing view of the Coach Park



Figure 26: Sketch proposal for the Coach park

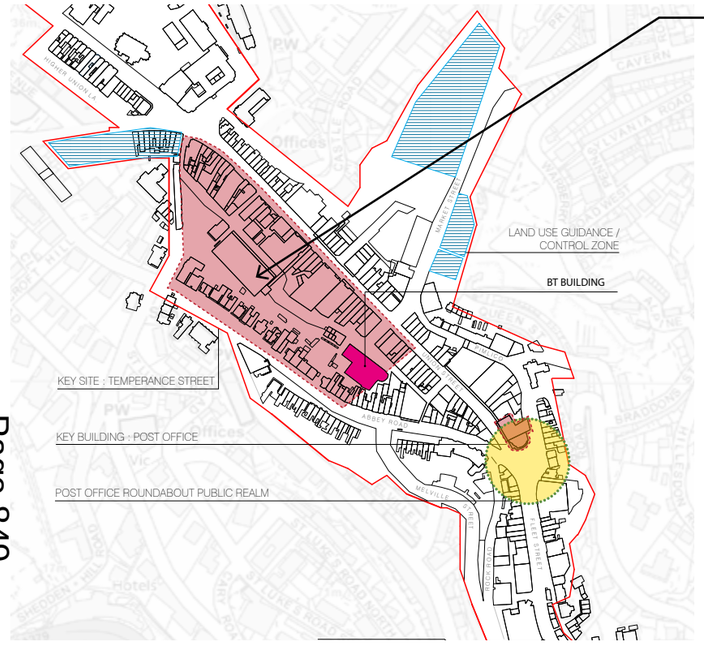


Figure 27: Existing view of the Coach Park

5.3.2 Core Retail Areas

Key Project: Temperance Street

RETAIL



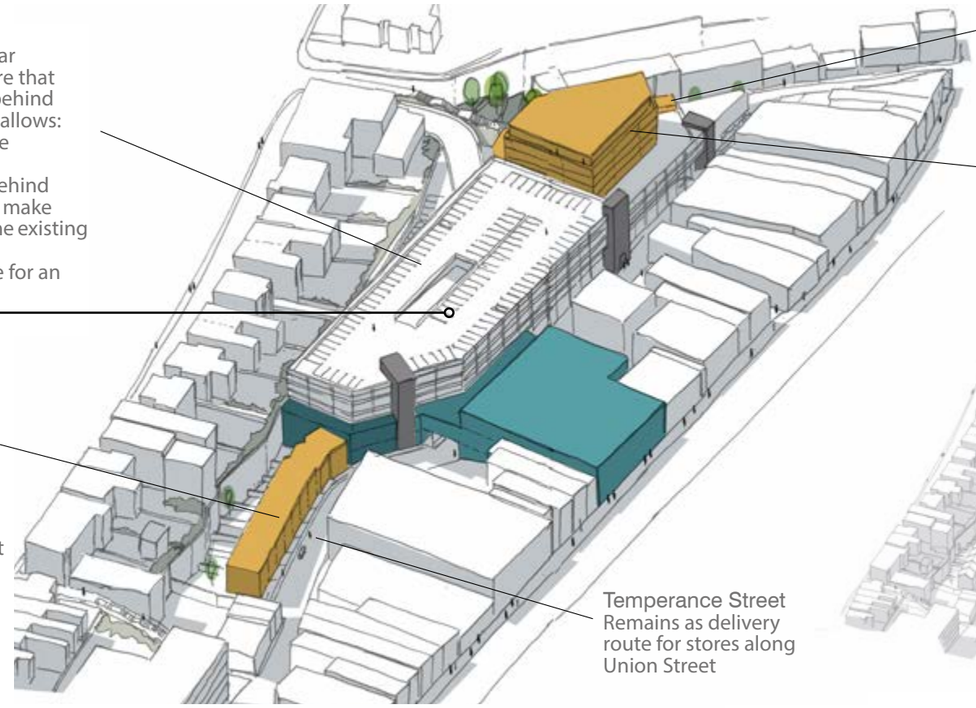
Temperance Street has a large multi storey car park, BT building & very few frontage buildings. It is on the whole unattractive, and yet provides an opportunity to service the retail units and the west side of Union Street and create larger retail offers at this north end of the retail street where visitors to the harbour seldom venture. Options 1 and 2 provide an indication of how a 90,000 sq ft retail unit (including servicing, delivery & storage areas) could be incorporated into the Temperance Street site whilst also providing car parking and residential development to support the viability of such a scheme. The BT building needs to be regenerated but following discussions with BT, this is the main exchange and it is unlikely to be re-developed for a number of years. This needs to be reviewed on an annual basis as the BT building is a very poor quality part of the Town centre.

Option 1 - concentrates development within the Council ownership, apart from a third party frontage onto Union Street. The frontage could be any position along the existing Union Street, or there could be two entry points along the existing street.

OPTION 01

New Car park
Replacing the existing car park with a new structure that utilises the whole area behind Temperance Street, this allows:
- car park numbers to be confirmed.
- Maximise built form behind Temperance Street to make more efficient use of the existing void space.
- Allows sufficient space for an anchor store

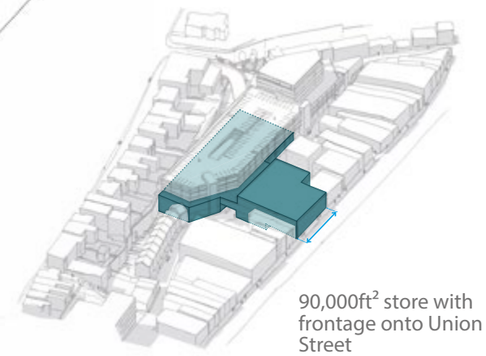
Temperance street residential units
Houses with garages underneath along Temperance Street increase passive observation of the street and provide positive frontage.



Residential units
New housing along Factory Row- screening the carpark and creating a street with existing units on the western side of the Row.

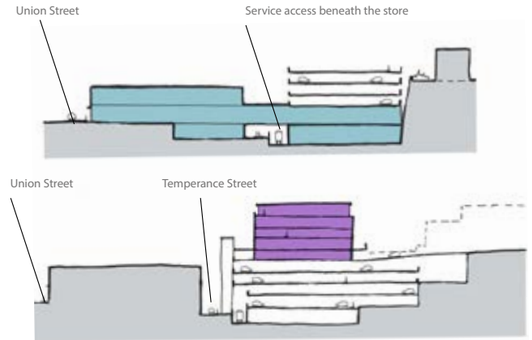
Units above the car park provide much needed numbers of in-town residential units and gain views across Torquay

Temperance Street
Remains as delivery route for stores along Union Street



90,000ft² store with frontage onto Union Street





Proposed Sections



View of existing multi-storey car park improved from the opposite side of the valley.



View of existing multi-storey car park imporoved- units/car parking kept low along line of existing houses along Abbey Road, with the residential block increasing in height where views are not inhibited

Figure 28: Temperance Street proposal option 01

Option 2 - involves more third party land to create a larger frontage onto Union Street. The first stakeholder workshop identified the need for an anchor tenant at this north end of the shopping street.

Key Issues:

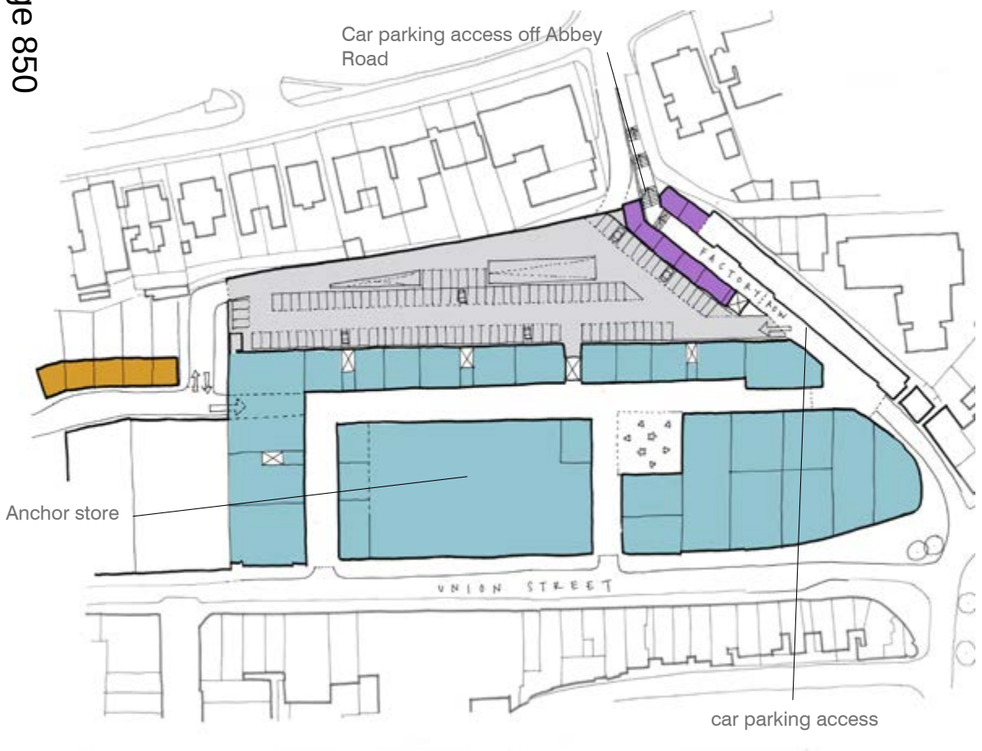
- Need for larger footprint buildings to allow for Anchor stores
- Improving the parking offer
- Delivering quality residential
- Improving surveillance along Factory Row

Land Use Budget : Option 1 :

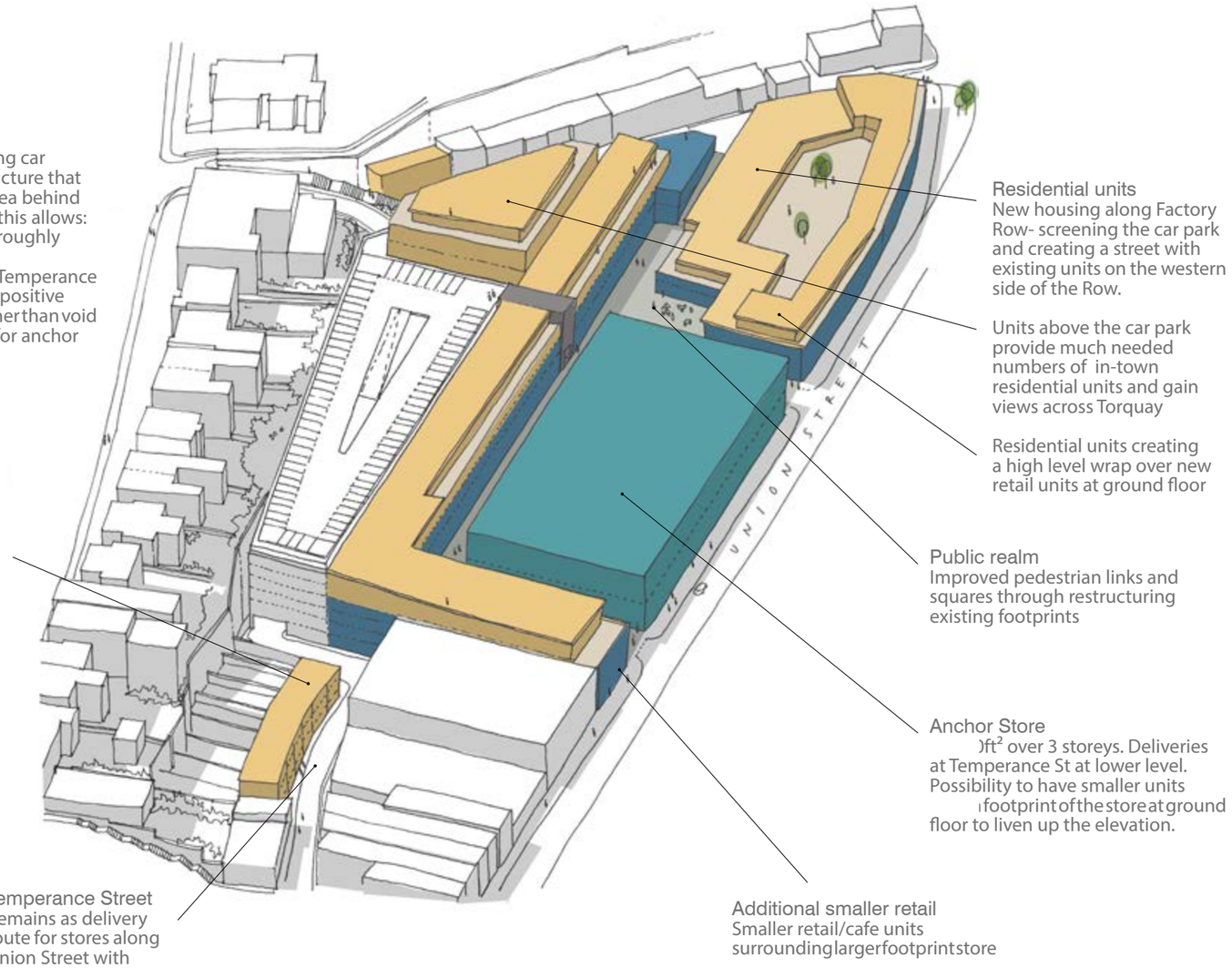
Anchor Store	60,000 sq ft
Residential	106 units
Car Parking	588 spaces

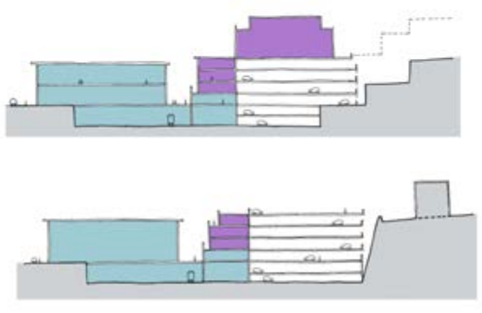
Land Use Budget : Option 2 :

Retail floor space	60,000 sq ft
Residential Units	92 units
Car Parking	540 spaces



OPTION 02





Proposed Sections





View of existing multi-storey car park improved - units/ car parking kept low along line of existing houses along Abbey Road, with the residential block increasing in height where views are not inhibited

Figure 29: Temperance Street proposal option 02

One of the benefits of removing and re-building Temperance Street car park is that the existing structure is an eyesore and so a more attractive street scene could be created when viewed from the surrounding area, and higher quality residential apartments altering the demographic.



Figure 28: View of the Temperance Street proposals from Castle Road



Figure 30: Existing view of Temperance Street Car park from Castle Road

Other Projects:

General Post Office (GPO) roundabout Public Realm:

Issues :

- this should be a town square but is used as a roundabout and car park for taxi's
- Pedestrian links to Union Street are compromised by the lack of a direct visual link due to the tree planting
- There is no sense of place.

Aim :

to increase connections between the Fleet and Union Street to encourage pedestrian movement along Union Street. To create a town square character.

Actions :

- Remove the roundabout and trees
- Move the taxis to specific locations rather than in the middle of the space
- Consider redevelopment of the Hogs head building (long term)- prime location- ideally high quality building/ focal building
- Provide better signage
- Improve the public toilets
- Encourage outside dining/awnings on the shop fronts
- provide seating/steps- utilise the levels
- incorporate a magnificent piece of public art!

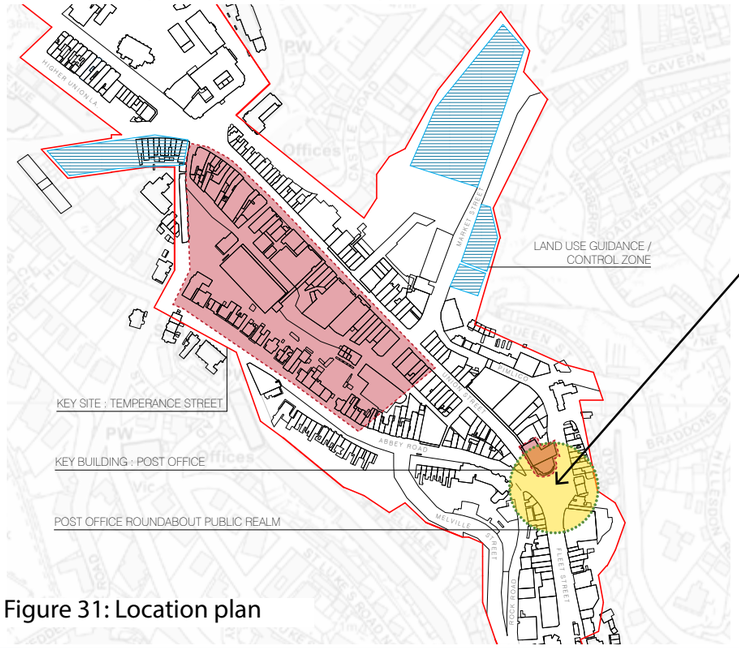


Figure 31: Location plan



1. Taxi's
2. Focal art/ feature and seats
3. Shared surface treatment
4. Possible replacement of Hoggs Head as a focal building - mixed use, commercial/ residential
5. Introduce canopies on Fleet Street & encourage mixed use developments.

Figure 32: Post Office roundabout public realm proposal

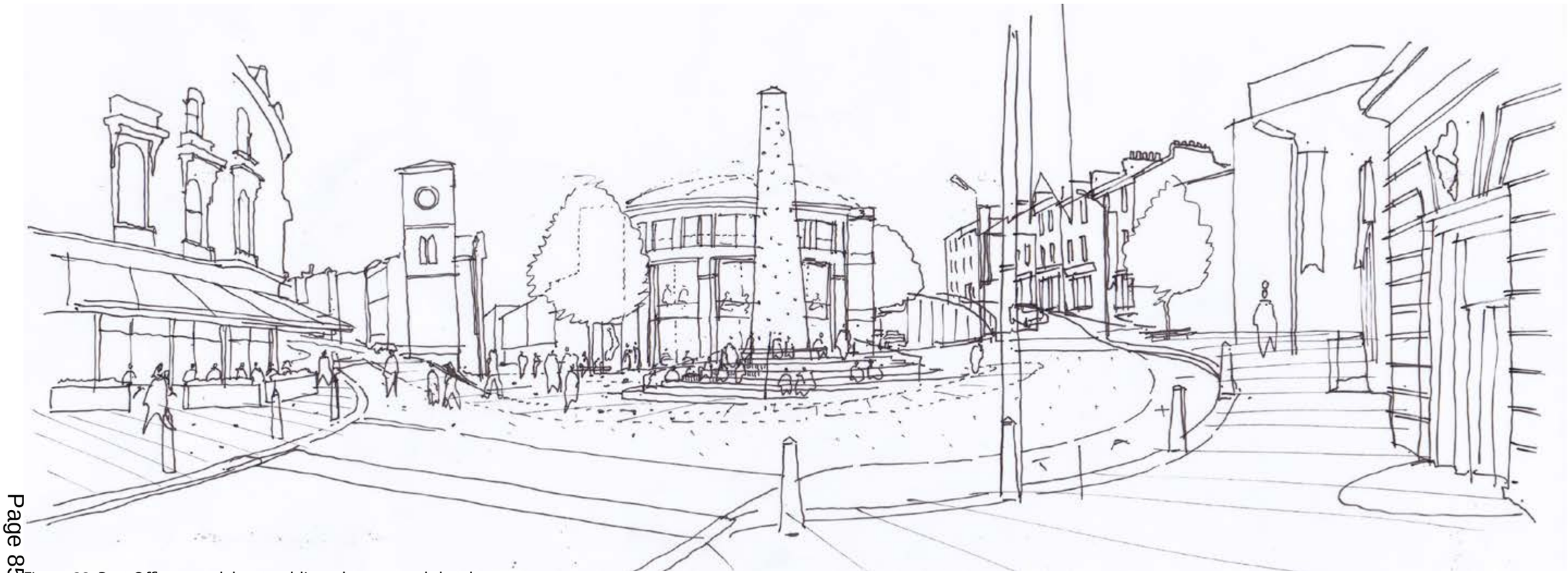


Figure 33: Post Office roundabout public realm proposal sketch



Figure 34: Existing view of the Post Office roundabout public realm

Other projects : Market Street/ Pimlico

Issues :

- Pimlico is a poor quality street with very little natural surveillance and derelict buildings yet is a major connecting street in the access diagram.
- There is capacity in the southern end of market Street and in Pimlico to increase development potential and maximise the use of the space for residential and commercial uses

Aim :

to create an attractive, overlooked street with a mix of uses (including high quality residential market apartments) and to maximise space above shops to provide additional residential apartment land.

Actions :

- Identify the land owners and look to re-develop the sites into mixed use, high density residential innovative led schemes.

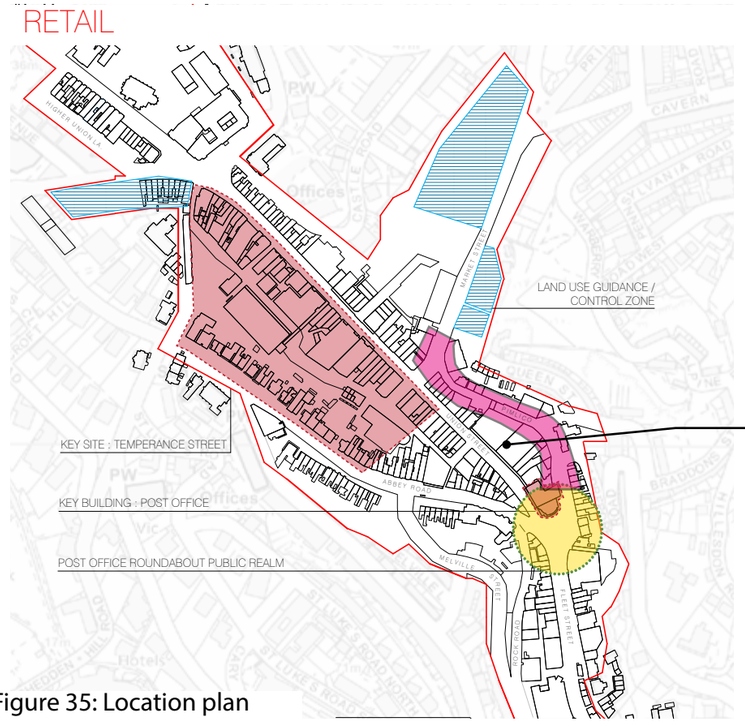


Figure 35: Location plan



PIMLICO - KEY SITES FOR DEVELOPMENT + IMPROVEMENT

Poor quality single storey buildings could be 4 storey residential as buildings further up Market Street

Opportunity for a focal building

Rear properties & derelict buildings need to be addressed to create positive/ active frontages.

Small but key site

Group of buildings that could develop large footprint and respond to Union Street & Pimlico

Focal building

Figure 36: Market Street/ Pimlico concept proposal plan

5.3.3 Harbour/ Leisure

Key Projects

- Cary Green/ Marina Car Park
- Victoria Parade
- Promenade/ Princess Theatre

Other Projects:

1. Market/ Events
2. Terrace/ Harbour Car Park/ Shops/ Debenhams
3. Cary Parade

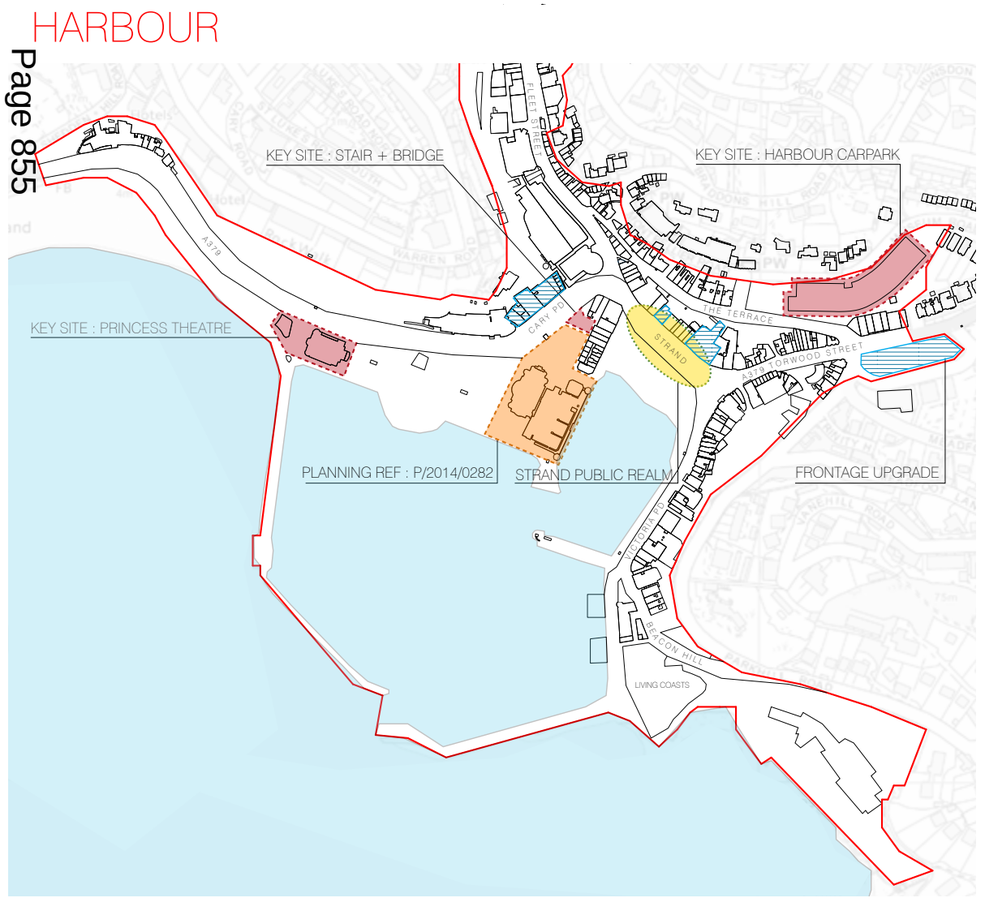


Figure 37: Location plan





Figure 38: Torquay harbourside proposals plan

Key Project: The Strand

Issues :

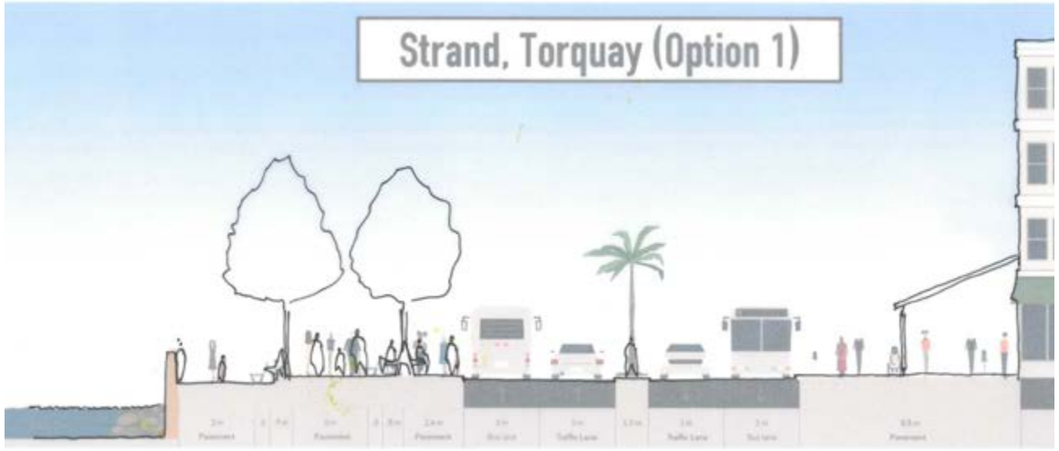
- Bus parking/stopping and waiting creates an unattractive environment for what arguably the most important public space in Torquay.
- Bus /public transport linkage is however important to retain in this area
- The public realm is very poor quality
- Pedestrian access over the road system is difficult and constrained

Aim :

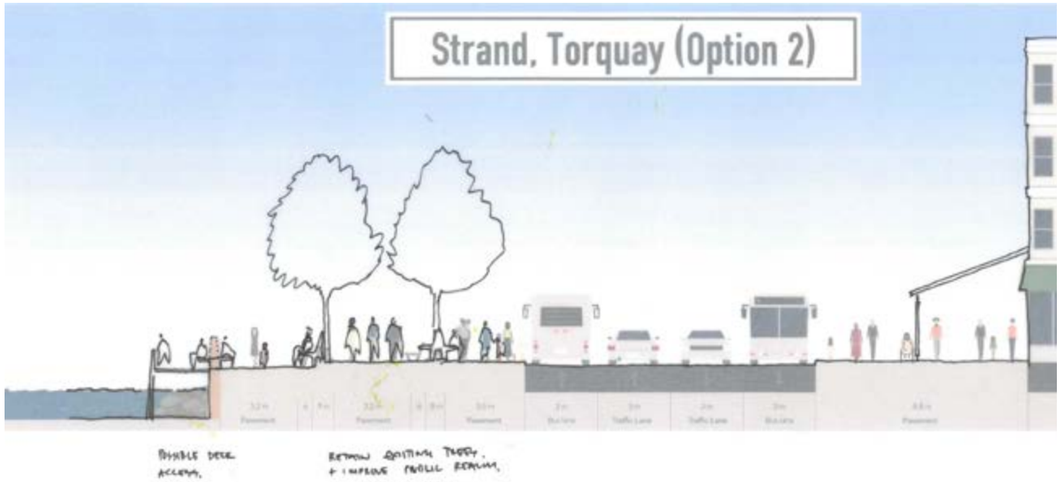
- To create a fantastic public realm environment that does justice to this unique and important space in the heart of Torquay .
- To maintain but rationalise the public transport offer in this important hub.

Actions :

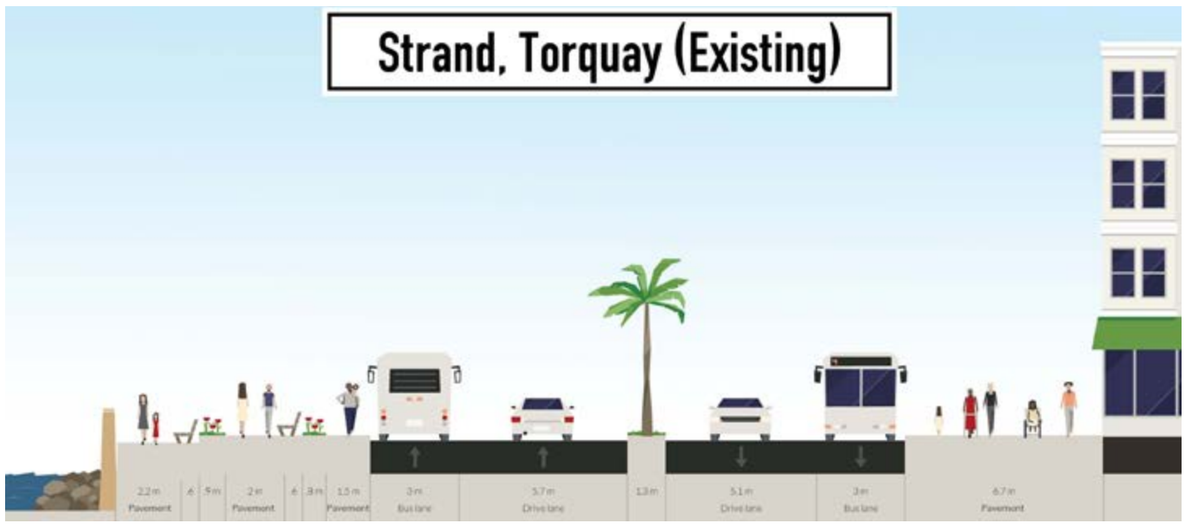
- Narrow the street corridor
- Allow buses to turn left and right at the bottom of Fleet Street
- Rationalise the bus stops and incorporate more bus parking along Cary Parade.
- Create a public realm enhancement scheme for the harbour edge.
- Create a public space that could be utilised for events.
- Create better signage for visitors

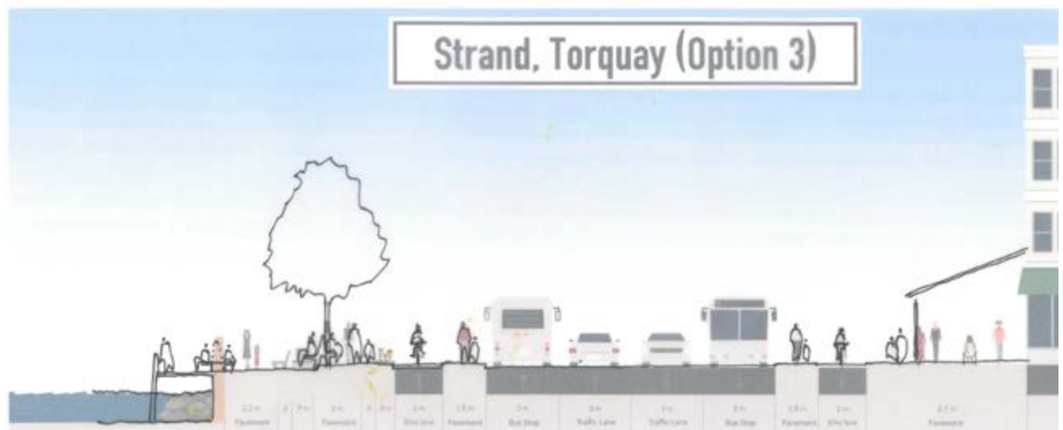


Proposed road narrowing option with retention of central median but as a crossing point rather than a barrier.



Proposed road narrowing option with removal of central median to widen the footway zones. Multiple crossings provided. Potential for additional public 'deck' zone over the harbour edge in accordance with the harbour plan.



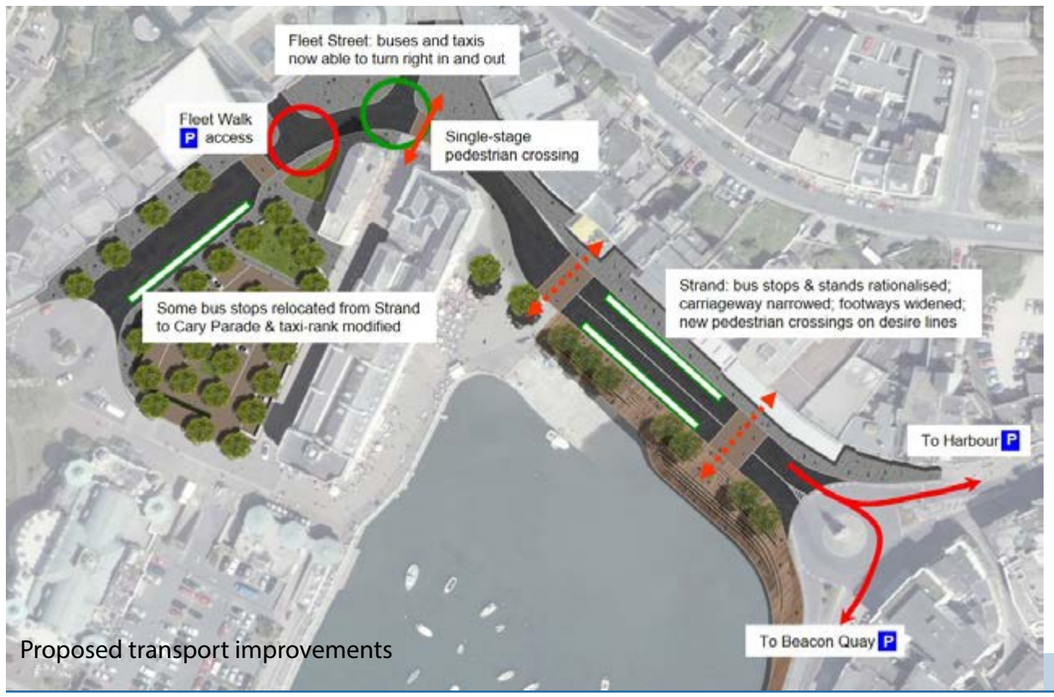


Proposed road narrowing option with removal of central median to allow for cycle lanes as well as increased pedestrian zones. This option would need to be considered against a wider cycle network strategy for the town centre and harbour.

Figure 39: Existing & proposed sections for the Strand



Existing Aerial photograph of the Strand



Proposed transport improvements



Figure 40: The Strand proposal plan & transport improvement



Figure 41: Photomontage of the Strand proposal

Key Project: Victoria Parade

Issues :

- More drop off facilities are required for the marina
- Utilising the harbour edge to generate income by the harbour authority
- Improving the public realm along the harbour edge to reflect the good improvements that have been made to a majority of Victoria Parade.

Aim :

To enhance the public realm environment whilst also allowing the harbour to work as a commercial venture.

Actions :

- Incorporate contemporary food 'pods' along the harbour frontage and utilise the harbour edge for seating
- Create a new public realm incorporating better trees and hard & soft landscape.
- Create better signage for visitors
- Provide drop off points for the marina.

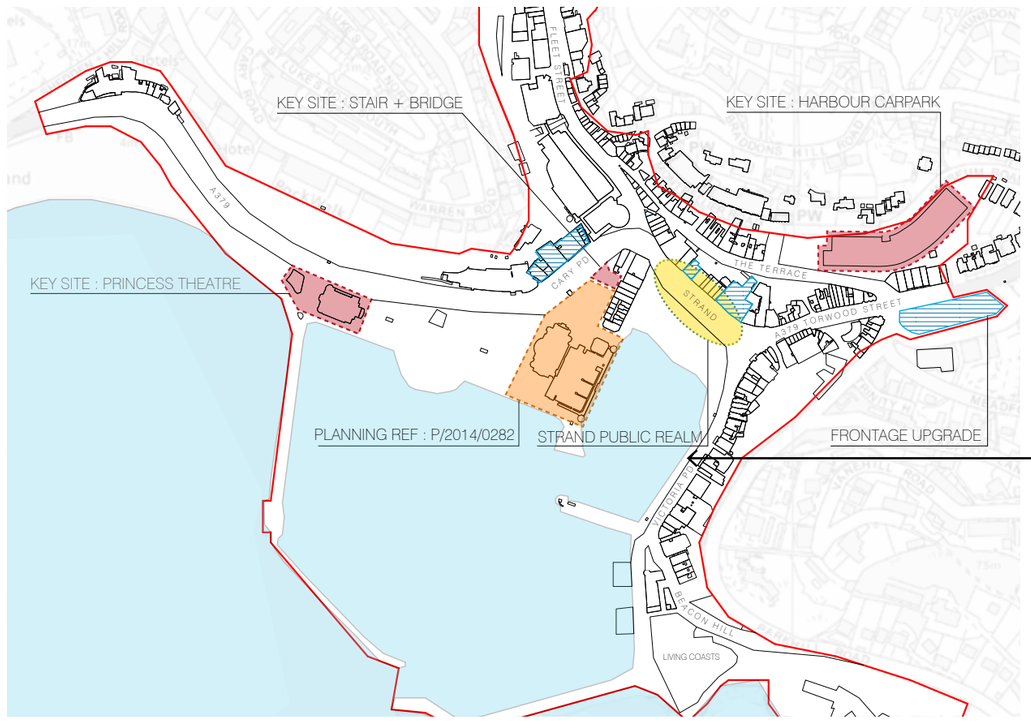


Figure 42: Location plan



Figure 43: Victoria Parade proposal plan



Figure 44: Photomontage of Victoria Parade



Figure 45: Alternative Photomontage of Victoria Parade

Key Project:

Vaughan Parade, Cary Green and Cary Parade area

There is significant public debate about the role and future of Cary Green and this has become a very emotive subject. It is clearly a very important area in the town but there are improvements that could be made regardless of the outcome of proposals to redevelop the Marina Car Park.

The masterplanning team do feel that some form of development on the Marina Car Park needs to happen to inject further momentum to the future success of the harbour and the town. If this includes the Cary Green then it needs to be treated in a very careful way and maintained with the potential to be used for public events whilst also creating a positive frontage to Vaughan Parade.

This masterplan purely illustrates the most recent proposals for development on Cary Green and how that might sit within the context of wider public space improvements suggested as part of this masterplan for this area. However, should Cary Green remain a greenspace, it could also integrate effectively with those same suggested public space improvements, for instance the removal of the Ziggurat.

Issues :

- The zigurat ramp system is an ugly entrance into the harbour area
- Pedestrian access over the Cary Parade is difficult
- Parts of Cary Green are used for bin storage
- The green is a cluttered space but is well used.
- Cary parade amusement arcade is not maximised as a site.
- Bus stop provision needs to be maximised on Cary Parade in order to reduce the reliance of The Strand

Aim :

To enhance the public realm environment whilst also ensuring that future development can be achieved if it is in the interests of supporting a dynamic economy around the harbour edge and enhances the sense of place.

Actions :

- Remove the Ziggurat ramp and bridge in conjunction with the public realm enhancements and improved crossings to Cary Parade and the Strand. Improve the existing link to Warren Road.
- Ensure that any Cary Green proposals enhance the existing street frontages and public realm environment and reduce street clutter.
- Encourage re-development of Cary Parade Amusements to a height that responds to the adjoining buildings. Ensure that the rear public footpath to Warren Road is well overlooked with any emerging proposals.
- Redevelop Marina Car Park to enhance the built environment and the retail/ restaurant offer to residents and tourists.

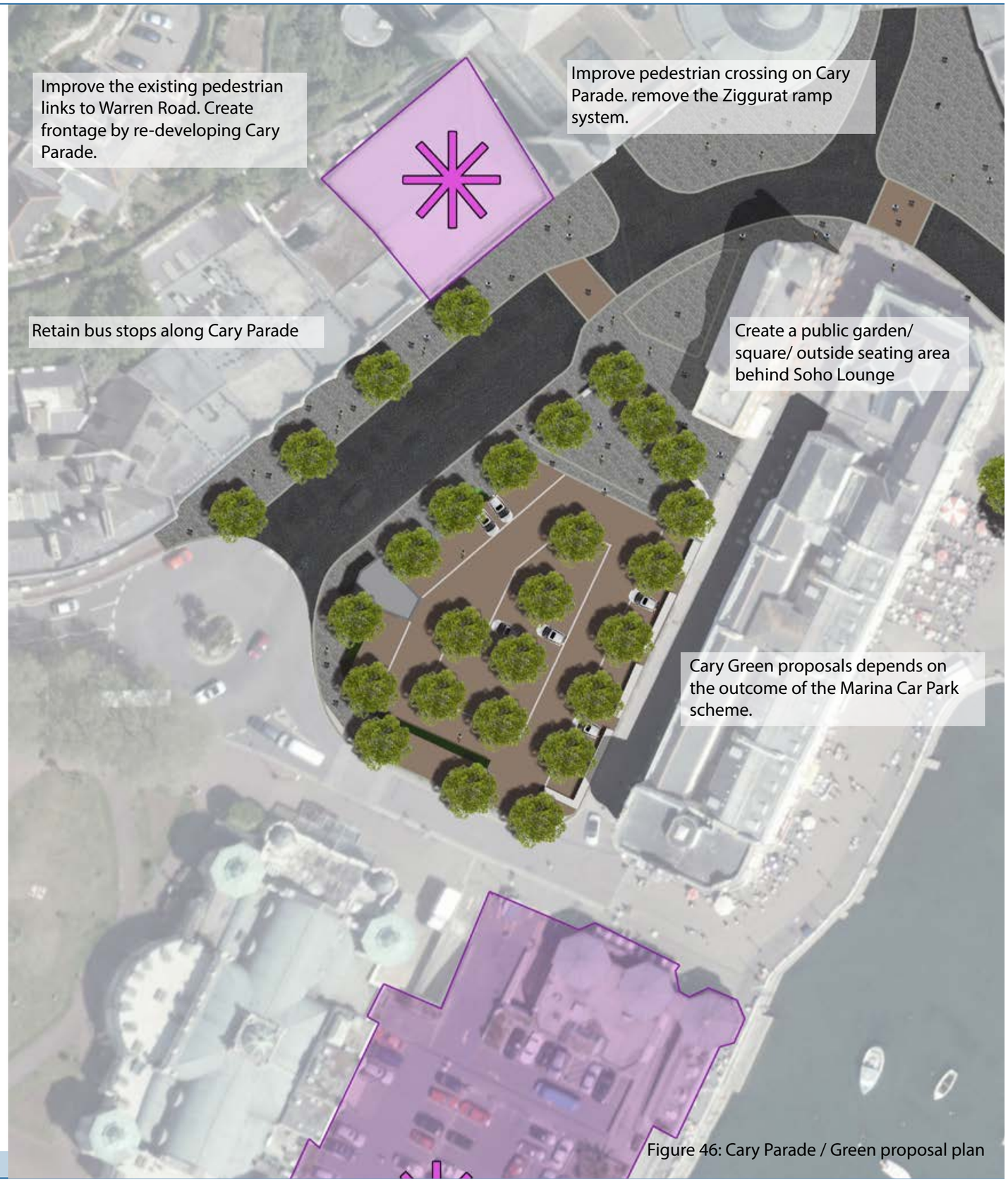


Figure 46: Cary Parade / Green proposal plan

Key Project: Princess Theatre

The Princess Theatre is located in the one of the most prominent sites on the Torbay coastal frontage and has the potential to become an iconic building in the same way that the Sydney Opera House has in Australia. It should be a world class building that puts Torquay on the cultural, architectural and arts map.

Issues :

- The theatre requires more back stage area in order to allow west End shows to come to Torquay.
- The existing Theatre building has become an accumulation of built additions and does little to enhance the frontage.

Aim :

To create a world class building that enables the theatre to expand its productions and in turn its commercial viability whilst also becoming an arts hub for the bay incorporating a contemporary gallery and roof top restaurants overlooking the bay.

Actions :

- Work with the Theatre operators to consider the brief and how to maximise this unique location.
- Consider development scenarios that incorporate commercial uses - eg restaurants.
- Explore funding streams for arts projects.
- Set an International Design Competition for the site!



Figure 47: Princess Theatre as an iconic piece of architecture

Key Project: Terrace Car Park & Torwood St Development

Issues :

- Limited good access from the Terrace Car Park to the Strand and harbour frontage.
- Entrance to the Terrace Car Park is over engineered and ugly in comparison to the beautiful georgian terrace buildings.
- Potential improvements as a consequence of the Torwood Street consented scheme.
- If the terrace car park isn't full, then sections should be considered for future development.
- Improve the signage to the car park.
- The treatment of the rear entrances to the shop units along the Strand is very poor and very visible along the Strand.
- The old Opera building is a beautiful building that is in poor condition.

Aim :

To continue the built frontage of the Terrace on the inefficient land associated with the Terrace Car Park. This would help to re-define the street in conjunction with the consented proposals on Torwood Street.
Create a safe and attractive route for pedestrians from the Terrace Car Park down to the harbour.

Actions :

- Look at ways of rationalising the entrance layout into the Terrace Car Park in order to free up land along the frontage of the Terrace in order to create either residential land/ holiday apartments or commercial premises. This should complement the existing georgian terrace and the proposed Torwood Street proposals. Consider re-development of the Debenhams buildings to create a more rational retail store but allow for a direct pedestrian link from the terrace car park to the Strand that is safe and well lit.
- Find funding opportunities to restore the Old Opera building and consider a mix of uses.

The illustration to the right shows the potential for a terraced street development along the frontage of the Terrace Car Park.



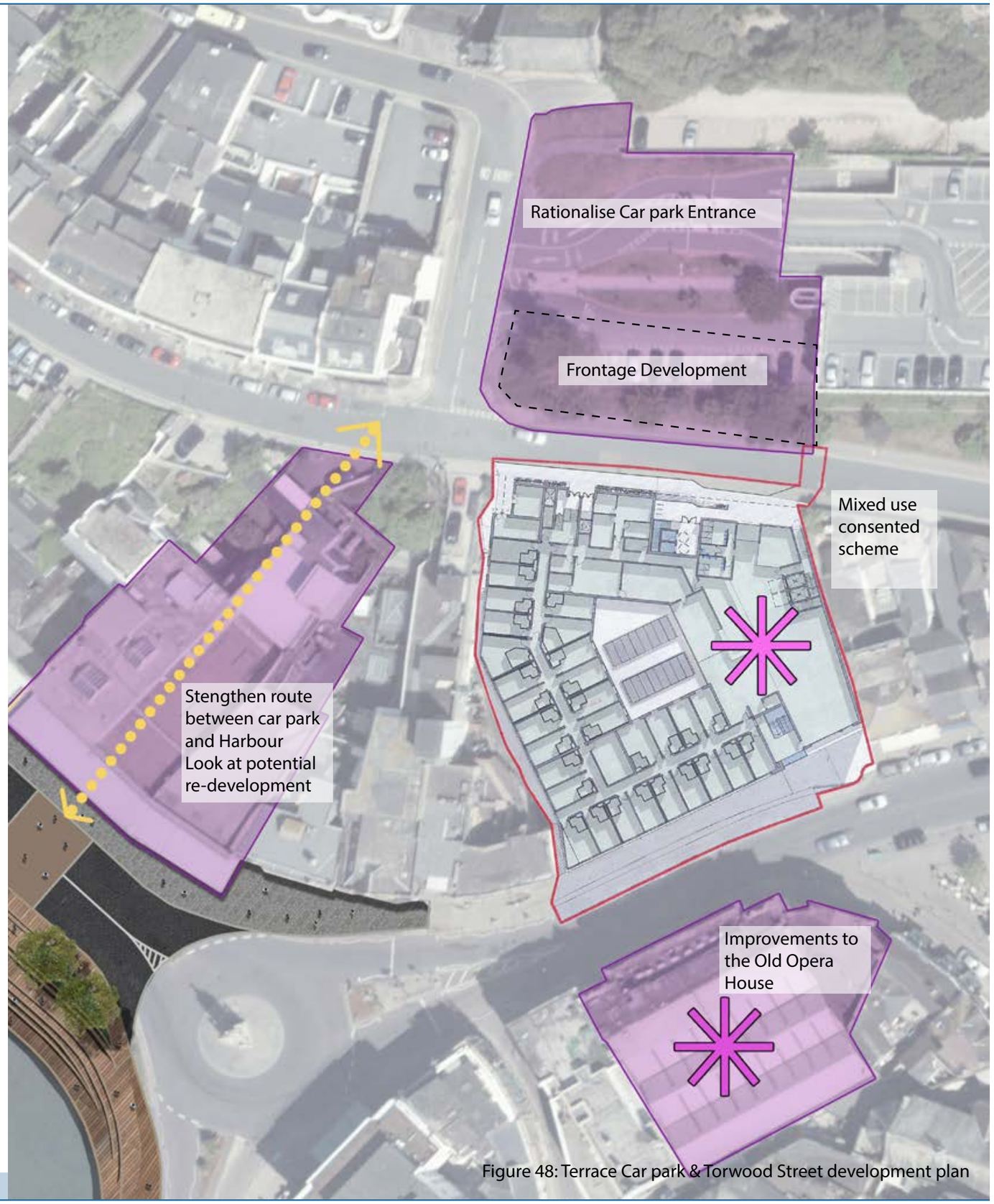


Figure 48: Terrace Car park & Torwood Street development plan

In addition to the main core areas, the design team were asked to have an initial look and review of the secondary centres of Torre and Melville which adjoin the town centre.

The principle issues and ideas are as follows;

1. Melville :

The significant challenge of this area from car parking, poor quality public realm, bin storage, rat running, ASB, HMOs, lack of community space/play area, links to the town centre .

Opportunity sites include the Laundry site (residential and parking), Roebuck House (community use and apartments) and Melville car park which could partly be turned into a community park, restrictions on HMO's and funding for home improvements on buildings of note and improvements to public realm/pedestrian links to town.



Figure 49: Melville Car Park sketch proposal

2. Torre: 1 + 1 Torre Traders/ Antiques shops (specialist retail)/ Car park/Weston Power

The challenge for Torre is to retain its identity as a district distinct from Torquay.

Considerable successful public realm improvements have been carried out within the heart of Torre while the peripheral areas are reliant upon small pendant banners to identify their association. The character is weakest at the south eastern end of Torre adjacent to the Gym/Snooker Hall.

Opportunities exist with the redirection of the one-way system for the heart of Torre to be appreciated by many more visitors.

- A bus stop between the Torre car park and the pedestrianized Union Street
- Improved public realm along the edge of the car park, the rest of Union Street and particularly the Gym
- Encouraging specialised retail, Torre Traders and discouraging general retail sprawl from Torquay's retail centre
- Re-site Weston Power's transformer from the flood zone at the Town Hall car park to the rear of the Torre's car park to safe-guard supplies to Torquay



Figure 50: Torre concept plan


The unattractive rear view of the Gym from Upton Park



Top Union Street in Torre

5.4 Movement :

Key Design Principles

- Change the one way system to allow direct access to the TC
- Improve signage to Beach/ TC/ Harbour on the principle routes
- Improve signage to the car parks
- Improve pedestrian signage around the town
- Possible tram between railway station, harbour and up to town hall/ Torre & back

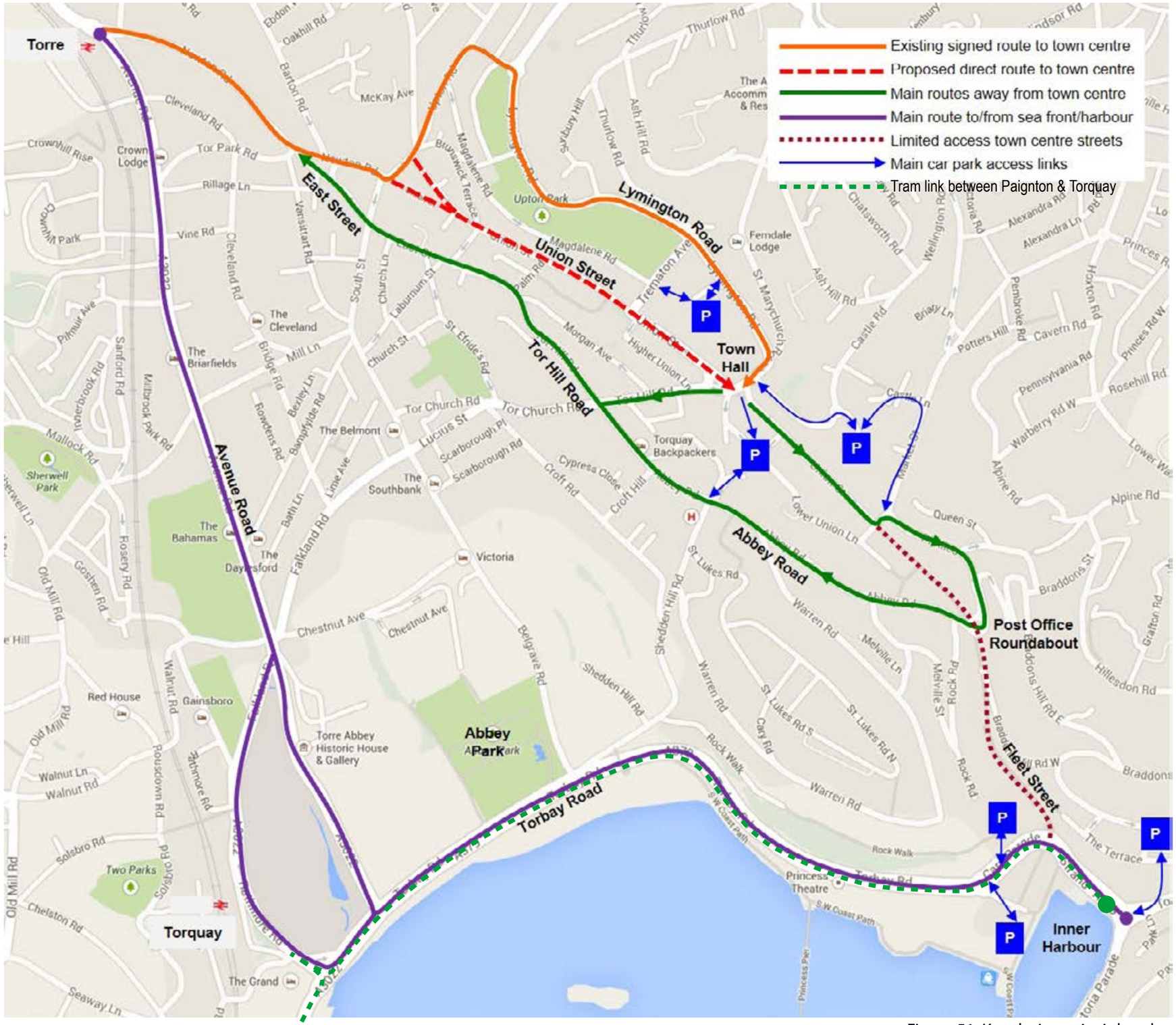


Figure 51: Key design principles plan

5.5 Infrastructure Improvements

i) Better town centre legibility for all modes :

Implement a simple way-finding system, including improvements to existing signage, to help people find their way to/from and around the town centre more easily. This will include: rationalising and clarifying road signs so that drivers are more able to distinguish easily between different parts of the town centre (e.g. upper/Union Street shopping area; lower/ Fleet Walk shopping area; harbourside/sea front); improving signage (including enhanced variable message signs) so drivers can easily find the best car park for their destination; and a new way-finding system for walking, configured around a town centre circuit and links to all major destinations, including the railway station and Living Coasts).

ii) Reconfigure the main one-way system :

Associated with (i), it is proposed that the one-way system between Torre and Castle Circus should be reconfigured so that people heading into the town centre by car from Torre follow the most direct and attractive route via (Union Street) and do not have to follow the 'scenic route' via Upton Park. This will need to be subject to more detailed Highways analysis and further consultation however it is believed that such improvements to access to the town could have a catalytic effect on positive change in the town centre. A stepped/phased approach to achieving direct access to the town, as envisaged in this masterplan, may be the most likely way of securing funding and delivery of this major reconfiguration.

iii) Improving the parking experience:

Associated with (i) and (ii), a package of proposals should be implemented to ensure people are able to choose the best car park for their journey, to find that car park easily, to find a space when they get there, pay a fair charge for the space, feel safe in the car park at all times, and find that the experience of parking generally enhances their experience of Torquay as a whole.

There are currently more than enough parking spaces in the town centre to meet demand, but some car parks can get full (or nearly full) at peak times while others remain relatively empty. Reliable variable message signing will help, as could differential pricing between car parks – so long as information about this is clear and readily available.

Several studies indicate that the availability of a parking space is more important to a town centre than price. While cheaper parking is typically appreciated by users (people rarely object to saving money), there is no evidence that lower parking charges have a direct, positive impact on high street vitality. The retail offer is key: people are prepared to pay more to park to access more/better shops.
In short, the parking strategy for Torquay should avoid simplistic responses such as creating more spaces (at a not inconsiderable cost) or making it cheaper (which can reduce Council revenues while failing to achieve greater usage or longer stays). The strategy should cover both the short and long terms, and remain flexible.

iv) Bus accessibility :

Bus patronage in Torbay is high the number 12 bus being one of the most frequented bus services in the South West. However, no studies have been done to determine the actual linkages between retail spend and footfall from bus use, and this is a piece of work that needs to be done before any major decisions about relocating services and moving bus stops is carried out.

v) Rail, Tram and Coach Links :

Combining modes of transport is a key component of successful sustainable transport. This could be further enhanced with a tram system between Paignton and Torquay along the water front connecting the train stations & main features. Living on the edge of rural community in Devon means that accessibility is restricted. However, linked trips with rail, coach, taxi, bike use could be improved if coach drop off /pick up facilities were introduced at Torquay Station. Some discussion including a tram along the coastal frontage, linking the station to the town centre and harbour should be explored- this could replace the land train with a more permanent and higher quality experience reflecting the change in the economic and tourist dynamics. the route could also link to paignton sea front and become a tourist attraction as well as a useful local transport option.

vi) Ferry/water taxi:

Encourage the use of the water taxi service as this means of transport sets Torquay and the Bay apart from other regional centres. The water experience is an integral component of the success of the Bay and is explored in the harbour masterplan.

5.6 Delivery & Phasing

The Council recognises that it can only deliver a masterplan by strong civic leadership working in close partnership with residents and the private sector. It is important that the masterplan is action oriented. It should identify realistic resources that are able to deliver both short and longer term objectives. This should be backed by a measurable delivery plan. The masterplan should build upon the experience of regeneration and urban design initiatives locally, nationally and internationally.

i) Quick Wins (0-5 years)

ii) Medium term (5-10 years)

iii) Long term (10-20 years)

The Benefit Cost Ratio for quick win item i – the one-way system has been calculated at 2.28. This focuses on the immediate return through journey time savings, carbon and the like. There is significant added value resulting from the investment in the Town Centre that will regenerate the struggling economic position.

It is important to note that in order to deliver the medium-term and long-term projects, work on the delivery of these projects must begin now in order to achieve these aims. 'Quick-wins' are projects which are currently being delivered or can be delivered fairly quickly to gain early momentum in revitalising the town centre. The medium-term and long-term projects are potentially more complex to deliver and are likely to require significant additional work to enable delivery. In order to deliver them, commitment, resources and partnerships need to be developed as early as possible to achieve the vision of this masterplan.

Quick Wins & Projects: 0-5 yrs

i. One way system
ii. Signage
iii. Parking monitoring
iv. Use and treatment of empty shops
v. Identifying small scale re-development sites and supporting new / on going major development schemes as long as they deliver quality development – eg Marina Car Park.
vi. Public realm Enhancement / Bus /taxi usage and parking– the harbour (The Strand, Cary Parade and Victoria Parade – in accordance with the Port Masterplan))
vii. Work Hub – Vaughan Parade
viii. Start enabling works for major projects e.g. land acquisition/ services/ funding partners/.....

Medium wins : 5-10yrs

i. Public realm enhancements - (second the post office roundabout, third the Town Hall.)
ii. Private / Public investment into key historic Buildings , eg old Opera House,
iii. Identifying and re-developing small – medium sites eg Town Hall Car Park, Upton Coach Park, Upton Park, existing sites around the harbour – eg Cary Parade, Debenhams, Boots etc, Pimlico, Market Street

6.0 Next Steps

6.1 Next Steps

Torquay Town Centre

Torquay is the largest town in Torbay. The economy is centred on tourism as well as a strong retail sector although this has suffered over the last 5 years. A high class natural environment focussed on the harbour and coast, makes the town an attractive place for visitors and investors. However, there are also communities with significant levels of deprivation and the economy has traditionally been hampered by infrastructure constraints. Torquay needs planned growth and sensitive development (including new homes and jobs) to help deliver the social and economic changes needed to arrest decline whilst also protecting its strong environmental assets and tourism value.

This masterplan identifies broadly deliverable projects which will need to be taken forward through to delivery with support from TDA and the Council, working with private sector partners and landowners. It is the aspiration of the Council to facilitate an attractive investment proposition for the private sector to redevelop the key sites within the town centre. Therefore, the Council will wish to work collaboratively with private sector development partners and existing businesses as may be affected by proposals, to deliver the benefits associated with the redevelopment of core sites. The Delivery and Phasing opportunities in section 5.6 are not prescriptive, and the Council will support development opportunities as and when they are able to come forward. The masterplan presents a long term spatial framework within which investment decisions will be taken to enable schemes to be delivered that meet social, economic and environmental objectives.

Governance

The Council will be responsible for the overall governance and leadership required to ensure the delivery of the aims and aspirations presented here. However, a range of partners will need to be involved in order to ensure the delivery of individual elements of the masterplan. These include TDA, the Neighbourhood Plan Forum, the many Community Partnerships noted in section 2.3, local retailer networks (within and outside the remit of the Business Improvement District), transport operators, individual businesses, local environmental groups, statutory agencies and utility providers.

As the local planning authority, the Council remains responsible for the consideration and approval of proposals within the town centre area. As such, proposals which accord with the principles and aims of this masterplan will be considered favourably, albeit they must still comply with the development plan and other relevant policy. Proposals for development which would prejudice the aim of the masterplan will be resisted as they would lead to difficulty in delivery the masterplan concept. Developers are encouraged to actively engage with the Council at an early stage in order to ensure that specific development proposals can be formulated in a way which supports the masterplan.

As an early adopter of the Neighbourhood Plan process, there are three active forums across the Torbay area, each of which is at varying stages of progress in the formulation of plans. The Torquay Neighbourhood Forum are preparing a plan which, amongst others, covers the Town Centre area. Once both the draft Torbay Local Plan (currently under examination) and the Torquay Neighbourhood Plan have been adopted they will form the development plan. This masterplan is anticipated to perform a central role in both, but particularly the Neighbourhood Plan which will itself be a critical element in guiding development within the town centre area.

Funding

The Council recognise that investment decisions to undertake town centre redevelopment proposals involving retail, employment, leisure, residential or mixed use developments are heavily dependent on a number of issues, including but not limited to development viability driven by land value and relevant site specific constraints. To this end, any decision on the part of landowners and developers to progress the development of sites identified within this masterplan will be driven by the availability of funding, anticipated sales values and the costs associated with bringing forward development proposals in terms of direct development costs and planning obligations and/or future Community Infrastructure Levy tariffs as will become known during the life of the masterplan.

European Funding

Funding for public realm/landscape/streetscape improvements is increasingly scarce. While the 2014/20 European funding programme is anticipated to be live from January 2015 this is heavily focussed on smart, sustainable economic growth and any projects put forward will need to meet the priorities outlined in the Local Enterprise Partnership's EU Structural & Investment Fund strategy .

Council Funding

Transport and Infrastructure funding has also, for a large part, been devolved to Local Enterprise Partnerships. The Heart of the South West's Strategic Economic Plan (2014-30) sets out the drivers for growth across Devon, Somerset, Plymouth and Torbay. This has also been used to negotiate Growth Deal funding from government for 2015/16. A similar process of negotiation is expected for future years and there may be the opportunity to put forward proposals for improvements within the masterplan which will contribute to the LEP's strategic economic goals.

Landownership

Within a town centre location, land ownership will always be a critical delivery path in a regeneration and revitalisation programme. This masterplan will perform a central role in building support across landholdings and key delivery stakeholders for the broad aim of town centre improvement. The vision and detailed plans for particular sites and streets within the town, including strategic highway improvements, should be seen as a demonstration of the Council's intention to pursue a dynamic programme of change to realise the overall desired improvements.

Many of the key sites are within Council ownership such as the Town Hall car park, Upton Coach Park and many of the public realm proposals within the masterplan document. Others such as Temperance Street, or developments around Pimlico would need to include Council and private sector landholdings

In the event that landownership constraints are perceived to hinder a redevelopment opportunity, and the tangible economic or community benefits which would be generated by that development, the Council will consider the use of Compulsory Purchase powers to remove such barriers and enable the delivery of key sites as may be required.
While the possibility of the use of Compulsory Purchase powers remains, it is anticipated that this masterplan will provide the private sector, both in the form of individual and institutional landowners and developers, with the certainty and reassurance required to work with the Council to deliver each key project of the masterplan to the overall and long term benefit of Torquay.

Paignton **Refresh.**

May 2015

Stride Treglown gleeds

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1.0

Overview.

Paignton is a key centre for Torbay, an important focus for shopping and has a distinctive focus for tourism. Paignton town centre requires a new vision for the future of its streets, buildings and key urban spaces, for its residents, businesses, visitors and investors.

The vision of the masterplan is to underpin the distinctive qualities of the town centre and improve access to commercial and leisure activities. There is a general consensus that the town has outstanding natural assets (bay, sea, coast, beaches, climate etc) although the quality of Paignton as a town and holiday destination has diminished. The idea of Paignton as "a seaside town on the English Riviera" is a strong start, yet needs further definition and greater local support. The town centre, in particular, needs a carefully considered vision to ensure its vitality and vibrancy; securing its reputation as a place where people will choose to live and visit.

Paignton, in common with many seaside towns, is trying to cope with the changing role of urban retail centres. Changing mobility patterns and demographics, the growth of out-of-town superstores, and the continued dominance of the internet are transforming the nature and purpose of town centres. In addition, greater expectations and opportunities for tourism, leisure and retail activities challenge seaside settlements to redefine their quality and character, and to adapt to new circumstances. These challenges have particular relevance for the physical environment of town centres and for the streets and spaces that constitute their public realm.

The masterplan will need to be driven by consideration of where Paignton is aiming to position itself as a place for people to visit, stay, work and live. It will provide a blueprint for development within the town that improves the attractiveness of Paignton for inward investment. In doing so, it must put in place a framework that enables the town to evolve whilst maintaining its own unique character.

Paignton Town Centre should be vibrant, clean, green, well designed, prosperous and multi-functional. It should offer great value for money and provide an excellent choice of services delivered by friendly, happy people. Services, opportunities and experiences must put Paignton 'on the map', promoting its uniqueness.

The strategy for the future of Paignton needs to focus on a number of important features that ensures the town:

- is safe and welcoming to residents, visitors and people who work in Paignton;
- is a source of pride and enjoyment to the local population;
- is easy to move around and understand;
- is a successful economic 'engine' for the town and the wider area;
- is planned with a high regard to environmental issues, such as flood risk, and sustainability;
- helps to move the local economy towards higher value, higher skill employment and a longer tourism season;
- includes a balanced and vibrant residential community;
- maintains strong ties to its heritage; and
- offers tourism, leisure and retail attractions that enable Paignton, and Torbay, to compete as a 21st century resort of distinction.

"High Streets and town centres that are fit for the 21st Century need to be multifunctional social centres, not simply competitors for stretched consumers. They must offer irresistible opportunities and experiences that do not exist elsewhere, are rooted in the interests and needs of local people, and will meet the demands of a rapidly changing world"

Action for Market Towns, Twenty First Century Town Centres (2011)

2.0



Site and surrounding context.

Distribution of uses around the town

Paignton Town Centre forms the heart of activity in central Torbay for the local population. However, the town centre also relies upon tourism for much of its income. The railway line divides certain types of uses and facilities around the town centre.

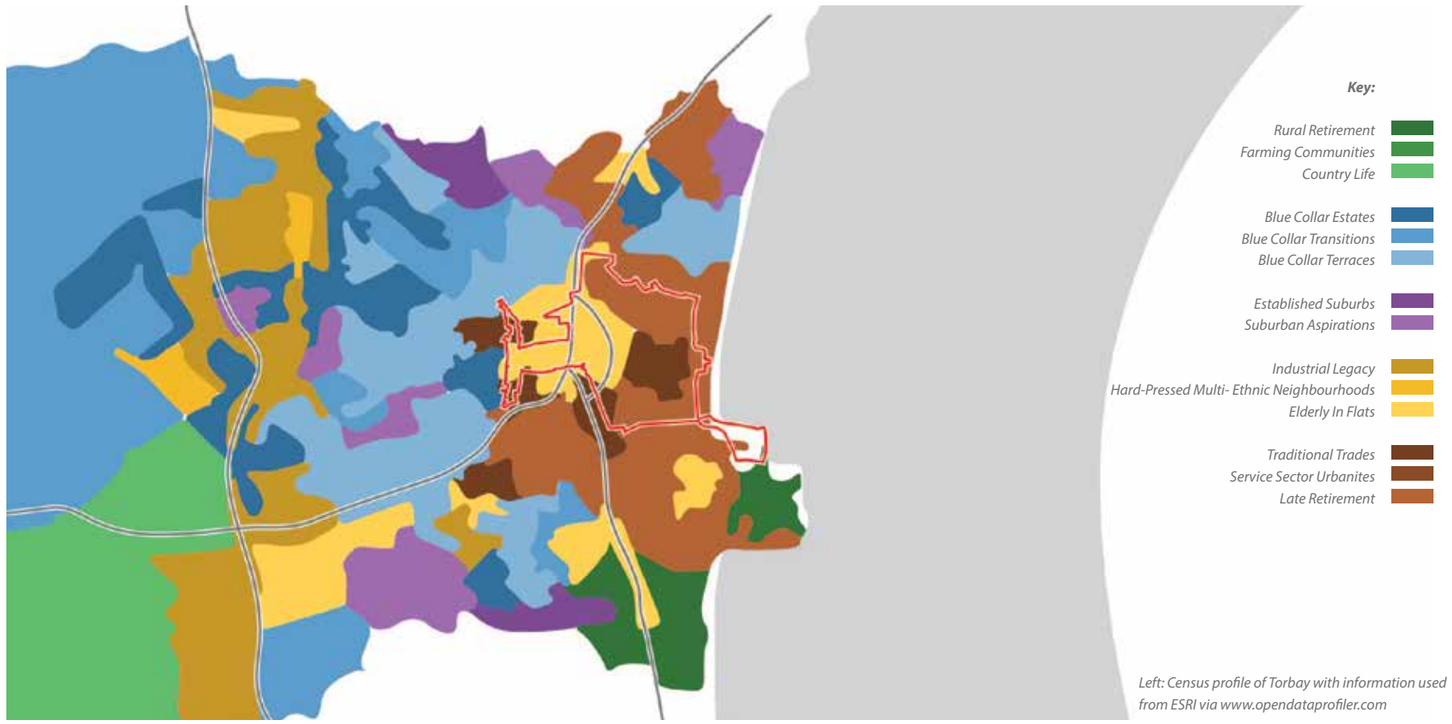


Services and facilities within the town have been gradually evolving since Victorian times. The opening of the railway line in 1859 brought in greater wealth to the town and a thriving tourism industry emerged. Paignton still relies on tourism for much of its income. There is a clear divide in the distribution of facilities around the town, with the majority of tourism-related activities located to the east of the railway line, and typical town centre activities to the west.

The plan overleaf shows the types of uses that occupy the ground floor spaces in each of the buildings within the study area. From a distance, you can see the concentration of the retail-related activities (different shades of blue) along an east-west corridor from the middle of Winner Street to the Vue Cinema. Additional retail areas include Winner Street and a loop along Torquay Road and Hyde Road.

The main residential-related areas are located in pockets on either side of Torbay Road, and to the south of Victoria Street (different shades of green). The majority of these properties consist of hotels and guesthouses, with a relatively small number of private owner-occupied households. This reflects the connection with the seafront and the reliance on tourism for much of the local community. The study area is immediately surrounded by private housing to the north, west and south.

Further south, the harbour area has its own identity. Activities here include sea-scouts, the harbour master, a crab processing centre, a number of restaurants and passenger boat services.



Left: Census profile of Torbay with information used from ESRI via www.opendataprofiler.com



There is little in the way of business-related services across the study area. Also of note is the high rate of vacant properties distributed around the town centre - especially along Winner Street and throughout the Crossways shopping centre.

The census and economic data identifies three main population types in Paignton as: 'Prudent Pensioners' who are comfortably-off retired people; 'Affluent Greys' who are typically empty nesters and retired couples; and 'Blue Collar Roots' who have modest lifestyles. However, Economic and Social Research Council data (which is based on census information by postcode) suggests that those living in the western half of the study area include a large proportion of 'deprived elderly', while the eastern side is made up of 'multi-ethnic tradespeople' along the Torbay Road area and 'late retirement' either side of Torbay Road.



Torbay Population Profile

Using Acorn population data it is possible to make a number of assumptions about the profile of the population in and around Torbay, and the opportunities and challenges this poses to the economy. Acorn works by categorising UK postcodes using demographic statistics and lifestyle variables to build up a profile for each area which can then be compared to the national average. Using this system four dominant classifications emerge within a 20 minute drive time of the three towns in Torbay Prudent Pensioners, Affluent Greys and Blue Collar Roots around Paignton and Brixham and Prudent Pensioners, Affluent Greys and Settled Suburbia around Brixham.

- Prudent Pensioners - These are comfortably off retired people found in many seaside towns and elsewhere around the country. There are many over-75s as well as younger retired. A lot of the households are pensioner couples or singles. Retirement homes are also common. Most of the people in this group have a comfortable standard of living, having provided for their old age with above-average levels of savings and investments.

- Affluent Greys - These people tend to be older empty nesters and retired couples. Many live in rural towns and villages, often in areas where tourism is important. Employment is typically in managerial and professional roles. These are high-income households and even those who have retired have good incomes. Since it contains older people, it is unsurprising that 10% of the income of this group is in the form of a pension – a significantly greater proportion than any other group. These older, affluent people have the money and the time to enjoy life.

- Blue Collar Roots - These are communities where most employment is in traditional blue collar occupations. Families and retired people predominate with some young singles and single parents. Levels of educational qualifications tend to be low. Most employment is in factory and other manual occupations. There are many shopworkers as well. Incomes range from moderate to low and unemployment is higher than the national average, as is long term illness, and the proportion of income derived from benefits is gradually increasing. There are pockets of deprivation in this group. These people have a modest lifestyle but most are able to get by.

- Settled Suburbia – These established communities are made up of empty nesters and retired older couples. The working population are in a mix of lower management, supervisory, manufacturing and retail jobs. They earn modest salaries and significant numbers of women work part time to boost the overall household income. Broadly these people feel comfortable, with fewer feeling themselves to have financial difficulties. However some may expect their financial situation to get worse. These older people have enough to feel secure about their future.

Unsurprisingly given the demography of Torbay the dominant groups, with the exception of blue collar roots, are predominately older and have a relatively high level of disposable income. Certainly when indexed against the national average the levels of prudent pensioners is significantly higher. This assertion is supported by gross domestic household income levels (GDHI) which are noticeably closer the national average than gross value added (GVA) as they include pension income.

This information suggests that there is disposable income available to spend within the Torbay town centres, which is perhaps being spent elsewhere. The challenge remains for the economic strategy to facilitate improvements within the town centres to encourage those with income to spend it locally rather than in cities such as Plymouth and Exeter, or other local towns.

Planning policy appraisal

As part of the review of relevant background information, an appraisal of the different levels planning policy was undertaken to ensure that future proposals for the town centre would be consistent with national and local planning guidance.

National Policy

The National Planning Policy Framework (NPPF), introduced in March 2012, consolidated national planning policy from the previous Planning Policy Statements/ Guidance (PPS/G) into a single document. A key aim of the NPPF is to provide a streamlined, single document to guide decision making and local plan making. The NPPF is a material consideration for both decision making and local plan making.

The NPPF covers a number of areas relevant to planning and given the material weight to be given to it, they are all valid. However, within the context of the Paignton Town Centre masterplan, a number of key areas stand out as being particularly relevant.

Paragraph 14 identifies a Presumption in Favour of Sustainable Development which is seen as a 'Golden Thread' running through both decision and plan making. The development of this masterplan is a key tool in ensuring that Torbay Council is able to plan positively for future, objectively assessed, development needs. Building on this, paragraph 17 establishes core planning principles, amongst which the following are considered to be particularly relevant to the underlying principle of masterplanning for the future of Paignton Town Centre:

- Empowerment of local people to shape their surroundings - evidenced by the consultation exercise and response to comments;
- Planning as a creative exercise to enhance and improve places – central throughout the masterplan process;
- Proactive drive and support for sustainable economic development;
- High quality design and good standard of amenity which is informed by known constraints;
- Focus significant development in locations which are able to make fullest use of public transport, walking and cycling.

Section 2 considers the need to ensure the continued vitality of town centres. Specifically it recognizes that town centres are at the heart of their communities and that policies and in this instance a masterplan, should support their viability and vitality. It is also recognises that there is a need to ensure that a range of suitable sites are provided for a variety of uses, including retail, leisure, commercial, office, tourism, cultural, community and residential development.

Section 7 identifies the importance of good design in delivering sustainable development, noting that it is indivisible from good planning. To this end, design is key to ensuring high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes, in this instance the town centre of Paignton.

Section 8 considers the need to promote healthy communities. Within the context of town centre development this is critical. Specifically, it notes the need to plan positively for the provision and use of shared spaces and community facilities (e.g. local shops, cultural buildings, sports venues etc.) which can enhance the sustainability of communities.

Finally, Section 12 establishes the need to conserve and enhance the historic environment. It notes the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring. Similarly, the balance to be reached between historic assets and sensitive new development which can make a contribution to character is critical, particularly in an existing town centre environment.

Local Policy

The local policy framework for the Torbay area is, as with many areas, an evolving one. The Torbay Local Plan, covering the period 1995 – 2011, was adopted on 5th April 2004. It is this plan which comprises a key part of the Development Plan for decision making in the local area.

Whilst this remains the adopted Plan, Torbay Council are at an advanced stage in preparing a new Local Plan, 'A Landscape for Success, The Plan for Torbay 2012 – 2032 and beyond'. This new plan establishes policy and broad strategic allocations for future development, based on updated evidence, which will ensure the delivery of a sustainable future for the Torbay area.

The draft New Local Plan includes policy to guide development, all of which will have varying degrees of applicability for future work. However, within the context of this masterplanning exercise, the following are considered to be key.

Policy SDP1 provides a broad spatial overview for development within and around Paignton. With regard to the Town Centre, it specifically aims to facilitate delivery of a rejuvenated town centre, harbour and waterfront. Policy SDP2 Paignton Town Centre and Seafront builds on this, identifying a regeneration focus on the economy, built and natural environments. To assist delivery, there will be improved connectivity between the town centre and seafront. Together, development will provide a rejuvenated tourist destination with enhanced appeal for residents and visitors. The policy outlines a series of key employment and housing sites, the latter noting an aim to deliver 460 dwellings within the town centre and sea front in the period to 2032. Policy TC1 Town Centres provides further support for these aims.

With regard to tourism and the marine economy, Policies TO1 'Tourism, Events and Culture' and TO3 'Marine Economy' recognise an enhanced role for Paignton. Policy TO1 recognises the seafront, harbourside and Green Coastal Park as locations for retention, improvement and where new attractions/facilities can be created. Policy TO3 acknowledges Council support for an improvement scheme at Paignton Harbour.

Whilst a broad policy, TA1 'Transport and Accessibility' places a priority on sustainable transport modes with future development designed to reduce car use where possible.

Policy C5 'Urban Landscape Protection Areas' designates a number of areas within the Paignton Masterplan study area where development will only be permitted if it does not undermine the value of the protection and makes a positive contribution.

Neighbourhood Plan

Neighbourhood Planning has introduced a new layer of planning below the strategic plans prepared by Local Planning Authorities. Whilst it is not a compulsory activity, where a designated body prepares and consults upon a plan and then subsequently has it examined and a referendum held to decide on its adoption, the plan will become a part of the Development Plan. It is important that the Neighbourhood Plan supports the aims of Policy contained within the higher tier Local Plan. With this in mind, a well prepared and supported Neighbourhood Plan can provide a real opportunity for local communities to positively influence development in their area, whilst still allowing the local authority to meet the identified local needs.

In this Context, Paignton Neighbourhood Forum are preparing a plan for the Paignton area. This will cover a relatively broad area, including Paignton Town Centre, and thereby the land which is the subject of this masterplan. At this stage, the Forum have completed the process of gathering evidence and seeking the views of local residents. Their next step will be to begin the preparation of the Plan itself.

The Masterplan as Council Policy

This masterplan has been prepared within the identified planning policy context. Once examined and adopted, the new Local Plan (and subsequently the Paignton Neighbourhood Plan) will provide a strong and clear strategic direction for the needs of Paignton in the period to 2032 and beyond. Having extensively considered the policy context, including the need for a town centre refresh and the identified development to support this, this masterplan will play a key role in guiding the future of development and planning in Paignton Town Centre.

In order to ensure that that the principles and aspirations set out here are delivered, it is intended that the masterplan will be adopted by the Council as a Suplimentary Planning Document (SPD)

The information on the following page is reproduced from the Town Centre and Sea Front wallchart presented by the Forum as part of their Stage 2 consultation. This was held in late 2012 to gather the views of the local community on the proposed Aims and Objectives and emerging Proposals.

Open Spaces

Paignton neighbourhood plan

What is this Plan?

Local residents, workers, businesses, councillors, and other volunteers are putting together a Neighbourhood Plan for Paignton by working together as a Forum. The SWOTs received are available to view at **www.paignton neighbourhoodplan.org.uk.** When finalised, the Neighbourhood Plan will become part of the statutory development plan for Paignton used by the Council when making decisions on planning applications in the area over the next 20 years.

Earlier this year community views were sought on Paignton's **S**trengths, **W**eaknesses, **O**pportunities and **T**hreats. The SWOTs received are shown on the left hand side. They have been used to help shape the information shown on this chart which is about reaching agreement on what the proposed Aims of the Plan should be for the Town Centre and Seafront. It is a key area that will need particular attention when the Plan proposals for the whole of Paignton are prepared for community agreement later this year.

What are the proposed Aims of the Plan?

Paignton is a busy seaside town of more than 43,000 residents with attractions at the centre of Torbay on the world class coastline of the English Riviera. Our plan is to make sustainable use of this unique situation and the assets we have to improve our prosperity, quality of life, and care of the environment.

How will this be achieved?

Following views so far received from our community, the overall aims for the Town Centre and Seafront area would be to:

- Make more of the tourism and retail offer, and
- Improve the points of arrival and connectivity

Our local economy benefits from tourism through jobs and income for our community. The town centre and seafront area has opportunities for sustainable improvements that will enhance our prosperity, quality of life, and care of the environment.

Key proposals of the Plan directed at these aims are shown right.

Where to give your views

After reading this chart, please complete the accompanying questionnaire and return it to the collection box provided, or send it to the Freepost address given. If you wish to reply on-line, find out more, or join the Forum, please visit our website at **www.paigntonneighbourhoodplan.org.uk** or telephone (01803) 469185 or (01803) 523434.

Town Centre & Seafront Key:

- Retail/Business/Residential over
- Primary Shopping Frontage
- Mainly Offices/Residential
- Mainly Commercial/Health Facilities/Residential
- Residential
- Public open space protection areas and private open space / play facilities
- Principal Holiday Accommodation Area
- Transport 'Gateway'
- Main Pedestrian Route/Area
- Principal Road Network
- District Distributor Road Network

Ch - Church	E - Education facility
A - Assembly Hall	PO - Post Office
H - Hospital	T - Telephone Exchange
T - Theatre	BS - Bus Station
C - Cinema	RS - Railway Station
PT - Public Toilets	SR - Steam Railway
L - Library & Information Centre	MGC - Mini Golf

This is what is proposed...

Hyde Road, Crossways, and Torquay Road

As a point of arrival by road, the area provides a thriving scene of business frontages. The main exception being a high level of vacant space at Crossways shopping centre which our community has indicated could provide scope for change. The centre has an overhead multi-storey car park and incorporates an important pedestrian link between Torquay Road, Hyde Road, and beyond.

Ideally, the centre will continue to provide space for growth of new retail opportunities that will add vitality and attraction to the experience of tourists and residents. If this no longer becomes possible, the Neighbourhood Plan could help give support to alternative opportunities that enable the centre to adapt or be redeveloped to breathe new life into the area. The proposals for the combined area could:

- Retain the primary and secondary shopping role of Hyde Road and Torquay Road at ground level while encouraging use of vacant floors at upper level for residential occupation, tourist accommodation, or business use to help provide space needed for growth
- Welcome Crossways shopping centre as the priority location for further town centre food supermarket provision if the need arises

Over the next 20 years, growth in population and available spending power for further retail provision in Paignton will be an important consideration and potentially a challenge. Ensuring there is a balance in meeting development needs will be a key Aim of the Neighbourhood Plan Options for helping to improve Crossways could include more radical proposals if they are viable and supported. For example, could the Neighbourhood Plan.

- Help encourage total redevelopment of the centre together with other land where achievable. This could be for the provision of a dedicated supermarket, or for a mixed use, or for a single use such as residential. Potential constraints include the walk way through, the adjacent telecommunications centre, and loss of off street car parking

More views on each of these aspects is being sought in the accompanying questionnaire to help identify how best the Neighbourhood Plan could assist Crossways add more to the vitality and vibrancy of the town centre.

Victoria Street

Already pedestrianised, and our prime shopping street, further deliverable improvements could include:

- Support more use of the street surface for café seating, open air markets and themed events, festivals and similar attractions, whilst ensuring no loss of the existing street trees and seating capacity.
- Maximise the appeal by encouraging use of vacant floors at upper level for residential occupation, tourist accommodation, or business use to help provide space needed for growth
- Making the street more attractive to tourists as well as resident shoppers by encouraging removal of weeds from upper floor building fronts and repair of damaged architectural features.
- Improving locations where access or surface problems remain that hinder shoppers, including those with physical or sensory disabilities, from using the street and highway crossing points.

Winner Street & Palace Avenue

These two areas form attractive examples of Paignton's historical and architectural heritage with potential for appeal to further tourism through positive action that would:

- Promote maximum use of the Palace Theatre and key focal point that it provides
- Encourage 'specialty' shops to remain and grow in Winner Street of direct appeal to tourists and residents
- Support use of Palace Gardens for 'themed' markets of appeal to tourists and residents while at the same time ensuring it is a protected area from built development that does not enhance the appearance or purpose of the gardens
- Support more use of the highway area for street markets and themed events
- Remove street clutter that detracts from the visual appearance
- Define and improve overall footpath connectivity directly with the transport hub and seafront
- Encourage sympathetic improvements to shop fronts and upper floor elevations
- Control building conversions from uses that would be in conflict with the above aims
- Promote new forms of transport connections such as 'bus links' with Winner Street that would add tourist footfall to the area.

Victoria Park

The public park is well used and an attractive key route through the town centre area to the seafront. It is not supported by the Forum as an option for supermarket development and will be shown in the Plan as a protected area because:

- Loss of space from the public park would conflict directly with the new National Planning Policy Framework (NPPF)
- The need for further supermarket provision has not been made
- A supermarket in this location would be too far divorced from the town centre retail offer and not add vitality and viability to the existing provision
- Other priority locations for such provision, if required, exist at Crossways or Victoria Square.

Protection of the park will include support for any enhancement that is not to the detriment of the park in terms of its open space appearance, or use for open space recreation, or means of pedestrian connection that it provides.

Transport Hub

Heavy rail, steam rail, bus, taxi, long distance coach stop, and public parking facilities all meet at this critical point centrally located between the main shopping area of Victoria Street and tourist route of Torbay Road. Scope for further deliverable improvement in the short term could include:

- Use of developer contributions and funds applied to existing streetscape to co-ordinate and deliver small scale changes that collectively improve access by pedestrians and impaired mobility needs between these transport points of arrival
- Use of space and funding opportunities for public toilet facilities currently lacking at this key point of arrival
- Improved signage for visitors of tourist attractions and necessary transport connections
- Improved surface connections for wheel chair users to make it easier to move between the different transport connection points

Not all space in the vicinity of Great Western Road is of a shape that fosters ease of use For further improvement in the longer term:

- Evaluate the scope, benefits and disbenefits to tourists, our local community, and transport providers, of moving parts or all of the transport connections, and if it is possible onto one site.

Torbay Road

This key route has vibrancy and attractions of critical importance to our tourism offer. Opportunities identified for enhancement could include:

- ~~Encouraging the proposals to bring the Picture House back into life as a National Trust attraction that will add more tourists into our town centre as well as securing major improvement of the environment~~
- Welcome greater use of the Steam Railway attraction that adds to the uniqueness of our town centre as a tourist gateway
- Encourage more use of the wide pavements for outdoor cafés, and use the licence income to provide more seats and street trees that further enhance the area's overall appeal
- Encourage the improvement and replacement of walkway canopies where they are unsympathetic in style to the architectural heritage along the street
- Explore benefits that pedestrianisation might bring if funds and alternative circulation solutions can be found in the longer term.

Seafront & Harbour

The beaches, greens, pier and facilities along the seafront are critical elements of Paignton's tourism offer. In addition, the greens have a long standing use by residents for sports and pastimes throughout the year. The Harbour is not as well used by tourists as at Torquay or Brixham. Attracting more tourists to the Harbour area will be a key objective of the Plan. The threat of climate change and existing flood risk also need to be considered. Deliverable improvements could include in the plan:

- Protecting the Greens in accordance with the National Planning Policy Framework
- Upgrading the shelters to improve the tourism offer
- Supporting a facelift of the Apollo complex
- Safeguarding the harbour's 'quaintness'
- Supporting a heritage 'Theme' for the harbour with more sitting out areas to attract tourists
- Encouraging more use of the harbour in support of water sports by tourists
- Retaining and enhancing existing harbour off street parking facilities for greater use by tourists
- Using developer contributions from opportunities elsewhere in the Plan area to fund flood prevention measures for the longer term.

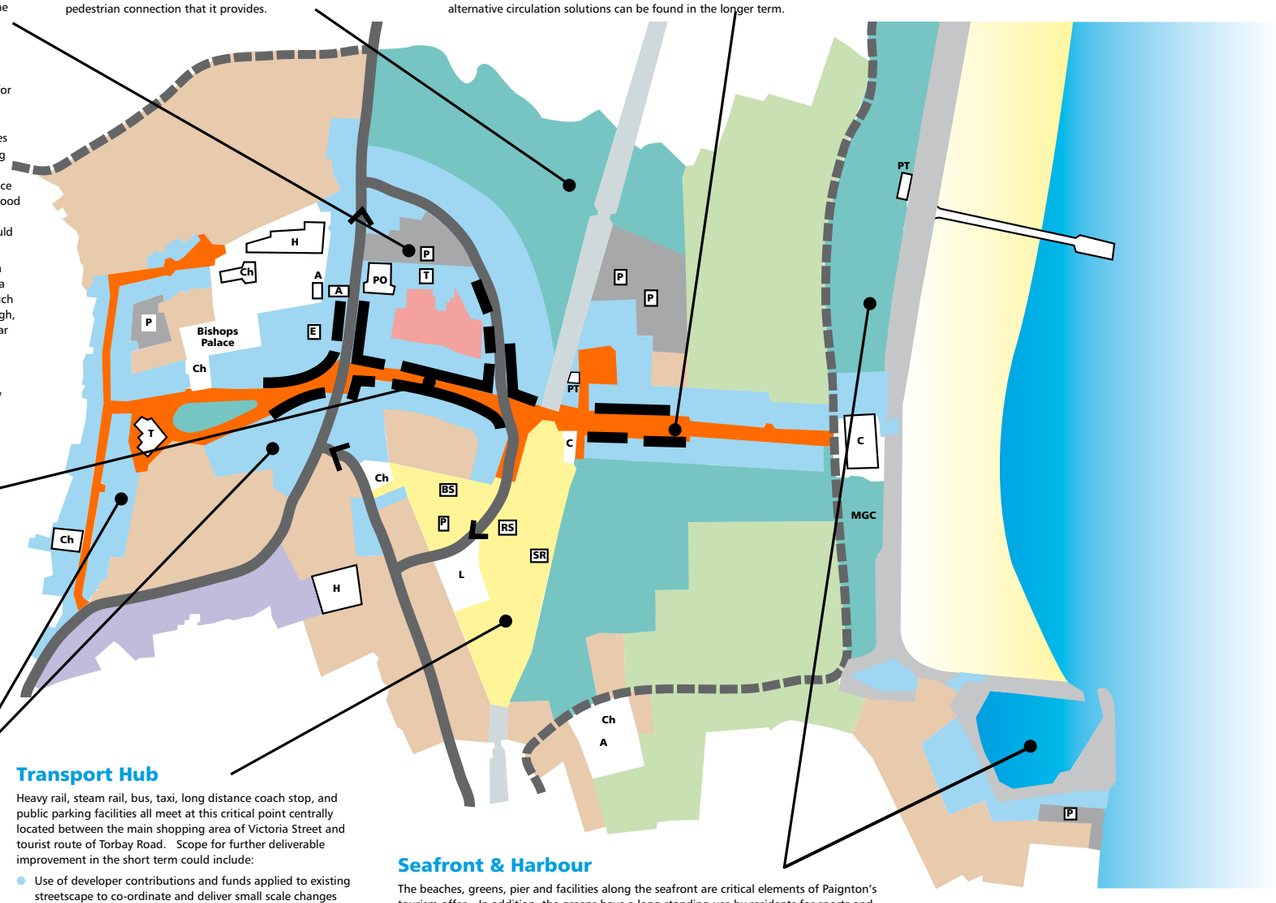
Victoria Square & Principal Hotel Accommodation Area (PHAA)

Tourist accommodation providers in the area wish to develop extra 'themed' holidays and retain the primarily use of this area, not its re-use for general housing or conversions into Housing in Multiple Occupation (HMO's). In support of this, proposals would include:

- Retaining the PHAA designation to prevent the loss of tourist accommodation
- Encouraging 'themed markets' on Victoria Square
- Encouraging retention and any repair of existing multi-storey car park capacity
- Supporting equivalent space replacement of multi-storey car park capacity if any of the present facilities are beyond economic repair.

If replacement of multi-storey car park capacity is necessary, it has the potential to provide options for alternative or additional use:

- As surface parking of value to tourists, visiting coaches, and the local community
- Space for significant enlargement of supermarket provision.



Area Proposals

Other policies and proposals would be included to support improvement across different parts of the area or overall:

- Supporting the Business Improvement District (BID) and provision of independent traders as an attraction to tourists as well as residents
- Incorporating a Design Guide to encourage improvement of the existing townscape, safeguard of heritage assets, and treatment of unattractive features
- Supporting retention of residential areas within the town centre as an integrated part of ensuring the area remains in multi functional use throughout the day
- Promoting transport connectivity overall and between different forms of transport
- Encouraging energy conservation and measures that seek to adapt to the impact of flood risk and climate change.

Neighbourhood Forum: Stage 2 Wallchart

The details presented by the Neighbourhood Forum as part of their Stage 2 work highlight the areas within Paignton Town Centre which are seen to be high priorities for improvement. These details have been used to help inform work undertaken on the Initial Site Analysis and Context Proposals presented in April 2014 as part of the masterplan development process.

Clarification:
The reference to proposals for the Picture House presented by the Neighbourhood Forum has been struck through. Instead, the Paignton Picture House Trust has been established in order to take forward plans to restore and re open the building for business.

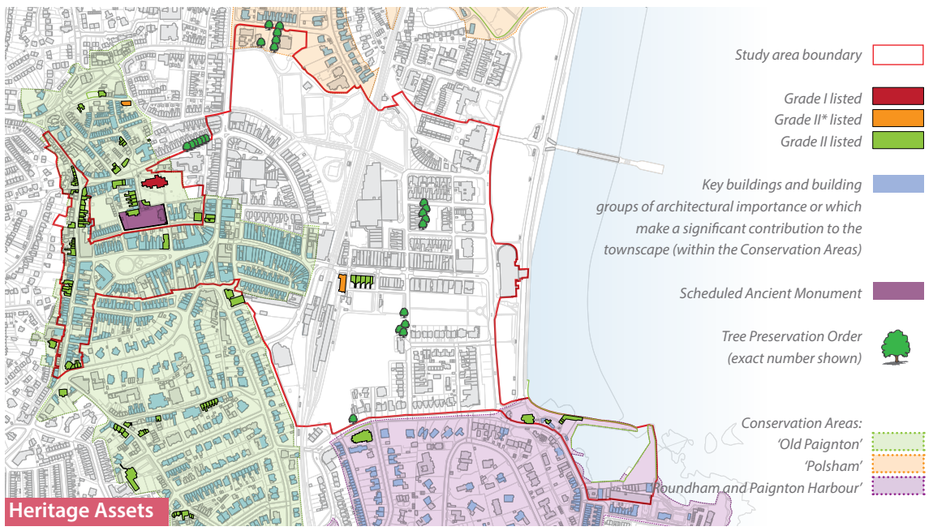
Since the creation of this Stage 2 Wallchart , the Neighbourhood Forum has progressed with its Stage 3 work. On 15th January 2015 the Forum adopted Skeleton Draft 7 of the Paignton Neighbourhood Development Plan (pre submission consultation version). The Local Plan indicates that the final version of the Neighbourhood Plan should be submitted by October 2015.



Open Spaces



Flood Risk



Heritage Assets

Open space

Paignton has a mix of open spaces dotted around the study area. However, the majority of these are peripheral to the immediate town centre. The connection between them and the areas of core urban activity could be enhanced to offer better integration into the character of the town.

The core of the town centre has relatively little in the way of open spaces for general relaxation and congregation. The main spaces that are available to the public are the large green spaces at Victoria Park to the north, the Paignton Green to the east, and the dual open spaces of Torbay Park and Queen's Park to the south. Although important spaces for the local community, they are poorly served in terms of good, clear and safe connections to the rest of the town. There is limited overlooking or 'natural surveillance' from neighbouring properties onto these spaces, for example at Torbay Park and Victoria Park.

Flooding

The majority of the town centre to the east of the railway line is subject to flooding. A number of factors lie behind this, the most obvious one being the town's proximity to the seafront. However, there are also two streams that pass through the town and enter the sea within the masterplan study area. A portion of the northernmost of these is visible and exposed in Victoria Park.

The flooding diagrams opposite[1] shows the degree of potential flooding across the town centre. The combined impact of the sea and the rivers results in significant areas of Flood Zone 3 designation. This has the effect of limiting the development potential for more 'vulnerable' uses on sites within these risk zones. No ground floor or basement residential development should take place within this designation unless the finished floor level is above 4.97m AOD.

Heritage

There are three different conservation areas that overlap with the masterplan study area, each with its own particular set of characteristics. These are:

- Old Paignton, centred on the oldest parts of the town to the west of the study area with overlaps around Winner Street, Palace Avenue and Victoria Street;
- Polsham to the north, but only just touches the study area at the northern end of Victoria Park; and
- Roundham and Paignton Harbour to the southeast, which overlaps on the harbour area only.

Though not in a conservation area, the area to the east of the railway line has it's own distinct character. The Victorian feel to this area is clear and its relationship to the seafront is evident.

There are a number of listed buildings throughout the town centre[2]. The most prominent of these is the Grade I listed Paignton Parish Church and the Grade II* listed Paignton Picture House on Torbay Road. Also present is the Scheduled Ancient Monument of the Bishop's Palace. There are more Grade II listed buildings dotted around the town, with a concentration of listed buildings around Winner Street and Palace Place. With such a rich architectural history within the town centre, much of it is hidden away. Tourists are not made aware of the existence of the more significant buildings, while a lot of the buildings with architectural interest are in need of freshening up to make the most of their contribution to the character of the town. New developments within the town will need to undertake heritage studies to ensure that the town's character is enhanced.

The above is based on publicly available information from the Environment Agency (September 2014) and no strategic or site specific Flood Risk Assessment has been carried out for the purposes of this masterplan.

References:

1. *Environment Agency Website February 2014*
2. *Torbay Council Website March 2014*

Existing movement network

Moving around the town centre can be confusing, especially for visitors. The combination of the effects of the railway line, minimal signage and maps for pedestrians and one-way road systems can make the town centre feel disjointed, despite its relatively small size.

Paignton is fortunate to have a number of key public transport facilities at the heart of the town centre. The location of the bus and train stations at such a central spot enables Paignton to entice visitors to the town and connects the local community with the wider area.

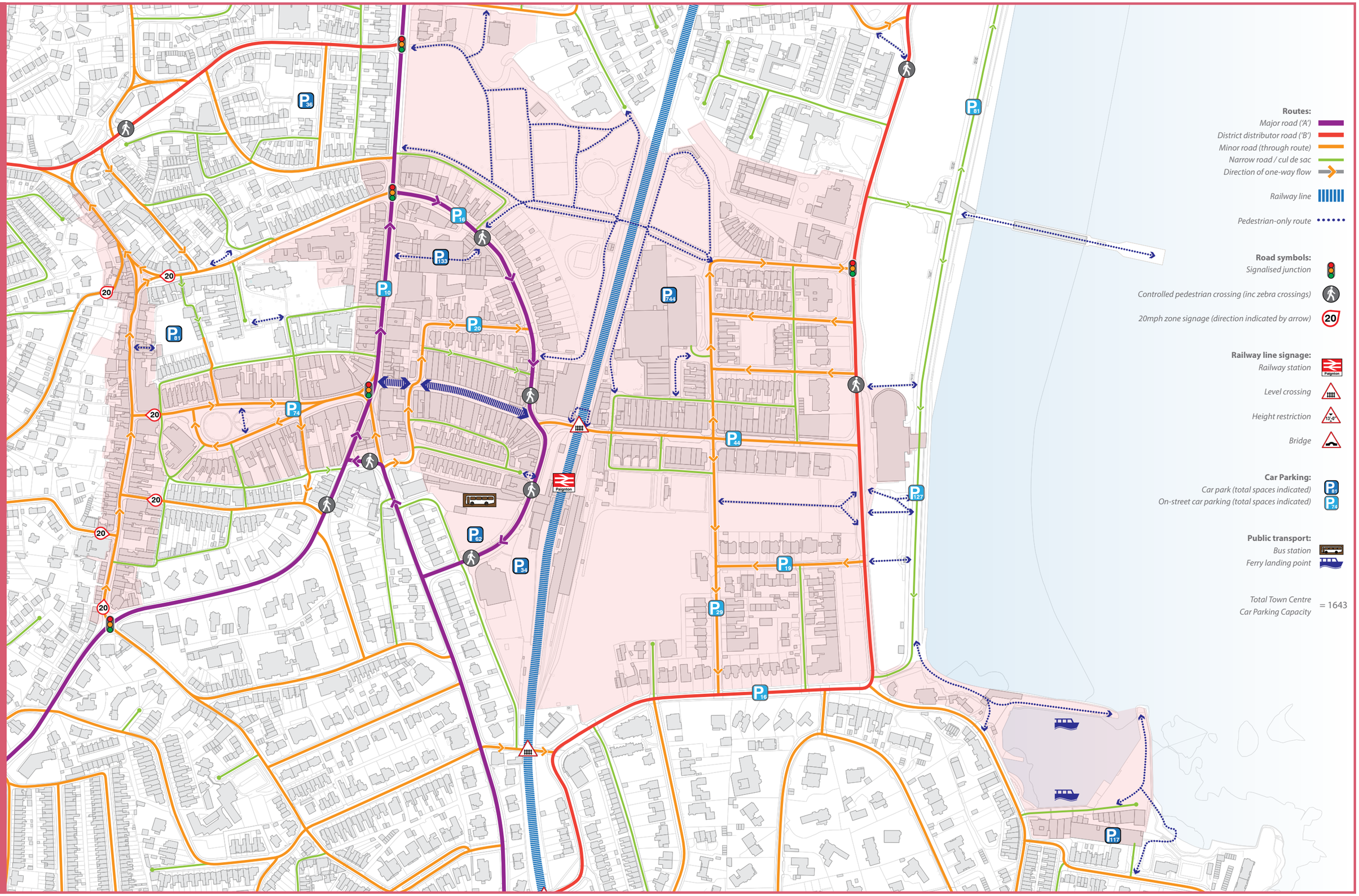
However, while the railway line has brought life to the town centre for about 150 years, it also has the effect of dividing the town in two. The nature of the railway line means that the links between the seaside and the main shopping area are restricted to just two crossing points within the study area - one of which is for pedestrians only (in Victoria Park).

The evolution of the town centre over the centuries has resulted in the convergence of two major roads (A372 and A3022) in the heart of the town. This, coupled with the effect of the railway line, has created a confusing network of one-way streets. This problem worsens during summer months when the number of tourists present in the town grows significantly.

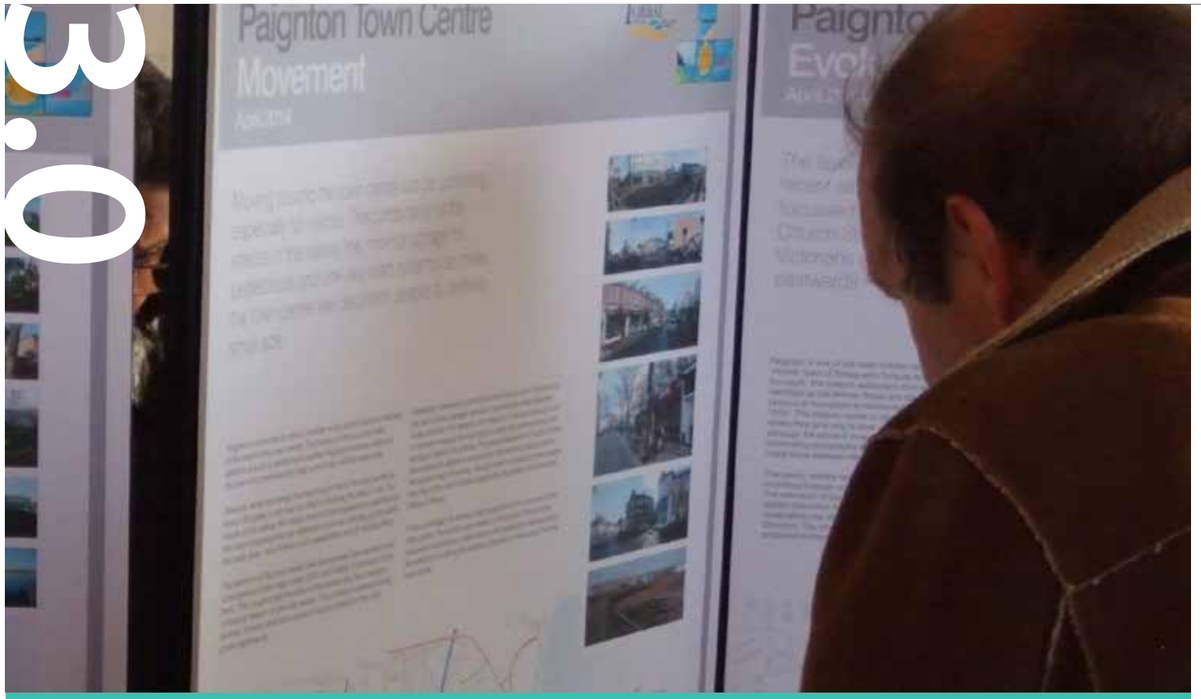
Pedestrian movement around the town centre is also hampered by the lack of clear signage and other features that make desirable routes obvious. For instance, the direction of the sea is not obvious to someone leaving the train station unless that person knows that the sea is behind the cinema. The pedestrianisation of Victoria Street has created an attractive environment that entices people towards the western half of the town, though doesn't necessarily draw people naturally to the town's historic assets like the parish church and the Bishop's Palace, or through to Winner Street.

To the southeast, the harbour feels isolated from the main part of the town centre. The pinch point created by Roundham Road and the sea means that harbour relies more on the pedestrian walkway along the waterfront to attract the majority of people to the harbour from the town centre.

It is clear that the pressures placed upon the town by the 'A' roads passing through the centre dominate the movement patterns across the town. It has a detrimental impact on the character of key nodes where these busy vehicular routes cross main pedestrian connections. This is most pronounced at either end of Victoria Street, where there is scope to alter these areas and transform them into positive places for the community.


Routes:
Major road ('A')
District distributor road ('B')
Minor road (through route)
Narrow road / cul de sac
Direction of one-way flow
Railway line
Pedestrian-only route
Road symbols:
Signalised junction
Controlled pedestrian crossing (inc zebra crossings)
20mph zone signage (direction indicated by arrow)
Railway line signage:
Railway station
Level crossing
Height restriction
Bridge
Car Parking:
Car park (total spaces indicated)
On-street car parking (total spaces indicated)
Public transport:
Bus station
Ferry landing point
Total Town Centre Car Parking Capacity
= 1643
Paignton
20
P36
P81
P16
P133
P10
P744
P20
P74
P62
P34
P44
P127
P15
P29
P16
P117

3.0



Public consultation.

Public consultation

In order to draw up an effective, realistic and viable masterplan for Paignton Town Centre, Stride Treglown designed a Consultation and Engagement Strategy aimed at ensuring that Paignton Town Centre Masterplan:

- reflects wherever possible, the views of the local community and key stakeholders; and
- is fully informed of the constraints and opportunities associated with the masterplan area.

A Statement of Community Involvement accompanies this masterplan document. The Statement outlines the Consultation and Engagement Strategy and provides a summary of the feedback from participants. The section below provides an overview of the process undertaken and key themes which emerged from representations which we received by residents, local businesses and wider statutory agencies.

Objectives:

The Consultation and Engagement Strategy was guided by a set of Key Objectives. These included the wish to:

- identify and engage with a wide range of local people, key individuals and organisations to obtain their views on the regeneration of the town centre
- confirm those key constraints and opportunities that the masterplan would need to address
- encourage dialogue between a wide range of stakeholder groups and individuals
- facilitate dialogue between the design team at Stride Treglown, the local community and key stakeholders
- build on past consultations
- facilitate an informed contribution by participants through the clear presentation of area study information, and
- clarify the masterplanning process and how participants could best get involved.



This is a selection of the presentation boards displayed at the various public consultation events. The boards presented a range of site analysis information. The information contained on the boards reflect the early stage in the masterplanning process that the public consultation event took place so as to better inform the process.

Some of the boards encouraged consultees to engage with certain activities. The results of these exercises fed back into the masterplanning process.























Consultation Phase 1

In order to meet the 7 objectives outlined above, a number of consultation events and actions were planned over a 5 month period between April and August 2014. These were, in summary:

1. Drop in Day – Paignton Club 23rd April
2. Stakeholder Session – Paignton Club 24th April
3. Feedback Session – Paignton Club 28th April
4. On-Line Survey - 29th April – 5th June.
5. Stakeholder Engagement - June-August 2014.

The Drop in Day and on-line survey were advertised with a Flyer, delivered to around 700 residential properties and businesses in Paignton Town Centre. The consultation was also advertised in the local press, via email to local community and business organisations and on the Torbay Council website. A presentation was also made to the Torbay Regeneration Network during a Breakfast Seminar in June.

The consultation was carried out in distinct phases and this staggered approach has allowed feedback from participants to inform the development of the masterplan over the past 5 months.

Consultation Phase 2

A second round of consultation on the final draft of this Paignton Refresh document was carried out by Torbay Council between 27th October and 24th November 2014. A summary of the consultation responses received suggested that, overall, the Paignton Refresh proposals were positively received, though a number of parties also expressed some concern over specific aspects of the proposals. It appears that there is strong suppport from the local business community with regards the scale of ambition and the major projects identified. Issues have been raised by a number of parties regarding the proposed changes to the highways network. Such a dramatic change to the network will require detailed studies to be carried out to determine the most effective and efficient movement network around the town and will address servicing strategies, junction designs and traffic signalling measures.

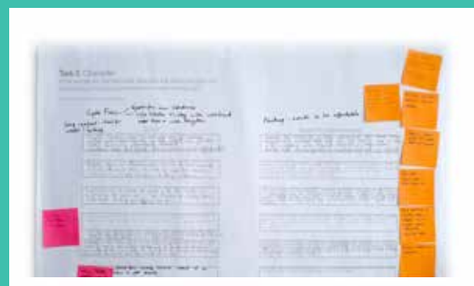
Feedback has been received from the Environment Agency, which supports the recognition of suitable standards of defence along the sea front and harbour, and that a strategic approach to funding of sea defences would be welcomed.

The protection and enhancement of the town's heritage, culture and overall well-being /safety are seen as important features of any regenration strategy for the town. Feedback suggests that building heights and strategic demolition must relate to, and be influenced by, the town's heritage. As such, the overarching strategies contained within this report are indicative only and seek to provide a joined-up framework for improving the viability and character of the town. The merits of all future development and public realm work that is proposed within the town centre will need to be justified and carried out within the context of the aims of this regeneration strategy, the Neighbourhood Plan and the general view of the public.

How the masterplan has been influenced by the consultation feedback:

Some of the key ways in which the Paignton Town Centre Masterplan has developed to accommodate the views, ideas and responses from local residents, businesses, community organisations and statutory consultees are as follows:

- The preservation of Victoria Park and the introduction of a wetland area
- Proposals for the development of a Town Square, driven by improvements to the public realm, in the heart of the town
- Improved pedestrian links and signage between different character areas of the town
- A rethink of the vehicle access and movement strategy across the Town Centre in order to create attractive, pedestrian friendly urban spaces in keeping with a vibrant seaside town
- The introduction of initiatives designed to improve the attractiveness (environmentally and economically) of Winner Street as a creative, distinct shopping destination in its own right.
- To deliver a masterplan that creates spaces around important historic assets, such as the Steam Railway Museum and the Paignton Picture House (Town Square) and the wider setting of the Palace Theatre (Palace Gardens)
- The redevelopment of Crossways to deliver a mixed use scheme, including residential and retail uses
- Town centre redevelopment proposals that seek to improve the appearance and character of the Town as an arrival experience for visitors (Hotel, retail and public realm improvements)
- Proposals to relocate the Vue cinema and open up of sea views along Torbay Road
- Proposals to create all year round leisure and tourism uses in a newly developed Victoria Centre, linked to the new Town Square
- The regeneration of the harbour in a manner in keeping with its ongoing maritime operations and desire to increase its attractiveness as a destination venue to support the evening economy
- The introduction of themed walks to create greater connectivity between the sea, built heritage assets and open spaces distributed across the Town Centre.

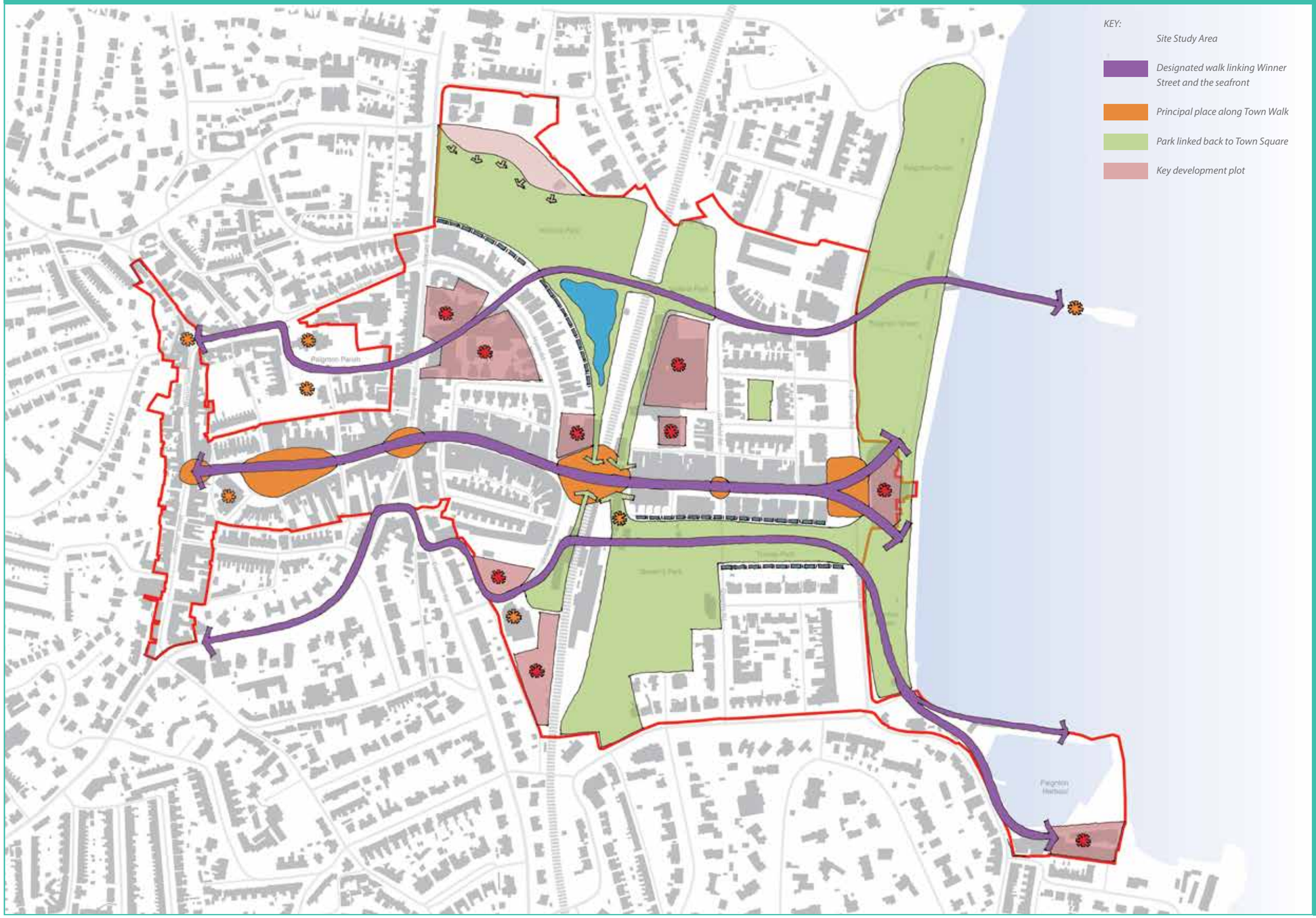








Initial Masterplan Response



After an intensive period of consultation, this concept masterplan was generated based upon the wide range of comments made by those who attended the sessions. This was a preliminary response produced in a few days immediately after the drop-in day and stakeholder session.

Connecting the different parts of the town together was a popular feeling among those who attended the public consultation sessions. The concept masterplan sought to improve the connections between the town s principal attractions and features. 3 walks were identified that could achieve that, which could also become focal points for upgrades to the public streets, spaces and parks. These walks revolved around different themes that picked up on the character of the town and could become part of an enhanced branding for the town centre.

The new Town Square was highlighted as the focal point for the whole town centre. It is located at a critical node, where the town s public transport networks merge with the town s main streets. This area also provides the opportunity to link in the parklands to the north and the south (i.e. Victoria Park and Queens Park/ Torbay Park).

A number of key development opportunities also exist within the centre. There is general support for a more sympathetic redevelopment of Crossways and the Victoria Centre. Tying the redevelopment of these, and other, sites in with emerging strategic pedestrian links and parkland connections would ensure that the new developments would provide a much more positive impact on the town centre. These sites would be able to provide a range of uses that include retail, residential, employment and car parking.

4.0



Masterplan.

Illustrative masterplan

The driver for this masterplan is to fundamentally rethink the way the town centre currently operates. This means more than simply identifying individual development sites. It seeks to rethink how development is delivered within the town in a manner that contributes positively to the wider urban environment.

Links

The masterplan builds upon the principles as set out in the Initial Masterplan Response whereby a series of cross town links were identified connecting more disparate parts of the town. Drawing people further into the town, and in particular Winner Street, from the seafront is a key concern. These routes are also designed to breakdown the many barriers that inhibit easy movement through the area.

Public open spaces

Along these routes is a series of public open spaces. Some of these exist and are identified as areas for improvement. Other spaces shown are new public plazas that have been created as part of a strategic overhaul of connections through the town. These spaces act as magnets to draw people further in and counter the impact some of the existing busy roads have on people's enjoyment of the town.

Heritage

The masterplan seeks to utilise the town's rich architectural heritage as the basis of strengthening Paignton's identity. The opportunities presented as a result of the Conversation Areas and listed buildings enable future development to tap into its character. Therefore, all proposed works in the town (buildings, demolition and public open spaces) need to be guided by the town's heritage.

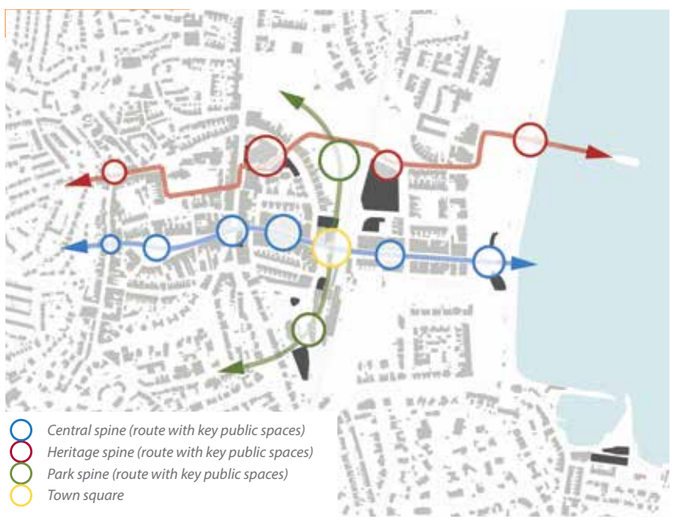
Development Sites

The transformation of the town relies in large part on the redevelopment of a number of key sites dotted around the town. Some of them are generally considered by the local community to be eyesores while others offer the potential to improve the character of the wider area.

The masterplan has paired improvements to the public realm with building development sites where possible to make the proposals more coherent. However, there are instances where some public realm projects are to be carried out in isolation. See Delivery Chapter 5.0 for further information.

Alterations to the highways network

One of the major changes to the town proposed in the masterplan is an overhaul of the highways network. This will eliminate the one-way system through the town for all cross-town traffic along Hyde Road and Great Western Road, which creates new public spaces in different locations elsewhere in the Town Centre.





The Proposed Masterplan (illustrative only)



The masterplan contains a number of different yet interconnected proposals that will transform the character of the town centre. These are the key aspirations, which are described in greater detail in the following section.

- No development within the main (formal play) area of Victoria Park is proposed but stronger green links between the park and the town square with active street frontages will give better access to the park
- Redevelop Palace Avenue into a defined Theatre/ Cultural Quarter surrounding an open park
- Redevelop Crossways to deliver more attractive retail, residential and employment space
- New Wetlands area (Supported by Neighbourhood Plan and Paignton Community Partnership)
- Redevelop Victoria Centre as an entertainment complex to house the relocated seafront cinema. Will also include residential, car parking and employment uses
- New pedestrianised town square
- Semi pedestrianised public open space created
- Relocate the cinema complex and open up the seafront to the town centre lined with seaside pavilions
- Middle section of Winner Street to be pedestrianised with new hard landscape and surface treatment proposals
- Improved frontage to buildings alongside park. Torbay Park is to be re landscaped to improve flood attenuation
- Employment opportunities on surrounding Council and Network Rail owned land
- The character of the seafront between the pier and the harbour to be enhanced
- Multistorey car park with residential over to maximise sea views
- New development on the footprint of the existing structures to include residential, car parking and maritime uses

Highways rethink

A number of studies have been carried out in the past to address the town's congestion issues. This masterplan presents the opportunity to incorporate positive changes to the highways within the context of a wider public realm strategy for the town.

Overview

In 2002, a study was commissioned by Torbay Council to investigate how the existing highways within Paignton town centre could be made to work more effectively for the local community. Many of the outcomes of that study are still considered to be valid and have been reassessed within the context of this masterplanning exercise.

This masterplan does not cover the proposals to the same degree of detail as the previous study. The 2002 study contained a lot of information covering a wider range of measures and how the different elements of the proposal could be implemented. This masterplan is concerned only with the more strategic and physical interventions and does not cover issues such as residents' parking schemes. This is a matter of detail and management rather than key development principles.

The highways issues identified at the time of the study continue to be articulated today. Local people feel that;

- vehicular connections in the town centre are confusing
- congestion is a problem
- pedestrian facilities are inadequate
- inappropriate parking causes problems
- heavy goods and other delivery vehicles often block the flow of traffic
- Impact of rail level crossing creates localised congestion.

Proposals

Reducing the impact of vehicular traffic in the town is one of the primary objectives of the masterplan. To achieve this, the proposal is to create a single corridor of traffic crossing the town along Hyde Road and Great Western Road. The existing width of the road makes this a more suitable route than Torquay Road. It also helps to overcome the existing problem whereby pedestrians at the western end of Victoria Street are not encouraged to cross over the busy Torquay Road into Palace Avenue and on towards Winner Street. This barrier effect will be overcome with the creation of a new plaza (Palace Square) at this junction.

The second significant impact, which is connected to the strategy of consolidating trunk road traffic within the town centre, is to pedestrianise the western end of Torbay Road in between Victoria Street and Queens Road. This measure will help to create a new town square at the geographic centre of the town. Removing vehicles from this stretch will also improve the safety of the level crossing and eliminate the need for a lane on Hyde Road for waiting vehicles when trains are passing through to the train station.

The central section of Winner Street is also to be pedestrianised. Reversing the flow of traffic at the northern end of Winner Street will create a loop from Winner Street through Palace Avenue and Torquay Road. This will enable the community along Winner Street to built up a distinct identity for itself whilst improving the character of the street.

A number of bus lanes are proposed to better promote public transport. In areas where existing roads are to be downgraded in terms of general traffic, bus lanes will enable bus services to operate more freely. Such areas include lanes linking Dartmouth Road to Torquay Road and Victoria Street to Torbay Road (at the level crossing).

Car parking will continue to provided in all the existing parking areas, even where redevelopment opportunities have been highlighted. The only loss of a full car park is that at Great Western Road, where the site has been identified as being suitable for employment/offices. An adjustment to the existing on-street parking arrangement will be required though there is not expected to be a noticeable loss of parking in any one area. Clear signage to these car parks will be required to minimise disruption on the highways and promote a more legible approach into the town centre.

Altering the highways network will help to improve the quality of many of the town's streets while at the same time reclaiming spaces for the local community. Breaking down the impact of traffic within the heart of the town will improve the attractiveness of the town, and in particular, the Old Paignton Conservation Area.

All of these proposals will need to be assessed in greater detail as part of a town centre traffic strategy. This will determine the best way of implementing the strategy and will cover issues such as phasing and costs. The detailed study will determine the measures needed at each location around the town to ensure that the highways network operates as effectively as possible. This highways rethink is an exciting opportunity to implement positive change within the town centre but in a manner that can evolve to explore alternative ideas should they arise in the detailed stages.



Key points:

1. The large one-way system around the town centre is replaced with an arrangement that is more sympathetic to the town centre.
2. Hyde Road and Great Western Way are reconfigured to accommodate two-way traffic along their entire length.
3. The pedestrianisation of Victoria Street extends to both the east and west to improve connectivity between the seafront and Winner Street. This includes parts of Torbay Road, Totnes Road, Dartmouth Road and Winner Street.
4. The flow of traffic along the northern end of Winner Street is reversed and directed into Palace Gardens, returning along Torquay Road.
5. The level crossing area on Torbay Road will be free of traffic, thus helping to create a town square environment and make the level crossing safer ***(i.e. free from general vehicular traffic)***
6. A number of bus-only corridors will provide a more efficient network for bus services by tying in with the pedestrianisation strategy. Such corridors will cross the railway line on Torbay Road and link Dartmouth Road with Torquay Road.

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Overarching strategy plans

These plans provide an indication of what can be achieved throughout the town centre through a series of interlinked strategies. These are not prescriptive but will influence the direction in which each individual project emerging from the overall masterplan takes.

Indicative building heights



Mix of uses



Public open spaces



Zones of active frontages



Public Realm Framework.

Public realm is principally publicly accessible space and routes between buildings. An essential part to the success of the town centre is the visual appearance and function of the public realm as it contributes to people's perceptions of a place.

The main objective is to create a variety of pedestrian-led enhancements for the urban environment that are attractive and purposeful. Key aspirations of the masterplan are to de-clutter the streetscape and bring a sense of continuity to the style and character of the streets and public spaces around the town.







In developing the vision and masterplan of Paignton town centre, a series of different types of routes and spaces have been identified to inform the emerging public realm strategy. These focus on the need to create an environment that is attractive, coherent and flexible in terms of use.

The designation of the streets or spaces has been informed by its locations, estimated existing footfall and links to surrounding areas, land use, dimensions and what activities take place. In defining structure, identity, legibility and form to the public realm, the spaces and pedestrian routes have been categorised in the following section.

A common theme throughout all the public realm works is the need to incorporate appropriate measures to deal with surface water run-off throughout the town centre. As flooding has a significant impact on the town as it stands, all future works to hard and soft landscapes on both public and private land must improve the current situation in that area. This can be achieved through the use of SuDs (Sustainable Drainage Systems) and WSUD (Water Sensitive Urban Design). This will involve collaboration between different landowners, Torbay Council and the local community to achieve the best outcome for the town. The ideas contained within CIRIA's publication "Water sensitive urban design in the UK – Ideas Book" forms a useful tool to assist the design and delivery of detailed proposals.

Hierarchy of Streetscape Improvements

Major Streetscape Improvements

- Pedestrian priority streetscape design and improvements
- De-clutter the streetscape and narrow carriageways
- Increase footpath widths and provide additional trees and seating, where possible
- Use the same surface material throughout to help improve and unify the visual appearance of these routes
- Street furniture and trees to be located away from main thoroughfare.
- Improve wayfinding strategy and introduce shop signage policy to streamline and create a more unified visual appearance to the streetscape.
- Limit vehicular access to street.

Minor Routes: Streetscape Improvements

- De-clutter the streetscape
- Increase footpath widths and provide additional trees and seating, where possible
- Re-surface the pavements and/or road surfaces using different but complementary paving material to the major improvement schemes.

Connecting Routes

- Minimal improvements are generally required
- Introduce street trees where possible to uplift the public realm, especially along the routes into parks and recreation grounds
- Widen the footpaths, where possible
- Minimise the amount of street furniture provided along these routes.

Themed Walks

- Transform existing pathways around the town into differently themed routes
- Introduce a simple and well-conceived wayfinding strategy using signage, lighting of key buildings and structures, information boards and street art to improve character and interest
- Limit vehicular traffic along the routes
- Enhance the waterfront with the creation of a stronger seaside promenade to encourage greater pedestrian and cycle activity.

Typology of spaces

Transitional Spaces

- Street junctions should be rationalised where the impact of vehicular traffic is minimised
- These will generally be hard landscaped with feature tree planting and street furniture, where possible.

Civic Spaces

- These spaces will be flexible to encourage a wide range of events and activities, including pop-up markets and street performances
- They will incorporate high quality paving and other features and will provide a unique sense of identity within each space
- An appropriate provision of interesting seating along with creative lighting and/or art installations will generate interest in the spaces
- There will be a mixture of soft and hard landscape depending on scale and use of the space.

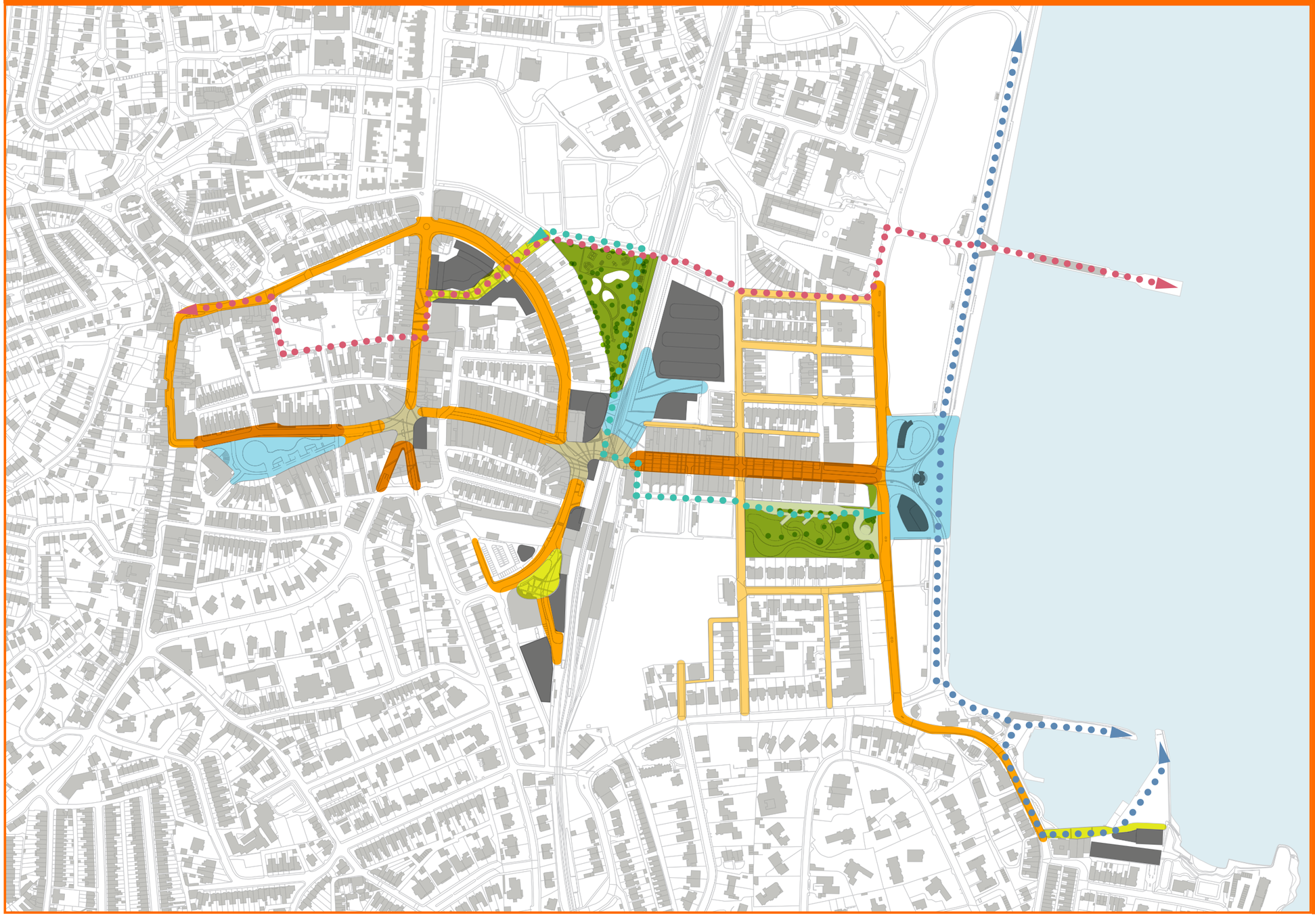
Intimate Spaces

- These are more intimate spaces that are typically enclosed by surrounding buildings
- The distinguishing features are primarily hard landscapes with some feature planting, simple lighting and an ample provision of seating
- They are suitable places for small scale permanent or temporary art features.

Parks and Recreation Grounds

- Improve boundaries and signage to public parks
- Enhance lighting levels and increase biodiversity
- Where possible, create environments that improve their social use as well as assisting with wider flooding issues.

Public Realm Strategy

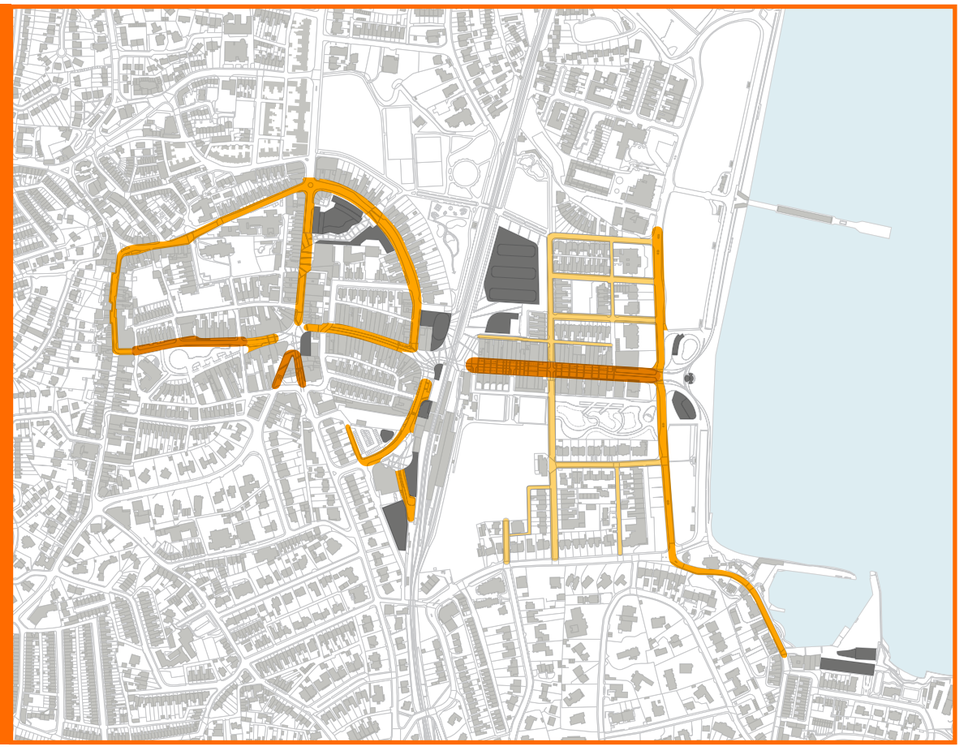


This diagram represents the distribution of the different kinds of streets and public spaces across the town centre as proposed in the masterplan. The details of the feel and character of these streets is described in more detail over the following pages.

- Maritime Walk
- Heritage Walk
- Park Walk
- Civic Spaces
- Major Street Improvement
- Minor Street Improvement
- Connecting Routes
- Intimate Spaces
- Transitional Spaces
- Parks and Recreation

Major Routes Streetscape Improvements:

- De-clutter the streetscape and narrow carriageways - Pedestrian led design
- Increase footpath widths and provide additional trees and seating, where possible
- Use the same surface material (similar to Victoria Street improvements) throughout to help improve and unify the visual appearance of these routes
- Street furniture and trees to be located away from main thoroughfare.
- Improve wayfinding strategy and introduce shop signage policy to streamline and create a more unified visual appearance to the streetscape.



Minor Routes: Streetscape Improvements:

- De-clutter the streetscape
- Increase footpath widths and provide additional trees and seating, where possible
- Re-surface the pavements and/or road surfaces using different but complementary paving material to the major improvement schemes.

Connecting Routes:

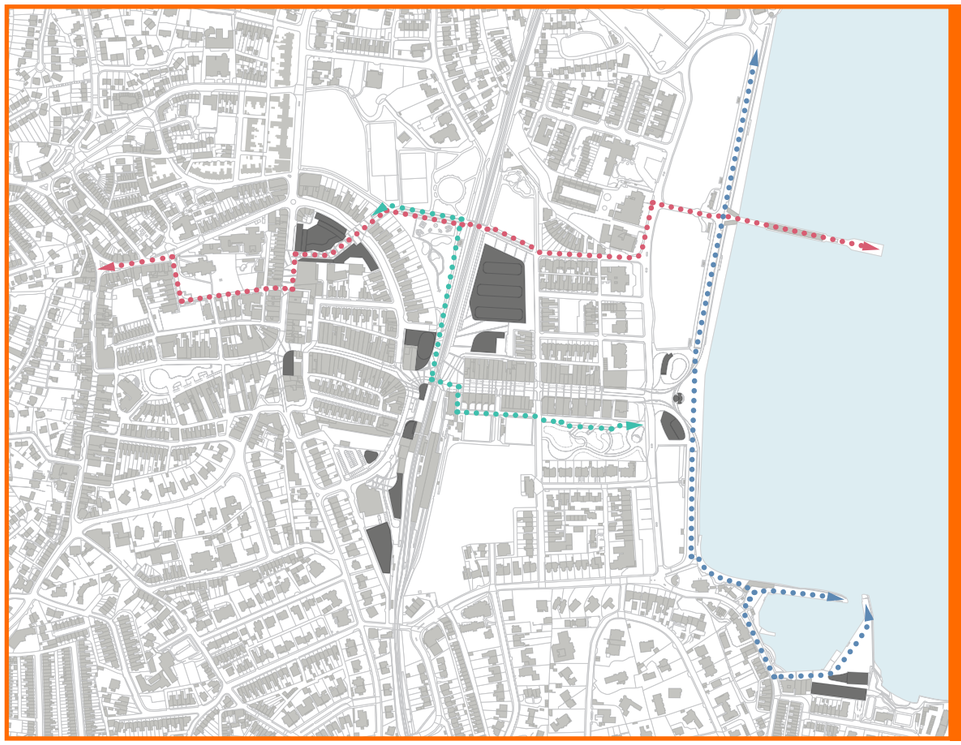
- Minimal improvements are generally required
- Introduce street trees where possible to uplift the public realm, especially along the routes into parks and recreation grounds
- Widen the footpaths, where possible
- Minimise the amount of street furniture provided along these routes.

Major Routes Streetscape: Improvement

Minor Routes: Streetscape Improvement

Connecting Routes





Themed walks

- Transform existing pathways around the town into differently themed routes
- Introduce a simple and well-conceived wayfinding strategy using signage, lighting of key buildings and structures, information boards and street art to improve character and interest
- Limit vehicular traffic along the routes
- Enhance the waterfront with the creation of a stronger seaside promenade to encourage greater pedestrian and cycle activity

There are three key walks:

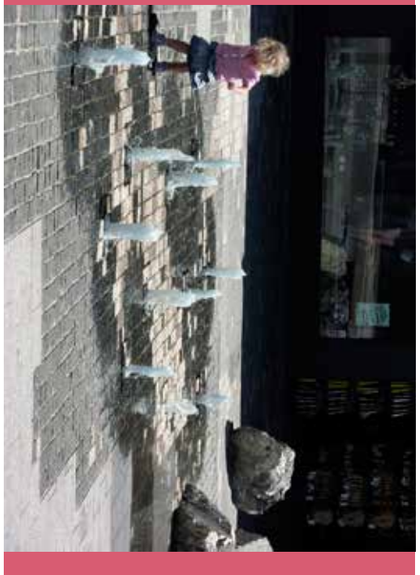
- Maritime Walk
- Park Walk
- Heritage Walk

Heritage walk









Park walk







Maritime walk









Civic Spaces
Intimate Spaces
Transitional Spaces
Parks and Recreation

Parks and Recreation Grounds

- Improve boundaries and signage to public parks
- Enhance lighting levels and increase biodiversity
- Where possible, create environments that improve their social use as well as assisting with wider flooding issues.



Civic spaces

- These spaces will be flexible to encourage a wide range of events and activities, including pop-up markets and street performances
- They will incorporate high quality paving and other features and will provide a unique sense of identity within each space
- An appropriate provision of interesting seating along with creative lighting and/ or art installations will generate interest in the spaces
- There will be a mixture of soft and hard landscape depending on scale and use of the space

Intimate spaces

- These are more intimate spaces that are typically enclosed by surrounding buildings
- The distinguishing features are primarily hard landscapes with some feature planting, simple lighting and an ample provision of seating
- They are suitable places for small scale permanent or temporary art features.

Transitional spaces

- Street junctions should be rationalised where the impact of vehicular traffic is minimised
- These will generally be hard landscaped with feature tree planting and street furniture, where possible.

















Finding your way around

The town centre needs to be easier to understand for those not familiar with the town or the richness of its history. A simple yet stylish wayfinding strategy for the town will make the whole town more accessible and fun to explore.

The town centre does have some wayfinding signage in place. This generally consists of finger post signage at key junctions. However, it does not convey the best of the town's assets. A lot of the town is hidden from general view, such as the grade I listed parish church and the Bishops Palace, and relies on better information being provided to draw people's attention to these features.

The town needs to implement a more comprehensive signage strategy that not only points the right direction but informs people, both locals and tourists, of the town's rich heritage and distinctiveness. A more user-friendly approach will encourage more people to explore more of the town and discover areas previously unknown to them.

Such a strategy within Paignton could be conveyed using a system of information panel signs, directional signs, trail marker signs and identification signs. The information could also be available through printed visitor maps and online resources, making forward planning and familiarising possible.

The information the user is presented with should make decision making a straightforward process:

- Stylised maps reduce and simplify the surroundings into the most important components, allowing the user to make decisions without the need to distil the important information from the superfluous;
- Pictograms provide a compact, quick and multilingual guide to the facilities and features at any given point. This helps the user plan their journey around any problems they may encounter or needs they wish to incorporate along their journey;
- Colour-coding enables quick distinction between different routes across the town centre. This could be applied to each of the town walks in a similar fashion to colour-coded rail lines on a London underground map;
- Text on maps should be used sparingly, written place names, destinations, times to destinations;
- Panels should allow for general background and historical information. This could include both written and visual material, such as old photographs and sketches.

All information, be it a map, pictograms or text, should be visualised or expressed in a consistent manner across all formats to aid recognition and hence decision making. Clearly presented information, and the integration of tactile and audible elements, are paramount to making the navigating of the town centre an unintrusive and enjoyable experience for all.



Left: Existing map coverage of the town centre in a limited number of places



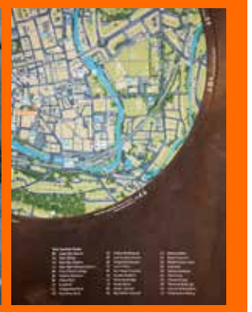
What have other places done?

A range of other towns and cities around the UK have already implemented, or are in the process of implementing, graphically-led wayfinding signage to enhance the experience of being in those place. A number of them are award-winning schemes that have made places much easier to navigate and enjoy.

The selection here includes examples from Bath, Sheffield and Bristol (all on the right) though London, Southampton and Newcastle have also done similar work in making their cities more legible. Below demonstrates what Hampshire plans to roll out across a variety of its towns and cities.















01 Town Square

A comprehensive vision for this area of the town centre can completely transform the feel and character of the whole town. Better integration of the railway infrastructure into its urban setting will provide the people of Paignton with a town square at the heart of the town.

The opportunity exists to radically alter the nature of the town centre through the redevelopment and reorganising of the buildings, open spaces and uses that form centre of the town. The masterplan proposes to encourage all of these elements to work better together to create a new heart for the town.

This is one of the most complex areas of intervention in the town where each of the surrounding developments are able to take advantage of the proposed works. Whilst driven primarily by the creation of a new public space, there are opportunities for the neighbouring properties to further enhance their own offer and better reflect the new character of the area.

The first stage of work here is to improve the character and quality of the public realm. This ties in with the proposed overhaul of the town's highways network, where general vehicular traffic is removed from Torbay Road between Victoria Street and Queens Road. The nature of the railway infrastructure through this area can be remodelled to be more sympathetic with the town's needs. This will need to adhere to national railway regulations but there is an opportunity to better celebrate the trains slowly arriving into the terminal station passing through the town square.

A stronger network of streets and connections radiating out from the town square will knit the town together in a more coherent way. It will be possible to walk or cycle through the square from both sides of Victoria Park with green fingers of parkland extending down alongside the railway line. Similarly, a more attractive connection will be made through the town square towards Garfield Road, Kernou Road and on towards the pier.

The site of 63 Victoria Street immediately adjacent to the level crossing has the potential to reinforce the square as a statement of Paington's transformation. A taller building at this location will better relate to the open space adjacent and help to define the edges of the square. Its prominence here will also act as a distinctive marker in the built environment for wayfinding purposes though the exact height and mass of this building will need to relate sympathetically to the surrounding area. This could accommodate a hotel with retail and/or social uses at ground floor. It will act as a gateway to Victoria Park from Station Square.

The relationship of the square with the railway station will also be improved with a new kiosk setting at the corner of the existing taxi rank. A new entrance lobby for the railway station will greatly enhance the arrival experience into the town as well as dramatically improving the appearance of the sports hall in the area and connection to the library. This section of the street could also be home to be new cycle hub with storage facilities at the heart of the town.

Facing the square from the southeast is the Paignton Picture House , where plans currently exist to refurbish the Grade II* building. This marks the entrance to the Steam Railway Museum. The masterplan proposes to make more of the open space the marks the transition from the square into the museum forecourt, using materials, features and character that reflect the golden age of travel. Pedestrian links through to Queen's Park and Torbay Park beyond would help to reinforce the town square as the social heart of the town.

	Proposed area	Equivalent no. of units
Retail	2,240 m²	-
Leisure	-	-
Office	-	-
Residential	7,870 m²	68
Car Parking	-	-
Hotel	-	-

View across the Town Square and the level crossing towards Victoria Street from Torbay Road





Left: Location of study area on existing town plan





Relevant ideas from elsewhere

This is a selection of imagery of schemes from other places that could influence the transformation of different parts of Paignton.

Right: The choice of materials and public art at the Heartlands visitor attraction in Cornwall is informed by the site s rich heritage - relevant to the areas around the Steam Railway Museum

Below: The interaction of the transport network with the activity in the town square of Bismarck Platz in Heidelberg gives the place a sense of dynamism.

Below right: Street kiosk and associated activity at Plaza de Tirso de Molina





02 Sea Front

The sea front proposal represents one of the most visible and positive changes for the people of Paignton. Reinstating the connection between the town centre and the seafront will strengthen the town's identity and its relationship with one of its most important assets.

The relocation of the Vue Cinema to the Victoria Centre frees up a key part of the esplanade for a more appropriate and sensitive development that better responds to the character of the seafront. It will enable a wider range of facilities to be provided at what is the midpoint on the seafront between the pier and the harbour.

Using historic photographs as a reference, the impact and benefit of opening up the connection through this site is clear. However, the masterplan proposes a layout that is generated by a need to respond to the contemporary needs of the town rather than a simple reinsertion of what previously existed here.

At the heart of the proposal is a new plaza that will act as an activity space linking the seafront with Torbay Road. By dragging the sea defences line back a little, towards Esplanade Road, a meaningful relationship with the sea is achieved with a more gradual and visible route down to the beach. These changes could only be delivered within the scope of a sea defence feasibility study; detailed technical assessment would be required in order to realise this aspiration. This will not necessarily provide views of the sea itself from Torbay Road but it will dramatically improve the connectivity between the two.

Surrounding this space are a number of development opportunities. Mixed use pavilions will sit on either side of this extension to the beach. Their function will be to provide suitable seafront activities that strengthen the tourism offer for Paignton, and would be expected to include retail and catering. A seafront restaurant at this location could provide a year round facility of use to the local community as well as to tourists. The masterplan also identifies an opportunity to deliver alternative uses that contribute further to the town's tourism industry. Such opportunities could include amenities such as a lido, which would provide bathing facilities for a wider range of the population who currently find the sandy beach inaccessible or undesirable, for example parents with small children or those in wheelchairs.

	Proposed area	Equivalent no. of units
Retail	-	-
Leisure	1,820 m^2	-
Office	-	-
Residential	-	-
Car Parking	-	-
Hotel	-	-

The stretch of seafront between the pier and the harbour is to be improved to reinforce the relationship with these and the new sweeping footprints of the pavilions at the end of Torbay Road. Through the use of a selection of hard surface materials and softer tree planting, the seafront can be transformed into a much more attractive environment that not only encourages more activity in the area but also becomes a symbol of the town's regeneration. The seafront is such an important asset to the town that it needs to be expressed and celebrated as much as possible.

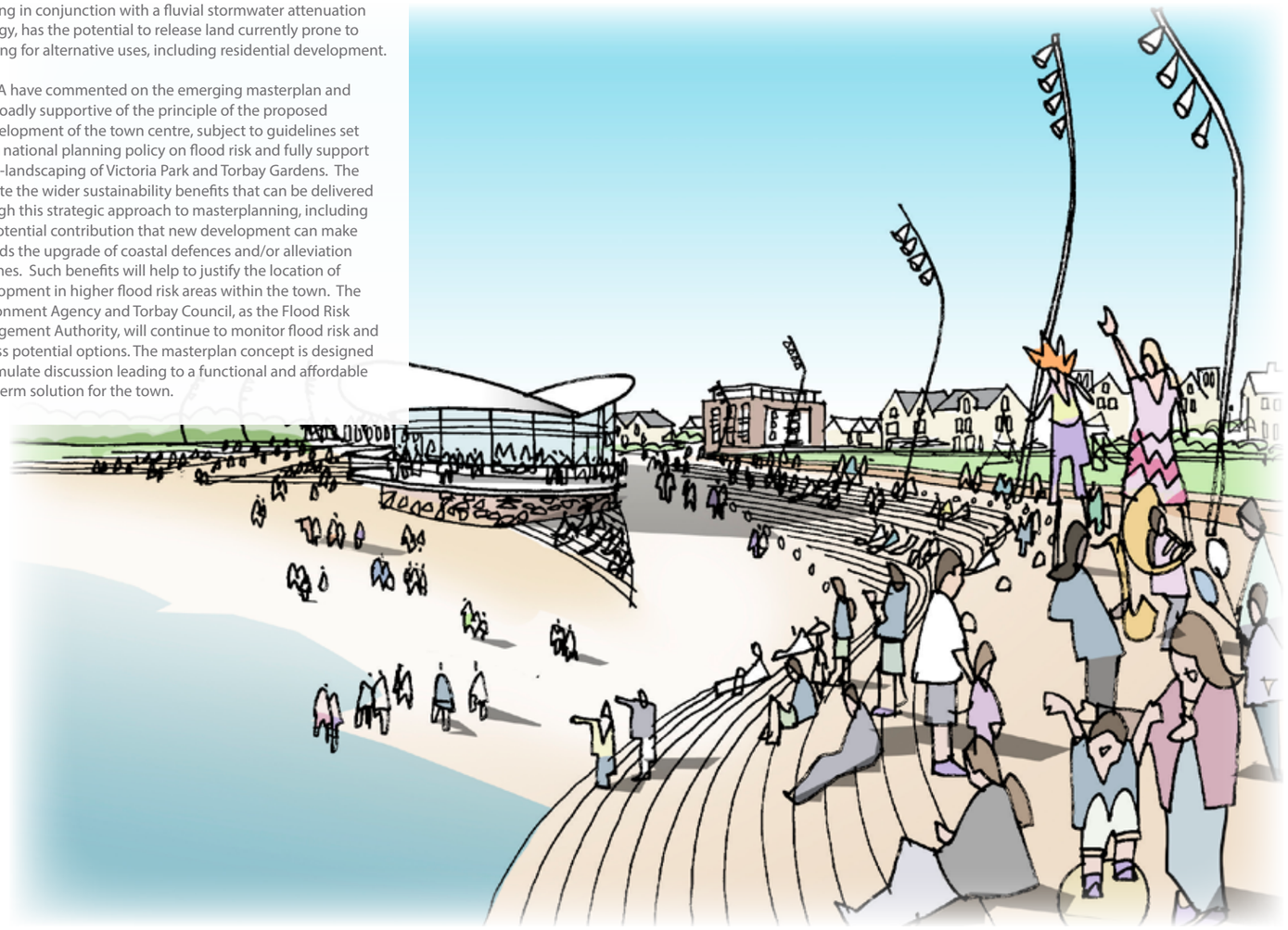
As part of that transformation of the seafront, it is proposed to remove vehicles from the area around the pavilions. This will reinforce the visual connectivity between the beach and the pavilions and create a more distinctive sense of place. Disabled visitors parking close to the sea in high season is likely to be a political aspiration. With the majority of parking in this area suspended during high season, this measure is not likely to have a detrimental effect on overall parking within the town.

As well as strengthening the sea defences by the pavilions, a re-landscaped Torbay Park can provide a positive contribution to the town's flood attenuation. A wetlands proposal, similar to that shown in Victoria Park, would remodel the park to allow it to flood in a controlled way, thus protecting other parts of the town centre from flooding. Features such a boardwalk running through the wetlands and information relating to the biodiversity benefits of the benefits would give the park a greater sense of identity. Coupled with measures to encourage neighbouring properties on Torbay Road to have secondary frontages out onto Torbay Park, new life could be instilled into the area.

Kernou Road further north forms a new direct route linking the Geo-play to the redeveloped Victoria Centre and town square.

The Council has commissioned extensive flood modelling across the Bay (2010) and as such masterplan proposals have had regard to the risk posed by flooding along Paignton Seafront. Discussions with the Environment Agency (EA) have confirmed that there is no current, defined or funded physical works programme to address the flooding risk in the short term. In the absence of a defined scheme, the masterplan proposal suggests a concept based upon a hard sea wall defence strategy similar to that installed at Blackpool (another tourist destination prone to flooding). The concept provides an opportunity to deliver the basis of a fit-for-purpose solution which combines an architectural feature of interest and which would contribute towards the public realm strategy. Subject to detailed technical and civil engineering assessment, a sea defence strategy working in conjunction with a fluvial stormwater attenuation strategy, has the potential to release land currently prone to flooding for alternative uses, including residential development.

The EA have commented on the emerging masterplan and are broadly supportive of the principle of the proposed redevelopment of the town centre, subject to guidelines set out in national planning policy on flood risk and fully support the re-landscaping of Victoria Park and Torbay Gardens. The EA note the wider sustainability benefits that can be delivered through this strategic approach to masterplanning, including the potential contribution that new development can make towards the upgrade of coastal defences and/or alleviation schemes. Such benefits will help to justify the location of development in higher flood risk areas within the town. The Environment Agency and Torbay Council, as the Flood Risk Management Authority, will continue to monitor flood risk and discuss potential options. The masterplan concept is designed to stimulate discussion leading to a functional and affordable long term solution for the town.



View of the redeveloped seafront site at the end of Torbay Road



Left: Location of study area on existing town plan





Relevant ideas from elsewhere

This is a selection of imagery of schemes from other places that could influence the transformation of different parts of Paignton.

Above: The view of Paignton s seafront in the early 1930s shows how the seafront can be better connected back the rest of the town.

Right: Public interaction with the water along the Rhone

Below: Engaging seafront promenade at Toronto s HTO Park

Below right: Littlehampton has introduced many new contemporary features along the seafront, including this dynamic pavilion.













03 Victoria Centre

The proposals for the Victoria Centre align closely with those for the town square. Opening up the centre of the town can make the Victoria Centre site a much more attractive and prominent development opportunity for the town as a whole allowing for the creation of a new leisure quarter.

It was mentioned several times during the public consultation events that there are limited facilities within the town that occupy people during times of inclement weather. The redevelopment opportunities that exist at the Victoria Centre could cater for that demand. Although generally well hidden from the main parts of the town, the proposals for opening up Victoria Square to a pedestrianised part of Torbay Road would significantly improve the attractiveness of this site. Using the relocated cinema from the seafront as an anchor tenant, the centre could attract other leisure and catering operators into the complex to provide a more comprehensive indoor facility for the town.

The location of the leisure complex would provide a strong attraction at the northern end of the new town square. The size, mass and nature of a facility such as a cinema is such that the Victoria Centre provides an ideal location. The large windowless facades that often a feature of cinemas could in this case be masked with more active uses, such as restaurants.

The rest of the complex will comprise both a multistorey car park and residential units. Sitting on top of the complex, residential units will have superb views out over the town towards the seafront. Longer distance views of the harbour and even Torquay will increase the viability of the whole scheme.

A second development site is identified in the masterplan adjacent to the leisure complex. This forms the eastern edge of the town square and is aligned with the neighbouring shop frontages along Parkside Road. Ground floor usage would likely be commercial to complement the town square, possibly a food convenience store. The building also offers the potential for employment use on the upper levels with sizable floor areas to accommodate a range of commercial entities, including startup facilities for local enterprises.

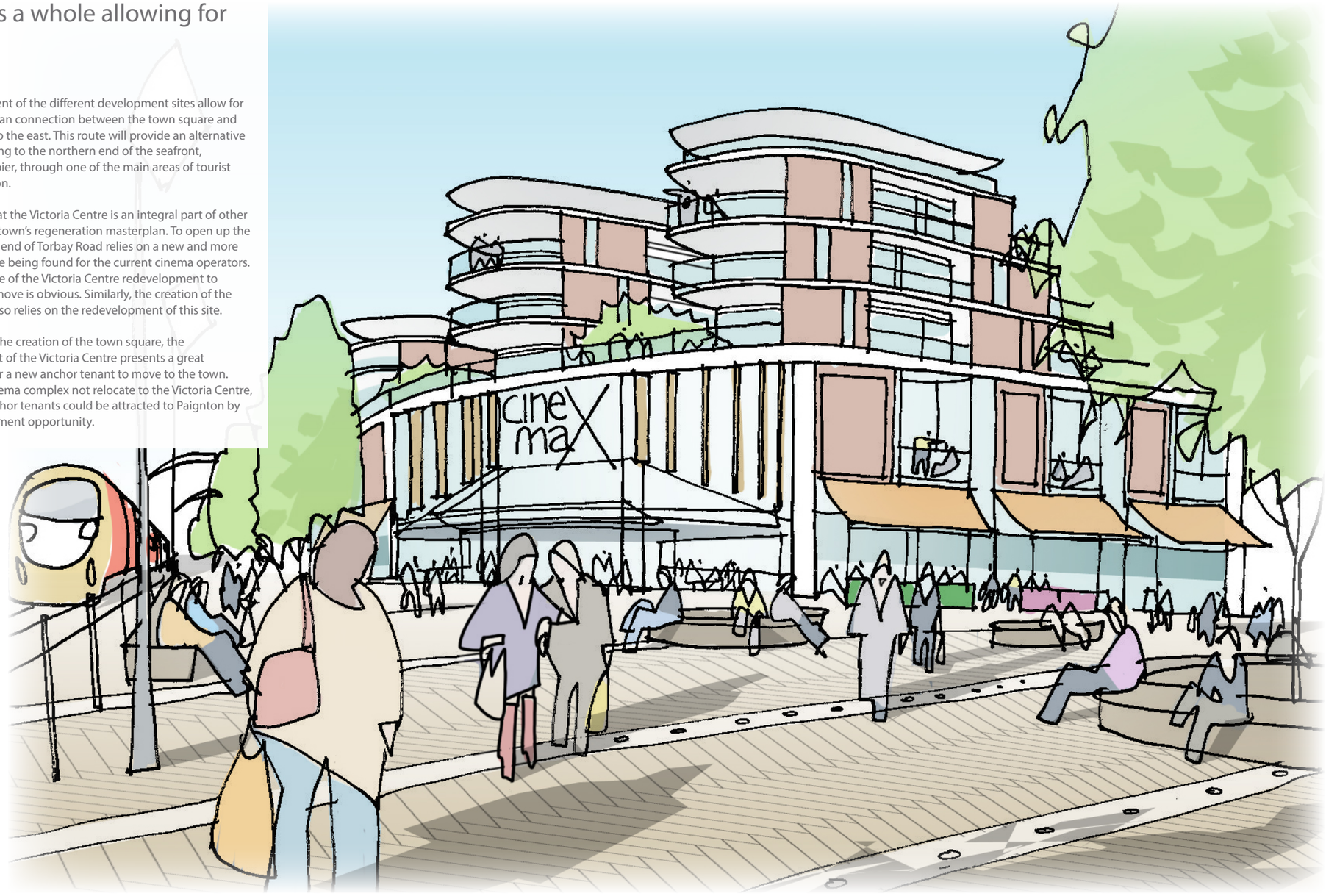
The arrangement of the different development sites allow for a new pedestrian connection between the town square and Kernou Road to the east. This route will provide an alternative means of getting to the northern end of the seafront, including the pier, through one of the main areas of tourist accommodation.

Development at the Victoria Centre is an integral part of other aspects of the town's regeneration masterplan. To open up the seafront at the end of Torbay Road relies on a new and more attractive home being found for the current cinema operators. The importance of the Victoria Centre redevelopment to facilitate that move is obvious. Similarly, the creation of the town square also relies on the redevelopment of this site.

Coupled with the creation of the town square, the redevelopment of the Victoria Centre presents a great opportunity for a new anchor tenant to move to the town. Should the cinema complex not relocate to the Victoria Centre, alternative anchor tenants could be attracted to Paignton by this redevelopment opportunity.

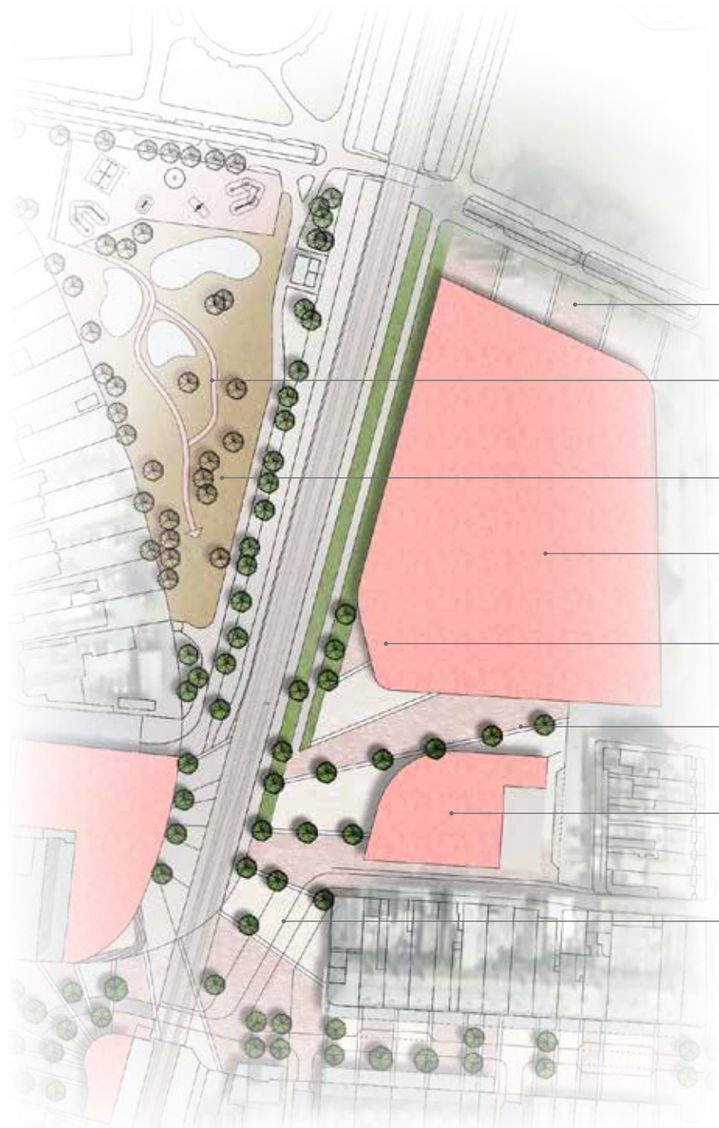
	Proposed area	Equivalent no. of units
Retail	1,070 m^2	
Leisure	11,600 m^2	
Office	2,640 m^2	
Residential	13,200 m^2	161
Car Parking		526
Hotel	(13,200 m^2 in place of the residential provision above)	

View across the Town Square from the level crossing towards the leisure hub at the Victoria Centre





Left: Location of study area on existing town plan





Relevant ideas from elsewhere

This is a selection of imagery of schemes from other places that could influence the transformation of different parts of Paignton.

Above: The Hayes in Cardiff is a lively place during the day and night time with distinctive street furniture and lighting.

Right: Mainline trains slowly pass through the town with minimal enclosure and no level crossing barriers along Wexford s quays.

Below: Interaction between the public and trams in Manchester.

Below right: Grenoble's tram network includes stretches of linear parks lined with trees. An element of that could be applied to Paignton.







04 Palace Square

The restructuring of the vehicular network through the town centre results in an interesting new public space for the local community. With a mix of attractive buildings surrounding it, this open space overcomes a major obstacle in creating a stronger connection between the centre of the town and Winner Street.

This is an area currently dominated by the vehicular traffic passing through the town centre. It marks a clear divide in the town between the thriving Victoria Street and the more subdued Winner Street. Despite some attractive buildings around the edges of the space, it feels like the end of the town centre to those walking along Victoria Street.

The aim of the masterplan for this area is to transform it into a pleasant and thriving place that bridges the gap between Victoria Street and Palace Avenue Park, and on towards Winner Street. The removal of the general through traffic from this area is the principal tool in achieving this aim.

There are a number of buildings in the area that are not expressed as well as they could be. The most obvious of these are the red bricked buildings of Compton House (the 'Flat Iron'-like building anchoring the southern end of the square) and the elegant facade of the bank at the entrance into Palace Avenue. The creation of Palace Square here will not only proudly show off these local landmarks, but will improve the conditions within the Old Paignton Conservation Area.

While all of the through traffic is directed along Hyde Road and Great Western Way, there will still be a limited amount of vehicular access in Palace Square. To help facilitate smoother bus operations in the town centre, a bus lane will still connect Dartmouth Road with Torquay Road, thus bypassing Hyde Road. General traffic will still be able to skirt around the edge of the square with a vehicular route joining Torquay Road and Palace Avenue. However, this route will only serve local shops and will have significantly less traffic than is currently the case.

To improve it relationship with the surrounding streets, the decluttering of the area will be needed. For example, at the top end of Victoria Street is a line of street furniture that spans across most of the street width and includes phone boxes, benches and bins. This process of decluttering will need to apply throughout the whole area to encourage greater movement of pedestrians.

View south along Torquay Road towards Compton House



	Proposed area	Equivalent no. of units
Retail	1,030 m^2	-
Leisure	-	-
Office	-	-
Residential	-	-
Car Parking	-	-
Hotel	-	-

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Left: Location of study area on existing town plan





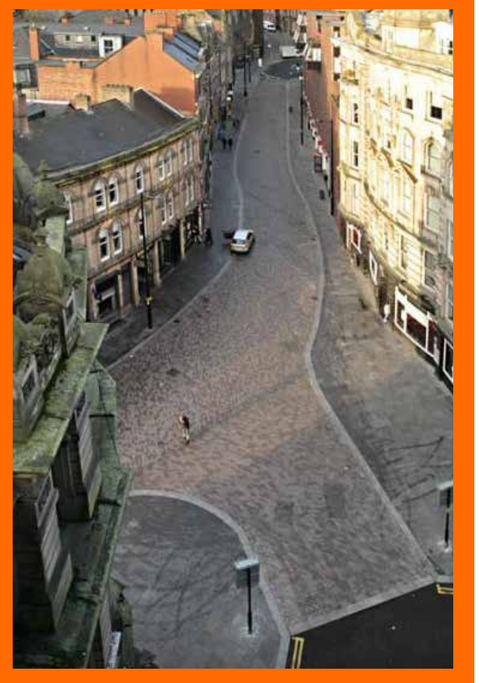
Relevant ideas from elsewhere

This is a selection of imagery of schemes from other places that could influence the transformation of different parts of Paignton.

Above: Distinctive paving patterns combined with simple street furniture creates a memorable place at Plaza de la Luna in Madrid.

Right: Blackett Street in Newcastle has created an attractive street environment through careful selection of materials and design.

Below and below right: Pedestrians and al fresco diners take advantage of the transformation of New Street, Brighton.





Right: View along the northern edge of Palace Avenue



05 Winner Street and Palace Avenue

Winner Street is the oldest part of Paignton yet feels as though it is at the edge of the town centre rather than an integral part of it. Turning around the fortunes of this end of the town requires a concerted effort to improve its links back to Palace Avenue and to the rest of the town.

Winner Street has had a number of measures implemented in the past to try to improve the street's fortunes. These have had varying degrees of success, though many commercial units along the street are currently empty. The masterplan strategy for improving the viability of the street is to better connect it with the rest of the town centre. In broad terms, the masterplan proposes a broadly pedestrianised spine running east-west through the town to strengthen its relationship across to the seafront.

Winner Street forms one of the oldest parts of the town and has a very different urban character to that of the rest of the town. The street is much narrower and has the potential to tap into a charm that is not present elsewhere in Paignton. With additional works to improve the streetscene, Winner Street has the potential to emulate places like The Lanes, and Duke Street in Brighton in terms of activity and character.

The alterations to the wider town centre highways network will further improve conditions on the street. To eliminate through traffic using Winner Street as a rat run, a break in vehicular access in the middle of the street allows for the creation of a pedestrianised heart that links into Palace Avenue Park. This will enable the local business community to create a much stronger identity for their trade and improve their offer to the wider local community. Winner Street needs to become a destination in its own right and these proposals will help to achieve that.

Palace Avenue has the only public garden within the core of the town centre. Other larger parks exist on its periphery, such as Victoria Park and Torbay Park, but this is an area that is defined as much by the buildings and roads surrounding it as by its own features. The aim of the masterplan is to open the park up and extend it outwards to improve the character of Palace Avenue as a whole. Immediately adjacent to the park is the town's theatre. The theme for a revitalised Palace Avenue could revolve around the town's theatrical side, becoming more of a cultural quarter. The properties along the northern edge of the park are south facing and would be ideal for restaurant and cafe uses that tie in with the theatre trade.

The link between Winner Street and Palace Avenue will prove to be an important one, and will require appropriate street furniture and materials to make the final step from town centre to Winner Street. The neighbouring frontages will need to be encouraged to promote Winner Street and act as a gateway into the oldest part of the town.

	Proposed area	Equivalent no. of units
Retail	-	-
Leisure	-	-
Office	-	-
Residential	-	-
Car Parking	-	-
Hotel	-	-



View along the pedestrianised section of Winner Street



Left: Location of study area on existing town plan





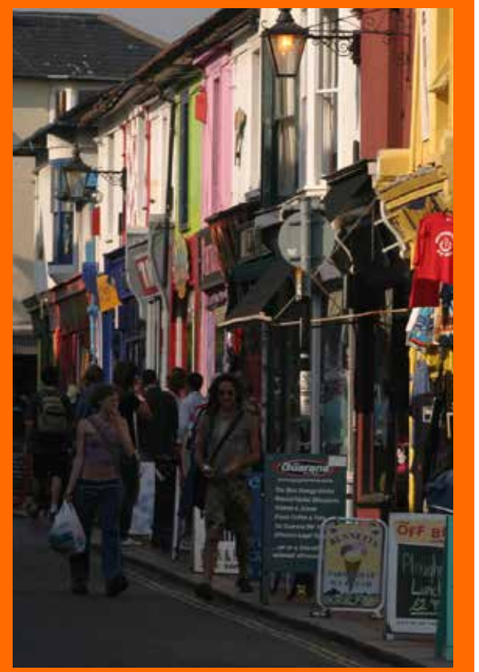
Relevant ideas from elsewhere

This is a selection of imagery of schemes from other places that could influence the transformation of different parts of Paignton.

Above: A more intimate character has been developed at Duke Street in Brighton.

Right and below right: The Lanes in Brighton have taken advantage of the narrowness of the streets to create a vibrant character.

Below: The richness of the planting at Northala Fields in London could influence choice of planting at Palace Avenue Park.





06 Crossways and Torquay Road

It is widely accepted among the local community that the existing Crossways development detracts from the overall character of the town. Its development potential has the ability to regenerate this whole area and improve its appeal for the local businesses community.

The Crossways site is one of the town's key development opportunities. The recent public consultation event received a significant amount of feedback that suggested that it is one of the most disliked developments in the town. Yet the potential in the site is substantial and could deliver the town with a mix of uses including more specialised retail and residential.

Due to the size of its footprint, the redevelopment of this site will be influenced by what's happening around it. The proposed alterations to the flows of traffic around the town centre will create a very different environment to that what currently exists. Hyde Road will become two way, accommodating all of the A road through traffic. Torquay Road on the other side of the site will become a more retail-orientated street with greater opportunities for ground floor uses to spill out onto the street. Therefore, any future redevelopment will need to relate to the nature of the different streets on either side.

At the heart of the scheme is a covered arcade that spans the site from Torquay Road over to Hyde Road leading onto Victoria Park. This 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 moment of the Bishops Palace. The character of the redeveloped Crossways needs to reflect this route.

In terms of providing for different uses, the ground floor of the development would be best suited to retail and other related high street uses. This includes the units abutting the blank facade of the neighbouring Post Office complex. The upper levels of the main building could incorporate a multistorey car park with high level residential accommodation capturing the views out towards the sea.

The second site adjacent to the telecoms building can be more flexible in terms of the type of space it offers. While it could reflect the arrangement within the larger building (i.e. retail at street level with residential accommodation on upper levels) the masterplan proposes this to be a suitable site for an office development. Creating an employment hub on Hyde Road would start to address the overall lack of suitable office accommodation within the town. It would be highly visible to the passing traffic, raising both the profile of the vacant and the overall town.

The changes to Torquay Road will also open it up to two way traffic, but this will be solely for the purpose of accessing the properties on Torquay Road and Palace Avenue. Along with the on-street car parking and parking at Grove Road Anchor Way. This more pedestrian-friendly environment will be further enhanced with new street furniture and a palette of hard landscaping materials that is influenced by the route of the heritage walk passing through it.

	Proposed area	Equivalent no. of units
Retail	2,930 m²	-
Leisure	-	-
Office	4,200 m²	-
Residential	3,985 m²	47
Car Parking	-	300
Hotel	-	-

View into the new Crossways arcade from Torquay Road





Left: Location of study area on existing town plan





Relevant ideas from elsewhere

This is a selection of imagery of schemes from other places that could influence the transformation of different parts of Paignton.

Above: The arcade at Touchwood Shopping Centre shows how new shopping developments can successfully merge in with the existing town and streets surrounding it.

Right: Managing the transition between hard and soft public spaces , Templevue, France.

Below: New Street, Brighton safely merges pedestrians with vehicles on quieter streets

Below right: Using surface materials and other features to accentuate the street s curve on High Street, Bargoed.





07 Transport Hub

A transport hub already exists within the town with the bus and railway stations sitting in close proximity to each other. Located a short distance from the retail heart of the town, this area often creates the first impression of Paignton for visitors.

The connection between the heart of the town at the junction of Victoria Street and Hyde Road and the area to the south along Great Western Road does not reflect the importance of the street. With a significant number of people arriving into Paignton by means of bus and rail, the space that visitors pass through to get to the town centre and the seafront is poorly defined and lacks cohesion. In spite of the key function the hub serves for the town and the wider area, there isn't a distinctive identity for the area.

The aim of the masterplan is to deliver a more coherent transport hub with stronger and more meaningful links into the town square. It seeks to breathe new life into Great Western Road. As well as the transport infrastructure, the town's recently built contemporary library sits adjacent to the transport hub. The basic components for a thriving civic environment already exist. What is needed is a vision to better connect these components to each other and the rest of the town.

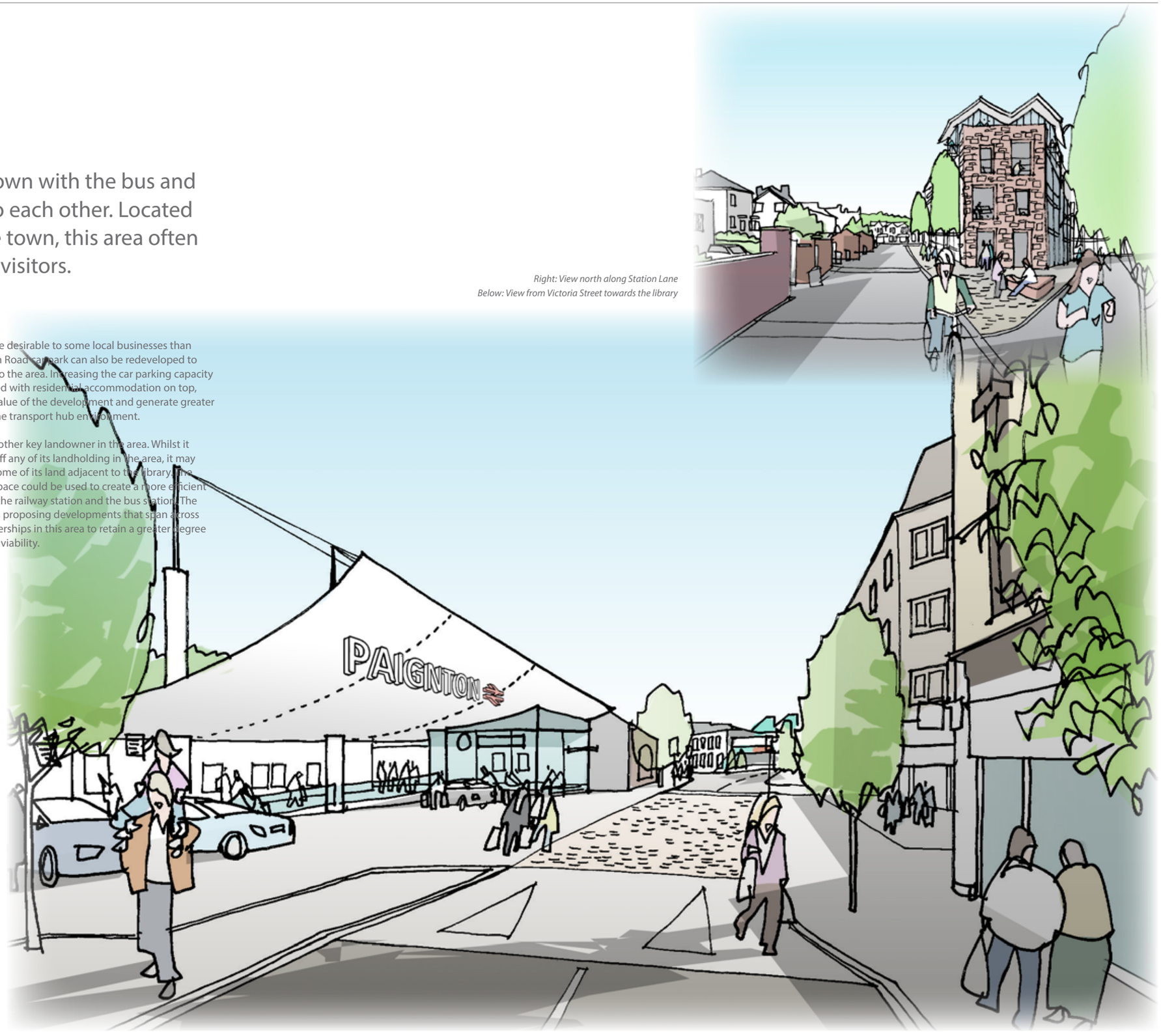
Much of this can be achieved through improvements to the landscape. Replacing the taxi rank outside the railway station with a cycle hub, complete with secure cycle storage facilities, would enable the town square to extend further south towards the railway station entrance. The continuity of street materials and tree planting from Torbay Road right the way to the train and bus stations would immediately draw visitors in towards the town square.

Since Torbay Council owns a number of sites within this area, it is possible for it to use these sites to build up some momentum in the area's regeneration. These include the two car parks adjacent to the bus station and along Station Lane. The former has been identified within the masterplan as being suitable for employment land, ideal for successful local enterprises wishing to raise their profile on what will become the main cross-town route. There is an easement that cuts the site in two, which will make the site more desirable to some local businesses than others. The Station Road car park can also be redeveloped to bring more life into the area. Increasing the car parking capacity on the site, coupled with residential accommodation on top, will increase the value of the development and generate greater footfall through the transport hub environment.

Network Rail is another key landowner in this area. Whilst it is unlikely to sell off any of its landholding in the area, it may wish to develop some of its land adjacent to the library. The remaining open space could be used to create a more efficient taxi rank to serve the railway station and the bus station. The masterplan avoids proposing developments that span across multiple landownerships in this area to retain a greater degree of robustness and viability.

	Proposed area	Equivalent no. of units
Retail	-	-
Leisure	-	-
Office	3,765 m²	-
Residential	3,470 m²	28
Car Parking	5,205 m²	177
Hotel	-	-

Right: View north along Station Lane
Below: View from Victoria Street towards the library





Left: Location of study area on existing town plan





Relevant ideas from elsewhere

This is a selection of imagery of schemes from other places that could influence the transformation of different parts of Paignton.

Above: Cycle storage is an integral part of the urban landscape a Frederiksberg, Copenhagen.

Right: Anchor Road in Bristol has a number of office developments that face out onto a busy city road with a series of open spaces and wide pedestrian pavements.

Below: Even where space is tight, improvements to the quality of the street can be made as shown at High Street Kensington.

Below right: A simplified taxi rank arrangement can dramatically improve the first impressions of a town on visitors.





08 Paignton Harbour

The town's harbour has a distinctive character that separates it from that of the other harbours in the bay. It is a busy little harbour that mixes work with pleasure. Being tucked around at the edge of the town and out of sight means that its not as popular a destination as it could, and should, be.

The proposals for this area are relatively small in comparison with the proposals for other areas of the town. They take account of the proposals contained within the Tor Bay Port Master Plan, which seeks to retain the 'quaintness' of the harbour and proposes development related to marine activity. The aim of the masterplan in this area is supportive of the existing plan and seeks to build upon the existing character of the working harbour. A number of buildings line the southern edge of the harbour that do little to add to the charm of the harbour. The unsympathetic styling of the buildings detracts from the grade II listed harbour walls and surrounding old cottages. Therefore, this masterplan focusses more on the southern part to improve the overall character of the harbour.

Ensuring that there is appropriate space for the harbour and marine related activities is key to the success of the proposals. The ground floor level of these buildings could accommodate light marine industry uses, the existing youth clubs and sports clubs, thus allowing for the existing maritime uses at the harbour to flourish. The harbour could also be the home to a flagship seafood restaurant that captures the spirit of the harbour and act as a focal point that draws people into this part of town.

The redevelopment of these southern buildings will provide new residential accommodation with views out over the sea to the twinkling night lights of Torquay. New residential accommodation will be necessary to help fund a mixed use redevelopment of the site, though this will need to be in keeping with the working nature of the harbour. The value of the land can be maximised by taking advantage of its location, which will generate an income to promote additional marine activity. This will have to be carried out in conjunction with the upgrades required for the sea defences for the harbour.

Car parking will continue to be necessary by the site, with the potential for new residential accommodation to be integrated on top. However, the primary way into the harbour for pedestrians and cyclists will be an enhanced seafront promenade with prominent signage and maps drawing people in from the town centre. It is the combination of redevelopment within the harbour along with the proposals to improve the links back to the town centre that will have the positive regenerative impact on the harbour envisaged within both this document and the Port Masterplan.

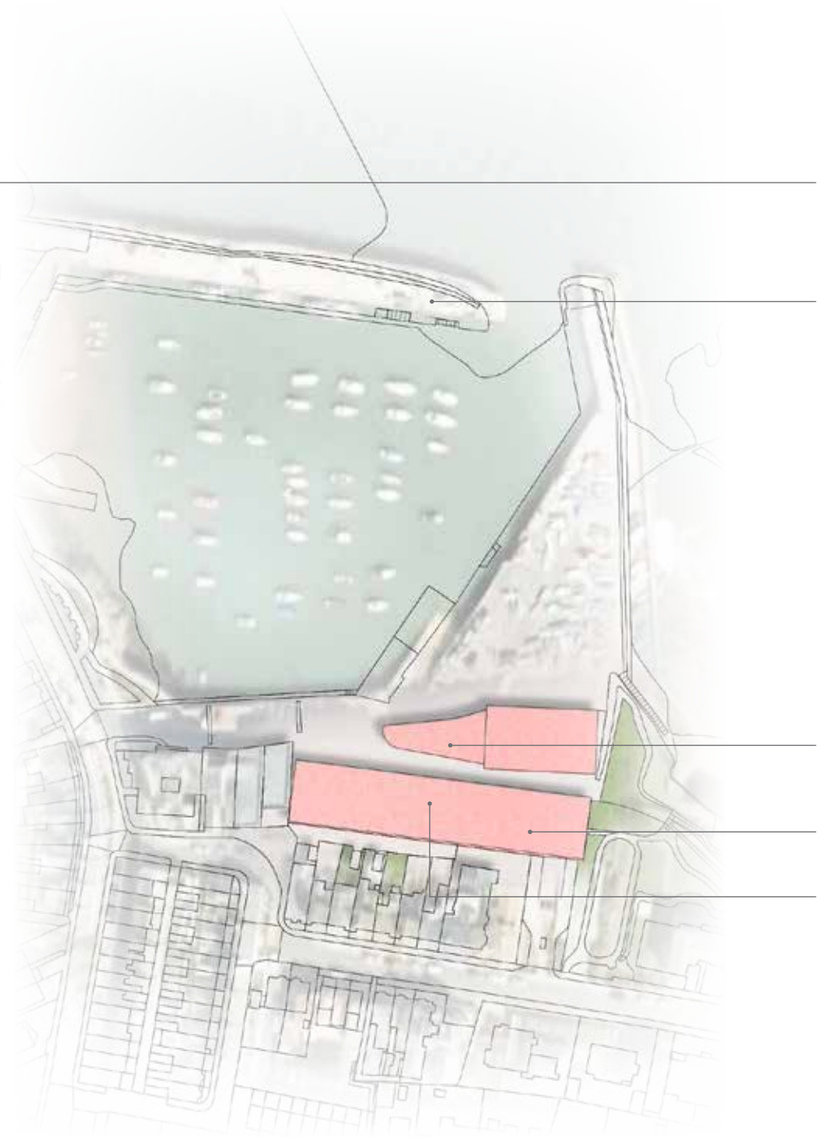
	Proposed area	Equivalent no. of units
Retail	-	-
Leisure	510 m^2	-
Office	-	-
Residential	4,935 m^2	45
Car Parking	2,670 m^2	75
Hotel	-	-

View into the heart of the harbour hub





Left: Location of study area on existing town plan





Relevant ideas from elsewhere

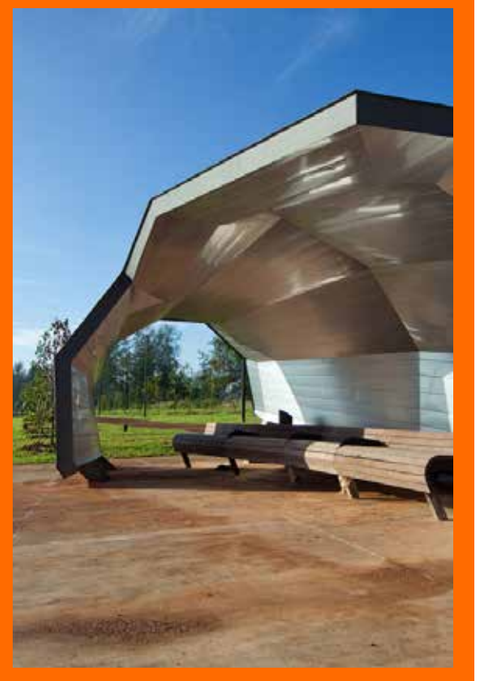
This is a selection of imagery of schemes from other places that could influence the transformation of different parts of Paignton.

Above: Malmo s seafront encourages people come and enjoy the maritime atmosphere.

Right: Seating that is protected from the inclement weather would encourage people to spend more time at the harbour while enjoying the views out (Punggol, Singapore)

Below: Littlehampton s artistic seating weaves and stretches it way along the seafront encouraging people to follow it to wherever it takes them.

Below right: Picton Waterfront in New Zealand makes the experience of catching a boat out to sea easy and fun.





5.0



Delivery.

There is a long term requirement for major change within Paignton in order to re-establish the town as a vibrant seaside town on the English Riviera and a location which people want to visit. It is recognised that the town has a significant history and the realisation of the necessary changes will be through a process of regeneration and revitalisation as presented in this masterplan.

Phasing

The masterplan proposes a range of development interventions along with the re-purposing of public space.
It is considered that there are three areas which have the potential to be relative quick wins. Once delivered these would make a positive contribution to the attractiveness of the town for both residents and visitors. In addition, the improvements are considered to have the potential to act as an enabling tool to facilitate later stages of development of the masterplan: these interventions potentially changing the perception of the town by private sector investors who are central to redevelopment aspirations of the town and therefore the future success of Paignton.

A critical 'quick win' is the opportunity that can be realised from improved highways infrastructure. The proposals presented in the masterplan would, on implementation, provide a step change improvement to both the use and 'feel' of Paignton Town Centre.
In addition to the benefits arising from changes to the highway network, particularly the positive effect on traffic flows within the town centre area, there are further changes to the Public Realm which would enhance the general character and appreciation of the space and thus lead to an improved sense of place and pride in Paignton as a destination of choice.

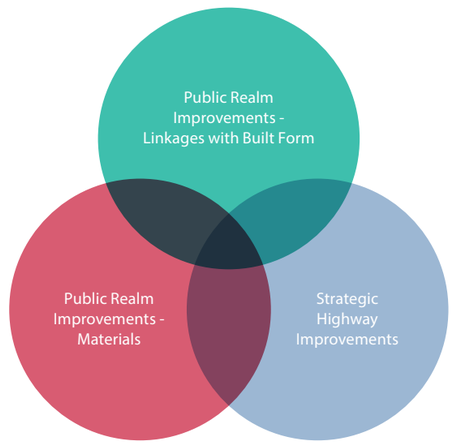
The first of these Public Realm improvements is concerned with the choice of materials used for hard and soft landscaping and signage. A programme of work which results in a coordinated palette being used across key areas of the town will ensure that a feeling of identity, continuity and cohesiveness is created. An integrated approach to the sign posting of key locations, for example the sea front, rail and bus stations, public parks etc will also add to a feeling of the town centre being an integrated centre.

Finally, the masterplan has highlighted opportunities to reconnect the public realm and parks with key buildings within the built fabric of the town centre. The development of buildings in these locations will provide opportunities for increased natural surveillance of public open spaces which in turn will lead to an increased feeling of safety in these places. The long term benefit of these improvements will lead to a natural increase in the use of the town's public space.

The emerging New Local Plan contains policy (TC1 (4) Town Centres) which supports and seeks to encourage the re-use of under-utilised or outdated floorspace above existing commercial premises in town, district or local centres. These spaces are considered to provide a source of employment space or housing supply. In order to support this policy within the context of the wider aspirations for revitalisation of the Town Centre, it is recommended that a Town Centre Capacity Study is undertaken in order to understand the extent to which such spaces could be brought into use.

These three areas have been grouped as they are considered to have the potential to be delivered alongside each other and thus to provide a collective improvement to the town centre environment. In the longer term, key buildings identified within the masterplan will build on the quick wins to reinvigorate the town centre.

It is the aspiration of the Council to facilitate an attractive investment proposition for the private sector to redevelop the key sites within the town centre. Therefore, the Council will wish to work collaboratively with private sector development partners and existing businesses as may be affected by proposals, to deliver the benefits associated with the redevelopment of core sites. It is not the intention of the Council to hinder development opportunities and therefore there is no prescriptive "order" for redevelopment proposals to come forward. The masterplan presents a long term spatial framework within which investment decisions will be taken to enable schemes to be delivered that meet social, economic and environmental objectives.



Governance

The Council will be responsible for the overall governance and leadership required to ensure the delivery of the aims and aspirations presented here. However, a range of partners will need to be involved in order to ensure the delivery of individual elements of the masterplan. These include the Neighbourhood Plan Forum, Community Partnerships, local retailer networks (within and outside the remit of the Business Improvement District), transport operators, individual businesses, local environmental groups, statutory agencies and utility providers.

As the local planning authority, the Council remains responsible for the consideration and approval of proposals within the town centre area. As such, proposals which accord with the principles and aims of this masterplan will be considered favourably, albeit must still comply with the development plan and other relevant policy. Proposals for development which would prejudice the aim of the masterplan will be resisted as they would lead to difficulty in delivery the masterplan concept. Developers are encouraged to actively engage with the Council at an early stage in order to ensure that specific development proposals can be formulated in a way which supports the masterplan.

As an early adopter of the Neighbourhood Plan process, there are three active forums across the Torbay area, each of which is at varying stages of progress in the formulation of plans. The Paignton Neighbourhood Forum are preparing a plan which, amongst others, covers the Town Centre area. Once both the draft Torbay Local Plan (currently under examination) and the Paignton Neighbourhood Plan have been adopted they will form the development plan. This masterplan is anticipated to perform a central role in both, but particularly the Neighbourhood Plan which will itself be a critical element in guiding development within the town centre area.

Landownership

Within a town centre location, land ownership will always be a critical delivery path in a regeneration and revitalisation programme. This masterplan will perform a central role in building support across landholdings and key delivery stakeholders for the broad aim of town centre improvement. The vision and detailed plans for particular sites and streets within the town, including strategic highway improvements, should be seen as a demonstration of the Council's intention to pursue a dynamic programme of change to realise the overall desired improvements.

In the event that landownership constraints are perceived to hinder a redevelopment opportunity, and the tangible economic or community benefits which would be generated by that development, the Council will consider the use of Compulsory Purchase powers to remove such barriers and enable the delivery of key sites as may be required. While the possibility of the use of Compulsory Purchase powers remains, it is anticipated that this masterplan will provide the private sector, both in the form of individual and institutional landowners and developers, with the certainty and reassurance required to work with the Council to deliver each key project of the masterplan to the overall and long term benefit of Paignton.

Funding

The Council recognise that investment decisions to undertake town centre redevelopment proposals involving retail, employment, leisure, residential or mixed use developments are heavily dependent on a number of issues, including but not limited to development viability driven by land value and relevant site specific constraints. To this end, any decision on the part of landowners and developers to progress the development of sites identified within this masterplan will be driven by the availability of funding, anticipated sales values and the costs associated with bringing forward development proposals in terms of direct development costs and planning obligations and/or future Community Infrastructure Levy tariffs as will become known during the life of the masterplan. In order to deliver much of the proposed public realm works around the town, new development will be required to fund those projects. One of the aspirations of this strategy is to encourage new development in a manner that is to the benefit of both landowners and the whole town.

European Funding:
Funding for public realm/landscape/streetscape improvements is increasingly scarce. While the 2014/20 European funding programme is anticipated to be live from January 2015 this is heavily focussed on smart, sustainable economic growth and any projects put forward will need to meet the priorities outlined in the Local Enterprise Partnership's EU Structural & Investment Fund strategy .

Council Funding:
Transport and Infrastructure funding has also, for a large part, been devolved to Local Enterprise Partnerships. The Heart of the South West's Strategic Economic Plan (2014-30) sets out the drivers for growth across Devon, Somerset, Plymouth and Torbay. This has also been used to negotiate Growth Deal funding from government for 2015/16. A similar process of negotiation is expected for future years and there may be the opportunity to put forward proposals for improvements within the masterplan which will contribute to the LEP's strategic economic goals. Paignton's Business Improvement District (BID) Funding is already in existence and runs to 2016 however future BID's may run in concurrence with the masterplan.

Alternatives for the Sea Front

Whilst the masterplan proposes an ambitious vision for the future of the Sea Front area, specifically around the location of the existing Vue cinema, it is recognised that there are possible constraints on securing the relocation of the cinema to the Victoria Centre area. Therefore, in order to ensure that the broad vision for the Sea Front is retained, namely to work with the asset which is the Bay, and to strengthen connections through the town, we have developed an alternative option for the area which could be implemented within the broad masterplan.

The Vue Cinema, coupled with the beach and esplanade, establishes the area as one which already has a significant leisure focus. With this in mind our alternative use plans work with the existing development whilst improving the appearance and introducing new opportunities. Working with the cinema operators, there are opportunities to consider the concept of 'playable place' ; at the same time as making facade alterations and introduce uses such as an outdoor climbing wall and outdoor cinema screens for the broadcast of events including major sporting events or the Proms in the Park. It would also be appropriate to give consideration to 'greening' the built form through the introduction of south facing living walls; this would provide a significant improvement to the visual appearance of the existing built form.



Recommended Future Strategies

There are a number of broad areas within which there is the potential for the delivery of quick wins and real improvements to the 'feel' of the town centre area.

As noted in the opening paragraphs of this section, there are a number of broad areas within which there is the potential for the delivery of "quick wins" and real improvements that will strengthen the ability of the Town Centre to help itself to deliver a step change in the perception of the town as a place to invest, do business, visit and live.

It is therefore recommended that early consideration is given to:

- The implementation of changes to traffic movement within the town centre areas; and
- The further refinement, and subsequent delivery, of a public realm materials strategy which features a unified palette of materials for hard and soft landscaping, including street furniture, lighting and signage.

For some elements of the vision contained within this masterplan, there may be a need for technical detailed assessments before proposals can be proposed in their final form; this is particularly so in relation to sea defence works.

In the longer term, we encourage all stakeholders (whether this be community groups, landowners, key stakeholders etc) with an interest in the future plans for Paignton Town Centre to engage with the Council (as the lead) and other delivery partners (for example Paignton Neighbourhood Forum). Positive engagement will ensure that the long term delivery of development on key sites accords with the delivery of the aims of this masterplan and an improved Paignton for generations to come.

Stride Treglown

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Torquay Rethinking

Torquay Gateway (Edginswell) Masterplan

A Vision for the Heart of the English Riviera

TORBAY COUNCIL

LAVIGNE LONSDALE

Stride Treglown

Mott MacDonald

urban movement

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PART 1 Background



Introduction

1.0

1.1 The Purpose of the Masterplan Document

1.1.1 The Brief

In January 2014 the Mott MacDonald team (Lavigne Lonsdale, Stride Treglown, iCube, Urban Movement) were appointed to deliver masterplans for specific areas of Torquay – the town centre and the gateway site at Edginswell. This has followed their involvement in the neighbourhood planning work with the Princes Foundation since 2012.

The main thrust of the masterplans is to;

- Be deliverable, commercially viable and realistic
- Respond and reflect the emerging Neighbourhood Plans and new Local Plan,
- Understand the uniqueness of the Torquay and the individual sites,
- Build on the sense of place,
- Consider 'game changing' ideas

The process of producing the masterplans included a significant amount of consultation and preparation which is identified in this report (refer to Section 3). A similar study has also been carried out for Paignton Town Centre and land at Collaton St Mary which has been done by a separate team that included Stride Treglown. This masterplan covers Torquay Gateway.

1.1.2 Torquay Today

Torquay is the largest town in Torbay. The economy is centred on tourism as well as a strong retail sector although this has suffered over the last 5 years. A high class natural environment focussed on the harbour and coast, makes the town an attractive place for visitors and investors. However, there are also communities with significant levels of deprivation and the economy has traditionally been hampered by infrastructure constraints.

Torquay needs planned growth and sensitive development (including new homes and jobs) to help deliver the social and economic changes needed to arrest decline whilst also protecting its strong environmental assets and tourism value.



In order to rise to the challenges of the 21st century and to improve Torbay's commercial and retail position, Torquay Gateway is an important area for the sustainable growth of Torquay. As well as providing much needed new homes and jobs, there will be opportunities to improve transport connectivity and green infrastructure. The highest quality of design will need to underpin what will create a special sense of place

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Masterplan | Gateway

For the purpose of the Masterplan, we have subdivided the Gateway into three areas (refer to Figure 1);

1. Edginswell Valley
2. Edginswell Business Park
3. Kerswell Gardens

The Gateway area is immediately to the west of Shiphay and east of Hamelin Way, north of Torquay Road/ Riviera Way (A380/A3022) and to the south at Marldon Road.

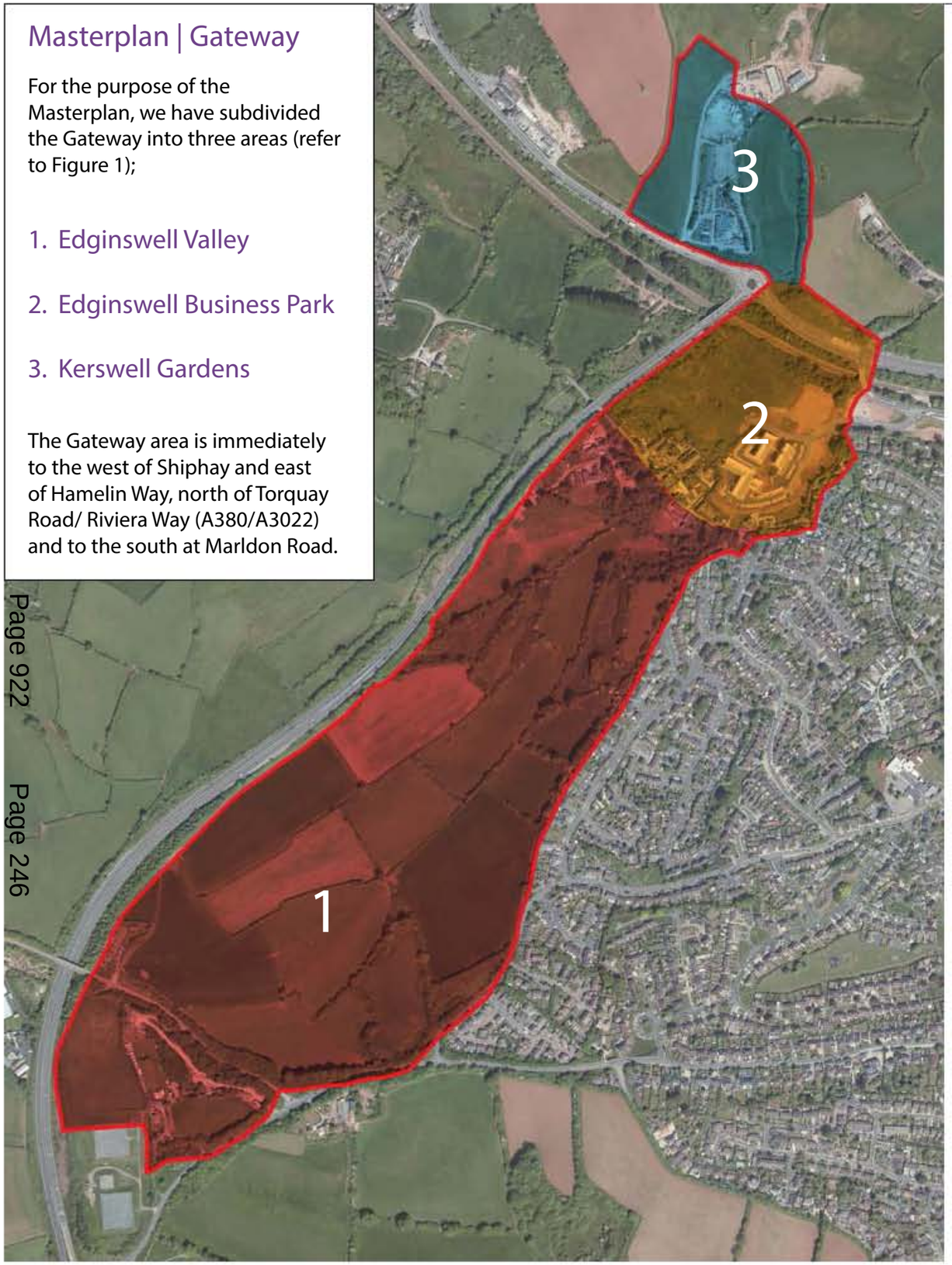


Figure 1: Edginswell Identified Gateway Areas

The importance of this area for growth has been increased following confirmation of funding for the South Devon Link Road due for completion in December 2015. The Council identified the land to the east of Hamelin Way as a 'Future Growth Area' in the emerging Local Plan which has been reflected in the emerging Torquay Neighbourhood Plan providing the potential for jobs, homes and infrastructure, including green infrastructure.

The scale and nature of new development in the gateway must reflect the character of the individual area, as informed by Torbay's Landscape Character Assessment and should be green infrastructure led, consistent with the levels of growth set out in the Local Plan.
The northern area is the partly completed Edginswell Business Park, accommodating a range of established businesses.

The Torquay Gateway, according to the Council is expected to facilitate the following:

a. The enhancement of a strong sense of community through the effective design and layout of homes and the provision of local facilities;
b. Provision of a range of residential schemes that offer a mix of housing types;
c. Creation of employment space, delivered in the early stages of development, designed to meet identified economic growth sectors;
d. Essential transport and utilities infrastructure, including green infrastructure, and appropriate links to other planned facilities;
e. A suitable range of recreational, leisure and tourism facilities;
f. High quality design standards that embrace sustainable and energy efficient construction techniques; and
g. Appropriate phasing to ensure overall a balanced provision of jobs, homes and Infrastructure (including green infrastructure).



Existing Policy Context 2.0

2.1 The National Planning Policy Framework

This summary of the National Planning Policy Framework (NPPF) published by the Department of Communities and Local Government in March 2012 provides an overview of the NPPF.

This National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan "should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise". It is desirable that local planning authorities should have an up-to-date development plan in place. This masterplan helps to articulate the vision for the regeneration of the Torquay Gateway as underpinned by both the Council's current Local Plan and its emerging, new Local Plan.

The UK Sustainable Development Strategy suggests there are three dimensions to sustainable development which translate into three roles for the planning system:

1. Economic Role
2. Social Role
3. Environmental Role

The NPPF is guidance for local authorities in drawing up plans, and a material consideration in determining applications.

At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

- For plan-making the presumption means that LPAs should positively seek opportunities to meet the development needs of their area.
- For decision making the presumption means approving applications that accord with the plan without delay in the absence of a plan or policies, granting permission unless adverse impacts would demonstrably outweigh benefits when assessed against the NPPF

Policies in Local Plans should follow the approach of the presumption in favour of sustainable development. In addition, the application of the presumption will have implications for how communities engage in neighbourhood planning. Neighbourhoods should:

- Develop plans that support the strategic development needs set out in Local Plans,
- Plan positively to support local development,
- Identify opportunities to use Neighbourhood Development Orders to enable development that is consistent with the Neighbourhood plan to proceed



Core planning principles in the NPPF are that planning should:

1. Be genuinely plan-led, with up to date, positive local and neighbourhood plans, that empower local people, and support predictable and efficient planning decisions.

2. Be a creative exercise in finding ways to enhance and improve the places in which people live their lives;

3. "Pro-actively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. …

4. "Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;

5. "Take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;

6. "Support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy);

7. "Contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework.

8. "Encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;

9. "Promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production);

10. "Conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations;

11. "Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable; and

12. "Take account of and support local strategies to improve health, social and cultural well-being for all, and deliver sufficient community and cultural facilities and services to meet local needs.

2.2 The Emerging Local Plan

Torbay Council's new Local Plan, A Landscape for Success, will replace the current Adopted Torbay Local Plan 1995-2011 and provide a framework for guiding development and investment across Torbay for the next 20 years. This masterplan builds on the policies within A Landscape for Success for growth and development in Torquay Gateway which, together with the Torbay Economic Strategy, represents the strategic objectives of what this area should become.

The Local Plan

http://www.torbay.gov.uk/index/yourservices/planning/strategicplanning/newlocalplan.ht

The Economic Strategy

http://www.torbaydevelopmentagency.co.uk/dbimgs/efstrategy.pdf

Relevant policies that relate to the study area include;

Policy SDT3 - Torquay Gateway

Torquay Gateway is an important area of growth for Torquay. In addition to providing new homes and jobs, there will be opportunities provided through strategic developments to improve connectivity for pedestrians, cyclists, public transport and motor vehicles within the area and to the town centre. High quality design that reflects the strategic context of closely situated but distinct development sites will be important to the area's functional success. This is particularly important considering the opportunities to provide place-making improvements.

The South Devon Link Road is a key piece of strategic infrastructure to support both short-term (including existing sites with planning permission) and long-term growth in this part of Torquay as well as the rest of Torbay. A range of sites are identified to support future growth. In particular, the Edginswell Future Growth Area has been identified for a large mixed-use development which could deliver around 550 homes and up to 37,600 square metres of employment space (subject to masterplanning). The site is developable but needs to be masterplanned to show how the necessary infrastructure can be delivered to unlock this development. An outstanding level of design will be needed due to the scale and location of the site. The effective provision of green infrastructure will be provided as part of the development to improve the accessibility of greenspace in the area, improve connections between communities, manage flood risk (particularly minimising run-off into Aller Brook) and maintain and enhance the strategic green gap between Torquay and Kingskerswell.

2.3 The Emerging Neighbourhood Plan

The Torquay Neighbourhood Plan is being developed in parallel with the Torbay Local Plan, each plan informs and strengthens the other. The Local Plan (titled "a Landscape for Success") provides the vision for the whole Bay, and the neighbourhood plans for Brixham, Paignton and Torquay will add detail about local outcomes, projects and sites.

The Torquay Neighbourhood Plan (TNP) is on-going. All current Community Partnership (CP) statements and draft TNP is on the TNP website - http://torquaynp.org/

Nine community partnerships have been set up across Torquay, each one aiming to ensure that the needs and aspirations of its area are included in the plan. Those partnerships are:

1. Barton and Watcombe
2. Cockington, Chelston and Livermead
3. Ellacombe
4. Shiphay and The Willows
5. Hele and Lower Barton
6. St Marychurch, Maidencombe and District
7. Torre and Upton
8. Torquay town centre
9. Wellswood and Torwood

The Gateway masterplan area falls within the Shiphay with The Willows CP area.

A neighbourhood plan has to comply with national planning policy, European guidance and regulation, and the local plan whose area it lies within. A statement of compliance for this plan is included in the plan. The plan also aims to complement and not conflict with other plans, particularly the neighbourhood plans for Brixham and Paignton.

The plan, in common with the local plan, covers the period from now until 2032 and beyond. The development proposals it contains relate to the local plan's development horizon and further articulate how and where Torquay will develop.

The plan is for the whole of Torquay and for each of its neighbourhoods, aimed at securing sustainable development to promote investment in the town's physical and social fabric, strengthening its economy, conserving its heritage, promoting its natural beauty and growing a safer and healthier community.

The plan has the following policies related to the Gateway:

Gateway Development and Design Principles

Successful development of this area will require a comprehensive master-planning approach. This plan does not specifically identify site proposals, but the opportunity exists now to establish some basic principles to guide the future design and planning of the area and help ensure that it contributes to the sustainability and well-being of existing neighbourhoods and the whole town.

The overarching principle of development in the gateway area should be to engender structured growth which will support existing neighbourhood centres at Shiphay and Barton, with housing developments focussed around the emerging district centre at The Willows and where appropriate creating new small local centres as part of new developments. The plan establishes principles for the planning, design and development of sites at the gateway.

The gateway area is a natural focus for development interest. It lies at the entrance to Torquay and the wider Bay area. It will be increasingly well connected as the South Devon Link Road is completed and a new local railway station is provided at Edginswell.

Successful development of the area will require a comprehensive master-planning approach. This plan does not specifically identify site proposals, but the opportunity exists now to establish some basic principles to guide the future design and planning of the area and help ensure that it contributes to the sustainability and well-being of existing neighbourhoods and the whole town.

The overarching principle of development in the Gateway area should be to engender structured growth which will support existing neighbourhood centres at Shiphay and Barton, with housing developments focussed around the emerging district centre at The Willows and where appropriate creating new small local centres as part of new developments.

The plan establishes principles for the planning, design and development of sites at the gateway.

Development at the Gateway should conform with an approved overarching masterplan for the area and include a detailed masterplan for each development area demonstrating:

- good pedestrian, cycle and vehicular connectivity to adjoining sites and existing neighbourhoods, enhancing existing local centres at Shiphay, Barton and The Willows
- quality housing design, heights and density appropriately related to their local context (higher density town houses and terraces around local centres with detached homes towards the edge of neighbourhoods)
- a mix of uses including employment and community facilities, open space and retail at key junctions or focal points
- mixed building footprints (size and design) in local centres to enable a wide range of shop, business and community uses

Opportunities for infill development in and around The Willows district centre will be promoted in order to enhance its design distinctiveness and sense of place.

Development at the Gateway shall contribute both directly through its good design and indirectly through financial contribution to the creation of a striking, significant and attractive entrance to Torquay with improved public realm and public art.

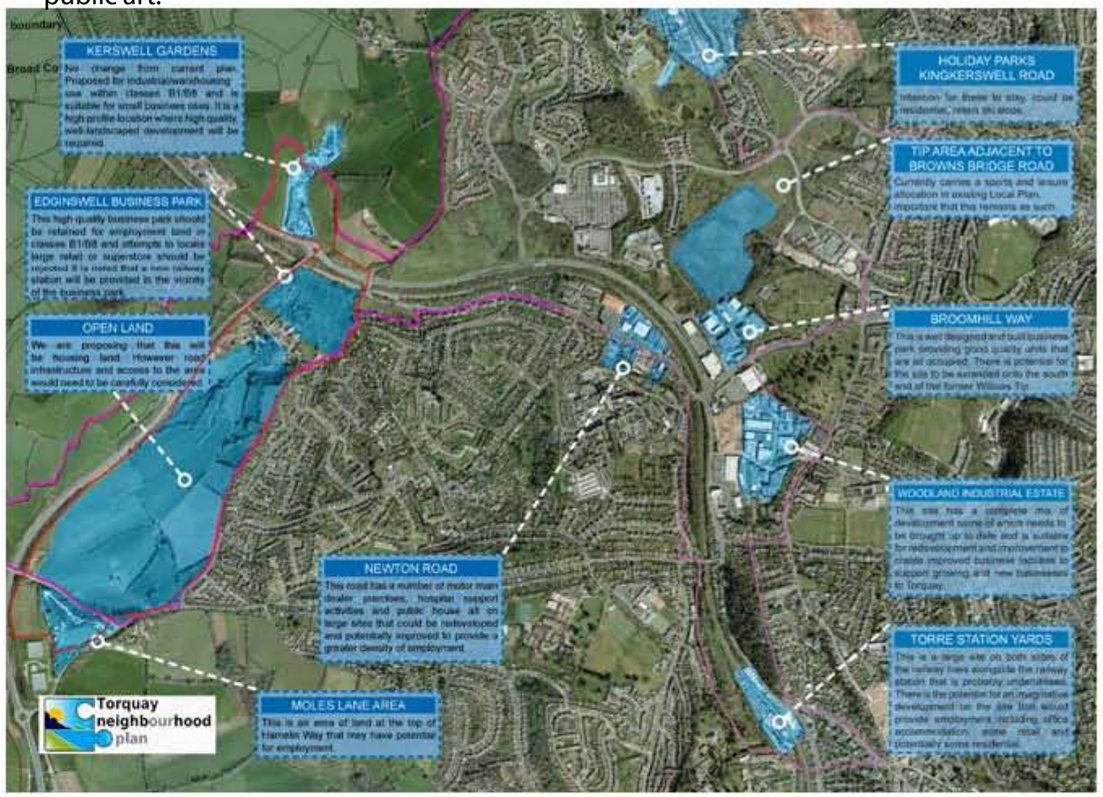


Figure 2: Torquay Neighbourhood Plan

3.0 Consultation







3.1 Process

The first stage of the consultation and engagment process took place during the production of the first draft masterplan and included the following:

- 1st Public Exhibition 1st April 2014
- 1st Stakeholder Workshop 2nd April 2014
- 2nd Public Exhibition 21st May 2014
- 2nd Stakeholder Workshop 21st May 2014
- An online survey (to support the 2nd Public Exhibition) ran from the May to the August 2014.
- A number of stakeholder meetings with the following organisations- Torquay Neighbourhood Forum, business owners in Edginswell, land owners in Edginswell, as well as numerous other local community groups and representatives.

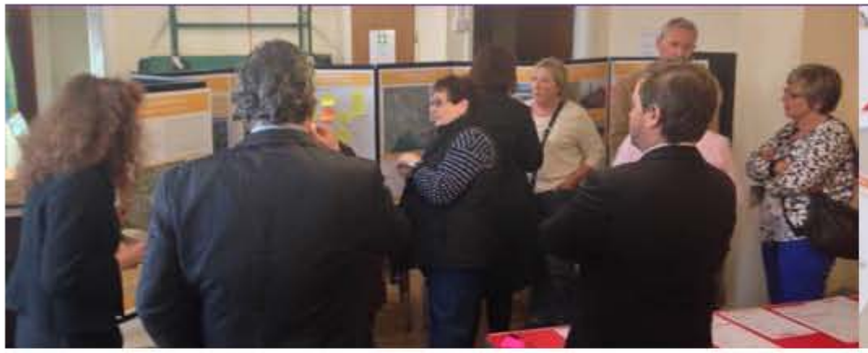
This work has been instrumental in terms of defining the areas of change and the content of the masterplan. Some of the main findings have been;

- Torquay has Unique Selling Points and Aspirations
- Torquay and the Bay has much to offer.
- Torquay is located in one of the Countries most attractive and aspiration Counties
- It has a unique and beautiful coastal, maritime and landscape setting
- It has outstanding schools
- It will have improved road and rail links (by 2015)
- It will have super fast broadband (by 2016)
- It has a rich history which is translated in its architectural merit.
- It has a vast amount of leisure activities on its doorstep.
- It has a strong and passionate community.

Through the process of talking to stakeholders, councillors and the community, the town's aspirations have been found to include;

- Building on the maritime and harbour experience
- Creating a vibrant, varied and higher quality evening economy which includes retail, restaurants, cafés & night clubs for all ages.
- Creating a thriving town centre which focuses on both a regional retail offer and a retail/leisure offer with a mix of high street stores and independent high quality retailers.
- Creating a cultural destination, linked to its growing creative industries.
- Providing an environment that allows and helps businesses to start, expand and grow within the town and compete in local, regional, national and international markets.
- Provide a culture that encourages excellence and ambition.
- Create a town where people have the opportunity to grow up in the town and stay in the town and get high quality, high value jobs and retain the knowledge economy within the Bay.

As part of the masterplan process, a comprehensive consultation process has been carried out to inform the masterplan. This augments the previous work that the team carried out as part of the Princes Foundation with the Neighbourhood Forum.







Objectives:

Critical issues to address:

'The Gateway is designed so as to:

- Avoid the creation of sub-urban Sprawl - Ensuring that the urban extension has a character and connects with the existing community to enhance the existing area and respond to the rural outlook. Avoid the creation of unconnected streets and isolated land use parcels
- Creating a centre - Ensuring that there is a natural centre to the scheme which could be connected to existing facilities or create new ones that serve both the new development and existing residents.
- Sustainability and Infrastructure - Ensure that there is sufficient infrastructure to cope with the increased population density health, education, access, shopping etc) Provide the opportunity for sustainable life styles, recycling and biosdiversity.
- Movement - Consider the possibility of a new station at Edginswell
- Ensure that pedestrian, cycle and public transport links are provided
- Landscape - Protect views and respect ridgelines on this urban / rural edge.

As such development in the Torquay Gateway area will facilitate:

1. The enhancement of a strong sense of community and place through the effective design and layout of homes and the provision of local facilities;
2. Provision of a range of residential schemes that offer a mix of housing types;
3. Creation of employment space, delivered in the early stages of development, designed to meet identified economic growth sectors;
4. Essential transport and utilities infrastructure, including green infrastructure, and appropriate links;
5. A suitable range of recreational, leisure and tourism facilities;
6. High quality design standards that embrace sustainable and energy efficient construction techniques; and
7. Appropriate phasing to ensure overall a balanced provision of jobs, homes and infrastructure

A full summary of the outputs from the various consultation stages can be found in a serparate document, on the Council's website.

A second stage of consultation took place on the draft consultation masterplan and was carried out in accordance with Regulation 12 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and Torbay Council's Statement of Community Involvement 2014. The consultation ran for four weeks from 27 October to 24 November 2014. The draft masterplan was advertised and placed for consultation on the Council's website and at public libraries and buildings across Torbay. Consultation bodies were notified in writing. Public notices and news articles appeared in the local news media and public consultation events took place in conjunction with the Torquay Neighbourhood Forum and with local business representatives. Representations and comments made on the consultation draft masterplan have been taken into account in changes made to this final version.

PART 2 The Gateway

Edginswell Valley | Edginswell Business Park | Kerswell Gardens

The Torquay Gateway

There are three areas to the Gateway masterplan:

1. Edginswell Valley
2. Edginswell Business Park - The Riviera Gateway
3. Kerswell Gardens

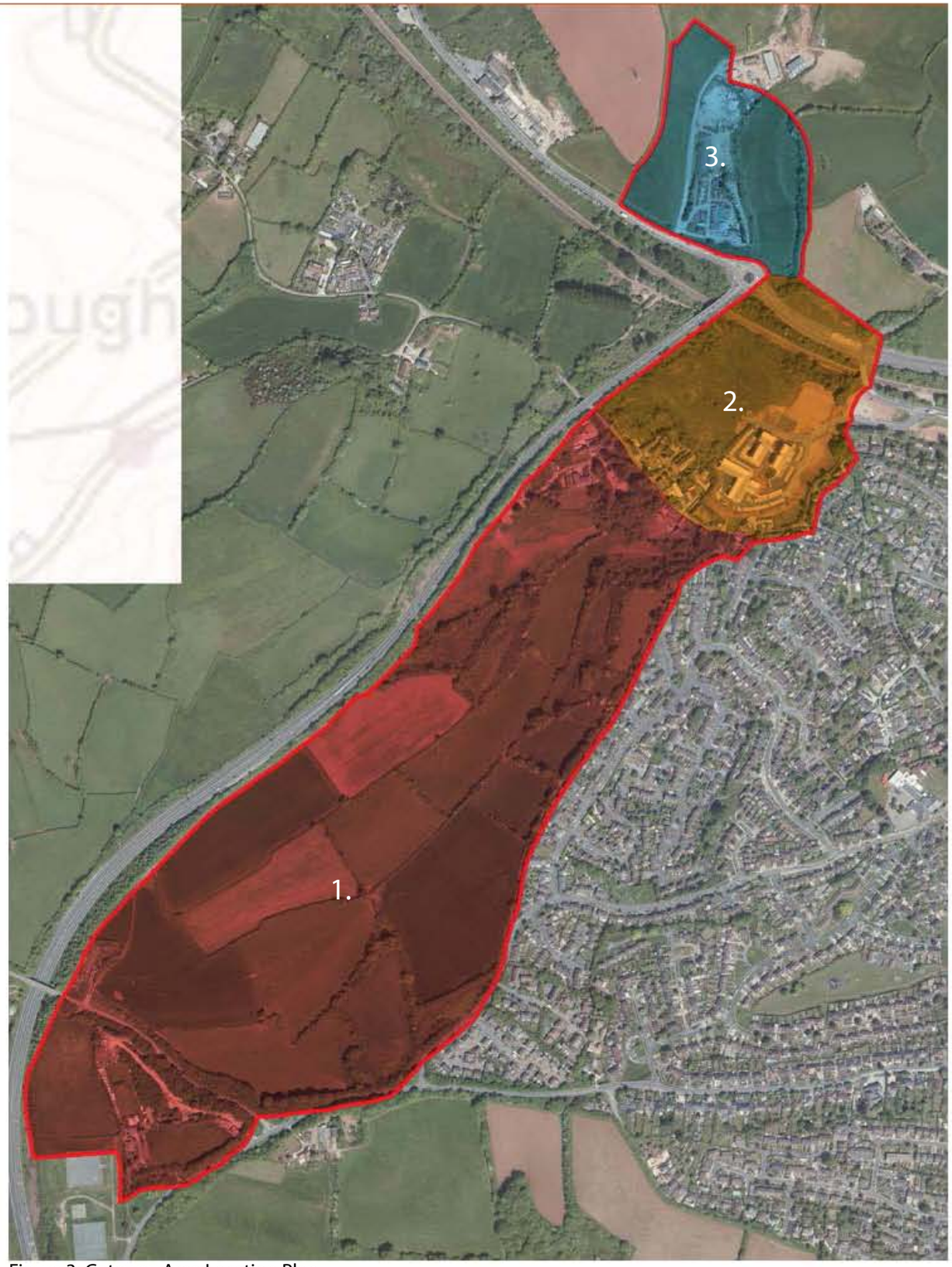


Figure 3: Gateway Area Location Plan

4.0 Edginswell Valley

Context Issues

4.1 Landscape & Vegetation Cover

According to Enderby Associates (May 2010- Torbay Landscape Character Assessment), this area on the A380 Hamelin Way (Torquay by-pass) on the northern boundary of Torbay abutting South Wilborough in Teignbridge and extends around the upper slopes of the Edginswell valley, forming the setting to the valley and Edginswell hamlet (AoLC 3B). The area comprises a pattern of sloping arable and pasture fields defined by hedges that follow the contours. The hedgerows and trees along the eastern side of the area create a significant screen along the urban edge. The bypass " is becoming well integrated being partially screened by cuttings and establishing planting; the side slopes are identified as being of local conservation interest."

The Enderby Assessment stated that:

"…..the Edginswell area does make a significant contribution to the local setting of Torquay; the bypass passes through a largely unspoilt fringe of well managed farmland that has a defined landscape pattern. This setting would be changed with development and a new edge to the built up area would have to be created; whilst the bypass may form a physical limit to any potential urban expansion this would need to be reinforced through extensive planting."



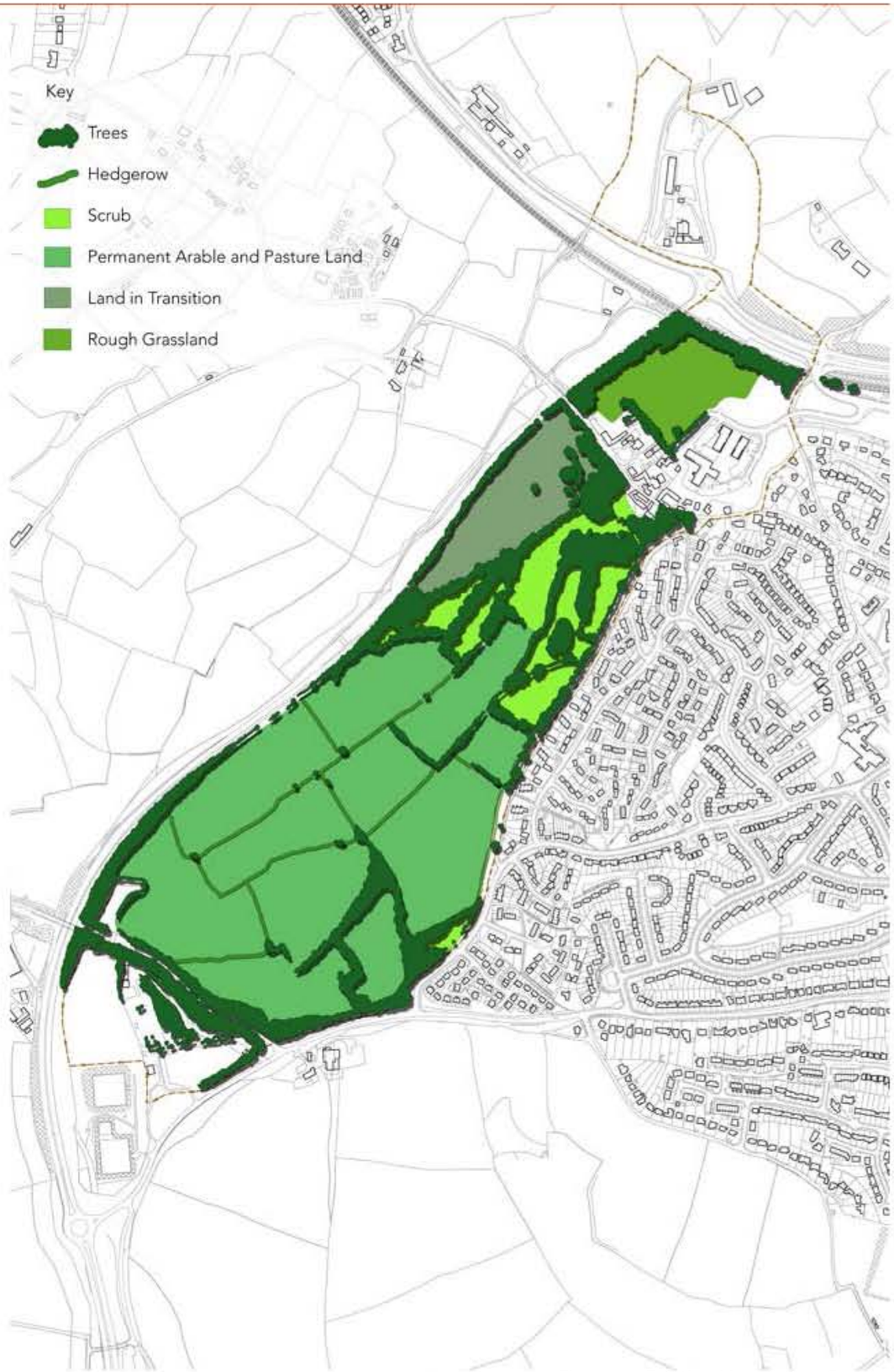


Figure 4 : Existing Vegetation Cover

4.2 Ecology

An initial ecological survey has been carried out by the Devon Biodiversity Records Centre (DBRC). The results of which have been translated into Figures 5 and Figure 6.

A summary of the findings are ;

The site is of large size and comprises a range of habitat types. Of the habitats present the hedgerows and unimproved grassland are of the most significance. The unimproved grassland areas
are considered to show affinities to the NVC community MG5 (a BAP priority habitat). The quality of the unimproved grassland areas could be enhanced if managed more sensitively as many of these areas are currently managed inappropriately to maintain grassland diversity.

There has been a recent loss of unimproved grassland in Area 3 since 2010 due to the development of dwellings. This area now supports ruderals growing on bare earth. The quality of the grassland in Area 1a indicates that although some of the grasslands are over-grazed in the northern part of the site a relaxation in heavy grazing can result in the development of a very species-rich sward. As such it is recommended that Areas 1a-c and 2 are retained and managed in a sensitive manner for the benefit of wildlife.

The site as a whole supports suitable cirl bunting habitat in the form of scrub and grassland which offer nesting and summer and winter foraging habitat for this species. The site falls within a cirl bunting zone as identified by RSPB and this species have been recorded on and near to the site. Cirl bunting is listed on Schedule 1 of the Wildlife and Countryside Act and as such is a protected species.

Lesser and greater horseshoe bats, brown long-eared and pipstrelle bats have been recorded within a close proximity to the site. The site offers suitable commuting, foraging and roosting habitat for these species (as well as other bat species). As such it is highly recommended that the site is surveyed in more detailed as with regards to bats if development is considered further.

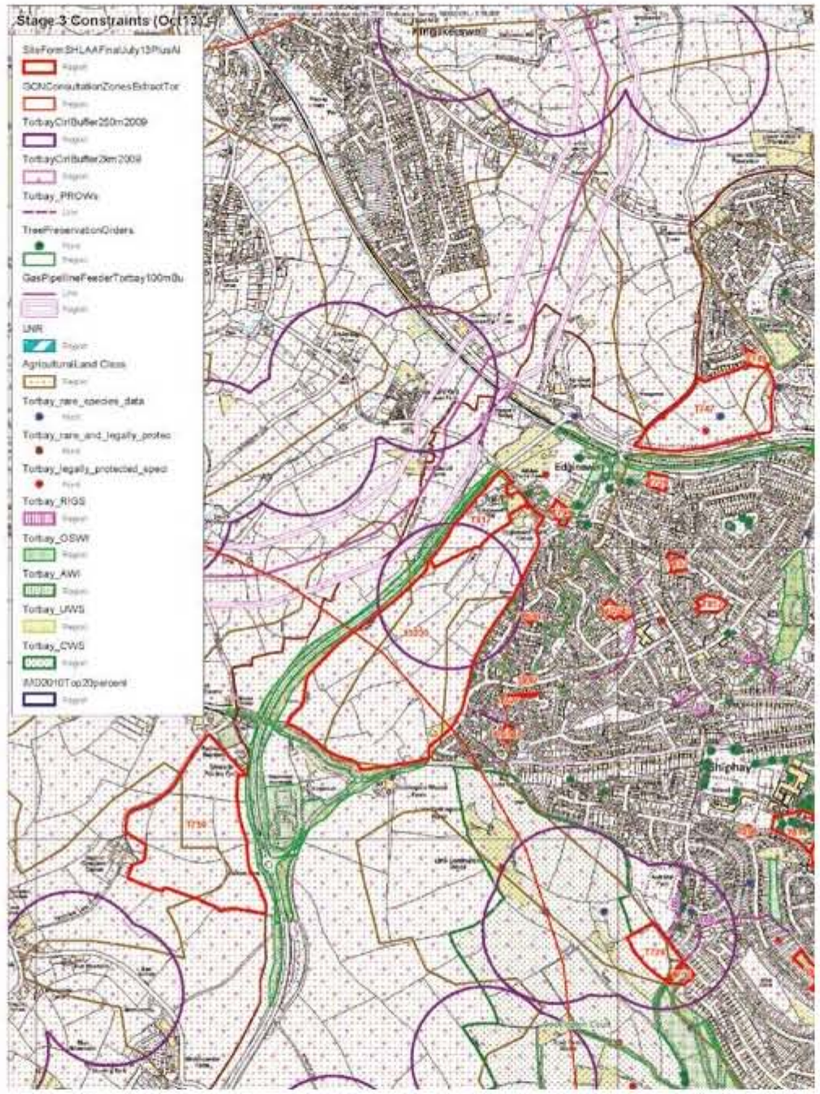


Figure 5: Wider Ecological Context

Signs of badger activity were noted during the survey, including the presence of a potential sett. The Protection of Badgers Act (1992) should be referred to regarding the presence of this species on site and potential development.

It is unlikely that all the hedgerows will be retained on site due to the need to carry out major earthworks on the site. Significant areas of greenspace should therefore be retained to provide the ability to mitigate by enhancement of existing habitats. Off-site mitigation will also be required in the form of enhanced Cirl Bunting habitats which is currently being carried out on adjoining land holdings.

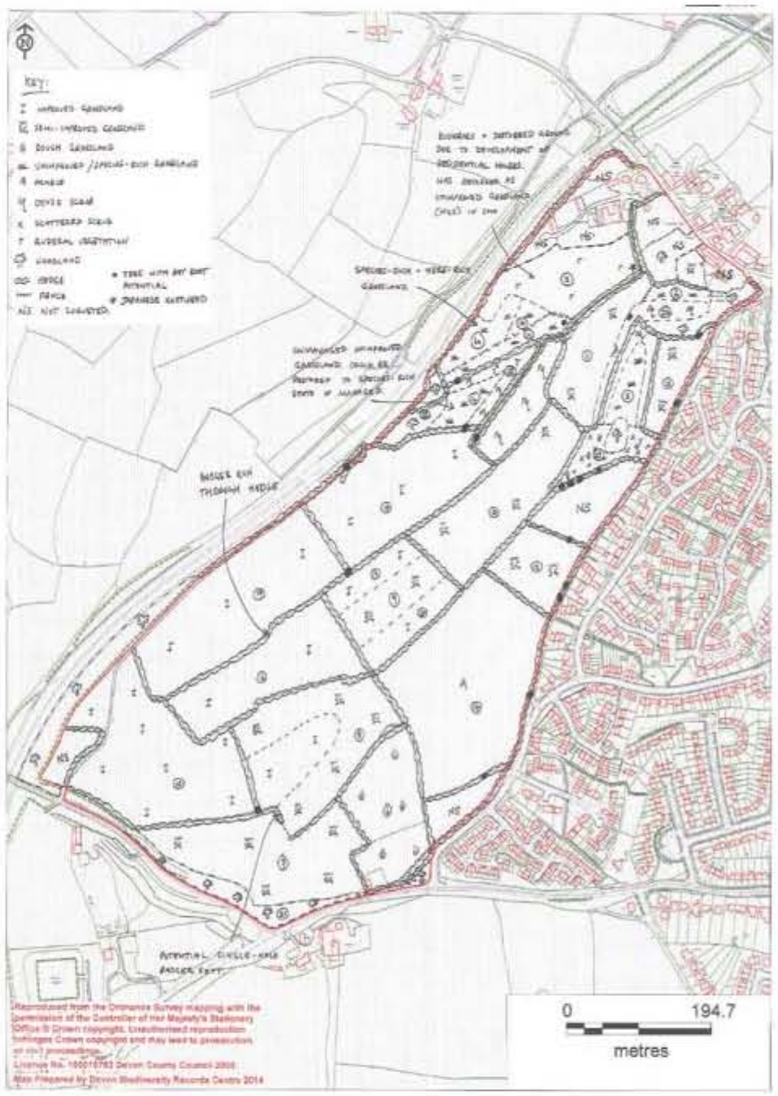


Figure 6 : Site Ecological Context

Further detailed Phase 2 habitats surveys and other ecological assessments will be required. Natural England's standing advice should be followed with regards to assessments. Any loss of habitats may necessitate off-site compensation to ensure an overall net gain in biodiversity. The proposals within this masterplan are subject to these assessments and any required off-site compensation being further identified and delivered.

4.3 Topography & Drainage

One of the principal issues and opportunities related to the site is the variation in topography and the steepness of the gradients. These vary considerably across the site and form a deep valley feature which runs north east towards Edginswell hamlet. The highest levels are located to the south west and form a ridge line which is already heavily vegetated.

A full detail topographic survey is required in order to test any emerging scheme proposals which were not available as part of this study.

The undulating topography could either provide an attractive built environment if treated sensitively or it could result in low quality public realm if treated poorly. It is essential that this is carefully considered in any emerging proposal.

There are no water courses on site but the drainage flows will follow the valley basin towards the north. Water attenuation will need to be considered. The vast majority of the site lies within flood zone 1 but special attention (supported by flood risk assessments) to providing Sustainable Drainage Systems (SUDS) and Water Sensitive Urban Design (WSUD) will be required, particularly due to the scale of development and particular topography in this area.



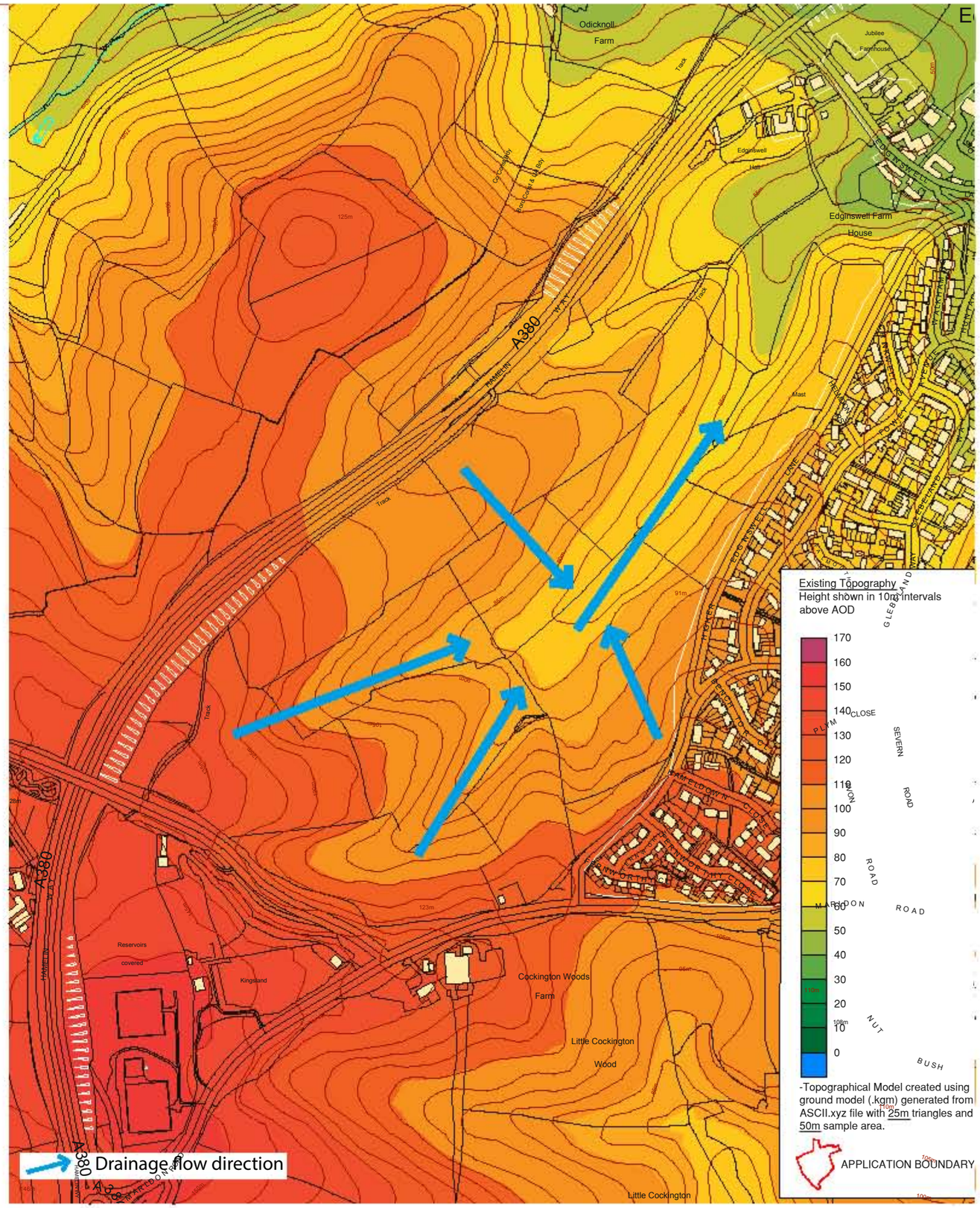
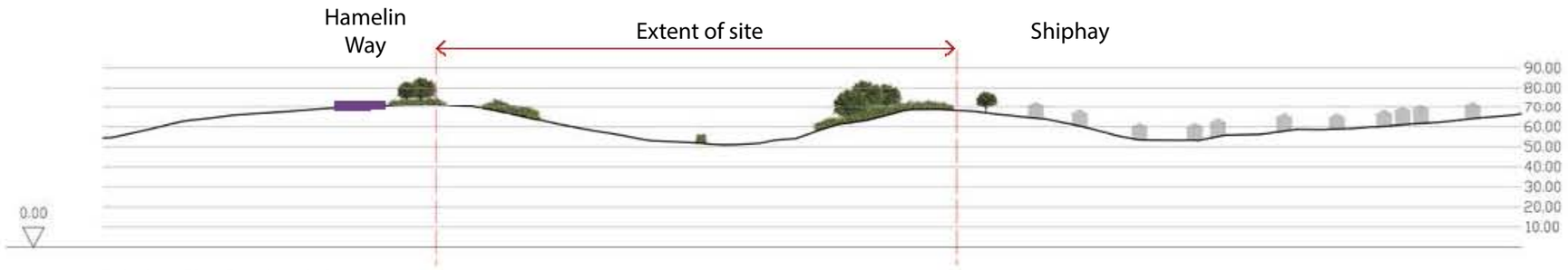


Figure 7 : Edginswell Valley Topography

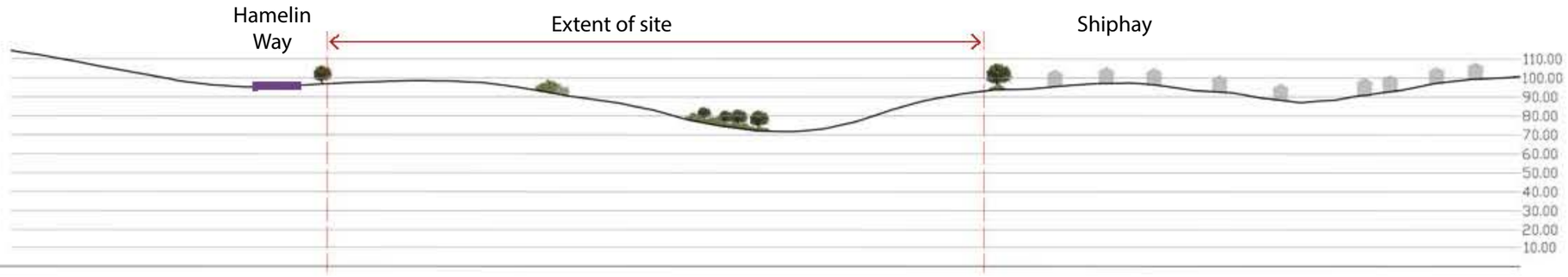
Existing Site Sections



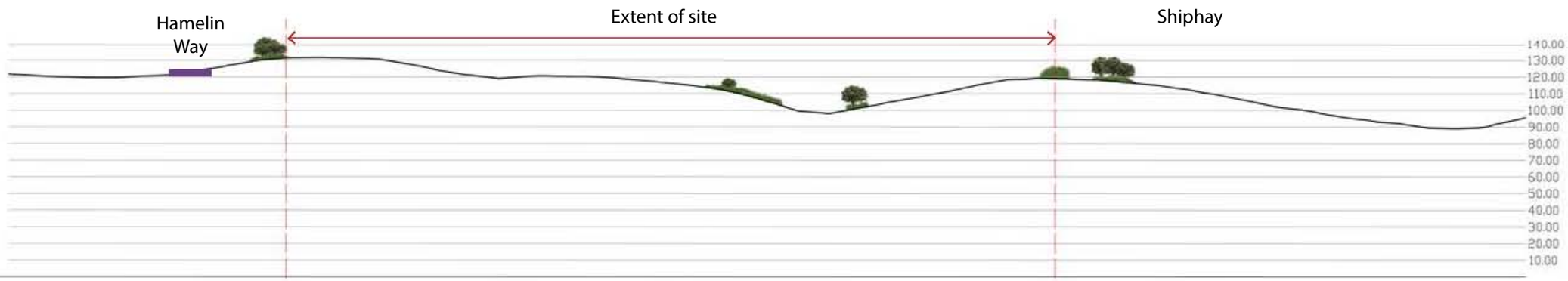
Existing Site Section 1-1



Section Location Plan



Existing Site Section 2-2



Existing Site Section 3-3

Figure 8 : Edginswell Valley Sections

4.4 Access

The failing of much of the northern area of Torquay is as a consequence of the lack of connectivity, the lack of walkable neighbourhoods, the segregation of uses and the sprawl of monotonous housing estates. It is critical that this be changed and that connected places, with integrated mixed use facilities and improved local facilities are provided in order to create a sea change in urban planning in this area of Torquay.

Access to the site is limited, both in terms of pedestrian, cycle, bus and car.

Pedestrian : There are no public rights of way on the site although the John Musgrave heritage Trail long distance path runs along Higher Edginswell Lane (refer to Figure 9). Parts of the site do appear to be used by the public for dog walking though, particularly along the edge of Higher Edginswell lane where existing alley ways from the existing housing estate provide some connectivity to the lane. These routes are seen as important links for the future development area.

Cycle : There are no definitive cycle routes on the existing site although there is a new cycle network to the north that connects Edginswell hamlet and the business park with the centre of Torquay and Kingkerswell. This route is being upgraded as part of the South Devon Link road improvements. There is therefore scope to connect onto this network.

Bus : There are bus routes along improved section of Higher Edginswell lane and Exe Hill that pass through the existing housing estate. Additional bus stops will be required within any development area to ensure that houses are no more than 400m away from a bus stop.

Vehicular : There are no existing roads within the site area. Access is available from Higher Edginswell Lane to the south and east and Moles Lane to the west. Both of these routes link onto the main Marldon Road which provides direct access onto the A380 and into the centre of Torquay .

Edginswell Lane to the north is a narrow lane with a limited capacity and one that we do not feel is appropriate to connect onto for vehicles given the character of the existing hamlet. Cycles and pedestrians should however be encouraged.

The South Devon Link Road is a major new road that will connect Hamelin Way to the dual carriageway section of the A380 to the north of Newton Abbot. This is a significant piece of regional infrastructure that creates a faster link to the M5 to the north and better connectivity to Exeter. The gateway site is very close to this junction and will therefore be highly accessible and desirable for new homes and jobs once the road is open. The link road can be seen on the access plan (figure.9)

Rail : The mainline railway is located to the north of the site and whilst Torre station is currently the closest station. A new station is proposed at Edginswell (subject to funding). This is anticipated to be open by 2016 and would provide an attractive option for commuters.

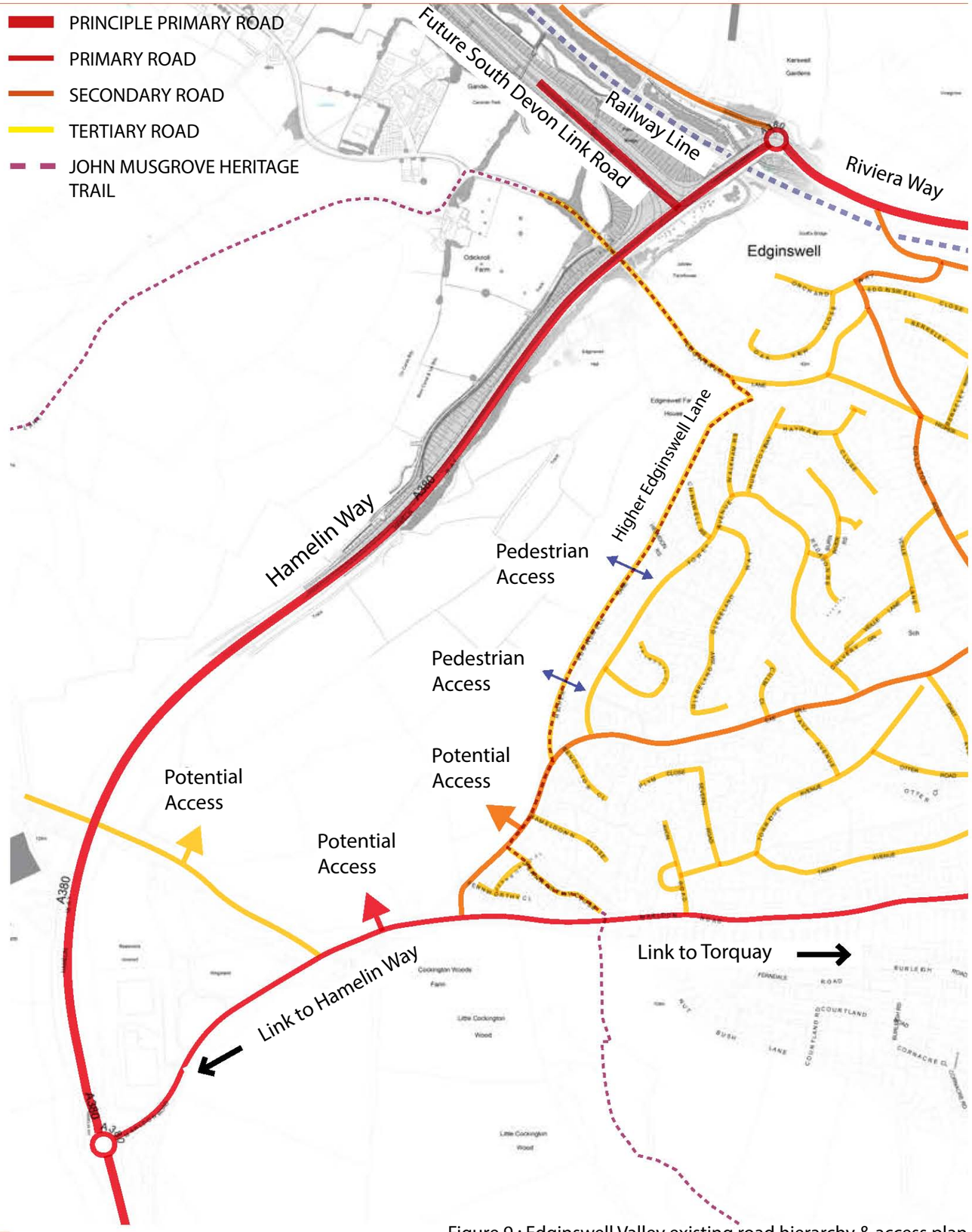


Figure 9 : Edginswell Valley existing road hierarchy & access plan

4.5 Upgrade Infrastructure

Proposed Junction Enhancement around the Gateway:

A scheme of road improvements has been identified in the Gateway by the Highways Authority. The scheme consists of junction enhancements along the key route between the Town Centre, development on the boundary of Torbay (Gateway) and the South Devon Link Road.

Additional capacity will be created at the key strategic junctions along the route. This will include additional lanes and road widening in places.

The changes will improve the accessibility to Torquay Town Centre, as well as other areas of Torquay given that this is the main route into the town. It will also open up the development potential in the Gateway area (marked with Hatching on the map)

How does the intervention address the problem?

This infrastructure delivery is crucial in supporting this future growth of the area. Improvements to the junctions along the overall route will greatly address the issues and allow for an improved flow of traffic towards the town centre in one direction and provides good access to the Gateway sites in the other.

An enhancement of the access to the town centre will have a knock on effect on the positive regeneration of the area. This will help to support additional jobs and make better use of the commercial premises within that area.

The improvement of transport infrastructure for all users will stimulate growth in the local economy by improving accessibility to the area and to markets and will develop and promote quality sites and premises away from the traditional tourist areas.

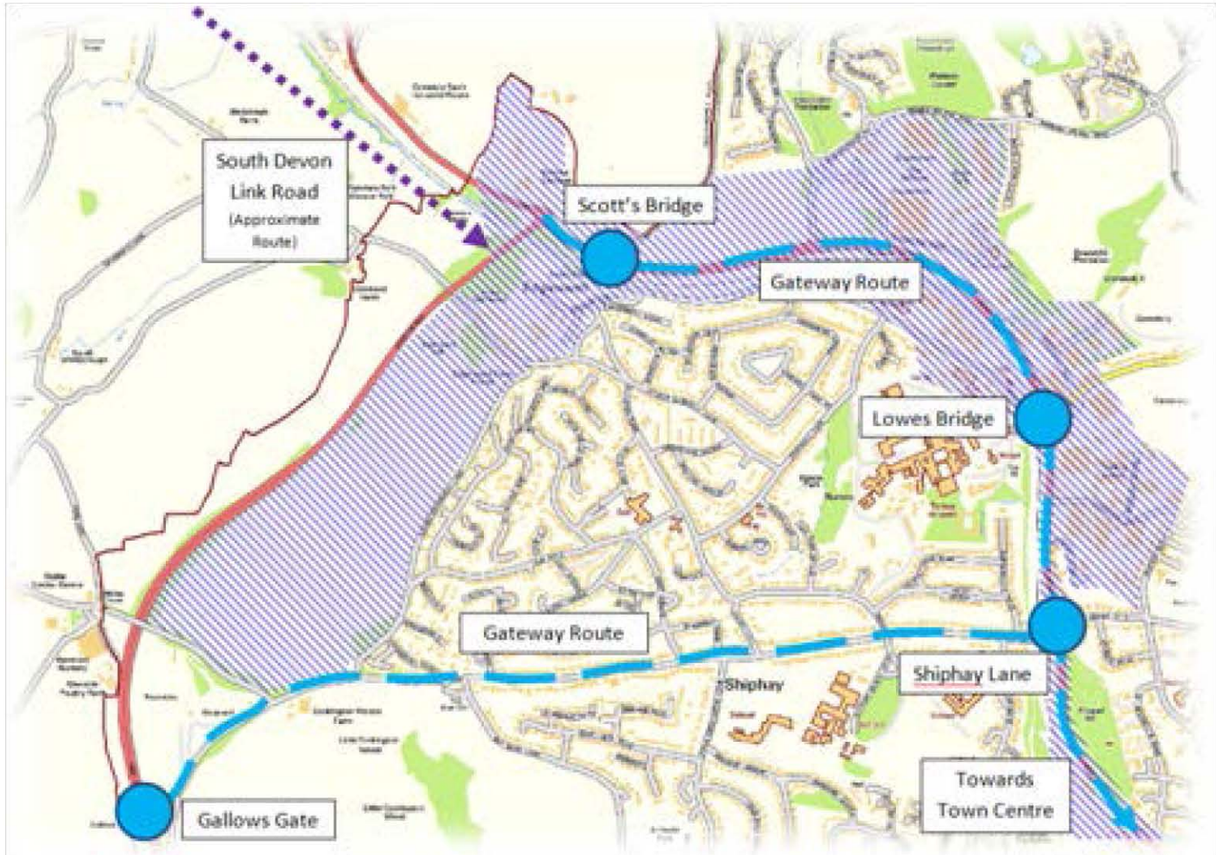


Figure 10 : Gateway road improvement initiatives

4.6 Land Uses

The site is currently used for agricultural purposes primarily although the agricultural uses to the north have however lapsed, particularly on the steeper slopes which are now regenerating naturally with scrub and tree cover.

To the south, on the opposite side of Moles Lane, the site is used for minor employment/storage and small holding uses, plus an adjacent SW Water reservoir.

The urban edge of Shiphay is located immediately to the west of Higher Edginswell Lane, however, due to the nature of the topography the site appears quite remote.

Edginswell hamlet forms the northern edge of the site and is an attractive, small settlement, very different to the suburban character of the Shiphay. Some additional housing is being developed at present within the hamlet, with the largest area being to the northwest on land associated with Edgisnwell House. This 'rural' character needs to be retained if at all possible.

4.7 Local Facilities

Figure 11 shows the location of the main local centres and community uses in proximity to the Gateway site. This includes Shiphay local centre, schools, offices and employment areas, public houses, health centres and hospital, Willows district centre etc.

The area is well served although the walkable distances (500m)* to some of the facilities would mean that additional community and local facilities would need to be provided on the gateway site to serve both the new community and existing fringes of Shiphay.

* walkable distances are generally circa 500m (5 minute walk) It is generally acknowledged that distances greater than 500m will result in people using a car to access the facilities.

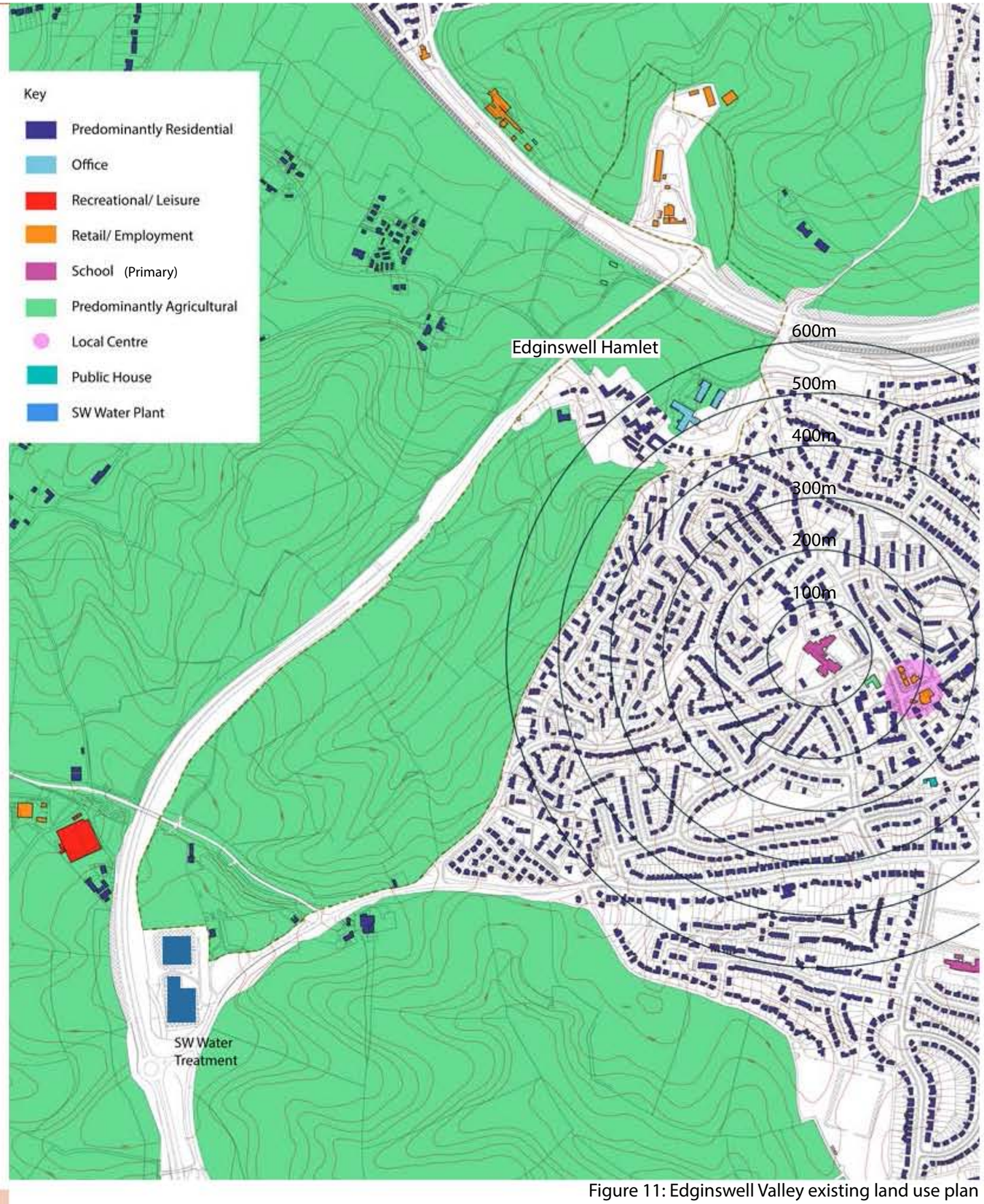


Figure 11: Edginswell Valley existing land use plan

4.8 Ownerships

The Edginswell Valley is under several ownerships, well over 9, with the majority of the land under one ownership, see Figure 13. This makes for an easier delivery strategy as confirmed by the consultations albeit some areas would be brought forward by the owners. It is important that a single masterplan is delivered for the site though and piecemeal development should be avoided.

4.9 Services

Water :

The principle service that runs through the site is a water main, see Figure 12. Any development scenario will therefore need to acknowledge this alignment although further on site survey work would be required to define the actual location of the main.

Electricity /Gas/Foul :

Further survey details are required to ascertain the capacities for electricity, foul water and gas.

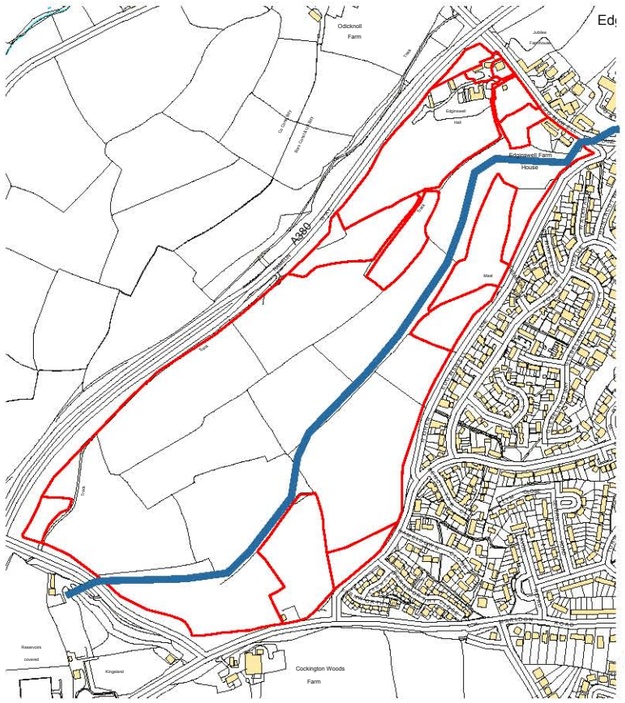


Figure 12: Water main running through the site

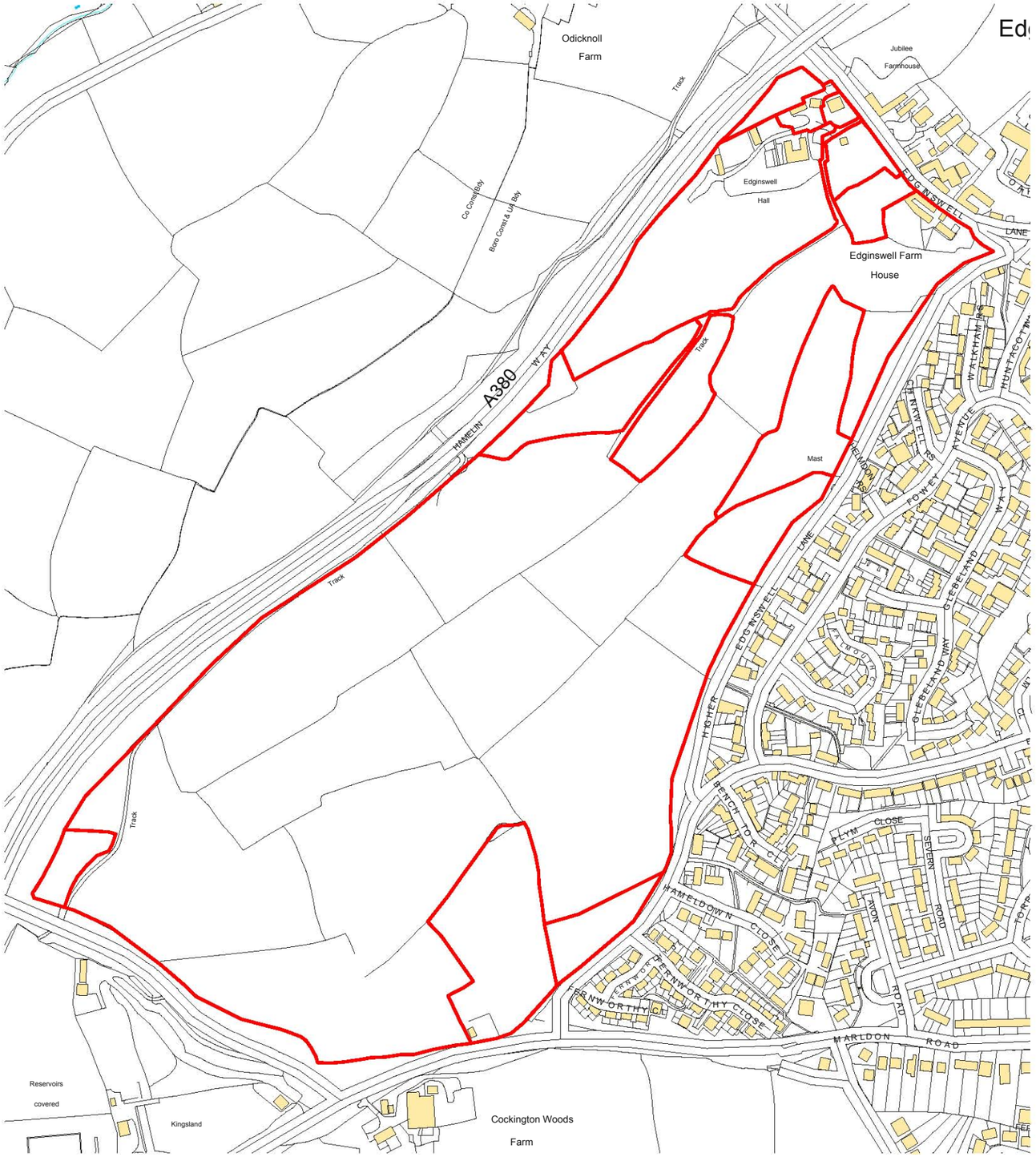


Figure 13: Edginswell Valley existing land ownership areas

Edginswell Valley Proposal

4.10 Edginswell Valley Concept Plan and Illustrative Masterplan

Figure 13 shows the concept plan and Figure 14 shows the illustrative masterplan. This delivers circa 550 homes and 19000 sq metres of employment land, and has been designed to reflect the design intent identified in the following headings;

- Retain Edginswell Hamlet as a distinctly separate settlement
- Allow for some additional development in Edginswell Hamlet that respects the 'Hamlet' character
- Provide footpath & cycle access between the two areas
- Retain a 'Green Gap' between the new urban 'village' extension and Edginswell
- Allow for some discrete low density development within the upper slopes of the green gap to provide some additional natural surveillance. This needs to be agreed with highways with access along Higher Edginswell Lane
- Provide S.U.D.S (Sustainable Urban Drainage System) Ponds within the valley alongside a variety of WSUD (Water Sensitive Urban Design) measures throughout the development to prevent down stream flooding
- Allow for potential inclusion of a primary school and sports pitches on flatter ground which also acts as a buffer to Hamelin Way
- Create an 'Urban Village' character (rather than sub-urban sprawl) with a focal centre and a range of house types & densities - lower densities on the upper western boundaries
- Include for specific feature built elements (crescents/ larger buildings, formal terraces etc) to respond to the historic elegance of Torquay and to help reinforce that approach but responding to contemporary living demands
- Create multiple access points to allow maximum permeability/ linkage to existing areas.
- Retain Higher Edginswell Lane as cycle/ access only route
- Potential for employment uses - close to the A380 Junction - B1, B2 and B8 uses
- Provide improved habitats for Cirl Buntings on council owned land and working with existing tenants
- Reinforce the woodland buffer and wildlife corridor on the western boundary
- Provide potential links to existing footpaths
- Links for cycles & footways to Edginswell Park & the future Edginswell Station

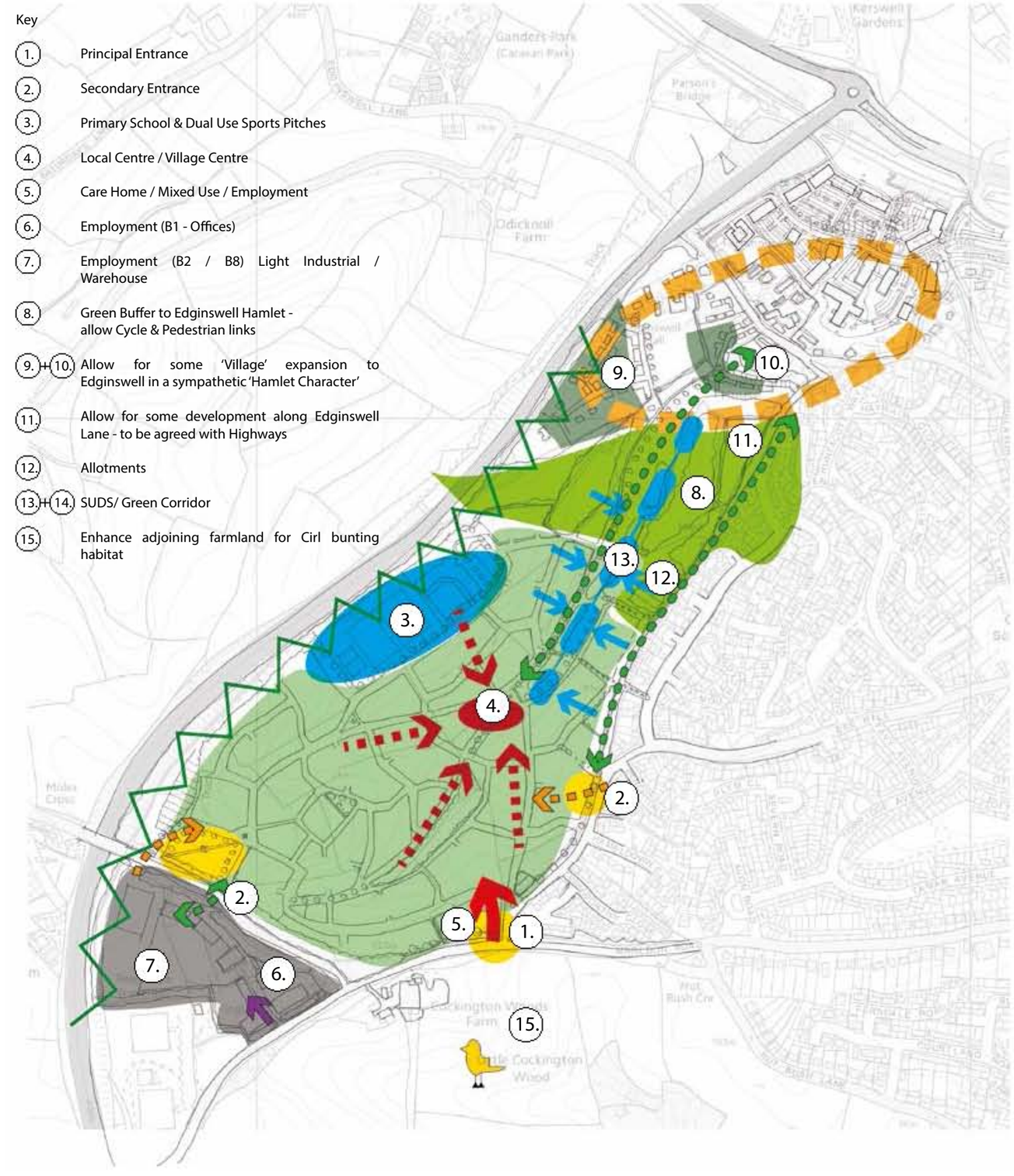


Figure. 13: Edginswell Valley concept plan

1. Principal Entrance
2. Secondary Entrance
3. Primary School & Dual Use Sports Pitches
4. Local Centre / Village Centre
5. Care Home / Mixed Use / Employment
6. Employment (B1 - Offices)
7. Employment (B2 / B8) Light Industrial / Warehouse
8. Green Buffer to Edginswell Hamlet - allow Cycle & Pedestrian links
9. + 10. Allow for some 'Village' expansion to Edginswell in a sympathetic 'Hamlet Character'
11. Allow for some development along Edginswell Lane - to be agreed with Highways
12. Allotments
13. + 14. SUDS/ Green Corridor
15. 'Feature' developments to reinforce the character of Torquay



Figure. 14: Edginswell Valley Illustrative Masterplan



Figure. 15: Edginswell Valley illustrative sketch

Figure. 16: Edginswell Valley Open space distribution



Open Space Distribution :

The open space network includes :

- Retention of woodland blocks and species rich grassland areas,
- Dual use sports related to the primary school on the flattest land
- Creation of formal parks
- Creation of linear wildlife/green corridors linking the northern parts of the site to the southern.
- Provision of allotments
- Allowance for SUDS attenuation features within the valley bottom.
- Hedgerow reinstatement will need to be included in the open space areas.

Figure. 17: Edginswell Valley cycle & pedestrian network



Pedestrian & Cycle Access

- All the streets are essentially pedestrian and cycle routes
- Dedicated or signed routes to 'attractors' (employment, school, shops etc) will be included.
- Link into the surrounding network of footpaths
- Provide a cycle link to Edginswell hamlet and Edginswell Business Park
- Provide footpath and cycle links to the new employment area adjoining Moles lane.

Figure. 18: Edginswell Valley Land Use

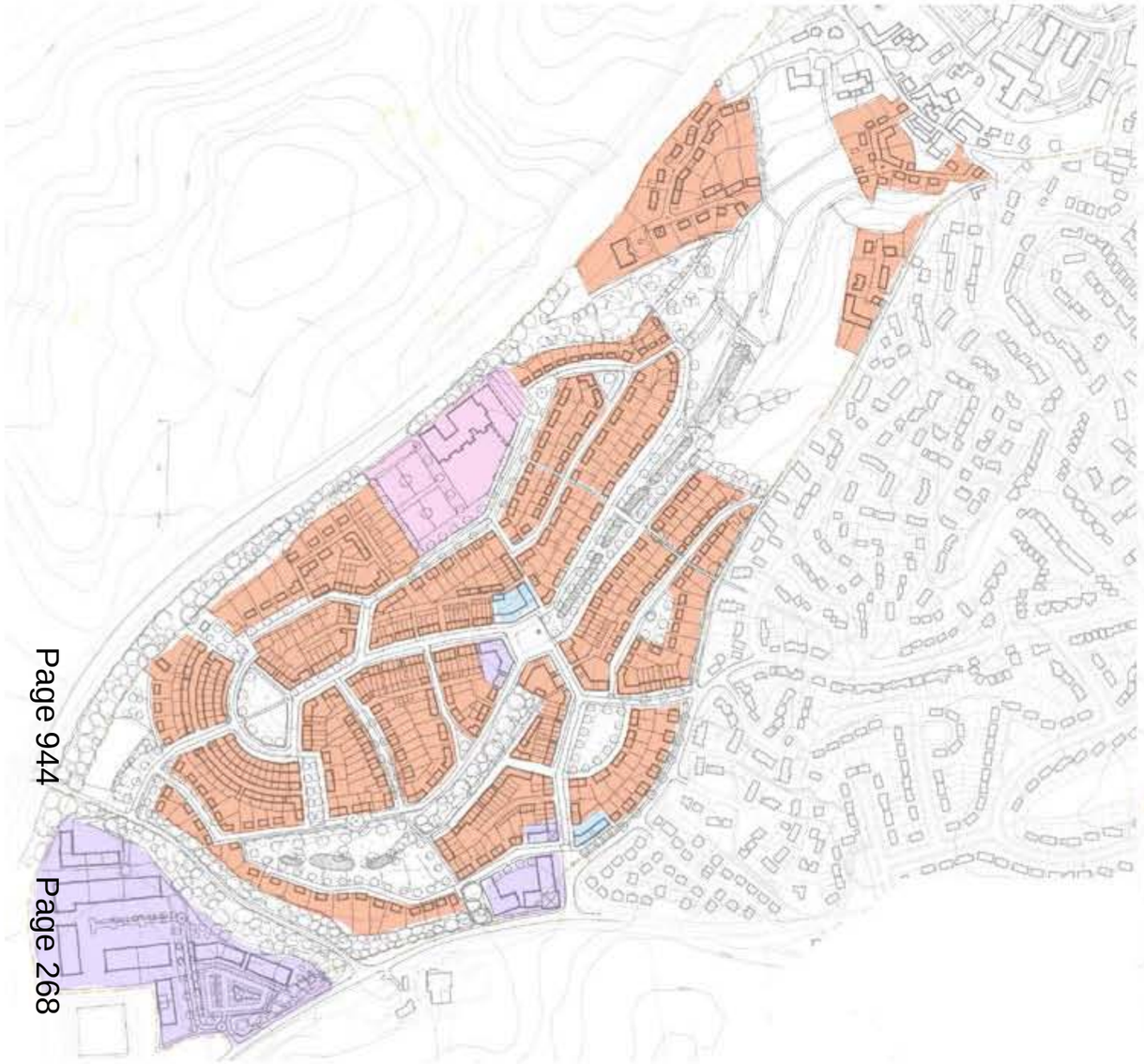
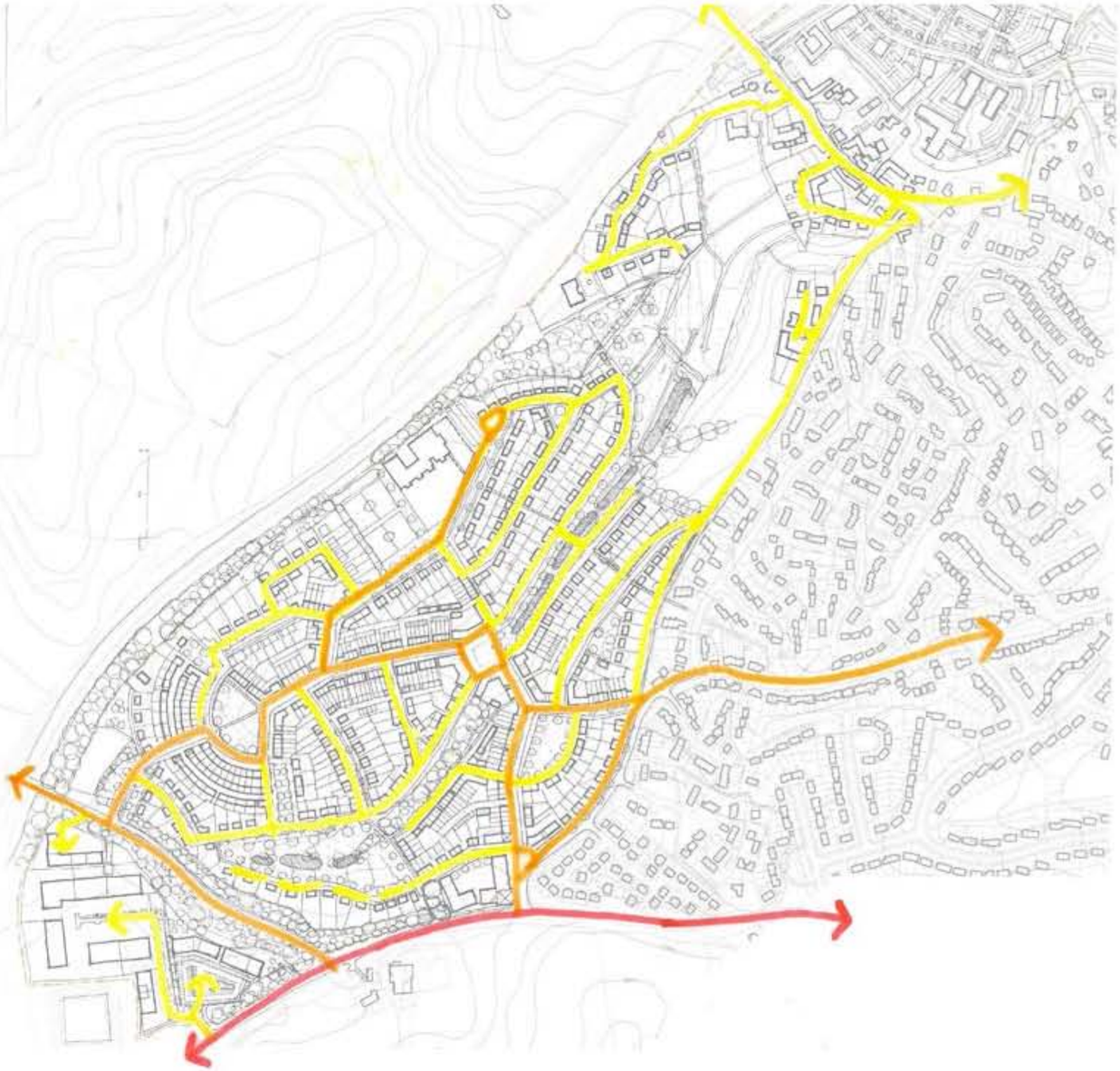


Figure. 19: Edginswell Valley access hierarchy



Land Uses

- The scheme needs to provide a mix of uses including employment (B1, B2 and potentially B8), small local retail, care home, primary school (2 form entry).
- The residential mix will include a small amount of apartments (1 & 2 bed), terraced 2 bed houses, terraced and semi 3 bed houses and detached 4 + bed houses.
- Densities will vary from very low (10 units/ha) to high density (70 units/ha) in the centres.

Employment (4.36ha)
Retail/ Community (0.09ha)
School (Primary) (1.82ha)
Residential (19.19ha)
30/ha = 575 units

Residential = at least 575 homes
Employment = at least 19,000 sqm of employment.

Road Hierarchy

- The street network needs to link into the existing street system
- The proposed network needs to be as permeable as possible but it is recognized that the levels may have an influence on this.
- There will be no vehicular link between the development and Edginswell hamlet apart from the existing Edginswell lane- however, this may be closed for access only.

Primary roads
Secondary roads
Tertiary streets & lanes

4.11 Design parameters

The following design parameters should be considered in any emerging proposals.

Avoiding the creation of sub-urban sprawl

- Ensuring that the urban extension has a character and connects with the existing community to enhance the existing area and respond to the rural outlook
- Avoid the creation of unconnected streets and isolated land use parcels
- Provision of a range of residential schemes that offer a mix of housing types;

Retain the integrity of Edginswell hamlet :

Provide a landscape buffer between Edginswell Hamlet and the new development so that the integrity of the hamlet is maintained. Allow for some sensitive development around the hamlet.

Creating an urban village:

Ensuring that there is a natural centre to the scheme which could be connected to existing facilities or create new ones that serve both the new development and existing residents. The enhancement of a strong sense of community through the effective design and layout of homes and the provision of local facilities;

Infrastructure:

Ensure that there is sufficient infrastructure to cope with the increased population density (health, education, access, shopping etc)

Movement:

Consider the possibility of a new station at Edginswell

Ensure that pedestrian, cycle and public transport links are provided

Landscape:

Protect views and respect ridgelines on this urban / rural edge.

The site is 'green field' and so a thorough understanding of the landscape needs to be considered, including a review of topography.

Employment:

Creation of employment space, delivered in the early stages of development, designed to meet identified economic growth sectors;

Development and Design Principles

The following development components are evident in the masterplan for the gateway. Each component is governed and guided by the principles set out in this report.

The masterplan : provides a benchmark for high quality, sustainable development. It will encompass the overall principle of place making where people want to work, live, meet and visit. The intensity of development (density), the street types and the design of the public places combines to establish a local distinctiveness.

Walkable neighbourhood : The residential valley is designed to relate to and not compete with existing residential neighbourhoods and is scaled and designed in accordance with the principles of a walkable neighbourhood, to provide an appropriate mix of housing to suit the needs of the whole community.

Green connections: to the surrounding context and countryside; the pursuit of leisure activities such as cycling and walking within the development is important. A landscape framework is provided that embodies green infrastructure and open space acknowledging existing landscape.

Transport : The masterplan will promote ways of traveling other than by car, specifically maximizing the opportunities to use public transport and local connections. An access and movement structure includes a hierarchy of routes which facilitates easy and safe walking and cycling within the gateway and to adjacent areas.

Employment : Being an edge of town location employment space, including live/work spaces to be provided. Such space should be integrated with the delivery of new homes to ensure the provision of high quality space, specifically to meet the needs of Torbay's growing sectors and SMEs.

Sensitivity : The way in which future development 'sits' within, respects and adds value to the landscape and ecology will be critical to the success of the masterplan. The masterplan should be led by a good understanding of the sensitivity of landscape to change.

Sustainability : Low carbon use and climate resilience should be seen as key objectives for the Gateway. For example, new development in the Gateway should demonstrate the use of sustainable building techniques to ensure high levels of energy efficiency and consider in detail options for the massing, orientation and use of new buildings in order to support low carbon lifestyles and limit the likelihood of summertime overheating. Whilst the character of the architecture and the finishing materials used should draw on the local context, the style of the buildings could include contemporary influences in so far as they reflect the influence of sustainable building design. The gateway should strive to become an exemplar scheme where public buildings demonstrate best practice in green building design.

Health: There are opportunities to positively influence the wider determinants of health through development at the Gateway through promoting healthy lifestyles, encouraging a leptogenic (as opposed to obesogenic) environment that supports physical activity and access to healthy food. This masterplan has sought to provide opportunities to support a healthy environment. Detailed development proposals should be screened to identify if a further Health Impact Assessment is required (which could be incorporated as part of EIA if required).

Building Communities : A wide range of housing types, sizes and tenures will be made available to ensure housing choice and inclusivity for the widest possible group of residents. The layout and design of residential areas will create local distinctiveness in response to the setting of the gateway and meeting the Councils aspiration of place making. Variety will be evident as people move through the gateway; however, a sense of unity should prevail as a result of the materials used. The requirements of "Building for Life" should be taken into account in preparing applications for the gateway.

The local needs of residents should be catered for through provision of a mix of services which are easily and safely accessible on foot, bike or by public transport. Higher order needs can be met through ensuring safe and attractive accessibility to Torquay town centre and the proposed Edginswell railway station. Planning for efficient and convenient public transport for those undertaking journeys beyond the gateway should be evident, and the use of alternative modes of travel should be made appealing and attractive for local trips.

Respond to Context : Development, according to the Councils Urban Design Guidance SPD (2007),

'should promote local character in townscape and landscape by responding to and reinforcing locally distinctive patterns of development, landscape and culture. Development should respond sensitively to the site and its setting, creating a place that is valued and pleasing to the eye.'

Local distinctiveness is enhanced through the application of character typologies, which reinforces the neighbourhood structure. The typologies inform the design of the built form, streets and spaces and landscape treatment. We have identified 'set piece' architecture in the form of crescents, terraces, squares, paired villas and large detached houses set within walled gardens. These typologies will help to define the densities and character of the development in order to avoid a monotonous suburban sprawl.

The plan allows for buildings should be designed to ensure architectural and design excellence. The built form should positively respond to and draw references from the many fine buildings and rich townscape which is a strong characteristic of Torquay.



Photographs 1 : Torquay Built Context

The plan allows for buildings should be designed to ensure architectural and design excellence. The built form should positively respond to and draw references from the many fine buildings and rich townscape which is a strong characteristic of Torquay.

The following photographs give an indication of the many beautiful buildings and set piece architectural gems that adorn the historic areas of Torquay. The scale of the buildings, the architectural details, the combined effect of connected streets and set pieces, the relationship with landscape all add to the character of the best areas of Torquay. These are the elements that any development proposal should seek to emulate and respond too, rather than the monotonous suburban sprawl that covers so much of the periphery of Torquay.

Photographs 2 show some contemporary interpretations of the Devon town vernacular with an emphasis on rendered finishes. High quality materials should firmly establish the character and identity of the Gateway, both in respect of the public realm and the built form of buildings and structures. Whilst so much of Torquay townscape has become a random mix of materials, there are locally distinct materials from when the town was at its heyday. This includes : natural stone, render and appropriate render details.

Parking : Vehicle and cycle parking should be well planned and designed to ensure that it does not have a detrimental impact on the amenity and character of the Gateway.

A range of parking typologies should be integrated into the scheme. This will include;

- On plot- set back behind the build line or in front on larger garden plots
- Rear lane (on plot) – providing rear lane access to houses with on plot parking set behind gates or garaging
- Rear Courtyard- small rear courtyards for houses or larger courtyards for apartment parking.
- On Street – non allocated parking on street.

The parking ratio will be as follows;

1 bed apartments	=	1 space/unit
2 bed apartments	=	1-1.5 spaces/unit
2 bed house	=	1.5-2 spaces/ unit
3 bed house	=	2 spaces/unit
4 + bed house	=	2-3 +spaces/unit

Note : 1) This excludes on street parking which is additional.
2) Disabled spaces will be 5% of the total, or allocated to specific housing plots.









Photographs 2: Devon town architectural context

4.12 Delivery & Phasing

Figure 20 shows an indicative phasing strategy for the site. This could be subject to change depending on the developer approach but this strategy is based on the Edginswell Valley area being delivered in a homogenous way which unlocks the wider site for development and support the early delivery of employment land as set out below;

Phase 1 :

- Development starting in the southern corner adjoining the main Marldon Road in order to give a frontage to the scheme (Higher Density- 1 & 2 bed apartments/ later living, terraced houses (2 & 3 bed), medium density 3 bed semi detached houses) . Develop down to the local centre. This minimizes the extent of road infrastructure
- The drainage and infrastructure (SUDS) along the valley will need to be implemented early to allow for future development.
- Land adjoining Edginswell hamlet in currently under construction and could come forward early (lower density housing - 3, 4 & 5 bed houses).
- Employment land to the south could come forward early due to its close proximity to Marldon Road. If viability was a barrier to delivering employment in this area (south of Moles Lane) consideration of using developer contributions from the wider Edginswell Valley area and/ or Section 278 agreements to help deliver site infrastructure will be considered. Alternatively, some mixed-use development to enable delivery of employment uses may be considered.

Phase 2 :

- Open up a second access into the site from Moles Lane. This would enable a different mix of housing to come forward (lower density and some higher density). Develop down to the Local centre in order to connect to the Phase 1.
- Potential to construct the primary school but due to the levels, the school has to be positioned on the western boundary which makes it potentially remote from the residential development in the early phases.

Phase 3 :

- In- fill behind the Phase 1 & phase 2 areas. (mixed 3, 4 & 5 bed properties)
- Extend development along the valley. (3 & 4 bed houses/ semi detached & terraces)

Phase 4 :

- Complete peripheral areas (lower density).

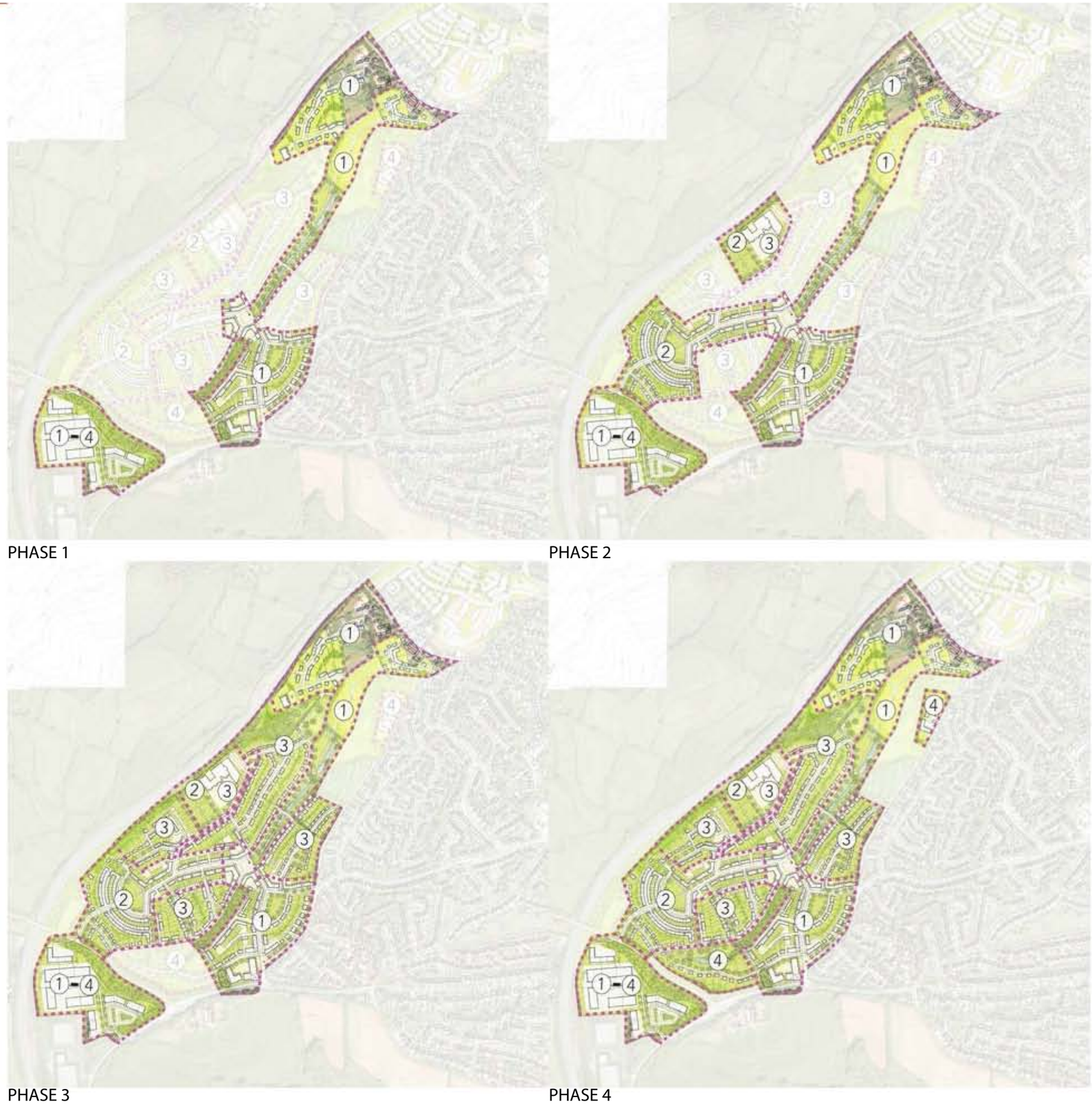


Figure. 20 : Edginswell Valley Phasing

5.0 Edginswell Business Park The Riviera



Context Issues

5.1 Landscape & Topography

Edginswell Business park is located on a north facing slope that falls down to the railway line that runs parallel to Riviera Way. Whilst existing office development has been carried out, the site remains in a semi derelict state of natural regeneration, with a strong green buffer along the Edginswell hamlet sourthern edge.

The Enderby Associates landscape character assessment identified that;

There is an opportunity to enhance the approach into Torbay through major structured tree planting along the Riviera Way and infrastructure planting to the employment area and land to the north of Riviera Way.







Figure 21 :. Edginswell Business Park Topography

5.2 Access

Edginswell Business park : Access to the business park is largely via private car useage off Riviera Way. This has become a problem with local residents due to car parking difficulties and the reliance on the car and the lack of parking spaces has resulted in an overspill into the surrounding residential streets. Any future development on the site will need to mitigate for the existing and future demands of the tenants.

The South Devon Link Road is a major new road that will connect Hamelin Way to the dual carriageway section of the A380 to the north of Newton Abbot. This is a significant piece of regional infrastructure that creates a faster link to the M5 to the north and better connectivity to Exeter. The business park is very close to this junction and is seen as a strategic site for future employment in Torquay.

Rail : The mainline railway is located to the north of the site and whilst Torre station is currently the closest station (approximately 3 km to the south east), a new station is proposed at Edginswell (subject to funding). This is anticipated to be open by 2016 and would provide an attractive option for commuters to and from Exeter to the business park.

Edginswell station is part of the wider Devon Metro scheme, designed to provide high quality modern public transport within and between Torbay, Exeter and Exmouth. New stations are planned at Edginswell (Torquay) Marsh Barton and Newcourt (near Exeter). Edginswell station will serve Torbay Hospital, The Willows retail park, Edginswell Business Park, and the Torquay Gateway development area, as well as large areas of new and existing residential developments. Edginswell station will connect to new and existing cycle networks (including the NCN28) and bus services including Torbay's flagship route, Service 12. It will offer realistic alternative commuting options along the A380 corridor and especially to Newton Abbot and Exeter, reducing the need to travel by private car.

The station will be unstaffed with two platforms linked by bridges, stairs and ramps. Edginswell station will be located on the Newton Abbot to Paignton line on the edge of Torbay. With around 350,000 annual trips expected, the scheme will improve connections to the Edginswell area by providing an alternative travel option that removes vehicle trips, ease congestion hotspots on strategic routes that will reduce delay and travel cost. The Scheme should also provide increased resilience as it can allow longer distance trains to stop if necessary to ensure that a service can be maintained during times of severe weather disruption along Torbay's sea wall.

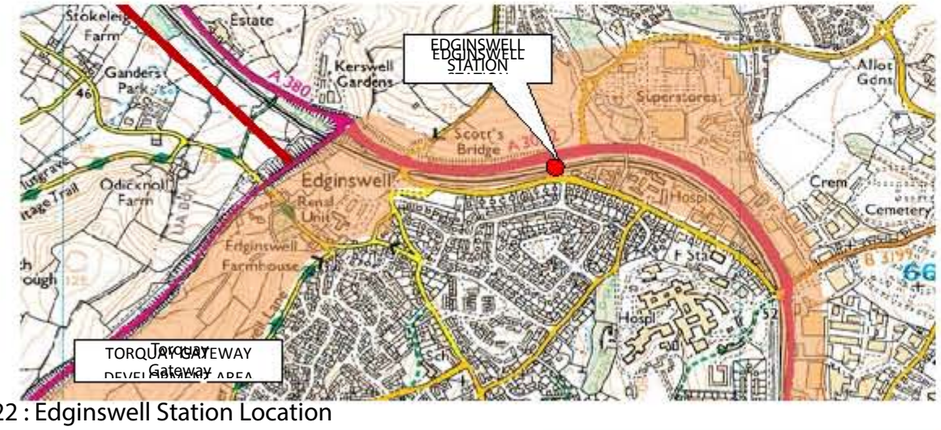


Figure 22 : Edginswell Station Location

Cycle : A proposed cycle network is proposed for the site and the surrounding area which is being delivered as part of the new South Devon Link Road . This would help link the business park to the proposed rail station at Edginswell in order to provide multi modal shift in transport use rather than relying on the car.

Pedestrian : The business park is connected to the wider footpath network and Shiphay residential area. Following discussions with the Managing Directors at two of the main employers on the site, it would appear that most employees travel into the site from the surrounding area. The lack of facilities on the site also means that staff need to travel out at lunch times.

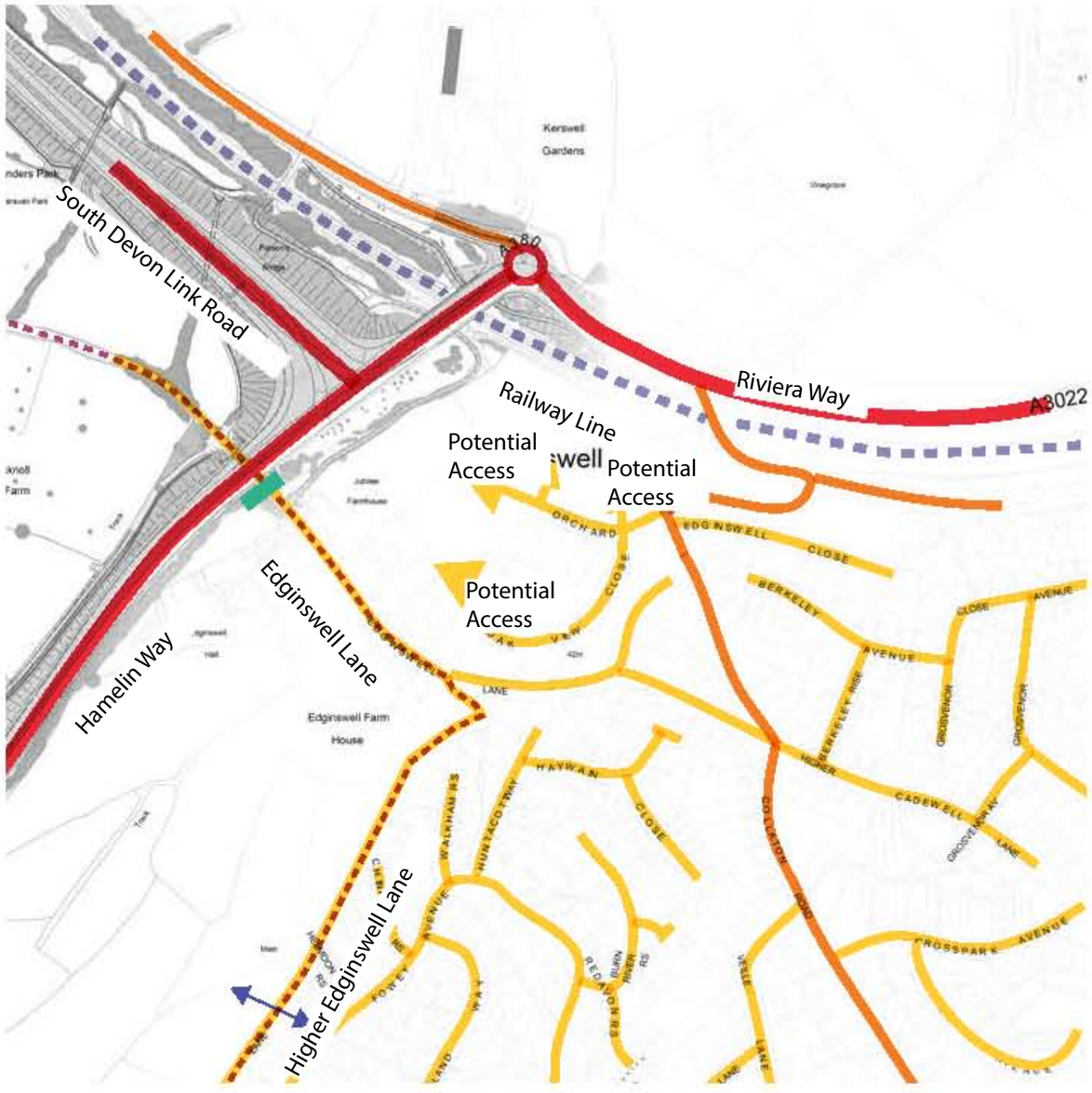


Figure 23 : Edginswell Business Park existing road hierarchy & access plan

5.3 Land Uses

Edginswell Business park : The site has been partly developed to accommodate 2-3 storey contemporary office development. The remainder of the site is undeveloped and has been promoted previously for a large retail foodstore. Those proposals were not supported by the Council and refused planning permission on appeal. The Local Plan supports the use of high quality B1 employment space in this area.

The adjoining hamlet of Edginswell is in close proximity to the site and should have a sensitive relationship.

5.4 Ownerships

Edginswell Business park : the site is currently owned by Hawkins Trust and managed by Maze.



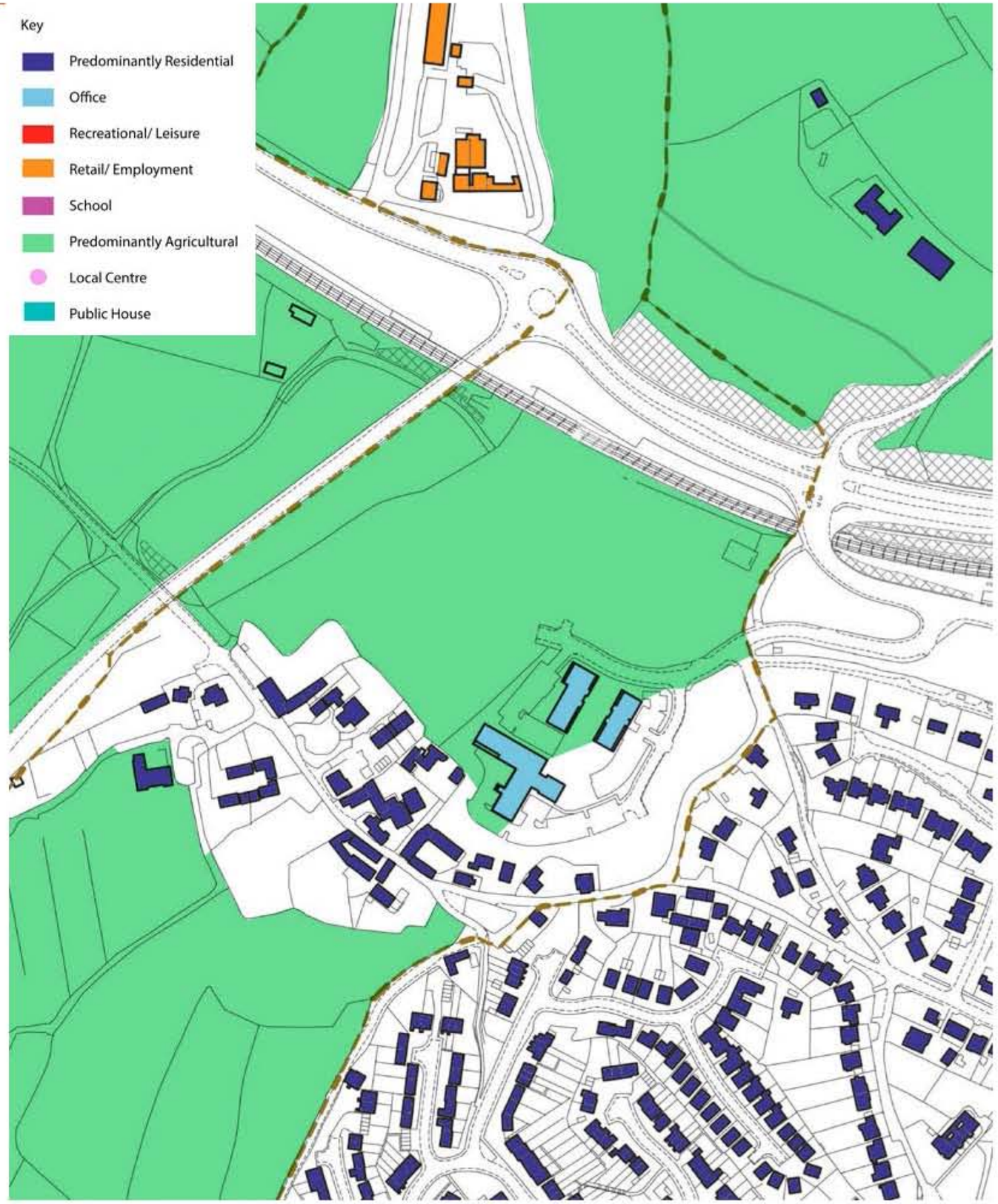


Figure 24 : Edginswell Business Park existing land use

Edginswell Business Park Proposal

5.5 Concept Plan & Illustrative Masterplan

Figures 25 and 26 show the concept plan and illustrative masterplan for the Edginswell Business Park. The concept plan principles are as follows ;

- Maximise frontage onto the new devon Link Road if levels allow. Incorporate higher/ focal buildings to maximise this view.
- Create frontage development looking from Riviera Way.
- Provide mixed use development (cafe/restaurant/ dry cleaners/ convenience store etc) on the way in from Orchard Way which can be used by local residents as well as employees in the business park. This reduces the need for traffic movements at lunch time.
- Incorporate well overlooked cycle and pedestrian routes with good links to the proposed Edginswell railway station.
- Provide well overlooked and easily accessible parking but allow for strong landscape within the car parks and screen where possible with frontage development.
- Allow for a significant buffer with properties along the northern edge of Edginswell hamlet.
- Ensure that the scale of development adjacent to Edginswell hamlet is appropriate and sensitive to the existing properties in Edginswell hamlet.
- Allow for Sustainable Urban Drainage Systems (SUDS) in the lower part of the valley to the north of the site.

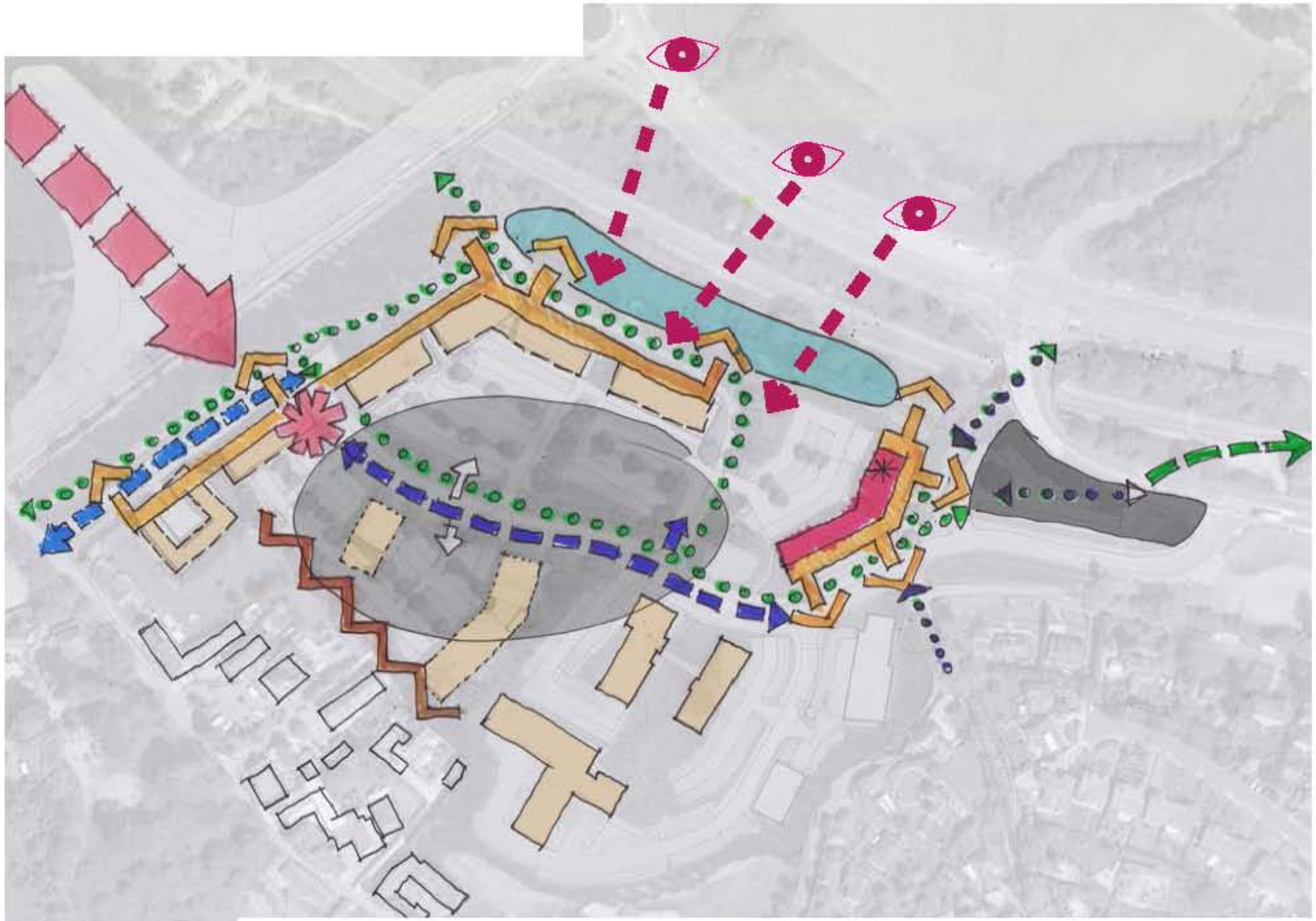


Figure 25 : Edginswell Business Park Concept Plan

1. Access off Orchard Way
2. Public Car Parking for the mixed use elements - convenience store, cafe etc.
3. Mixed use building
   - Cafe
   - Convenience store
   - Dry cleaners
   - Offices (small)
4. Frontage Development
5. Car Parking behind - follows the contours to minimise cut & fill. Allow for strong landscape tree structure
6. Possible residential/ small studio accessed off either Edginswell Lane or from the Business park
7. Riviera Way
8. Hamelin Way
9. New South Devon link road junction





Figure 26 : Edginswell Business Park Illustrative Masterplan ; Option 1



Figure 27 : Edginswell Business Park Illustrative Masterplan ; Option 2

1 Option - to allow for larger units towards the North of the site - closest to Riviera Way.
These could be 3-4 storeys but the volume may be limited by the road capacity onto Riviera Way so would need to be subject to more detailed Highway capacity analysis.









Figure 28 : Edginswell Business Park Illustrative Sketch ; Option 1

6.0 Kerswell Gardens



Context Issues

6.1 Landscape & Topography

The Kerswell Gardens area and Edginswell Business Park are separated by Riviera Way and create two very distinct areas.

Kerswell Gardens lies in a narrow valley which is set down below the A380 which was elevated in the past to connect onto Riviera Way. It is surrounded by fields that are still in agricultural use and as such appears to be somewhat divorced from the urban edge of Torquay.





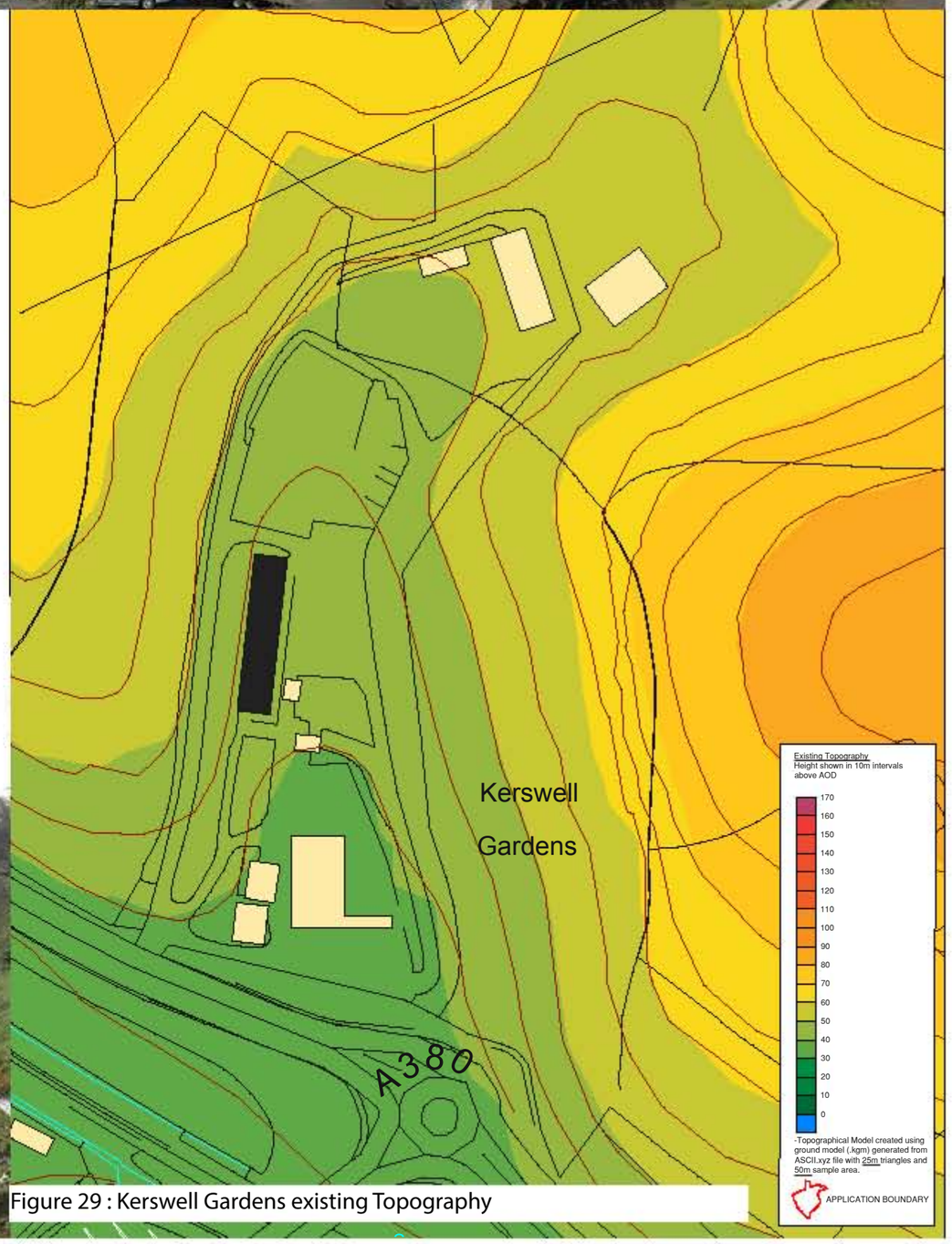


Figure 29 : Kerswell Gardens existing Topography

6.2 Access

Kerswell Gardens : Access to Kerswell gardens is generally via vehicle use as the pedestrian connectivity and distance is poor. Access is off the A380 on a 'temporary' junction arrangement which is difficult to access on busy periods. Clearly, when the new north Devon Link road is open, the traffic on the old A380 route will be significantly reduced but the site will remain in a very good strategic location for road uses.



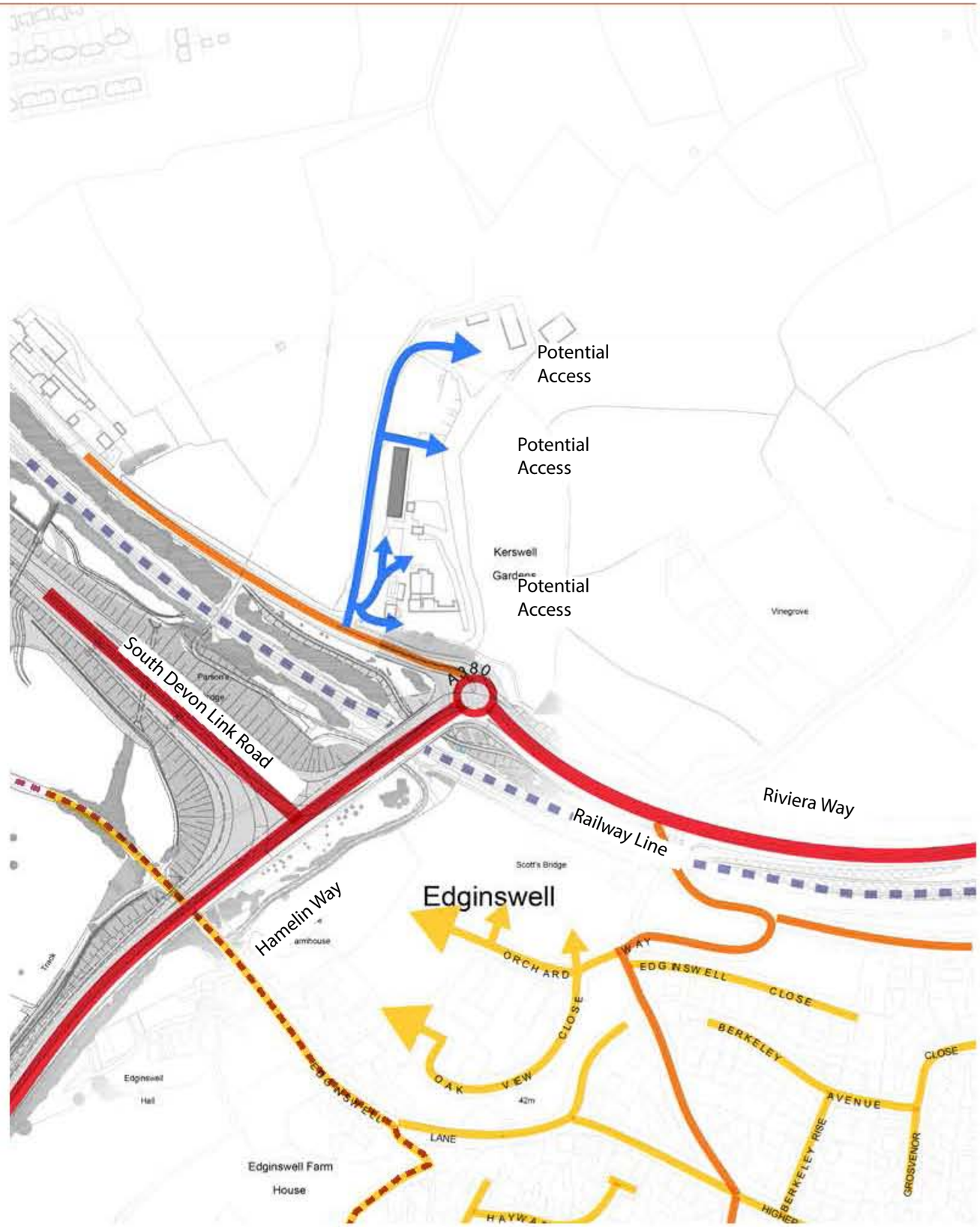


Figure.30 : Kerswell Gardens existing access

6.3 Land Uses

Kerswell Gardens : The land uses on the existing site are generally B2 (light industrial/ manufacture) with some storage (boats and caravans) and retail (lawn mowers). The existing business's on the site currently employs something in the region of 80 people and is therefore an important employment site for Torquay. The character and quality of the site is however poor and does little to create a 'gateway' character to Torquay. Improvement is therefore desirable but not at the expense of existing land uses.

6.4 Ownerships

Kerswell Gardens : Kerswell gardens is under one ownership but is sub tenanted to other business's. Any future improvement scenarios would therefore need to consider the existing tenants.

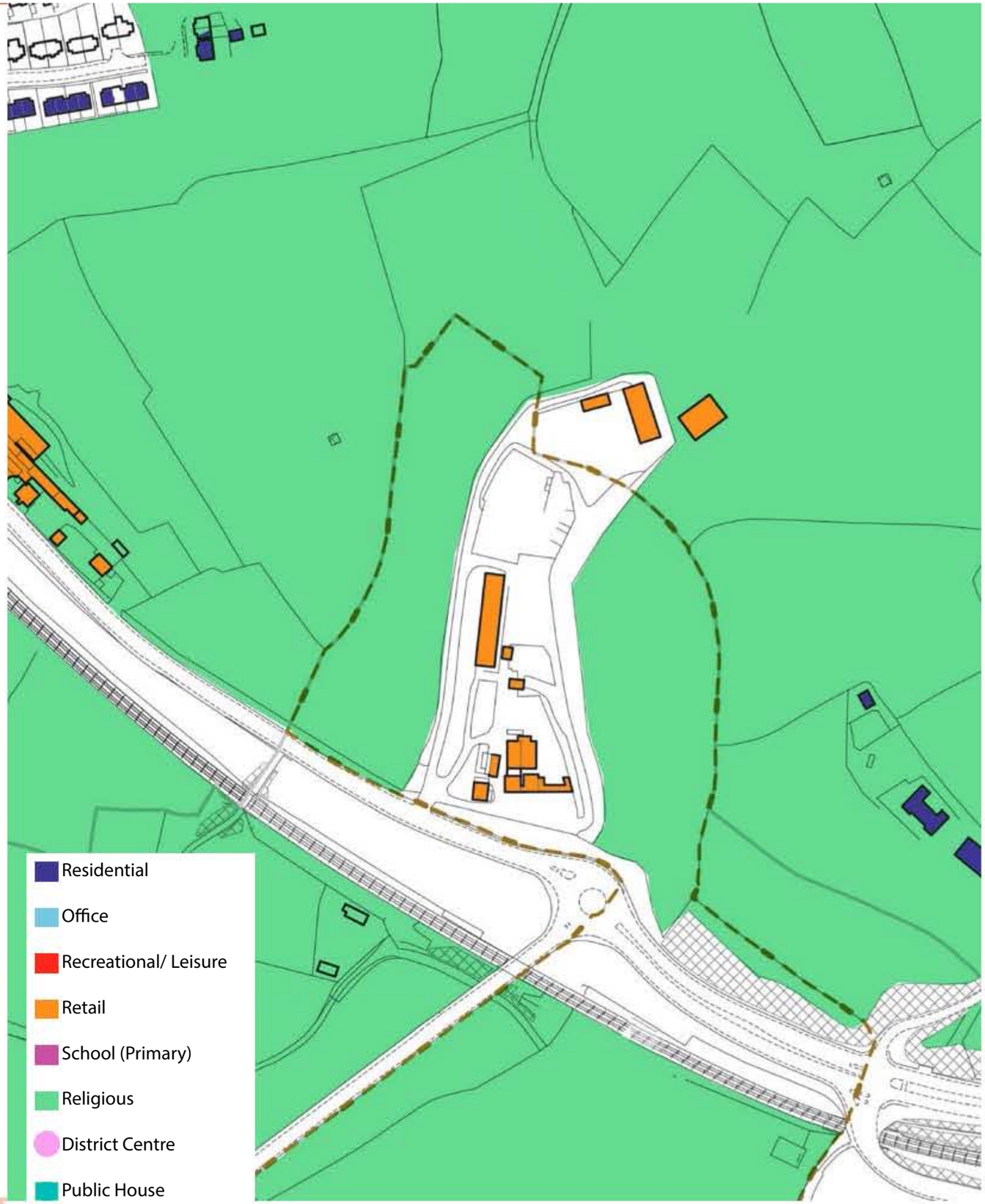


Figure.31 : Kerswell Gardens existing land use

Kerswell Gardens Proposal

Key

- Improved frontage to the site with existing levels raised to improve access onto the site.
- Retail along the front of the site
- B2 - Light industrial building use in the middle
- B8 - Warehouses at the back of the site
- Improved entrance junction

External landscape treatments create a sense of setting into the business park, inlcuding the new woodland edge.

Efficient use of land with a rationalised and structured building layout. Existing buildings are more ad-hoc and sporadic, without maximising the potential use of the site.



Figure.32 : Kerswell Gardens proposed Land Use plan



Figure.33 : Kerswell Gardens Illustrative Masterplan

07 Next Steps

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Gateway

The Council have identified the land to the east of Hamelin Way as a Future Growth Area in the emerging Local Plan which has been reflected in the emerging Neighbourhood Plan providing the potential for jobs, homes and infrastructure, including green infrastructure.

Phasing

The approach to phasing of the development proposed in this masterplan is critical to ensure that the development process is managed in a way which causes a minimum degree of disruption to local residents whilst also ensuring that the final built environment is a success both in terms of its design outcomes and its ability to deliver a viable, phased development in line with housing requirements at that time, which strengthen the local community be providing services and facilities acknowledged in the emerging Torquay Neighbourhood Plan as being currently deficient in the local area.

Indicative phases are as follows:

Governance

Torbay Council will be responsible for the overall governance and leadership required to ensure the delivery of the aims and aspirations presented in the masterplan. However, a range of partners will need to be involved in order to ensure the delivery of individual elements of the masterplan, particularly in relation to key infrastructure, including improvements to the strategic road junctions, the sewer network, telecommunications and surface water drainage management.

As the local planning authority, the Council remains responsible for the consideration and approval of planning application proposals within the masterplan sites and the surrounding area. As such, development proposals which accord with the principles and aims of this masterplan will be considered favourably, albeit they must still comply with the development plan and other relevant policy and supplementary planning guidance in force at the time. Proposals for development which would prejudice the aim of the masterplan will be resisted as they would lead to difficulty in delivering the masterplan concept. Developers are encouraged to actively engage with the Council at an early stage in order to ensure that specific development proposals can be formulated in a way which supports the masterplan aims.

The Torquay Neighbourhood Forum are preparing a plan which, amongst others, including the Gateway sites within this masterplan. Once both the draft Torbay Local Plan (currently under examination) and the Torquay Neighbourhood Plan have been adopted they will collectively form the development plan: the latter being required to be consistent with the content of the former.

This masterplan is anticipated to perform a central role in both, but particularly the Neighbourhood Plan, as a vehicle to demonstrate how strategic planning policy could be manifested “on the ground” in an indicative masterplan general arrangement layout.

Funding

The Council recognise that investment decisions to undertake residential and commercial development are heavily dependent on a number of issues, including but not limited to development viability driven by land value and relevant site specific constraints. To this end, any decision on the part of landowners and developers to progress the development of sites identified within this masterplan will be driven by the availability of funding, anticipated sales values and the costs associated with bringing forward development proposals in terms of direct development costs and planning obligations and/or future Community Infrastructure Levy tariffs as will become known during the life of the masterplan.

The Council are understandably not in a position to provide financial support to the physical development of this masterplan. However, the Council are committed to realising development within the Gateway within the emerging policy framework, concept and development parameters proposed. Therefore, where potential developers engage with the Council in a pro-active manner and commit to the aims of the masterplan, the Council will endeavour to provide appropriate support where possible. This may include assistance to prepare detailed site briefs and design codes or facilitating pre-application discussions with key stakeholders (for example consultees or infrastructure delivery partners).

The Council may be able to facilitate the provision of targeted funding or support from the Heart of the South West Local Enterprise Partnership to provide assistance in delivering critical infrastructure which helps to unlock development of economic benefit such as Edginswell Business Park.

The LEP recognises that there is a need for investment in strategic employment sites; their Strategic Economic Plan recognises the absolute importance of being able to create the conditions for growth. This will

include investment in infrastructure, be that road, digital, or workspace and sites.

The 2014 – 2020 programme European Regional Development Fund (ERDF) will also be allocated through the LEPs.

This masterplan expands on the Local Plan which sets out the quantum of development that this Future Growth Area should deliver, forming a fundamental part of the local strategy for what sustainable development means in Torbay. This masterplan tests and shows how those various land uses can be delivered in order to achieve the best outcomes in terms of place-making. Where necessary, the Council should seek to use Section 106 agreements and other mechanisms in order to secure the necessary quantum of housing, employment and other infrastructure outlined in this plan. This will help support delivery of the key elements across the masterplan area, which are likely to come forward as separate development proposals.

Landownership

The control and direction of use relating to private ownership of land is not within the remit of the Council. It is therefore recognised that the future delivery of this masterplan is to some degree outside of the Council's control. However, the Council consider that by developing a masterplan which seeks to see future development delivered in a strategically co-ordinated manner, it has taken a positive and definitive step in signalling to landowners that development of high quality and value can be delivered to meet the future needs of this Gateway site.

The Edginswell Valley is under several ownerships, over 9, with the majority of the land under one ownership. This makes for an easier delivery strategy as confirmed by the consultations albeit some areas would be brought forward by the owners. It is important that a single masterplan is delivered for the site and piecemeal development should be avoided.

The Edginswell Business Park is currently under one ownership. This site is the subject of a Planning Inquiry and their current proposals, while providing some business units are allocating a large area of the site to retail use.

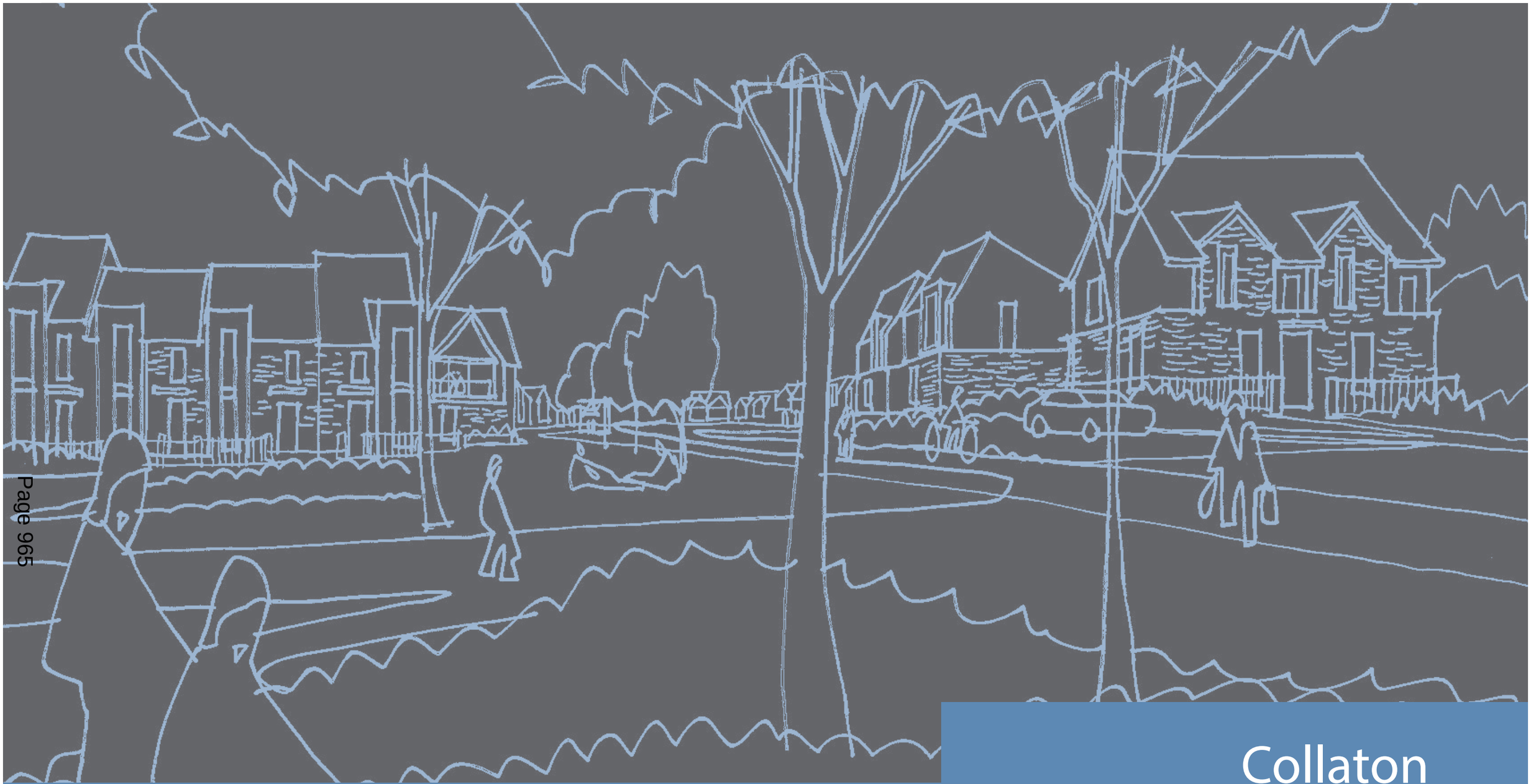
Kerswell gardens is under one ownership, but is sub tenanted.

Recommended future strategies:

The Masterplan proposals have considered a proposed phasing plan for the delivery of landscape improvements, a local centre, employment provision and a range of housing typologies including larger family homes.

The aim is to create an urban village, delivering quality new homes and employment that is sustainable and an exemplar community that will set the standard for future developments in the town.

Future Outline Planning Applications will need to respond to this masterplan and expand on its content, aims and ambitions. If successful, reserved matters applications will need to continue to demonstrate the ambition and push the boundaries of residential development in the Bay in order to enhance the built and natural environment and create a special place to live, work and play.



Collaton St Mary **Masterplan.**

Draft.
For client approval

February 2016

Stride Treglown gleeds

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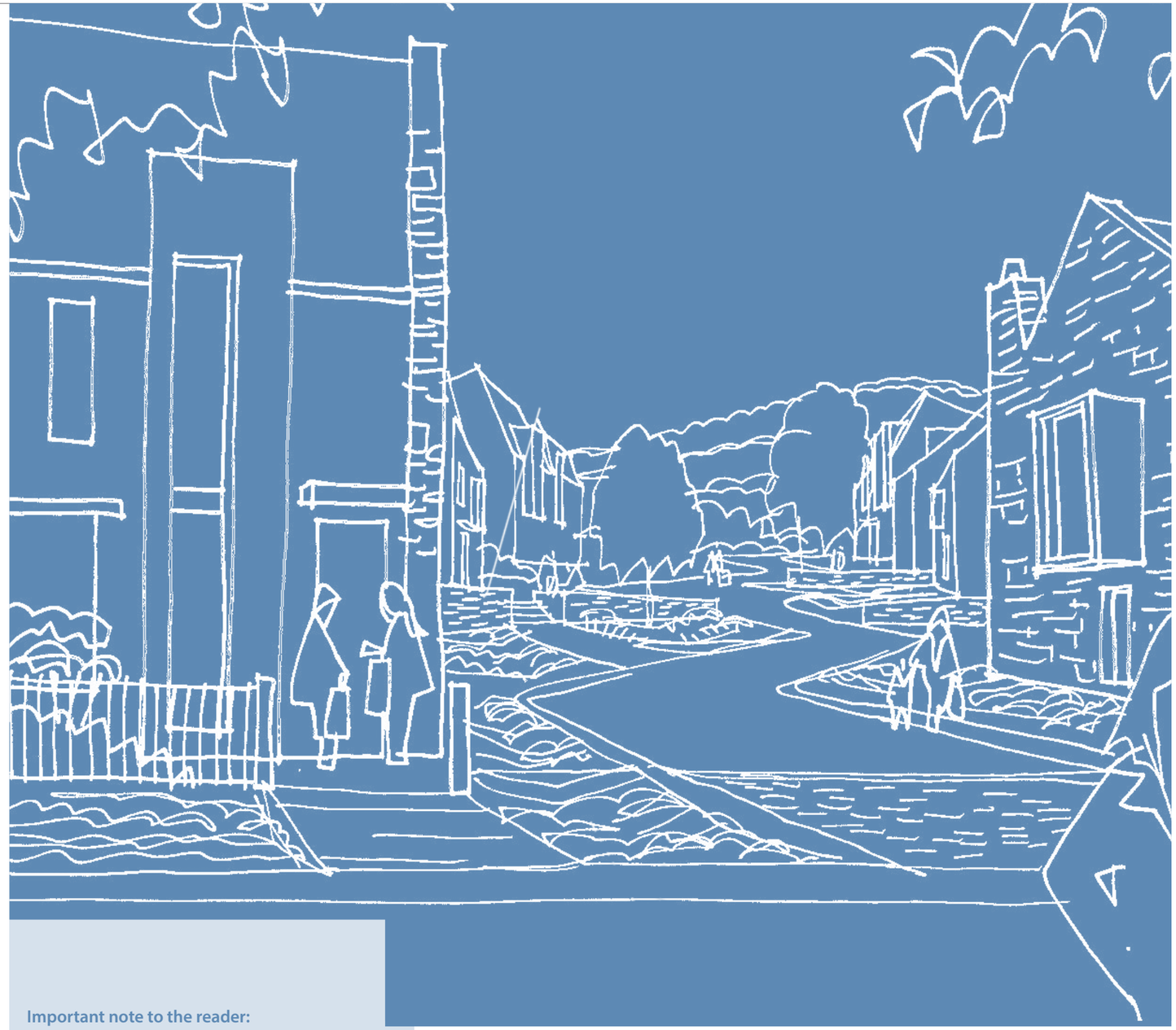
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HRA Site Appraisal Report of Torbay Local Plan Strategic Delivery Areas (Proposed Submission Plan)



Important note to the reader:

The Draft Collaton St Mary Masterplan (October 2014) http://www.torbay.gov.uk/csm-masterplandraft.pdf was amended following the initial round of consultations. A revised draft version (dated February 2015) incorporated changes made in response to the initial (October 2014) consultation. Following the second consultation (December 2015-January 2016), a number of additional changes have been made to the Masterplan. These changes (made since the February 2015 draft) have been highlighted in dark red text throughout this document.

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Stride Treglown | gleeds



The west of Paignton offers the largest area of land for expansion within Torbay, although there are infrastructure matters that need to be provided prior to development of already committed areas.

The Council has identified the land around Totnes Road and Collaton St Mary, alongside other areas in West Paignton, as an 'Area of Search' within the Adopted Torbay Local Plan 2012-30 "A landscape for success". In simple terms, areas of search provide a mechanism for communities, the Council and landowners to work in partnership to assess the potential for jobs, homes and infrastructure, including green infrastructure, to come forward in the area of search. In this instance, and reflecting the sensitivity of new development in and around Collaton St Mary, a master for the long term evolution of the village is considered the most appropriate mechanism for shaping that growth.

The scale and nature of new development delivered within areas of search must reflect the character of the individual area, as informed by Torbay's Landscape Character Assessment, should be green infrastructure led and should be consistent with the levels of growth set out in the Local Plan. This masterplan will therefore add much needed detail, including the timing of delivery of jobs, homes and infrastructure, to the area of search and Strategic Housing Land Availability Assessment.

The Council has identified a number of principles that it feels are appropriate in guiding the masterplan process at Collaton St Mary. They are:

1. The enhancement of a strong sense of community through the effective design and layout of homes and the provision of local facilities;
2. Provision of a range of residential schemes that offer a mix of housing types;
3. Creation of employment space, delivered in the early stages of development, designed to meet identified economic growth sectors – but this employment space is likely to be limited given the proximity, in West Paignton, of major employment sites;
4. Essential transport and utilities infrastructure, including green infrastructure, and appropriate links to other planned facilities;
5. A suitable range of recreational, leisure and tourism facilities;
6. High quality design standards that embrace sustainable and energy efficient construction techniques and preventing crime through environmental design; and
7. Appropriate phasing to ensure overall a balanced provision of jobs, homes and infrastructure (including green infrastructure).

The masterplan in this report has been driven by these principles, and can deliver a robust and coherent long term development strategy for the village that responds directly to the characteristics of Collaton St Mary.

The masterplan sets out an indicative plan for the area's development. Before development commences it will be necessary for green and physical infrastructure to be put in place. In particular, further survey work will be needed to ensure that greater horseshoe bats and other biodiversity are not adversely affected.

Whilst this masterplan has considered the issue of flooding, detailed proposals will need to ensure that there is adequate sewer capacity to serve development, and flood attenuation measures are provided, using sustainable urban drainage systems wherever possible.

Detailed applications should have regard to polices in the Local Plan. In particular Policy DE1 "Design" sets out design considerations for development.

The focus of this masterplan has been on place making, and demonstrating how the existing village can grow in a sustainable, organic way. This masterplan report sets out the strategies underpinning the proposed layout and how the information received locally has contributed to the design.

Overview.

2.0



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Site and surrounding context.

Distribution of uses around the town

The range of facilities and different uses distributed around the village reflect the settlement's rural character. There are some social facilities available to the local community in the village and relatively easy access to a range of larger facilities in the wider locality.

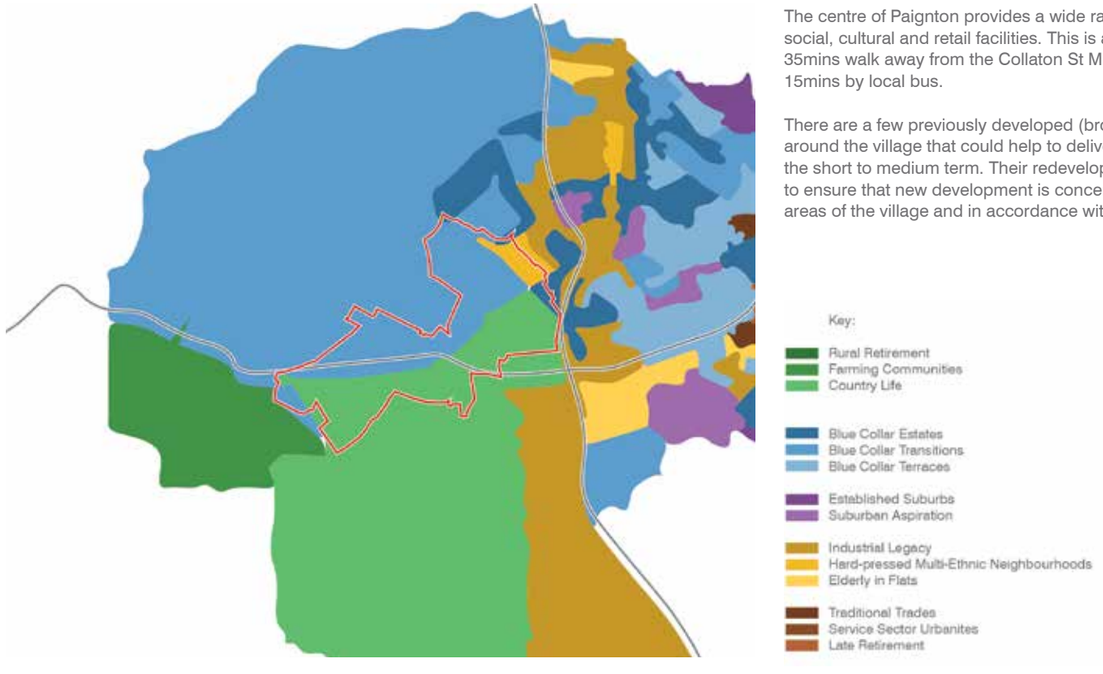


Collaton St Mary is a predominantly rural settlement sitting on the edge of the wider Paignton urban area. The majority of buildings and properties are either agricultural or residential. The range of facilities that exist within the study area are limited in that they represent the more rural history of the village. One of the main focal points for the village is Collaton St Mary Parish Church, the Parish Hall and Collaton St Mary Primary School. The Parker's Arms pub forms a secondary focal point for the village.

To the west is the former motel site, which has closed down and is now a semi abandoned site. Its former use reflected the tourism-related holiday complex at Devon Hills on the other side of the Totnes Road. Additional tourist amenities are located further out from Collaton St Mary, with several angling facilities within walking distance of the motel site.

The supply of housing around Collaton St Mary has expanded significantly over the past half century. With more people living within Collaton St Mary and in those areas immediately adjacent, there is a growing pressure for a suitable range of facilities to be provided to accommodate the needs of a larger population.

The wider Paignton area provides many of the facilities that the residents of Collaton St Mary would need. Paignton Community and Sports Academy at Borough Road and Waterleat Road is the nearest secondary school, which also provides a wide range of sporting facilities for the local community. A small convenience store is located adjacent to the study area on Kings Ash Road, but the main retail hub for those living in the Collaton St Mary settlement is on the Brixham Road. This includes two large food retail stores (Asda and Morrisons) and a number of 'fast food' restaurants. This is approximately 15mins walking distance from the church. Beyond this lies Paignton Zoo, which is one of the major tourist attractions in the Torbay area. The Yalberton Industrial Estate is a significant employment district for Paignton and sits to the southeast of the site.



The centre of Paignton provides a wide range of public, social, cultural and retail facilities. This is approximately 35mins walk away from the Collaton St Mary Church, or 15mins by local bus.

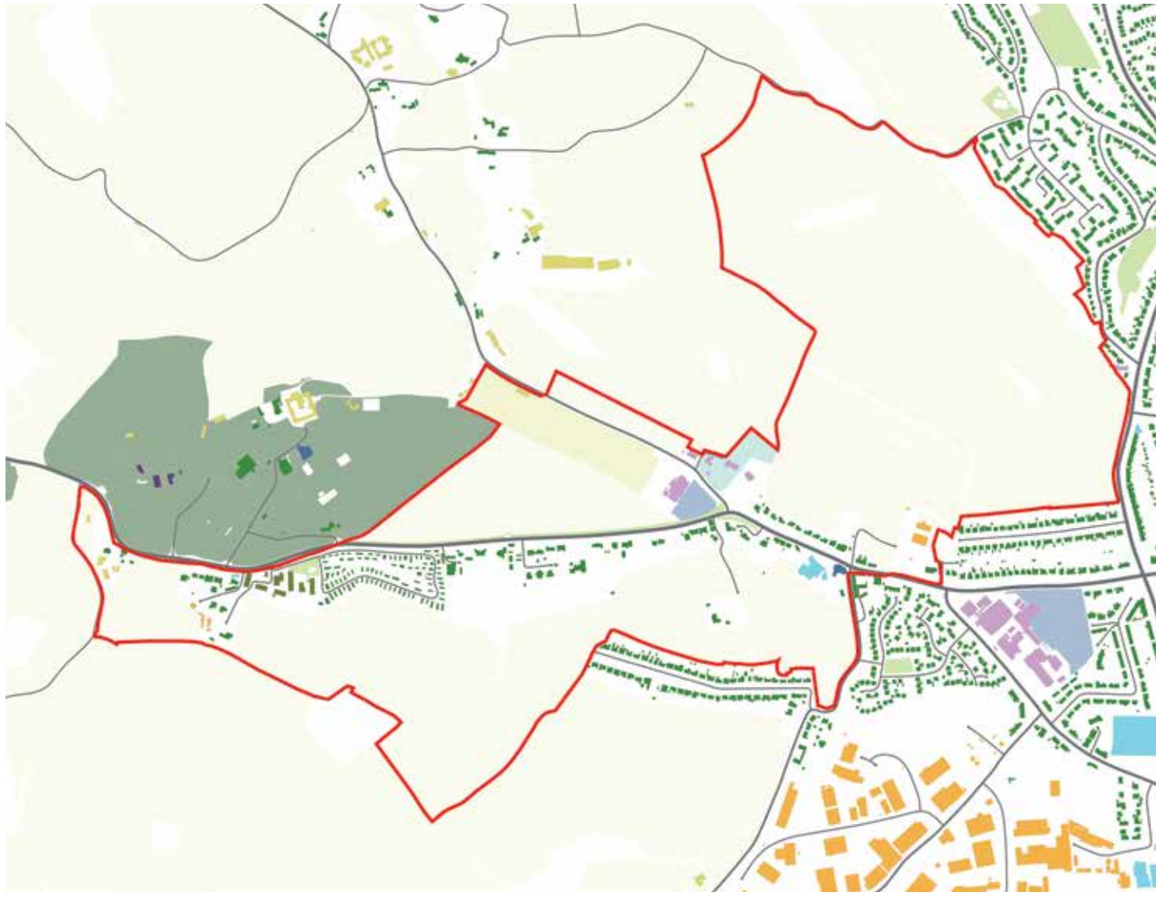
There are a few previously developed (brownfield) sites around the village that could help to deliver new facilities in the short to medium term. Their redevelopment would help to ensure that new development is concentrated in the right areas of the village and in accordance with planning policy.



Open spaces

Most open spaces in the Collaton St Mary area are used for agricultural purposes and are generally not accessible to the general public. However, these open spaces are valued by local people and visitors to the area for the visual amenity they provide to the local community.

Open spaces that are accessible by the local community are centred on the areas associated with local education institutions and Collaton St Mary Church. Collaton St Mary School has a number of playing pitches, which as well as providing facilities for pupils at the school, has been used for wider community events such as the Collaton St Mary Country Show.



Torbay Population Profile

Using Acorn population data it is possible to make a number of assumptions about the profile of the population in and around Torbay, and the opportunities and challenges this poses to the economy. Acorn works by categorising UK postcodes using demographic statistics and lifestyle variables to build up a profile for each area which can then be compared to the national average. Using this system four dominant classifications emerge within a 20 minute drive time of the three towns in Torbay Prudent Pensioners, Affluent Greys and Blue Collar Roots around Paignton and Brixham and Prudent Pensioners, Affluent Greys and Settled Suburbia around Brixham.

- Prudent Pensioners - These are comfortably-off retired people found in many seaside towns and elsewhere around the country. There are many over-75s as well as younger retired. A lot of the households are pensioner couples or singles. Retirement homes are also common. Most of the people in this group have a comfortable standard of living, having provided for their old age with above-average levels of savings and investments.

- Affluent Greys - These people tend to be older empty nesters and retired couples. Many live in rural towns and villages, often in areas where tourism is important. Employment is typically in managerial and professional roles. These are high-income households and even those who have retired have good incomes. Since it contains older people, it is unsurprising that 10% of the income of this group is in the form of a pension – a significantly greater proportion than any other group. These older, affluent people have the money and the time to enjoy life.

- Blue Collar Roots - These are communities where most employment is in traditional blue-collar occupations. Families and retired people predominate with some young singles and single parents. Levels of educational qualifications tend to be low. Most employment is in factory and other manual occupations. There are many shopworkers as well. Incomes range from moderate to low and unemployment is higher than the national average, as is long term illness, and the proportion of income derived from benefits is gradually increasing. There are pockets of deprivation in this group. These people have a modest lifestyle but most are able to get by.

- Settled Suburbia – These established communities are made up of empty nesters and retired older couples. The working population are in a mix of lower management, supervisory, manufacturing and retail jobs. They earn modest salaries and significant numbers of women work part time to boost the overall household income. Broadly these people feel comfortable, with fewer feeling themselves to have financial difficulties. However some may expect their financial situation to get worse. These older people have enough to feel secure about their future.

Unsurprisingly given the demography of Torbay the dominant groups, with the exception of blue collar roots are predominately older and have a relatively high level of disposable income. Certainly when indexed against the national average the levels of prudent pensioners is significantly higher. This assertion is supported by gross domestic household income levels (GDHI) which are noticeably closer the national average than gross value added (GVA) as they include pension income.

This information suggests that there is disposable income available to spend within the Torbay town centres, which is perhaps being spent elsewhere. The challenge remains for the economic strategy to facilitate improvements within the town centres to encourage those with income to spend it locally rather than in cities such as Plymouth and Exeter, or other local towns.

Planning policy appraisal

As part of the review of relevant background information, an appraisal of different levels planning policy was undertaken to ensure that future proposals for the town centre would be consistent with national and local planning guidance.

National Policy

The National Planning Policy Framework (NPPF), introduced in March 2012, consolidated national planning policy from the previous Planning Policy Statements/Guidance (PPS/G) into a single document. A key aim of the NPPF is to provide a streamlined, single document to guide decision making and local plan making. The NPPF is a material consideration for both decision making and local plan making.

The NPPF covers a number of areas relevant to planning and given the material weight to be given to it, they are all valid. However, within the context of the Collaton St Mary masterplan, a number of key areas stand out as being particularly relevant.
Paragraph 14 identifies a Presumption in Favour of Sustainable Development which is seen as a 'Golden Thread' running through both decision and plan making. The development of this masterplan is a key tool in ensuring that Torbay Council are able to plan positively for future, objectively assessed, development needs. Building on this, paragraph 17 establishes core planning principles, amongst which the following are considered to be particularly relevant to the underlying principle of masterplanning for the future of Collaton St Mary:

Empowerment of local people to shape their surroundings - evidenced by the consultation exercise and response to comments;
Planning as a creative exercise to enhance and improve places – central throughout the masterplan process;
High quality design and good standard of amenity which is informed by known constraints, for instance open space requirements, flood risk etc.

Within Section 6, the NPPF establishes the need to ensure that housing supply is planned for on an objective basis and to meet need as identified throughout the plan period. Section 7 on Good Design identifies the importance of good design in delivering sustainable development, noting that it is indivisible from good planning. To this end, design is key to ensuring that the potential for negative impacts of new development upon existing communities is removed and a positive contribution is made to making places better for people.

Sections 10, 11 and 12 consider flooding, the natural and historic environment respectively. These matters are of importance for all development in order to ensure any future risk from flooding is avoided, or at least limited, whilst ensuring that new development on previously undeveloped land is considerate of natural and historic assets. The interactions with Section 7 on Good Design are critical here.

Local Policy

The Adopted Local Plan 2012-30 and beyond "a landscape for success" was adopted by Council on 10 December 2015. This plan establishes policy and broad strategic allocations for future development based on updated evidence, which will ensure the delivery of a sustainable future for the Torbay area.

The Local Plan includes policy to guide development, all of which will have varying degrees of applicability for future work. However, in the context of this master planning exercise, the following are considered key

Collaton St Mary is allocated in Policy SS2 as a Future Growth Area. This designation recognises the potential of the area to accommodate development during the latter part of the Plan period from 2024 onwards. However Government advice is clear that sustainable development must not be delayed if infrastructure and other constraints can be satisfactorily addressed. Further support for the principle of development is contained within Policy C1 Countryside and Rural economy. This seeks to avoid unrestricted development of the open countryside surrounding Paignton and, to ensure this; the Policy directs development to Future Growth Areas.

Whilst Policy SS2 identifies the potential of the area in broad terms, Policy SDP3 Paignton North and Western Area, specifically sub policy 3.3, provides more detail. It identifies scope for approximately 460 homes in the area to meet future housing need. As a result of the draft masterplan, the Modifications to the Local Plan reduced the number of dwellings in SDP3.3 to 460 (from 836 in the Submission Local Plan,RMM10 and RMM11).

Whilst paragraph 5.2.2.8 does recognise the challenges for development and the particular need to ensure that development enhances the role of the village centre, it also emphasises that these challenges will be overcome through the masterplanning process which will ensure a broad range of needs, including infrastructure, are met.

The role of a masterplan and delivery through Neighbourhood Planning is referenced within Policy SDP1 Paignton. This policy reiterates the infrastructure requirements relating to the area, particularly highways, drainage and landscaping.

The Local Plan was been informed by Habitats Regulation Assessment and Sustainability Appraisal. To assess the acceptability of Future growth Areas, a further Habitats Regulation Appraisal Report of the Local Plan Strategic Delivery Areas was commissioned (Kestrel Wildlife Ltd, October 2014). Map 6 of that report sets out likely routes for greater horseshoe bat strategic flyways. It also identifies mitigation measures that are likely to be required to achieve development in the area. A number of Modifications were made to the emerging Local Plan to emphasise the importance of addressing biodiversity issues (including in combination effects), and the need for additional survey work to be carried out between April and October (see especially Policy SS8 nature Conservation and NC1 Biodiversity and geodiversity). The relevant section of the HRA site assessment and Map 6 are appended to this Masterplan for information.

The Local Plan also sets out policies on flooding (ER1, ER2 and W5), strategic transport (SS6) and development access (TA2) and design principles (DE1 to DE3) which, among others, will be relevant to determining development proposals in the area.
The Collaton St Mary Masterplan provides an greater level of detail than can be included in the Local Plan. However, it does not replace the need for project level ecology (especially greater horseshoe bat), flooding, transport etc surveys and assessment that must be provided before planning permission can be approved.

Neighbourhood Plan

Neighbourhood Planning has introduced a new layer of planning below the strategic plans prepared by Local Planning Authorities. Whilst it is not a compulsory activity, where a designated body prepares and consults upon a plan and then subsequently has it examined and a referendum held to decide on its adoption, the plan will become a part of the Development Plan. It is important that the Neighbourhood Plan supports the aims of Policy contained within the higher tier Local Plan. With this in mind, a well prepared and supported Neighbourhood Plan can provide a real opportunity for local communities to positively influence development in their area, whilst still allowing the local authority to meet the identified local needs.

Paignton Neighbourhood Forum are preparing a plan for the Paignton area. This will cover a relatively broad area, including Collaton St Mary and the area identified in the Adopted Local Plan as a Future Growth Area, and thereby the land which is the subject of this masterplan. At this stage, the Forum have completed the process of gathering evidence and seeking the views of local residents. Their next step will be to begin the preparation of the Plan itself.

The Masterplan as Council Policy

This masterplan has been prepared within the identified planning policy context. The Adopted Local Plan (and subsequently the Paignton Neighbourhood Plan) will provide a strong and clear strategic direction for the needs of the Paignton area in the period to 2032 and beyond. Having extensively considered the policy context, including the strategic need for housing in and adjacent to Paignton, this masterplan will play a key role in guiding the future of development and planning in Collaton St Mary.

It is the Council's ultimate intention to adopt the masterplan as a Supplementary Planning Document (SPD). Until such time, the Council will seek to use the masterplan as a non-statutory development brief to inform any subsequent application for development within Collaton St Mary.

The information on the following page is reproduced from the Western Area Wallchart presented by the Forum as part of their Stage 2 consultation. This was held in late 2012 to gather the views of the local community on the proposed Aims and Objectives and emerging Proposals.

Paignton neighbourhood plan

What is this Plan?

Local residents, workers, businesses, councillors, and other volunteers are putting together a Neighbourhood Plan for Paignton by working together as a Forum made possible by the Localism Act 2011. When finalised, the Neighbourhood Plan will become part of the statutory development plan for Paignton used by the Council when making decisions on planning applications in the area over the next 20 years.

Background

The National Planning Policy Framework produced by the Government requires that Neighbourhood Plans must be in general conformity with the strategic policies of the Local Plan produced by the Council (NPPF paragraph 184). As the Local Plan is in early draft, the scale and location of strategic development summarised below has not yet been finalised:

More Jobs

Torbay currently has about 3,400 residents who are unemployed. Plus there is a need for more jobs to help reduce existing deprivation and improve wider prosperity. The draft Local Plan proposes the need for 15,000 jobs over 20 years at a target of 750 new jobs every year in Torbay with 300 of these located each year in Paignton.

More Homes

The current waiting list is for 2,400 affordable homes in Torbay. About 1,600 existing homes have been vacant for more than 6 months. Torbay's resident population in 2011 was 131,100 which grew by only 1,400 between the Census years of 2001 and 2011. Unlike other places, deaths exceed births every year in Torbay and the resident population will reduce over the next 20 years if migration from elsewhere does not continue. How much growth from immigration will take place is very uncertain however unless more jobs are achieved with additional homes, they risk being occupied by residents who have to find work outside of Torbay. This would go against the 'golden thread' objective of promoting sustainable development required by the Government's National Planning Policy Framework. The 'sequence' of development will therefore be just as important, if not more so, as the 'pace' of development each year.

Environmental Change

Challenges the western area must also address include, flood risk from inland water, existing drainage constraints, movement constraints, promoting a low carbon economy, energy efficiency, and safeguarding the area's contribution to biodiversity and food production.

What are the proposed Aims of the Plan ?

Paignton is a busy seaside town of more than 43,000 residents with attractions at the centre of Torbay on the world class coastline of the English Riviera. Our plan is to make sustainable use of this unique situation and the assets we have to improve our prosperity, quality of life, and care of the environment.

How will this be achieved ?

The western side of Paignton is a very important area. It contains attractive countryside, important natural habitats, food production areas, and tourist accommodation. It also contains a major employment area, expanding college campus, and significant opportunities for sustainable development if managed carefully. Following the views so far received from our community, the aims for the western side would be:

- To protect local identity and enhance the contribution it makes towards overall prosperity and Paignton's role as a 'seaside town' on the English Riviera;
- To encourage 'balanced' development so that unintended and unsustainable consequences do not arise.

Where to give your views

After reading this chart, please complete the accompanying questionnaire and return it to the collection box provided, or send it to the Freepost address given. If you wish to reply on-line, find out more, or join the Forum, please visit our website at **www.paigntonneighbourhoodplan.org.uk** or telephone (01803) 469185 or (01803) 523434.

This is what is proposed...

Open Countryside

The Neighbourhood Plan would include further proposals that progressed the suggestions in the Torbay Green Infrastructure Delivery Plan, and

- protection of the open areas of countryside
- biodiversity priority
- food production

Area Wide Policies and Proposals

Improving our prosperity and care for the Riviera environment are the key factors. The following would be included in the Neighbourhood Plan based on the views our community has so far expressed. Throughout the western area (see map) the Neighbourhood Plan would:

- Give first priority to securing employment led growth and ensuring that land identified for further employment is in sustainable locations;
- Encourage a "balanced" provision of new development, in particular, between jobs with homes and population with shopping facilities;
- Promote an affordable housing increase to meet local need;
- Ensure that drainage and sewage solutions are identified at an early stage in new development to help overcome constraints sustainably;
- Avoid development locating in areas of flood risk or increasing risk elsewhere;
- Avoid premature and piecemeal development to ensure a sustainable pattern of development is achieved throughout the area
- Encourage energy efficient development through support for innovative design form and layout on individual sites.

Collaton St Mary

Collaton St. Mary is the gateway to Torbay from Cornwall and South Hams and any development must enhance the tourist appeal. Such development also to be:

- within social capacity, bearing in mind the current lack of facilities and with slow growth so as not to lose the village identity;
- within economic capacity, by providing sufficient local jobs to ensure a stable economy, together with adequate transport facilities;
- within environmental capacity that includes sufficient drainage facilities that prevents water damage to both Collaton and Stoke Gabriel properties, sewerage provision without causing overflow problems, and roads that can cope with both current and future requirements.
- expanded school facilities would be needed with provision for a car park or drop off zone incorporated;
- youth and playspace provision would be needed and could be included in a Village Hub open area. A growing number of young children and youths moving into the area would need a community building which could include the medical facilities also necessary.

Support would be given for retention of the holiday parks by not turning the area from green field views, in particular the higher ground in the area, into housing estates which would greatly reduce the number of tourists wanting to come to the area.

Currently dangerous road junctions would need to be resolved such as Newbarn Farm, Blagdon Inn (also used for access to holiday chalets and gym/pool facilities).

The present Zebra crossing near to Stoke Road is an accident waiting to happen and should be light controlled as many drivers are going too fast and with restricted view from both sides do not see pedestrians in time to stop. This crossing is much used by parents with school age children.

Great Parks

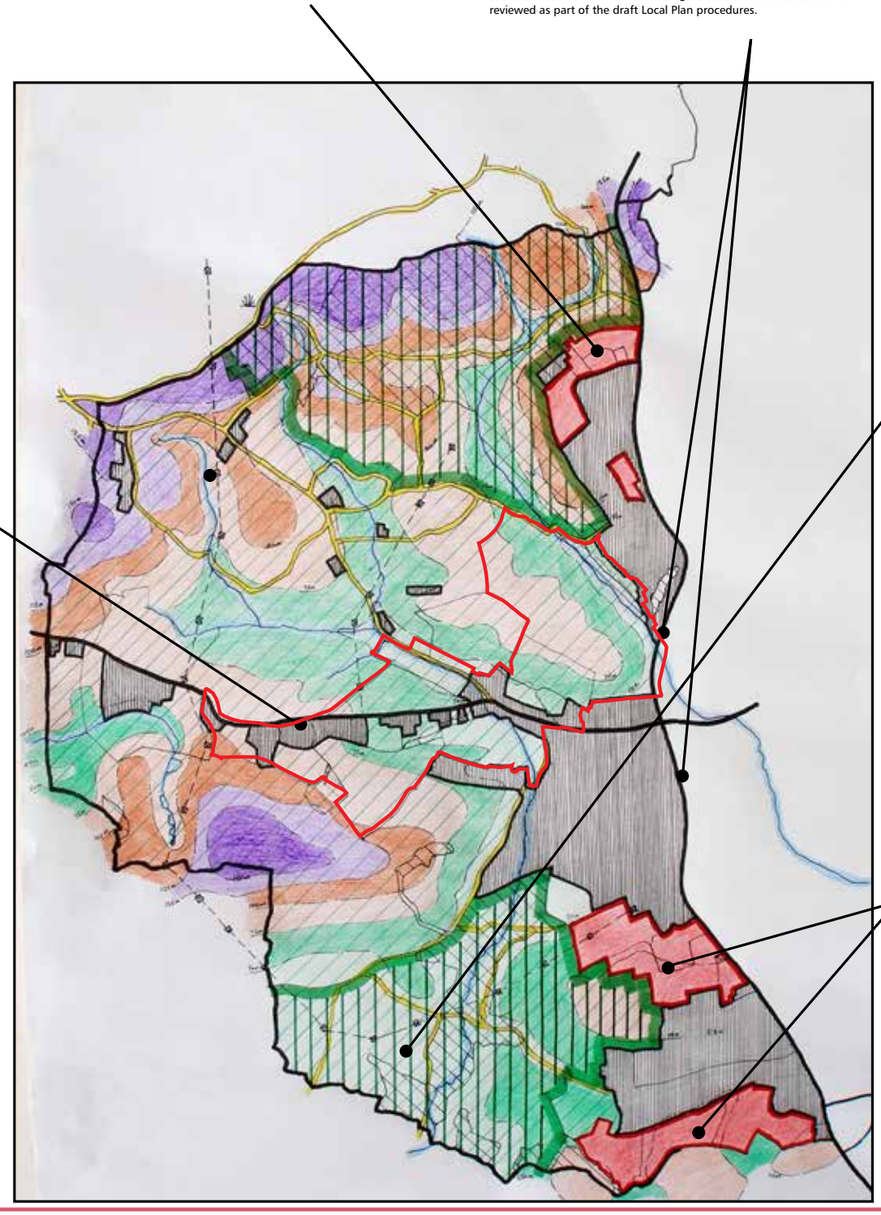
This area is already allocated for a final phase of development in the previous Local Plan, and is assessed (2008) to have a capacity for a further 480 homes with supporting facilities. The Neighbourhood Plan would also incorporate the Torbay Green Infrastructure Delivery Plan for enhancement of the adjoining Westerland Valley.

A Planning Brief to guide the final Phase of Great Parks is proposed. Items for consideration need to include for example:

- completion of the Phase 1 Section 106 Agreement;
- a central focal area or hub for community facilities;
- new housing that is smart, innovative, in harmony with Paignton's Riviera identity, and fit for the 21st century.

Western Corridor

The Paignton section of the western Corridor travels due south from 'Churscombe Cross' for several miles to 'Windy Corner' at Churston Common. At its northern end, Churscombe Cross intersects with the B3060 at Marldon Hill. At its southern end, at Windy Corner, it joins the A379 Dartmouth Road. The major bottleneck that creates traffic congestion and long queues in this area is at Tweenaway Cross, even though recent improvements have been made to the junction. Even with current traffic volumes, there is significant congestion for large periods of the day. Further significant improvement of the traffic capacity of the intersection would be required to accommodate the additional traffic generated by the new jobs, and homes proposed. There may be the need to 'partner' some of the developments the route will serve with pockets of land along other parts of the route in Torquay if this becomes a more sustainable solution when the Strategic Environmental Assessment is reviewed as part of the draft Local Plan procedures.



Yalberton Valley

Designate as a Protected Area

Within South Hams, part of the lower valley has been designated at national level as an Area of Outstanding Natural Beauty (AONB). The Neighbourhood Plan would recognise the importance of the upper part of the Valley as an area also needing protection for the valuable contribution it makes to local character and tourism opportunities. Scope for this area as an entity includes:

- Designating the area as a Local Green Space (NPPF para 77 because of its beauty, historic significance, recreational value, tranquillity and richness of its wildlife;
- A working partnership with SHDC and wildlife agencies to review all wildlife sites within the Valley and to arrive at any further appropriately comprehensive designation. (An independently commissioned study in 2007 established that the Valley is home to an abundance of protected wildlife (flora and fauna);
- An opportunity to designate the area as one of significant geographical importance within the Torbay Geopark area – the significance of the Valley's caves and underground karst system is acknowledged by a few professionals who are aware of its significance. This could include registration with Devon RIGS (Regionally Important Geographical Sites).

Conservation Area

The upper part of the Valley contains 10 listed buildings, including 2 of national monument status – one of which is 'King William's Cottage'. To preserve the historical nature of the area:

- A submission for Conservation Area designation in terms of these buildings and the environs has already been submitted to Torbay Council with an understanding that it will be processed later in 2012;
- Appropriate protection is further required for an attractive and unspoilt 'Devon Lane' (Lidstone Lane) that runs from Lower Yalberton to Byter Mill, Stoke Gabriel.

Orchard and Food Production

The Valley is home to a nationally acknowledged cider making firm, additionally, there are productive areas of farming and horticulture. The whole area is interlinked within an extensive network of species-rich mature traditional hedges and a large number of mature and veteran trees.

White Rock and nearby areas

Proposals through recent planning applications have identified new opportunities for mixed use development:-

- at White Rock of 350 new homes and 36,800 sq.m gross of employment floorspace, plus local centre facilities, open space, and student accommodation;
- at Yannons Farm and Holly Gruit of 315 new homes and 5,600 sq.m. gross of employment floorspace, plus local centre and open space.

To these would be added further land allocated in the vicinity for employment development and redevelopment opportunities. Collectively they provide the main location for new jobs that require new space and access over the next 20 years and beyond. The campus of South Devon College is in the vicinity and the location overall fosters:

- positive promotion and expansion of 'cluster' working of knowledge driven high technology industries;
- an integrated approach to the treatment of the development 'edge' with the nearby countryside and enhancement of the local identity.

The combined effect will place considerable demands on the road network, drainage and sewerage.

Business Development

- new units in keeping with the scale of neighbouring housing areas
- landscaped to fit in with land contours

Environment

- ensuring that overdevelopment along Brixham Road does not result from noise, atmospheric, or light pollution;
- a landscaping plan that would see the introduction of green roadside verges, coupled with sufficient trees to offset the increase in carbon dioxide;
- development regard for biodiversity and mitigation sites for wildlife need listing;

South Devon College

- a need for green space to accommodate sporting facilities
- more land to develop horticultural and land based courses
- a bus lay-by outside the college entrance to reduce danger at Long Road
- a footbridge over Brixham Road or underpass connecting to Roselands

Paignton Western Area Key:

- Existing development/ Urban area
- Allocated for development or with consent

Countryside

- Area of Great Landscape Value
- Nature Conservation Site
- Country Park Potential

Land Contours

- Over 150m
- 125-150m
- 100-125m
- 75-100m
- 50-75m
- Below 50m

- Water course/flood risk
- Overhead Power line
- Principal Road Network
- Local Road Network

Neighbourhood Forum: Stage 2 Wallchart

The details presented by the Neighbourhood Forum as part of their Stage 2 work highlight the important aspects of Collaton St Mary. These details have been used to help inform work undertaken on the Initial Site Analysis and Context Proposals presented in April 2014 as part of the masterplan development process.



Study area boundary

0-14 units per hectare
15-19 units per hectare
20-24 units per hectare
25-29 units per hectare
30-34 units per hectare
35-39 units per hectare
Listed Buildings
Listed Structures

Built Form

The built settlement at Collaton St Mary is generally linear in form, primarily influenced by the direction of the Totnes Road. A number of newer developments have broken that form, in particular those at Beechdown Park and the estate immediately to the east of the site (Brecon Close, Pennine Drive, Cambrian Close and Snowdonia Close). Although Beechdown Park is a static caravan park, it represents the most densely populated part of Collaton St Mary (at approximately 37 units per hectare) and is located away from the heart of the village. The 3 main areas of housing closest to the village centre are all in the region of 20-24 units per hectare, with the linear strip of housing along the Totnes Road generally being less than 15 units per hectare.

Future development within the area will be strongly guided by the topography of the landscape in which Collaton St Mary sits. Development will also have to respect the listed buildings and structures that are dotted around the area. Some of these, due to their character and location, are in a stronger position to influence how future development can be integrated into the village (e.g. using the thatched cottages alongside the Totnes Road to create an attractive link between new and old).



Study area boundary

Flood zone 3
Flood zone 2
Flood defences

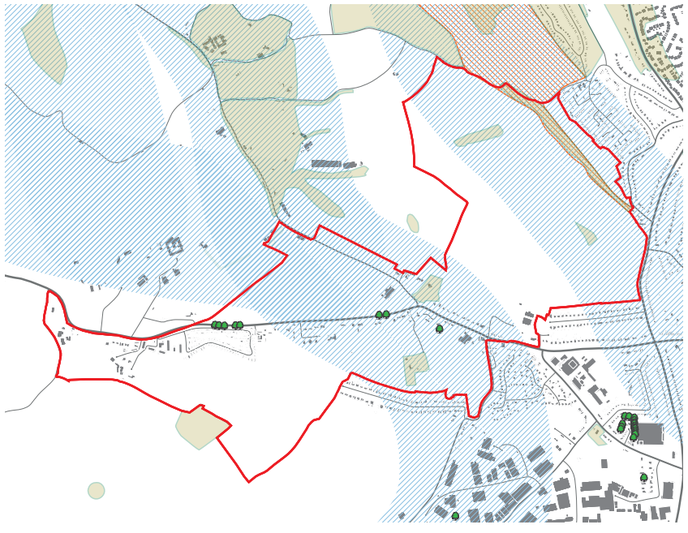
Existing hedgerows and woodland
Watercourse
Topography

Floodzone and Natural features

Flooding is an issue in the lower parts of the settlement. Running along the valley floor are watercourses that cause flooding, particularly in the open area alongside Stoke Road and in the area around the school. Without the provision of additional flood defences, much of the village centre is liable to flood.

The impact of the river results in a significant swathe of Flood Zone 3 designation in the heart of the village. There is a second flood zone which exists by Queen Elizabeth Drive alongside the northern boundary of the study area. These rivers have the effect of limiting the development potential for more 'vulnerable' uses on sites within the flood risk zones.

The above is based on publicly available information from the Environment Agency (September 2014) and no strategic or site specific Flood Risk Assessment has been carried out for the purposes of this masterplan.



Study area boundary

Bat Corridors
Proposed Great Parks Country Park
Tree Protection Area
Tree Preservation Order

Designations

The strategic bat flight corridors within the study area are primarily located along existing watercourses and existing hedgerows located on the lower slopes and enclosed valleys. These strategic flight corridors form a connection to important feeding grounds which are located beyond the study area. There are several tree protection areas including large areas of woodland to the north and north east. There are tree preservation orders on significant trees which create a tunnel-like effect when entering the Village. Future development would need to be informed and guided by, for example, ecological, arboricultural and hedgerow assessments.

The local plan has allocated an area of land to be developed as the Great Parks Country Park; connections to this area are vital in relation to enhancing the green infrastructure and movement network to wider area.

Existing movement network

Collaton St Mary is dominated by the A385 Totnes Road. This is the main connection into Paignton, and the whole Torbay area, from the west. The A385 at Totnes provides the main bridge crossing point over the River Dart between the sea at Dartmouth and the A38 at Buckfastleigh, so the volume of passing traffic through the village often creates significant congestion.

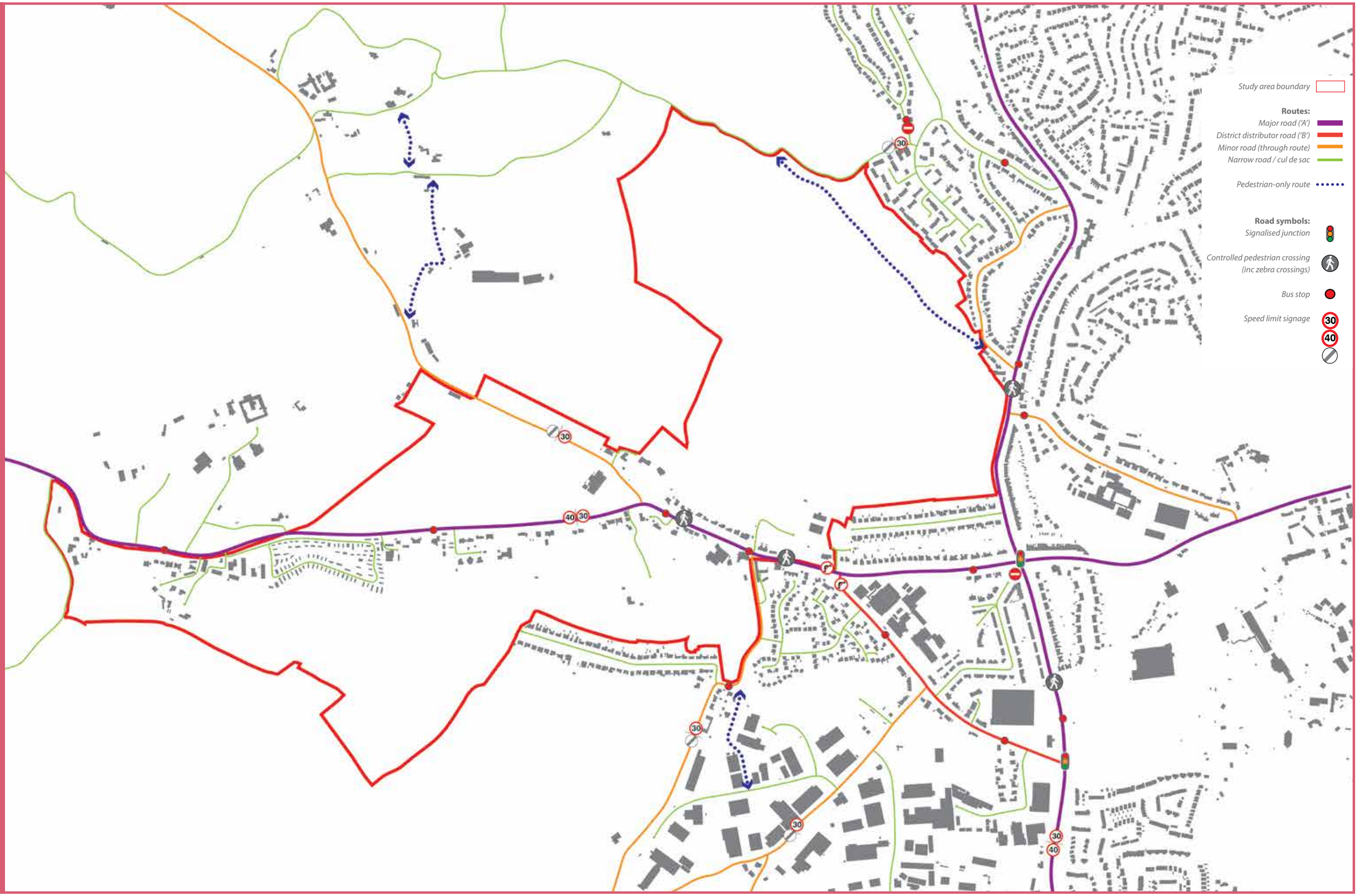
Torbay, Devon County and South Hams District Councils are currently looking at long term solutions to the A385 Totnes Road, which will address congestion, both within the village and outside, and will seek to reduce rat-running through side lanes. This is an on-going project but the impact of the road's narrowness, especially through the heart of the village and up towards Tweenaways, is likely to limit the preferred degree of effectiveness of traffic alleviation through Collaton St Mary.

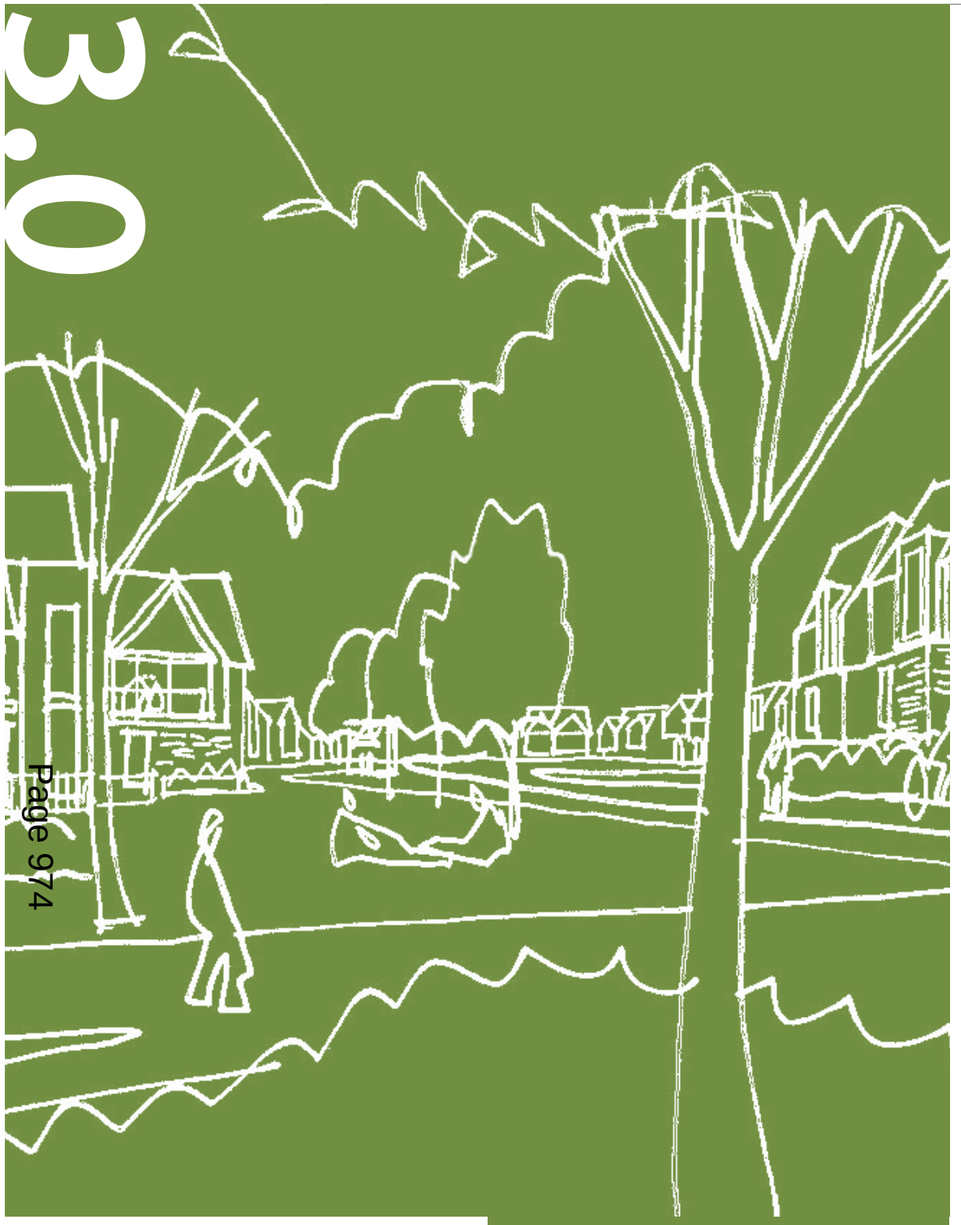
Pedestrian connections are generally restricted to the edge of the roads with few pedestrian pathways across the local landscape. A number of controlled pedestrian crossing points exist along the road within the heart of the village. The quality of existing footpaths around Collaton Mews (next to the Parkers Arms) is compromised by the narrowing of the road at this point. Visibility beyond towards Tweenaways Cross is restricted for pedestrians on the southern side of the road where the footpath terminates, though the pedestrian crossing does greatly help pedestrian movement along the northern side of the road.

There is limited access to the fields and hilltops for the local community. Public rights of way exist in few areas. The only one that falls within the study area is along the northeastern edge, which ties in with a pedestrian crossing on Kings Ash Road. A small number of public rights of way link across the farmland in Blagdon.

Blagdon Road is a narrow lane which provides important access to the school, church and the parish rooms. Congestion occurs along this road close to the junction with the A385 as there is little space for waiting vehicles off the highway network, particularly during busy school periods. This is also a route that serves traffic connecting between Collaton St Mary and the (other) Totnes Road to Berry Pomeroy. Heavy traffic, caused by traffic or accidents on either the A385 or the A380, often ends up using Blagdon Road as an alternative route. This results in gridlock along Blagdon Road due to both its narrowness and its junction with the A385.

Collaton St Mary is also served by a number of bus services that connect the village with the wider region, including Paignton town centre, Totnes, Torquay, Dartmouth and Plymouth.


Study area boundary
Routes:
Major road ('A')
District distributor road ('B')
Minor road (through route)
Narrow road / cul de sac
Pedestrian-only route
Road symbols:
Signalised junction
Controlled pedestrian crossing (inc zebra crossings)
Bus stop
Speed limit signage
30
40



3.0

Landscape character appraisal.

Landscape Character Appraisal

The purpose of this section is to identify areas of reduced landscape sensitivity and capacity accommodate development within the study area. To identify these areas, an appraisal has been undertaken to assess and corroborate a site for potential development suitability.

The study area was identified in the Torbay Council updated *Strategic Housing Land Availability Assessment (SHLAA) 2013*[1] and as defined in the Local Plan.

This appraisal was largely informed by the Torbay Council's *Landscape Character Assessment and Assessment of Landscape Sensitivity and Capacity* dated May 2010. It has also been informed by site appraisal undertaken during March and June 2014.

The study area (see Site Location Plan), lies immediately on the western edges of Paignton and the A380, Kings Ash Road and the community of Collaton St Mary; the northern and southern part of the study area extend over the A385 (Totnes Road). This area includes Collaton St Mary Primary School and the Church of St Mary and Parish Hall, BMW Garage and a local pub. The findings of this Landscape Character Appraisal have been used to inform the iterative design process and evolving masterplan proposals for the site so as to achieve effective integration of the development within its landscape context.

Landscape planning context

DP TO CONFIRM

The site is outside any nationally designated area and is not within the Green Belt. The site is within adopted local plan 'Area of Great Landscape Value (AGLV)' however the new local plan *Local Plan, A Landscape for Success, The Plan for Torbay 2012 – 2032* proposes to remove this local landscape designation.

As referred in the SHLAA Update Report in 2013 :

> *"The emerging Local Plan ('A Landscape for Success') proposes replacing AGLV with a policy requiring the area's particular landscape character, as assessed by the Landscape Character Assessment, to be taken into account. This reinforces the view that AGLV designation in the Adopted Torbay Local Plan does not necessarily preclude all development."*[1]

The SHLAA update report 2013 page 36, identifies the site/areas G6 Totnes Road, and land allocated for primarily residential development potential of 830 units.

For more information, refer to the planning context (Chapter 2) .

National, county and local landscape character

The site is situated within the following Landscape Character Areas:

- National Character Area (Natural England - NE338, July 2012) 151 South Devon
- Devon County Landscape Character Type (LCT) - The site falls within a Devon wide Landscape Character Type known as **3B: Lower rolling farmed and settled valley slopes.** The study area is located within two relatively large Local Character Types (LCT), consisting of grazed farmland on the upper and lower hilltop slopes, **LTC Rolling Farmland** (Devon Type 3A & 3B merged), and narrow sunken wooded valleys **LTC Secluded Valley** (Devon Type 3H). The land to the west of Collaton St Mary falls within South Hams.
- *The Torbay Landscape Character Assessment and Assessment of Landscape Sensitivity and Capacity* completed in 2010 by Enderby Associates assigns Area of Local Character (AoLC), refer to the Landscape Character Appraisal Plan.

Areas of Landscape Character of direct relevance to the Study area are:

LTC Rolling Farmland includes upper and lower slopes of Windmill Hill to the south, categorised as **Area of Landscape Character (AoLC) 1L Blagdon Barton** and **AoLC 1M West Yalberton**. The hilltop directly to the north of Collaton St Mary has been identified as **AoLC 1J The Blagdons**. The primary characteristics of this landscape are the rolling topography of grazed pastoral and arable farmland with irregular pattern of field boundaries and hedgerows, "*Flat land is uncommon and generally located on the hill tops*" within occasional hilltop woodland.

LTC Secluded Valley is located along Blagdon Lane, **AoLC 3H Blagdon Valley**, and Great Park public right of way, **AoLC 3G Upper Clennon Valley**. The prominent features of these AoLC's include steep and narrow valley floors; the tall hedge-banks and topography limit views to the surrounding landscape. The landscape is "*A complex and irregular small scale pattern of hedge-banks and lanes, which separate small woodlands, orchards and areas of permanent pasture. The lanes and fields are often damp and species rich with small streams, overhanging trees and small scale enclosure.*"[2]



Site description

The study area comprises of an irregular patchwork of arable and pasture farmland rolling fields divided by field hedgerows, with occasional trees on the upper slopes and narrow secluded valleys. There are distinct woodland copses within the study area, for example on the upper slopes of Windmill Hill. Smaller clumps of woodland are located on the north-eastern hill side and have a more linear form.

The hedgerows and the overlapping canopies of the large mature trees form a tunnel-like effect along the A385 close to the Collaton St Mary Primary School. The hedgerow and dense vegetation align the narrow concealed valley of Blagdon Road, and close to Great Parks Farm and public right of way. There is a well-established network of hedgerows with intermittent trees primarily on the upper slopes of the rolling hilltops.

The village of Collaton St Mary sits principally into a bowl-like landscape sandwiched between two ridgelines to the north and south of the site; these ridgelines terminate at the western edge of Paignton. There is limited inter-visibility from residential properties in the wider area owing to topography and existing vegetation. This is of particular note the valley area between Totnes Road southern boundary and the lower slopes of Windmill Hill.

The entrance to the western study area boundary on the Totnes Road consists of the derelict former Torbay Holiday Motel; brownfield re-development opportunity. The linear settlement form of the village is somewhat dispersed and primarily sited on the southern side of the A385. The urban influence of Beechdown Park and other residential properties is evident at the western end of the study area. There are several listed structures and buildings of note including the Church of St Mary close to the primary school. There are also two terraced thatched cottages of historic interest within the locale.

There is one public right of way footpath located in a wooded sunken valley within the study area, the Great Parks footpath; this follows the northeast boundary line. However, there is evidence of informal walking from St Mary's Park along the boundary field hedges. There are in general, very limited amounts of public right of ways beyond the study and wider area.

There is limited public open space; there are no play areas and formal sports provision within the study area. The churchyard does offer some accessible space and the school does have play facilities, however both have restricted access. There are, in general, very limited public accessible areas within the study area.

There is street lighting along Totnes Road as well as adjacent residential area lighting. There is no street lighting along Blagdon Road; the school adjacent residential properties has some lighting.

The site topography is undulating and ranges from the highest point at 130m on the southern boundary of the site to the lowest at 40m. The majority of the village lies between 50 and 60m to the east rising up from 40 to 100m along the Totnes Road to the west. Windmill Hill at 166m, is located south outside of the study area, and is considered one of the highest points in the local area. The majority of the study area is situated on relatively steep sloping hills and narrow valleys, particularly to the north east of the study area and southern upper slopes of Windmill Hill.

Site landscape sensitivity and visual context

The Torbay Assessment of Landscape Sensitivity and Capacity by Enderby Associates contains assessments associated to 'Capacity to Accommodate Change' and 'Mitigation Potential and Management Strategy' within each AoLC's. The AoLC's that overlap into the site area refer to the Landscape Character Appraisal Plan, as follows:

LCT: ROLLING FARMLAND
- 1J The Blagdons
- 1L Blagdon Barton
- *1M West Yalberton*

LCT: SECLUDED VALLEY
- *3G Upper Clennon valley*
- *3H Blagdon valley*

It was concluded in this report that AoLC 3G Upper Clennon Valley - "*any development or major construction project would cause substantial landscape harm which would be extremely difficult to mitigate*"[2]. Also that 3 H Blagdon Valley has limited capacity to accommodate change due to landscape sensitivity. AoLC 1M West Yalberton has also been discounted owing to landscape sensitivity and the steepness of the upper slopes of Windmill Hill which are visible from the Totnes Road, the upper slopes any development "*... would be visible due to the generally open nature of the area, particularly the elevated higher land and ridge tops which should be safeguarded*".[2]

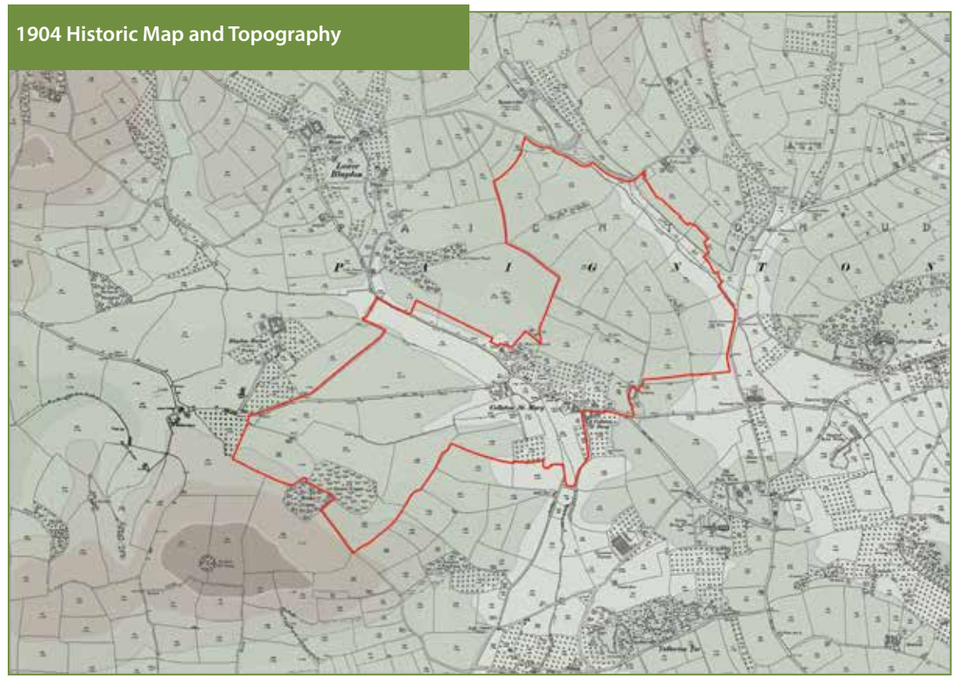
Therefore, based on these findings AoLC 1M West Yalberton, 3G Upper Clennon valley and 3H Blagdon valley have been rejected as viable areas for development on landscape sensitivity grounds.

The following AoLC's have some potential for well-designed development on the lower slopes, as long as it conserves the open nature of the higher land and the contribution that it makes to the village setting and the approach along Totnes Road. Refer to the Landscape Character Appraisal Plan and Site Location Plan.

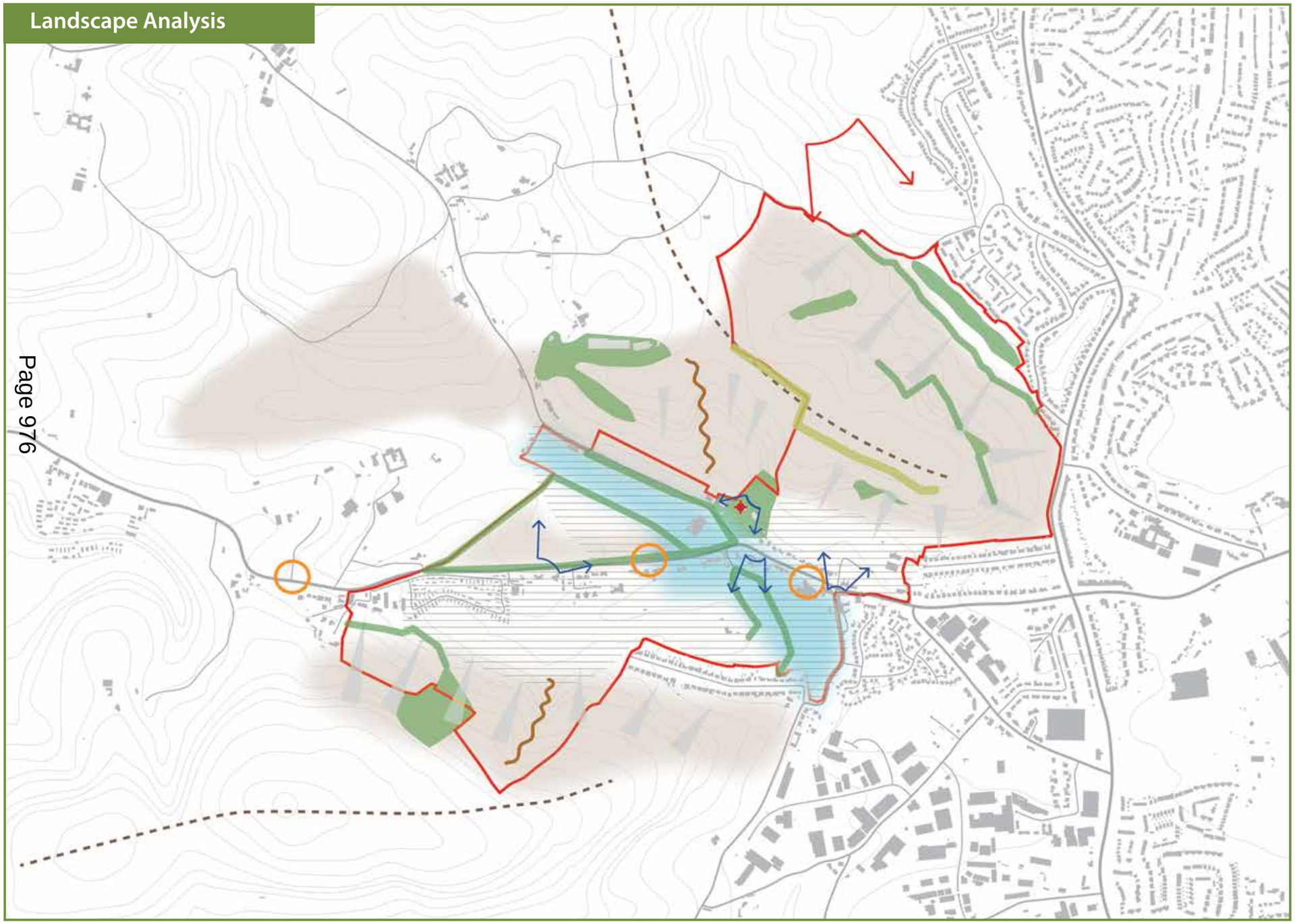
Site Location Plan



1904 Historic Map and Topography



Landscape Analysis





Long distance view from Beacon Hill



View onto the tree-lined skyline



Important view from the village to the hillsides beyond to the south

1J The Blagdons

This AoLC is located to the north-east of the study area on the hilltop between the northern boundary of Collaton St Mary and the western urban fringe of Paignton. This hilltop provides a rural backdrop and enclosure to Collaton St Mary. It is stated that it would be "*very difficult to accommodate change in this character area without very substantial harm to the prevailing rural landscape character and integrity of the area, parts of which make an important contribution to the approach and setting of the western fringes of Paignton.*"[2] The lower slopes that align the A380 provide a strong rural setting and context to the western edge of Paignton. It would be difficult to accommodate development due to high visibility and openness of the landscape, refer to **viewpoint 1**. Viewpoint 1 is taken from the adjacent residential development at Highfield Crescent (outside of the study area) looking into the southern part of the study area's lower slopes hilltop. This photograph demonstrates the openness of its landscape and rural setting of the hilltop which strongly defines the western urban edge of Paignton.

There is the potential for development on the southern lower slopes of the hilltop just above the existing Village; this area is fairly hidden behind existing urban development. There is limited visibility on to the lower slopes from the Village and surrounding road network, refer to **viewpoint 2**. Viewpoint 2 is taken from the junction of Stoke Road and Totnes Road within the study area, looking north on to the lower slopes hilltop, the south-eastern part of the study area. This view demonstrates how the topography, vegetation and residential properties partially conceal the lower slopes of the hilltops. The boundary of development would need to be curtailed and aligned with the adjacent existing development as the upper slopes of the hilltop and AoLC 1J are more visible and sensitive to change. Also, there is an important framed view of St Mary's Church Tower which should be conserved as it is a key reference point and landmark on entry to the Village core, refer to **viewpoint 3**. The conservation of this view would also affect the extent of development within AoLC 1L. This photograph illustrates the enclosed nature and 'tunnel-like' effect created by the mature vegetation which aligns either side of Totnes Road in the central part of the study area.

The area would benefit from landscape management enhancements, for example planting of "*…hedgerow trees; more sympathetic hedgerow management; management and replanting of distinctive copses and tree groups, some of which are prominent features on high ground.*"

1L Blagdon Barton

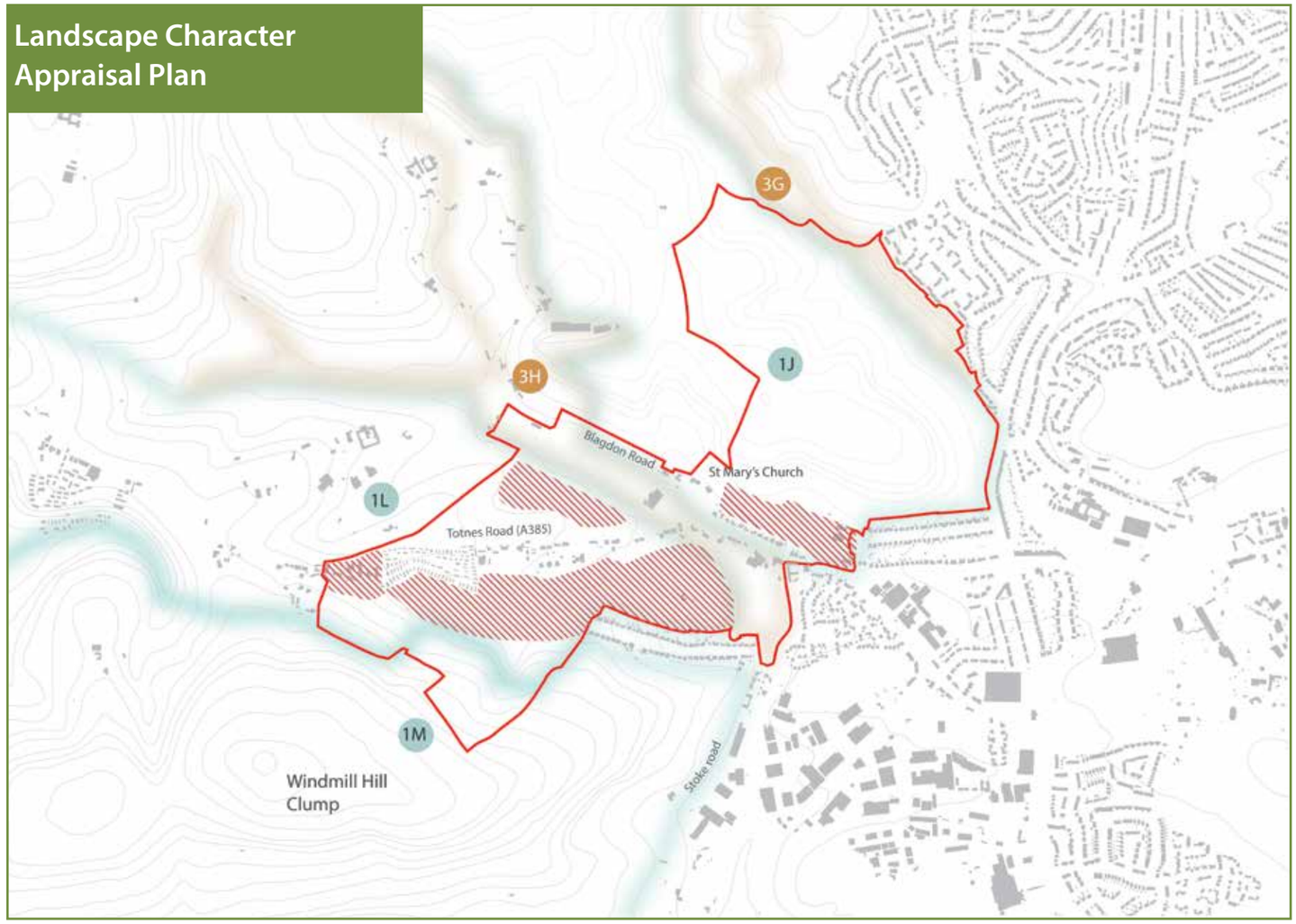
This AoLC has been assessed as an area that would "*offer an opportunity to accommodate significant change, to rationalise the existing scattered land uses and contribute to a gateway and sense of arrival to Torbay.*" The significant parts are already developed and the A385 (Totnes Road) which "detracts substantially from the quality and character of the area." The former Torbay Holiday Motel is another detracting element within the study area. The linear residential developments on the southern side of Totnes Road are relatively well concealed due to the sloping topography and dense hedgerows which align the road. The topography and vegetation also conceal the valley formed between the Totnes Road and lower slopes of the Windmill Hilltop, refer to **viewpoint 4**. This viewpoint shows open nature of the landscape and high visibility of the upper slopes of Windmill Hill. The lower slopes of Windmill Hill are partially concealed from view by Beechdown Park (a static caravan park) and the Former Torbay Holiday Motel brownfield site.

This valley area has reduced landscape and visual sensitivity therefore could have the potential to accommodate development. The line of development should be limited to the southern extent of St Mary's Park and the upper slopes of Windmill Hill due to landscape sensitivity related to AoLC 1M West Yalberton, refer to **viewpoint 5**. Viewpoint 5 illustrates the visibility of the upper slopes of Windmill Hill and how the majority of the Village and Totnes Road is concealed from view.

The north western part of AoLC 1L within the study area is likely to be the most sensitive to change owing to open view across the landscape from Totnes Road and St Mary's Church Churchyard, refer to **viewpoints 6 and 7**. The upper slopes of the land north of Totnes Road is clearly visible from viewpoint 6 whilst the lower slopes are concealed from view. Viewpoint 7 is taken from Totnes Road looking north-west and demonstrates the exposed openness of the landscape on the upper slopes directly in the forefront of the view. Blagdon Road and the lower slopes of this field located in the mid-ground of this photograph are obscured from view. However, land between the lower slopes, north of Totnes Road and Blagdon Road have reduced visibility from Totnes Road, Blagdon Road and the Churchyard, therefore could be considered for development, refer **viewpoint 8**. This viewpoint was taken from Blagdon Road and demonstrates the secluded and enclosed nature of the area (AoLC 3H Blagdon Valley). It also illustrates how the lower slopes of land behind the hedgerow are concealed by the vegetation and topography.

Proposals for landscape management strategy to this area should include "*restoring and enhancing the existing landscape structure such as restoration of hedgerows, planting of hedgerow trees, tree belts and small woodlands*".

Landscape Character Appraisal Plan



1J The Blagdons
1L Blagdon Barton
1M West Yalberton

3G Upper Clennon Valley
3H Blagdon Valley

Site Study Area

Areas of reduced landscape and visual sensitivity

Area of Landscape Character - Secluded Valley

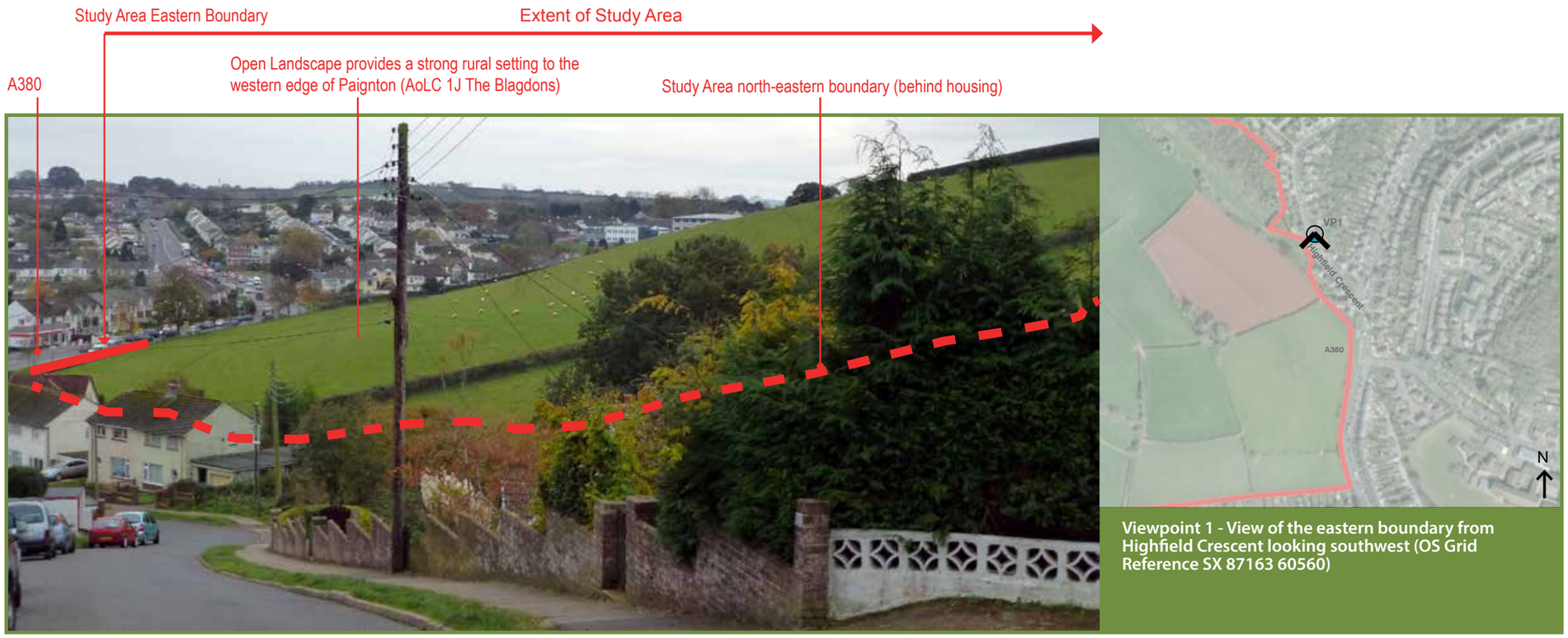
Area of Landscape Character - Rolling Farmland

References:

1. *Peter Brett on behalf of Torbay Council, SHLAA Final Update Report - Rev: D Date: July 2013*
2. *The Torbay Landscape Character Assessment and Assessment of Landscape Sensitivity and Capacity completed in 2010 by Enderby Associates*

Viewpoint locations



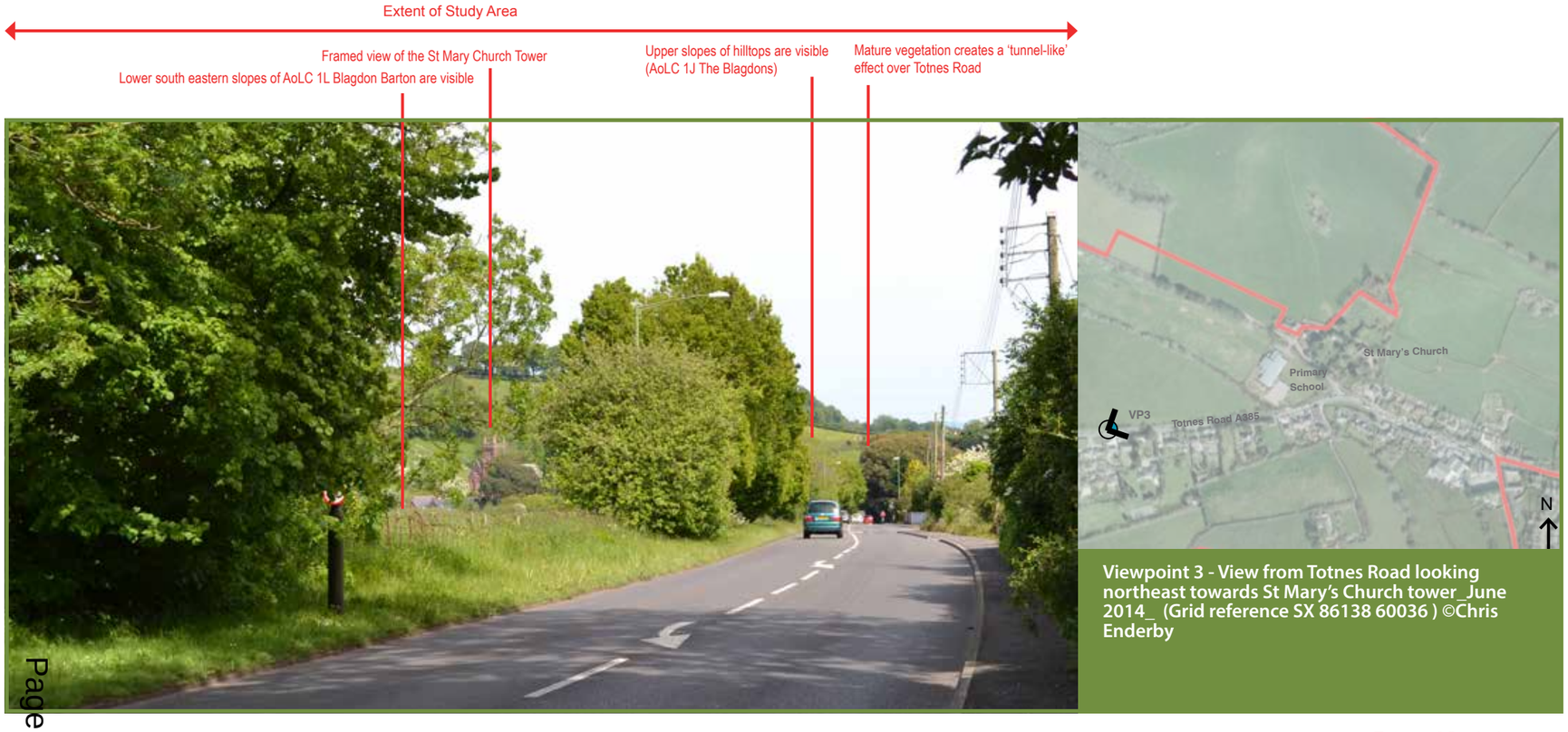


Viewpoint 1 - View of the eastern boundary from Highfield Crescent looking southwest (OS Grid Reference SX 87163 60560)

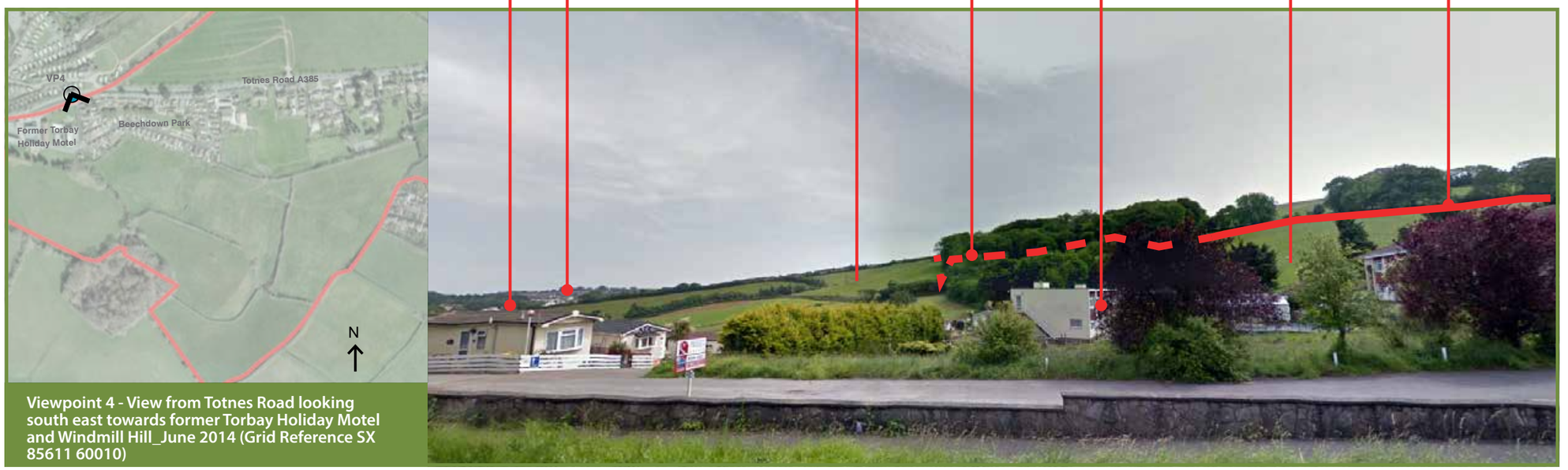


Viewpoint 2 - View on to the south-eastern boundary from the junction of Stoke Road and Totnes Road looking north-east_March 2014 (OS Grid Reference SX 86654 59960)

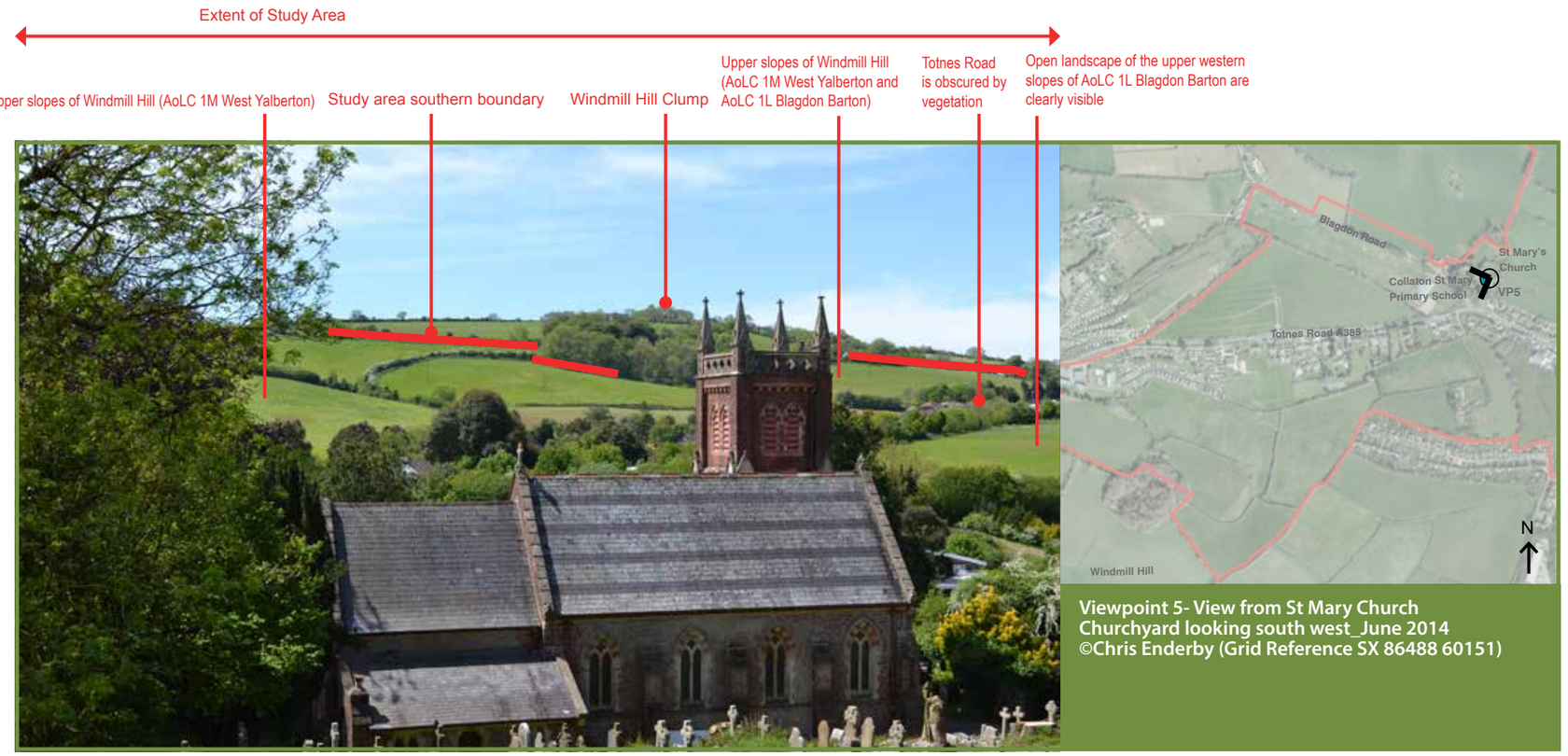




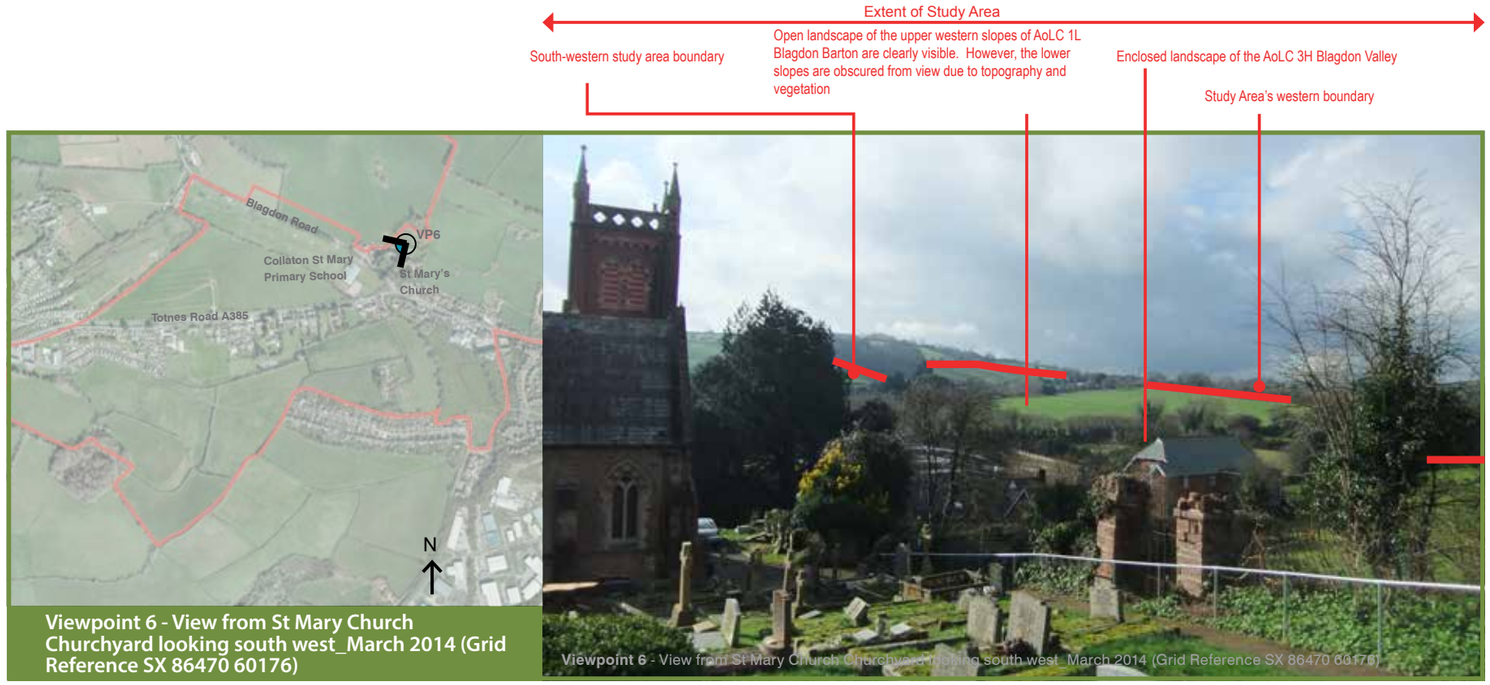
Viewpoint 3 - View from Totnes Road looking northeast towards St Mary's Church tower_June 2014_ (Grid reference SX 86138 60036) ©Chris Enderby



Viewpoint 4 - View from Totnes Road looking south east towards former Torbay Holiday Motel and Windmill Hill_June 2014 (Grid Reference SX 85611 60010)



Viewpoint 5- View from St Mary Church Churchyard looking south west_June 2014 ©Chris Enderby (Grid Reference SX 86488 60151)



Viewpoint 6 - View from St Mary Church Churchyard looking south west_March 2014 (Grid Reference SX 86470 60176)

Viewpoint 6 - View from St Mary Church Churchyard looking south west_March 2014 (Grid Reference SX 86470 60176)

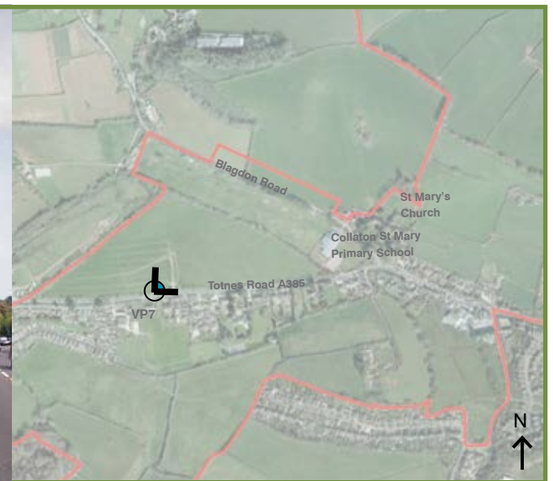
Extent of Study Area

Open landscape of the upper western slopes of AoLC 1L Blagdon Barton are clearly visible.

Lower slopes are obscured from view due to topography

Totnes Road A385





Viewpoint 7- View from Totnes Road Blagdon Road looking south west_June 2014 (Grid Reference SX 85861 60016)

Extent of Study Area

Lower slopes (AoLC 1L Blagdon Barton) are partially obscured from view due to topography and vegetation

Enclosed landscape of the AoLC 3H Blagdon Valley





Viewpoint 8 - View from Blagdon Road looking north-east_March 2014 (Grid Reference SX 86290 60196)

In conclusion, the study area is located within a relatively constrained landscape setting. An area of reduced landscape and visual sensitivity has been identified on the Landscape Appraisal Plan based on findings of this appraisal; this has been essential in informing the development of the masterplan.

There are landscape management opportunities in line with proposals, as set out in The 'Torbay Assessment of Landscape Sensitivity and Capacity', to reinforce hedgerows that align the road network, establish new woodland clumps and hedgerows within surrounding area. There are opportunities to provide a variety of different type of landscape uses, for example, for food production, swales and wetland parks, public open space and play areas. There are also opportunities to enhance pedestrian and cycle accessibility which, consequently, would increase access to and enjoyment of, the surrounding areas and wider rural landscape, including those areas that lie within South Hams. This would unite and inter-connect the Village, for example, the two fragmented existing linear developments, to the north along A385 and St Mary's Park.

Refer to landscape strategy plan to see how these features have been incorporated into the masterplan.



04.

Public consultation.

Public consultation

In order to draw up an effective, realistic and viable masterplan, which is sensitive to the context and environment in Collaton St Mary, Stride Treglown designed a Consultation and Engagement Strategy to feed into the masterplan process.

Introduction

The Consultation and Engagement Strategy was aimed at ensuring that the masterplan for the village:

- reflects wherever possible, the views of the local community and key stakeholders; and
- is fully informed of the constraints and opportunities associated with the masterplan area.

A Statement of Community Involvement accompanies this masterplan document. The Statement outlines the Consultation and Engagement Strategy and provides a summary of the feedback from participants. The section below provides an overview of the process undertaken and key themes which emerged from representations which we received by residents, local businesses and wider statutory agencies.

Objectives

The Consultation and Engagement Strategy was guided by a set of Key Objectives. These included the wish to:

1. To identify and engage with a wide range of local people, key individuals and organisations to obtain their views on how planned growth (proposed by the Torbay Local Plan) could best be accommodated in the village;
2. To be clear about the purpose of the master planning exercise, that is to establish how significant new housing development could best be integrated into the existing village;
3. To confirm those key constraints and opportunities that the masterplan would need to address;
4. To encourage dialogue between a wide range of stakeholder groups and individuals
5. To facilitate dialogue between the design team at Stride Treglown, the local community and key stakeholders;
6. To build on past consultations;
7. To facilitate an informed contribution by participants through the clear presentation of area study information; and
8. To clarify the master planning process and how participants could best get involved.



This is a selection of the presentation boards displayed at the various public consultation events. The boards presented a range of site analysis information. They also displayed different kinds of images of developments and open spaces from elsewhere to give an indication of the look and feel of what future development at Collaton St Mary could look like. The information contained on the boards reflect the early stage in the masterplanning process that the public consultation event took place so as to better inform the process.

Some of the boards encouraged consultees to engage with certain activities. The results of these exercises fed back into the masterplanning process.

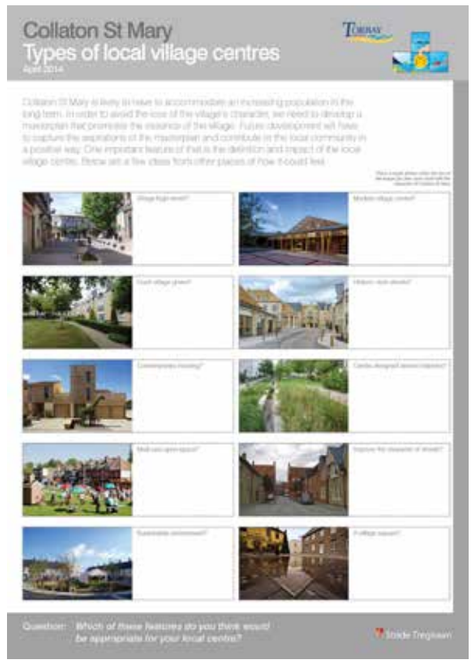


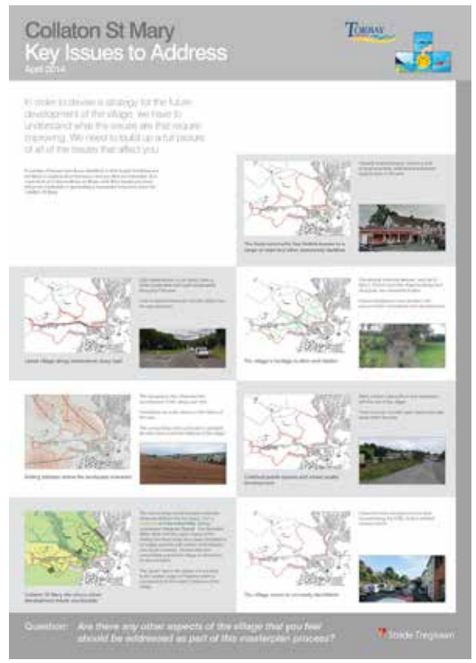






















Consultation Programme

In order to meet the objectives outlined above, a number of consultation events and actions were planned over a 5 month period between April and August 2014. These were, in summary:

1. Drop in Day – Collaton Parish Rooms 22nd April
2. Stakeholder Session – Paignton Club 24th April
3. Feedback Session – Paignton Club 28th April
4. On-Line Survey - 29th April – 5th June.
5. Stakeholder Engagement - June-August 2014.

The Drop in Day and on-line survey were advertised with a Flyer, delivered to around 600 residential properties and businesses in and around Collaton St Mary. The consultation was also advertised in the local press, the Blatchcombe Newsletter, via email to local community and business organisations and on the Torbay Council website. A paper copy of the survey was distributed by a local volunteer and the results analysed and considered as part of the consultation programme. A presentation was also made to the Torbay Regeneration Network during a Breakfast Seminar in June.

The consultation was carried out in distinct phases and this staggered approach allowed feedback from participants to inform the development of the masterplan over the past 5 months.

How the masterplan has been influenced by the consultation feedback

Some of the key ways in which the Collaton St Mary masterplan has accommodated the views, ideas and responses from local residents, landowners, community organisations and statutory consultees are as follows:

- Location of a possible new local centre to the rear of the BMW garage site. The proposed location was the most popular, as it was felt there could be a natural connection with the existing local centre in a relatively central location to the existing and extended village.
- New Local Centre to provide opportunities for a range of uses, to complement the Parish Rooms, including disabled accessible community space, local retail and public open space.
- The impact on key views and rural setting of the village minimised by keeping proposed development on the south side of the village and on the lower slopes of the hills to the north and south.
- Introduction of a link road between Blagdon Lane and Totnes Road, with access to a new school car park and drop off point.
- Introduction of new accessible wildlife habitats and green corridors.
- Expansion of accessible public open space in the village, at the new local centre, adjacent to the school (sports field), on the southern slopes of the car boot field (orchard and community garden) and green linear park area through proposed new housing development on the south side of the Totnes Road.
- Space to accommodate children's play areas, multi use games area and new outdoor sports pitches.
- Network of pedestrian and cycle routes connecting the new village centre with other parts of the village.
- Enhanced pedestrian and cycle connections with Paignton Town Centre…..
- Dark corridor introduced through the village, hedges and tree lines retained and enhanced throughout the masterplan area to accommodate the movement and foraging of Greater Horseshoe Bats. External lighting levels to be restricted throughout this zone and connecting planting and landscaping to facilitate the movement of bats across breaks created by existing and new roads.





Initial Masterplan Response



After an intensive period of consultation, this concept masterplan was generated based upon the wide range of comments made by those who attended the sessions. This was a preliminary response produced in a few days immediately after the drop-in day and stakeholder session.

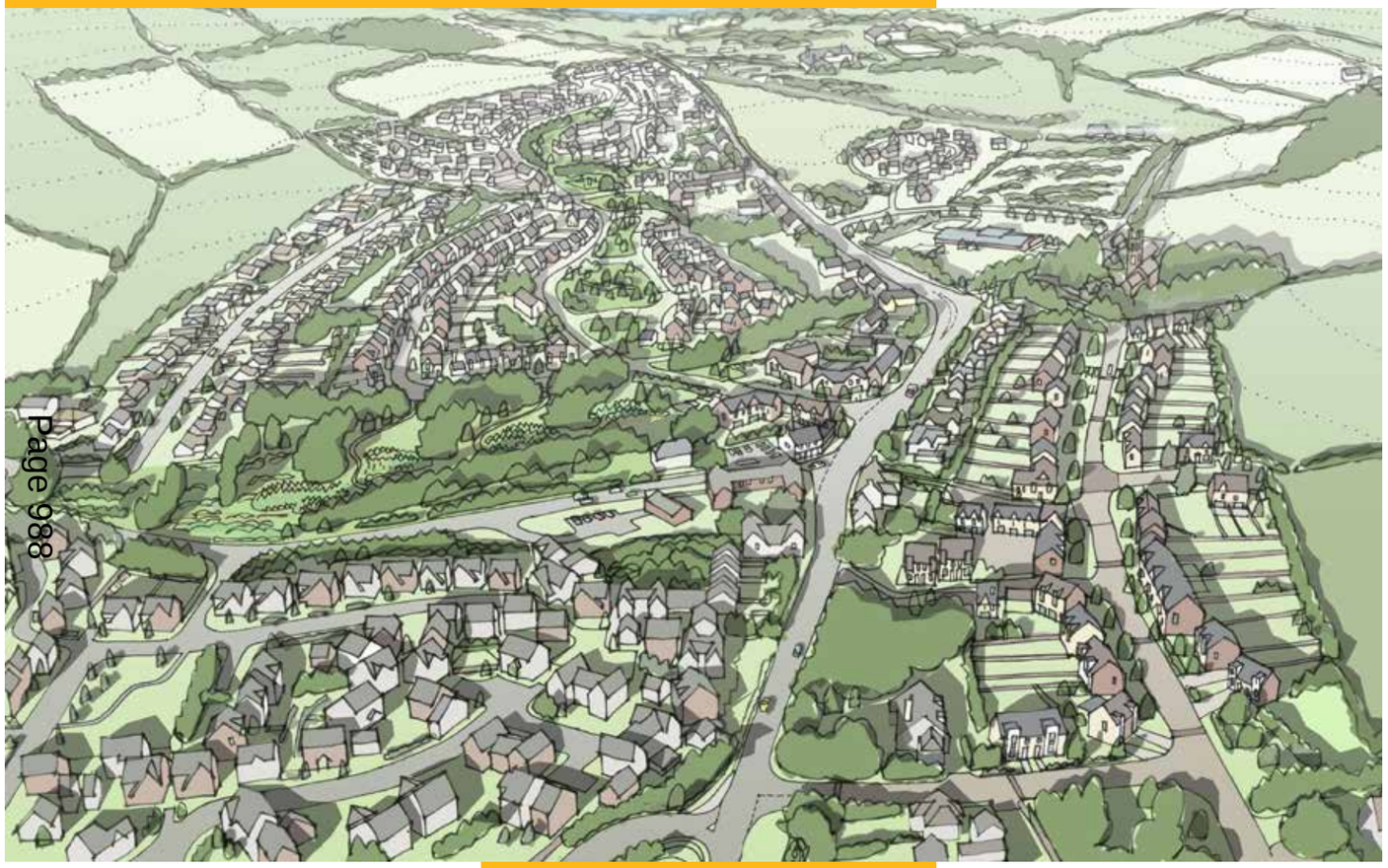
The masterplan concept focuses on the enhancement and promotion of a significant green corridor running through the village. By expressing the existing streams more vividly, there is scope to create significant areas for wildlife habitats. The concept masterplan proposes the creation of an attractively landscaped focal point for the village that is designed to flood naturally, with the local centre amenities facing out onto this area.

This green corridor runs through the heart of the village, connecting the existing community hub (around the school and church) with the village centre close to the Parkers Arms. Facilities here could include a local shop, post office and pharmacy, though any number of other facilities could be provided here if required (e.g. a new village hall). The green corridor would include pedestrian and cycling routes integrated into the landscape.

New development would be encouraged to occur on brownfield sites first with subsequent greenfield development radiating outwards from the village centre. The necessary infrastructure improvements could be made as part of the first phase.

(April 28 - 2014)

5.0



Masterplan.

This is the view of the proposed masterplan looking west along the Totnes Road, with the local centre and meadow in the middle ground and the motel site at the far end.

Illustrative masterplan

The masterplan for the village has been primarily influenced by the characteristics of the surrounding landscape. It also takes account of a wide range of other matters that will have a long term impact on Collaton St. Mary. These influences are outlined below.

Green infrastructure corridor

Collaton St Mary sits within an important natural setting. An existing green corridor runs between Blagdon to the northwest and the Yalberton Valley to the southeast. Along this line run streams (and subsequent flooding), bat flight corridors and a number of hedgerows. The protection and enhancement of this corridor is proposed within the masterplan, and this has influenced both the general overall concept and many of the details now embedded within it. Such matters include:

- Creating a stronger community link along this corridor by pedestrianising as much of it as possible.
- Implementing reduced lighting levels within this zone. All new roads bordering the corridor will have lighting levels of below 0.5 lux. Existing roads will be subject to more detail studies investigating the impact of a potential reduction in existing lighting levels. This is proposed to improve flight conditions for the bats passing through the area. This will work alongside a strategy to retain, and improve where appropriate, the significant band of trees that currently helps to minimise the impact on the greater horseshoe bat flight corridors.
- Providing the right conditions that allow the streams to flood in a manner that doesn't negatively impact on the local community nor on settlements further downstream.

Landscape character

Collaton St Mary is dominated by the character of the landscape in which it sits. The rolling green hills surrounding the village provide an attractive backdrop. With most of the surrounding landscape classified as being of a highly sensitive nature by the Torbay Landscape Character Assessment (2010), the masterplan has proposed to keep future development confined to areas that are less sensitive. Using existing built and natural features, such as the lines of houses on the Totnes Road and St Mary's Park for guidance, as well as contour lines and views out to surrounding hills, the masterplan seeks to deliver a coherent footprint of development radiating out from the centre of the village along the lower slopes of the valley.

The meadow

As much of the central part of the village is prone to flooding, the meadow will form part of a wider green infrastructure corridor. This meadow will address a number of issues, including:

- Allowing the stream to naturally breathe when the levels of water are high. The meadow will flood in a controlled way that attenuates the water and reduces flooding impact further downstream.
- The masterplan should promote public access to the countryside and open space for the community. However, the primary functions of the meadow must be retained as a flood meadow and greater horseshoe bat/ wildlife corridor.
- Enhancing the biodiversity potential of the site. It sits on an important flight corridor for greater horseshoe bats and so should be enhanced to improve their foraging grounds. It could also become a natural learning environment for the pupils of the local schools.

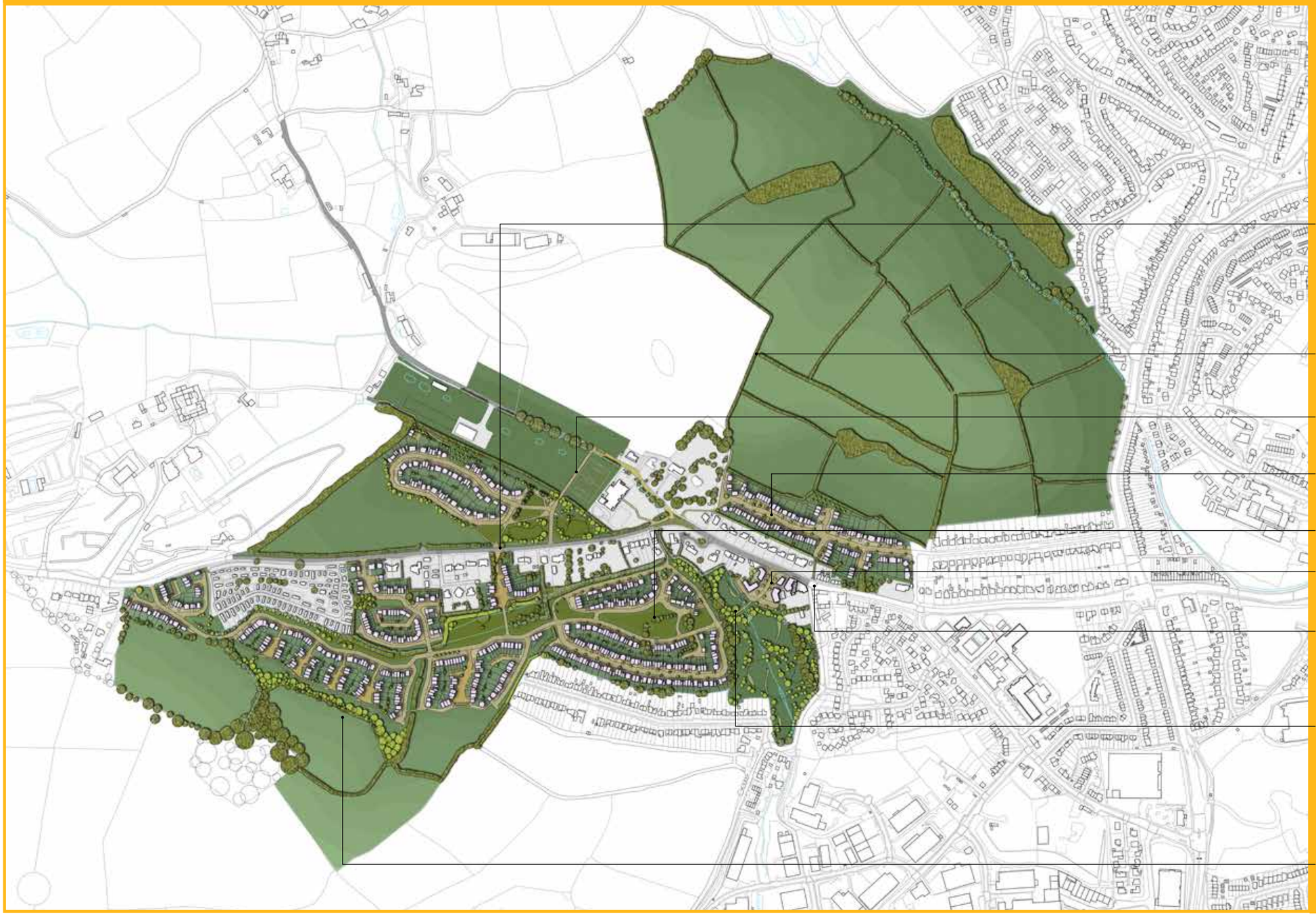
Local centre

A local centre is proposed in the area by the existing pub and garage. While its location is to one side of the study area, it will be centrally located for the wider built up area across to Paignton Community and Sports College. The centre will provide a mix of small scale retail and social facilities with residential accommodation above. In addition, the site is suitable for residential use above the first floor (subject to design issues). The centre should incorporate flood resilience measures and reduce the amount of water run-off from the (currently hard-surfaced) area. Development should reinforce the context of historic buildings in the village.

Phased development

The masterplan layout has been structured to allow for a logical and phased delivery over an undetermined period of time. Working with assumptions set out in the Adopted Torbay Local Plan 2012-30 "A landscape for success", a number of brownfield sites can be developed within the first 10 year period, along with various upgrades to the existing infrastructure, before the majority of new housing is delivered in the post 10 year period. Each phase identified within the masterplan delivers a mix of public open spaces that meets the needs of that phase while gradually piecing together a coherent network of routes and spaces.

Illustrative Masterplan



The masterplan contains a number of different yet interconnected proposals that will allow the village to expand in the long term and in a coherent manner. These are the key aspirations, which are described in greater detail in the following section.

Vehicular access will be from Totnes Road (Woodlands, Little Blagdon Farm and Torbay Holiday Motel are known to be available). The layout should provide adequate vehicle accessibility and provide pedestrian/ cycle links to Totnes Road. Junctions and highway layout should be in accordance with the Torbay Council's Highway Design Guide for New Developments (November 2015 - or replacement).

Pedestrian access out to the surrounding landscape and hilltops is encouraged

A new link road will provide a stronger community feel by the church and school by redirecting school and local traffic along a more suitable road to the west

There are several pedestrian links through the rest of the village, while vehicular access will be via Borough Park Road

The central linear parkland runs through all the phases and provides a clear street hierarchy for the masterplan

The local centre will serve the needs of the local community, not just in Collaton St Mary but also the surrounding housing developments in the area

Improvements/ alternatives to the Stoke Road junction, and road safety measures in the village will be investigated and funding sought through developer contributions. However, these will not prejudice the role of the meadow.

The role of the meadow should be conserved and enhanced as a water meadow and wildlife corridor. Pedestrian/ cycle access should not interfere with this primary function and should be designed accordingly (e.g. with a permeable surface and appropriate warnings that it may not always be useable in periods of high rainfall). Any lighting should be kept to a low level (0.5 lux maximum).

Views up to Windmill Hill have determined the orientation of the streets in Phase 3

Proposed strategies

The masterplan has embedded within it a series of underlying strategies that makes the plan more robust.

The proposals for the masterplan have been strongly guided by a number of key points, namely, the creation of a green infrastructure corridor running along the main stream through the middle of the village, and the integration of the local landscape characteristics into the development.

Movement patterns will change in some areas. While the Totnes Road will continue to carry the Totnes to Paignton traffic, local routes will provide vehicular access to the different phases of development throughout the masterplan area. However, there will also be a more comprehensive network of pedestrian and cycling routes that stitch together the new developments with the old. These will open up the local landscape to the local community.

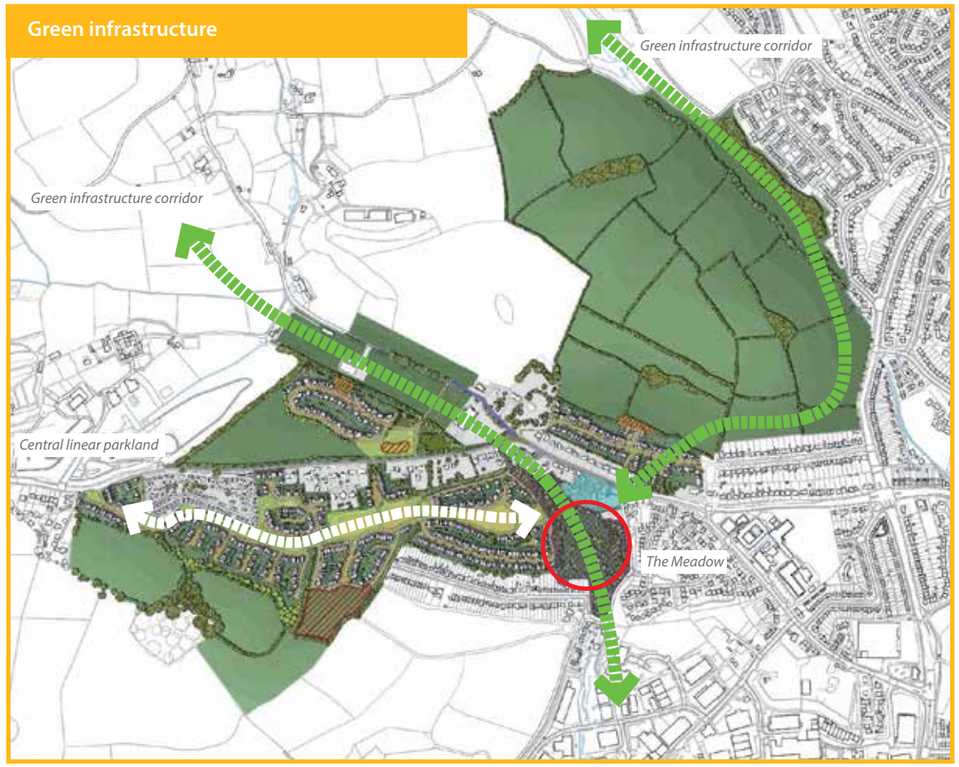
One specific change to the road network is the provision of a new link road that diverts Blagdon Road to the west of the school. This will not only improve access to the school and Blagdon, but will also create a much stronger sense of place in the area between the school, the church and the parish rooms.

The masterplan that is presented here in this document is merely an indicative plan that demonstrates how the village can evolve in a sustainable way. There are likely to be other means of achieving such strategies through the implementation of different details by other parties when delivering the various aspects of the masterplan. The masterplan image is not a prescriptive one, but rather is an illustration of what can be achieved at Collaton St Mary when implementing a series of positive strategies for the village as a whole. It is based on a mix of 2-, 3-, 4- and 5- bed houses and reflects the mix of housing currently being promoted at other residential developments in the west Paignton area. Should market and demographic factors change, this will impact upon proposed unit numbers shown on this masterplan.

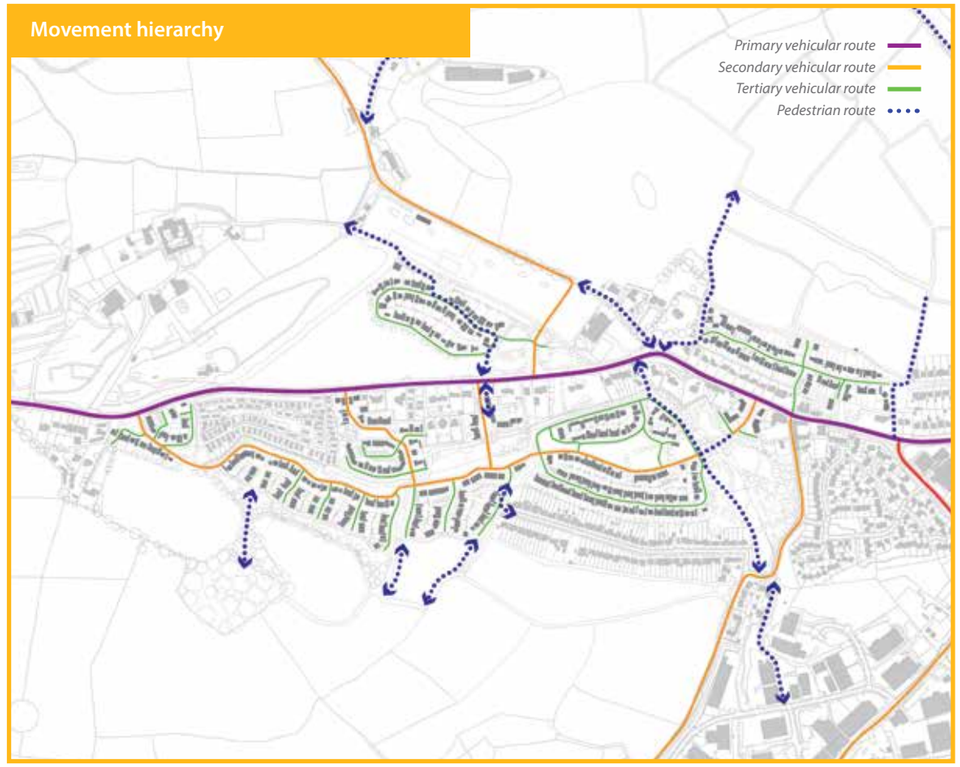
Built form



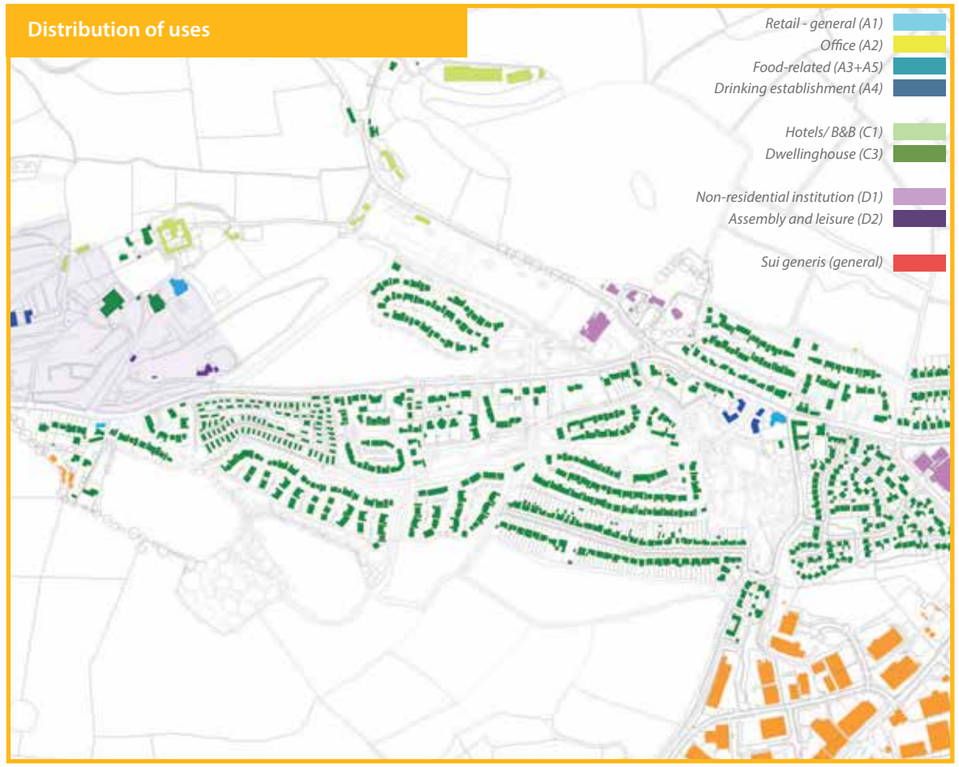
Green infrastructure



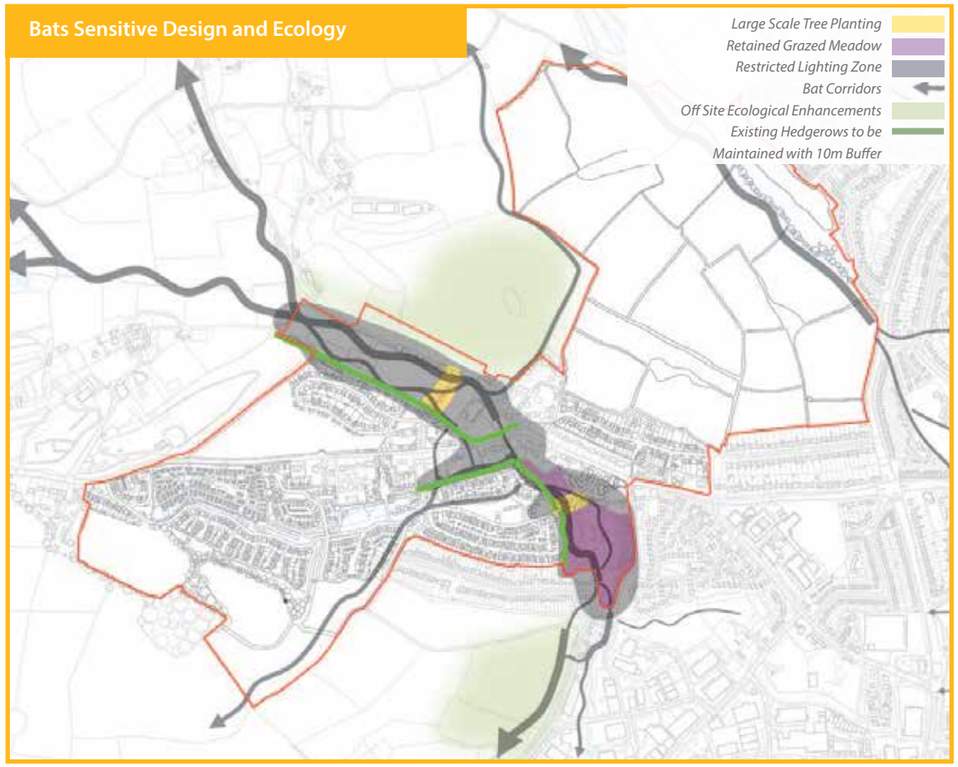
Movement hierarchy



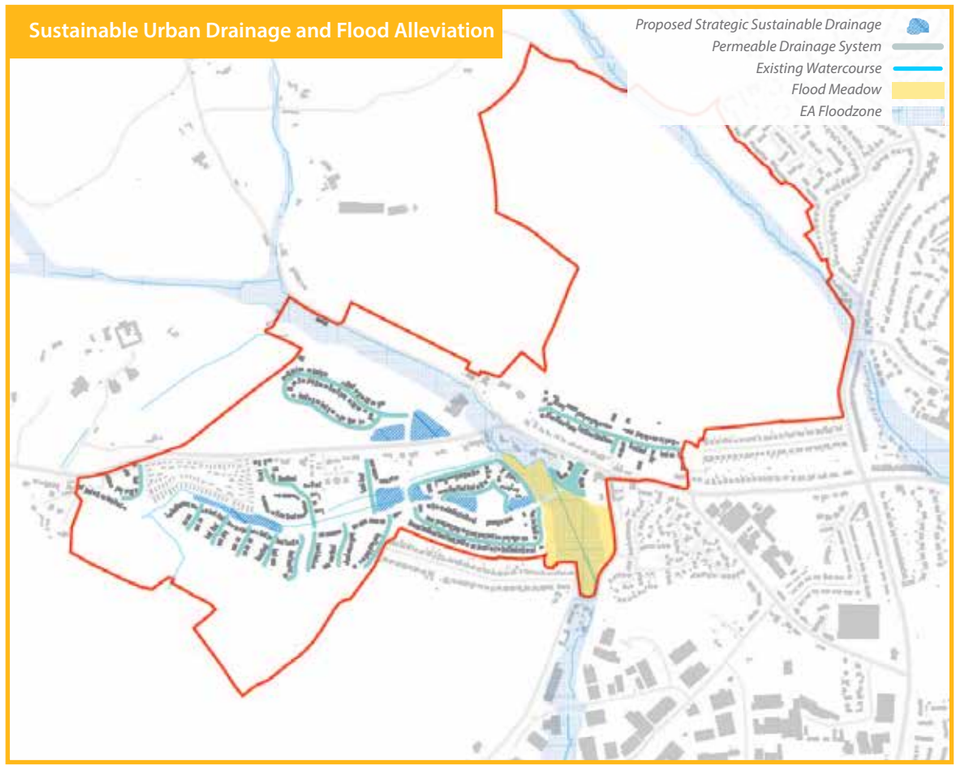
Distribution of uses



Bats Sensitive Design and Ecology



Sustainable Urban Drainage and Flood Alleviation





The green infrastructure corridor provides the necessary framework for ensuring that the village mitigates the risk of flooding within the village and further downstream. The green corridor promotes a greater degree of protection from climate change and encourages healthy living at the heart of village life. Opening up as much of this corridor for community use will improve the relationship of the village with the surrounding landscape. It will embrace new wildlife habitats and vegetation. It will seek to improve the foraging conditions for the greater horseshoe bats that fly through the village. The impact of roads within this corridor, both new and existing, will be subject to a series of detailed design measures that will reduce their impact on the bats. For example, restricted lighting zone, enhanced areas of vegetation that straddle over the roads along lines of hedgerows, off site ecological enhancements and bat roosts.



View looking along the central linear parkland

Page 992

Landscape strategy principles

This landscape strategy forms the basis of the whole masterplan. It has informed both the general layout of the proposed scheme as well as its detailed components.

The continuous green infrastructure provides a green spine to the development linking a range of formal and informal parks and spaces. The strategy would include reinforcing existing hedgerows and strategic tree planting of native shrubs and trees.

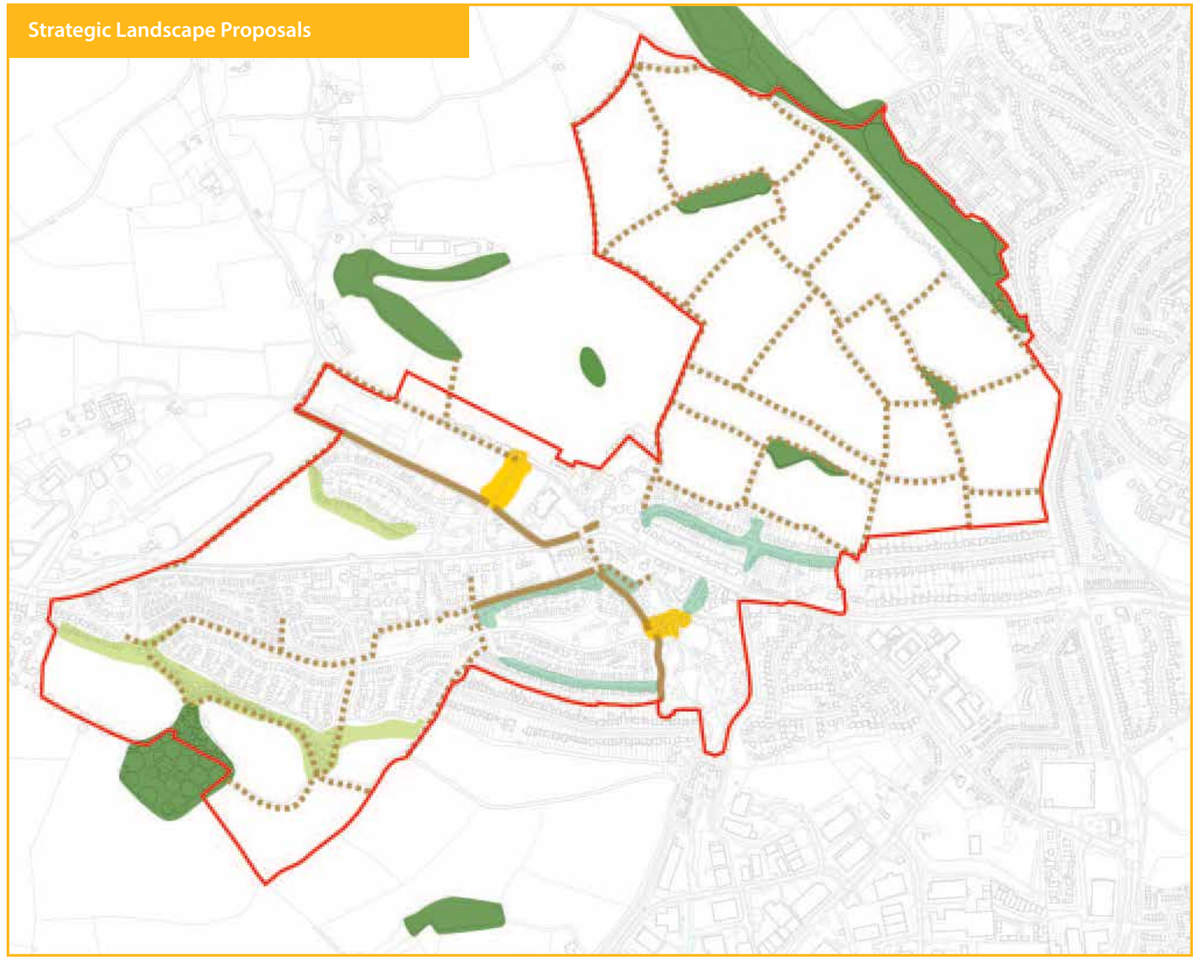
These spaces include a variety of different types and sizes of formal play areas, informal public open space and an interconnected system of swales and wetland meadows; these features would aid drainage and enhance biodiversity and wildlife.

Landscapes associated to food production create an overarching concept to the development with the introduction of orchards, allotments and community gardens.

Several site specific enhancements are proposed to increase the biodiversity value of existing and proposed grasslands, particularly in relation to Greater Horseshoe Bats. Enhancements would also include bird, owl and bat boxes, reptile hibernacula, and invertebrate refuge.

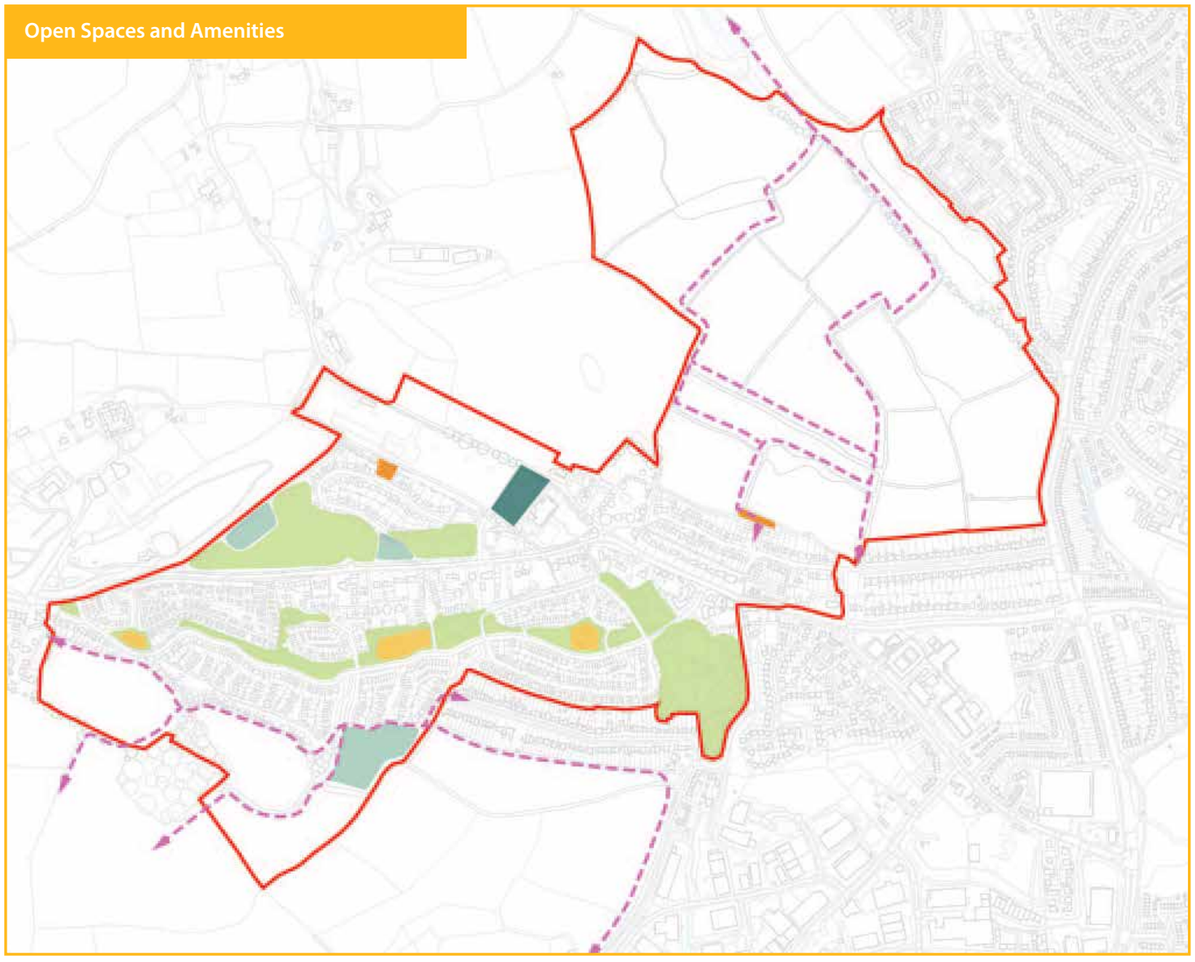
An increased amount of formal and informal paths and spaces in and around the entire study area will improve accessibility for all to the countryside and beyond. The proposed footpaths such as woodland walks, hill and prospect walks to viewing points and could connect to wider green infrastructure network including connections to the Great Park Country Park.

Strategic Landscape Proposals



Existing Woodland of Local Importance
Proposed Landscape Buffer Planting
Proposed Street Trees
Large Scale Tree Planting
Existing Hedgerows to be Retained and Enhanced
Hedgerows to be Maintained With 10m Buffer

Open Spaces and Amenities



Formal Public Open Space/Play Areas
Local Food Production Areas
Orchards
Sports Provision
Strategic Countryside Walks
Informal Public Open Space with Water
Sensitive Design and Ecological Enhancements

Phase 1

The first phase of development at Collaton St Mary comprises two different parts of the village. They focus on areas that have been developed in the past and are more appropriate for short-to-medium term development within the village.

At the western end of the village is the vacant motel site. It is surrounded by occupied uses on either side, including a static caravan site along its eastern boundary and a car showroom and dwellings to its west.

The development of this site will affect the long term viability of the rest of the masterplan proposals. This first phase needs to be designed and laid out in such a way as to ensure that access is safeguarded to future phases further east. In essence, this first phase will form one of 2 major gateways into the southern part of the masterplan. Therefore, its primary value is not in achieving maximum housing numbers on the site but rather in providing a gateway into a larger area.

The result of this approach means that the houses on this site are accessed directly off the spine road rather than off the Totnes Road. A variety of open spaces will be provided, which will primarily serve the needs of the first phase houses but also the eastern end of the later phases.

At the eastern end of the masterplan, a second gateway is proposed for Phase 1. This tranche of work seeks to create not just a gateway into the southern part of the masterplan, but a social hub for the local community. This will include a mix of small scale local retail and social uses with residential accommodation on upper levels. The local centre, using the existing Parkers Arms public house its the starting point for its creation, will provide a social anchor at the eastern end of the village's main street to complement the more community-focussed anchor at the far end by the church and school. The viability of the centre will be enhanced by its proximity to passing traffic on the Totnes Road along with a strong and attractive relationship with the public meadow immediately adjacent.

The Adopted Torbay Local Plan 2012-30 "A landscape for success" states that while Collaton St Mary is suitable for greenfield development in a period beyond the next 10years, it does also highlight the appropriateness of new developments on brownfield land. These two parts to Phase 1 identified in this section fall into that latter category of proposed building work. They enable Collaton St Mary to fulfil pressure on housing in the short term without compromising future housing growth in a sustainable way.

The first phase of the life of the masterplan will also be the period where the necessary upgrades to the existing infrastructure is carried out. The proposals set out in this masterplan help to eliminate uncertainty over possible future ad-hoc development in the village. This enables the relevant bodies to plan for future infrastructure needs in the area proactively rather than reactively in later phases. This includes upgrades to the sewerage network to improve the conditions for the existing settlement as well as being able to accommodate future development. As part of the delivery of the local centre, a detailed highways study will be required to refine proposals for the main road through the village. Initial investigations suggest that a filter lane into the local centre, coupled with a rearrangement of parking, will improve accessibility for vehicles and pedestrians.

A visible part of the upgrade to the infrastructure works will be the creation of a publicly accessible meadow to the south of the local centre. This meadow is a multifunctional space that gives the local community a large open space for recreational purposes. The meadow will be planted in certain areas with flora that attracts as wide a range of birds, animals and insects as possible, which reflects the feedback received from local residents. Such an environment will be as much a place for learning as relaxing.

In much the same way as the space currently operates, it will be designed to naturally flood but in a more controlled way that takes account of greater volumes of run-off water from future phases.

This area falls within a major flight and feeding corridor for the greater horseshoe bat, a species that is protected under European legislation. The meadow will still provide foraging ground for the bats. It will, therefore, not be designed as a permanent wetlands but a generally dry area for flora and pasture to enrich their foraging environment. Additional survey work will need to be carried out to assess bat movements and inform necessary mitigation measures. The creation of a new pedestrian and cycling link from the local centre through to later phases of development to the west will be designed with a number of features to mitigate against any possible impacts on the bats. These will include:

- Lighting levels along the stretch of road within the flight corridor will not exceed 0.5lux
- The gap in the hedgerow created to facilitate the new link will be kept to a minimum width.
- At the point where the link crosses the hedgerow, additional taller planting may be used to raise the profile of the hedgerow and encourage the bats to continue their journey along the line of the hedgerow.

The route may need to be raised with a bridge to avoid flooding and facilitate the flow of water.





Number of units in Phase 1: 25-30 houses *(plus 5-10 apartments depending on local centre details)*

Proposed Masterplan: Phase 1



Density of development in Phase 1: 20 units per hectare approximately

Phase 2

The second phase of development Collaton St Mary will be the first where new residential accommodation is provided on greenfield land. This is expected to happen post 2024, as indicated by the Local Plan.

Following on from the delivery of Phase 1, where the new local centre is planned, this second phase is the first to supply a significant amount of new housing within the village. As with the brownfield developments in Phase 1, this part of the masterplan needs to future proof the delivery of a later phase. What happens here will influence the delivery of the rest of the masterplan.

The overall masterplan is founded on the basis of a central linear park that runs through the heart of the southern development phases. This parkland will ultimately extend all the way down to the motel site in Phase 1 where the link between the two gateways into the masterplan area will be completed. This park will act as a simple navigation device, whereby residents and visitors will find it easy to navigate their way through each part of the development.

The built form for this zone has been guided by the existing patterns of building surrounding the area. The strong linear nature of St Mary's Park to the south forms an impenetrable barrier and so the proposal seeks to screen these back gardens off with housing that faces into the masterplan area. The boundaries created along the northern edge, coupled with that of St Mary's Park and a narrowing in the landscape to the west, form a natural enclosure for this phase of development.

There are several areas where individual houses will act as mini gateways. The more prominent of these sit at the western end, where they will ultimately form a staging post along the journey through the masterplan. When Phase 3 is underway, the importance of these buildings to the wider area will become more apparent.

The linear parkland works to retain as many of the natural features that exist in the landscape as possible. This includes the stream running down from Windmill Hill Clump as well as the hedgerow running alongside the stream. This hedgerow is of benefit to the bats and so will be given some breathing space and a protective buffer along the development edge to allow it to flourish. Lighting levels along this edge will be kept to below 0.5 lux.

Within the heart of this phase is retention of a series of protected trees and vegetation. The existing farmhouse building will be replaced with new housing along the southern edge of the farmhouse site, thus enabling the established trees to be incorporated into the linear parkland from the outset. The park will also facilitate pedestrian and cycling links to the wider village environment. The main one of these is that which connects the linear parkland with the Totnes Road adjacent to the school. This route forms a main cross masterplan connection and is an integral part of the green infrastructure corridor. The existing thatched cottage sitting on this stream-lined lane forms an appropriate signpost along this attractive connection within the village.



Number of units in Phase 2: 130-135 houses

Total at the end of Phase 2: 155-165 houses

Proposed Masterplan: Phase 2



Density of development in Phase 2: 20 units per hectare approximately

Phase 3

Away from the enclosed nature of the other phases, the overarching principle of Phase 3 is its connection with the wider landscape. It takes advantage of its location at the foot of one of the highest points in the Torbay landscape to draw views of it into the heart of the masterplan.

Phase 3 makes the full connection between all the previous phases of development south of the Totnes Road. It links not just the road network, but more importantly, the central linear parkland. This route will provide a significantly improved connection for pedestrians and cyclists that currently use the Totnes Road for access. The final stretch of parkland to be created will revolve around the existing streams and hedgerows that form strong linear features that extend right along into Phase 2.

While this part of Collaton St Mary is seemingly less constrained by existing buildings surrounding it, the existing built form of St Mary's Park and along the Totnes Road continue to guide the general form of development in this phase. The sloping nature of the land means that the contour lines on which the western end of St Mary's Park sit form the southern most extent of the new development. This helps to piece the new built form in with the existing in a more coherent manner.

The masterplan is keen to promote permeability throughout the scheme, and while Phase 3 has a more solid built line of properties along its northern boundary, a strategic pedestrian and cycle access route connects through to the Totnes Road facing the Car Boot Sale land. To the east, another pedestrian and cycle route links into St Mary's Park to better integrate the existing housing into the village environment. This link is not deemed to be appropriate for vehicular access though due to the constraints of the junction with Stoke Lane and the likelihood of creating a popular shortcut through St Mary's Park for Stoke Gabriel traffic.

However, the main design principle of this phase is the orientation of the streets to capture views out into the surrounding landscape. Glimpses of the sharply rising slopes of Windmill Hill will be a striking natural feature embedded within the journey along the spine of the masterplan. The landscape becomes a natural part of the experience of living at Collaton St Mary and forms a distinctive feature of the masterplan. Although starting to rise up sharply towards the ends of these streets, the gradients can be managed to capture the views without compromising access to individual houses.

For the time being, the static caravan park has not been included in the development proposals. That is not to say that it cannot be incorporated in the future. A limited number of potential access points through to that site have been identified at this stage, which will enable the site to be redeveloped at a later stage and piece harmoniously into its built surroundings. One of these access points lies in Phase 3, while another can be provided from within the motel site in Phase 1.



Number of units in Phase 3: 180-185 houses

Total at the end of Phase 3: 335-350 houses

Proposed Masterplan: Phase 3



Density of development in Phase 3: 20-25 units per hectare approximately

Phase 4

This last phase of development for Collaton St Mary provides for a mix of different developments and infrastructure improvements. It helps to resolve a number of issues that exist and were raised during the public consultation event.

The areas highlighted for development in this phase are not necessarily most suited for delivery towards the end of the life of the masterplan. Instead, they are standalone projects that can be delivered earlier without negatively impacting upon the other phases should the need or desire to develop these areas sooner arise. It is noted that there is currently stronger developer interest in these two sites, and fewer site assembly issues than with the land to the South of Totnes Road. Nevertheless, development of the areas will need to ensure that they are properly supported by infrastructure, particularly drainage/ flood prevention measures and the retention/ improvement of darkened corridors for greater horseshoe bats.

The first of these is the development on the Car Boot Sale land to the west of the school. This is an area of the village that has been subject to previous proposals. The Landscape appraisal that has been carried out has found that the upper slopes of the site to be more sensitive due to their prominence in views from the Totnes Road to the outlying hills which form an intrinsic part of the village setting, and in views from wider countryside to the north and north-west. The appraisal concluded that the lower slopes are more appropriate for new development without compromising those views. As a result, the masterplan proposes that new residential accommodation sits below the curving 60m contour line and careful thought guided by detailed landscape and visual appraisal, will be required to ensure that development is contained within the more discreet parts of this area ad that key views are protected.

An integral part of this phase is the provision of open space for food production for the use of the whole local community. This includes space for allotments, which will have good pedestrian links back to the rest of the masterplan area. Its connectivity, combined with a high degree of visibility from the Totnes Road, will help to ensure its appeal and success.

Within the landscape strategy for this area, the hedgerows have been protected with 10m wide buffer zones. With back gardens facing the hedgerows, there will be no impact from street lighting adversely affecting the bats' flight corridor. A break in the line of housing along the northern edge will ensure that access to the hedgerow is maintained. A community orchard will be grown here to give the space character and civic purpose.

Access to this development will be from a new link road connecting Blagdon Road with the Totnes Road. This new link will provide a number of benefits to the local community by simplifying the vehicular movement through the northwestern quadrant of the masterplan area. Current traffic along Blagdon Road passes the primary school at a narrowing in the road width, which becomes congested during pick-up and drop-off periods for the school. With just a single line of traffic able to squeeze through, the problem can extend back out onto the Totnes Road. The provision of a new link road will mean that through traffic can bypass this end of Blagdon Road. The existing junction with Blagdon Road will effectively be relocated further to the west on the other side of the school. This will result in the new link road serving the new residential development, the through traffic from Blagdon and the school. The alignment of the road is such that the school is given space to increase its outdoor area. Pick-up and drop-off traffic will use this facility.

The creation of a new road to link from the Totnes Road to Blagdon Road through to later phases of development to the west will be designed with a number of features to mitigate against any possible impacts on the bats. These will include:

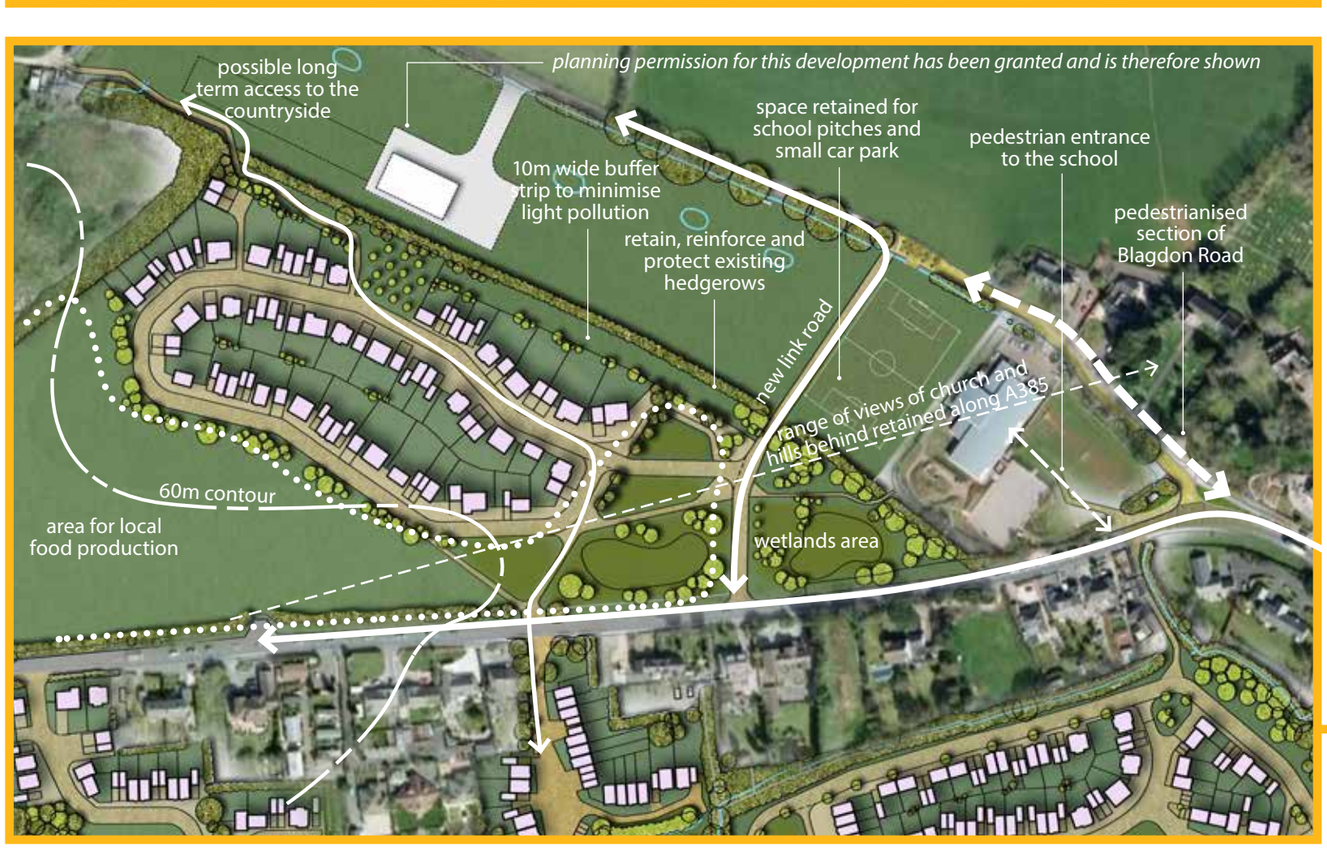
- Lighting levels along the stretch of road within the flight corridor will not exceed 0.5lux
- The gap in the hedgerow created to facilitate the new road will be kept to a minimum width. Measures such as reducing the road width to lane at this point could be explored in more detail later
- At the point where the road crosses the hedgerow, additional taller planting is used to raise the profile of the hedgerow and encourage the bats to continue their journey along the line of the hedgerow. A consequence of this link road is the ability to pedestrianise the stretch of Blagdon Road between the Totnes Road and the new link road. Creating a more community focussed environment here will help to better connect the church, the school and parish rooms. It will also strengthen the green infrastructure corridor that runs through the heart of the village. The character of this street will be significantly improved with the reclaiming of the space for the local community along with the opening up of the stream adjacent. It will provide a much safer connection to the school from the rest of the village.

The second area for development is that to the north of the village centre. The landscape character appraisal has deemed the lower end of these slopes to be less sensitive where it can accommodate new housing, forming a continuation of the built line of Borough Park Road. With good pedestrian links back into the heart of the village, new housing here will help to strengthen the core of the village and improve access to the local centre from Borough Park Road.

Vehicular access is proposed via Borough Park Road. Direct access onto the Totnes Road is not deemed to be appropriate due to the unsuitability of the junctions with the Totnes Road. However, the pedestrian routes will line up with a number of existing passageways and with the existing pedestrian crossing facility leading to the Paignton Community and Sports College.

There is scope within this development to accommodate live-work units, if there is a demand for them. Such a location would be ideal due to its close relationship with the local centre and easy access off the Kings Ash Road.





Number of units in Phase 4: 105-110 houses

Total at the end of Phase 4: 440-460 houses

Proposed Masterplan: Phase 4



Density of development in Phase 4: 20 units per hectare approximately



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This masterplan seeks to ensure that development is proposed which meets the needs of the future within the context of the present. In presenting an overall masterplan for the future of the village, the Council have demonstrated their commitment to ensuring that future growth is integrated with the existing village.

Delivery.

As noted earlier in this masterplan, the Council have identified Collaton St Mary as a future growth area for the Torbay area. However, whilst indications are that the village can accommodate future housing growth, aligned to general improvements to the village's services and infrastructure, this masterplan seeks to ensure that this is delivered in a manner which is sensitive to the existing settlement, reflecting the individual character of the area. It is this sensitive approach which will ensure that any new development can be understood within its context and be considered acceptable by local people.

Phasing

The approach to phasing of the development proposed in this masterplan is critical to ensure that the development process is managed in a way which causes a minimum degree of disruption to local residents whilst also ensuring that the final built environment is a success both in terms of its design outcomes but also financial success through sales.
Indicative phases are as follows:

	Masterplan proposal
1 – First 10 years to 2024	Redevelopment of brownfield motel site to accommodate circa 25-30 houses. Local Centre development to provide focal for local community and building connections between different parts of the village.
2 – Post 2024	Delivery of circa 130-135 houses.
3 – Post 2024	Delivery of circa 180-185 houses Extension of the green spine to create complete connection with Phase 1. Removal of the temporary road (created during Phase 1) with pedestrian only link remaining.
4 – Post 2024	Delivery of circa 105-110 houses on sites to the north of the village. Land safeguarded for future school expansion. Remaining section of Blagdon Road pedestrianised creating second community focal point created adjacent to the church.

Whilst the residential park home site at Beechdown Park is noted within the masterplan to remain in its current developed form, should the site become available at a future date there is potential



Governance

As a Council-led masterplan, we remain responsible for the overall governance and leadership required to ensure the delivery of the aims and aspirations presented here. However, a range of partners will need to be involved to deliver individual elements of the masterplan, particularly in relation to key infrastructure, including the upgrades to the sewerage, the implementation of green corridor and the residential developments.

As the local planning authority, the Council remains responsible for the consideration and approval of proposals within Collaton St Mary and the surrounding area. As such, proposals which accord with the principles and aims of this masterplan will be considered favourably, albeit must still comply with the development plan and other relevant policy. Proposals for development which would prejudice the aim of the masterplan will be resisted as they would lead to difficulty in delivery the masterplan concept. Developers are encouraged to actively engage with the Council at an early stage in order to ensure that specific development proposals can be formulated in a way which supports the masterplan.

As an early adopter of the Neighbourhood Plan process, there are three active forums across the Torbay area has, each of which is at varying stages of progress in the formulation of plans. The Paignton Neighbourhood Forum are preparing a plan which, amongst others, covers Collaton St Mary. The new Torbay Local Plan has now been adopted, and once the Paignton Neighbourhood Plan has been examined and adopted, it will also form part of the development plan.

This masterplan is anticipated to perform a central role in both, but particularly the Neighbourhood Plan, which will itself be a critical tool to guide future development within Collaton St Mary in a manner which ensures that development is delivered sensitively and is integrated with the existing he town centre area.

Funding

The Council recognise that investment decisions to undertake residential development are heavily dependent on a number of issues, including but not limited to development viability driven by land value and relevant site specific constraints. To this end, any decision on the part of landowners and developers to progress the development of sites identified within this masterplan will be driven by the availability of funding.

The Council are understandably not in a position to provide financial support to the physical development of this masterplan. However, as a Council led masterplan, we are committed to realising development within Collaton St Mary within the concept and parameters proposed. Therefore, where potential developers engage with the Council in a pro-active manner and commit to the aims of the masterplan, we will endeavour to provide appropriate support where possible. This may include assistance to prepare detailed site briefs and design codes or facilitating pre-application discussions with key stakeholders (for example consultees or infrastructure delivery partners).

The Council may also be able to facilitate the provision of targeted funding or support from the Heart of the South West Local Enterprise Partnership to provide assistance in delivery critical infrastructure which helps to unlock development of economic benefit.

Landownership

The control and direction of use relating to private ownership of land is not within the remit of the Council. It is therefore recognised that the future delivery of this masterplan is to some degree outside of the Council's control. However, we consider that by developing a masterplan which seeks to see future development delivered in a strategically co-ordinated manner, the Council have taken a positive and definitive step in signalling to landowners that development of high quality and vale can be delivered to meet the future needs of Collaton St Mary.



Recommended Future Strategies

The delivery of this masterplan requires continued partnership with the local community, along with a range of other stakeholders to ensure its successful implementation.

We have identified within this section our proposed phasing plan for the delivery of the future enhanced settlement of Collaton St Mary. The phasing has been developed with consideration of the existing community at its heart in order to ensure that any potential disruption is kept to a minimum and to allow for key developments which will benefit the local community to be delivered early, for example the new Local Centre being developed as a key part of Phase 1.

In order to progress the phased development in accordance with these masterplanning principles, to ensure that delivery is within existing or new infrastructure and to maintain the existing positive sense of community within Collaton St Mary, we propose the future strategies:

- The development of a more detailed strategy to identify the specific infrastructure needs based on the requirements of the individual partners and the negotiated funding to deliver critical elements of this;
- A strategy will be developed which places the existing residents and community as key stakeholders to future development.
- Engagement with the Paignton Neighbourhood Forum will be continued to ensure that the Masterplanning principles are carried through to the emerging Paignton Neighbourhood Plan, ensuring that the masterplan (which builds on the Local Plan Future Growth Area) is central to the Development Plan at all tiers.
- Detailed Technical Assessments will be required to inform the preparation of any subsequent planning application to deliver the development proposed within this masterplan. This will include, but not be limited to, flood risk assessments, further ecological studies, transport assessments and potentially full EIA. Future applicants should satisfy themselves of the requirement to undertake these studies.



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Appendix

HRA Site Appraisal Report of Torbay Local Plan
Strategic Delivery Areas
(Proposed Submission Plan)

Extract Relating to Totnes Road

M J Oxford CEcol. FIEEM.

Kestrel Wildlife Ltd

October 2014

HRA Site Appraisal Report of Torbay Local Plan
Strategic Delivery Areas
(Proposed Submission Plan)

Extract relating to Totnes Road

Prepared by Kestrel Wildlife Ltd

Date: 20 October 2014

Version: **Final version for Circulation within Torbay Council and with Natural England**

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A report by Kestrel Wildlife Ltd on behalf of Torbay Council.

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Thanks to the Strategic Planning Team at Torbay Council for commissioning Kestrel Wildlife Ltd to undertake this piece of work to support the HRA of the Local Plan.

We have drawn on a range of ecological reports and studies in the Torbay area, and are grateful to a number of people who have provided information. Our thanks in particular to Laura Horner (Natural England) for background information on the HRA process associated with Neighbourhood Plans and for useful discussion relating to wider HRA issues.

This report was prepared by:

Mike Oxford M.Sc., FIEEM, CEcol. Kestrel Wildlife Ltd

5.3 SDP3.3 Totnes Road Future Growth Area

Key Characteristics

5.3.1. The Totnes Road (Land around Collaton St Mary) Future Growth Area is a composite site centred around the village of Collaton St Mary; as such it encompasses a number of land parcels and these are shown on Map 6 of this report. Each are identified separately by a capital letter (e.g. 'A', 'B', 'C' etc) and their key characteristics are described in turn below.

NOTE: *Further details on the landscape character of the area around Collaton St Mary can be found on pages 28-29 and pages 65–67 of the Torbay Landscape Character Assessment.*

5.3.2. This Future Growth Area lies within the northern part of the Berry Head Component of South Hams SAC *Sustenance Zone (an* area identified in Natural England's South Hams SAC guidance (2010) as being of particular importance for GHBs). It also has several *Strategic Flyways* running through it and these generally follow the lower slopes of the valleys (see Map 6 at the end of this report). One flyway runs along the northern side of Area 'A', while the others run through the centre of the village in an approximately north-south direction through areas C, F and G (see Map 6 of this report).

5.3.3. There are historic records of at least 6 Greater Horseshoe Bat roosts along the valley between Collaton St Mary and Stoke Gabriel (approx 3km) to the south. There is also a historic record of a roost just outside of Collaton St Mary to the north-east of the village. And the porch at St Mary's Church is also believed to be a 'night perch' for what is probably an individual bat foraging in the immediate vicinity (bat droppings were most recently identified on the floor of the porch on the 5th June 2014).

5.3.4. Based on the precautionary principle, and informed by the local proximity of these roosts on either side of the village, it is assumed that GHBs commute through Collaton St Mary, moving in an approximately north-south direction and vice versa.

5.3.5. Map 7 shows the high ground around Collaton St Mary and emphasizes that Natural England's *Strategic Flyways* runs through the valley bottoms. Further general context is also presented in Photo 1 (looking toward the centre of the village from the high ground just to the north-east of St Mary's Church) and in Photo 2 (looking north-eastward towards the centre of the village from a location east of Brake Copse). It is clear from these photos the extent to which tall hedgerows and mature trees are prevalent through and around the centre of the village; as such, these are likely to offer suitable and sheltered flyways for commuting bats.

5.3.6. **Area 'A'** is comprised of an area of high ground to the north of Collaton St Mary on the southern slopes of the Upper Clennon Valley. The area appears to be quite intensively farmed, with a mix of pasture, ryegrass leys and arable fields. To the north and east, the area slopes gently downhill towards the built-up edge of Paignton, with the eastern boundary being marked by the wide and well-lit A380 (Kings Ash Hill). The highest part of the area is marked by a long line of mature trees running approximately south-east to north-west, and to the south of this the land slopes more steeply down to the village and the A385.

5.3.7. With the exception of mature trees and the tall hedgerow in the valley bottom along the northern boundary of area A, other hedgerows across this area tend to be relatively low and well maintained in a box shape. There are two small woodland copses on the upper northern and eastern slopes and, while the copses and hedges offer some shelter for commuting/foraging GHBs, the areas of higher ground are generally quite open and exposed. Consequently, the *Strategic Flyway* identified through this area (see Map 6) follows the more sheltered line of the northern most hedge along the bottom of the valley.

NOTE: *The Strategic Flyway through area 'A' connects open countryside to the west with the Clennon Valley which lies to the east of the A380. There are historic records of greater horseshoe bat roosts in the Clennon Valley (e.g. near Paignton Zoo) meaning that, at least in the past, GHBs have been using the valley.*

There are substantial areas of suitable foraging habitat throughout the valley; including: areas of open grassland (although most of this is amenity); substantial areas of broadleaved woodland and scrub; and a string of open water bodies stretching from Paignton Zoo (at the upper end) to the southern edge of the sports pitches associated with Torbay Leisure Centre (at the lower end of the valley).

The open undeveloped eastern end of the Clennon Valley is approximately 250 metres wide and is separated from the coast by the A379. However, this main road is unlikely to act as a complete barrier to GHB movement, as there are hedges, scrub and tall trees along both sides of this section of the road. And it is not lit as brightly as the pinch points long the A380 and A3022 at the top end of the valley (see points 7 and 12 on Map 6). Also, in places mature conifer trees along the A379, and nearby hedges and scrub, offer GHBs the opportunity of potentially safe, high level 'hop overs' across the road.

If GHBs do cross the A379 it is possible that they regularly or seasonally commute and/or migrate back and forth along the coast towards the Berry Head Roost. This route into the Clennon Valley would be far less 'intimidating' to GHBs than via the intensively developed, and very well lit, western end of the valley around the Totnes Road, A380 and A3022 junctions.

5.3.8. **Area 'B'** lies on the lower slopes of the high ground identified in area 'A' above, and sits against the northern side of Collaton St Mary (see distant views on the right hand side of Photo 2).

5.3.9. The fields appear to be under permanent pasture and tend to be slightly smaller than on the northern slopes of area 'A'. As such, area 'B' probably offers slightly better and more sheltered foraging habitat for GHBs. The village church and surrounding tall trees and mature hedges form the western boundary of this area, while the eastern boundary abuts the housing at the end of Borough Park Road. There is a possible horseshoe bat roost (source Natural England) towards the eastern side of area 'B'. Mitigation associated with development within area 'B' should be in accordance with the mitigation objectives set out in paragraph 5.3.39 below (in particular with objectives ii, iii, x, xi, xii, xiii, xiv and xv).

5.3.10. **Area 'C'** is in the valley bottom to the north of the A385 and is formed from a series of long thin pasture fields (pony paddocks) that extend from the village school and church in an approximately north-easterly direction along the valley bottom. The northern boundary of area 'C' is marked by a brook, a tall mature hedge with tall hedgerow trees, and the lane that runs to Lower, Middle and Higher Blagdon. There are also a string of eight small ponds along the inside of the hedge through area 'C'.

5.3.11. The southern boundary is also formed by a tall mature hedgerow that abuts area 'D'. GHBs have been recorded along this hedgerow (from results of work undertaken by EAD Ecological Consultants in 2013 on behalf of Taylor Wimpey to inform their planning application for residential development on area 'D').

5.3.12. This area runs along the centre line for the *Strategic Flyway* identified by Natural England (see Map 6 at the end of this report).

5.3.13. Planning permission for a new poultry unit has been granted consent by Torbay Council at the northern end of area 'C' adjacent to the northern apex of area 'D' (planning reference P/2012/0865). As a condition of consent, this unit will be unlit and it is not expected to affect the movement of horseshoe bats through these fields or along the adjacent hedgerows.

5.3.14. **Area 'D'** is comprised of one large triangular field of semi-improved grassland; currently used for a hay crop and occasional use for car-boot sales. The southern boundary runs along the A385 and is marked by a 2-3 metre grass verge, an old metal fence and a line of planted semi-mature trees. The highest point of area 'C' is to the west, and from here the land slopes down toward the village centre and also towards the hedges on the north-western and north-eastern boundaries. These boundary hedges are mature and contain numerous tall trees.

5.3.15. Tall mature hedges, with hedgerow trees, lie along both the north-eastern and north-western boundaries.

5.3.16. A full season of survey effort has been undertaken in accordance with NE's 2010 South Hams SAC guidance on behalf of Taylor Wimpey in support of their planning application for the site (planning reference P/2013/0572). The results of these surveys show that there was some greater horseshoe bat activity along the hedges on the north-western and north-eastern boundaries, with overall greatest activity along the latter hedge, which is shared with area 'C'. However, no horseshoe bats have been recorded foraging across the open grassland in area 'D'.

5.3.17. **Area 'E'** lies opposite area 'C' on the southern side of the A385 (Totnes Road). There is a line of built development along almost the entire northern edge of area 'E' where it abuts the main road. In the western part of this area, there is also a hotel complex and next to this, to the east, is a dense area of small residential 'mobile' homes.

5.3.18. The land behind the residential development along the A385 slopes downhill for a short distance before rising again towards the high ground around Brake Copse south of Collaton St Mary (see details of topography on Map 7). The land immediately behind the settlement is largely under arable cultivation while the higher slopes appear to be under a mix of arable and permanent pasture.

5.3.19. Two tall very well developed hedges run up the slopes in a southerly direction (see Photo 2), and these would provide a strong sheltered corridor for commuting horseshoe bats. They also link the *Strategic Flyway* in the valley bottom with Brake Copse and the open countryside beyond; also permanent pasture immediately to the east of Brake Copse may provide suitable foraging habitat for foraging bats.

5.3.20. **Area 'F'** has residential properties along its northern boundary (fronting onto the A385) and also along the southern boundary along St Mary's Park road. The area is relatively low lying with the highest point in the south-west corner.

5.3.21. There are three fields (pasture) and one large residential property (Marbrook) situated in the middle of area 'F'. All of the boundaries around area 'F' are comprised of tall mature hedges with tall hedgerow trees (see Photo 2 - right hand side beyond the closest hedgerows).

5.3.22. The hedge along the eastern boundary is particularly noteworthy because it forms a very strong linear landscape feature running approximately north-south and, as such, offers an almost optimal commuting route for horseshoe bats passing through the middle of the village. It also forms the western edge of area 'G' which appears to offer optimal foraging opportunities over cattle-grazed pasture in association with a water course and damp/marshy habitat (see 'G' below).

5.3.23. In the northern part of area 'F', the line of residential properties along the A385 are broken by two vegetated gaps (see pinch point 2 on Map 6 of this report). In effect, these form two narrow green corridors and in association with tall trees on either side of the A385 (in particular a mature Holm Oak on the southern side), they offer a potential dark high level 'hop over' across the main road for commuting bats (see Photo 3).

5.3.24. **Area 'G'** is formed of flat low-lying land and is located in the centre of the village. It has a small watercourse running through it, flowing north-south, and on either side of this there is cattle-grazed pasture in association with areas of tall damp/marshy habitat. As such, this type of habitat mosaic offers potentially optimal foraging opportunities for horseshoe bats. The hedge along the western boundary of area 'G' is also particularly noteworthy because it forms a very strong linear landscape feature running approximately north-south and, as such, offers an almost optimal commuting route for horseshoe bats passing through the middle of the village. There is a similar tall hedgerow feature, also running north-south, towards the eastern edge of area 'G', although this is only 100m (approx.) in length. To the east of this latter feature is a very narrow field that abuts Stoke Road, where the boundary is marked by a post and rail fence and short broken sections of thin hedgerow.

5.3.25. The northern edge of area 'G' has residential and commercial properties that front onto the A385 in the centre of the village. These include a car showroom and the Parker Arms Public House on the corner of Stoke Road. These properties represent an almost unbroken line of development along the southern side of the A385. However, there is a thin green corridor (comprised of a large private garden) that follows the line of the brook where it passes under the A385 and then links into the grounds of the primary school at the southern end of area 'C' (see point 1 on Map 6). This pinch point appears to offer one of the most likely flight routes across the main road, especially as it is linked, both north and south, to near-optimal foraging and commuting habitat. The A385 Improvement Scheme will need to take account of this pinch point.

5.3.26. The southern tip of area 'G' narrows into another pinch point between residential properties and where the Stoke Road takes a series of sharp bends (see point 3 on Map 6). There are a number of streetlights at this location, which might to large extent normally deter greater horseshoe bat movement. However, as with the northern pinch point in area 'G', horseshoe bat habitat immediately to the north and south are near-optimal and this location is considered to offer the most likely route through the southern end the village – and a crucial one if Natural England's *Strategic Flyway* is to function through the landscape as hoped. It should therefore not be developed.

5.3.27. South of point 3, horseshoe bats would appear to have two alternatives for commuting routes

- To follow uninterrupted dark flyways southward along the tall hedges on both sides of Stoke Road (see point 4) and/or:
- To follow the line of the watercourse, a small block of woodland and a relict tall hedgerow running through the Yalberton Industrial Estate (see point 5 and area 'H' on Map 6). This area is well lit at night.

5.3.28. **Area 'H'** covers the Yalberton Industrial Estate. While it does not form an integral part of the Local Plan proposals for the Totnes Road Future Growth Area, the Estate does form an important element within the 'landscape' south of Collaton St Mary and provides further context for how GHBs may be active in the wider area around the Growth Point (identified as a Neighbourhood Plan potential employment development (improvement) area).

5.3.29. A full characterisation and appraisal for area 'H' is provided in Section 5.4 of this report.

Does future development of the Totnes Road Growth Area have the potential to impact the integrity of the South Hams SAC?

5.3.30. The growth Area is within the South Hams (Berry Head) *Sustenance Zone* and also has two *Strategic Flyway* running through it.

5.3.31. A number of landscape features, likely to be of major importance to GHBs, offer suitable (or even optimal) foraging and commuting habitat close to and through the village (see Map 6). These include:

- The long thin fields, small ponds, watercourse and mature hedgerows in area 'C';
- The watercourse, tall mature hedges and cattle-grazed pasture in area 'G';
- The mature hedgerows around area 'F';
- The mature hedgerows running southward through area 'E'.
- The watercourse, hedges and garden features either side of the A385 at Pinch Point 1 on Map 6

5.3.32. These landscape features contribute to the overall connectivity and functionality of the *Strategic Flyway* along the valley through Collaton St Mary.

5.3.33. Development in an inappropriate location and/or of an inappropriate design have the potential to adversely affect GHBs and thereby be likely to impact on the integrity of the South Hams SAC. This might be as a result of one or more of the following

- loss of grazed pasture which would reduce the extent of potential foraging habitat available to bats;
- severance of habitat connectivity through the centre of the village (particularly at pinch points) caused through loss of mature hedgerows and/or tree lines and/or through widening of the A385;
- loss of tall trees and associated woody vegetation on either side of the A385 that currently are assumed to provide relatively dark and safe crossing points over the main road;
- disturbance to bat foraging and commuting habitat that is to be retained within future development (e.g. as a result of increased light levels) so that GHBs are no longer able to make use of these features.

5.3.34. The most likely significant effect from proposed development within the Future Growth Area is the potential restriction on the bats' ability to disperse and move to and from foraging areas either side of the village. Such movement may occur on a regular daily basis, or on a more infrequent seasonal basis e.g. in the early spring and late autumn when the bats may be using routes through the village in order to migrate to and from their hibernation roosts used through the winter.

5.3.35. In order to meet the requirements of Habitat Regulations Assessment, it is therefore essential that adequate mitigation be provided that ensures (i) there are no further restrictions on potential movement of GHBs along the strategic flyway through the village and (ii) the retention and enhancement of foraging opportunities (see para 5.3.37 below).

Is it likely that potential impacts will require Habitat Regulations Assessment (HRA)?

5.3.36. Development of the Totnes Road Future Growth Area will need to be informed by detailed bat surveys and accompanying ecological assessments. Wherever GHBs are confirmed to be present, then a Habitat Regulations Assessment will be required to determine whether the integrity of the SAC is likely to affected adversely. It will only be possible to avoid a full Appropriate Assessment if detailed mitigation measures are incorporated into development proposals to demonstrate (when examined against the 'Likely Significant Effect' (LSE) test) that there will be no likely significant adverse effect on the integrity of the South Hams SAC.

Is it likely that impacts can be mitigated effectively?

5.3.37. Mitigation measures for GHBs should support the *SAC Conservation Objectives* set by Natural England and also promote *Favourable Conservation Status* for this species (see Appendix B). As such, mitigation measures for the Totnes Road Future Growth Area should aim to:

> *Facilitate ease of movement and conserve energy expenditure by Greater Horseshoe Bats by providing optimal daily and seasonal commuting routes through the existing and proposed new built up areas and by retaining and enhancing foraging and roosting opportunities.*

5.3.38. In order to achieve the above aim, and to provide the certainty necessary to satisfy the requirements of the HRA process, the following mitigation objectives must be incorporated into the master-planning process for the Totnes Road Future Growth Area. This mitigation must then be implemented in full at such time as development applications are brought forward. Such mitigation should be a combination of identifying and recognising:

- key design constraints required to avoid or minimise[1] adverse effects, and;
- habitat mitigation/enhancement opportunities to provide overall net gains[2] for GHBs specifically and for wider biodiversity in general.

[1] Adverse effects should be 'minimised' to the point where either alone or in combination with other effects they do not have an adverse effect on the integrity of the South Hams SAC.

[2] The achievement of a net gain for biodiversity is consistent with the objectives set out in Local Plan Policy NC1 Biodiversity and Geodiversity.

5.3.39. *Design Restrictions/Constraints should:*

i. Maintain existing connectivity of bat commuting and foraging habitat through and around Collaton St Mary in accordance with the flyways shown on Map 6 (unless it can be established through detailed bat surveys that relevant areas are not in use by GHBs);

ii. Achieve no net loss of foraging habitat (especially within area G on map 6) unless it can be established through detailed survey that the affected areas do not (and could not) support foraging GHBs;

iii. Achieve no overall net loss of existing hedgerows and trees within the Future Growth Area identified on Map 6;

iv. Avoid light spill in bat flyways and foraging areas i.e. achieve light levels less than 0.5 lux in sensitive locations;

v. Achieve road layouts associated with new development that do not sever or interrupt key bat flyways;

vi. Establish the proposed village green outside of optimal areas of foraging habitat in area G (e.g. locate village green on the eastern side of area G rather than in the centre of this area);

vii. Ensure that the design of any new proposed bus lane (See Transport Local Plan 3 March 2011 Section 7.20) and associated cycleway and footpaths along the A385 avoids any adverse effects on habitat connectivity at the pinch points at 1 and 2 on Map 6, including those arising from:

- widening the road to accommodate a bus lane/cycleway/footpath that would require removing trees on one or both sides of the carriageway), and/or;
- introducing new and/or brighter street lighting through the pinch point.

Habitat Mitigation/Enhancement Opportunities should:

viii. Create a green corridor along the northern edge of area F (behind the properties fronting the A385) in order to maintain access to 'hop-over' points provided by mature trees along the main road (see point 2 on Map 6);

ix. Enhance/replace existing street lighting in 'Pinch Points' (see Map 6) to reduce current extent and/or levels of illumination (while maintaining necessary highway and pedestrian safety) in order to minimise disturbance and severance effects from light spill across key flyways;

x. Undertake habitat creation/enhancement to provide new tree lines and hedgerows in the surrounding landscape (e.g. within the proposed Green Infrastructure) to strengthen bat commuting habitat in the wider landscape;

xi. Provide landscape buffers between bat flyways/foraging habitat and the new built development – these should ideally be 10m wide;

xii. Create a 'string' of new bespoke bat roost(s) to support and improve viability of green corridors through the built development (e.g. provision of new bat roost within (a) western boundary of area G, (b) within northern part of area C and (c) in an appropriate location to the south of Collaton St Mary and to the west of Stoke Road);

xiii. Provide long-term habitat management for GHBs, for each development, through a Landscape and Ecological Management Plan (LEMP), secured through a planning condition and/or obligations;

xiv. Implement development through the means of a prior-approved Construction Environmental Management Plan (CEMP), secured through a planning condition and/or obligations;

xv. Undertake appropriate and proportionate ecological monitoring of the LEMP(s) to establish the effectiveness of proposed mitigation measures and to provide early warning of any necessary contingency or remedial measures required to meet original objectives;

5.3.39. The provision of such measures would be consistent with the four principles set out in the proposed modified Local Plan Policy NC1.

Photo 1



Photo 2



Photo 3



APPENDIX A Protection and Enhancement of Ecological Networks

A.1.1 Across Europe, all of the Special Areas for Conservation (SACs) and Special Protection Areas (SPAs) together contribute to the European Natura 2000 network. The protection, management, and enhancement of such ecological networks, and especially those relating to the *Natura 2000* network, are identified as being particularly important in the *EU Habitats Directive*.

A.1.2 Article 3 of the Directive states:

Where they consider it necessary, Member States shall endeavour to improve the ecological coherence of Natura 2000 by maintaining, and where appropriate developing, features of the landscape which are of major importance for wild fauna and flora, as referred to in Article 10.

A.1.3 Article 10 then goes on to explain:

Member States shall endeavour, where they consider it necessary, in their land use planning and development policies and, in particular, with a view to improving the ecological coherence of The Natura 2000 network, to encourage the management of features of the landscape which are of major importance for wild fauna and flora. Such features are those which, by virtue of their linear and continuous structure (such as rivers with their banks or the traditional systems of marking field boundaries) or their function as stepping stones (such as ponds or small woods), are essential for the migration, dispersal and genetic exchange of wild species.

A.1.4 *The Conservation of Habitats and Species Regulations* (2010) transpose the above EU Directive into English legislation. Regulation 39 requires development plan policies to include policies that implement at the local level the requirements of Article 10 so as to encourage the management of features of the landscape which are of major importance for wild flora and fauna.

A.1.5 In relation to the potential development sites discussed in this report, Regulation 39 provides Torbay District Council with an opportunity to link conservation objectives to the allocation of some or all of the sites finally adopted. In particular, the LPA has both a justification and a statutory mechanism by which they can seek through their development plan policies the management and enhancement of landscape features in and around the Local Plan Areal which are of major importance for GHBs.

A.1.6 For instance, planning for Green Infrastructure in and around the proposed future growth areas could also lead to significant biodiversity gains and substantial improvement of GHB commuting and foraging habitat providing the bats with a very much enhanced flyways around the town. Such measures could also contribute to wider Green Infrastructure objectives and achieve benefits that could then also be enjoyed by the local community.

APPENDIX B SAC CONSERVATION OBJECTIVES AND GHB CONSERVATION STATUS

B.1. **South Hams SAC Conservation Objectives**

B.1.1 As required by the Habitats Directive, high level '*Conservation Objectives*' for the South Hams SAC have been identified by Natural England. An overarching objective and a list of further generic objectives aim to:

'*Avoid the deterioration of the qualifying natural habitats and the habitats of qualifying species, and the significant disturbance of those qualifying species, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving Favourable Conservation Status of each of the qualifying features*.'

This is to be achieved by, subject to natural change, maintaining and restoring:

- *The extent and distribution of the qualifying natural habitats and habitats of qualifying species.*
- *The structure and function (including typical species) of qualifying natural habitats and habitats of qualifying species.*
- *The supporting processes on which qualifying natural habitats and habitats of qualifying species rely.*
- *The populations of qualifying species.*
- *The distribution of qualifying species within the site'.*

NOTE Natural England are in the process of preparing site specific objectives for each SAC and SPA in England.

B.1.2 The application of these objectives will be site specific and dependant on the nature of the site and its features. The local planning authorities should take these objectives into account when undertaking Habitat Regulations Assessments.

B.2 Favourable Conservation Status (FCS)

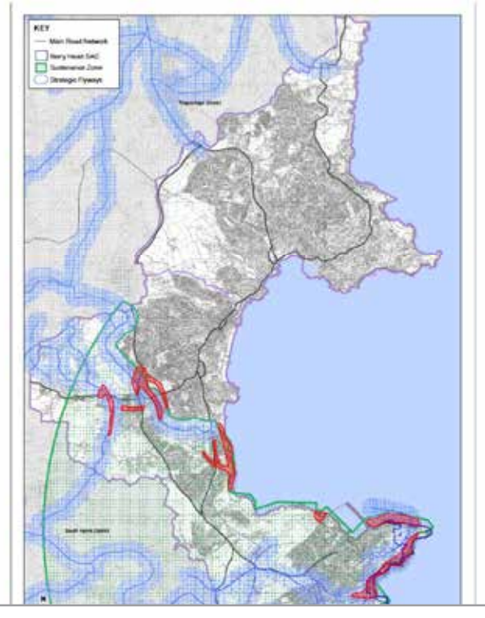
B.2.1 Article 2(1) of the Habitats Directive states that '*Measures taken pursuant to this Directive shall be designed to maintain or restore at favourable conservation status, natural habitats and species of wild fauna and flora of Community interest'* (emphasis added).

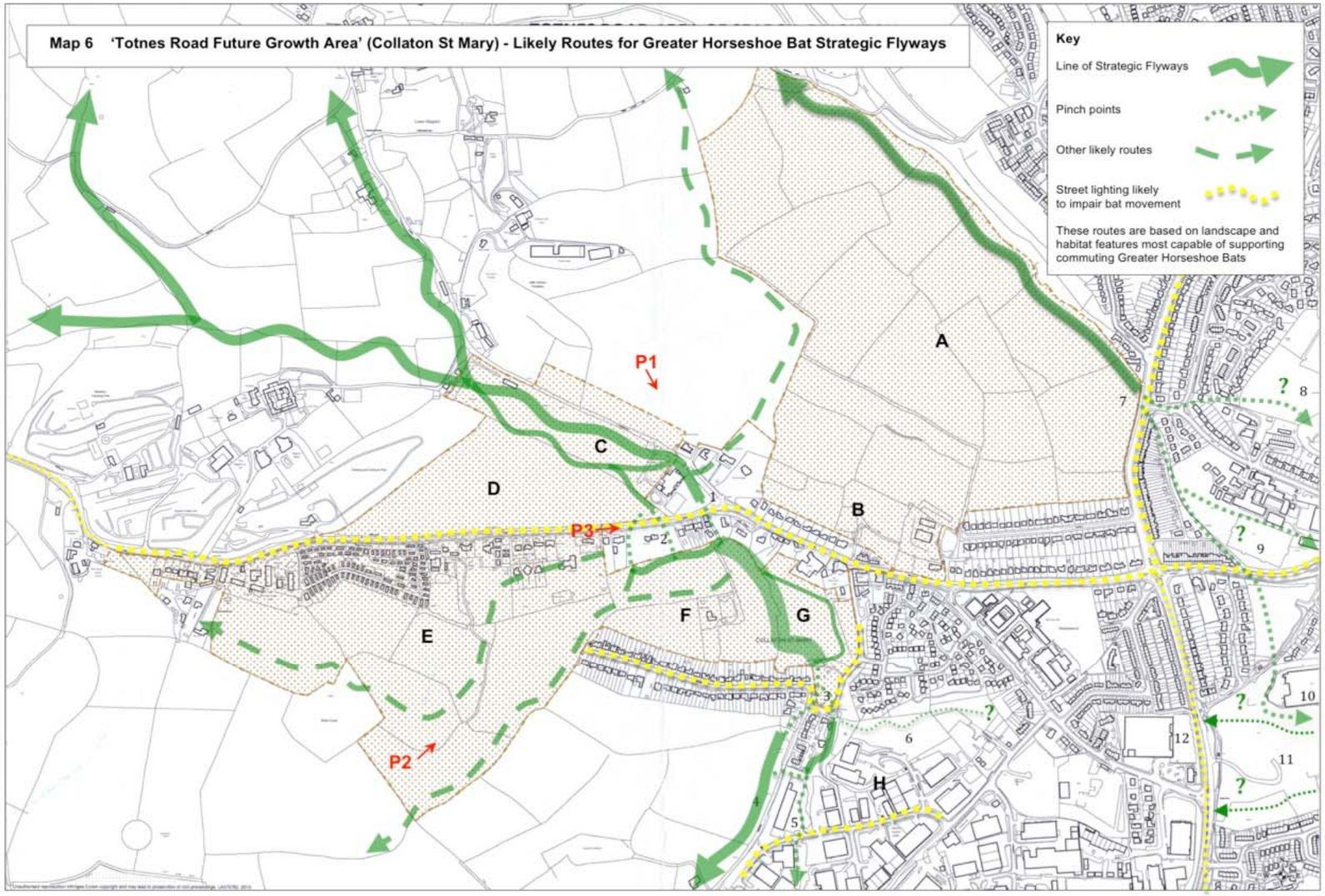
B.2.2 The concept of 'conservation status' is therefore fundamental to the purposes of the Habitats Directive. Article 1(i) defines the conservation status of a species as:

'the sum of the influences acting on the species concerned that may affect the long-term distribution and abundance of its population within the territory referred to in Article 2' and continues that the conservation status of the species will be taken as 'favourable' when:

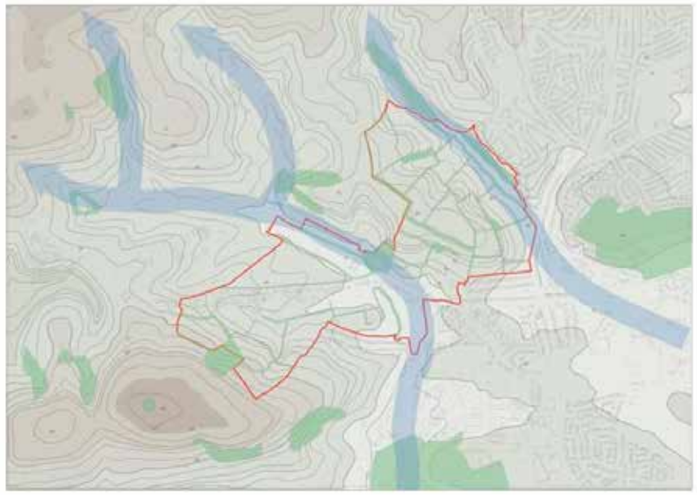
- *'population dynamics data on the species concerned indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats, and*
- *the natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future, and*
- *there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis'*

Map 2 Greater Horseshoe Bat Strategic Flyways and Potential Pinch Points




Map 6 'Totnes Road Future Growth Area' (Collaton St Mary) - Likely Routes for Greater Horseshoe Bat Strategic Flyways
Key
Line of Strategic Flyways
Pinch points
Other likely routes
Street lighting likely to impair bat movement
These routes are based on landscape and habitat features most capable of supporting commuting Greater Horseshoe Bats
A
B
C
D
E
F
G
H
P1
P2
P3

Map 7 Topography and Strategic Flyways – Totnes Road Future Growth Area



Map 8 Yalberton Industrial Estate and Claylands, Paignton



Stride Treglown

Collation St Mary Masterplan: Recommended Changes to Draft Masterplan

The Draft Collaton St Mary Masterplan (October 2014) http://www.torbay.gov.uk/csm-masterplandraft.pdf has been amended following the initial round of consultations. A revised draft version (dated February 2015) incorporates changes made in response to the initial (October 2014) consultation. (Changes are outlined in red in the revised document).

The changes between the October 2014 and February 2015 drafts are set out in Annexe 1 for clarification.

Following the second consultation (December 2015-January 2016) a number of additional changes to the Masterplan are required. ***These are incorporated into the February 2016 revision of the Masterplan (attached at Appendix 2 above***, with two minor points identified awaiting clarification).

The recommended changes to the masterplan are set out below.

Recommended Additional Changes to the Draft Masterplan

Overview (and throughout the masterplan)

Update references to the Local plan to refer to the Adopted Torbay Local Plan 2012-30 "A landscape for success". Where appropriate amend Local Plan text and policies quoted to refer to text as stated in the Adopted Local Plan. (Specifically under "Local Policy" on page 6). Note that Policy SS8 and NC1 (As modified) require project level surveys of greater horseshoe bats, and measures to safeguard them, prior to planning permission being granted.

Planning Policy Appraisal (page 5)

Amend text as follows exisiting section and replace as follows:

~~The local policy framework for the Torbay area is, as with many areas, an evolving one. The Torbay Local Plan, covering the period 1995 – 2011, was adopted on 5th April 2004. It is this plan which comprises a key part of the Development Plan for decision making in the local area.~~

The Adopted Local Plan 2012-30 and beyond "a landscape for success" was adopted by Council on 10 December 2015. This plan establishes policy and broad strategic allocations for future developemtn based on updated evidence, which will ensure the delivery of a sustainable future for the Torbay area.

The Local Plan includes policy to guide development, all of which will have varying degrees of applicability for future work. However, in the context of this master planning exercise, the following are considered key.

Collaton St Mary is ~~recognised~~ allocated in Policy SS2 as a Future Growth Area. This designation recognises the potential of the area to accommodate development during the latter part of the Plan period from 2024 onwards. However Government advice is clear that sustainable development must not be delayed if infrastructure and other constraints can be satisfactorily addressed. Further support for the principle of development is contained within Policy C1 Countryside and Rural economy. This seeks to avoid unrestricted development of

the open countryside surrounding Paignton and, to ensure this; the Policy directs development to Future Growth Areas.

Whilst Policy SS2 identifies the potential of the area in broad terms, Policy SDP3 Paignton North and Western Area, specifically sub policy 3.3, provides more detail. It identifies scope for approximately ~~830~~ 460 homes in the area to meet future housing need. As a result of the draft masterplan, the Modifications to the Local Plan reduced the number of dwellings in SDP3.3 to 460 (from 836 in the Submission Local Plan,RMM10 and RMM11).

Whilst paragraph 5.2.2.8 does recognise the challenges for development and the particular need to ensure that development enhances the role of the village centre, it also emphasises that these challenges will be overcome through the masterplanning process which will ensure a broad range of needs, including infrastructure, are met.

The role of a masterplan and delivery through Neighbourhood Planning is referenced within Policy SDP1 Paignton. This policy reiterates the infrastructure requirements relating to the area, particularly highways, drainage and landscaping.

The Local Plan was been informed by Habitats Regulation Assessment and Sustainability Appraisal. To assess the acceptability of Future growth Areas, a further Habitats Regulation Appraisal Report of the Local Plan Strategic Delivery Areas was commissioned (Kestrel Wildlife Ltd, October 2014).

Map 6 of this report sets out likely routes for greater horseshoe bat strategic flyways. It also identifies mitigation measures that are likely to be required to achieve development in the area. A number of Modifications were made to the emerging Local Plan to emphasise the importance of addressing biodiversity issues (incluidng in combination effects), and the need for additional survey work to be carried out between April and October (see especially Policy SS8 nature Conservation and NC1 Biodiversity and geodiversity). The relevant section of the HRA site assessment and Map 6 are appended to this Masterplan for information.

The Local Plan also sets out policies on flooding (ER1, ER2 and W5), strategic transport (SS6) and development access (TA2) and design principles (DE1 to DE3) which, among others, will be relevant to determining development proposals in the area.

The Collaton St Mary Masterplan provides an greater level of detail than can be included in the Local Plan. However, it does not replace the need for project level ecology (especially greater horseshoe bat), flooding, transport etc surveys and assessment that must be provided before planning permission can be approved.

Illustrative masterplan (page 24)

Under “The Meadow” (second bullet point), Replace existing bullet point text as follows:

~~The creration of a large publically accessible open space for the local community. This addresses local concerns regarding the lack of public rights of way and open spaces in the area for rest and relaxation.~~ The masterplan should promote public access to the countryside and open space for the community. However the primary functions of the meadow must be retained as a flood meadow and greater horseshoe bat/ wildlife corridor.

Local Centre

Add sentence to the end of the paragraph:

In addition, the site is suitable for residential use above the first floor (subject to design issues). The centre should incorporate flood resilience measures and reduce the amount of water run-off from the (currently hard-surfaced) area

Development should reinforce the context of historic buildings in the village.

Illustrative masterplan (and subsequent Phasing Plans)

Replace with Option 2 Map showing the deletion of proposed vehicular access across the meadow and replacement with a pedestrian/cycle path. Add notes:

- The role of the meadow should be conserved and enhance as a water meadow and wildlife corridor. Pedestrian/cycle access should not interfere with this primary function and should be designed accordingly (e.g. With a permeable surface and appropriate warnings that it may not always be useable in periods of high rainfall). Any lighting should be kept to a low level (0.5 lux maximum).
- Vehicular access will be from Totnes Road (Woodlands, Lower Blagdon Farm and Torbay Holiday Motel are known to be available). The layout should provide adequate vehicle accessibility and provide pedestrian/cycle links to Totnes Road.
- Improvements/alternatives to the Stoke Road junction, and road safety measures in the village will be investigated and funding sought through developer contributions. However these will not prejudice the role of the meadow.

Phase 1 map: Amend second diagram to show a pedestrian/cycle access across the meadow.

Add Appendix to the Masterplan: **HRA Site Appraisal Report of Torbay Local Plan Strategic Delivery Areas (Kestrel Wildlife Ltd October 2014) Part 5.3 Totnes Road Future Growth Area and Map 6.**


Option 2
These changes have been proposed to the previously consulted masterplan for Colleton St Mary (Option 1) to address a number of highways issues.
The changes proposed within Option 2 have been driven by the desire to reduce the highways infrastructure crossing the Meadow due to a potential conflict with the bat flight corridor.
Advantages:
• The removal of the road link across the Meadow removes any chance of conflict with bats flying overhead. A pedestrian and cycling link is maintained across the Meadow
• Additional access points are created along the A355 to alleviate the loss of the link across the Meadow at the eastern end
Disadvantages:
• A large proportion of houses are dependent on vehicular entrances to western end of the A355. All of Phase 2 is accessed solely from a single road to the west
• The highways concerns regarding the existing junction of Stoke Road and the A355 are not addressed
Key
Vehicular access point into the development south of the A355
Revised access arrangement within the proposed development area
Pedestrian/cycling-only link across the Meadow
New access road onto the Totnes Road
Access upgraded from temporary to permanent
Proposed change of access across the Meadow from vehicles to pedestrian/cycling
Single access point into Phase 2

Annexe 1

Changes made to the October 2014 Draft Collaton St Mary Masterplan (in the revised draft dated February 2015)

Note that further changes are required as set out in the main document.

In objective 6 mention: construction techniques and preventing crime through environmental design.

Add new paragraph at end of page:

The masterplans sets out an indicative plan for the area's development. Before development commences it will be necessary for green and physical infrastructure to be put in place. In particular, further survey work will be needed to ensure that greater horseshoe bats and other biodiversity are not adversely affected.

Whilst this masterplan has considered the issue of flooding, detailed proposals will need to ensure that there is adequate sewer capacity to serve development, and flood attenuation measures are provided, using sustainable urban drainage systems wherever possible.

Detailed applications should have regard to polices in the Adopted Torbay Local Plan 2012-30 and beyond "A landscape for success". In particular Policy DE1 "Design" sets out design considerations for development.

Site and Surrounding Context

Third paragraph, change Blagdon Barton Farm to Devon Hills

Fourth paragraph: Community School and Sports Academy at Borough Road and Waterleat Road...

Planning Policy Appraisal

Amend reference to the "Adopted Torbay Local Plan 2012-30 and beyond: a landscape for success".

Third paragraph. As a result of the draft masterplan, the modifications have reduced the number of dwellings in SDP3.3 to 460 (RMM10).

Landscape Character Appraisal

P10 Devon County Landscape Character Type. Please add to end of paragraph: Land to the west of Collaton St Mary falls within the South Hams.

P19 wider rural landscape, including the relationship with the South Hams

4.0 Consultation

P22. The Collaton Drop in day was the 22nd April 2014

Masterplan

Illustrative Masterplan: (Note that additional amendments are proposed to remove the vehicular crossing over the Water Meadow, following the December 2015 Consultation).

Delete the small parking area adjacent Primary School open space.

Note that a clear dark corridor for greater horseshoe bats will need to be retained through the Masterplan, including treed/foliage coverage to retain crossing points over the proposed link road and Totnes Road.

Phase 1

Tenth paragraph. Please add after “foraging environment”: Additional Survey work will need to be carried out to assess bat movements and inform necessary mitigation measures before planning permissions are approved.

Amend second diagram to show a pedestrian/cycle access across the meadow.

Phase 4

Please add to end of first paragraph: It is noted that there is currently stronger developer interest in these two sites, and fewer site assembly issues than with the land to the South of Totnes Road. Nevertheless development of the areas will need to ensure that they are properly supported by infrastructure, particularly drainage/flood prevention measures and the retention/ improvement of darkened corridors for greater horseshoe bats.

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Option 2

These changes have been proposed to the previously consulted masterplan for Collaton St Mary *(Option 1)* to address a number of highways issues.

The changes proposed within Option 2 have been driven by the desire to reduce the highways infrastructure crossing the Meadow due to a potential conflict with the bat flight corridor.

Advantages:

- The removal of the road link across the Meadow removes any chance of conflict with bats flying overhead. A pedestrian and cycling link is maintained across the Meadow
- Additional access points are created along the A385 to alleviate the loss of the link across the Meadow at the eastern end

Disadvantages:

- A large proportion of houses are dependent on vehicular entrances to western end of the A385. All of Phase 2 is accessed solely from a single road to the west
- The highways concerns regarding the existing junction of Stoke Road and the A385 are not addressed



Responsibility is not accepted for errors made by others in scaling from this drawing. All construction information should be taken from figured dimensions only.

A1 Original Sheet Size

0mm 100mm

date	rev	name	chk	note
23/10/2015	A	JB	PS	Text colour changed from white to grey, Text amended.

Stride Treglown

Architecture Town Planning Interior Design Building Surveying Landscape Architecture Graphic Design

Promenade House, The Promenade, Clifton Down, Bristol BS8 3NE
T 0117 974 3271 F 0117 974 5207 www.stridetreglown.co.uk

STATUS
DRAFT

PROJECT
Torbay Masterplans
Collaton Saint Mary

DRAWING TITLE
Masterplan - Option 2

SCALE	DATE	DRAWN	CHK	DRAWING NUMBER	REV.
NTS	15.10.2015	JB	PS	15158_SK_204	A

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Collaton St Mary Masterplan Supplementary Planning Document

Regulation 12 (a) Town and Country Planning (Local Planning) (England) Regulations 2012

Public Participation Statement

Draft January 2016

1. Introduction

This draft Public Participation Statement sets out how Torbay Council has engaged and consulted with stakeholders during the preparation of the Collaton St. Mary Masterplan Consultation Draft in accordance with Regulation 12 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Statement of Community Involvement 2014[1]. It supplements the earlier public participation statement covers the preparation of the draft Masterplan up to the formal public consultation that took place in October-November 2015[2].

2. Purpose of the Masterplan SPD

The purpose of the SPD is to provide detailed advice on the design principles and assist the delivery of key elements of the Adopted Torbay Local Plan 2012-30 A landscape for success (the "Local Plan" hereafter).

The Local Plan identifies the Collaton St Mary area as a Future Growth Area (Policy SS2). Policies SDP1 and SDP3 sets out development considerations in the Paignton area, including Collaton St Mary. Other policies in the Local Plan are relevant to the Collaton St Mary Area. These include but are not limited to: SS6 Strategic transport improvements, SS8 Natural Environment, NC1 Biodiversity and geodiversity, DE1 Design and ER1 Flood risk. The maintenance of a rolling five year supply of deliverable housing land is an important planning consideration, (see Policy SS13).

Collaton St Mary was consulted on through the Local Plan process. This consultation dealt with both the principle of development and the overall housing requirement for Torbay. Further detail of the Local Plan can be found on the Examination web page at: http://www.torbay.gov.uk/localplanexamination

In summary, the stages of consultation were:

- Issues and Options October 2009
- Draft Local Plan September-October 2012
- Proposed Submission Plan February- April 2014
- Local Plan Examination, November 2014
- Main and Additional Modifications February-March 2015
- Replacement Main and Additional Modifications June-August 2015

[1] Torbay Council's Statement of Community Involvement 2014 sets out the key stages of development plan preparation and the opportunities for consultation and engagement by individuals, communities and other stakeholders -http://www.torbay.gov.uk/sci

[2] Under Regulation 13 of the Town and Country Planning (Local Planning) (England) Regulations 2012

Several objectors (namely Paignton Neighbourhood Forum and Collation Defence League/ Collaton St Mary Residents Association attended the Examination Hearing in November 2014.

The Masterplan preparation informed the emerging Local plan. In particular Replacement Main Modification 10 to the Local Plan reduced the proposed housing numbers in the Collaton St Mary area by 376 dwellings to 460 dwellings (from 836 proposed in the Proposed Submission Plan).

3. Early stage informal Masterplan consultation

3.1. The Council appointed consultants Stride Treglown in early 2014 to carry out initial community and stakeholder consultation and prepare a draft Masterplan.

There has been a heavy emphasis on 'bottom-up' masterplan development which has acted as a guiding theme throughout the production of the document. Many of the ideas and principles that feature have been generated specifically through community participation. The consultation process has included numerous public exhibitions and workshops, an online questionnaire and many individual meetings with various organisations and representatives. These events were:

- Drop in Day –Collaton Parish Rooms 23 April 2014
- Stakeholder Session –Paignton Club 24 April 2014
- Feedback Session –Paignton Club 24 April
- On-Line Survey –29 April –5 June 2014
- Stakeholder Engagement –June –August 2014

The Drop in Day and on-line survey were advertised with a Flyer, delivered to around 600 residential properties and businesses in and around Collaton St Mary. The consultation was also advertised in the local press, the Blatchcombe Newsletter, via email to local community and business organisations and on the Torbay Council website. A paper copy of the survey was distributed by a local volunteer and the results analysed and considered as part of the consultation programme. A presentation was also made to the Torbay Regeneration Network during a Breakfast Seminar in June.

The consultation was carried out in distinct phases and this staggered approach allowed feedback from participants to inform the development of the masterplan over the past 5 months.

In addition to community consultation, the Council held a Technical Workshop at the outset of the process in February 2014 to scope the constraints, technical considerations and issues which required specific attention as part of the masterplan. Various Council officers were invited including a selection of partner organisations.

4 Issues raised through public participation and the influence on the production of the Masterplan

Initial Consultation

The consultation work has been instrumental in terms of defining the key areas and content of the masterplan. This is summarised within the Consultation section of the main Collaton St. Mary Masterplan Consultation Draft. In particular, there is detail on how the findings, aspirations and objectives have been influenced through the engagement process.

Specifically, some of the key ways in which the Colalton St. MaryMasterplan has developed to accommodate the views. Ideas and responses from local residents are as follows:

- Based on initial consultation responses, the draft masterplan reduced the number of homes proposed from 836 to 460 (a reduction of 376). This informed a Main Modification (RMM10) to the Local Plan.

- Location of a possible new local centre to the rear of the BMW garage site. The proposed location was the most popular, as it was felt there could be a natural connection with the existing local centre in a relatively central location to the existing and extended village. (However see below)

- New Local Centre to provide opportunities for a range of uses, to complement the Parish Rooms, including disabled accessible community space, local retail and public open space.

- The impact on key views and rural setting of the village minimised by keeping proposed development on the south side of the village and on the lower slopes of the hills to the north and south.

- Introduction of a link road between Blagdon Lane and Totnes Road, with access to a new school car park and drop off point.

- Introduction of new accessible wildlife habitats and green corridors.

- Expansion of accessible public open space in the village, at the new local centre, adjacent to the school (sports field), on the southern slopes of the car boot field (orchard and community garden) and green linear park area through proposed new housing development on the south side of the Totnes Road. Space to accommodate children's play areas, multi use games area and new outdoor sports pitches.

- Network of pedestrian and cycle routes connecting the new village centre with other parts of the village.

- Enhanced pedestrian and cycle connections with Paignton Town Centre.

- Dark corridor introduced through the village, hedges and tree lines retained and enhanced throughout the masterplan area to accommodate the movement and

foraging of Greater Horseshoe Bats. External lighting levels to be restricted throughout this zone and connecting planting and landscaping to facilitate the movement of bats across breaks created by existing and new roads. The HRA of the Local Plan (2014) and subsequent negotiations with Natural England also resulted in a number of Additional Modifications to the Local Plan setting out the importance of safeguarding greater horseshoe bats and the need to carry out surveys as part of the planning application process.

Public Consultation 27 October -24 November 2014

A formal consultation[3] took place between 27 October -24 November 2014. This received 15 representations. A full summary of comments received and the Council's response to them is set out in Annexe 1 below.

Many of the representation received relate to the principle of development, which has been established by the Local Plan. Similarly the need for new housing has been addressed through the Local Plan.

Detailed comments related to:

- Objections to the principle of development and the need for additional housing in Torbay. These matters are determined through the Local Plan. The Local Plan Examination and Modifications ran parallel to the masterplan, with the Local Plan being adopted by Council on 10 December 2014. However, the adoption of the Collaton St Mary Masterplan (as well as the Torquay Gateway Masterplan) was put on hold until the Local plan was adopted. The Torquay Gateway Masterplan was adopted on 10th December 2015, but the Collaton St Mary Masterplan was put back pending consideration of access and related matters.
- The road layout, including site access, congestion and scope to provide for alternative means of transport
- Impact of development upon foul sewage and the need for additional sewerage infrastructure.
- Surface water drainage and impact of development upon the water meadow west of Stoke Road and in the vicinity of Ocean BMW garage.
- Impact upon wildlife- specifically the greater horseshoe bat corridors identified in the HRA Site Appraisal Report (Oxford M and Jenkins J, October 2014). The main route is along the meadow,
- The need to incorporate principles of crime prevention through design and respect heritage assets in the area.
- Developers on the north of Totnes Road argued that their sites were capable of accommodating a higher level of development than shown in the draft Masterplan.

Of these it emerged that the proposed access road crossing the meadow was the most environmentally sensitive aspect of the draft Masterplan in terms of impact on surface water flooding and the greater horseshoe bat corridor.

It was also suggested, by Ward Members that alternative access arrangements could offer scope to reduce conflict between traffic on Totnes Road and Stoke Road.

[3] Under Regulation 13 of the Town and Country Planning (Local Planning) (England) Regulations 2012

Consultation into Access Arrangements

In the light of the above representations, it was considered appropriate to run a more targeted consultation on options for highway access, as a more targeted consultation. This was additional to the main Regulation 13 consultation above and was sent to statutory consultees and people/organisations who had previously made representations on the Regulation 13 Consultation. Ocean BMW was also consulted as the business most directly affected by the possible change to the masterplan. The Council also assessed the Options in terms of their flooding and greater horseshoe bat impact.

This revised consultation ran between 4th December 2015-8th January 2016. This is a week longer than the minimum 4 weeks required by the regulations, to take into account the Christmas break. In addition notifications were sent on 1st December and several late representations were accepted.

The revised consultation set out five potential options for dealing with the eastern accesses to development of the land south of Totnes Road. These were:

The Options are:

1) Junction arrangement as per draft masterplan with access through Ocean BMW garage with a new link road across the meadow. Stoke Road junction is unchanged.

2) The proposed temporary access onto Totnes Road becomes permanent, so that there are two accesses onto Totnes Road (in addition to the proposed access at Torbay Motel). Cycle and pedestrian access only across the meadow and Stoke Road junction is unchanged.

3) Access across the meadow via Ocean BMW with new alignment of Stoke Road along the western side of the meadow towards Stoke Gabriel. Rearranged road layout in the village centre with closure of Stoke Road at the Parkers Arms.

4) Two accesses onto Totnes Road with cycle and pedestrian access only across the meadow (as per option 2). New alignment of Stoke Road on eastern (Paignton) side of the meadow. Closure of existing Stoke Road junction at Parkers Arms.

5) As per option 4, but with vehicular access across the meadow

The consultation resulted in 15 representations. A full summary of representations received, and the Council's response to them is set out at Annexe 2.

The issues covered in this consultation were largely the same as in the November 2014 consultation, including objection to the principle of development. There were also objections about the adequacy of the consultation process and that insufficient detail of traffic modelling etc was submitted to make an informed decision. As set out above, the December 2015 consultation was about the access options, and supplemented the earlier consultations. Extensive consultation on the principle of development took place through the Local Plan, whilst thee draft masterplan had also been through two rounds of consultation.

In addition matters relating to flooding and greater horseshoe bats were raised.

It is emphasised that the Masterplans are an intermediate level of detail. They do not replace the need for detailed bat surveys, Transport Assessments etc that need to be carried out to support planning applications.

These comments informed the recommended proposed amendments to the final Masterplan. The major change is the deletion of the road crossing the meadow and provision of accesses via Woodland and Lower Blagdon Farm on Totnes Road. This will reduce pressure on the meadow's role as a functional flood plan and greater horseshoe bat corridor.

Annexe 1 Schedule of representations received on the main consultation 27 October- 24 November 2014					
	Name	**Organisation**	**General Comments**	**Details**	**Torbay Council Response**
CSM/ Org1	Sarah-Jane Barr	Devon & Cornwall Police	General comment regarding further detail and recognition of crime and disorder	• Principles of Crime Prevention through Environmental Design (CPtED) should be incorporated relating to: access and movement; structure; surveillance; ownership; physical protection; activity; management and maintenance	Design principles, including designing against crime (etc) in policy Local Plan Policy DE1 apply to development in Collaton St Mary. Refer to DE1 in the Masterplan.
CSM/ Org2	Alex Scholefield	Torbay Coast and Countryside Trust	Support for GI proposals and Yalberton Valley, concerns over Greater Horseshoe Bat Impacts	• Concerns over impact on Greater Horseshoe Bat corridors, particularly lighting and pinch points. Suggest further investigation needed to determine bat activity and inform mitigation measures. Further survey work required. • Support for meadow area but impact of recreational use will limit potential to support wildlife and therefore whether development has overall gains for biodiversity • Support for Yalberton Valley as wildlife protected area. • Support for orchards as outlined in Torbay GI Delivery Plan • Concerns over loss of farmland at Little Blagdon Farm (as a business issue for TCCT: replacement land may be required to maintain farming production output.	Further survey work needs tto be undertaken in support of planning applications. The need to protect the meadow for flood attenuation and as a greater horseshoe bat corridor is noted. Amend masterplan to emphasise this. Page 24 “The Meadow” –bullet point 2. Amend to indicate that the meadow’s main functions as a flood meadow and wildlife corridor should not be undermined by public access. N.B removing the proposed access road across the meadow would reduce the impact on the flood meadow. However this required consultation (as set out above). The principle of development is set out in policies SS2 and SDP3 of the Torbay Local Plan.

CSM/ Org3	Carole Box	CPRE Torbay	Objection to principle of development at Collaton St. Mary	• Collaton St. Mary area should be retained as agricultural land and its current role as open landscape (reference to existing Local Plan designation as AGLV)	The principle of development is set out in policies SS2 and SDP3 of the Torbay Local Plan.
CSM/ Org4	David Stuart	English Heritage	General observations	• Support for emphasis on placemaking • Undesignated heritage assets should also be considered • More detail requested on how plan reinforces local distinctiveness and takes account of existing rural context	Support noted.
CSM/ Org5	David Watts	Paignton Neighbourhood Forum	Objections relating to soundness and legal compliance	• Masterplan should be better aligned with draft, emerging Neighbourhood Plan. Neighbourhood Plan will supersede masterplan so more effective collaboration required. • Growth at CSM is premature and this should be taken into account with expected phasing • Concerns over effects on Greater Horseshore Bats and that further work is required • Foul and surface water capacity is not sufficient to support development • Phase 4 concerns over traffic proposals stemming from inappropriate location for development • Landscape impacts are unacceptable in the light of existing AGLV • No greenfield land is required at CSM up until 2032 • Further SA work required to ensure legal compliance - landscape, flooding and ecology issues	The principle of development is a matter for the Local Plan. The Neighbourhood Forum and Collaton Combination were represented at the Local Plan examination. The Local Plan was adopted in December 2015 and the area is proposed as a Future Growth Area (Policy SS2). Table 5.12 of Policy SDP3 indicates that development of greenfield land at Collaton St Mary is likely to be needed in years 11-15 of the Plan period (i.e. post 2023). However it may be required sooner and there is developer interest in the area. The Council considers that development in Collaton will be needed to maintain five year land supply in the medium term.

CSM/ Org6	Laura Horner	Natural England	Concerns with impact on greater horseshoe bats	• Further bat surveys needed to determine impact and mitigation required - surveys should be undertaken as part of masterplanning • Masterplan conflicts with HRA of Local Plan as all proposals within this plan need to be informed by further ecological work	Noted. Policy SS8, NC1 and the Strategic Development Policies indicate the need for proper HRA work. These policies were strengthened as part of the local plan examination process. The Future Growth Areas were the subject of HRA as part of the Local Plan (October 2014). The draft masterplan reflects the principles set out in the HRA. The key area of potential conflict is the proposed road crossing the meadow west of Stoke Road (area G in Map 6 of the HRA). The further consultation on access in December 2015 sought to find solutions which avoided the meadow (see above). There will be a need for further bat surveys (etc) to be carried out by developers at application stage.
CSM/ Org7	Shaun Pritchard	The Environment Agency	Support for emphasis on green infrastructure. General comments relating to BMW garage and road embankment.	• GI provides an ideal platform to deliver environmental improvements, this emphasis in the masterplan is welcomed. • Concerns over redevelopment at existing BMW garage (encroach into Flood Zone 3) • Reference to previous comments re. road embankment through existing flood attenuation area. Areas should be highlighted where flood compensation storage could take place - suggested that land to east of lagoon could be suitable	Issues around BMW garage noted. Removing the access road across the meadow will reduce the impact upon the garage. The site is still likely to be redeveloped and is envisaged as a local centre in the masterplan. Redevelopment should incorporate flood resilience measures and reduce the coverage by impermeable surfaces.
CSM/ Org8	Helen Kummer	Stoke Gabriel Parish Plan	Object to masterplan (see Paignton Neighbourhood Forum	• No specific comments on masterplan other than support for Paignton Neighbourhood Forum's submission	Noted. See above

			representation)		
CSM/ Org9	Joe Keech	Devon County Council	General comment	• Masterplan should maximise opportunity to create sustainable public transport corridor with Totnes whilst noting opportunities to improve A385 outside Torbay border are limited.	Noted.
CSM/ Org10	James Doxford	South Hams District Council	General comments with some support. One objection to density.	• Concerns over density of development - it should be closer to 830 dwellings. A lower allocation will impact on achieving appropriate levels of development in Torbay. • Support for use of link roads in masterplan • Principles of masterplan endorsed (design) • Reference to Duty to Co-operate would be helpful • Mitigation of Air Quality Management Area in Totnes would be a useful reference • Further detail to show that account taken of impact on landscape character in South Hams has been done	See response to the Local Plan modification. Replacement main Modification 10 reduced the level of development to 376 dwellings as the masterplan assessed that this is the most achievable number, given the area's landscape, biodiversity and flooding constraints.
CSM/ LD1	Katie Peters	Origin 3 on behalf of Taylor Wimpey	Object to density and levels of housing (would like to see higher numbers)	• Masterplan should cater for 836 homes rather than 460 • Concerns over some aspects of deign including highways and access. Suggest less detail should be in masterplan • Suggest orchard should be relocated to more landscape sensitive part of site (higher slopes) • Overall housing density is too low and inconsistent with what is achieved elsewhere in Torbay	The masterplan has been based on assessment of landscape, biodiversity etc issues. Whilst it does not set a maximum figure, further evidence of landscape etc impact would be needed before exceeding the indicative figures in the masterplan.

CSM/ LD2	Elliot Jones	Boyer Planning on behalf of Bloor Homes	Object to density and levels of housing (would like to see higher numbers)	• 440-460 dwellings is too low, falling far short of Local Plan figures • Masterplan does not balance requirement of meeting housing needs with landscape constraints • Scale of development will make it difficult to meet wider infrastructure requirements	The masterplan has been based on assessment of landscape, biodiversity etc issues. Whilst it does not set a maximum figure, further evidence of landscape etc impact would be needed before exceeding the indicative figures in the masterplan.
CSM/ In1	Pam Bristow	Individual	Objection to principle of scale of development at CSM	• Question whether consultation was sufficient • General comments on matter of factual detail. • Concerns over impact of link road on exisiting community. • Concerns over flood protection and drainage. • Development principle of growth at CSM is unacceptable.	See response to PNF above
CSM/ In2	Roger Bristow	Individual	Objection to principle of scale of development at CSM	• Concerns over flooding, infrastructure and school capacity. • Development principle of growth at CSM is unacceptable. • Development does not reflect existing character of village. • Insufficient jobs created as part of masterplan.	See above
CSM/ In3	Adrian Gee	Individual	Objection to principle of scale of development at CSM	• Infrastructure is not capable of supporting development • Flooding has not been considered appropriately • Concerns over design of dwellings relating to affecting amenity of existing properties • Support for green infrastructure led approach	See above

Annexe 2 Collaton St Mary: Summary of responses from Additional Consultation on Access 4th December 2015-8 January 2016.					
	Name	**Organisation**	**General comments**	**Detail**	**Torbay Council response**
CSM2/ Org1	Sarah-Jane Barr	Devon and Cornwall Police	Response to the draft masterplan remains relevant .	No specific comments on specific access options currently consulted on.	Noted
CSM2/ Org2	Carol Reeder	Natural England	Advice on Habitats Regulations Assessment matters.	The latest consultation is not accompanied by an HRA. Need to ensure that development is consistent with the Habitats Regulations Assessment that underpinned the Torbay Local Plan. Options 2 and 4 appear to avoid detrimental impacts to HRA. A greater horseshoe bat mitigation plan is required before permission is granted for development in the Masterplan area.	The Strategic Delivery Areas in the adopted Local Plan 2012-30 were the subject of HRA. The Council has sought further advice from Mike Oxford of Greenbridge Ltd about how the possible access options affect the greater horseshoe bat foraging habitat and HRA work already undertaken. This concurs with Natural England's advice that options 2 and 4 minimise conflict with bat flightpaths and foraging areas.
CSM2/ Org3	Ian Hooper	Environment Agency	General observations	EA will liaise with Torbay Council on flooding matters. Development should not increase flood risk elsewhere, and where possible should reduce flood risk.	Noted
CSM2/ Org 4	David Stuart	Historic England	No specific comments	No specific comments	Noted
CSM2/ Org5	David Watts	Paignton Neighbourhood Forum	Object to all options on grounds of flooding, impact on	Scope of consultation too limited. Inadequate information about traffic flow and impact on A385, which is a key traffic route No details of impact on foul and surface	A more detailed consultation took place in October-November 2014 following stakeholder workshops etc in April 2014. Details of bat corridors are set out in the HRA of the Local Plan. It is acknowledged that details of

			major arterial route. More comprehensive assessment of impacts is needed.	water drainage/ flooding or impact on protected species. Assessment of all options- number 1 (draft masterplan) is least harmful, followed by option 4 (road diverted east).	accesses, highway modelling, drainage etc will need to be submitted as part of planning applications.
CSM2/ Org6	-	The Combination: Collaton Defence League and Collaton St Mary Residents Association	Object to all options. Lack of consultation	Object to all options. Consultation was inadequate and took place over Christmas. Lack of detailed information. Collaton St Mary is not needed - should build ion brownfield land. Not needed until five year review period. Council is seeking to develop Collaton St Mary for financial reasons	The formal consultation period ran from 4th December 2015 to 8th January 2016, which is a week longer than the required 4 weeks. Notifications were sent out on 1st December to provide as long as possible for responses. The Combination's comments reiterate their previous objections to the principle of development, which were made through the Local Plan.
CSM2/ Org7	Helen Kummer	Stoke Gabriel Parish Plan Group	Object to the proposal on flooding grounds	Endorse Paignton Neighbourhood Forum's objections. Flooding is a major concern, particularly at Portbridge. Impact on tourism. More information is needed about improving access at Stoke Road.	Noted – see PNF's comments above. The development will be required to have no detrimental impact on downstream flooding and a s106 contribution will be sought if surface water is proposed to drain into the Yalberton stream. However flooding and bat issues indicate that options which avoid crossing the meadow west Stoke Road are lore acceptable from a flooding and biodiversity perspective
CSM2/ Org8	Carole Box	CPRE Torbay	Object: flooding, traffic impact and ecology	Object that lack of evidence of flooding, traffic impact and ecology. Collaton has a history of foul and surface water flooding.	See above.
CSM2/	Keith White, J F Saul	Collaton Mews Residents	Object to the principle of development: flooding,	Concern at consultation over the Christmas period Object that high level of existing road noise will be exacerbated.	See above. It is unlikely that the *additional* road noise affecting Collaton Mews will be significant, as most traffic would be expected to come via the A385 (either from

Org9			traffic impact, noise, wildlife impact, loss of agricultural land and harm to character of village.	Potential for increased flood risk and loss of flood attenuation. Impact on sewage infrastructure, Loss of local habitat, harm to character of the village, agricultural land	Tweenaways Cross or Totnes Road. The flooding and biodiversity isssues are noted and point to a need to avoid the meadow (Options 2). Improvements. The character of the Village and traffic movement are already noted in the draft masterplan. However, there is scope to increase the emphasis on traffic calming an safety measures in the village/Stoke Road junction.
	Individuals				
CSM2/ Ind1	K Drew	Individual	Object that has not been informed about the proposal	Has not been informed about the development at Collaton St Mary. Impact on residential amenity.	The December 2015 consultation was limited to specific highways options and targeted on key stakeholders and people/organisations who had previously made representations of the draft masterplan.
CSM2/ Ind2	Adrian Gee	Individual	Object to development on highway and flooding grounds.	Development is against the wishes of local residents. Traffic congestion on Totnes Road. Flooding issues have not been taken into account.	See above
CSM2/ Ind3	Leaf Lovejoy	Individual	Object on highway grounds	Endorse views of Paignton Neighbourhood Forum. New development will make existing congestion and flooding problems worse. There is no need for development at Collaton St Mary. None of the access options are satisfactory or address infrastructure problems.	See above
CSM2/ Ind4	Michael Rhodes	Individual	Object because of flood risk	More detailed assessment of flood risk, including flooding at Portbridge, near Stoke Gabriel is needed. Suggest that flood alleviation measures should be required from new housing at Collaton St	Sustainable drainage measures and/or s106 contributions towards the Yalberton Stream will be required to ensure that there is no downstream impact. However, comments from the Council's Drainage

				Mary.	Engineer indicates that options which avoid the meadow are likely to impact on the flood meadow and should be avoided.
CSM2/ Ind5	Chris Robson	Writing as a private individual	Prefer option 3	Option 3 removes the dangerous junction at Parkers' Arms, improves Stoke Road, and reduces rat-runs. Would integrate new development into the village.	Unfortunately, bringing Stoke Road across the west of the meadow will have the greatest impact on the greater horseshoe bat corridor and flooding.
CSM2/ Ind6	Michael Webster	Individual	Insufficient details of proposals. Impact on flooding and biodiversity	Flooding and sewerage issues are not adequately considered. Downstream impacts at Stoke Gabriel, including cumulative impact from development on Brixham Road. Road safety concerns. Impact on bat flight corridors.	See above. Removing the reduce the impact on flooding and greater horseshoe bats.
Consultants /Developers					
CSM/ Dev 1	Elliot Jones, Boyer Planning	Bloor Homes	Land north of Totnes road is promoted. Bloor Homes also own land west of Stoke Road (Higher Ridge).	Promote land to the north of Totnes Road for 160-200 dwellings, with new access off Totnes Road. Bloor Homes own the land west of Stoke road, including the meadow and note that a road across the meadow would cross their land	It is noted that Bloor homes wish to promote land to the north of Totnes Road for a larger number of dwellings than set out in the Masterplan. However no evidence of landscape or other impact has been provided at this time. It is noted that Bloor Homes own the meadow. However this is critical green infrastructure for flooding and bats, so will need to be maintained and enhanced as a meadow.
CSM/ Dev 2	Richard May, Maze Consulting	On behalf of Mr and Mrs Hopkins, Woodlands	Support access via Totnes Road	Support access via Totnes Road. More provision for housing should be made at Woodlands to ensure a viable scheme.	Noted. The development shown on the masterplan is indicative and not a maximum, so long as matters such as flooding, biodiversity etc can be satisfactorily addressed. Development at Woodlands will need to safeguard the floodplain and wildlife corridor running to the rear.

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Torbay
Local Development
Framework
2005 - 2026

Greenspace Strategy

Adopted Supplementary Planning Document

PART 1: Strategy







TORBAY COUNCIL

LDD8

July 2007

Torbay
Local Development
Framework
2005 - 2026

Greenspace Strategy

Adopted Supplementary Planning Document

PART 1: Strategy

Local Development Document LDD8

July 2007

The Greenspace Strategy is available::

- On the Torbay Council Website: ***www.torbay.gov.uk/ldf***
- At the Torbay Council Offices at Roebuck House, or any of the Council Libraries and Connections Offices in Torquay, Paignton or Brixham.

If you would like any further information about this document or any aspect of the Torbay Local Development Framework please contact us. You can also **register your interest** in the emerging Torbay Local Development Framework (LDF). Your details will be added to our LDF consultation database and you will be kept informed about the various the Local Development Documents as they are produced.

Strategic Planning Group,
Environmental Policy Division,
Planning, Development & Policy Business Unit,
Community Services,
Torbay Council
Roebuck House, Abbey Road, Torquay TQ2 5TF
Tel: 01803 208804 Fax: 01803 208882
e-mail: greenspace@torbay.gov.uk
e-mail: ldf@torbay.gov.uk
webpage: www.torbay.gov.uk/ldf
webpage: www.torbay.gov.uk/greenspace

Other links that will provide more detailed background information on the spatial planning system include:

- Department of Local Government and Communities: Planning Policy Statement 12 - Local Development Frameworks (*www.communities.gov.uk*)
- The Planning Portal (*www.planningportal.gov.uk*) is the Government's online service for planning which includes advice and information on the plan-led and emerging Local Development Framework.

This document can be made available in a range of languages,
on tape, in Braille, large print and in other formats.
For further information please contact 01803 208804.

Torbay Spaces, Quality Places

Foreword

We are pleased to present this Strategy, which sets out our vision and plans for parks and green spaces in Torbay. We are dedicated to working with our partners to make these areas safe and attractive places to visit. We are also committed to working in partnership with residents, communities and park friends groups. Our aim is to tackle inequality of access to all our parks and green spaces and to attract more people of all ages and disabilities. We are also keen to make our parks and green spaces areas of excellence for cultural opportunities.

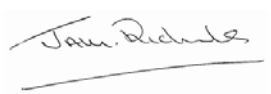
Our parks and green spaces are rightly valued as amongst our most precious assets. This Strategy sets out the council's strategic intentions for our green assets. The ultimate goal is to develop a thriving, vibrant and sustainable park users community to work in partnership with Torbay Council.

The Strategy is ambitious, challenging, forward thinking and above all very workable. It is a Supplementary Planning Document that forms part of the Torbay Local Development Framework.

It is very much a live document with clear objectives and will be a foundation on which Torbay's valued parks and green spaces can continue to improve in terms of quality, accessibility and meet the needs of local people.

We would urge you to take the time to read the Strategy to enable us to improve these areas and move forward together.





Councillor Jeanette Richards
Cabinet Member for
Community Services





Councillor Colin Charlwood
Chair of the Local Development Framework
Working Party



Torbay Council would like to thank Natural England for its assistance with the publication of this document.

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Key Terms & Abbreviations used:

Local Development Framework (LDF)

Local Development Scheme (LDS)

Statement of Community Involvement (SCI)

Annual Monitoring Report (AMR)

Sustainability Appraisal (SA)

Local Development Document (LDD)

Development Plan Document (DPD)

Supplementary Planning Document (SPD)

For further information please see the Glossary.

1.0 INTRODUCTION

The new planning system

1.1 Parks and green spaces contribute to the quality of our lives, both in terms of providing a setting for our everyday activities, as an area of formal recreation or play, for informal use and it reflects degrees of public ownership and pride. The Council aims to improve the quality of green space across Torbay. It will in partnership with its strategic partners, the community and other organisations aim to deliver green spaces that fulfil public expectation, needs and aspirations.

Scope and Purpose

1.2 This strategy has been prepared to seek the views of the community and other organisations with an interest in the provision or maintenance of green spaces throughout Torbay. The strategy identifies issues that need to be addressed and will provide an overarching statement of intent to safeguard, improve, and promote the quality and provision of green spaces in Torbay, meeting the needs and interests of both residents and visitors to the area. The strategic aims and objectives of this Green Space Strategy are set out in the next section. This Greenspace Strategy will form a key planning and management document for Torbay's green spaces over the next 20 years.

Assistance from CABE Space

1.3 CABE Space set up a Strategic Enabling Scheme in 2003 to provide direct help and support to local authorities to develop green space strategies for managing their network of parks and green spaces.

1.4 The scheme was established to help local authorities to pursue much higher standards of maintenance and delivery in terms of their public spaces, by lending them individuals with a proven track record who could help them develop a robust green space strategy.

1.5 Torbay Council was successful its application in 2003 to become one of the first thirty local authorities in England to receive direct assistance under this scheme.

How to use this document

1.6 This document is split into two parts. Part 1 sets out the background, vision and strategy for our green spaces over a 20 year period. Part 2, forms an Action Plan that sets out how the strategy will be put into practice and covers a 5 year time horizon which will need to be reviewed at the midway point to cover the period 2012-2016 and so forth.

The Development and Status of the Greenspace Strategy

1.7 This document forms a Supplementary Planning Document in the emerging Local Development

Framework for Torbay (LDF) (see section 3 for further information about the links with other documents and strategies). As part of the new planning system, any SPDs adopted as part of the LDF have to go through a specific planning process. Figure 1 demonstrates the stages that

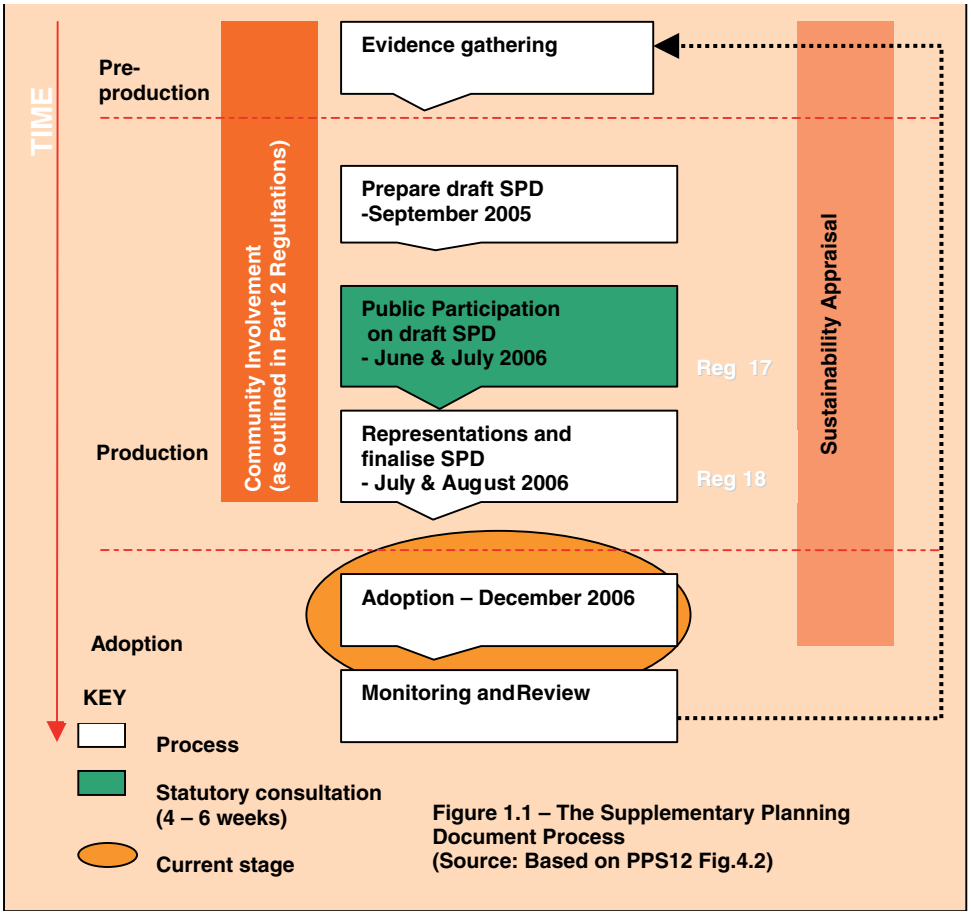


Figure 1.1 – The Supplementary Planning Document Process (Source: Based on PPS12 Fig.4.2)

this document has been through. Any comments received during public consultation period have been fed into the preparation of this final document. Community involvement has, and will continue to run parallel to the revision of this document and associated Action Plan.

1.8 As the Greenspace Strategy will act as a Supplementary Panning Document under the Local Development Framework, a Sustainability Appraisal has been undertaken in parallel to the development of the Strategy. This process ensures that due consideration has been given to social, economic and environmental implications of the Greenspace Strategy. See section 3 for further details about this process.

1.9 The sustainability appraisal carried out in parallel to the Greenspace Strategy has demonstrated that Greenspace Strategy has the potential to address a number of sustainability issues relating to Torbay's green spaces providing an improvement on the current management of such spaces. The appraisal of the Greenspace Strategy objectives and the detailed Action Plan has been beneficial in strengthening existing sustainability issues. It has resulted in an additional objective

[1] *See the Further Reading and References section in Appendix 3*

to give greater consideration to biodiversity. It has also raised the need to address a number of sustainability issues which need greater emphasis. For example local biodiversity, cultural and heritage assets, water (consumption, flooding and coastal management), climate change, accessibility, renewable energy, social provision, obesity, mental health, social deprivation and emerging trend towards historical and ecological tourism. These issues are now covered in greater detail in both the main document and the Action Plan.

1.10 In particular the decision to outline the issues which should be addressed in the Management Plan in the main document has helped to ensure that a number of sustainability issues are considered on a site by site basis. This will help to draw up plans which deal with sustainability issues relating to both short term maintenance issues as well as the long term management requirements that may arise from, for example a changing climate. All the sustainability appraisal work carried out during the evolution of the Greenspace Strategy is summarised in the SA of the Regulation 19 Adoption Version. In particular the mitigation section provides further detail on how the SPD has been changed as a result of the appraisal (visit www.torbay.gov.uk/ldf - click on sustainability appraisal). This document also includes a monitoring section as it is important to ensure that the impact predictions made in this document are accurate and that any unexpected adverse effects of implementing this document are identified and addressed as soon as possible.

2.0 AIMS AND OBJECTIVES

2.1 This strategy is very important because it:

- has enabled the Council to carry out an audit of all its principal parks and green spaces. This work has highlighted areas and facilities which may be lacking, where there might be an overprovision of unusable space and where there are opportunities for improvement to meet local need (some key facts and trends are outlined in the 'Developing Local Standards' section).
- will, in liaison with local communities produce an action plan to prioritise the programme for improving parks, targeting those parks and green spaces where work is needed to improve standards and/or meet gaps in provision
- Acts as an important Supplementary Planning Document in the emerging Torbay Local Development Framework and assist in the assessment of Planning Contributions (see section 3 for further details on the new development plan system)
- Identifies possible partnerships with independent groups that can make the best use of existing Council capital funds (linking with other strategies gives a greater chance of receiving external funding); and
- helps to put parks at the centre of our local communities by encouraging involvement by neighbourhoods in improving their immediate environment.

2.2 The strategy's links with key national, regional and local agencies and policies are shown in Section 3.

The vision and objectives

2.3 Torbay Council carried out a visioning session at the start of the process in 2004 when a small group of key players established an initial vision and developed a central aim for the strategy. This is to:

"Encourage greater use of green spaces by local people."

2.4 In order to achieve this, the group put forward the following seven themes or objectives for investment. Two additional objectives have subsequently been incorporated as the Strategy has progressed.

[2] *The Town and Country Planning (Local Development) (England) Regulations 2004*

Strategic objectives:

- Improving appearance of green space.
- Improving accessibility, especially for the disabled.
- Challenging people's perceptions of green spaces as areas to visit and use more often.
- Improving facilities and attractions.
- Increasing numbers of events/entertainments.
- Developing opportunities for using green spaces for learning.
- Promoting and protecting the heritage assets of Torbay's green spaces.

Through community involvement and the sustainability appraisal process the following objectives have been added:

- Promoting of green spaces as drivers for economic activity.
- Recognising, protecting and enhancing the biodiversity value of green space.

The Greenspace Strategy and Planning Contributions

2.5 The Government advocates the use of planning obligations to be used as a means to remedy local deficiencies in the quantity or quality of open space, sports and recreational provision is inadequate or under threat, or where new development increases local needs.

2.6 This strategy will assist and determine where future allocations of section 106 funding should be targeted. The strategy will help to determine whether the provision from a developer is in the form of land, where deficiencies occur, or a commuted sum where there is sufficient green space and existing facilities need to be improved. Depending on the size and type of Section 106 it could be both.

2.7 Green space provided on site should be of a suitable size and nature for its intended purpose, safely accessible and available to the general public and capable of adoption by Torbay Council. It should be in addition to formal landscaping and any amenity space provided.

2.8 Consideration will be given using planning conditions or Section 106 Agreements to secure unrestricted public access to any green space not to be adopted by the Council. Section 3 looks at the relationship between this document as part of the emerging Local Development Framework for Torbay.

3.0 LINKS WITH OTHER STRATEGIES AND POLICIES

Open spaces, sport and recreation all underpin people's quality of life. Well designed and implemented planning policies for open space, sport and recreation are therefore fundamental to delivering broader Government objectives.'.

ODPM: Planning Policy Guidance 17: Planning For Open Space, Sport and Recreation (July 2002)

The strategy context

3.1 The Greenspace strategy links to corporate, community and Local Development Framework documents and delivers key objectives from each through the provision and maintenance of public spaces. This is shown in figure 3.1 below

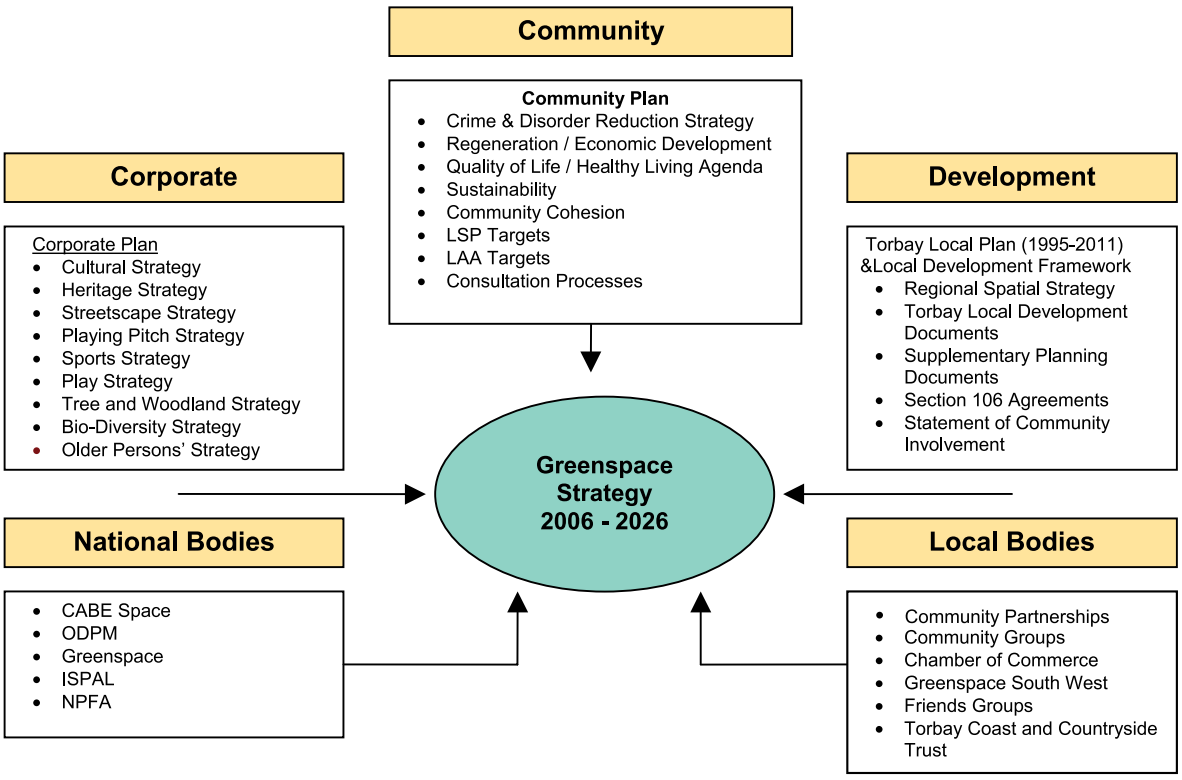


Figure 3.1 - Diagram showing links with other bodies, policies and strategies

National

3.2 At a national level, the value of open spaces in terms of sustainable communities has been recognised. John Prescott, Deputy Prime Minister said in October 2002 'The quality of our public space affects the quality of all our lives. It affects how we feel about where we live, where we work, and where our children play successfully, thriving and prosperous communities are characterised by streets, parks and open spaces that are clean, safe, attractive areas that local people are proud of and want to spend their time'.

3.3 **Planning Policy Guidance 17: Planning For Open Space, Sport and Recreation (July 2002).** This document advocates the need for local authorities to undertake robust assessments of their existing and future needs for their communities for open space, sports and recreational facilities. It also recommends that local authorities should undertake audits of existing open space, sports and recreational facilities, and opportunities for new open space and facilities.

Regional

3.4 'Greenspace' is a registered charity that was set up to help those committed to the planning, design, management and use of public parks and green spaces. Greenspace are currently developing a network of regional forums to focus on promoting the sustainable planning, design, management and improvement of parks, gardens and green spaces at a local, regional and national level. 'Greenspace Southwest' was set up in 2004 to advocate for parks and green spaces in the southwest region. Torbay has been a member of this thriving organisation since its formation.'

Local

3.5 The adopted **Community Plan for Torbay 'Turning the Tide for Torbay 2007-2027'**, builds on the previous plan 'Teaming up for Torbay's Future'. It outlines the Partnership's vision for Torbay to 2027, bringing together the views of representatives from the public, private, community and voluntary sectors. The LDF will provide the spatial expression of this document and will therefore relate closely to it.

3.6 The current Community plan identifies a vision for Torbay in which

Our Ambition for Torbay

a prosperous area known to be a great place to live and learn and grow up in

an area where we compete on a world stage in our traditional industries of tourism and fishing

an area where communities know and support each other and enjoy some of the best services in England

an area that widens opportunities and provides high quality employment and retains our young people in the Bay

an area that celebrates the differences in the three towns, builds on the strengths of these towns and brings back the feel good factor

3.7 The Greenspace Strategy contributes directly or indirectly to the key themes of the current community plan:
Pride in the Bay
Learning and skills for the future
The New Economy
Stronger Communites

3.8 A summary of the main reports, policy development and plans which demonstrate the importance and value of parks and open spaces and sets out the Government's vision for their renaissance, is given in Appendix 3.

Torbay's Development Plan

3.9 The Torbay Local Plan (1995-2011) was adopted in 2004 and provides a framework for the sustainable development of Torbay up to 2011. Together with the adopted Devon Structure Plan 2001-2016 this provides the basis for land use planning over the next few years.

Local Development Framework

3.10 The Planning and Compulsory Purchase Act came into force on September 24th 2004. This act heralds the replacement of the development plan system of structure plans and local plans with a system of Regional Spatial Strategies and Local Development Frameworks. It is intended to equip planning departments to consider all matters that affect the use of land, rather than land use alone. This approach is called spatial planning.

3.11 The new Regional Spatial Strategy (RSS) for the South West is a plan up to the year 2026. It will aim to protect what is highly valued about the region, at the same time making provision for sufficient new homes and jobs and retail and leisure facilities to meet the needs of a growing and increasingly affluent population. The "final" version of the RSS - as submitted to the Secretary of State has just been produced (April 2006) by the South West Regional Assembly (please visit the SWRA website for further information www.southwest-ra.gov.uk)

3.12 Policy SD3 of this RSS relates to the Environment and Natural Resources in which 'The region's environment and natural resources will be protected and enhanced by:….ensuring that development respects landscape and ecological thresholds of settlements…' and '…positively planning to enhance natural environments through development, taking a holistic approach based on landscape or ecosystem scale planning';

3.13 The emerging Torbay Local Development Framework consists of a 'portfolio' of documents. Collectively these will provide and deliver the spatial planning strategy for Torbay for the period 2005 to 2026 (see the diagram in Figure 3.2).

3.14 Supplementary planning documents will be subject to formal 'Sustainability Appraisal'. As the Greenspace Strategy will act as a Supplementary Panning Document under the Local Development Framework, a Sustainability Appraisal has been undertaken in parallel to the development of the Strategy. For further information on the work carried out so far or to view the sustainability appraisal which accompanies this report please visit www.torbay.gov.uk/ldf (click on sustainability appraisal) or use the contact details inside the front cover to view a hard copy).

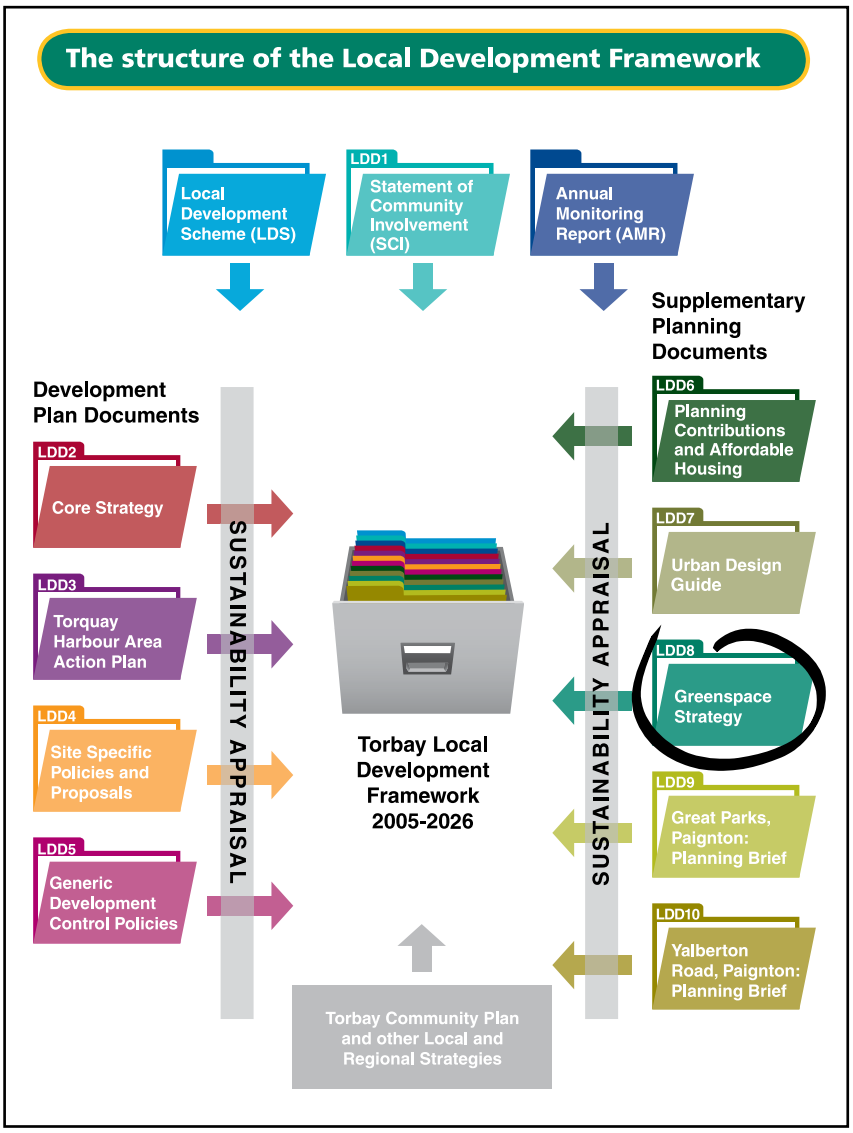


Figure 3.2

3.15 The Greenspace Strategy will also provide the evidence base for Section 106 contributions, (contributions paid by developers towards the provision of infrastructure required by their development) in relation to public space.

3.16 It will therefore link with the Planning Contributions and Affordable Housing Supplementary Planning Document (LDD 6). This will seek to provide a framework for ensuring that planning obligations contribute to the sustainable development goals in Torbay. This will include the delivery of the facilities and infrastructure needed to accommodate new development linking planning obligations to Development Plan and Community Plan priorities.

Internal and External Partnerships

3.17 We believe that strong and sustainable partnerships are the key to improving service planning and delivery and ultimately improvements to Torbay's green spaces. Partnerships with the community and other agencies are at the heart of planning and achieving better and more

accessible facilities. Partnerships with external agencies e.g. CABE Space, offer significant benefits in terms of attracting and coordinating external funding.

3.18 Some local people are reluctant to use parks and green spaces due to perceptions about crime and their safety. We feel that partnership working with agencies and organisations such as the Police, Safer Communities and Community Partnerships is the way forward.

3.19 We have formed a variety of partnerships which have generally proved to be successful. These include the creation of a significant number of 'Friends of Parks' groups. The benefits of such groups include working in partnership with the community, commitment from local people, pride and involvement in their local park or green space and the development of additional resources.

3.20 In order to increase the profile and usage of green spaces the parks team, based within the Cultural Services Division works with other service providers in the Cultural Services Division i.e. Arts, Museums and Sport and other Divisions such as Direct Services and Waste, Conservation and Planning and the Youth Service. The contributions offered by these services are invaluable in helping to meet the corporate priorities of the Council.

Cross Boundary Working

3.21 Links have also been made with parks officers within Teignbridge District Council, who had previously set up a Geographical Information System (GIS) to map all Council land and data.

3.22 The Council plans to work with Teignbridge and South Hams District Councils and Devon County Council on mutually beneficial green space projects in the future.

4.0 THE CASE FOR GREEN SPACES

The History and origin of Greenspaces and Public Parks

4.1 The origins of public green spaces in Britain can be traced to the seventeenth century. Owners of private residences opened their landscaped grounds to visitors of all social classes. The layout of parks during the eighteenth century was very geometric, apparently little affected by the trend towards naturalism and irregularity, which were becoming popular in the grounds of country houses.

4.2 The early nineteenth century saw the emergence of the urban 'middle class' park. These facilities were seen as a slice of countryside on the doorstep of wealthy citizens and admission charges were made in order to keep them exclusive. By the middle of the century, a combination of overcrowding, poor sanitation and pollution contributed to the low quality of life for the urban dweller. The reaction to these problems included calls to provide public open spaces for the urban poor from social reformers, philanthropists and the newly created pubic corporations.

> 'Mrs. Mirvan says we are not to walk in [St. James's] Park again next Sunday ... because there is better company in Kensington Gardens; but really, if you had seen how every body was dressed, you would not think that possible'.
>
> *Frances Burney (1752–1840), British author (1778).)*

4.3 In some areas, civic pride lay behind the creation of intricate bedding displays, floral clocks, winter gardens and pavilions which acted as venues for receiving the town's special guests. The open spaces were seen as the jewel in the crown of public corporations and resources supported many skilled horticulturalists and park superintendents.

4.4 However, the general perception now is that green spaces and public parks in Britain have undergone a gentle decline since the Second World War, a period during which many facilities lost their railings for the 'war effort' and others were temporarily ploughed up for food production. It is inevitable that greater prosperity and mobility since that time should have given the average citizen a wider choice of leisure pursuit. The countryside became more accessible.

4.5 It is strange that one hundred and fifty years after the majority of municipal parks were created we are now using the same logic and arguments to justify their retention, improvement and expansion. Whilst very few, if any responsible citizens would ever consider advocating the

demise of sanitation and acceptable housing, it seems that society has been willing to stand by whilst our parks and green spaces have been neglected and subjected to decline over the last thirty years.

4.6 Nevertheless Torbay residents are still very protective of their parks and green spaces. This confirms the need for local residents to be near green spaces, a need which seems to grow rather than diminish with time.

The importance and benefits of our green spaces

4.7 The provision of green spaces is of vital importance to the community. They contribute significantly to health, prosperity and well being. This importance and its benefits can be underestimated and this strategy sets out to reinforce the need for good green space and how it may be achieved. These benefits include:

- Provision of an attractive environment in which to live, work and play.
- The promotion of health and well being through active and passive recreation in the form of organised, casual sport, walking and social interaction. This could help address issues about obesity.
- The space to relax, enjoy the outdoors or just to escape briefly to tranquillity from the work environment.
- Improvement or creation of green space can lead to the regeneration of communities and areas.
- The reduction of anti social behaviour in youths through the provision of good and relevant play and informal sports areas in appropriate locations.
- Educational provision both formally and informally.
- The conservation and protection of Torbay's natural and varied beauty.
- Green space provide the focal points for events, both community led which increases cohesion of the area and commercial which provide revenue income.
- High quality floral provision in a tourist resort increases its reputation as a place to visit and has an impact on the areas economy.
- Provision of green space gives the opportunity for communities to become involved in their own environment and identity.
- The provision of high quality green space generates a feeling of civic pride.
- The openness of green space contributes to social inclusion.
- Allotments can provide a value to well being in a number of ways. They are recognised by the National Society of Allotment and Leisure Gardeners for their contribution to therapeutic, educational, health, community development and healthy eating qualities. They also serve an important function for nature conservation and bio-diversity.

5.0 METHODOLOGY

Background development of the Greenspace Startegy approach and outputs.

5.1 A structured approach was taken to the development of the strategy, involving the key players from within Torbay Council and it partners. The work was undertaken in three stages:

- Stage 1: Preliminary Activities
- Stage 2: Information Gathering & Analysis
- Stage 3: Strategy Production

Stage/Task	
Stage 1: Preliminary Activities	
Activities	**Outputs**
Establish political support	
Establish a strategy group	
Establish arrangements for cross boundary working	
Review previous work/existing data	
Define a preliminary vision	Preliminary Vision
Define the scope of works and programme	Strategy framework report
Identify resources	Scope of work/brief
Stage 2: Information Gathering and Analysis	
Activities	**Outputs**
Review national, regional and local policy	
Analyse demographic characteristics of the area	
Establish landscape/townscape/visual and ecological characteristics of the strategy area	Area profile
Establish the spatial planning context of parks and green space	
Assessment of supply including site audits and assessments	Site Audits
Identify local standards	Local Standards
Definition of priorities	Priority projects
Stage 3: Strategy Production	
Activities	**Outputs**
Update preliminary vision statement	
Prepare green space framework plan	Framework plan
Prepare draft policies and plan recommendations	Draft strategy
Preparation of implementation plan	Implementation plan
Consultation on draft strategy	Final strategy
Review and Sign Off	

CABE Space-Strategic Enabling Scheme and CABE Space's ongoing involvement

5.2 As noted in the introduction, CABE Space set up the Strategic Enabling Scheme in 2003 to provide direct help and support to local authorities to develop green space strategies for managing their network of parks and green spaces. Torbay Council was successful in its application in 2003 to become one of the first thirty local authorities in England to receive direct assistance under this scheme.

5.3 CABE Space offered assistance to oversee the strategy process through to completion. Len Croney was appointed as Torbay's principal strategic enabler aided by Jacky Bennett on quality assurance issues.

Torbay's Greenspace Strategy Project

Project set up

5.4 Torbay was determined to be part of the CABE Space strategy development process. The reasons included:

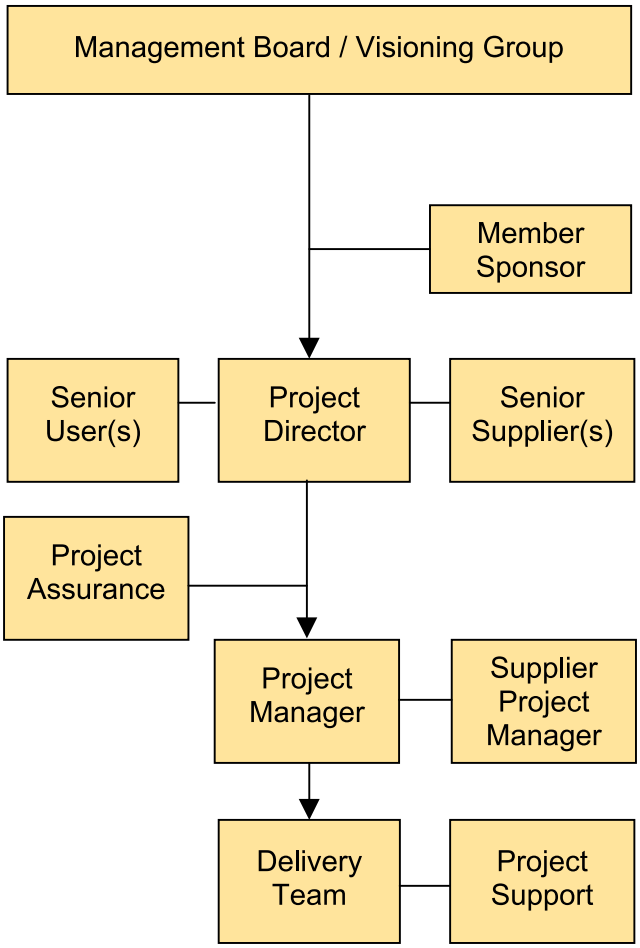
- Park quality had fallen.
- Local people valued parks.
- Corporate Performance Inspection (CPA) was due.
- Community safety identified as a key issue.
- Groundwork Plymouth had a dedicated staff member to work in partnership with the Council on green space issues.
- Torbay Council due to hold the high profile Institute of Leisure and Amenity Management's Parks Conference in 2005.
- Grounds maintenance contracts were due to be re-tendered.

5.5 At a very early stage of the strategy process it was agreed that a small group of key players would meet to establish the vision, main objectives and operational targets for the strategy.

5.6 **Status and Scope of Strategy** - The strategy would sit below the Community Plan document and would be an important addition to a number of related Torbay strategies i.e. Tree and Woodland, Playing Pitch, Sports, Play, Beaches and Cultural Strategies. The green space strategy would not seek to encompass areas already addressed but would take account of the existing policies to ensure a joined up approach to strategic planning in Torbay.

Structural Arrangements

5.7 A project management approach was adopted to deliver the strategy with all involved having specific roles and responsibilities. These included an elected member sponsor who provided the political context, the Project Director who was ultimately accountable for the project, the Project Manager, responsible for running the project on a day to day basis and the Delivery Team-The project team who ultimately delivered the strategy.



Political Support

5.8 The Leader of the Council, Deputy Leader and member for the Environment gave full political backing to the strategy following a meeting with the principal Strategic Enabler, Len Croney.

Background to the Project

5.9 The outline of the approach to the strategy had been established and one of the key tasks identified was to establish a vision for Torbay's green spaces which would help to focus the work of the Strategy Group.

5.10 To achieve this aim a small group of key people who have a knowledge and interest in Torbay's green spaces were assembled to discuss and deliver a 'Vision' for the future on which the strategy could be based.

5.11 After considering a number of possible generic issues it was decided that the main theme supporting the strategy would be

"Getting more use from green space by local people."

5.12 This theme would tie in with the following Council's corporate aims:

- Safety
- Appearance
- Perception
- Addressing neglect

5.13 The visionary group felt that **'Appearance'** would be paramount to encouraging future use of green space and that the strategy should give priority to actions that supported this.

5.14 The main focus for the strategy should be **Local People**, with a balanced approach to all types of users i.e. young people, dog walkers, older people, tourists, families and school parties.

5.15 Specific strategic objectives would be:

- Improving appearance of green space.
- Improving accessibility, especially for the disabled.
- Challenging people's perceptions of green spaces as areas to visit and use more often.
- Improving facilities and attractions.
- Develop opportunities for using green spaces for learning.
- Exploit the heritage aspects of Torbay's green spaces.

5.16 A full account of the visioning exercise is given in Appendix 1.

6.0 BACKGROUND TO GREEN SPACES IN TORBAY

The Special Case for Parks and Green Spaces in Torbay

6.1 For centuries Torbay has been famed for its glorious landscape, mild climate and its fascinating horticultural heritage. Torbay itself is in the shape of a horseshoe facing south east, making it a perfect suntrap. The heights of Dartmoor, immediately to the North West protect the resort from the prevailing winds and the Gulf Stream brings in warmer waters. The end result is a climate that is much milder than the rest of the UK; the winters are mild and short, giving way to the flower filled warmth of an early spring.

6.2 Winter temperatures rarely fall below zero, gardeners can cultivate plants which can be grown in few others parts of the country. All kinds of exotica survive and thrive in our parks and green spaces, not to mention an array of other wildflowers not seen in other parts of the country.

6.3 Many plants imported by the Victorian plant hunters from places such as Australia, New Zealand and South Africa flourish within Torbay. A wide range of exotics are quite at home including chusan palms, agaves, echiums, brugmansia, olive and lemon trees.

6.4 Torbay covers an area of just under 25 square miles and has approximately 22 miles of coast line with 20 public beaches. It has everything from formal knot gardens at Oldway Mansion, swathes of summer bedding on its seafronts, to carpets of bluebells and orchids in its spring woodlands. English Nature (now called Natural England), the Government's official conservation watchdog rates Torbay as one of the six sites in the country for rare plants (see figure 6.2 below).

6.5 Many of Torbay's green spaces provide an important function for biodiversity which should be recognised when planning their management. Torbay is part of the South Devon Natural Area (defined at the time by English Nature) where the varied geology produces a diversity of coastal and inland habitats. This has led to recognition by Natural England that the area is one of the seven most important areas in England and Wales for rare plant species[1]. Many of these provide some form of public open space and need to be managed in order to serve its function as an open space without compromising its nature conservation value. Managed public access to these areas is encouraged by Natural England who are keen to increase people's appreciation of Torbay's variety of habitats. Where possible the management of such areas should provide some educational material to publicise the value of these resources.

6.6 Habitats of particular interest in Torbay are listed in table 6.1 outlining their importance, where they are found, problems identified with the sites and any management requirements which may be required. Careful consideration should be given to these requirements and issues when considering management of green spaces.

6.7 In addition to these habitats mentioned above there are a large number of designated sites in Torbay, many of which are on green spaces which are recognised for their individual nature conservation value. These are outlined below:

- Local (LWS) and County Wildlife Sites (CWS): There are 45 LWS and 28 County Wildlife Sites which provide public with opportunities to have access to and learn about wildlife. Many of theses sites require some form of scrub clearance and some are being lost to pressure for development.
- Local Nature Reserves (LNR): These are located at Occombe Valley Woods, Occombe Farm, Scadson Woods and Saltern Cove. These should be maintained to provide opportunities for people to study, learn and enjoy areas of local wildlife and geological features.
- Regionally Important Geological Sites (RIGS): There are 6 of these sites in Torbay recognised for their geological interest including Quarry Woods Quarry (Cockington), Chapel Hill (Torre).
- Sites of Special Scientific Interest: Torbay has 12 of these sites which are in good condition compared to Devon and South West. These areas are designated under Section 218 of the Wildlife and Countryside Action 1981 by English Nature as being of interest by reason of their flora, fauna, geological or physiographical features.
- Special Area of Conservation (SAC): Torbay has one SAC at Berry Head which is protected under the European Habitats Directive. It is designated on the presence of the Greater Horseshoe Bat and the presence of the Annex 1 Habitat (European dry heath and semi-natural grasslands and scrub facies). These sites are of high nature conservation value. The site can be impacted upon by eutrophication (including dog fouling), loss of winter grazing land in the vicinity, disruption of the mosaic of hedgerows on and in the vicinity of the site and disturbance of bat flights paths through introduction of new lighting. These issues are considered in the Appropriate Assessment work which has been carried out alongside this SPD. (Please see www.torbay.gov.uk and go to the sustainability appraisal page). Any new planning applications proposed on or near the SAC will need to be discussed with Natural England to assess their impact on the site (particularly those within a 6km of the feeding area for bats).
- National Nature Reserve: Torbay has one National Nature Reserve at Berry Head. This designation reflects the importance of wildlife and geological formations.

6.8 The locations of these areas of nature conservation are outlined in Figure 6.2. Because many of these areas of high nature conservation value are located in green spaces it is imperative that they are correctly managed in order to retain these important assets*. It is essential that information on nature conservation is fed into the Management Plans as discussed in this section.

** The Local Biodiversity and Geodiversity Action Plan 'The Nature of Torbay 2006 - 2016' has been produced (February 2007) which seeks to focus resources to conserve and enhance biodiversity by translating national and regional priorities into local action (This document is available to download from the Torbay Coast and Countryside Trust website www.countryside-trust.org.uk)*

Table 6.1 Key habitats in Torbay and their importance

Habitat	Importance of habitat	Where found	Problems	Management requirements
Calcareous grasslands	The most extensive stands of calcareous grasslands in Devon stretching from Sharkham Point to north of Watcombe	The most extensive areas are noted in particular at Walls Hill and Berry Head, both of which are protected by SSSI's.	Species which characterise calcareous grasslands can tolerate very low nutrient levels so are particularly vulnerable to boost of nutrients by, for example dog fouling which has, in addition to trampling caused degradation in areas such as Walls Hill.	Maintain and enhance resources of species-rich grasslands plants and invertebrate communities through appropriate management and development control (English Nature (1998) South Devon Natural Areas)
Seacliff and cliff tops	Varied geology and mild climate results in a number of coastal plant and animal communities with Mediterranean affinities. One of England's most natural habitats. Home to one of the highest concentrations of breeding sea birds in the South Devon Natural Area.	Berry Head	Recreational pressures and loss of habitat to development Disturbance of the Guillemot colony at Berry Head during the breeding season	Encourage the restoration of degraded or neglected sites to their former glory
Heathland	One patch of heathland in Torbay of exceptional nature conservation value.	Berry Head	Considered to be in unfavourable condition and contracting in size due to gorse invasion	Scrub clearance and recreation of open heathland
Farmland and hedgerows	Ancient hedgerows and green lanes provide important links for flora and fauna, refuge and opportunity for recolonisation	Network across Torbay	National trends towards loss of hedgerows for agricultural or development purposes.	Retention of hedgerows/ banks wherever possible Encourage management of arable margins to benefit rare plants and declining farmland birds Achieve favourable management of all species-rich hedgebanks through publicity and provision of advice Foster public understanding and enjoyment of farmland wildlife
Woodland	All woodland hold a unique value for recreation. Torbay has 40 Ha of ancient woodland of the highest ecological value. Torbay also has an unusual woodland which is exceptional to Devon of ash/maple woodlands growing on limestone soil.	Ancient woodlands are found in Clennon Valley, Occombe Woods, Lupton Park and the Grove	Degraded condition has arisen through invasion of alien species, encroachment from neighbouring developments and intensive recreational use	Maintain and enhance areas of ancient woodlands through appropriate management Encourage the expansion and linking together of woodlands through the planting of new areas, where this does not damage the existing habitat of nature conservation importance Retain veteran tress and ensure the long term continuity of this habitats
Urban Habitats	Allotments, pockets of woodland, gardens, pond and dwellings provide important ecological value	All allotments, gardens, ponds and woodland	Intensive use of pesticides has reduce the value of gardens and number of species feeding on invetebrates. Intensive recreational pressures, fragmentation and over-intensive management of public open spaces and highways and the development of open spaces	Ensure no further loss of semi-natural habitats in urban areas and that new development allows for areas of green space of value to wildlife Enhance quality of existing urban wildlife habitats Encourage creation of new wildlife habitats, including wildlife corridors within urban areas Improve opportunities for the public to enjoy and appreciate the natural world within urban areas

6.9 The important climate and horticultural heritage within Torbay's parks and green spaces. should be preserved for future generations.

Torbay's Landscape Designations

6.10 The combination of seascapes, urban and rural landscapes is fundamental in Torbay's role as an attractive tourist resort. Torbay is currently classified as falling within the Character Area 'Tourist Riviera', which stretches from Dawlish Warren to Berry Head. Amongst other features such as resort development and coastal cliffs this Character Area is typified by elegant seafront parks, promenades, palms, pines and white Riviera buildings. This acts to re emphasis the importance of the formal gardens and parks as an integral component of Torbay's landscape not just for tourists but as a component of local distinctiveness.

6.11 Torbay contains and is surrounded by landscapes of high recreation and nature conservation value which, due to Torbay's largely urban nature, provide a vital function for amenity and recreation (see figure 6.2 below). Many of these areas, in addition to some urban landscapes are designated in recognition of their need for their preservation. It is therefore essential that such areas which face such high recreational pressures are correctly managed to ensure their preservation whilst allowing people to enjoy them. Table 6.2 and Figure 6.1 below show these in more detail. A landscape Character Assessment will be carried out as part of the evidence task for the emerging Local Development Framework.

6.12 An important component in Torbay's landscape is the role of trees in providing amenity and aesthetic value. Their functions are broad and include the provision of screening unwanted views, softening of the built environment, complementing historic buildings and providing features such as avenues, vistas and focal points. They act to reinforce local character and distinctiveness and provide a sense of place. Trees also provide shade in parks and green spaces. Shade will become increasingly important as temperatures rise and other climate changes take place in the years ahead.

6.13 The distribution of trees in parks and green spaces is variable throughout Torbay. There are a number of older parks and green spaces with populations of mature trees in contrast to the newer trees with a developing tree population. There is a recognised need to ensure that new developments, in particular have sufficient provision of trees and green space.

Table 6.2 Torbay's Landscape Designation

Designation	Purpose	Management requirements
Area of Outstanding Natural Beauty	Designated for their nationally important landscape quality. Conserve and enhance scenic beauty of the landscape and protect special qualities.	Protection against creeping urbanisation and new development, particularly around Brixham which could erode the distinctive character of the area. Also concern over increased traffic, lighting, noise and pollution.
Area of Great Landscape Value	High land or part of valley systems with a distinctive local character.	Retention of unspoilt areas including retention of historic and traditional buildings complementary to the natural landscape.
Coastal Preservation Areas	Designed to safeguard unspoilt stretches of coastline.	Protect these areas which are substantially unaffected by development and which is generally visible from cliff tops, beaches the sea or which forms part of the view from the South West Coast Path or other public access/ view points.
Countryside Zones	Prevent merging of urban areas of settlements.	Safeguard from urban sprawl and inappropriate development to retain existing rural character.
Urban Landscape Protection Areas	46 designated in Torbay. They can be vantage points, amenity open spaces or landmarks.	Protect the essential landscape features of these areas.

Figure 6.1 Torbay's Landscape Designations

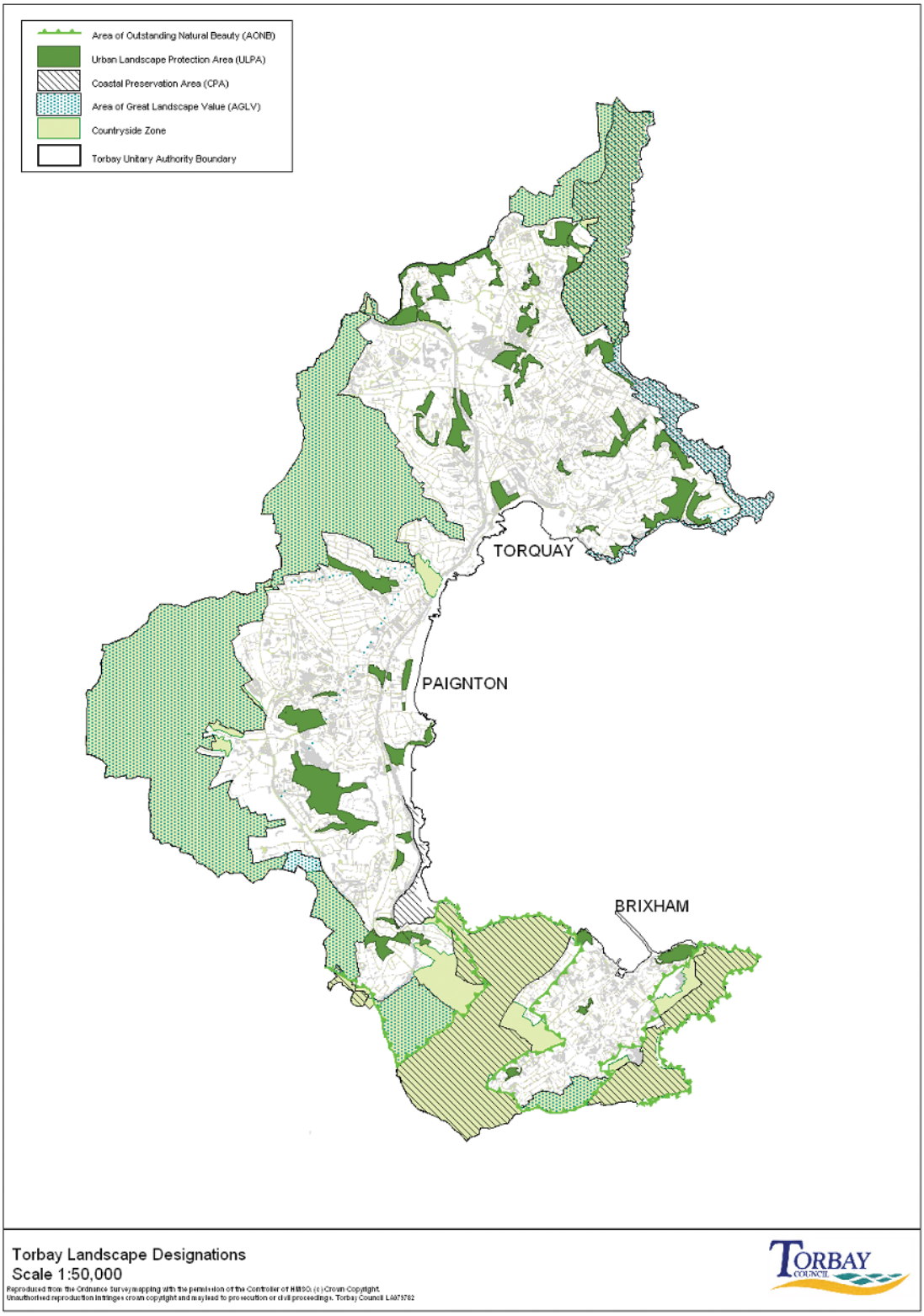
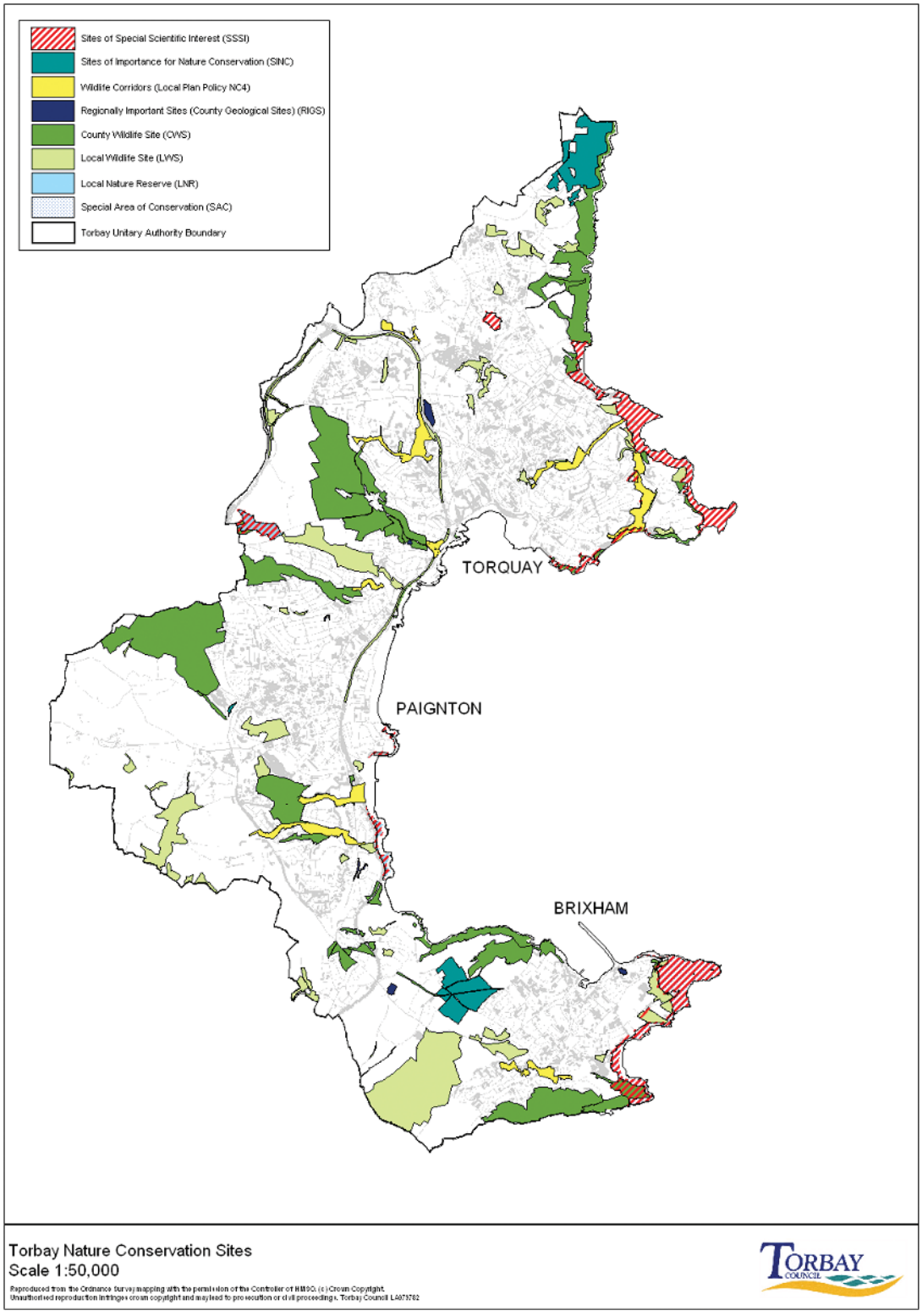


Figure 6.2 Sites of Nature Conservation Importance in Torbay



The nature of our green spaces and existing green space provision

6.14 Torbay has over 1000 hectares of green space, ranging from county parks managed by Torbay Coast and Countryside to small areas of amenity green space. Areas include 798 hectares of countryside, 64 hectares of parks & gardens, and 93 hectares of amenity greenspace. There are also outdoor sport areas, playing fields, allotments, cemeteries and burial grounds. Torbay Coast and Countryside Trust manage over 650 hectares of land and Torbay Council manages over 380 hectares of land.

6.15 There are currently 53 play areas and various areas for young people (including skate parks, BMX tracks, Multi used games areas, football and basketball courts.

Maintenance of Greenspace

6.16 All green space areas (excluding countryside parks and coastal countryside areas), except those in Torquay North contract area are managed by the Council's Direct Services and Waste Division. The Torquay North area is maintained by Plandscape, an external contractor.

6.17 Countryside Parks, Coastal Countryside areas and nature reserves are managed by Torbay Coast and Countryside Trust, a registered charity formed in 1999.

Background to the need for greenspace

Demographic Profile of Torbay

6.18 The following section will look at the development of local standards. The promotion of well planned and maintained open spaces and good quality sports and recreational facilities can play a major part in improving people's sense of well being in the place they live it is therefore worth assessing the nature of Torbay's population:

6.19 Torbay's key facts:

- Torbay covers an area of just under 25 square miles.
- Has approximately 22 miles of coast line with 20 public beaches.
- The average age of residents in Torbay is 43.2 years. This is higher than the national average of 38.6 years.
- Around 20% of Torbay's resident population lives within an area in the top quartile most deprived in England.
- Torbay is the tenth most populated local authority in the south west, whilst being the eighth smallest in area.
- The proportion of people from ethnic groups other than 'white British' is 3.1%.
- 25.8 % of the population are of pensionable age. This is higher than the national average of 18.4%.

- Torbay has seen a population increase of 6.6% since 1991, compared to 5.2% across the South West Region.
- Tourism increases the population predominantly in the summer months. Currently it is predicted that 1.45 million visitors come to Torbay each year.
- 2.7% of Torbay's resident working population claimed Job Seekers Allowance on 10th Feburary 2005. This is compared to 2.4% for the UK and 1.6% for the South West Region. Torbay is seen by many as a traditional English seaside resort and therefore the economy is very much dependant on the service sector.

6.20 The latest population estimate shows that Torquay's population has continued to grow, with a 0.91% increase between 2003 to 2004. This compares to an England and Wales increase of just 0.48%.Torbay's total population is estimated to be 132,000.

6.21 The following population pyramid (figure 6.3) illustrates how the Torbay population structure differs to the England and Wales structure. It is clear to see the deficit of young adults and the abundance of older people in the population.

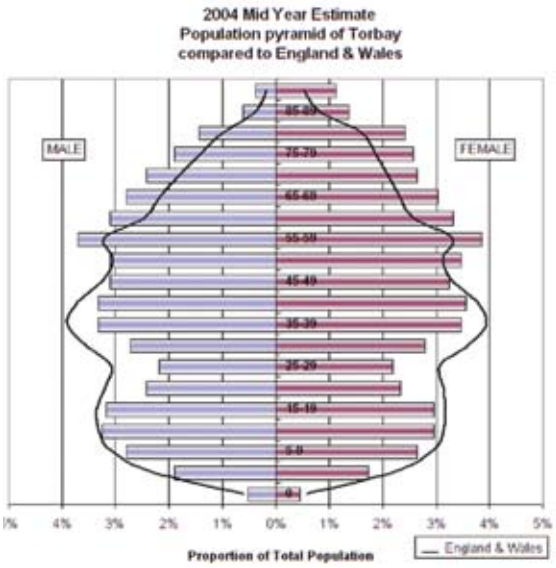


Figure 6.3 2004 Mid Year Estimate Population Pyramid

District Level

6.22 The Indicies of Deprivation indicate that:

- The 'Average Rank' places Torbay as the 86th most deprived local authority in England. Just outside the top quartile.
- Torbay is ranked as the 94th most deprived local authority in England in the Rank of average scores.
- Torbay is one of only two authorities in Devon in the top 100 most deprived local authorities in England for the rank of average scores.

Super Output Areas (SOA's)

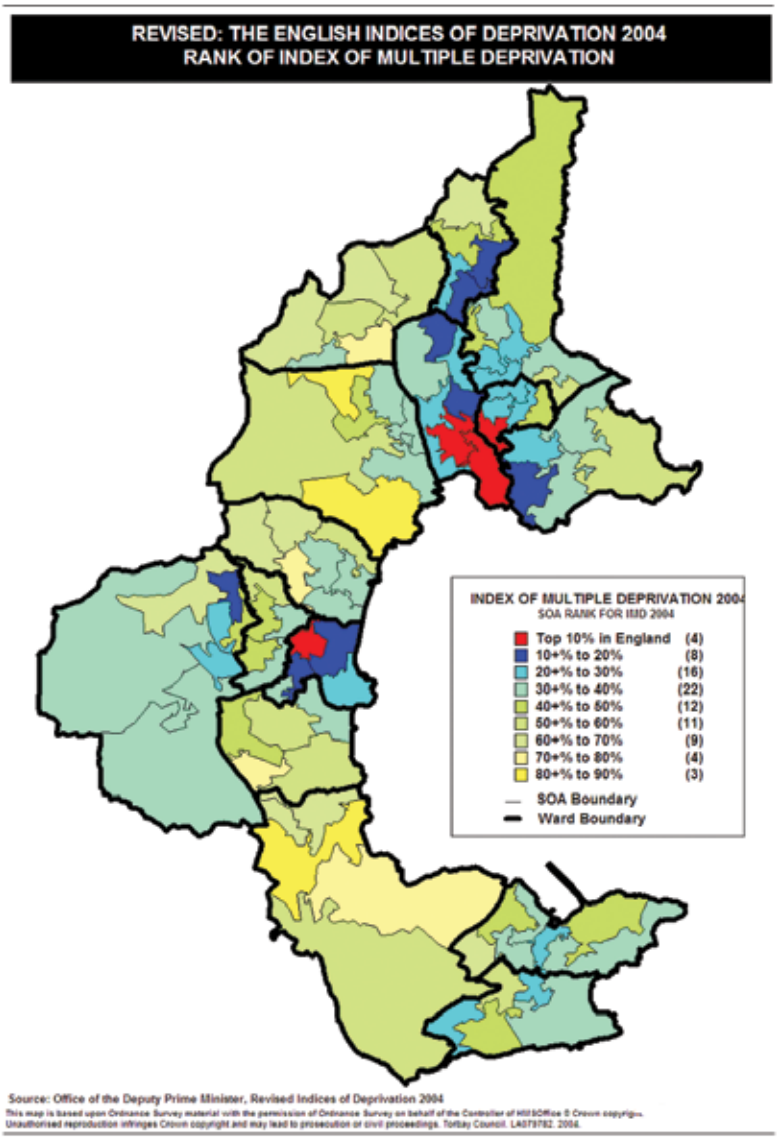
6.23 Super Output Ares are based on population and households contained within. The average population for each SOA is 1,500 persons and the average number of households per SOA is 645. There are 89 SOA's. It should be noted that SOA's do not reflect neighbourhoods. SOA's enable pockets of deprivation to be highlighted that would be lost at ward level. A futhur breakdown is the Output Area (OA's). An OA averages 280 people with approx 124 dwellings.

6.24 Key findings at SOA level are summarised as follows:

- 12 SOA's within Torbay are ranked in the top 20% most deprived SOA's in England. Of the twelve, four are ranked in the top 105 most deprived in England.
- 14 SOA's within Torbay are ranked in the top 20% most income deprived SOA's in England. Of the fourteen, six are ranked in the top 10% most deprived in England.
- Over one quarter (27.8%) of Torbay's population live within the top 205 most deprived in England for employment deprivation.
- Over 28,300 (21.9% of the Torbay population) persons live in an area that is within the top 10% most deprived in England for the Living England deprivation. This includes over 13,000 household.

6.25 Torbay has Objective 2 status as a result of the above.

Figure 6.3 2004 Mid Year Estimate Population Pyramid



7.0 DEVELOPING LOCAL STANDARDS OF PROVISION

7.1 Introduction

7.2 Planning Policy Guidance 17-Planning for Open Space, Sport and Recreation sets out a framework whereby the following can be achieved with regard to open space:

- Networks of high quality open spaces and sport and recreation facilities, in both urban and rural areas, which meet the needs of residents and visitors, are fit for the purpose and economically and environmentally sustainable.
- An appropriate balance between new provision and the enhancement of existing provision.
- Clarity and reasonable certainty for developers and land owners in relation to the requirements and expectations of local authorities in respect of open space and sport and recreation provision.

7.3 In 'Assessing Needs and Opportunities' The Companion Guide to PPG17', the following 5 step approach is advocated:

Step 1: Identify Local Needs

Step 2: Audit Local Provision

Step 3: Set Provision Standards

Step 4: Apply the Provision Standards

Step 5: Draft policies

7.4 This strategy is primarily concerned with Steps 3 and 4, namely:

Step 3 Set Provision Standards

- Determine quantity, quality and accessibility standards
- Determine minimum acceptable size and design standards
- Determine hierarchy of open space provision
- Determine normalised costs

Step 4 Apply Provision Standards

- Identify deficiencies against accessibility, quality and quantity standards

7.5 In this Strategy, our Greenspace Standards were informed by a robust assessment of needs and

opportunities. PPG makes reference to the fact that standards of provision should be developed with regards to:

- Accessibility
- Quality
- Quantity

7.6 These are three of the five attributes of open space, as set out in the Companion Guide to PPG17, the others being multi functionality and primary purpose. Accessibility and quantity are delivered and protected primarily by the planning system, because they relate to the location and use of land, but sustained by good management and maintenance. Accessibility is also maintained by other local authority strategies and initiatives, such as those relating to sustainable transport and community safety.

7.7 Quality, multi functionality and primary purpose are delivered initially through good design, but also sustained and protected by good management and maintenance, for which resources generated through planning agreements or developer contributions will be essential.

Torbay's Green Space Typologies

7.8 Torbay has many and varied open spaces. In order to set standards for provision and for maintaining these, we have classified them into the following types;

a) Country Parks - Strategic areas of open space servicing a significant part of the district, typically over fifteen hectares. They contain a range and diversity of facilities, have controlled car parking and are managed by Torbay Coast and Countryside Trust.

b) Coastal Amenity Green Space - These are open spaces which compliment the beaches and coastline of Torbay.

c) Strategic Green Space - Areas of green space of importance to the landscape.

d) Town Parks - Formal parks and gardens with planting, seating and often other features such as ponds, children's play areas, informal kickabout areas and formal pitches. They generally serve the whole town rather than the immediate surrounding community.

e) Community Parks - These serve the immediate surrounding population with an emphasis on informal recreation for all ages and active play for all children. They may have equipped play areas, kickabout areas, a pitch, seating and access paths. These areas may also include woodland.

f) Other Amenity Green Space - These are generally small areas of green space, possibly with few facilities. They may also be areas of mown grass or other land which receives little or no direct maintenance and may have a seat and/or a litter bin.

g) Space for Young People - These include equipped play areas with facilities for toddlers/ younger children, facilities for young people which may include skate parks, basketball, Multi Use Games Areas, BMX tracks and teenage shelters.

h) Allotments - These are areas containing allotment plots which are wholly or mainly cultivated by the occupier for the purpose of producing fruit or vegetables for consumption by themselves or others.

i) Outdoor Sports Areas & Playing Fields - These areas include cricket, football and rugby pitches, tennis courts, bowling greens and putting facilities.

j) Cemeteries and Churchyards* - There primary function is as a place of burial. They are important places for contemplation and often have biodiversity interests.

k) Woodlands - These are areas of coniferous, deciduous or mixed trees and scrubland.

l) Schools Green space* - This is open space within the grounds of schools which may or may not be accessible to the public outside of school hours.

- All of these typologies will contribute towards the setting of Torbay's local standards (*Note: with the exception of those asterisked).

7.9 Maps indicating the provision of these greens paces are shown in Appendix 5.

Accessibility

7.10 Accessibility is very important. If a particular green space or facility is inaccessible it will be irrelevant to those who may want to use it. Nevertheless, inaccessible green spaces can still contribute to the appearance, environmental quality, biodiversity and amenity of an area. It is important to ensure that residents are able to access green spaces within a reasonable distance of their home. Appropriate thresholds should relate to the size and range of facilities offered at any particular site.

Distance Thresholds and Catchment Areas

7.11 Accessibility can be expressed through distance thresholds. The maximum distance that typical users can reasonably be expected to travel to each type of provision using different modes of transport.

7.12 For the purpose of setting distance thresholds, the measurements are taken to be the pedestrian walking time. For the purpose of plotting catchment areas this is translated into a straight walk (60% of 'pedestrian route'). There is also a recognition that barriers to access may exist and that a circle for a catchment area is not realistic.

Distance from home:

Pedestrian walk time	Pedestrian route	Straight line/walk (60%)
1 minute	100m	60m
5 minute	400m	240m
10 minute	800m	480m
15 minute	1000m	600m
20 minute	1500m	900m

7.13 The table below shows the catchment and approximate walking time for each of the green space typologies.

Name	Catchment	Approx. walking time
Country Parks	900m	20 mins
Coastal Amenity Green space	900m	20 mins
Strategic Green space	900m	20 mins
Town Parks	600m	15 mins
Community Parks	480m	10 mins
Other Amenity Green space	480m	10 mins
Space for Children	480m	10 mins
Space for Young People	600m	10 mins
Allotment Areas	600m	15 mins
Playing Fields	600m	15 mins
Outdoor Sports Facilities	600m	15 mins
Woodland	900m	20 mins
School's Green space	480m	10 mins

7.14 These distance thresholds have been plotted for Torbay around all identified green spaces to help us decide the distance thresholds which the strategy will adopt. We have made an informed judgement on how far we understand people are prepared to travel from their homes. This was an amalgam of:

- Results from other studies.
- Mapping of distance thresholds which shows layout on the ground and suggested realistic and effective distances.
- Our findings from consultation/focus groups.

7.15 Research has shown that people are often recognise that not all types of green space can be provided close to their homes and that they would be prepared to travel some distance to reach them.

Hierachy of Provision

7.16 In addition, to be able to use distance thresholds in a meaningful way to develop accessibility thresholds they should be related to the various levels within a hierarchy of provision, as this recognises that some green space will cater for more needs and for a larger catchment area than others.

7.17 See Typology layers in para 7.13.

Working Hierarchy

- Country Park – Torbay Coast and Countryside Trust Managed, mix of facilities. E.g. Berry Head & Cockington
- Coastal Amenity Open Space – Passive recreation, Natural Wildlife, forms part of (coastal) green space corridor network
- Other / Strategic Green space – Large, urban landscape open space as (no 2) but not coastal
- Town Parks – Formal, features e.g. ponds. Serve town + visitors
- Community Parks – Serve immediate population. Emphasis on informal recreation, active play for children, Kickabout areas, small area of amenity open space with facilities and/or with community group
- Other Amenity Open Space – Grass area possibly with few facilities
- Provision for Children – Children's play areas
- Provision for Young People – Facilities such as skateparks & BMX track's
- Allotments
- Outdoor Sports Areas e.g. multi use games areas-
- Playing Fields e.g football and rugby pitches.
- Cemeteries & Churchyards*
- Woodland
- School Green space*

(Note: All of these typologies will contribute towards the setting of local standards with the exception of those asterisked).

All sites on the GIS database were assigned to a level within the hierarchy.

GIS Layer	Details
Space for Children	Area for younger children – equipment and/or adventure play.
Space for Young People	Area for older children/Young people – BMX track, Skate Parks, multi used games areas (MUGA)
Parks & Gardens	Public parks, ornamental gardens may have features such as ponds & fountains. Princess Gardens (Coastal Amenity Greenspace), Abbey Park (Town Park), Tessier Gardens (Community Park)
Countryside	Wildlife areas and Nature reserves. Berry Head (Coastal Amenity Greenspace) managed by TCCT. Great Parks (Strategic Open Space)
Amenity Greenspace	Small areas of greenspace, village greens, incidental open space
Playing Fields	Pitches for sport use that has community access e.g. Torre Valley North
Outdoor Sports Facilities	Multi used game areas and grass courts e.g. Upton Park
Woodland	Areas of woodland e.g. Chapel Woods

7.18 The table below gives the following information for each ward

- Hectares of Greenspace
- Population
- Square Meters (Sqm) for Key Typologies

Ward	Hec-tare	Pop.	Space for Children (sqm)	Space for Young People (sqm)	Parks & Gardens (sqm)	Country -side (sqm)	Amenity Green Space (sqm)	Play -ing fields (sqm)	Out-door Sport facilities (sqm)	Wood-lands (sqm)
St.Marychurch	559	11,351	8,229	37,789	29,921	1,490,864	144,120	17,933	6,564	0
Ellacombe	96	7,358	4,105	1,276	12,901	61,075	8,656	0	1,412	0
Clifton with Maidenway	143	7,043	980	0	0	8,821	14,001	0	0	1,567
Preston	319	10,281	1,183	0	36,098	1,015,535	53,414	0	0	16,928
Cockington with Chelston	742	11,116	2,140	136	202,217	1,895,024	140,195	49,200	2,013	62,525
Shiphay with the Willows	415	8,252	5,154	0	7,256	267,352	25,253	0	0	0
Tormohun	302	10,934	1,065	3,023	114,198	110,414	63,825	22,168	50,377	0
Wellswood	406	7,621		0	12,898	889,472	70,467	0	0	3,209
Watcombe	196	7,359	5,951	0	0	121,890	51,114	7,842	0	0
Berry Head with Furze-ham	339	10,157	2,411	0	33,056	466,773	42,567	23,776	10,411	2,800
St.Marys with Summer-combe	295	7,302	1,268	0	30,964	156,540	32,283	0	10,055	0
Churston with Galmpton	1005	6,793	3,961	0	0	1,075,834	19,932	21,387	496,461	0
Goodrington with Roselands	319	6,873	725	0	37,225	215,893	229,253	0	54,005	6,642
Blatchcombe	1103	10,165	7,132	0	0	207,128	30,452	0	3,166	0
Roundham with Hyde	155	7096	1,540	1,984	126,078	0	8,306	23,778	8,671	0
Totals	**6,394**	**129,701**	**45,844**	**44,208**	**642,812**	**7,982,615**	**933,838**	**166,084**	**643,135**	**93,671**

Further Components of Accessibility Standards

The Cost of Using Facilities

7.19 The acceptable cost of using a facility can vary and depends on factors such as the nature of the facility, individual's personal circumstances and how much they have to pay to travel to do it. It is therefore very difficult to come to a general view of when cost is acceptable and when it is not.

The Minimum Acceptable Size Component

7.20 Including a minimum size within provision standards provides a transparent policy based way of

deciding whether to require a developer to make on site or contribute to off site provision. This can help to prevent provision which will be too small to be of benefit to local communities, or unnecessarily expensive to maintain. There may need to be a site multiplier which converts the actual activity area (children's play areas and pitches) into a land area.

7.21 Those responsible for future maintenance and management have a key role to play in determining the minimum acceptable size for different forms of provision. There is no point in the planning system requiring developers to make provision which is too small to be of unnecessarily expensive to manage and maintain.

7.22 There may also need to be a site multiplier which converts the actual activity area (children's play areas and pitches) into a land area.

Quality

Qualitative Standards

7.23 PPG 17 says that local qualitative standards should be established for each type of open space, based on the following approaches:

- Measuring quality against recognised national standards, such as the NPFA standards for children's play areas (LEAP's and NEAP's etc).
- Undertaking a local audit and assessment based on local derived criteria to meet objectives for a Green Space Strategy.

7.24 Before undertaking the qualitative audit in Torbay consideration was also given to the following:

- Criteria for assessment could be developed from a modified Green Flag Award Scheme, as this seems to be the way forward advocated by leading agencies in the field.
- The inclusion of certain sites already mentioned in surveys as being in need or worthy of improvement, repair, better maintenance etc. The comments give an indication of the elements which people set most store on, and can be used to develop a local audit and assessment form.
- Criteria should include indicators that relate directly to Torbay's Vision for green spaces and aims and objectives to achieve them.
- Weighting of criteria should relate to most important aspects of green space according to local residents and Torbay Council's corporate objectives for green space.

7.25 The quality standard for each form of provision should derive from the analysis of quality in the audit in the light of community views, the agreed vision and a judgement as to the quality it will be desirable to set as an objective and possible to delver. It should be noted that quality and

value are fundamentally different and can be completely unrelated. For example, a high quality or green space may be located where it is inaccessible and therefore of little value. While if a run down or derelict facility is the only one in the area it may be of immense value to the local community.

Site Assessments

7.26 Quality site assessments were carried out on 96 principal green spaces across Torbay. The sites selected demonstrated a varied range of quality and typologies. These included town parks, community parks, countryside sites managed by Torbay Coast and Countryside Trust, recreational areas and playgrounds. Sites chosen were evenly spread throughout Torbay.

7.27 The Green Flag criteria was chosen for the site quality assessments, primarily because Green Flag has become the recognised quality standard for parks and green spaces. The Green Flag's eight main criteria are:

A) welcoming place
B) healthy, safe and secure
C) clean and well maintained
D) sustainability
E) education, conservation and heritage
F) community involvement
G) marketing
H) management

7.28 A site quality audit questionnaire containing fifty-seven questions was devised and agreed by the strategy project group. Each question was placed into the relevant Green Flag criteria section.

7.29 A prescriptive and detailed methodology was developed to undertake the quality assessment. This would allow for consistency of professional judgement and impartiality in the analysis of each site.

7.30 A scoring system using a scoring ratio of 1-5 was used to record the quality ratings against each of the fifty seven questions.

7.31 No scores were inserted for any sites where any of the questions were deemed not to be relevant.

7.32 All scores were collated and an average given for each site.

7.33 See Appendix 6 for the full quality assessment report and plan and quality assessment summary.

7.34 A weighting system was developed, taking into account the strategy's vision and objectives. The healthy, safe and secure and clean and well-maintained sections were given a weighting factor of x 2. See example below.

The working out of the index and overall scores(%)

Example: Abbey Park

7.35 The interpretation of the final weighted scores is given below:

Question	Weighting	Score	Maximum Score	Index
A	10	3.33	50	33.3
B	20	4.30	100	86
C	20	3.80	100	76
D	10	4.25	50	42.5
E	10	3.43	50	34.3
F	10	3.75	50	37.5
G	10	3.75	50	37.5
H	10	3.75	50	37.5
Total	**10**	**3.75**	**500**	**384.6**

Percentage Score = 76.92

The Percentage

Total Index Score '384.6' out of a maximum score '500' gives a percentage of 76.92 (384.6/500*100)

Park Name	Index out of 500	% Score
Abbey Park	384.6	76.92

7.36 The table is an assessment of the average scores carried out on 96 parks and green spaces. The original assessment is the average score taken from the 57 questions. However a greater importance, weighting was given to questions B (Healthy, Safe & Secure) and C (Clean and Well Maintained). Therefore a new score was calculated and a percentage score was given. The list runs in alphabetical order with the ranking indicating the position of the park if the list was to run in order of score, 96 being the best and 1 being the worst.

Quality Description	Score	Summarised as	Count
Poor quality with fundemental issues	0.0 - 1.99	Failing	7
Poor quality with problems	2.0 - 2.79	Failing	56
Adequate	2.8 - 3.49	Borderline	25
Good quality	3.5 - 5.0	Good	8

Quality Description	Weighted Score	Summarised as	Count
Poor quality with fundemental issues	0 - 39.99	Failing	14
Poor quality with problems	40 - 55.99	Failing	57
Adequate	56 - 69.99	Borderline	19
Good quality	70 - 100	Good	6

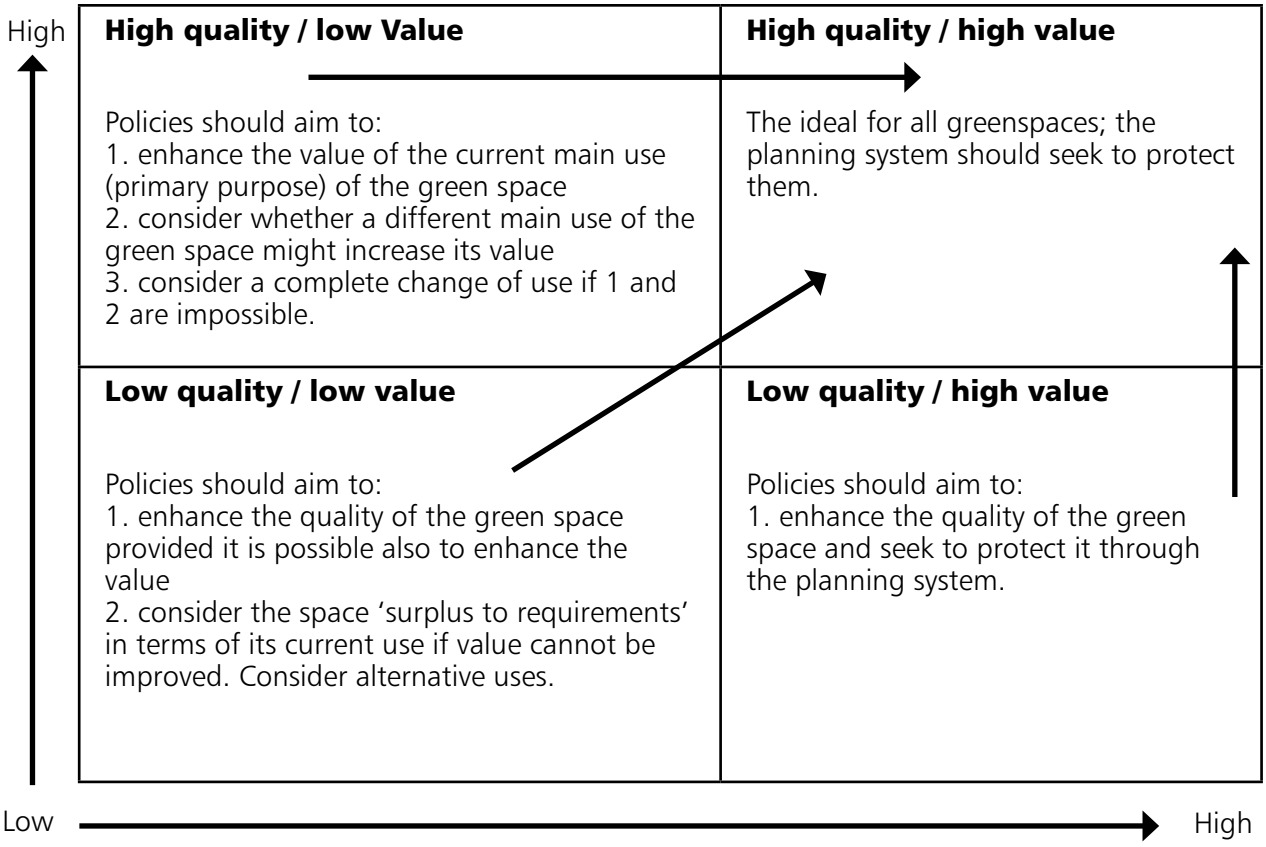
7.37 Assessing the quality and value of green space is fundamental to identifying those green spaces, which should be given the highest level of protection by the planning system and those which require enhancement.

Table 7.3 Park and Greenspace Scores

Original assessment			Weighted assessment			
Rank	**Name**	**Overall Ave**	**Rank**	**Name**	**Index**	**Score %**
94	Abbey Park	3.75	**90**	Abbey Park	347	69.39
78	Armanda Park	3.10	**80**	Armanda Park	307	61.36
37	Astley Park	2.49	**25**	Astley Park	218	43.60
79	Babbacombe Downs	3.14	**79**	Babbacombe Downs	296	59.27
19	Babbacombe Downs Road Park	2.21	**16**	Babbacombe Downs Road Park	204	40.86
49	Barton Downs RG	2.63	**34**	Barton Downs RG	228	45.55
85	Battery Gardens	3.37	**88**	Battery Gardens	339	67.70
91	Berry Head Country Park	3.71	**93**	Berry Head Country Park	391	78.17
39	Bonsey Garden	2.56	**43**	Bonsey Garden	240	48.06
13	Borough Road OS	2.09	**18**	Borough Road OS	206	41.16
83	Brewery Park	3.35	**85**	Brewery Park	323	64.68
88	Brunel Woods	3.49	**91**	Brunel Woods	372	74.47
60	Cary Park 1	2.77	**57**	Cary Park 1	254	50.77
40	Cary Park 2	2.57	**47**	Cary Park 2	242	48.34
66	Cary Park Sports Complex	2.88	**61**	Cary Park Sports Complex	259	51.78
10	Castle Gardens	2.04	**11**	Castle Gardens	193	38.58
12	Chapel Woods	2.09	**13**	Chapel Woods	196	39.25
18	Churston Ferrers O/S	2.20	**22**	Churston Ferrers O/S	213	42.68
5	Claylands OS	1.85	**3**	Claylands OS	169	33.80
82	Clennon Valley	3.30	**82**	Clennon Valley	313	62.69
41	Cliff Gardens	2.57	**35**	Cliff Gardens	232	46.49
95	Cockington Country Park	3.96	**95**	Cockington Country Park	415	83.09
96	Cockington Park	4.44	**96**	Cockington Park	449	89.76
11	Coombe Park	2.09	**10**	Coombe Park	193	38.50
69	Corbyn Head	2.91	**70**	Corbyn Head	274	54.89
54	Coronation Park	2.73	**52**	Coronation Park	248	49.63
71	Cricketfield Road RG	3.00	**69**	Cricketfield Road RG	274	54.82
46	Crownhill Park	2.60	**42**	Crownhill Park	239	47.84
70	Daddyhole Plain	2.94	**64**	Daddyhole Plain	264	52.88
34	Davis Avenue Play Area	2.45	**28**	Davis Avenue Play Area	223	44.53
8	Easterfield R/G	2.00	**7**	Easterfield R/G	187	37.35
52	Elberry Headland/Pitch and Putt	2.72	**51**	Elberry Headland/Pitch and Putt	246	49.29
42	Ellacombe Park	2.57	**45**	Ellacombe Park	241	48.11
21	Furzeham Middle Green	2.29	**21**	Furzeham Middle Green	213	42.56
55	Furzeham R/G	2.75	**38**	Furzeham R/G	236	47.11
61	Galmpton Common	2.78	**56**	Galmpton Common	252	50.47
93	Goodrington Park	3.72	**87**	Goodrington Park	336	67.27
57	Goodrington Village Green	2.77	**65**	Goodrington Village Green	268	53.51
58	Grange Fields	2.77	**66**	Grange Fields	273	54.50
3	Great Parks	1.75	**4**	Great Parks	170	34.10
90	Grove Woods	3.61	**92**	Grove Woods	385	77.08
68	Hampton Lands	2.89	**75**	Hampton Lands	286	57.14
38	Hartop OS	2.52	**36**	Hartop OS	234	46.82
17	Haytor Road Play Area	2.18	**15**	Haytor Road Play Area	200	40.03
23	Hollicombe Park	2.37	**30**	Hollicombe Park	226	45.16
30	Ilsham Valley R/G	2.41	**37**	Ilsham Valley R/G	235	46.96
51	King George VI RG	2.68	**49**	King George VI RG	244	48.72
32	Kings Gardens	2.43	**26**	Kings Gardens	219	43.71

Original assessment			Weighted assessment			
Rank	Name	Overall Ave	Rank	Name	Index	Score %
24	Kitson Park	2.37	29	Kitson Park	226	45.13
80	Memorial Gardens	3.17	77	Memorial Gardens	292	58.44
2	Monastery Woods	1.66	1	Monastery Woods	155	30.95
92	Occombe Woods	3.71	94	Occombe Woods	393	78.53
67	Oldway Gardens	2.89	58	Oldway Gardens	255	51.04
84	Paignton Green	3.36	81	Paignton Green	310	62.06
86	Palace Avenue Gardens	3.43	84	Palace Avenue Gardens	319	63.87
59	Parkfield Gardens	2.77	60	Parkfield Gardens	257	51.44
1	Parkham Park	1.55	2	Parkham Park	156	31.30
15	Petitor OS	2.13	17	Petitor OS	205	40.91
7	Preston Down Park	1.98	9	Preston Down Park	192	38.36
81	Preston Green	3.18	73	Preston Green	285	57.05
16	Preston House Gardens	2.17	14	Preston House Gardens	198	39.51
22	Preston Park	2.35	24	Preston Park	215	42.90
29	Primley park	2.41	32	Primley park	227	45.36
87	Princess Gardens	3.45	83	Princess Gardens	318	63.60
33	Queens Park	2.44	19	Queens Park	208	41.60
45	Ravenswood/Wickham Gardens	2.58	50	Ravenswood/Wickham Gardens	244	48.88
50	Rock Walk	2.67	46	Rock Walk	241	48.23
53	Rocombe Close OS	2.73	76	Rocombe Close OS	286	57.27
62	Roundham Gardens	2.79	59	Roundham Gardens	257	51.42
25	Scadson Woods	2.39	48	Scadson Woods	242	48.44
75	Sharkham Point	3.05	86	Sharkham Point	327	65.36
72	Sherwell Park	3.00	78	Sherwell Park	296	59.25
26	Shiphay Park	2.39	27	Shiphay Park	221	44.19
47	Shoalstone OS	2.60	41	Shoalstone OS	238	47.66
27	Smallcombe Play Area	2.39	31	Smallcombe Play Area	226	45.21
63	St Mary's Park	2.80	55	St Mary's Park	250	50.03
35	St Matthew's Field	2.47	33	St Matthew's Field	227	45.38
4	St Michael's RG	1.81	5	St Michael's RG	171	34.18
14	Stanley Gardens	2.12	12	Stanley Gardens	195	39.07
9	Starpitten Green	2.00	6	Starpitten Green	178	35.54
20	Steps Cross RG	2.23	20	Steps Cross RG	209	41.72
31	Stoodley Knowle RG	2.43	23	Stoodley Knowle RG	214	42.83
43	Sugarloaf	2.57	53	Sugarloaf	249	49.85
6	Summerfield Court Open Space	1.98	8	Summerfield Court Open Space	190	38.00
77	Tessier Gardens	3.07	72	Tessier Gardens	285	57.00
28	Three Beaches	2.40	39	Three Beaches	236	47.29
64	Torbay Park	2.82	63	Torbay Park	260	52.09
89	Torquay Crematorium	3.60	89	Torquay Crematorium	344	68.87
44	Torre Valley North	2.58	40	Torre Valley North	238	47.61
56	Torwood Gardens	2.76	62	Torwood Gardens	259	51.82
48	Two Parks	2.61	54	Two Parks	250	49.95
76	Upton Park	3.06	67	Upton Park	273	54.67
73	Victoria Park, Chelston	3.00	68	Victoria Park, Chelston	274	54.82
74	Victoria Park, Paignton	3.02	74	Victoria Park, Paignton	286	57.10
36	White Rock R/C	2.49	44	White Rock R/C	240	48.07
65	Windmill Hill RG	2.88	71	Windmill Hill RG	280	55.97

7.38 The Companion guide to PPG17 recommends using the simple high/low classification to provide a means of determining the most appropriate policy to each green space. It also provides a basis for linking, planning, design and maintenance.



7.39 All of the significant parks and green spaces were assessed. These are placed in their high/low classifications below.

7.40 The outcome of the quality assessment for the green spaces and the resultant local standards will be the driver for future investment priorities during the life of this strategy.

Table 7.4 Torbay Parks Quality Value Matrix

High Quality / Low Value	High Quality / High Value
Babbacombe Downs Coronation Park Cricket Road Recreation Ground Galmpton Common Grange Fields Hampton Lands King's Drive Memorial Gardens Paignton Green Sherwell Park	Abbey Park Berry Head Country Park Cockington Country Park Cockington Park Occombe Woods Tessier Gardens

Low Quality / Low Value	Low Quality / High Value
Babbacombe Downs Road Park Borough Road Open Space Castle Gardens Chapel Woods Claylands Open Space Coombe Park Crownhill Park Daddyhole Plain Davies Avenue Playground Easterfield Recreation Ground Ferrers Green Goodrington Village Green Great Parks Hartop Open Space Haytor Playground Monastery Woods Parkfield Park Parkham Park Preston Down Park Primley Park Ravenswood / Wickham Gardens Rocombe Open Space Shiphay Park St Matthew's Field St Michael's Recreation Ground Stanley Gardens Starpitten Green Steps Cross Summercourt Way Three Beaches Torre Valley North	Armada Park Astley Park Barton Downs Recreation Ground Battery Grounds Bonsey Gardens Brewery Park Brunel Woods Cary Park 1 Cary Park 2 Cary Park Sports Complex Clennon Valley Cliff Gardens Corbyn Head Elberry Headland Ellacombe Park Furzeham Middle Green Furzeham Recreation Ground Goodrington Park Groove Woods Hollicombe Park Ilsham Valley Recreation Ground King George V Recreation Ground Kitson Park Oldway Palace Avenue Gardens Petitor Open Space Preston House Gardens Preston Green Preston Park Princess Gardens Queens Park Rock Walk Roundham Gardens Scadson Woods Sharkham Point Shoalstone Pool Open Space Smallcombe Play Area St Mary's Park Stoodley Knowle Recreation Ground Sugarloaf Torbay Park Torquay Crematorium Torwood Gardens Two Parks Upton Park Victoria Park, Chelston Victoria Park, Paignton White Rock Recreation Ground Windmill Hill Recreation Ground

7.41 Evaluation of Site Quality Assessments.

7.42 The main findings of the site assessments were:

- Many community green spaces suffer from dog problems.
- Majority of sites have potential for cultural activities.
- There are very few facilities for teenagers.
- Only a few council managed sites have interpretation information.
- Majority of seats are in poor condition and not well maintained.
- There is an absence of lighting in most green spaces.
- There is an inadequate number of litter bins. Existing litter bins are often in a poor condition and incorrectly located.
- Generally poor compliance with Disability, Discrimination Act.
- Many Greenspaces have litter problems.
- Very few sites have community involvement.

7.43 A full summary of the quality site assessments findings is given in Appendix 6.

Local green space standards

7.44 In accordance with PPG17 the Council is continuing to undertake robust assessments of the existing and future needs of its communities for green space, sport and recreation. The standards, which are summarised below represent the minimum standards of the different types of green space, included sport and recreation that should be available to meet the needs of people across Torbay as a whole.

Hectares per thousand

Playing Pitches	Multi use Games Areas	Equipped Facilities for children and young people	Greenspace
1.2	**0.2**	**0.2**	**2.5**

7.45 The standards as set out above form the basis for assessing the amount of public open space, sport and recreation facilities per thousand population and will be interpreted on a pro rata basis based on the number of residents expected from any particular development. The table below converts the overall standards to equivalent square metre per person.

Open Space Requirements Per Person

Type of Open Space	Hectares per thousand population	Square metres per person
Playing Pitches	1.2	12
Multi use Games Area	0.2	2
Equipped facilities for children and young people	0.2	2
Green space	2.5	25

7.46 We audited some of the green spaces available in Torbay according to the typologies listed above. These are set out as square metres per person below:

Type of Green Space (see typologies in para 7.8)	Size (sqm)	Size (ha)	Square metres per person (area/ population)
Community Parks	337,342	33.7	2.66
Town Parks	174,131	17.4	1.37
Coastal Amenity Greenspace	3,317,711	331.8	26.19
Country Parks	3,374,995	337.5	26.64
Space For Children	45,844	4.6	0.36
Space For Young People	44,208	4.4	0.35

Note: Torbay's population 126,700. 2001 census

7.47 However, these standards are only the starting point in negotiations with developers and will not be applied in a mechanical manner. The exact requirement will depend on local circumstances including:

- The quality, quantity, type and existing provision in a particular locality.
- The economic viability of a scheme.
- The type of development.

Planning Contributions and Affordable Housing Supplementary Planning Document (LDD6)

7.48 This strategy will assist and determine where future allocations of Section 106 funding should be targeted. The strategy will help to determine whether the provision from a developer is in the form of land, where deficiencies occur, or a commuted sum where there is sufficient green space and existing facilities need to be improved. Depending on the size and type of Section

106 it could be both. The scope of Section 106 Agreements is set out in Circular 5/2005. This indicates that planning obligations may be sought to:

- Prescribe the nature of development
- Mitigate the impact of development
- Compensate for loss or damage caused by development.

Planning contributions should help us ensure that development achieves the Government's Sustainable Communities objectives.

7.49 Green space provided on site should be of a suitable size and nature for its intended purpose, safely accessible and available to the general public and capable of adoption by Torbay Council. It should be in addition to formal landscaping and any amenity space provided.

7.50 Consideration will be given using planning conditions or Section 106 Agreements to secure unrestricted public access to any green space not to be adopted by the Council.

Priorities for Section 106 Agreements

In priority order Section 106 monies will be used to improve or provide the following:

- Refurbishment of children's play areas.
- Provision of Youth facilities.
- Provision of lighting in parks and green spaces.
- Enhancement of existing parks and green spaces.
- Improvements to country parks and local nature reserves.
- Improvements to sports pitches and changing accommodation facilities.
- Maintenance of woodlands.
- Improvements to council owned allotment sites.

Type	Planning obligation provision
Formal Green Space	This covers playing fields, town parks and large green spaces which are considered on a Torbay wide basis It is likely that provision will in the form of a commuted sum. The sum will be used to provide or improve pitches, town parks or green spaces and other appropriate facilities to benefit residents across Torbay.
Informal Green Space	This covers recreational green space, including small green spaces, landscaped areas and woodlands. Provision on site will depend on: the size and character of the proposed development, its location in relation to existing green space, the character of the surrounding area. Any shortfall in on site provision will be met through a commuted sum. This will be used to provide and/or improve existing informal green space in the locality and/or elsewhere which benefits residents throughout Torbay.
Children's Play Areas	Consideration of the provision of children's play areas should be carried out in consultation with Torbay Council. This will depend on: The size and character of the proposed development, its location in relation to adjacent housing and existing green space. Opportunities for creating or improving children's play areas nearby, landscape considerations. Commuted sums are to cover the maintenance and management of any public open space provided on site for twenty years.

8.0 CONCLUSIONS - Consultation Feedback and Review

The Way Forward
Delivery and co-ordination

8.1 The Council will be the primary deliverer of the strategy. It is important that the Council and its partners with responsibility for green spaces are in a position to help deliver the strategy effectively and that any skills shortages are addressed. It is also essential for the successful delivery of the strategy that it is supported and championed by the Mayor, Councillors and senior officers in all departments.

Management Plans and Design Guidelines

8.2 Management Plans for individual green space sites are the key to the successful development of our green spaces. Most of our sites do not currently benefit from a management plan. It is important that management plans are developed for all key sites in line with the following principles:

- To be developed and implemented where possible with community participation.
- To be developed in line with available resources.
- To be developed for all appropriate sites in line with the typologies of green spaces.

8.3 Management Plans should be drafted for all sites, where appropriate by the end of the strategy timeframe.

8.4 Design Guidelines are useful tools in order to improve and maintain the quality of green spaces. Attractive, well designed and well maintained green spaces of all types are key elements of good urban design and fundamentally important to delivering places in which people will want to live.

8.5 Carefully developed urban and landscape design guidelines can help to ensure that green space, land managers and developers take full account of the need for 'place-making' and do not simply seek to produce designs at the lowest possible cost.

Management Plan Content

8.6 In addition to horticultural and ground maintenance fixed term management plans should address the following:

- The needs of the elderly.
- Climate Change (carry out risk assessments on threat to coastal green spaces including aspects such as sea-level rise, erosion, flooding and need for additional shading i.e. planting of more trees 4)

- Buildings at risk.
- Implementing water efficient systems to reduce water consumption.
- Monitoring of water quality.
- Maximising the benefits of green spaces for addressing mental health and obesity concerns.
- Avoidance of damage or disturbance to cultural, historical and biodiversity assets, especially when planning crime prevention initiatives (and the removal of inappropriate development).
- Biodiversity, to recognise, protect and enhance the value of green spaces (especially green spaces surrounding Berry Head which has SAC status and is important for Horseshoe Bats which are a protected species in which surrounding green paces are important flight paths and foraging grounds - particular care is also required to appropriately maintain corridors such as hedgerows to prevent the fragmentation of habitats).
- The need to recycle green waste and the separation of litter bin waste.
- Measures to discourage unwanted occupation of green spaces by travellers.
- Provision of youth facilities.
- Reduction on the reliance of pesticides.
- Increased use of mulches.
- Infrastructure maintenance and improvements.
- Provision of lighting for play , recreation and crime prevention.
- Provision of signage and interpretation.

Green Flag and Green Pennant Award Schemes.

8.7 We have showed how the Green Flag Award scheme was used to develop the quality audit and assessment of Torbay's parks and green spaces. The scheme represents the national standards for quality parks and green spaces and provides a benchmark against which the quality of freely accessible provision can be measured.

8.8 It is based on eight broad criteria that were defined after extensive consultation with organisations concerned with nature conservation, public safety, community health, education and children's play. They are that parks should:

- Be welcoming
- Be health, safe and secure
- Be managed in a sustainable manner
- Promote the conservation of wildlife and the built heritage
- Reflect community needs and promote community involvement

- Be well marketed in accordance with a marketing plan
- Be well managed in accordance with a clear management plan

8.9 As the criteria have been used in the formulation of this strategy the Council should seek to gain accreditation as a measure of its intent to improve its green spaces.

8.10 The Green Pennant Award applies in a similar way to community gardens, allotments and green spaces managed by community groups.

Current Document

8.11 The final Greenspace Strategy was adopted in on 14 December 2006. However we welcome your views on this current document, particularly with regard to the vision, aims and objectives set out in Section 2. Your views and other relevant information will be carefully considered in the review of this Strategy and the accompanying Action Plan in Part 2.

Performance Monitoring and Review

8.12 The strategy is very much a live document with clear objectives and will be a foundation upon which Torbay's valued green spaces should improve in the next ten to twenty years. A monitoring framework by which to monitor progress in, and the effectiveness of this documents implementation will be monitored by:

- Reviewing the implementation of the Strategy on an annual basis, involving officers and partners.
- Monitor progress by means of assessing the action plan targets and time scales.
- Consultations and surveys with a range of individuals and groups.

GLOSSARY

CABE Space

CABE Space was set up with funding from the Office of the Deputy Prime Minister (ODPM), as a response to the recommendations of the Urban Green Spaces Taskforce Report 'Green Spaces, Better Spaces'. As set out in the ODPM's published response to the task force, Living Spaces, CABE Space was set up with six main objectives;

- Act as national champion for urban parks and green spaces, highlighting their role in improving quality of life and delivering the urban renaissance.
- Work closely with relevant public sector and other bodies to develop strategies, programmes and action.
- Champion the need for higher funding priority to influence funding decisions at all levels of government and provide advice on funding sources.
- Stimulate greater involvement by the private sector, local groups and voluntary organisations through new and existing partnerships. Promote and develop skills and training.
- Undertake research and develop information, quality standards and good practice.

DCLG &ODPM

The Department for Communities and Local Government (DCLG) was created on 5 May 2006 with a powerful remit to promote community cohesion and equality, as well as responsibility for housing, urban regeneration, planning and local government. The DCLG has a powerful new remit to promote community cohesion and equality, as well as responsibility for housing, urban regeneration, planning and local government. It unites the communities and Civil Renewal functions previously undertaken by the Home Office, with responsibility for regeneration, neighbourhood renewal and local government (previously held by the Office of the Deputy Prime Minister).The new web address domain name is: www.communities.gov.uk

Local Standards: Areas per person

These figures are useful but there are other factors to take into account. For example large wards include farmland where often there is country walks and areas where the public can access.

Local Standards: Super Output Areas

These are made up from an average population or household. There are some large Super Output Areas but the majority of housing is compacted

into one section and the rest of the Super Output Area is made up of farmland or public land. This is particularly evident in the Blatchcombe, Cockington with Chelston and Churston with Galmpton wards.

Local Standards: The Total Public Space This figure includes space for children e.g playgrounds, skates and multi use games areas.

Local Standards: Density figures The density figure equates to the number of people per hectare.

MUGA MUGA-Multi Use Games Area

Section 106 agreements S106 Agreements are legal undertakings by a developer to provide infrastructure or pay a sum of money relating to the granting of planning permission. The scope of S106 Agreements is set out in Circular 5/2005.

References

ODPM: Assessing needs and opportunities: A companion guide to PPG17(July 2002)
ODPM: Planning Policy Guidance 17: Planning For Open Space, Sport and Recreation (July 2002)
CABE Space : Green Space strategies, a good practice guide 01 May 2004

APPENDIX 1: VISIONING EXERCISE

Background

The outline of the approach to the strategy had been established and one of the key tasks identified was to establish a vision for Torbay's green spaces which would help to focus the work of the Strategy Group.
To achieve this aim a small group of key people who have a knowledge and interest in Torbay's green spaces were assembled to discuss and deliver a 'Vision' for the future on which the strategy could be based.

Members of the group were:
Len Croney- CABE Space Strategic Enabler
Richard Taylor-Project Manager
Councillor Mrs J. Cope
Councillor C. Charlwood
Councillor I. Doggett
Tim Eley, Chair, Bay Blooms
Paul Osborne, Senior Landscape Architect
Tracy Brooks, Strategic Planner
Dominic Acland, Director, Torbay Coast and Countryside Trust
Alison Waldren, Groundwork, Plymouth

After considering a number of possible generic issues it was decide that the main theme supporting the strategy would be

'Getting more use from green space by local people'

This theme would tie in with the following Council's corporate aims:

- Safety
- Appearance
- Perception
- Addressing neglect

The visionary group felt that 'Appearance' would be paramount to encouraging future use of green space and that the strategy should give priority to actions that supported this.
The main focus for the strategy should be Local People, with a balanced approach to all types of users i.e. Young people, dog walkers, older people, tourists, families and school parties.

Priorities for Action

- Undertake a Quality /Character Assessment to establish a wider picture of the green space estate. Produce a data base to include information on accessibility.
- Identify individual green spaces with specific usage potential to provide areas of 'Specialist' provision, in accordance with the potential of green spaces to meet particular needs.
- Establish a bay wide development plan for green spaces identifying potential for improving appearance, with particular reference to how maintenance is undertaken.
- Establish a coherent network of user groups. Engage these in encouraging more use from green spaces.
- Run a public relations campaign extolling the value of green space in Torbay. To encourage involvement and elicit feedback on public aspirations for their green spaces.
- Improve signage and interpretation.
- Develop a coordinated approach to running events in green spaces, including encouraging events where little happens at present and engaging local communities in running events.
- Identify particular green spaces that have the potential to significantly increase usage for development bids.
- Develop a set of generic improvements that could be applied to green spaces to encourage use e.g. lighting, public art.

The strategy would cover a 20 year period with a 5 year action plan and tie in with the emerging Local Development Framework timescale.

Vision Process Key Points

- Very early on in strategy process.
- Diverse and influential.
- Small group of key players.
- A lot of political discussion and involvement from outset.
- Very corporate.
- Well facilitated. Achieved a great deal.
- Some outcomes probably not what was expected.
- Challenged existing thinking and expectations right at the beginning. Made it feel as though the strategy could be the instrument of major change.
- Has helped to shape strategy audit work i.e. could customise Green flag criteria.

APPENDIX 2: OUTLINE OF SUPPORTING STRATEGIES

Community Plan

The adopted **Community Plan for Torbay 'Turning the Tide for Torbay 2007-2027'**, builds on the previous plan 'Teaming up for Torbay's Future'. It outlines the Partnership's vision for Torbay to 2027, bringing together the views of representatives from the public, private, community and voluntary sectors. The LDF will provide the spatial expression of this document and will therefore relate closely to it.

The current Community plan identifies a vision for Torbay in which

Our Ambition for Torbay

a prosperous area known to be a great place to live and learn and grow up in

an area where we compete on a world stage in our traditional industries of tourism and fishing

an area where communities know and support each other and enjoy some of the best services in England

an area that widens opportunities and provides high quality employment and retains our young people in the Bay

an area that celebrates the differences in the three towns, builds on the strengths of these towns and brings back the feel good factor

The Greenspace Strategy contributes directly or indirectly to the key themes of the current community plan:

Pride in the Bay
Learning and skills for the future
The New Economy
Stronger Communites

Our core values are:

Customer Focus

- We are committed to putting the customer at the centre of all our services.
- We will seek the views of the people of Torbay so that we can better meet their needs.
- We will celebrate diversity and promote equal opportunities in our service delivery, our employment practices and through our partnerships.
- We will ensure that we are transparent in our decision making.

Service Delivery

- We will consider community and environmental impact when making decisions.
- We will aim to continuously improve our services, particularly those which are our priorities

and seek to be more efficient.

- We will work with all our partners to deliver better quality services. We will value the contribution that staff make to services and ensure that they are well trained and effective in their jobs.

Heritage Strategy

This strategy identifies all of the heritage assets in Council ownership and assesses their condition and needs. From this process all of the assets were placed in a Heritage Priority List. Rock Walk and Princess Gardens are identified as the Council's first and third priorities for developing heritage projects in relation to Historic Gardens. Brunel Park, Watcombe, Cockington , Park, Cockington Coastal walks, Lupton Park, South Devon Area of Outstanding Natural Beauty around Brixham and Torre Abbey Gardens are also included in the Landscapes, Parks and Gardens Heritage Action Plan.

The strategy objectives are:

- To protect and enhance historic buildings, archaeology, biodiversity, geology, landscapes and museum collections of national and international significance for the benefit of future generations.
- To protect and enhance locally and regionally important heritage features including our social heritage and oral history.
- To create strong partnerships between the public, private and voluntary sectors and a coordinated programme to protect and enhance our heritage. locally, regionally and nationally.
- To encourage educational establishments and programmes to provide learning opportunities related to our heritage.
- To support organisations applying organisations applying for funding and maximise the opportunities for external funding to benefit our heritage.

Cultural Strategy

The strategy's vision is 'To create a more vibrant and diverse mix of cultural activities in Torbay's outstanding location which are recognised, valued, and taken up by local people and visitors alike'.

The strategy priorities are:

- Aim to meet the cultural needs of the community.
- Increase the range of cultural opportunities especially by meeting the needs of Torbay's young people, and those traditionally excluded and by developing an environment to encourage sustainable cultural industries.

- Giving culture a higher profile.
- To increase people's access to and understanding of cultural opportunities and to improve the quality of what is currently available.
- Celebrate Torbay's Cultural successes.
- To raise awareness of and celebrate Torbay's cultural achievements and cultural Heritage.

The strategy feeds directly into the Greenspace Strategy's vision through its aims to increase activities in parks and use them as spaces for learning.

Streetscape Strategy

The provision of high quality public spaces in the centre of our towns and in the neighbourhoods surrounding these areas, is essential to improve the quality of life of all the people who use these spaces.

Well designed, well ordered and well maintained streets and public areas are an expression of a confident and caring community. This, in turn, engenders public pride and economic confidence. Spaces that are user friendly, easy to get around and secure are well used. This is particularly important in Torbay, as our towns and public spaces are a shop window to our visitors. Providing high quality places will encourage visitors to stay, linger and return to Torbay.

The twenty seven local centre and numerous local open spaces, will need to be carefully assessed and improved through management regimes and local interventions. Community will be essential to ensure that these community spaces are successful and meet the needs and aspirations of the people that use them. Environmental improvements in these areas should be carefully developed.

Good quality urban and landscape design must be an essential component of all street and public open space improvements, which must form part of an overall urban design strategy that promotes high quality throughout the built environment. If these spaces are then not properly maintained, the improvements are likely to be very short lived.

Play Strategy

The need for a Play Strategy was identified as part of the Community Plan Action Plan and the Cultural Strategy. These plans identified the need for play provision and that are accessible for all.
The strategy consultation identified the need to have play facilities and services close to main residential areas. The area demographics were mapped to ensure that play provision is focused in the areas where these are needed most.

The review of the current provision through demographic profiling shows opportunities to rationalise the more formal play areas now located in inappropriate areas, and identifying new natural environment informal spaces close to high populated areas. Torbay is rich in natural environment

spaces and this offers Torbay opportunities to develop new innovative play spaces often lacking in more urban areas.

Playing Pitch Strategy

In 2003 a specialist sport and leisure consultancy were appointed to provide an assessment of the adequacy of Torbay's playing pitches. The sports taken into account were:

- Football
- Rugby
- Cricket
- Hockey

The strategy recommendations included:

- Develop firm policies in the Local Plan to ensure that public open space is secured and prevent further loss of grass pitches.
- Investigate the potential of securing dual use of school pitches to address shortfall of pitches.
- Examine the potential for developing new football pitches and a cricket pitch at Barton Valley (designated in Local plan).
- Improve changing facilities at playing fields across the district.
- Maintain all sites in the district to ensure that provision does not deteriorate and to allow for rest and recovery of existing pitches.
- Examine the potential of converting adult football pitches to junior football pitches.
- Examine the potential of developing new junior football and rugby pitches.
- Examine the potential for securing new pitches in Brixham for junior football and rugby through Section 106 agreements.

The future provision of pitches should be balanced to meet the needs of the community and protected for future generations. It is essential that all partners work together to meet the needs and recommendations of the strategy.

Sports Strategy

In 2003 Torbay developed its first Sports Strategy after a period of extensive consultation. Torbay's Sports Strategy 2007 - 2013 'A Plan for Sport' aims to review the actions achieved since the development of the strategy and identifies the future priorities in sport across a range of organisations. This will take into account the new priorities identified in the community plan and the new Local Area Agreement for Torbay.

The Strategy's vision for Sport is to make Torbay…
'a place where the majority of people, of all ages and backgrounds, regularly take part in physical activity; where local people achieve sporting success at their chosen level; where incidences of ill-health are much lower than the national average, and where the range and quality of sports' facilities and opportunities attracts inward investment'

The Strategy's aims/priorities over the next 5 years are to:

- Increase the health and well being of people in Torbay.
- Increase the numbers of volunteers involved in sport
- Increase access to good quality sports facilities and activities at all levels
- Raising the profile of sport

The Strategy's objectives are:

- To develop, in partnership, a range of quality sports facilities improving access.
- To increase the percentage of 5 - 16 year olds engaged in two hours a week minimum of high quality PE and school sport within and beyond the curriculum.
- To develop targeted consultation with all six strands of the equality and diversity sectors including those on low incomes to ensure their needs are met.
- Under Section 17 of the Crime and Disorder Act, address issues through the provision of sport as identified by the Community Safety Partnership.
- To increase the percentage of adults in Torbay participating in at least 30 minutes of moderate intensity sport and active recreation (including walking) on 3 or more days a week by 1% year on year.
- To assist partners to create and sustain opportunities for all people to participate in sport at whatever level they wish.
- To create a clear pathway for individuals or teams from Torbay to reach sporting success on a regional, national and/or international level.
- To support coach education and development programmes.
- To support the voluntary and club sector to deliver sports activities at a range of levels.
- To maximise external, and grant funding for the provision of sports facilities as identified in Torbay's needs analysis (attached in appendix 1)
- To raise the profile of sport in Torbay.

Tree and Woodland Strategy

The strategy covers the period from 2003-2008.

Many trees are long lived, offering enjoyment and a diversity of benefits to residents and visitors both today and in the future. To ensure their huge contribution to the urban landscape continues it is essential that their needs and requirements are understood and planned for.

The aim for amenity tree management is to provide a sustainable amenity for the benefit of the residents of Torbay. Where large trees exist their visual and historical importance effect should be maintained as long as they are safe. A planned new and replacement planting is necessary to retain and improve upon the current tree resources.
The Council aim to establish and encourage new individual and urban tree planting.

All relevant trees in parks and green spaces will be surveyed to prioritise replacement planting of declining tree populations. Replacement trees are to be species of varieties to maintain and enhance the design and character of the park or green space.

By developing a strategic approach to tree management it will be possible to identify those resources required to implement action and also to maximise grant and other income.

There is also a recognised need to increase public education of the importance of trees in our in our environment and involve residents in decisions on trees in their area.

The Older Persons' Strategy

An Older Persons' Strategy is currently being developed. This will be a framework document to ensure a networked approach to planning and delivering services that impact on the lives of older people. Successful implementation of the strategy will enable the following outcomes to be achieved:

- Increased independence, engagement, and choice in more inclusive communities.
- More healthy, active living.
- Fairness in work and later life.
- Increased economic well being.
- Higher quality, dignified support and care when needed.

The strategy shares facts, ideas and a proposed framework that links the Community Plan, other plans and new ways of doing things. It suggests a new role for the Older Persons Partnership Board and Local Strategic Partnership.

The aim of the strategy is to create a framework that enables older people to unlock the potential for them to play an even greater role, recognising and valuing the vital contribution older people can make. It also aims to enable all of us to prepare more effectively for new horizons, expectations and opportunities in later life and, if and when help is needed, that services offer higher quality, dignified support and care.

A range of initiatives and plans already exist in Torbay which impact on the quality and well being of older people e.g. Cultural Strategy The Older Persons Strategy will contain many which will link with and have an impact on this strategy

APPENDIX 3: SUMMARY OF THE MAIN NATIONAL POLICIES ON GREENSPACE

Planning Policy Guidance (PPG17): Planning for Open Spaces, Sport and Recreation ODPM (July 2002)

Planning Policy Guidance notes set out the Government's national policies on different aspects of planning. This document replaces Planning Policy Guidance Note 17, published in 1991. This document stresses the importance of Local Authorities undertaking robust open space audits and needs assessments to identify open space that should be protected and identifying where there is a need for additional or improvements to open space.

Assessing needs and Opportunities: A Companion Guide to PPG17, ODPM (2002)

This guide reflects the Government's policy objectives for open spaces, sport and recreation, as set out in PPG17. The guide:

- Seeks to build on examples of existing good planning practice, whilst also taking account of the recommendations of the Government's Urban Green Spaces taskforce and the requirement for local authorities to prepare community strategies.
- Sets out how Local Authorities can use the planning system to help deliver accessible high quality and sustainable open access and sport and recreational facilities which meet local needs and are valued by local communities
- Relates directly to the Best Value regime and the management and maintenance of publicly owned open spaces and sport and recreation facilities.

Green Spaces, Better Places, Final Report of the Green Spaces Taskforce, DTLR (2002)

This report has four parts:

- Parks and open spaces and urban life (the benefits urban parks and green spaces bring).
- Challenges and responses (how problems affecting urban parks and green spaces can be overcome).
- Creating green space networks (good practice examples).
- Making it happen (delivering a wider vision for 'liveable', sustainable modern towns and cities.

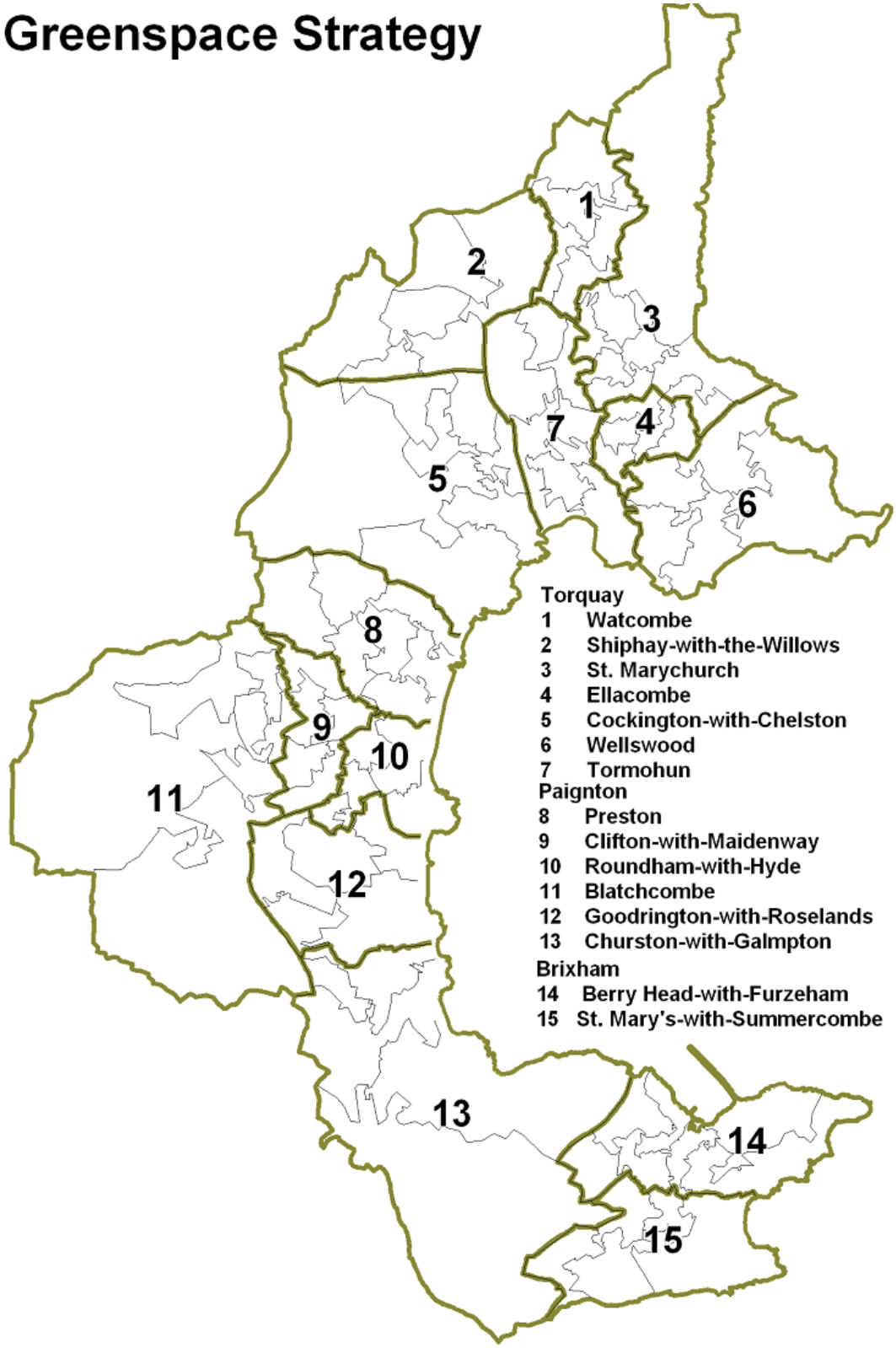
Living Places- Cleaner, Safer, Greener ODPM (October 2002)

This white paper sets out the government's approach to delivering cleaner, safer, greener public spaces. It explains why public spaces are important and maps the policies of the departments

responsible for public space. It sets out the role and responsibilities of local authorities and the measures the government will take to deliver this agenda.

In the light of the new national agenda a range of funding streams have become available for local authorities and local communities to bid for in order to provide new open spaces and restore existing ones.

APPENDIX 4: WARD PROFILES



TORQUAY

1.Watcombe

Population: 7,359
Hectares: 196
Space for Children: 5,951
Total Public Space: 186,797
Density: 37.5
% of Public Green Space: 9.53

Greenspace

Barton Downs Recreation Ground *(46)
Brunel woods *(74)
Firlands Road open space
Golden Park
Rocombe Close open space *(57)
Seymour Lane open space
Starpitten Green *(36)
Steps Cross Recreation Ground *(42)

Playgrounds

Barton Downs
Starpitten
Salisbury Avenue
Steps Cross
Sutherland Drive MUGA

2. Shiphay with the Willows

Population: 8,252
Hectares: 415
Space for Children; 5,154
Total public space: 305,015
Density: 19.88
% of public green space: 7.35

Greenspace

Brown Bridge
Glebeland Way Open Space
Kitson Park *(45)
Shiphay Park *(44)
Torquay Crematorium *(69)

Playgrounds

Centenary Way
Condor Drive, the Willows
Exe Hill
Glebeland Way
Huntacott Way
Kitson Park
Shiphay Park
South Park

3. St Marychurch

Population: 11,351
Hectares: 559
Space for Children: 8229
Total Public Space: 1,735,420
Density: 20.31
% of Public Green space: 31.05

Greenspace

Babbacombe Downs *(59)
Babbacombe Downs Road Park *(41)
Cary Park 1 *(51)
Cary Park 2 *(48)
Cary Park Sports complex *(52)
Coronation Park *(50)
Easterfield Recreation Ground *(37)
Happway Road Open Space
Hampton Lands *(57)
Hartop Open Space *(47)
King George V Recreation Ground *(49)
Petitor Open Space *(41)
Quinta Road
Tessier Gardens *(57)
Valley of Rocks
Williams Field

Playgrounds

Cary Park
Haytor *(40)
Happaway Road
Plainmoor

4. Ellacombe

Population: 7,358
Hectares: 96
Space for Children: 4,105
Total public space: 89,425
Density: 76.65
% of public green space: 9.32

Greenspace
Brewery Park *(65)
Belmont Park
Castle Gardens *(39)
Ellacombe Green
Ellacombe Green *(48)
Stentiford Hill
Woodlands at Stentiford Hill
Warberry Copse

Playgrounds
Alpine Road
Brewery Park
Ellacombe Green
Stentiford Hill

5. Cockington with Chelston

Population: 11,116
Hectares: 742
Space for Children: 2,140
Total Public Space: 2,365,224
Density: 14.98
% of public green space: 31.88

Greenspace
Ashfield Green
Armada Park *(61)
Cockington Country Park *(83)
Cockington Park *(89)
Corbyn Head *(55)
Crownhill Park *(48)
Kings Gardens *(44)
Markham Plantation
Mallock Road
Preston park *(43)
Sherwell Park *(59)
St Matthew's Field *(45)
Two Parks *(50)
Torquay Recreation Ground
Torre Station/ Rowcroft land
Torre Valley North *(48)
Torre Valley South
Victoria Park *(55)

Playgrounds
Armada Park
Broadpark
Mallock Road
Victoria Park

6. Wellswood

Population: 7,621
Hectares: 405
Space for Children: 0
Total Public Space; 976,046
Density: 18.77
% of Public Green space: 24.04

Greenspace
Bishops Walk
Daddyhole coastal woods
Daddyhole Plain *(53)
Hopes Nose
Ilsham Marine Drive
Ilsham Valley Recreation Ground *(47)
Lincombe Woods
Manor Gardens
Marine Drive Coastal land
Oxlea Copse
Rock End Walk/Peaktor Gardens
St Johns Wood
Stoodley Knowle Recreation Ground *(43)
Thatcher Point
Torwood gardens *(52)
Wellswood Park

7. Tormohun

Population: 10,934
Hectares: 302
Space for Children: 1,065
Total Public Space: 365,070
Density: 36.21
% of Public Green space: 12.09

Greenspace
Abbey Park *(69)
Abbey Meadows
Brunswick Square
Cricketfield Road *(65.14)
Chapel Woods *(43.8)
Daison Woods
Memorial Gardens *(64.86)
Princess Gardens *(73.34)
Rock Walk *(54.94)
Stantaway Hill
Tor Abbey Education Gardens
Upton Park *(62.16)
Windmill Hill Recreation Ground *(59.04)

Playgrounds
Stentiford Hill
Upton Park
Windmill Hill Skatepark

PAIGNTON

8. Preston

Population 10,281
Hectares: 319
Space for Children: 1,183
Total Public Space: 1,152,120
Density: 32.23
% of public green space: 36.12

Greenspace
Coombe Park *(39)
Hollicombe Headland
Occombe Woods *(79)
Preston House Gardens *(40)
Oldway *(51)
Parkfield *(51)
Preston Green *(57)
Preston Park *(43)
Scadson Woods *(48)
Shorton Valley Woods

Playgrounds
Wills Avenue

9. Clifton with Maidenway

Population: 7,043
Hectares: 143
Space for Children: 980
Total Public Space: 29,303
Density: 49.25
% of public green space: 2.05

Greenspace
Monastry Woods *(31)
Primley Woods
Primley Park (on boundary with Blatchcombe ward)
Stanley Gardens *(39)

Playgrounds
Berry Drive
Stanley Gardens

10. Roundham with Hyde

Population: 7,096
Hectares: 155
Space for Children
Total public space: 1,984
Total public space: 170.357
Density: 45.78
% of public green space: 10.99

Greenspace
Cliff Gardens *(56)
Queens Park *(42)
Palace Avenue Gardens *(64)
Roundham Gardens *(51)

Victoria Park *(57)
St Michael's Recreation Ground *(34)
Wickham / Ravenswood Gardens *(49)

Playgrounds

St Michael's Recreation Ground
Victoria Park

11. Blatchcombe

Population: 10,165
Hectares: 1103
Space for children: 7,132
Total Public green space: 273,854
Density: 9.22
% of public green space: 2.48

Greenspace

Borough Road *(41)
Blackthorn Way
Collaton St Mary
Claylands
Great Parks *(34)
Primley Park *(45)
Ramshill Road

Playgrounds

Borough Road
Great Parks
Mulberry Close
Queen Elizabeth Drive
Primley Park
Redwell Road
Smallcombe Road

12. Goodrington with Roselands

Population: 6,873
Hectares: 319
Space for Children: 725
Total Public Space: 273,854
Density: 21.55
% of public green space: 17.05

Greenspace

Claylands *(34)
Clennon Valley *(63)
Goodrington Park *(67)
Goodrington Village Green *(54)
Grange Fields *(55)
Land at Lancaster Drive
Three Beaches *(47)

Playgrounds

Claylands
Haytor Drive
Lancaster Drive

13. Churston with Galmpton

Population: 6,793
Hectares: 1005
Space for Children; 3,961
Total Public Space: 1,617,575
Density: 6.76
% of public green space: 16.10

Greenspace

Churston War Memorial Fields
Elberry Headland *(49)
Churston Ferrers Green *(43)
Goodrington Quarry
Grove Woodlands *(77)
Sugarloaf *(50)
Waterside
White Rock Recreation Ground *(48)

Playgrounds

Cherrybrook
Davies Avenue *(45)
Hookhills/hound Tor
Hookhills/Freshwater Drive

BRIXHAM

14. Berry Head with Furzeham

Population: 10,157
Hectares: 339
Space for Children Space: 2,421 sqm
Total Public Space: 611,673 sqm
Density: 29.96
% of public green space: 18.04

Greenspace
Astley Park *(44)
Battery Gardens *(68)
Berry Head Country Park *(78)
Bonsey Gardens *(48)
Brixham Rugby Football Club
Furzeham Middle Green *(43)
Furzeham Recreation Ground *(47)
Parkham Park *(31)

Playgrounds
Astley Park
North Boundary Road
Shoalstone open space *(48)
Washbourne Close

15. St Mary's with Summercombe

Population: 7,302
Hectares: 295
Space for Children: 1,268
Total public space: 231,110
Density: 24.75
% of public green space: 7.83

Greenspace
St Mary's Park *(50)
Sharkham Point *(65)
Summercourt Way *(38)

Playgrounds
Rowan Way
St Mary's Park

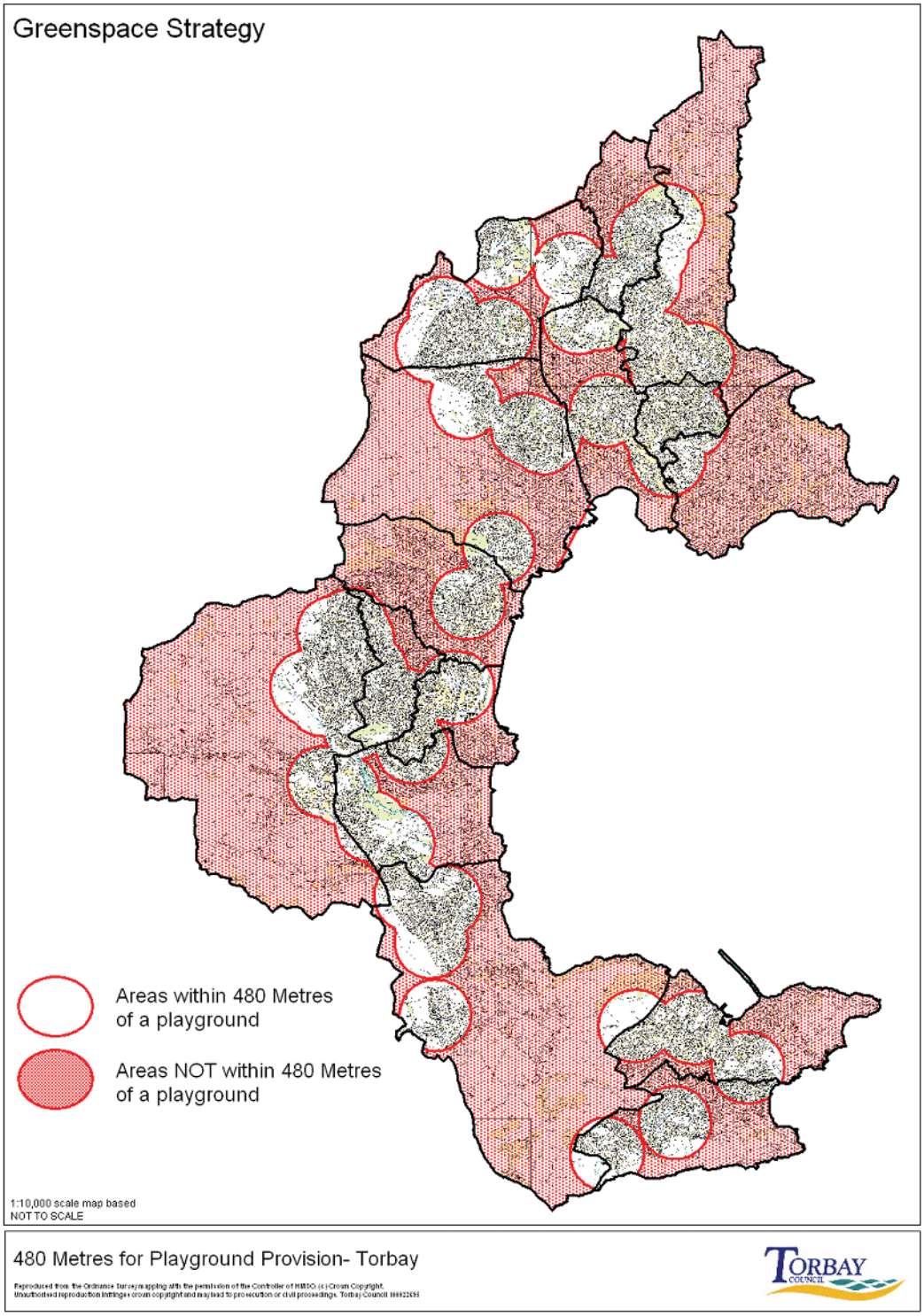
Notes

An asterisk (*) indicates the weighted score where a site assessment audit had been carried out.

The density figure is the population of the ward divided by the size (hectares).

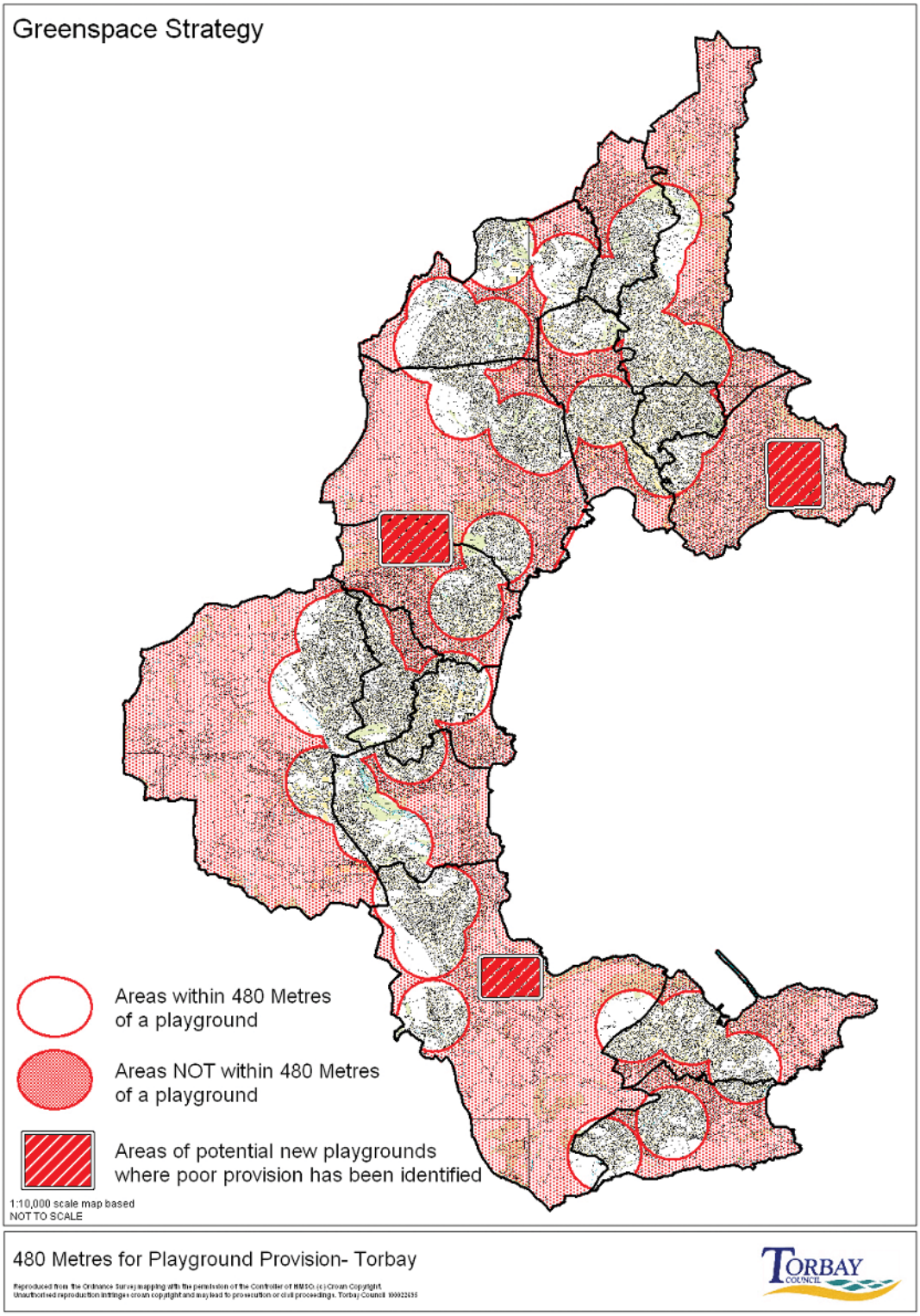
APPENDIX 5: PROVISION MAPS

Playground Provision

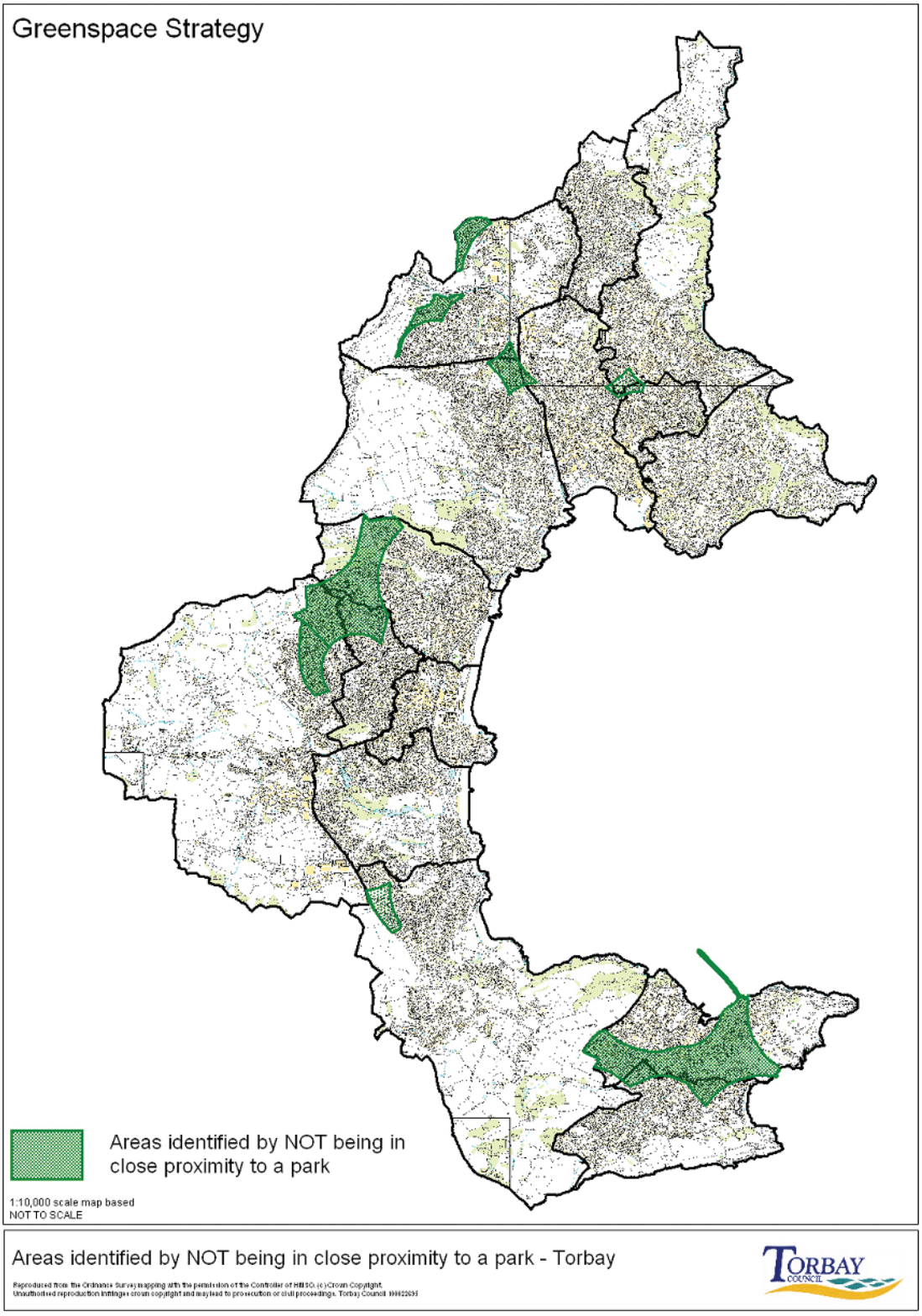


Playground Provision & Potential New Sites

Map highlighting playground provision along with potential new playgrounds where there is identified insufficient facilities.

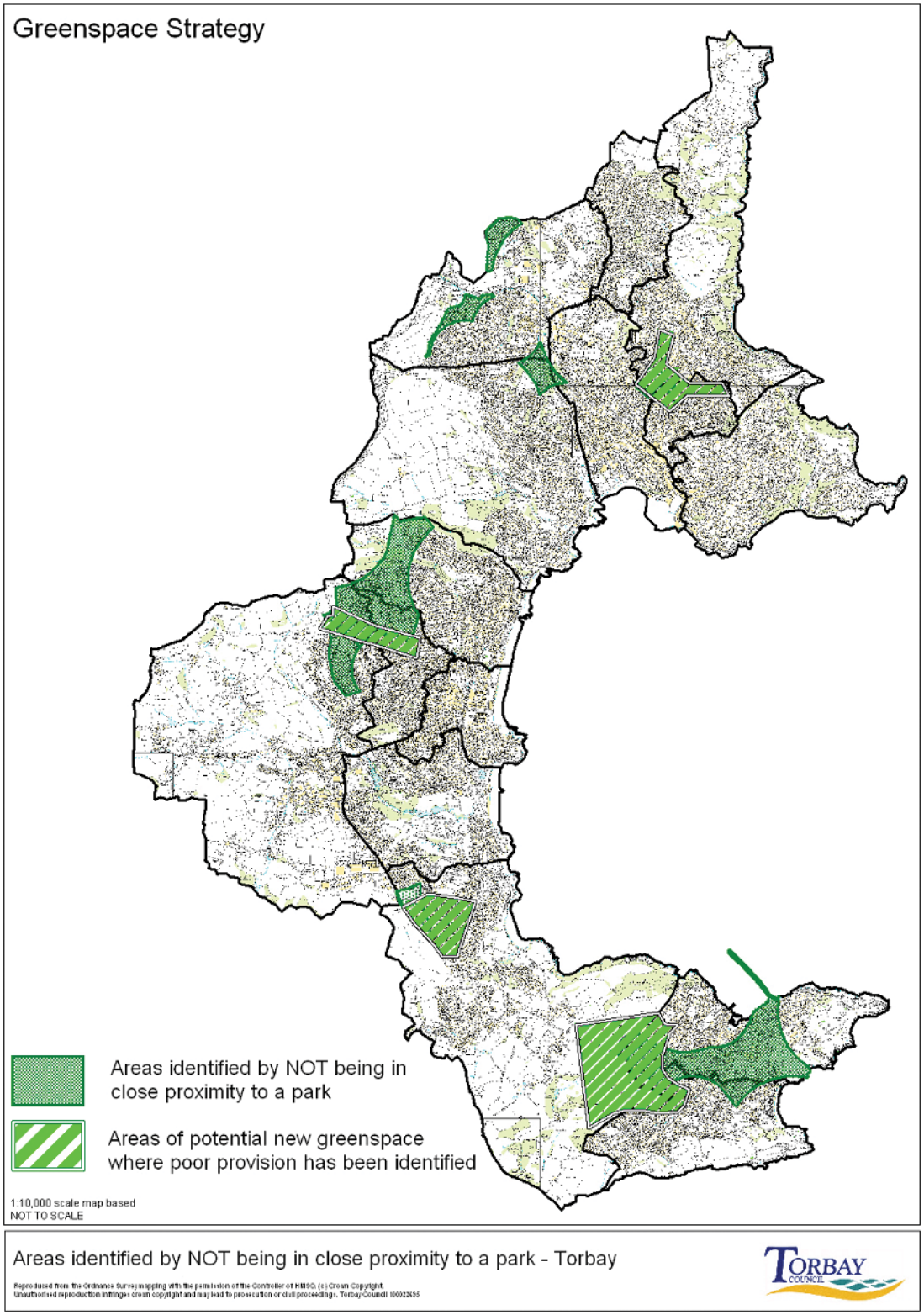


Insufficient Greenspace



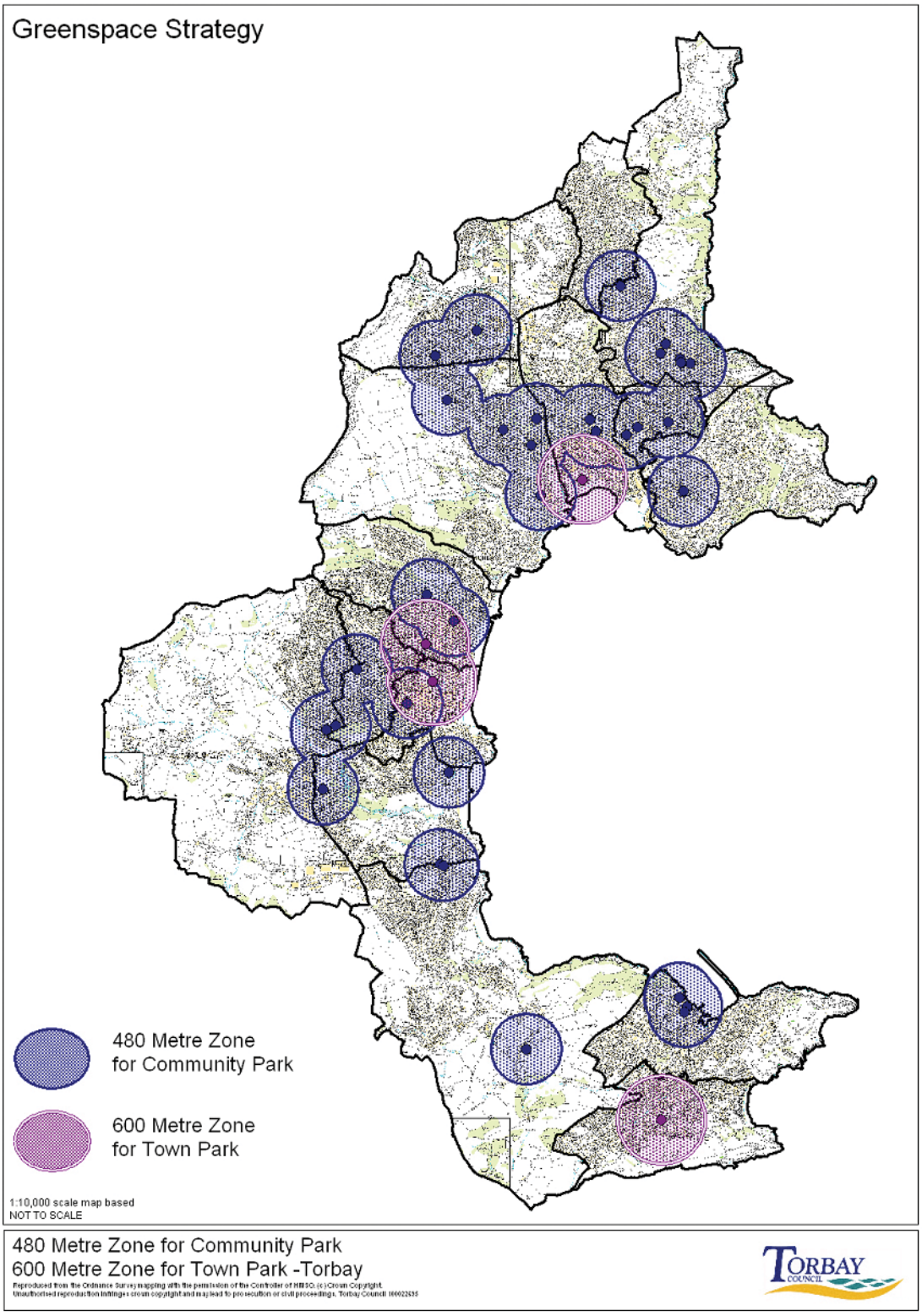
Insufficient Greenspace & Potential New Areas

Map highlighting areas not in close proximity to a park along with potential new sites.



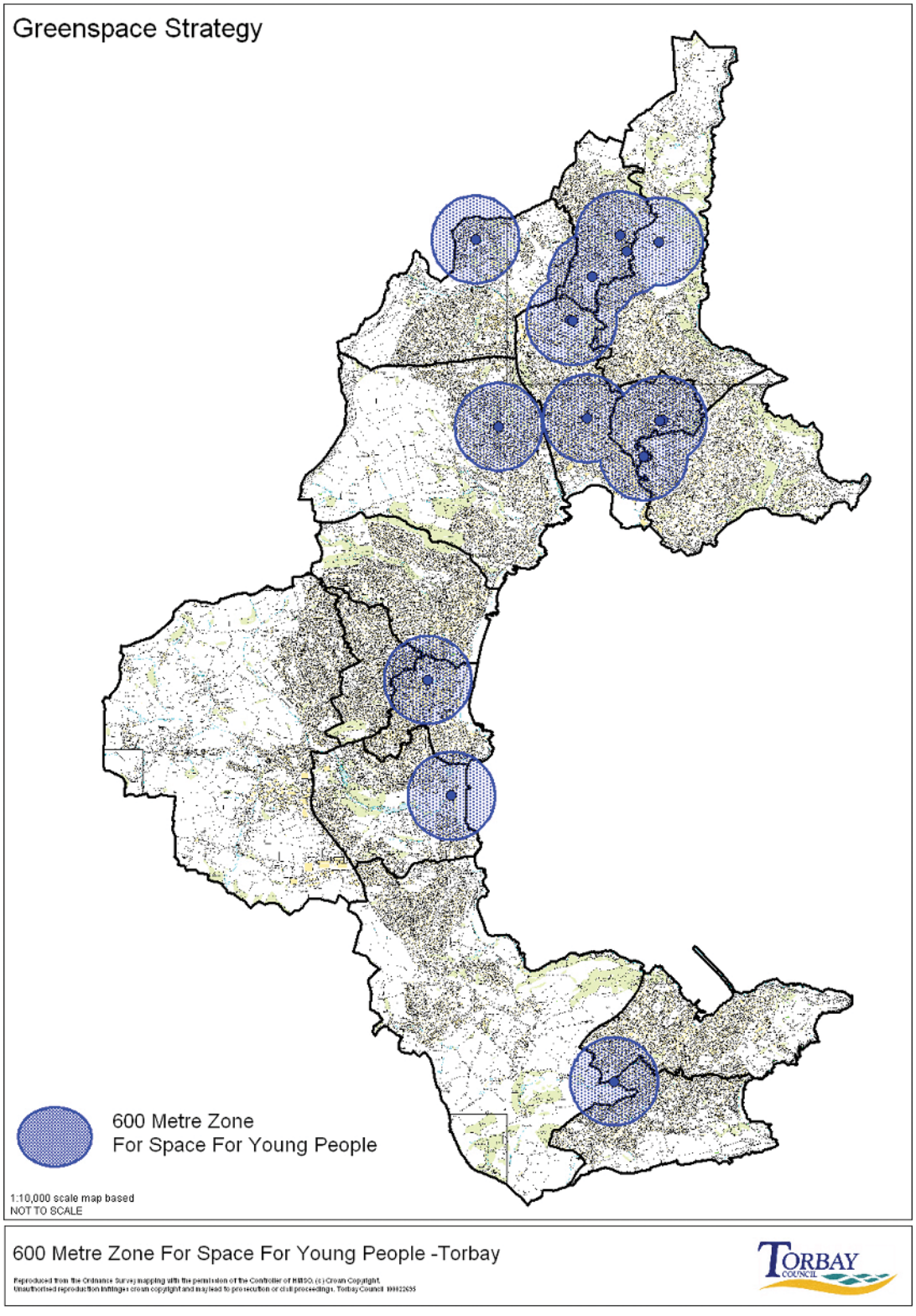
Community and Town Park Provision Map

Map showing 480-metre buffer zone around community parks and 600-metre buffer zone around town parks.



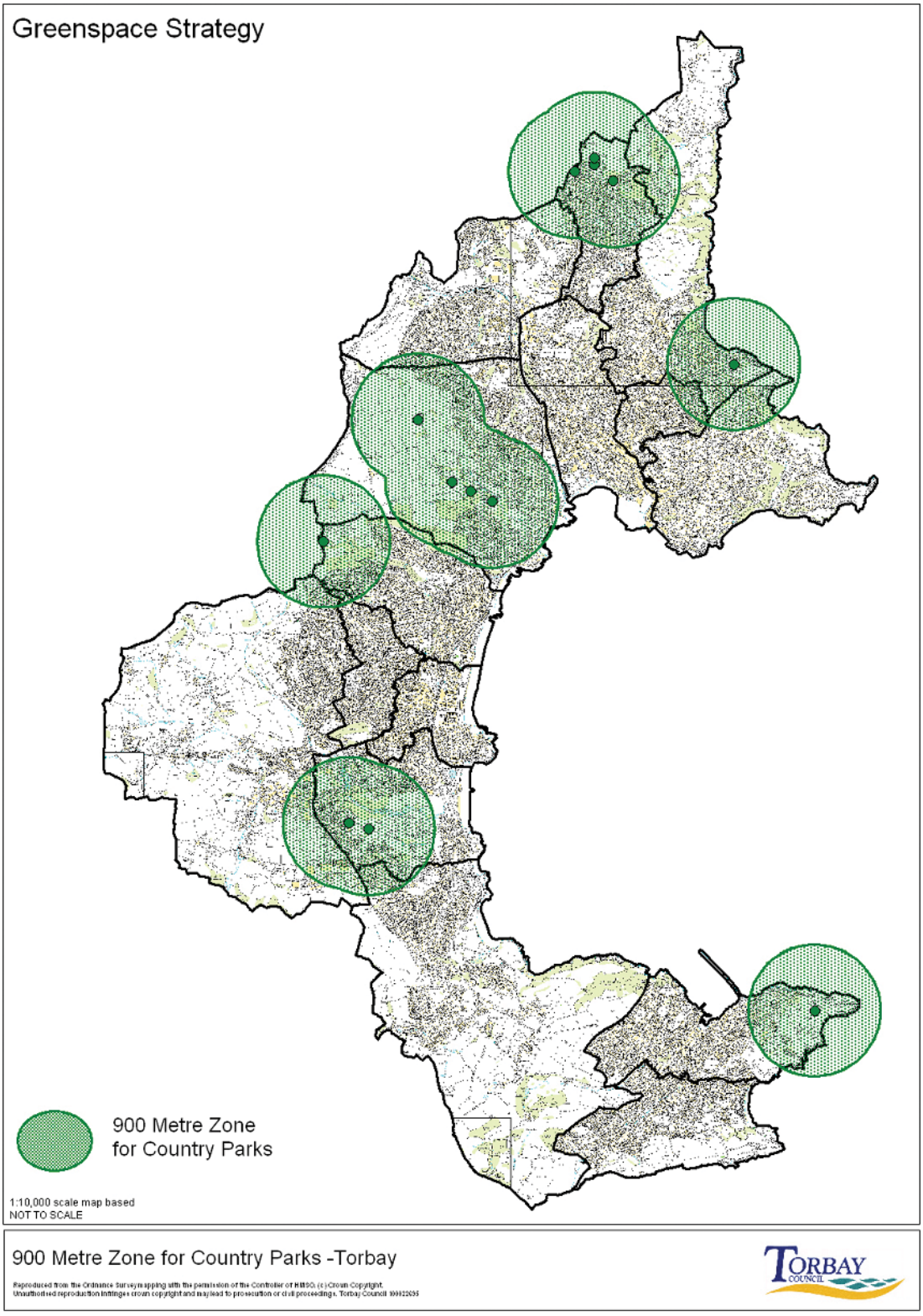
Space for Young People Provision Map

Map showing 600-metre buffer zone where there is provision for young people.



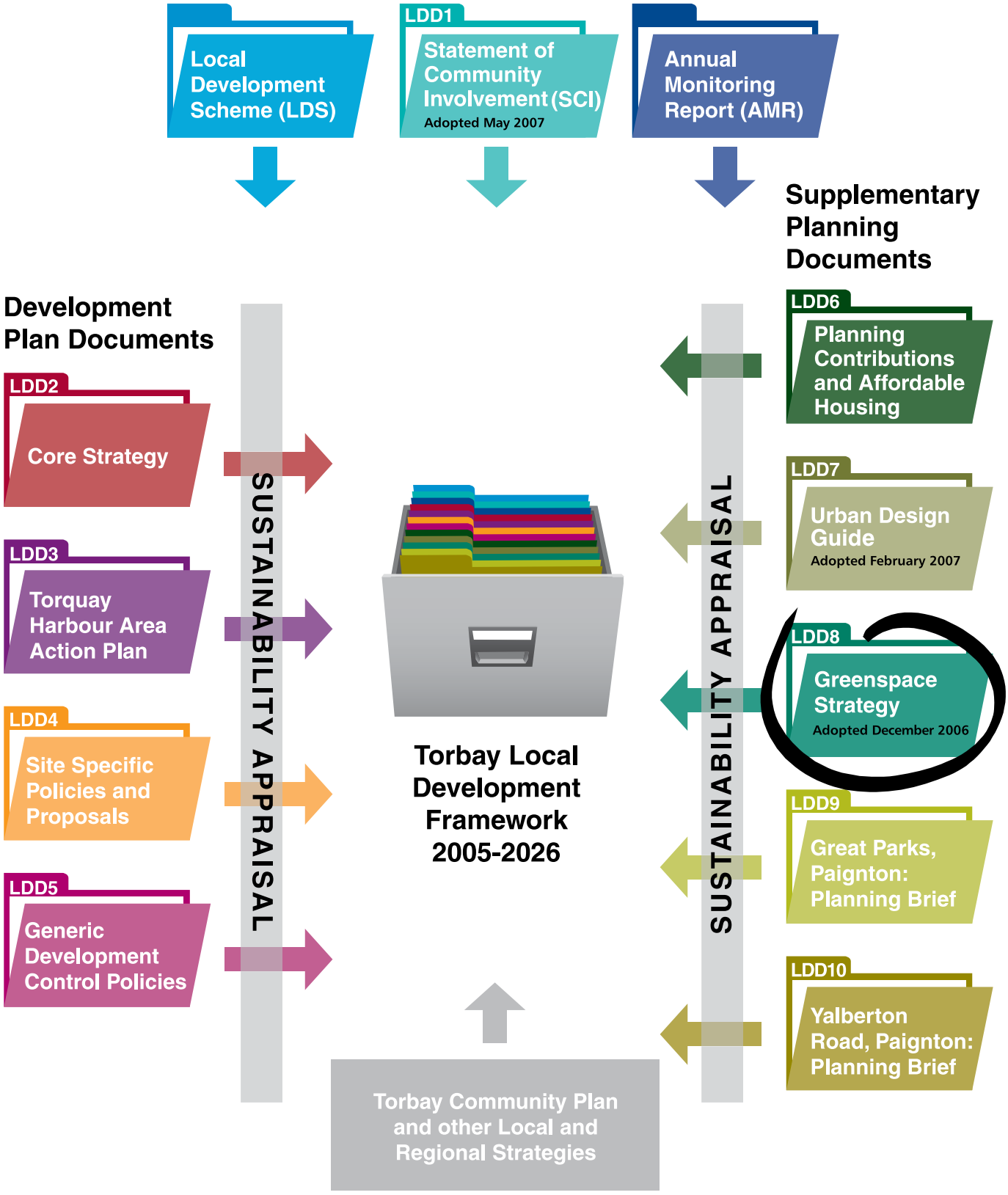
Country Park Provision Map

Map showing 900-metre buffer zone for country parks.



APPENDIX 6: 96 PARKS WHERE AUDIT CARRIED OUT

The structure of the Local Development Framework



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Questions	96 Parks -Quality Site Assessment Table	Abbey Park	Armanda Park	Astley Park	Babbacombe Downs	Babbacombe Downs Road Park	Barton Downs RG	Battery Gardens	Berry Head Country Park	Bonsey Garden	Borough Road OS	Brewery Park	Brunel Woods	Cary Park 1	Cary Park 2	Castle Gardens	Cockington Park	Cary Park Sports Complex	Chapel Woods	Churston Ferrers O/S	Claylands OS	Clennon Valley	Cliff Gardens	Cockington Country Park	Coombe Park	Corbyn Head	Coronation Park	Cricketfield Road RG	Crownhill Park	Daddyhole Plain	Davis Avenue Play Area	Easterfield R/G	Elberry Headland/Pitch and Putt	Ellacombe Park	Furzeham R/G	Furzeham Middle Greem	Galmpton Common	Goodrington Park	Goodrington Village Green	Grange Fields	Great Parks	Grove Woods	Hampton Lands	Hartop OS	Haytor Road Play Area	Hollicombe Park	Ilsham Valley R/G	King George VI RG	Kings Gardens
	A. WELCOMING PLACE	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48
1	Are the entrances appropriately located, visible and accessible for all?	4	2	2	4	2	3	4	4	4	2	4	3	4	3	2	4	2	2		2	3	3	4	2	4	4	4	4	4	2	3	2	4	4	3	N/A	4	3	3	2	3	3	3	2	4	1	3	3
2	Are entrances attractive and welcoming?	3	2	2	3	1	2	3	3	3	2	2	3	2	2	2	4	2	1		1	2	2	4	1	3	3	3	4	3	1	1	1	1	1	2	N/A	3	2	3	1	4	3	2	1	3	1	3	2
3	Are the signs within the greenspace well designed and informative?	3	4	2	3	3	1	4	4	1	2	4	3	2	2	1	5	3	1	2	1	1	1	4	1	3	1	3	1	2	2	2	1	1	1	2	1	2	3	3	2	5	2	1	2	2	1	2	3
	B. HEALTHY, SAFE AND SECURE																																															
4	Are the facilities appropriate to the size and location of the greenspace?	5	4	3	4	2	3	4	5	5	2	5	5	4	3	3	5	5	3	2	2	5	5	4	2	3	2	4	4	4	4	2	3	3	4	4	5	4	2	4	2	5	4	3	3	2	1	3	4
5	Is seating well located and in good state of repair?	4	3	1	4	1	1	4	2	2	1	4	1	4	4	3	4	3	1	1	1	2	3	4	1	2	4	3	3	3	3	1	4	2	3	3	4	3	3	1	1	1	4	2	1	2	1	3	2
6	Are litter bins well located and in good state of repair?	4	3	2	4	1	4	3	1	1	1	4	1	4	4	2	3	3	1	1	1	1	4	1	1	2	3	2	2	3	1	2	1	2	1	3	1	2	1	2	1	2	3	2	1	3	1	2	4
7	Is lighting available? If so is it well designed, located and in good state of repair?	3	1	1	3	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	3	1	2	1	1	1	1	1	1	1	1	1	5	1	1	1	1	1	2	1	1	1	1	2
8	Is there access to a public toilet in or near the new greenspace?	5	1	1	5	3	5	2	5	1	1	1	1	2	2	1	5	2	1	1	1	5	1	5	1	5	2	1	1	3	1	1	5	2	1	1	1	5	1	1	1	1	3	2	2	2	2	1	4
9	Are there appropriate sporting facilities and how well integrated are they into the greenspace layout?	5	4	4	N/A	N/A	4	1	N/A	3	N/A	5	N/A	N/A	N/A	1	5	5	N/A	N/A	N/A	5	N/A	N/A	N/A	N/A	N/A	4	1	1	1	1	4	4	4	1	N/A	3	N/A	N/A	1	N/A	1	1	1	1	1	3	N/A
10	Is there any conflict between the sporting facilities within the greenspace?	5	5	3	N/A	N/A	5	N/A	N/A	N/A	N/A	5	N/A	N/A	N/A	N/A	5	4	N/A	N/A	N/A	5	N/A	N/A	N/A	N/A	N/A	3	N/A	N/A	N/A	N/A	4	1	1	1	N/A	5	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	5	N/A
11	Does the greenspace adjoin other greenspaces or is it linked via a footpath, cycleway to other greenspaces?	5	5	3	5	5	1	5	2	4	1	3	5	5	5	1	5	5	3	1	4	5	5	5	1	3	5	5	3	3	4	5	4	2	5	5	5	5	5	5	5	5	4	4	2	5	3	5	5
12	Is there a bustop near the greenspace?	5	4	5	5	1	3	3	1	3	5	3	2	4	4	3	1	4	5	2	4	5	5	1	5	5	4	5	3	5	3	2	1	4	5	5	4	5	3	1	3	1	4	3	4	4	1	4	5
13	Is there a car park within or near the greenspace?	5	1	5	1	5	5	4	5	3	1	3	2	1	1	2	5	2	1	1	1	5	2	4	1	3	2	5	3	5	3	1	5	3	2	2	4	5	1	1	1	3	5	1	1	3	2	4	1
14	Can you reach the greenspace via footpath, cycleway or road?	5	5	5	5	5	5	5	5	4	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	4	5	5	5	5	5	5	5	4	5	5	5	5	5	5
15	Does the greenspace infrastructure meet the requirements of the Disability Discrimination Act?	4	1	2	3	2	1	1	3	2	1	2	1	4	2	2	4	2	1	1	1	2	1	3	1	2	3	1	1	2	1	1	1	1	2	2	1	3	2	1	1	1	2	1	3	1	1	3
16	Are buildings well designed, located and in good state of repair?	3	2	N/A	3	2	3	3	4	2	N/A	1	N/A	N/A	N/A	1	4	4	2	N/A	N/A	N/A	N/A	N/A	N/A	4	3	3	N/A	4	N/A	N/A	4	3	2	1	N/A	4	N/A	N/A	N/A	3	1	N/A	N/A	2	N/A	2	3
17	Are there special facilities that enhance the quality of the park?	5	4	3	1	1	3	4	4	3	1	5	5	1	2	1	5	4	3	1	1	2	3	5	1	1	2	4	2	3	4	1	1	3	2	1	4	4	2	3	2	5	3	2	3	2	1	2	1
18	Is there sufficient use and a flow of people through the park to achieve self surveillance?	4	2	3	5	1	4	3	3	2	2	3	2	4	4	1	4	2	1	3	1	4	3	3	3	3	4	3	2	4	4	1	1	4	4	4	4	4	5	1	2	1	1	2	2	2	3	3	3	2
19	Is the greenspace free from persistent vandalism and other antisocial behaviour?	2	5	4	1	5	4	3	5	5	3	2	5	5	2	3	5	4	1	4	4	5	5	3	2	4	5	5	5	3	4	1	5	2	5	4	4	2	1	5	3	1	5	2	2	4	4	2	2
20	Are therean appropriatenumber of alternative routes and exits in all parts of the greenspace to avoid entrapment?	4	4	2	5	3	5	4	4	1	2	4	3	4	3	1	5	2	4	5	1	5	3	5	3	4	5	2	5	5	3	4	4	3	5	5	5	3	5	5	5	5	5	5	2	2	5	5	5
21	Is the site free from dog fouling?	5	4	2	2	5	3	3	2	5	2	4	4	3	4	5	4	5	4	5	4	4	5	4	4	5	5	4	4	3	5	3	4	3	4	4	4	2	5	4	3	3	3	4	5	3	4	3	5
	C. CLEAN AND WELL MAINTAINED																																															
22	Does the greenspace have a 'cared for' general appearance?	4	4	4	4	3	4	4	3	5	3	4	4	4	3	3	5	3	3	4	2	4	2	5	2	5	4	5	4	4	4	3	3	3	4	3	3	3	4	3	1	4	4	4	3	2	3	4	3
23	Is the greenspace clean and free of litter?	3	3	4	4	2	2	4	3	5	5	3	4	3	3	3	4	4	3	5	2	4	2	4	4	4	4	4	4	4	5	2	4	3	4	4	4	5	4	3	2	4	3	3	4	3	4	3	2
24	Are footpaths and paved surfaces safely maintained?	4	N/A	4	4	3	2	3	4	4	N/A	4	3	4	3	3	4	4	2	N/A	N/A	4	5	4	2	4	4	3	3	3	N/A	N/A	4	3	5	3	N/A	3	3	N/A	2	3	3	4	N/A	3	N/A	N/A	4
25	Are the boundarieswell defined and maintained?	4	4	2	5	4	3	4	4	4	3	4	4	3	3	3	5	4	5	4	1	3	3	4	2	5	3	5	5	4	5	3	4	4	5	4	3	4	4	3	1	4	2	3	4	2	3	5	4
26	Are buildings, furniture, boundaries and entrances free of vandalism and graffiti?	5	4	4	3	5	4	4	5	5	5	3	5	4	3	N/A	5	5	1	5	4	4	5	5	3	3	4	5	5	5	N/A	N/A	4	3	5	2	4	5	5	N/A	2	5	N/A	3	4	1	5	3	2
27	Is the grass ocver well maintained and in keeping with the published service standard?	5	5	4	5	3	4	4	3	5	4	4	4	4	3	4	5	4	N/A	4	4	4	5	4	3	5	4	5	3	5	3	3	3	4	4	3	2	4	2	3	1	3	4	4	4	3	3	5	5
28	Are shrub and flower borders well stocked and maintained?	4	N/A	N/A	4	2	N/A	3	N/A	4	N/A	2	N/A	N/A	N/A	2	4	3	N/A	N/A	N/A	N/A	N/A	2	N/A	3	N/A	2	N/A	N/A	N/A	N/A	N/A	N/A	2	N/A	3	N/A	2	N/A	N/A	N/A	N/A	N/A	4	N/A	2	N/A	N/A	2
29	Are trees well maintained?	4	4	2	3	3	3	3	N/A	5	4	4	4	3	3	3	4	3	3	4	2	3	3	4	4	3	3	4	3	3	N/A	2	4	3	3	4	N/A	3	3	3	2	3	4	4	N/A	3	4	4	3
30	Is there a good balance between tree species/age of trees?	4	4	2	3	3	2	3	N/A	2	3	4	4	4	3	3	4	3	4	4	2	4	2	4	3	2	3	3	3	2	N/A	2	3	2	2	2	N/A	4	3	3	2	3	4	4	N/A	3	3	3	3
31	Have redundant features been fully removed?	1	2	2	N/A	N/A	1	3	N/A	1	N/A	3	N/A	N/A	1	N/A	N/A	N/A	N/A	N/A	4	N/A	N/A	N/A	2	N/A	1	N/A	N/A	1	N/A	2	N/A	2	2	1	1	3	N/A	N/A	1	N/A	N/A	N/A	N/A	2	1	N/A	2	1
32	Are water features well maintained?	4	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	4	N/A	N/A	N/A	N/A	4	N/A	4	4	N/A	N/A	N/A	2	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	4	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2	N/A	N/A	2
33	Are areas managed for the wildlife habitat value appropriately maintained?	3	5	N/A	N/A	N/A	1	4	5	N/A	N/A	1	4	N/A	3	1	5	N/A	N/A	N/A	1	4	N/A	4	N/A	N/A	N/A	1	1	3	1	N/A	4	N/A	N/A	N/A	4	5	4	4	1	4	4	3	1	3	1	N/A	2
34	Is the play area well maintained?	N/A	2	2	N/A	N/A	3	N/A	N/A	N/A	N/A	4	N/A	N/A	3	N/A	5	N/A	N/A	N/A	2	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	4	N/A	N/A	3	4	N/A	N/A	N/A	N/A	N/A	2	N/A	N/A	N/A	3	N/A	N/A	N/A	N/A
35	Is the toilet well maintained?	4	N/A	N/A	4	N/A	N/A	N/A	4	N/A	N/A	N/A	N/A	N/A	N/A	N/A	4	4	N/A	N/A	N/A	N/A	N/A	N/A	N/A	4	N/A	N/A	N/A	N/A	N/A	N/A	3	N/A	N/A	1	N/A	5	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36	Are hard surfaced sporting facilities well maintained?	4	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	4	N/A	N/A	N/A	N/A	N/A	4	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	1	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
37	Are fine turf areas well maintained?	4	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	4	3	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	4	N/A	N/A	N/A	N/A	3	4	3	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	D. SUSTAINABILITY																																															
38	Are areas of the greenspace managed as natural or ecological areas?	3	5	1	1	1	1	5	5	1	1	1	5	1	3	1	5	1	1	1	1	5	1	5	1	1	1	1	1	3	1	1	4	1	1	2	5	5	5	4	3	5	4	1	1	4	1	1	1
39	Are there any methods of sustainable management being used or promoted?	2	5	1	1	1	1	3	5	1	1	1	5	2	2	1	5	2	2	1	1	2	1	5	1	4	2	4	1	1	1	1	3	3	1	1	4	5	5	5	2	5	5	2	1	3	2	1	1
40	Is there a good balance and variety of plants and shrubs?	4	N/A	N/A	3	2	N/A	2	N/A	4	N/A	2	N/A	N/A	N/A	1	5	2	N/A	N/A	N/A	N/A	2	N/A	3	N/A	2	N/A	N/A	N/A	N/A	N/A	N/A	2	N/A	2	N/A	2	3	N/A	N/A	N/A	N/A	4	N/A	2	N/A	N/A	2
	E. EDUCATION, CONSERVATION AND HERITAGE																																															
41	Are ornamental landscapes managed to maximise the benefit to wildlife and fauna?	2	N/A	N/A	1	N/A	1	4	N/A	2	1	1	N/A	N/A	N/A	1	5	N/A	N/A	N/A	1	N/A	N/A	5	N/A	N/A	N/A	N/A	1	3	N/A	N/A	N/A	1	N/A	1	N/A	N/A	5	3	N/A	N/A	4	1	N/A	3	2	N/A	1
42	Are structures or buildings appropriately conserved?	2	1	N/A	4	2	2	3	5	1	N/A	4	4	3	N/A	N/A	5	4	2	N/A	N/A	N/A	N/A	1	4	N/A	4	2	3	3	3	N/A	N/A	1	2	3	1	N/A	4	3	N/A	2	4	N/A	N/A	N/A	2	2	2	3
43	Is the landscape structure appropriately conserved?	3	4	3	4	3	2	4	5	4	2	4	4	4	2	2	5	4	3	2	2	4	5	4	2	4	3	4	4	3	4	3	4	2	4	2	5	4	3	4	2	4	4	4	2	1	4	2	2
44	Is there potential for cultural activities in the greenspace?	5	3	4	4	1	3	4	5	2	3	5	4	2	4	4	5	1	1	2	2	5	1	5	2	2	4	2	3	3	1	4	2	3	4	3	3	5	2	3	1	4	2	2	2	3	5	3	1
45	Does the greenspace contain educational or interpretative material or are specifically educational events held within it?	2	4	1	1	1	1	4	5	1	1	4	3	1	1	1	5	1	1	1	1	1	1	4	1	3	1	1	1	4	1	1	2	1	1	1	1	2	1	1	1	5	2	1	1	1	1	1	1
46	Is there potential heritage value within the greenspace?	5	3	1	4	1	2	5	5	2	1	3	5	3	2	1	5	2	3	1	1	1	3	5	2	2	3	3	3	3	1	2	4	2	2	2	4	5	3	3	1	5	2	2	1	4	3	4	2
47	Is there potential for greater landscape conservation value?	5	3	2	3	1	3	3	5	2	2	4	3	3	3	4	4	2	2	1	2	2	4	2	4	2	4	2	3	4	1	2	3	3	2	2	2	5	4	4	2	4	2	2	2	2	4	3	3
	F. COMMUNITY INVOLVEMENT																																															
48	Are there any special attractions, facilities or events for children?	5	2	3	1	1	4	2	4	1	1	5	3	1	1	1	5	3	1	1	1	3	1	4	2	1	1	2	1	1	4	1	1	3	2	1	1	5	2	2	1	3	1	1	4	1	1	2	1
49	Are there informal play opportunities and interest to children?	4	4	3	3	1	4	3	2	1	2	5	4	2	3	2	5	1	2	2	3	4	1	3	1	2	1	2	3	3	2	5	2	3	3	2	1	4	2	4	3	4	4	1	3	2	3	4	1
50	Are there appropriately designed areas for teenagers to congregate?	2	1	2	2	1	1	3	1	1	1	4	1	1	1	1	2	1	1	1	1	1	1	1	1	2	2	1	1	1	1	1	1	1	1	1	1	4	2	1	1	1	1	1	1	1	1	1	1
51	Is the greenspace linked to community/school facilities or is there potential to use community/educational facilities?	5	4	4	2	3	5	3	3	3	5	4	5	2	2	2	5	2	4	2	2	5	1	2	2	1	2	5	3	1	4	1	1	5	4	4	2	1	1	4	3	5	4	4	5	3	5	2	3
52	Do the facilities and activities within the greenspace cater for elderly people?	3	1	1	3	2	2	3	1	1	1	3	3	2	2	1	5	3	1	1	1	1	2	4	1	2	2	1	2	3	1	1	1	3	1	1	1	4	2	3	1	3	1	1	1	2	1	1	2
53	Is there community involvement in the greenspace eg sponsorship?	3	1	1	3	1	1	5	5	1	1	4	3	1	1	3	5	1	1	1	1	1	1	5	1	1	1	1	1	1	1	1	1	5	1	1	1	5	1	4	1	1	1	1	1	1	1	1	1
	G. MARKETING																																															
54	Is there appropriate interpretation information on site?	2	3	1	3	1	1	4	5	1	1	2	3	1	1	1	5	1	1	1	1	1	1	4	1	2	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	4	2	1	1	1	4	1	1
55	Is the greenspace promoted or marketed as a community resource?	2	1	1	1	1	1	4	5	1	1	5	5	1	1	1	5	3	1	1	1	5	1	5	1	1	1	1	1	1	1	1	1	3	1	1	1	1	1	1	1	5	1	1	1	1	1	1	1
	H. MANAGEMENT																																															
56	Is thereinformative material about the park, its management, events and activities?	1	1	1	1	1	1	1	5	1	1	1	5	1	1	1	5	1	1	1	1	1	1	5	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	5	1	1	1	1	1	1	1
57	Can the greenspace be further developed to meet the objectives?	5	3	2	4	2	3	4	2	2	2	5	4	3	4	3	3	2	2	2	2	4	3	5	2	2	3	2	3	3	2	2	2	2	2	3	2	3	2	2	2	3	3	2	2	2	4	3	2

96 Parks -Quality Site Assessment Table	Kitson Park	Memorial Gardens	Monastery Woods	Occombe Woods	Oldway Gardens	Paignton Green	Pallace Avenue Gardens	Parkfield Gardens	Parkham Park	Petitor OS	Preston Down Park	Preston Green	Preston House Gardens	Preston Park	Primley park	Princess Gardens	Queens Park	Ravenswood/Wickham Gardens	Rocombe Close OS	Rock Walk	Roundham Gardens	Scadsom Woods	Shoalstone OS	Sharkham Point	Sherwell Park	Shiphay Park	Smallcombe Play Area	Stanley Gardens	Starpitten Green	Steps Cross RG	Stoodley Knowle RG	Sugarloaf	Summerfield Court Open Space	St Mary's Park	St Matthew's Field	St Michael's RG	Tessier Gardens	Three Beaches	Torbay Park	Torquay Crematorium	Torre Valley North	Torwood Gardens	Two Parks	Upton Park	Victoria Park, Chelston	Victoria Park, Paignton	White Rock R/C	Windmill Hil RG
A. WELCOMING PLACE	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96
Are the entrances appropriately located, visible and accessible for all?	3	4	2	4	3	5	4	2	2	2	2	4	3	3	2	5	2	3	3	3	4	2	4	1	4	2	4	3	1	3	3	2	2	3	3	3	3	2	5	4	3	3	4	3	3	4	4	3
Are entrances attractive and welcoming?	2	3	1	4	2	3	3	2	1	2	2	2	2	2	2	4	2	3	3	3	2	2	3	1	4	2	3	1	1	1	1	1	1	2	2	1	2	1	3	4	2	3	4	2	2	3	3	1
Are the signs within the greenspace well designed and informative?	2	1	1	5	1	1	2	1	1	1	1	2	1	1	1	2	2	1	3	1	3	3	1	3	3	2	2	1	1	2	2	1	2	2	1	1	2	1	2	4	1	1	3	2	2	2	4	4
B. HEALTHY, SAFE AND SECURE																																															
Are the facilities appropriate to the size and location of the greenspace?	2	3	1	5	4	5	5	4	1	3	2	4	3	2	3	5	5	2	3	3	4	3	4	5	4	2	4	3	3	2	4	4	2	5	4	2	4	3	1	5	4	3	4	5	4	4	4	4
Is seating well located and in good state of repair?	3	4	1	3	3	3	3	3	1	2	2	3	3	3	2	4	1	3	1	4	3	1	2	2	4	2	3	1	2	3	3	3	2	3	2	1	4	3	2	4	2	4	1	3	3	3	1	4
Are litter bins well located and in good state of repair?	1	3	1	3	2	4	4	3	1	3	2	3	1	2	2	4	1	4	2	3	2	1	3	1	1	2	4	1	1	3	1	1	1	1	3	2	3	1	2	4	2	3	1	3	1	2	1	3
Is lighting available? If so is it well designed, located and in good state of repair?	1	5	1	1	3	1	1	4	1	1	1	2	1	1	1	4	1	N/A	1	3	N/A	1	N/A	N/A	5	1	N/A	N/A	1	1	1	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	1	1	4	N/A	2	1	3	N/A	1
Is there access to a public toilet in or near the new greenspace?	1	4	1	1	4	5	2	3	1	3	1	5	2	1	1	5	3	4	1	4	2	1	5	1	1	1	1	1	1	1	1	1	1	1	1	1	4	1	3	5	1	1	1	2	1	3	1	1
Are there appropriate sporting facilities and how well integrated are they into the greenspace layout?	1	N/A	N/A	N/A	5	4	N/A	N/A	N/A	1	1	N/A	N/A	1	N/A	N/A	5	N/A	1	N/A	4	N/A	N/A	N/A	1	1	N/A	N/A	2	1	4	N/A	N/A	4	N/A	N/A	N/A	N/A	N/A	N/A	4	N/A	N/A	5	4	3	5	5
Is there any conflict between the sporting facilities within the greenspace?	N/A	N/A	N/A	N/A	5	5	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	1	N/A	N/A	N/A	5	N/A	N/A	N/A	N/A	N/A	N/A	N/A	5	N/A	5	N/A	N/A	3	N/A	N/A	N/A	N/A	N/A	N/A	2	N/A	N/A	2	5	5	1	2
Does the greenspace adjoin other greenspaces or is it linked via a footpath, cycleway to other greenspaces?	1	3	1	4	5	5	1	5	1	1	5	4	1	4	4	5	4	3	5	4	5	5	1	5	1	3	1	4	1	2	5	5	1	1	1	1	2	5	5	5	4	1	1	3	2	2	4	1
Is there a bustop near the greenspace?	4	5	1	5	5	5	5	5	1	2	2	5	4	4	3	5	4	3	2	5	4	3	1	1	4	3	4	4	2	4	2	5	4	3	5	2	5	2	5	5	4	4	4	4	4	5	3	2
Is there a car park within or near the greenspace?	1	4	3	1	5	3	5	2	1	2	1	3	5	5	1	4	3	5	1	4	4	1	5	3	1	2	1	1	2	1	5	1	1	5	1	1	3	1	2	5	4	2	1	5	2	5	1	3
Can you reach the greenspace via footpath, cycleway or road?	5	5	3	5	5	5	5	5	3	5	5	5	5	5	4	5	5	5	5	5	5	5	5	4	5	5	5	5	5	5	5	5	3	5	5	5	5	5	4	5	5	5	5	5	5	5	4	5
Does the greenspace infrastructure meet the requirements of the Disability Discrimination Act?	2	3	1	1	3	3	3	1	1	1	1	3	2	1	1	3	3	2	1	2	3	1	2	1	3	2	2	1	1	1	1	1	1	2	1	1	3	1	4	4	1	2	2	3	1	3	1	1
Are buildings well designed, located and in good state of repair?	N/A	N/A	N/A	N/A	3	4	N/A	N/A	N/A	2	N/A	4	N/A	N/A	1	4	2	N/A	N/A	3	2	N/A	2	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2	N/A	N/A	4	N/A	N/A	3	N/A	N/A	4	2	2	N/A	3	1	3	2	4
Are there special facilities that enhance the quality of the park?	2	3	1	5	5	2	1	1	1	2	2	2	1	1	N/A	4	5	1	3	3	1	3	3	5	2	2	2	1	2	1	2	1	1	3	1	1	4	1	3	3	3	2	1	4	4	3	3	4
Is there sufficient use and a flow of people through the park to achieve self surveillance?	1	4	2	2	4	5	5	1	1	2	2	5	3	2	4	5	2	3	1	2	3	1	4	2	3	3	3	4	4	2	2	1	2	4	3	3	2	1	5	3	2	3	4	3	3	3	3	2
Is the greenspace free from persistent vandalism and other antisocial behaviour?	2	3	1	5	3	4	4	4	2	5	5	3	2	3	3	5	4	4	2	4	5	2	3	5	3	3	3	3	4	5	4	4	5	5	2	2	5	5	5	1	2	5	3	4	1	2	3	
Are thereare appropriatenumber of alternative routes and exits in all parts of the greenspace to avoid entrapment?	1	3	3	4	3	5	4	1	1	1	3	5	2	4	5	5	2	4	3	5	4	2	4	5	2	4	1	3	5	4	4	4	4	5	5	2	2	3	4	5	2	4	5	4	5	3	3	3
Is the site free from dog fouling?	4	4	2	5	3	3	5	5	5	4	2	4	4	4	4	5	5	5	4	5	4	5	5	2	5	3	5	2	3	3	5	4	3	3	4	4	5	4	5	5	5	4	5	4	4	3	4	4
C. CLEAN AND WELL MAINTAINED																																															
Does the greenspace have a 'cared for' general appearance?	4	4	1	4	3	5	5	4	3	2	2	4	2	3	4	5	3	2	4	2	2	2	4	3	3	3	2	3	2	4	3	4	3	4	4	1	4	3	3	5	4	4	4	3	4	3	4	4
Is the greenspace clean and free of litter?	3	4	1	5	3	4	4	4	3	3	3	5	1	4	4	4	4	2	4	2	4	2	4	4	3	3	1	2	3	3	3	4	3	4	4	1	5	3	3	4	4	4	4	4	4	1	4	4
Are footpaths and paved surfaces safely maintained?	3	3	1	4	1	5	4	4	N/A	N/A	N/A	4	2	4	3	4	2	3	N/A	3	4	2	4	4	3	3	3	3	3	1	N/A	3	3	2	N/A	1	4	4	5	4	4	3	4	3	4	4	N/A	4
Are the boundarieswell defined and maintained?	4	5	1	4	2	4	5	3	2	2	2	4	4	4	4	5	4	3	3	5	3	3	4	3	4	5	4	2	5	4	2	3	N/A	4	3	3	3	3	4	3	5	5	4	4	4	2	3	4
Are buildings, furniture, boundaries and entrances free of vandalism and graffiti?	4	4	1	N/A	3	4	5	5	N/A	2	3	5	3	4	4	3	5	5	5	4	3	N/A	2	5	4	4	N/A	N/A	N/A	N/A	3	N/A	3	4	5	N/A	2	N/A	3	5	1	2	5	4	4	N/A	1	4	2
Is the grass over well maintained and in keeping with the published service standard?	4	3	4	3	4	3	5	4	4	2	2	5	3	4	5	5	3	2	4	N/A	2	N/A	4	3	4	3	5	4	3	3	4	4	4	2	4	3	5	4	3	4	5	4	5	4	4	4	4	4
Are shrub and flower borders well stocked and maintained?	2	5	N/A	4	2	2	5	4	4	N/A	N/A	N/A	1	2	N/A	5	1	2	N/A	2	2	N/A	N/A	N/A	3	N/A	3	N/A	N/A	N/A	N/A	N/A	N/A	2	N/A	N/A	4	N/A	2	4	2	3	N/A	3	N/A	3	N/A	N/A
Are trees well maintained?	4	4	1	4	3	1	4	2	2	3	2	N/A	4	4	3	4	2	N/A	3	2	3	2	N/A	N/A	4	4	4	3	N/A	3	3	4	2	4	2	4	3	4	4	4	4	4	3	3	4	2	3	N/A
Is there a good balance between tree species/age of trees?	3	3	2	1	2	1	4	4	2	2	2	N/A	2	3	2	2	2	N/A	4	2	2	3	N/A	N/A	4	2	4	2	N/A	3	4	4	2	3	4	1	4	3	4	4	3	3	3	2	3	2	3	N/A
Have redundant features been fully removed?	2	N/A	1	3	N/A	3	5	N/A	N/A	N/A	1	4	N/A	N/A	N/A	5	N/A	N/A	N/A	N/A	N/A	1	N/A	N/A	2	N/A	N/A	1	1	2	1	N/A	1	3	N/A	1	N/A	N/A	2	N/A	3	3	N/A	N/A	3	N/A	N/A	2
Are water features well maintained?	N/A	N/A	N/A	5	3	N/A	N/A	4	N/A	N/A	N/A	N/A	N/A	N/A	N/A	4	N/A	N/A	N/A	N/A	N/A	2	N/A	N/A	3	N/A	N/A	N/A	N/A	1	N/A	N/A	N/A	N/A	N/A	N/A	1	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2	N/A	N/A	N/A
Are areas managed for the wildlife habitat value appropriately maintained?	1	N/A	1	N/A	1	N/A	N/A	3	N/A	3	2	N/A	N/A	1	N/A	N/A	N/A	N/A	4	1	N/A	2	N/A	5	3	N/A	1	N/A	1	3	1	4	N/A	N/A	2	N/A	N/A	4	N/A	N/A	N/A	4	N/A	N/A	1	2	N/A	4
Is the play area well maintained?	4	N/A	2	N/A	N/A	3	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	3	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	4	4	3	2	N/A	N/A	N/A	N/A	4	N/A	1	N/A	N/A	N/A	N/A	N/A	N/A	N/A	4	3	3	N/A	N/A
Is the toilet well maintained?	N/A	N/A	N/A	N/A	N/A	3	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	4	N/A	N/A	N/A	N/A	4	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	1	N/A	N/A	N/A	N/A	N/A	4	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Are hard surfaced sporting facilities well maintained?	N/A	N/A	N/A	N/A	4	3	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	4	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	3	N/A	N/A	N/A	N/A	N/A	3	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	4	4	3	N/A	4	
Are fine turf areas well maintained?	N/A	N/A	N/A	N/A	4	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	3	N/A	N/A	N/A	3	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	4	N/A	N/A	N/A	N/A	N/A	N/A	3	N/A	N/A	4	N/A	N/A	N/A	N/A
D. SUSTAINABILITY																																															
Are areas of the greenspace managed as natural or ecological areas?	1	1	1	5	1	1	1	4	1	3	2	1	1	1	1	1	1	4	5	1	1	4	1	5	2	1	1	1	1	1	4	2	1	2	1	1	4	1	1	1	2	1	1	1	3	1	3	
Are there any methods of sustainable management being used or promoted?	1	3	1	5	1	1	4	4	1	3	4	1	1	1	1	4	N/A	3	4	3	3	4	1	5	2	1	1	1	1	1	1	4	1	1	1	2	4	1	5	1	2	1	2	1	3	1	1	
Is there a good balance and variety of plants and shrubs?	2	3	N/A	N/A	2	2	4	2	N/A	N/A	N/A	N/A	1	2	N/A	3	N/A	N/A	N/A	3	2	N/A	N/A	N/A	4	N/A	4	N/A	N/A	N/A	N/A	N/A	N/A	2	N/A	N/A	4	N/A	1	5	2	3	N/A	2	N/A	3	N/A	N/A
E. EDUCATION, CONSERVATION AND HERITAGE																																															
Are ornamental landscapes managed to maximise the benefit to wildlife and fauna?	N/A	3	N/A	N/A	2	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	1	N/A	3	N/A	N/A	N/A	2	N/A	N/A	N/A	N/A	N/A	2	1	N/A	N/A	1	1	N/A	N/A	1	N/A	N/A	3	4	N/A	1	1	2	1	1	N/A	4	N/A	2
Are structures or buildings appropriately conserved?	N/A	4	1	N/A	1	4	5	4	N/A	2	3	4	4	3	N/A	2	2	4	N/A	3	N/A	N/A	3	N/A	3	N/A	N/A	N/A	2	N/A	2	N/A	N/A	4	2	N/A	3	N/A	N/A	4	1	2	2	3	4	4	2	3
Is the landscape structure appropriately conserved?	3	4	1	5	1	4	4	2	1	3	3	4	3	3	4	2	3	2	4	3	3	4	4	5	3	3	4	4	2	3	3	4	3	4	4	1	4	4	2	4	2	3	4	2	4	4	4	3
Is there potential for cultural activities in the greenspace?	3	3	1	4	5	5	5	1	1	2	1	5	1	2	4	3	1	1	2	1	3	2	2	3	4	4	1	2	2	4	4	1	3	5	3	2	4	1	5	N/A	4	4	3	5	5	5	3	4
Does the greenspace contain educational or interpretative material or are specifically educational events held within it?	1	1	1	4	1	1	1	1	1	1	1	1	1	1	1	1	1	2	4	1	2	1	1	4	3	1	1	1	1	1	1	1	1	2	1	1	1	1	1	N/A	1	1	1	2	1	1	1	1
Is there potential heritage value within the greenspace?	2	3	4	5	5	2	3	4	1	3	2	4	4	2	1	4	3	2	2	4	4	3	3	1	3	1	1	2	1	2	1	3	1	3	2	3	4	2	3	4	3	3	3	4	2	3	1	2
Is there potential for greater landscape conservation value?	3	4	4	3	5	3	4	4	1	3	2	2	4	3	1	4	1	2	2	5	3	3	2	1	3	2	2	3	1	2	1	3	1	3	3	4	4	3	3	4	4	3	3	4	3	4	4	2
F. COMMUNITY INVOLVEMENT																																															
Are there any special attractions, facilities or events for children?	2	1	2	3	2	5	1	1	1	1	1	2	1	1	1	1	1	1	1	1	1	1	1	3	2	2	3	2	2	1	1	1	1	4	1	3	n/a	1	1	1	3	1	1	3	3	5	1	4
Are there informal play opportunities and interest to children?	4	2	4	4	1	4	1	2	2	2	2	4	1	2	4	2	1	1	3	2	2	3	2	2	3	4	3	2	4	4	4	3	3	3	2	2	n/a	2	3	1	3	3	2	3	4	4	2	4
Are there appropriately designed areas for teenagers to congregate?	1	1	1	1	1	3	1	1	1	1	1	1	1	2	1	1	1	1	1	1	1	1	2	3	1	1	1	1	2	1	1	1	2	1	1	1	1	1	1	1	1	1	1	2	4	2	1	4
Is the greenspace linked to community/school facilities or is there potential to use community/educational facilities?	4	3	3	4	5	5	4	2	1	2	1	2	3	1	1	2	1	2	1	1	1	5	1	1	4	4	1	2	1	5	4	1	1	1	2	2	3	1	2	1	5	4	1	4	4	3	4	1
Do the facilities and activities within the greenspace cater for elderly people?	1	2	1	3	3	4	3	1	1	2	1	3	1	2	1	3	3	2	1	3	2	1	1	1	2	1	1	1	1	1	1	1	1	1	1	4	1	2	5	1	2	1	2	1	3	1	1	
Is there community involvement in the greenspace eg sponsorship?	4	5	5	4	1	2	5	1	1	1	1	1	1	1	1	1	1	1	4	1	3	1	1	2	5	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	3	1	3	5	4	1	4
G. MARKETING																																															
Is there appropriate interpretation information on site?	1	1	1	4	1	1	1	1	1	1	1	1	1	1	1	1	1	1	3	1	2	3	1	5	2	1	1	1	1	1	1	1	1	1	1	1	1	1	1	3	1	2	1	1	1	1	1	2
Is the greenspace promoted or marketed as a community resource?	1	1	1	5	1	5	1	1	1	1	1	1	1	1	1	3	1	1	1	1	1	1	1	5	3	1	1	1	1	1	1	1	1	2	1	1	1	1	1	1	2	1	1	1	3	1	1	3
H. MANAGEMENT																																															
Is thereinformative material about the park, its management, events and activities?	1	1	1	5	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	3	1	1	1	1	1	1	1	1	1	1	1	1	3	1	1	3	1	1	1	1	1	1	1	1
Can the greenspace be further developed to meet the objectives?	4	4	2	3	5	4	4	3	2	2	2	3	2	2	5	3	2	2	3	3	3	3	2	2	4	3	2	3	2	4	3	2	3	3	2	3	4	2	4	3	3	3	3	4	4	5	3	4

Number	Name
2	Armada Park
3	Astley Park
4	Babbacombe Downs
5	Babbacombe Downs Road Park
6	Barton Downs Rec Ground
7	Battery Gardens
8	Berry Head
9	Bonsey Gardens
10	Borough Road OS
11	Brewery Park
12	Brunel Woods
13	Cary Park 1
14	Cary Park 2
15	Castle Gardens
16	Cockington Park
17	Cary Park Sports Complex
18	Chapel Woods
19	Ferrers Green
20	Claylands OS
21	Clennon Valley
22	Cliff Gardens
23	Cockington Country Park
24	Coombe Park

Number	Name
25	Corbyn Head
26	Coronation Park
27	Cricketfield Road Rec Ground
28	Crownhill Park
29	Daddyhole Plain
30	Davies Avenue Playground
31	Easterfield Rec Ground
32	Elberry Headland
33	Ellacombe Park
34	Furzeham Rec Ground
35	Furzeham Middle Green
36	Galmpton Common
37	Goodrington Park
38	Goodrington Village Staff
39	Grange Fields
40	Great Parks
41	Grove Woods
42	Hampton Lands
43	Hartop OS
44	Haytor Playpark
45	Hollicombe Park
46	Ilsham Valley Rec Ground
47	King George V Rec Ground
48	Kings Gardens
49	Kitson Park

Number	Name
50	Memorial Gardens
51	Monastery Woods
52	Occombe Woods
53	Oldway
54	Paignton Green
55	Palace Avenue Gardens
56	Parkfield Park
57	Parkham Park
58	Petit OS
59	Preston Down Park
60	Preston Green
61	Preston House Gardens
62	Preston Park
63	Primley Park
64	Princess Gardens
65	Queens Park
66	Ravenswood/Wickham Gardens
67	Rocombe Close OS
68	Rock Walk
69	Roundham Gardens
70	Scadsom Woods
71	Shoalstone OS
72	Sharkham Point
73	Sherwell Park
74	Shiphay Park

Number	Name
75	Smallcombe Play Area
76	Stanley Gardens
77	Starpitten Green
78	Steps Cross
79	Stoodley Knowle Rec Ground
80	Sugarloaf
81	Summercourt Way
82	St Mary's Park
83	St Matthew's Field
84	St. Michael's RG
85	Tessier Gardens
86	Three Beaches
87	Torbay Park
88	Torquay Crematorium
89	Torre Valley North
90	Torwood Gardens
91	Two Parks
92	Upton Park
93	Victoria Park, Chelston
94	Victoria Park, Paignton
95	White Rock Rec Ground
96	Windmill Hill Rec Ground

96 Parks Where Audit Was Carried Out

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1:10,000 scale map base. Not To Scale

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Torbay
Local Development
Framework
2005 - 2026

Greenspace Strategy

Adopted Supplementary Planning Document

PART 2: Action Plan







TORBAY COUNCIL

LDD8

July 2007

This document can be made available in a range of languages,
on tape, in Braille, large print and in other formats.
For further information please contact 01803 208804.

Torbay
Local Development
Framework
2005 - 2026

Greenspace Strategy

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PART 2: Action Plan

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July 2007

The Greenspace Strategy is available::

- On the Torbay Council Website: ***www.torbay.gov.uk/ldf***
- At the Torbay Council Offices at Roebuck House, or any of the Council Libraries and Connections Offices in Torquay, Paignton or Brixham.

If you would like any further information about this document or any aspect of the Torbay Local Development Framework please contact us. You can also **register your interest** in the emerging Torbay Local Development Framework (LDF). Your details will be added to our LDF consultation database and you will be kept informed about the various the Local Development Documents as they are produced.

Strategic Planning Group,
Environmental Policy Division,
Planning, Development & Policy Business Unit,
Community Services,
Torbay Council
Roebuck House, Abbey Road, Torquay TQ2 5TF
Tel: 01803 208804 Fax: 01803 208882
e-mail: greenspace@torbay.gov.uk
e-mail: ldf@torbay.gov.uk
webpage: www.torbay.gov.uk/ldf
webpage: www.torbay.gov.uk/greenspace

Other links that will provide more detailed background information on the spatial planning system include:

- Office of the Deputy Prime Minister: Planning Policy Statement 12 - Local Development Frameworks (*www.communities.gov.uk*)
- The Planning Portal (*www.planningportal.gov.uk*) is the Government's online service for planning which includes advice and information on the plan-led and emerging Local Development Framework.

PART 2: GREENSPACE ACTION PLAN

The action plan below sets out how the long term strategy in Part 1: (2005 to 2026) will be put into practice over the next 5 years. It therefore covers the period 2006-2011 at which point the Action Plan will need to be reviewed and updated. The Action Plan should therefore be read in conjunction with Part 1 to provide a context. The action plan will involve not only Torbay Council but other organisations, agencies, authorities, community groups and individuals. The Recommendations have been derived from the Greenspace vision, aims and objectives developed in Part 1, and have therefore been 'themed' to reflect the objectives below objectives or improving management practices (MP).

"Encourage greater use of green spaces by local people."

Strategic objectives:

1. **Improving appearance of green space.**
2. **Improving accessibility, especially for the disabled.**
3. **Challenging people's perceptions of green spaces as areas to visit and use more often.**
4. **Improving facilities and attractions.**
5. **Increasing numbers of events/entertainments.**
6. **Developing opportunities for using green spaces for learning.**
7. **Promoting and protecting the heritage assets of Torbay's green spaces.**

Through community involvement and the sustainability appraisal process the following objectives have been added:

8. **Promoting green spaces as drivers for economic activity.**
9. **Recognising, protecting and enhancing the biodiversity value of green space.**

Timescales: The time periods over which actions are anticipated to be carried out is indicated in the final column. Terms used are defined as follows: **Short Term:** 0 to 3 Years **Medium Term:** 3 to 5 Years **Long Term:** 5 Years and above

Theme	*Recommendations*	Action Plan	Key Partners	*Time scale*
3	GS1 Consult and involve the community on green space issues and developments.	1) Choose the consultation methods to match the intended audience. 2) Share best practice and results of consultations with community groups and other interested parties. 3) Consult with communities on significant new works and alterations. 4) Identify survey and consultation work to be undertaken.	• Friends Groups • Groundwork • Community Partnerships • Consultation section	• Ongoing
3	GS2-Implement improvements in the way the council works with 'Friends of groups'	1) Establish best practice guidance for setting up new groups. 2) Publicise the function and value of ' Friends of' groups with other sections of the Council and the wider community. 3) Consult with 'Friends of' groups on issues which affect their site. 4) Establish a Torbay wide 'Friends of' network.	• 'Friends of' Groups • Cultural Services Division	• Ongoing
5	GS3-Work with health partners to investigate, assess and promote new ways of using green spaces to improve health and well being.	1) Publicise health benefits of green spaces. 2) Investigate funding opportunities for programme of activities.	• Primary Care Trust • Children's Services	• Short term
5 & 6	GS4-Develop a system to organise volunteering opportunities on Council directly managed green space sites.	1) Establish best practice guidance for working with volunteers. 2) Publicise opportunities for involvement with the Council. 3) Develop a database of volunteers. 4) Work with partner organisations to increase the range of opportunities available.	• Torbay Coast and Countryside Trust • Groundwork • 'Friends of' groups	• Medium term

Theme	***Recommendations***	**Action Plan**	**Key Partners**	***Time scale***
1& MP	GS5-Review links, communication, roles and working practices for those working in green space management, maintenance, protection and design.	1) Improve communication between and within teams. 2) Clearly define roles and responsibilities. 3) Review park warden service to reflect the desire of residents and community groups.	• Direct Services and Waste Division • Planning, Development and Policy Division	• Short term
MP, 1, 2,3,4,6,7 & 9	GS6-Write fixed term management plans for key Council directly managed parks and green spaces.	1) Write fixed term management plans for the following typologies: • Town parks • Community parks • Strategic green space • Coastal amenity green space • Directly managed allotment sites • Playing fields • Outdoor sports facilities 2) All new schemes should have a management plan or maintenance schedule as a condition of adoption. 3) Management plans should be consulted with relevant 'Friends of' groups, maintenance staff and specialists when needed and should consider the issues set out in Section 8 of the main report.	• Direct Services and Waste Division • Planning, Development and Policy Division • Torbay Coast and Countryside Trust • 'Friends of' Groups • Community Partnerships • District Action Groups • Town action groups • Plandscape	• Long term • Ongoing • Long term
MP, 6, 7, & 9	GS7-Improve staff training for those working in green space management, maintenance, protection and design.	1) Use the existing RADAR process to assess staff training for those working on green space and develop a benchmark of skills. 2) Ensure staff training courses are developed to include information on biodiversity for designated and non designated sites and the need to increase awareness of the value of such sites. 3) Fill gaps considering issues of cost, time and staff commitment. 4) Programme training.	• Cultural Services Division • Direct Services and Waste Division • Planning, Development and Policy Division	• Ongoing

Theme	*Recommendations*	**Action Plan**	**Key Partners**	*Time scale*
MP, 1,2,4 & 9	GS8-Audit Green spaces regularly and publish findings.	1) Develop a programme and carry out quality audits for sites over 0.2 hectares. 2) Use the quality audit information to prioritise improvements to green spaces. 3) Publish the audit results.	• Cultural Services Division • Direct Services and Waste Division	• Ongoing
MP, 1 & 4	GS9-Regularly review maintenance standards for green space in line with the finance available.	1) Review maintenance standards for directly managed green space. 2) Develop changes to standards in consultation with relevant officers and staff and in line with the available budget. 3) Communicate changes to staff 'Friends of' groups'.	• Cultural Services Division • Direct Services and Waste Division • Plandscape	• Ongoing
MP, 1,9	GS10-Protect green spaces during contract work.	1) Identify areas where green space is at a premium and should not be used for work access or compounds. 2) Enforce reinstatement or compensation so that a site is as good as before the work started. 3) Strengthen and enforce design briefs and specifications to protect surrounding green space from damage including biodiversity (in particular fragmentation) historic and cultural assets.	• Cultural services Division • Planning, Development and Policy Division • Direct Services and Waste Division	• Ongoing
MP, 1	GS11-Develop a system for monitoring the cost of management and maintenance of green space and improve efficiency.	1) Clarify internal arrangements for maintenance of new highway improvements and other schemes where green space is adopted. 2) Implement a recording and budget monitoring costs for the management and maintenance of directly managed individual managed green space sites.	• Cultural Services Division • Direct Services and Waste Division • Plandscape	• Short term
9	GS12-Implement outcomes from the biodiversity action plan.	1) Assess current maintenance regimes as part of the management plan process, making changes in consultation with relevant officers and where necessary wildlife partner organisations. 2) Change maintenance practices where necessary to improve the value of sites, in consultation with staff and within existing	• Cultural Services Division • Direct Services and Waste Division • Planning, Development and • Plandscape	• Medium term

Theme	*Recommendations*	**Action Plan**	**Key Partners**	*Time scale*
		budgets. 3) Publicise changes to management and maintenance regimes in consultation with local people. 4) Use environmental education to give people a better understanding of wildlife areas and their management. 5) In conjunction with partners continuously monitor and evaluate our biological assets. 6) Work in partnership with local groups and the wider community to identify areas in need of protection and intervention to protect and conserve our natural and semi natural green spaces. 7) Encourage the development of new conservation areas where opportunities arise, for example as a result of reclamation and restoration projects. 8) Develop a programme to increase the diversity value of green space sites. Initially target directly managed sites identified by the quality assessment which have biodiversity potential. 9) Recognise, protect and enhance the diversity value of green space. 10) Use the planning and development control process to encourage developers to build in biodiversity initiatives.	Policy Division • Torbay Coast and Countryside Trust • English Nature	
1& 3	GS13-Reduce the effects of crime and anti social behaviour in green spaces.	1) Work with safer communities, local police and relevant organisations to review the nature, location and frequency of crime in green space. 2) Ensure staff report all incidents of crime on green spaces, including vandalism, fly tipping and graffiti. 3) Identify a range of security measures and implement where necessary-giving due consideration to the impact on biodiversity ,heritage and cultural assests. 4) Prioritise action in areas with the greatest need. 5) Link green space with neighbourhood safety schemes.	• Cultural Services Division • Direct Services and Waste Division • Planning, Development and Policy Division • Environmental Health and Consumer	• Ongoing

Theme	*Recommendations*	**Action Plan**	**Key Partners**	*Time scale*
		6) Aim for prosecution of offenders and publicise successful action. 7) Review and improve response times to repair and removal of vandalism, graffiti, fly tipping etc. 8) Ensure notice boards have telephone numbers people can contact in case of emergency. Ensure joint working between legal services, Environmental Health, Direct Services and Waste and other divisions to decrease litter, fly tipping and dog fouling. 9) Raise awareness of the cost and public health issues of litter, fly tipping and dog fouling. 10) Introduce measures to decrease litter. 11) Promote responsible dog ownership in partnership with others for reasons of human health and biodiversity (eutrophication is of particular concern on the Special Area of Conservation at Beryy Head). 12) Enforce litter and dog fouling legalisation by increasing the number of officers trained to issue finds and publicise successful convictions.	Protection Division • Safer Communities • Police • Legal Services	
MP,1,3,4&8	GS14-Identify investment and funding needs.	1) Develop an investment strategy, which identifies and prioritises the sites and projects which need investment, including buildings at risk in parks and green spaces. 2) Develop a funding strategy, which identifies sources of funding, sponsorship and the officers who will make the bid. 3) Ensure projects are community led or supported. 4) Consult with local communities to identify local priorities for project funding.	• Cultural Services Division • Direct Services and Waste Division • 'Friends of' Groups	• Short term
2	GS15-Write an access policy for people with disabilities including the very elderly.	1) Consult with people with disabilities e.g. Torbay Access group and other sections of the Council to write a set of access standards to reduce the barriers to use of green space. 2) Investigate funding sources for improving access.	• Disability groups • Cultural Services Division • Planning,	• Medium term • Short

Theme	*Recommendations*	**Action Plan**	**Key Partners**	*Time scale*
		3) Train staff on access issues.	Development and Policy Division	term
4, 5,6,7& 8	GS16-Assess current facilities and activities in green spaces.	1) Assess need and demand for facilities and activities as part of the management plan process, in consultation with local communities. 2) Provide facilities for children and young people and the elderly. 3) Seek sponsorship and partnership working to attract funding to improve facilities and increase the number of activities. 4) Assess the quality and quantity of horticultural features across directly managed sites in Torbay and introduces changes to and within the available budget. 5) Plan and provide opportunities for less common activities. 6) Plan and prioritise art and cultural projects across Torbay.	• Cultural Services Division • Planning, Development and Policy Division • Torbay Development Agency	• Ongoing • Short term
1,5,6,7 & 9	GS17-Write a interpretation and information strategy.	1) Write an interpretation and information strategy. Items to be covered include biodiversity, culture and heritage. 2) Identify the directly managed sites, which need interpretation across Torbay. 3) Prioritise which directly managed green spaces will have interpretation information. 4) Identify funding to prepare interpretation and information on sites. 5) Promote cultural history and ecological tourism.	• Cultural Services Division • Planning, Development and Policy Division • Community Partnerships	• Short term
2	GS18-Investigate and promote transport links to and between green spaces.	1) Link green space to existing Council travel plans. 2) Work with Torbay Development Agency to look at tourist's links to high quality green spaces. 3) Link green space strategy to walking and cycling strategy to develop a network of recreational cycle and footpaths across the bay.	• Cultural Services Division • Torbay Development Agency • Planning, Development and Policy Division	• Medium term
MP,4	GS19-Develop links to play	1) Link the Green space strategy to the Torbay play strategy.	• Cultural Services	• Short

Theme	*Recommendations*	Action Plan	Key Partners	*Time scale*
	strategy.		Division	term
MP, 1&4	GS20-Review casual and formal sports provision across Torbay.	1) Provide for casual sport in management plans and development briefs. 2) Link the sports strategy and playing pitch strategy to the Local Development Framework.	• Cultural Services Division • Planning, Development and Policy Division	• Ongoing • Short term
MP 2 &4	GS21-Write an allotment strategy.	1) Write an allotment strategy. 2) Promote the allotments service and improve uptake of under used allotments. 3) Develop an overarching allotment association for the maintenance and development of allotment sites.	• Cultural Services Divisions • Allotment associations	• Medium • Ongoing • Long term
MP, 1&4	GS22-Review green space practices for crematorium, burial and closed churchyards.	1) Review current management and maintenance practices for existing and new burial and closed churchyards.	• Cultural Services Division • Direct Services and Waste Division • Environmental Health and consumer Protection Division	• Medium term
MP 1& 4 *(Dual use increasing capacity)*	GS23-Implement the Green space strategy on school grounds.	1) Identify a liaison officer to work with schools to implement the green space strategy. If necessary seek external funding. 2) Investigate the dual use of school sites. 3) Raise the awareness of green spaces within schools.	• Cultural Services Division • Schools	• Long term • Short term
MP 1,2,3,4,5,6 ,7,8 & 9	GS24-Adopt the Green space strategy as corporate Torbay Council policy.	1) Ensure the Green space strategy, recommendations, standards and policies are formally adopted by the cabinet as council policy. 2) Policies and standards proposed in this Green space strategy will be taken forward as part of the local Development Framework.	• Cultural Services Division • Planning, Development and Policy Division	• Short term
1,2 & 4	GS25-Develop and adopt green space provision standards as	1) The standards will be monitored and refined where necessary. 2) The provision standards will be used to set standards for new	• Cultural Services Division	• Short term

Theme	*Recommendations*	Action Plan	Key Partners	*Time scale*
	part of the Local Development Framework.	developments.	• Planning, Development and Policy Division	
4	GS26-Identify areas with too little greenspace.	1) Regularly update the database of green space provision. 2) Assess green space needs for the future population. 3) In areas where there is not enough green space assess existing green spaces to ascertain if they can be upgraded.	• Cultural Services Division • Planning, Development and Policy Division	• Ongoing • Short term • Medium term
1,2,4 & 9	GS27-Ensure an appropriate system for management of new public open space is in place.	1) Enforce and tighten planning contributions and review Section 106 agreements. 2) Audit the use of commuted sums and developer contributions. to ensure the funding is used for the purpose intended. 3) Review the current period for calculating commuted sums. 4) Agree standards for the quality of landscape at handover.	• Cultural services Division • Planning, Development and Policy Division	• Short term
1 & 4	GS28-Write guidance for decisions on whether people can buy Council land for their own use.	1) Produce clear and transparent guidelines for assessing requests for the sale of green space. 2) Review the consultation process linked to the disposal of green space.	• Cultural Services Division • Estates Section • Legal Services	• Short term
4 & 9	GS29-Ensure that sustainability issues are applied to green space.	1) New buildings and structures on green space will be designed and constructed to an environmentally friendly standard. 2) Investigate the potential for small scale renewable energy schemes as part of a building maintenance programme and in the incorporation within new buildings as exemplars. 3) Explore the potential of stand alone renewable infrastructure in green spaces with information boards to raise awareness of the need and functionality of renewable energy schemes. 4) Review current waste recycling and waste minimisation polices for the management of green space and implement changes where necessary. Items to be considered the recycling of green waste and separation of litter bin waste. 5) Review the use of peat in bedding plant composts and in	• Cultural Services Division • Direct Services and Waste Division • Plandscape	• Ongoing • Short term

Theme	*Recommendations*	**Action Plan**	**Key Partners**	*Time scale*
		parks. Implement a peat reduction policy. 6) Review the use of pesticides in green spaces. Implement a pesticide reduction policy.		
1,2,4,5,6,7 &9	GS30-Test management performance by entering internally and externally judged competitions.	1) Enter at least one park or green space for the Green Flag, or Green Pennant award or other externally judged competition each year. 2) Plan and coordinate the entries involving officers, staff and 'Friend of 'Park groups as necessary. 3) Encourage communities to enter and become involved in the competitions. Coordinate national awards with Council initiatives such as the Bay Blooms competition. 4) Enter at least two towns in the annual South West in Bloom competition.	• Cultural Services Division • Direct Services and Waste Division • 'Friends of' groups • Town Action Group • Bay Blooms • Community partnerships	• Ongoing
1 & 4	GS31-Introduce good practice guidance for standard site or facilities inspections for insurance purposes.	1) Develop guidelines for the level of documentation which is required for insurance purposes. 2) Coordinate inspections carried out by different sections. 3) Hold the inspection information centrally and confirm the period of time for keeping these records. 4) Review claims for incidents in green spaces annually, looking for pattern and trends and take action as necessary.	• Cultural services Division • Legal Services	• Short term • Ongoing
1,2,4 & 7	GS32- Write a Torbay wide design code.	1) Write a Torbay wide design code linking to Torbay Urban Design Guide. 2) Adopt the design code as Council policy. 3) Enforce the design code within the council and with private developers. 4) Include the design code in planning guidelines and development briefs.	• Cultural Services Division • Planning, Development and Policy Division	• Medium term
5 & 8	GS33-Culture and Events.	1) Write an Events Strategy accessible to all social groups in terms of affordability. 2) Seek to realise the potential of our green spaces as cultural places to visit in their own right through a programme of	• Cultural Services Division • Direct Services and Waste Division	• Short term • Ongoing

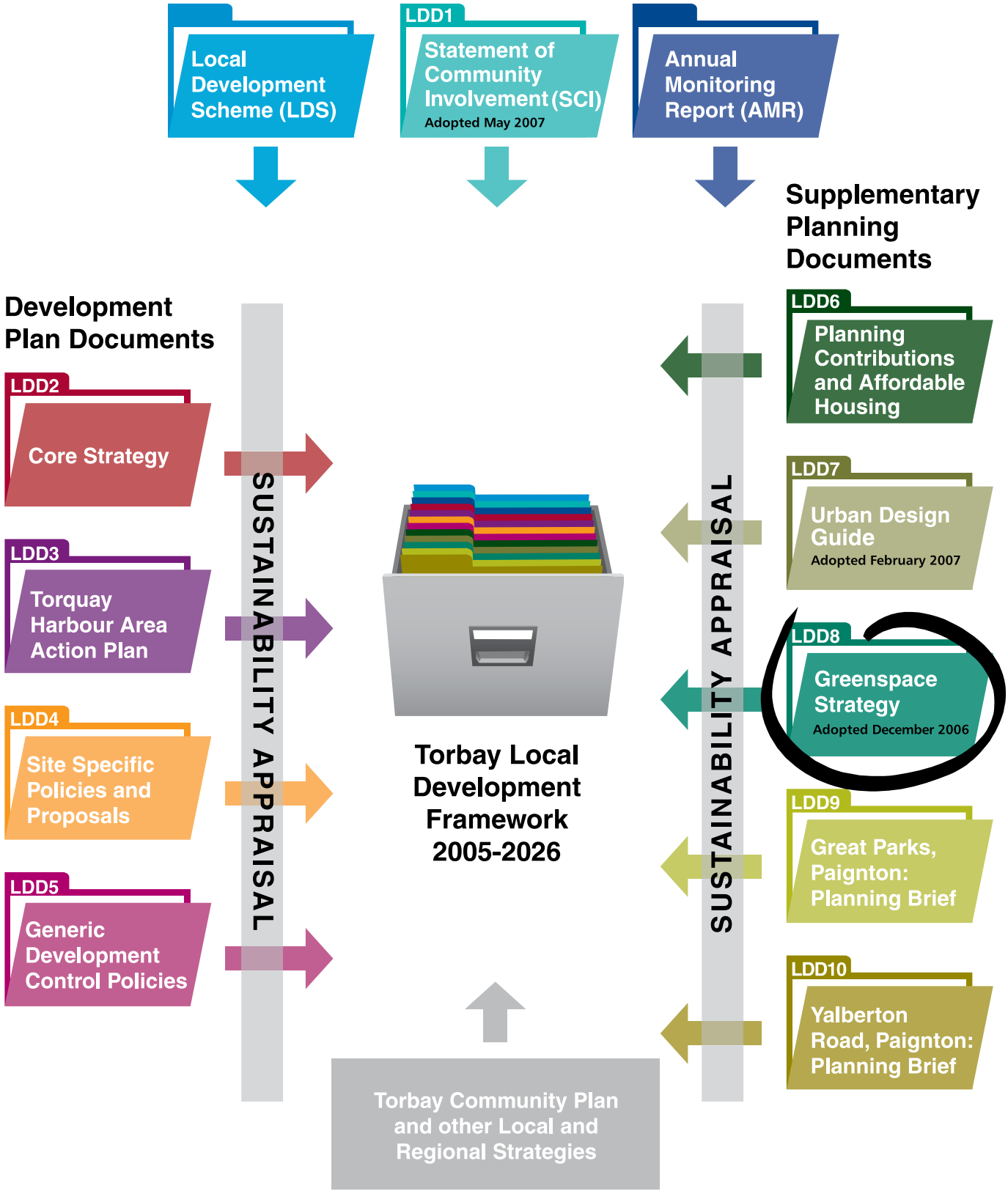
Theme	*Recommendations*	**Action Plan**	**Key Partners**	*Time scale*
		publicity, information and events. 3) In partnership with external, voluntary and commercial operators we will seek to implement a programme of self funded events and activities in our parks and green spaces.	• 'Friends of' Groups • Town Action groups • Community Partnerships	
2,4 & 5	GS34-Sport, play and recreation.	1) We will work to achieve the targets for outdoor sports activities as outlined in the Sports strategy. 2) Review levels of unequipped play space provision, standards and opportunities for improvements. 3) Provide quality safe play facilities, which conform to National and European standards and which meet local needs. 4) Investigate feasibility of providing football pitches at Barton Valley South.	• Cultural Services Division • Sports Council • Sports clubs • Play partnership	• Medium term • Short term • Ongoing
1,4 & 9 MP	GS35- Develop links with neighbouring local authorities.	1) Develop links with Teignbridge and South Hams District Council's. 2) Develop green space policies and projects which will mutually beneficial to Council's and officers involved.	• Cultural Services Division • Direct Services and Waste Division • Planning, Development and Policy Division	• Short term • Medium term
MP1,3,6 & 9	GS36- Review and rewrite Woodland and Tree strategy.	1) Review and rewrite Woodland and Tree Strategy. 2) Review policies for the management and maintenance of all trees. 3) Survey all trees in parks and green spaces regularly. 4) Encourage new individual and urban tree planting. 5) Increase public education of the importance of trees in our environment. 6) Involve residents in decisions on trees in their area. 7) Review tree preservation order policy.	• Cultural Services Division • Direct Services and Waste Division • Planning, Development and Policy Division • Local residents	• Short term • Ongoing
1,2 & 4	GS37- Review and develop ward deficiencies.	1) Apply for funding to build new playgrounds on the seafronts in Paignton and Torquay. 2) Develop new playground provision in Goodrington with	• Cultural Services Division • Planning,	• Short term

Theme	*Recommendations*	**Action Plan**	**Key Partners**	*Time scale*
		Roselands Ward. 3) Develop new playground provision in Preston ward. 4) Provide new Green space in Edginswell area of Shiphay with the Willows ward. 5) Develop new playground provision in St Mary's with Summercombe ward. 6) Review playground provision in north of Tormohun ward. 7) Review playground provision in north area of Watcombe ward. 8) Develop new playground provision in Wellswood ward. 9) Develop new green space provision within Brixham. 10) Develop good quality playground provision in the Willows area.	Development and Policy Division • Community partnerships	• Long term • Short term
1,2,3,4 & 9	GS38-Upgrade Low Quality \ Low Value Parks and Greenspace.	1) Apply for funding to upgrade Low Quality \ Low value parks and greenspaces. 2) Work with Community and Friends of parks groups where practical to upgrade Low Quality \ Low Value Parks.	• Cultural Services Division • Direct Services and Waste Division	• Long term
1,2,3 & 9	GS39-Enhance Low Quality \ High Value Parks.	1) Seek funding to enhance Low Quality \ High Value Parks. 2) Work with Community and Friends groups where practical to enhance Low Quality \ High Value parks. 3) Seek protection through planning system for Low Quality \ High Value parks.	• Direct Services and Waste Division • Planning Division	• Long term
2,3,4,5 & 6	GS40-Work with the Youth Service and other agencies to enhance provision of teenage activities within green spaces.	1) Engage young people in the management of the green space portfolio.	• Cultural Services Division • Youth Service	• Short term
4	GS41-Use Section 106 agreements to direct funds towards priority needs.	1) Through the planning process, secure contributions towards improving green space and outdoor sports facilities and secure additional green space/sporting provision where this is needed.	• Cultural Services Division • Planning, Development and Policy Division • Community/Friends	• Ongoing

Theme	*Recommendations*	Action Plan	Key Partners	*Time scale*
			of groups	
1,2 & 4	GS42-Finalise a series of local standards for quantity, accessibility and quality of open space.	1) Produce a series of local standards for quantity, accessibility and quality of open space.	• Cultural Services Division • Planning, • Development and Policy Division	• Short term
MP 1,4,5,6	GS43-Continue the development of external partnerships.	1) Continue to develop the partnerships with Groundwork Plymouth, CABE Space and Greenspace South West.	• Cultural services Division • Direct services and Waste Division	• Ongoing
1,2 & 4	GS44-Develop a Section 106 policy for green space provision.	1) Develop a Section 106 policy for green space provision, including sports facilities and playgrounds.	• Cultural services Division • Planning, Development and Policy Division	• Short term
1,2,3,4,5,6 & 9	GS45- Review signage policy in parks and green spaces (except Torbay Coast and Countryside Trust'.	1) Review signage in parks and green spaces and link to corporate signage review. 2) Improve signposting and information about green spaces.	• Cultural Services Division • Planning, Development and • Policy Division • Communications section	• Short term
1	GS46-Review number and location of llitter bins in parks and green spaces.	1) Review litter policy for parks and green spaces in line with the budget available.	• Cultural Services Division • Direct Services and Waste Division	• Medium term
1,2,4,6,7 & 9	GS47-Investigate the potential of green spaces to act as flood water storage areas in times of high rainfall.	1) Investigate the potential of incorporating sustainable drainage systems into green spaces for the benefit of the wider	• Cultural Services Division • Planning, Development and	• Medium term

Theme	*Recommendations*	**Action Plan**	**Key Partners**	*Time scale*
		community and recognise impact of artificial surfaces on natural infiltration. 2) Investigate how water consumption in green spaces can be reduced through water efficient mechanisms. 3) Carry out risk assessments on threat to coastal green spaces from coastal erosion and sea level rise	Policy Division • Direct Services and Waste Division	

The structure of the Local Development Framework

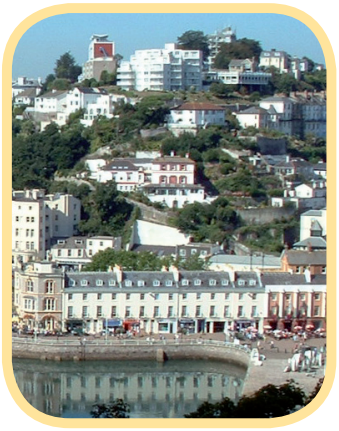


Torbay
Local Development
Framework
2005 - 2026

Urban Design Guide

Adopted Supplementary Planning Document







TORBAY COUNCIL

LDD7

May 2007

Torbay
Local Development
Framework
2005 – 2026

Urban Design Guide

Adopted Supplementary Planning Document

Local Development
Document LDD7

May 2007

The Urban Design Guide is available:

On the Torbay Council Website:
www.torbay.gov.uk/ldf

or at
the Torbay Council Offices (Roebuck House, or any of the Council Libraries and Connections Offices in Torquay, Paignton or Brixham)

If you would like any further information about this document or any aspect of the Torbay Local Development Framework please contact us. You can also **register your interest** in the emerging Torbay Local Development Framework (LDF). Your details will be added to our LDF consultation database and you will be kept informed about the various the Local Development Documents as they are produced.

Strategic Planning Group,
Environmental Policy Division,
Planning, Development & Policy Business Unit,
Community Services
Torbay Council

Postal address: Roebuck House, Abbey Road,Torquay,TQ2 5TF
Tel: 01803 208804
Fax: 01803 208882
e-mail: urbandesign@torbay.gov.uk
e-mail: LDF@torbay.gov.uk
webpage: www.torbay.gov.uk/ldf

Other links that will provide more detailed background information on the spatial planning system include:

Office of the Deputy Prime Minister: Planning Policy Statement 12 - Local Development Frameworks www.communities.gov.uk
The Planning Portal (www.planningportal.gov.uk) is the Government's online service for planning which includes advice and information on the plan-led system and emerging Local Development Framework.

The document can be made available in a range of languages, on tape, in Braille, large print or in other formats.
For further information please contact 01803 208804.

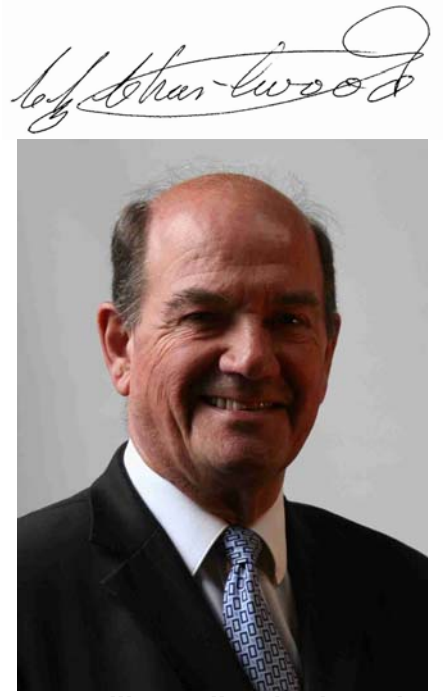
Foreword

Improving the quality of the existing built environment and the design of new development in Torbay is an essential part of the spatial planning process. The Urban Design Guide is a new document that will play a key role in the detailed planning of our three towns. It aims to ensure that new development builds on and enhances Torbay's very special sense of place, which stems from its unique environment, townscape character and urban form.

The Guide is a Supplementary Planning Document that forms part of the Torbay Local Development Framework. It has been produced in consultation with a wide range of partners and has been developed in the context of the Torbay Community Plan, 'Turning the Tide'. The Urban Design Guide will make a positive contribution to meeting key themes of this Plan, in particular 'Economic Prosperity', 'Pride in the Bay' and 'Safer and stronger communities'.

During the preparation of the Guide, we have sought to take account of the views of our many customers, including a wide range of individuals and organisations with a specific interest in the built environment. Councillors have been closely involved in the evolution and scrutiny of this document through the Local Development Framework Working Party and Overview and Scrutiny, before final agreement by the Cabinet and Council.

We would like to thank all of those who have been involved in preparation of the Urban Design Guide. We hope that it will be of widespread interest and assistance to those who wish to promote and advance the delivery of good design throughout Torbay.



Councillor Colin Charlwood
Chair of the Local Development Framework Working Party



Councillor Jeanette Richards
Cabinet Member for Community Services

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Key Terms and Abbreviations

Local Development Framework (LDF)
Local Development Scheme (LDS)
Statement of Community Involvement (SCI)
Annual Monitoring Report (AMR)
Sustainability Appraisal (SA)
Local Development Document (LDD)
Development Plan Document (DPD)
Supplementary Planning Document (SPD)

For further information please see the Glossary in Appendix 3.

1. Introduction

1.1 Definition of Urban Design

1.1.1 'Urban Design is the art of making places for people. It includes the way places work and matters such as community safety, as well as how they look. It concerns the connections between people and places, movement and urban form, nature and the built fabric, and the processes for ensuring successful villages, towns and cities.'[1]



Torquay Harbour



Victorian Paignton



Brixham Harbour

1.2 Scope

1.2.1 Torbay has a unique sense of place. The unique micro-climate and geography have encouraged the development of Torquay, Paignton and Brixham into the UK's most popular holiday destination - the English Riviera. Each town has its special characteristics and identity, as have individual neighbourhoods and areas within the towns. New development should build on and enhance this sense of place, with consideration to Torbay's unique environment, townscape character and urban form.

1.2.2 In order to make successful places we need to ensure that the physical form of development is carefully considered, with the right mix of land uses and in the right location. In 2002 The Urban Task Force pointed out that the best way to promote successful and sustainable regeneration, conservation and place-making is to think about urban design from the start of the planning and development process. This **Torbay Urban Design Guide** provides guidance on the issues that need to be addressed in order to achieve successful and appropriate development within Torbay.

1.2.3 Since the report of the Urban Task Force, Planning Policy Statement 1, the fundamental government guidance on development and sustainable communities, has established the importance of design and its indivisibility from planning. The emerging Regional Spatial Strategy is developing the notion of good design in the context of the South West.

1.2.4 The Torbay Urban Design Guide provides advice for developers, public bodies and planners with regard to the design and assessment of urban development in Torbay. Although by definition the UDG focuses on development within the urban area, the principles and guidance set out also apply to both suburban and urban fringe developments. The aim of this **Supplementary Planning Document (SPD)** is to bring about a design and development process that is more collaborative, responds better to meeting local opportunities and needs, and encourages high quality developments that have minimal impact on natural resources.

1.2.5 The **Torbay Urban Design Guide SPD** forms part of the emerging **Torbay Local Development Framework (LDF)** – see 1.4 below for further details. It has been produced in the context of both the previous Torbay Community Plan (Teaming up for Torbay's Future – April 2004) and the current Plan (Turning the Tide), which was approved by the Council in March 2007. The UDG will make a positive contribution to meeting the key objectives of the new Plan, in particular 'Economic Prosperity' and 'Pride in the Bay'.

1.2.6 This document should be read in conjunction with the **Torbay Streetscape Guidelines 2004-7** (see www.torbay.gov.uk/streetscape-guidelines.pdf) which provides detailed guidance on the design and improvement of Torbay's streets and public realm.

1.2.7 This UDG replaces 'The Built Environment' section (Chapters 2 to 12) of the **Environmental Guide - Supplementary Planning Guidance to the Adopted Torbay Local Plan 1995-2011**. The Environmental Guide remains a useful reference document with regard to the Aspects of Development Form (see pages

[1] p8. *By Design - Urban Design in the planning system: towards better practice*. - ODPM, CABE 2000

65-69 of this document) in association with the two other sections, namely 'The Historic Environment' and 'The Natural Environment'.

1.2.8 The Urban Design Guide was Adopted by Torbay Council on 7 February 07.

1.2.9 It is intended that further guidance will be provided in Urban Character Appraisals that will provide more detailed guidance for specific areas of Torquay, Paignton and Brixham. These appraisals will assess the Urban Character of neighbourhoods (Urban Character Areas) within each town, providing design advice on key areas and an assessment of the potential for different areas to accommodate change and development.

1.3 Contents

1.3.1 Following this introduction, **Section 2** sets out the requirements of Design Statements which should accompany all planning applications, explaining how the developer has developed the design in terms of the principles of Urban Design and Torbay's local context.

1.3.2 **Section 3** outlines Urban Design parameters for the consideration of development in relation to Torbay's built environment. This section does not attempt to reiterate the substantial pool of advice and guidance contained within existing publications on urban design and sustainable development, such as 'By Design – Urban Design in the Planning System', but does provide some specific advice on urban design considerations within Torbay. These documents are essential reading for designers and planning authorities and complement the rationale of the UDG.

1.3.3 An **Urban Design Checklist** is provided in **Appendix 1** to allow applicants and planners to quickly assess proposals against the urban design principles set out in this document. This checklist can be used to quickly identify the strengths and weaknesses of a proposal.

1.3.4 **Appendix 2** describes the Planning Policy background to the consideration of Urban Design within Torbay. Key development plan policies relating to Urban Design are summarised in the section for ease of reference.

1.3.5 **Appendix 3** is a short **Glossary** of key terms and **Appendix 4** provides a list of key references, with links to web pages which provide PDFs of the source documents where these are available.

1.4 Planning Policy Background

1.4.1 The Torbay Urban Design Guide is one of five Supplementary Planning Documents (SPDs) scheduled for production in the Local Development Framework (LDF) and one of ten Local Development Documents (LDDs) defined in the 2005 Adopted Local Development Scheme (LDS). The LDS is a public statement of the local planning authority's programme for the production of the LDDs and can be viewed online at www.torbay.gov.uk/ldf. The Urban Design Guide (previously referred to as the Urban Design Strategy) is noted here as LDD7.

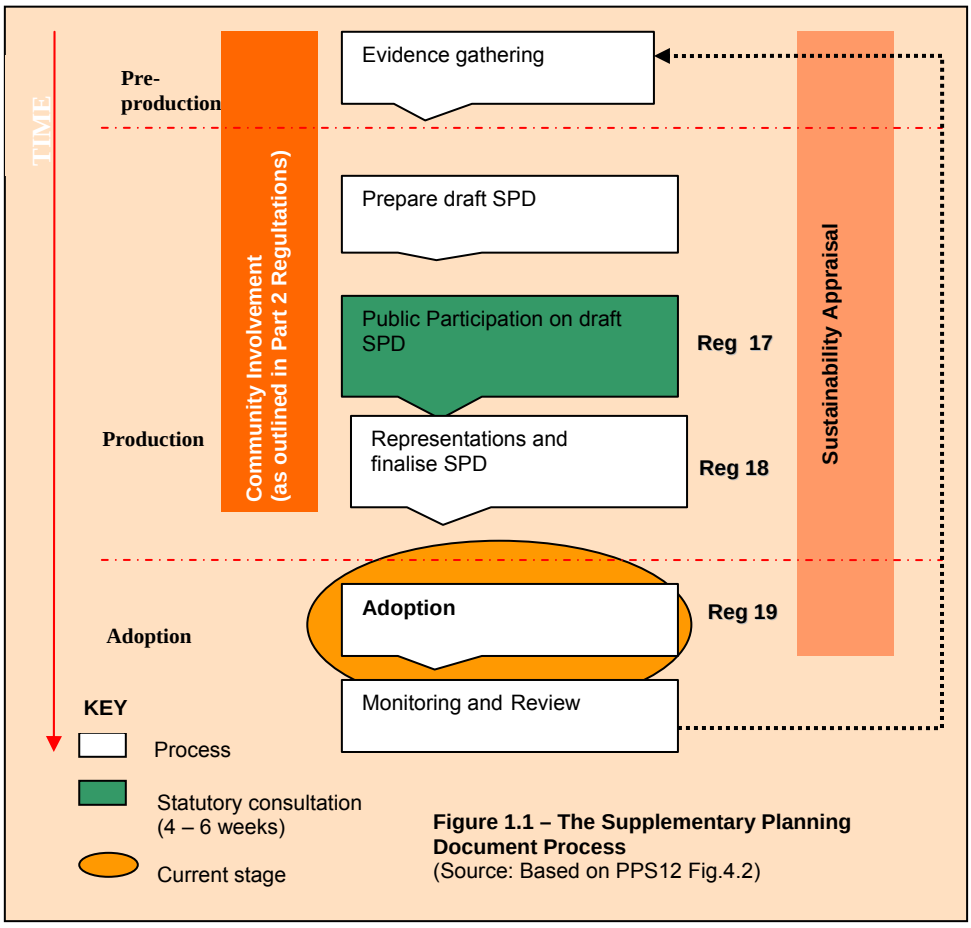


Figure 1.1 – The Supplementary Planning Document Process
(Source: Based on PPS12 Fig.4.2)

1.4.2 SPDs are produced in order to expand upon, or provide further detail to, policies in core strategies, area action plans and other development plan documents in the LDF, where these exist, or in saved adopted local plans. It is intended that they will

include illustrations, text and practical examples to indicate how policies can be taken forward. SPDs are therefore not policy documents in themselves.

1.4.3 Progress made in preparing this SPD was assessed against the stages set out in the LDS timetable via a detailed internal work programme. The formal mechanism for this was the Annual Monitoring Report (AMR) which accompanies the LDF, and is submitted to the Secretary of State each December (see www.torbay.gov.uk/ldfamr). Now that the SPD has been adopted, and as its proposals are implemented, the performance and effects of the SPD will also be assessed using information regarding the condition of the urban environment. The monitoring framework will also incorporate the sustainability appraisal indicators.

1.5 Sustainability Appraisal

1.5.1 A Sustainability Appraisal (SA) has been carried out in parallel with the preparation of this document. This is a requirement under the Planning and Compulsory Purchase Act 2004, and seeks to ensure that environmental, social and economic effects of the SPD are considered. As preparation of the Urban Design Guide progressed through the planning system, a number of changes were made as a result of the SA process. In particular the SA highlighted the need for a more detailed look at climate change and different elements of sustainable design, to account for issues such as sea level rise, sustainable drainage, energy consumption, soil conservation, water conservation and pollution (air, land, noise and water). These issues have now been addressed under Objective 8 – Sustainability.

1.5.2 The appraisal work indicates that the implementation of the Torbay Urban Design Guide represents an improvement upon the existing guidance for developers, bringing together a number of sustainability issues for consideration at the design stage. This is fundamental in light of the high and increasing levels of development which are currently underway and likely to continue in Torbay.

1.5.3 Overall the appraisal work indicates that the document will promote sustainable development. However it is important to recognise that the translation of the wording of this document into actions will determine how sustainable it actually is in practice. This will be dependent on the coverage and level of detail required within

Design and Access Statements and its application on site, in particular in regard to sustainable design. The SA also recognises that a trade off may be required between different elements of sustainability. This trade off will need to be carried out on a site by site basis and in discussion with the Torbay Council Planning, Development and Policy Business Unit.

1.5.4 For further information on the SA process and the work carried out in relation to this sustainability appraisal please see the accompanying full Sustainability Appraisal Report for the Regulation 19 Urban Design Guide. The report is also available on the Torbay Council LDF website at www.torbay.gov.uk/ldf (click on sustainability appraisal) or upon request from the Strategic Planning Group of Torbay Council (Tel: 01803 208804).

1.6 Community Involvement

1.6.1 The SA and UDG have both been subject to community engagement and consultation during their preparation, in accordance with the relevant Regulations and the Council's Statement of Community Involvement. A separate Consultation Statement summarises the consultation process that has been undertaken.

2. Design and Access Statements

2.1 Background

2.1.1 It is a requirement of the Town and Country Planning (General Development Procedure) (Amendment) (England) Order 2006 that from the 10th August 2006 most planning applications will be accompanied by a **Design and Access Statement** (the relevant text from the order, detailing the exceptions to this requirement, is set out in full below). The purpose of these statements is to provide certainty for developers and the community with regard to what is expected as part of the planning process, and an earlier consideration of the design and accessibility issues that affect the nature of development. The main objective of Design and Access Statements (DAS) is to ensure that local planning authorities have sufficient information to consider properly the design and access issues relating to a development proposal against relevant policies in their local development documents. This should allow better decisions to be made more quickly by the Local Planning Authority. To assist stakeholders in this respect, guidance will be incorporated as part of the documents comprising the Local Development Framework.

2.1.2 In accordance with Policies **BES** and **BE1** in the 'Saved' Adopted Torbay Local Plan (1995-2011) and Planning Policy Statement 1: Delivering Sustainable Development, planning applications will be considered in relation to the following Best Practice Statement and related principles:

Torbay Urban Design Guide - Best Practice Statement 1

Applicants seeking Planning Permission for development within Torbay must provide a Design and Access Statement that explains the design principles and concepts that have been applied to the development. This Statement shall relate to the Objectives of Urban Design and Aspects of Development Form as set out in Section 3 of the Torbay Urban Design Guide.

2.2 What is a Design and Access Statement?

2.2.1 Design and Access Statements are a means of helping developers explain their proposals. A planning application and its related Design and Access Statement should explain to the local authority and community the thought processes that have gone into the development of the proposed design.

2.2.2 The size and complexity of the Design and Access Statement should be in proportion to the scale and complexity of the proposed development. In general, applications for all large developments and smaller key developments in sensitive locations (within Town Centres, Conservation Areas or Sensitive Landscapes such as the Area of Outstanding Natural Beauty, Coastal Preservation Area, Area of Great Landscape Value or Countryside Zone) must be accompanied by a comprehensive Design and Access Statement.

2.2.3 Applications for Listed Building Consent also require a Design and Access Statement (see Section 2.5). Where a planning application is being submitted in parallel with an application for Listed Building Consent the Design and Access Statement should address the requirements of both.

2.2.4 A design statement should illustrate how a proposal has met the requirements of PPS1 and addressed the 'Urban Design Objectives' and 'Aspects of Development Form' set out in Section 3 of the Torbay Urban Design Guide (developed from those in 'By Design'). It should explain how the design of a development proposal has addressed relevant saved Adopted Torbay Local Plan Policies, Local Development Framework policies (where appropriate), Conservation Area and designated landscape considerations (where appropriate) and local design guidance. The Design and Access Statement will also need to explain how the proposals have been developed in relation to an understanding of the context of the site, and the applicant's policy with regard to access to the development:

2.2.5 **Appraising the Context:** It is important that proposals are developed on the basis of a thorough understanding of the context of the site. Section 3 of Department for Communities and Local Government Circular 1/2006 ‘Guidance on Changes to the Development Control System’ advises that in order to gain a good understanding designers should follow a design process that includes:

- **Assessment** of the site's immediate and wider context in terms of physical, social and economic characteristics and relevant planning policies.
- **Involvement** of both community members and professionals undertaken or planned.
- **Evaluation** of the information collected on the site's immediate and wider context, identifying opportunities and constraints.
- **Design** of the scheme using the assessment, involvement and evaluation information collected.

2.2.6 The Design and Access Statement should explain how this understanding of the context has been considered in relation to the proposed use, or uses, of the site, and their relationship to uses surrounding the site. The statement should also explain how this context has been considered in relation to the physical form of the proposal (that is; the amount, layout, scale, landscaping and appearance of the development).

2.2.7 **Access Issues:** The access component relates to access to the development, and does not extend to internal aspects of individual buildings, which are covered by the relevant building regulations.

2.2.8 Design and Access Statements should explain how access arrangements will ensure that all users, not just the physically disabled, will have equal and convenient access to buildings and spaces and the public transport network. The statement should also explain the policy adopted in relation to access by the development, and how relevant policies in the local development documents have been taken into account. Consultation undertaken in relation to access issues should be summarised, and how the outcome of this consultation has informed the development proposals explained. The provision of access for emergency services should also be explained where relevant.

2.2.9 **Urban Design Checklist:** The Urban Design Checklist set out in Appendix 1 provides a summary of the issues that should be addressed in the Design Statement.

2.3 Pre-Application Design and Access Statement

2.3.1 In the case of a potential development of significant size or sensitivity, a developer should produce a pre-application Design and Access Statement that sets out the key issues that need to be addressed and can be a basis for discussion with the local authority. PPS1 advises that pre-application discussions are critically important and benefit both developers and local planning authorities in ensuring a better mutual understanding of objectives and the constraints that exist.

2.3.2 A pre-application Design and Access Statement should explain the design principles on which a development proposal is based, and how these will be reflected in its layout, density, scale, landscape and visual appearance and access arrangements. It should explain how these principles were evolved from the relevant policy, site and area appraisal, and consultation with stakeholders and the community.

2.3.3 **Consultation:** It is advised that developer's proposing major development consult with the community prior to submitting a planning application. Torbay's Adopted Statement of Community Involvement [see www.torbay.gov.uk/ldf] states that 'The Council is keen to encourage developer's to discuss their proposals with planning officers and the community before submitting an application as this can help prevent objections being made later. We believe that early public involvement on significant planning applications will help everyone and make for better development. Engagement of the public and other stakeholders with the developer and Council before submission can have significant benefits for development, often enabling difficult issues to be sorted before an application is registered'. Any consultation with the community on the proposals in advance of the application, and the feedback received, should be set out in the Design and Access Statement, together with an explanation of how these views have been considered in the development of the design.

2.3.4 **How much information should be included?** The level of detail required should relate to the scale and sensitivity of the development. A statement relating to an application to build or alter a single house can be brief and straightforward. Describing the context, for example, might involve a simple sketch of the house and the buildings on each side of it, and a short description of the general character of the street.

2.3.5 The design statement for a development on a large or sensitive site would need to be more detailed and comprehensive. A more detailed Design and Access Statement might consider the wider issues that affect the design such as feasibility factors (economic and market conditions), sustainable design, site constraints and the relationship to the wider context in terms of pedestrian and transportation links.

2.3.6 **Programme:** The Design and Access Statement could also set out the programme for the development of the design, setting out key stages for consultation with stakeholders and the community, and meetings with the local authority to review progress.

2.3.7 **Local Authority Input:** The local authority will respond to the Design and Access Statement as part of the process of negotiation, helping the developer to progress the proposal, and confirming the council's design expectations in advance of submission of a planning application.

2.4 Planning Application Design and Access Statement

2.4.1 Design and Access Statements must be submitted with all relevant planning applications, and set out the relationship between the site, proposals and the unique context of the surrounding area, and the wider context of Torbay as a whole. To be acceptable, all applicants must submit Statements that address the matters and information requirements set out in the paragraphs below. A summary of minimum requirements is set out in Appendix 1. The scope and detail of the Design and Access Statement should be in proportion to the type of application and size and scope of the development.

2.4.2 A DAS is an important document (see Page 11) and failure to provide information that meets the minimum requirements will prohibit the Local Planning Authority from registering the application.

2.4.3 **Outline Applications:** Further guidance is provided in DCLG Circular 1/2006, specifically the requirement that outline applications must demonstrate that the proposals have been properly considered in the light of relevant policies and the site's constraints and opportunities. Outline applications are required to submit the following information as a minimum:

- '**Use** - the use or uses proposed for the development and any distinct development zones within the site identified.
- **Amount of development** - the amount of development proposed for each use.
- **Indicative layout** - an indicative layout with separate zones within the site boundary where appropriate.
- **Scale parameters** - an indication of the upper and lower limits for height, width and length of each building within the site boundary.
- **Indicative access points** - an area or areas in which the access point or points to the site will be situated.'[2]

2.4.4 Design and Access Statements 'accompanying an outline application must explain how the applicant has considered the proposal and understands what is appropriate and feasible for the site and its context. It should clearly explain and

[2] p.9 Circular 01/2006, Department for Communities and Local Government, June 2006.

justify the design and access principles that will be used to develop future details of the scheme'[3], which will then be expanded upon as part of a reserved matters application.

2.4.5 **Detailed Applications:** Design and Access Statements submitted with detailed planning applications are not a substitute for detailed drawings and other material required to be submitted for determination as part of the planning application. 'They provide an opportunity for developers and designers to demonstrate their commitment to achieving good design and ensuring accessibility in the work they undertake, and allow them to show how they are meeting, or will meet the various obligations placed on them by legislation and policy.'[4]

2.4.6 Design and Access Statements should cover the following topics:

- Explain the design principles and design concept.

- Outline how these principles are reflected in the amount of development, the development's layout, density, scale, visual appearance and landscape treatment, and its access arrangements.

- Explain how the design relates to its site and wider area (through a full site and area appraisal where appropriate), and to the purpose of the proposed development. The statement should demonstrate a good understanding of the local physical, economic and social context of the site, and explain how this has influenced the design. Development proposals that do not address these issues can lead to the exclusion of particular communities or create environments that foster anti-social or criminal activities.

- Explain how the development will meet the local authority's urban design objectives, and its other planning policies.

- Include a popular summary where this would be of value in public consultation.

[3] p.9 Circular 01/2006, Department for Communities and Local Government, June 2006.
[4] p.11 Circular 01/2006, Department for Communities and Local Government, June 2006.

- Explain how the design has addressed access issues, and how the relevant policies in the local development documents have been taken into account.

- The outcome of consultation that has been undertaken with local communities, access groups, amenity groups and other stakeholders (such as the Police Architectural Liaison Officer, English Heritage, English Nature, Environment Agency etc) should be summarised, and the way in which their views have been incorporated into the design explained.

- Explain how pedestrian access to the site has been integrated with existing pedestrian and public transport routes; why the main points of access to the site and the layout of access routes within the site have been chosen; and how features which ensure access to the development will be maintained.

- How prospective users will be able to gain access to the development from the existing transport network.

2.4.7 A written design statement should incorporate relevant illustrative materials that convey the character and content of the design. These might include plans and elevations, including plans demonstrating the relationship of the site to its context; photographs of the site and its surroundings; and other illustrations, such as perspectives, sections and details.

2.5 Design and Access Statements accompanying Listed Building Consent applications

2.5.1 Design and Access statements for applications for Listed Building Consent should cover the same issues as for statements prepared in relation to planning applications, where these are relevant. Information on use, amount of development and landscaping may not be relevant for Listed Building Consent Design and Access Statements that do not also accompany a planning application.

2.5.2 In addition to the requirements set out above in relation to Design and Access Statements for planning applications, statements accompanying applications for Listed Building Consent should include a brief explanation of how the design has taken account of paragraph 3.5 of PPG15 (Planning and the Historic Environment), and in particular:

- the historic and special architectural importance of the building,
- the particular physical features of the building that justify its designation as a listed building,
- the building's setting.

2.5.3 Where appropriate a detailed Conservation Plan may be required to form part of the Design and Access Statement, explaining how these features will be preserved and enhanced by the proposal. Circular 1/2006 requires that where there is potentially an aspect of the design that will impact on the special historic and architectural importance of the listed building the statement should explain why this is necessary and what measures within the approach to design have been taken to minimise its impact.

2.5.4 Similarly, the Design and Access Statement needs to consider access issues. The statement should make clear how the approach to access has balanced the duties imposed by the Disability Discrimination Act where the proposal is subject to those and the historic and architectural significance of the building. Where conflicts arise the statement should detail the range of options considered, and where inclusive design has not been provided an explanation given. 'In alterations to existing buildings where the fabric of the structure restricts the ability to meet minimum

levels of accessibility details should be provided of the solutions that will be put in place to minimise the impact on disabled people and ensure that any services provided within the building are made available in other ways.'[5]

[5] p.18 Circular 01/2006, Department for Communities and Local Government, June 2006.

3. Urban Design Principles

3.1 Background

3.1.1 ***'By Design - Urban Design in the Planning System'*** provides guidance and good practice to Local Authorities, Developers and Clients in relation to Urban Design. It sets out objectives which should be met by development.

3.1.2 'Successful streets, spaces, villages, towns and cities tend to have characteristics in common. These factors have been analysed to produce principles or objectives of good urban design. They help to remind us what should be sought to create a successful place. There is considerable overlap between the objectives and they are mutually reinforcing.'[6]

3.1.3 In accordance with Policies BES and BE1 in the 'Saved' Adopted Torbay Local Plan (1995-2011) and Planning Policy Statement 1: Delivering Sustainable Development, planning applications will be considered in relation to the following Best Practice Statement and related principles:

Torbay Urban Design Guide - Best Practice Statement 2

Development within Torbay should, as a minimum, address the Objectives of Urban Design and Aspects of Development Form set out in the Torbay Urban Design Guide (which have been developed from those in 'By Design - Urban Design in the Planning System: Towards a Better Practice' (DETR and CABE, 2000).

In its consideration of planning applications Torbay Council will assess each application against these Objectives of Urban Design and Aspects of Development Form.

[6] P15. By Design - Urban Design in the Planning System, towards better practice, DETR/CABE 2000. http://www.cabe.org.uk/pdf/PublicationsByDesign.pdf

3.1.4 Section 3.2 expands upon the **Objectives of Urban Design** set out in '*By Design'*, to provide locally specific advice in relation to the design of the built environment in Torbay.

3.1.5 Section 3.3 expands upon the **Aspects of Development Form**, also set out in '*By Design'*, and articulates eight important characteristics of the physical form of development, which is the physical expression of urban design.

3.2 Objectives of Urban Design

3.2.1 The Objectives listed below set out the fundamental qualities of successful places, to which all development must contribute. They are intended to be a starting point in the development of a design proposal - not rigid rules. The designer* needs to consider, for example, how a proposed building relates to its context in terms of scale and massing, and built-form and materials, as well as how it makes connections with the existing urban structure and movement patterns. The way in which these issues have been addressed needs to be demonstrated in the Design and Access Statement which accompanies a planning application.

3.2.2 In addition to the Objectives that have been derived from *'By Design'*, development within Torbay should demonstrate best practice in terms of Sustainable Design. To this end an additional Objective has been developed as part of this Guidance to encourage developers to address this issue. For larger developments a separate Sustainability Statement may be required to enable a detailed explanation of how a development has achieved a sustainable design.

3.2.3 Each Objective is broken down by a series of prompts which guide the designer with regard to the issues that need to be considered. These prompts are not exhaustive; each site's conditions may produce specific design problems, as will changing practice and technologies.

3.2.4 In order to meet these requirements the designer will need to have an understanding of the local context. A detailed site appraisal should be carried out to guide the form of the development. *'By Design'* provides detailed guidance on methodologies that can be used as part of the appraisal process. A large amount of information is already available to assist in this process, for example; **Conservation Area Appraisals** are available for all of Torbay's Conservation Areas, providing a detailed analysis of the development and valuable elements of each area and **historic maps** provide an understanding of the way in which an area has evolved through time. Regard should also be had to the Conservation Area Management Plans that have been produced in association with these Appraisals.

3.2.5 In reality, some of the Objectives may conflict on individual sites, so a creative approach to resolving these issues is required to achieve a good design solution. For example, it is an objective of PPS1 that new developments create safe and accessible environments where crime does not undermine quality of life or community cohesion. This requires the designer to balance a number of different aims, including clear definition of public and private space, provision of passive and active surveillance, creation of a clearly legible built form, and the implementation of a robust public realm. Ultimately, however, the development form which emerges as a result of such a process is more likely to result in better designed places.

3.2.6 In the remainder of this section the following Objectives of Urban Design are considered in turn:

A **Character** - *A place with its own identity*

B **Continuity and enclosure** - *A place where public and private spaces are clearly distinguished*

C **Quality of the public realm** - *A place with attractive and successful outdoor areas*

D **Ease of movement** - *A place that is easy to get to and move through*

E **Legibility** - *A place that has a clear image and is easy to understand*

F **Adaptability** - *A place that can change easily*

G **Diversity** - *A place with variety and choice*

H **Sustainability** - *A place that meets the needs of today without compromising the ability of future generations to meet their needs.*

3.2.7 The Urban Design Checklist in Appendix 1 summarises the Objectives of Urban Design and Aspects of Development Form, and can be used as a tool by developers and planners to ensure that a proposed development has addressed these issues.

* Throughout this section the term **'Designer'** is used to describe any person who has an influence on the development of the built environment. Whilst this will most obviously include Urban Designers, Architects, Landscape Architects and Engineers, it will also include Developers, Planners, Chartered Surveyors, Project Managers, Economists and anyone who is involved in the development process.

A Character - *A place with its own identity*

A.1 Background

- Development should promote local character in townscape and landscape by responding to and reinforcing locally distinctive patterns of development, landscape and culture. Development should respond sensitively to the site and its setting, creating a place that is valued and pleasing to the eye.

A.2 Designers should consider the site's land form and character when laying out new development.

- The three-dimensional shape of the landscape should be the basis for a development's form (expressed in its layout and massing). Development should work with the contours rather than resorting to the use of retaining walls or other structures, such as large earth-embankments. The historic built form around Torquay Harbour illustrates how positive use of level changes can produce a distinctive built form.



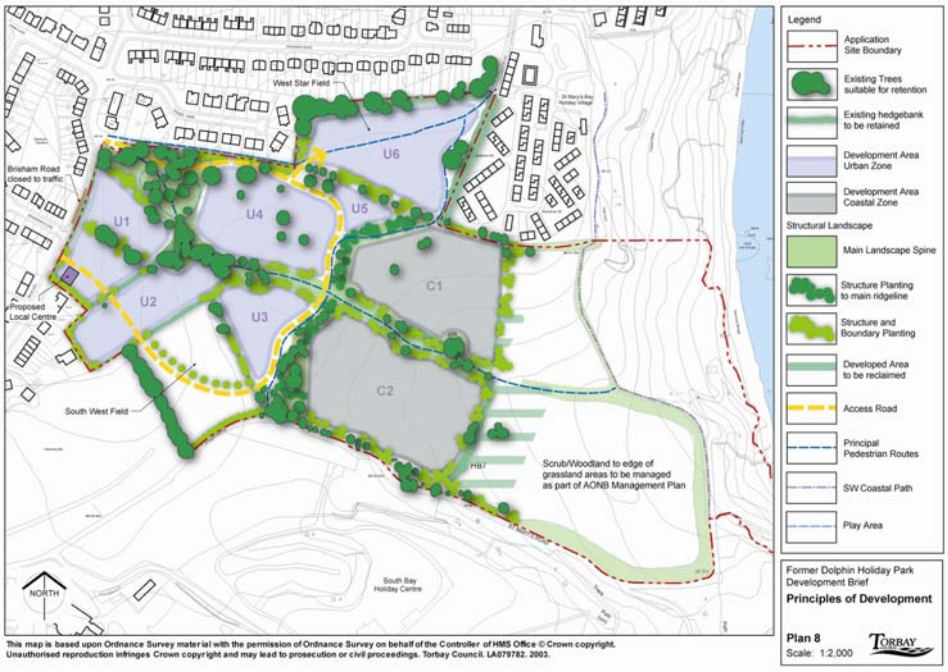
Torquay Harbour

- Within Torbay there are many natural features that contribute to the Bay's sense of place. Conserving a site's natural features provides for a better relationship between new development and its environment, and can help to integrate it into the wider area. Natural features such as the shoreline, rivers and streams, wetlands, ponds and lakes, hills, trees, wildlife habitats and rock outcrops, should be incorporated into developments to reinforce local distinctiveness.

- Torbay has a unique climate that supports a diverse range of plants and animals, and a unique underlying geology. Where appropriate, development should utilise the local ecology and geology to help to determine the character and identity of both a development and the place of which it is a part. Locally distinctive species such as Cirl Buntings, Small Blue butterflies and Greater Horseshoe Bats should be supported by the retention, enhancement and creation of suitable new habitats as part of developments.

A.3 Designers should integrate new development into its landscape setting to reduce its impact on nature and reinforce local distinctiveness.

- The layout, massing and landscape design of development should be integrated successfully into the wider landscape through using structural planting, shelter belts, green wedges, and (along natural features, roads, rivers and canals) green corridors. A comprehensive approach will be required to the treatment of a development site and the Council will seek a net overall environmental gain. For example, the planning brief for the redevelopment of the Dolphin Holiday Park in Brixham (now known as Sharkham Village) required the creation of green corridors through the site that retain key existing trees, to create a strong link between the site and the adjacent coastline, and South West Coast Path.



Dolphin Holiday Camp Redevelopment Development Principles

- New development should reinforce the distinct natural qualities of a place by using plant species that are common locally. This will also help to ensure that landscape schemes establish well, especially on exposed or difficult sites. Within Torbay, locally distinctive trees such as Lucombe Oak, Monterey Cypress, Corsican and Black Pines (such as these at Hope's Nose), and stands of disease-resistant elm trees are important in the landscape. Palm trees (notably Cordyline australis) are also grown as ornamental plants throughout the Bay and can add to the local character when used appropriately. Limestone grassland is an important local habitat type that is rare in the south west of England and should be retained within developments where appropriate.



- New developments should integrate with adjoining land uses to maintain continuity of urban form and landscape. It is particularly important to avoid hard boundaries where the edge of the urban area meets countryside, especially around Brixham where the landscape of the South Devon Area of Outstanding Natural Beauty encloses the urban area.



A.4 Designers should respond to the existing layout of buildings, streets and spaces to ensure that adjacent buildings relate to one another, streets are connected and spaces complement one another.

- The existing layout of an area reflects its history, functions and connections with adjoining areas. These should be drawn upon to contribute to the interest and richness of new development, and enhance its potential to accommodate further change in future. The redevelopment of the South Devon College site in Torre uses a grid layout that relates to the layout of the Victorian street pattern, and makes strong connections with the adjacent pedestrian spine.



Block Diagram of South Devon College Redevelopment, Torquay

- Existing buildings and structures of local distinctiveness, historic or townscape merit should be integrated into new development to maintain the continuity of the built fabric and retain local character.

- Narrow plot widths should be used where appropriate to promote more active frontages, increase the sense of enclosure and allow higher densities. They are particularly appropriate where they reflect existing settlement patterns. For example, the plot layout at Moorings Reach reflects the pattern in this historic part of Brixham, creating a high density modern development that fits into its context.



Moorings Reach, Brixham

A.5 Designers should respond to local building forms and patterns of development in the detailed layout and design of development to reinforce a sense of place.

- Local building forms and details contribute to the distinctive qualities of a place. These can be successfully interpreted in new development without necessarily restricting the scope of the designer. Standard solutions are rarely acceptable, as they are unlikely to create a distinctive identity or make good use of a particular site. These dwellings (overleaf) in the first phase of the Sharkham Village, Brixham draw on the traditional Brixham building type (in particular the special local value of the simple terrace form) to give a clear sense of place, unlike the standard house types shown in the adjoining photograph, which could be anywhere in the UK. This does not mean that a pastiche approach is required; contemporary design that relates to the context in terms of scale and massing, proportions of windows and materials is usually a more successful approach.



Sharkham Village, Brixham and housing in Torquay

- Local building forms sometimes include distinct housing types, boundary treatments, building lines, roof slopes, window details and gardens. The redevelopment of these industrial units in Well Street, Paignton, used matching crittal windows to enable conversion of the existing building.



Crittal windows at Well Street, Paignton

- Responding to local built forms should only be at the appropriate scale. The practice of reproducing traditional domestic forms at larger scales should be avoided.

A.6 Designers should use local materials, building methods and details where appropriate to help to enhance local distinctiveness.

- New development should draw on the scale, texture and colour of surrounding building materials to reflect an area's special function and character. This development in Well Street, Paignton, uses a red render in reference to the local Breccia stone.




Well Street, Paignton and Brunswick Square, Torre

- Every element of the street scene can be used to contribute to the identity of the place, including sculpture, lighting, railings, litter bins, paving, fountains and street furniture. The lamp columns in Brunswick Square, Torre, (above) have been cast from original lamp columns.

- Development can be enhanced by reflecting local art and craft traditions. These might relate to elements such as ironwork, stained glass, thatching, brickwork, masonry, walling and paving. They should not be add-ons or afterthoughts, but part of the design from the start. This barn at Cockington Court (built in 2002) uses locally distinct cob walling and clay roof tiles to accommodate modern farm machinery.



A.7 Designers should consider the scale, massing and height of proposed development in relation to that of adjoining buildings; the topography; the general pattern of heights in the area; and views, vistas and landmarks.

- Relating new development to the general pattern of building heights should not preclude a degree of variety to reflect particular circumstances. The character of townscape depends on how individual buildings contribute to a harmonious whole, through relating to the scale of their neighbours and creating a continuous urban form. This infill development in Matford Lane, Exeter, is a modern design which has an appropriate relationship with regard to scale and massing to its 19th Century neighbours.





Matford Lane, Exeter and Brixham terraces

- On a sloping site, buildings that sit on the real ground and step up the hill are more likely to contribute to local character and avoid blank walls at ground level than large monolithic slabs that ignore the topography. The dwellings around the harbour in Brixham (above) step up the slope, helping to create the distinct character of Brixham.

- The massing of development contributes to creating distinctive skylines in cities, towns and villages, or to respecting existing skylines. The character of a skyline is composed of the massing of blocks and the shape of roofs, as well as by the height of buildings. The complicated landform of Torbay, particularly in Torquay, has resulted in a number of prominent buildings on raised areas of

land. Development on such sites needs to be particularly carefully handled. A building should only stand out from the background of buildings if it contributes positively to views and vistas as a landmark. Buildings which have functions of civic importance are one example. The development of the South Devon College Site in Torre will remove the existing Mackay building, whose large mass dominates views from Upton Park and parts of Chelston and is out of scale with buildings in the surrounding Conservation Areas. The proposed development replaces this with a stepped development that works more appropriately with the landform and is less dominant in the surrounding townscape.



South Devon College Development from Lymington Road – Existing



South Devon College Development from Lymington Road – Proposed

B Continuity and enclosure - *A place where public and private spaces are clearly distinguished*

B.1 Background

- Development should promote the continuity of street frontages and the enclosure of space by creating a built form that clearly and coherently defines private and public areas. Development should relate to the surrounding urban structure and avoid the creation of undefined leftover space that contributes nothing to the urban environment.

- Successful urban spaces (including streets) are defined and enclosed by buildings, structures and landscape. The relationship between buildings on a street, and between buildings and the street, are the key to this. Buildings which follow a continuous building line around a street block and contain the private space within back yards or courtyards are often more successful than individual buildings that stand in the middle of a site. Buildings with live edges, such as shopfronts, doors and windows facing directly to the street, or residential upper floors, enable people to keep an eye on public space and make it feel safer.

B.2 Designers should create buildings that relate to a common building line and reinforce and define the street.

– Development that follows the boundary of the street block can help to create an unambiguous distinction between public and private spaces. Respecting the historic or traditional building line helps to integrate new development into the street scene, maintains the continuous urban fabric and avoids places of concealment. Many of Torbay's urban areas contain strong street frontages that should be respected by infill development. New development should draw upon these precedents to create a suitable development form. The Water's Edge development at Shaldon has a strong street frontage,



as shown in the related diagram (red represents the main building frontage, green the public realm).

– Where appropriate development should use a continuous street frontage with a minimum of blank walls and gaps between buildings. Gaps between buildings reduce the degree to which the street is overlooked, as do blank walls (which also encourage graffiti). There are places, however, such as in parts of the Warberries and Lincombes, where strong building lines are not a dominant feature of the street scene. The development in Well Street, Paignton, replaces the former garage, which was set back from the pavement, with residential properties that relate to the historic building line.



Redevelopment of Garage site - Well Street, Paignton

– When designing development with continuous frontages, careful integration of bin storage and utilities is required to prevent these from detracting from the streetscape.

– Projections and setbacks from the building line, such as bays and entrances can add valuable emphasis without undermining the principle of continuity. Balconies, or raised floor levels, can be used to increase surveillance without detracting from the elevation, such as these Juliet balconies at Fleming Way, Exeter.



– Where buildings step back from the common building line, they can create usable, attractive

spaces for pedestrians. These spaces need to be carefully designed to avoid potential problems and encourage activity and surveillance.

– Small setbacks can be used to soften the impact that buildings and the public realm have on each other, such as in these properties overlooking Exmouth marina, where the semi-private gardens create activity and surveillance overlooking the public realm.



Semi-private gardens, Exmouth Marina and Porch Detail, Avonwick

B.3 Buildings should be designed so that the primary access is achieved from the street.

– Development should use building entrances that are clearly identifiable; contributing to the ease of understanding of a place. Entrances are where people move between public and private space and create activity on the street. This can be easily achieved, such as through the use of simple porch canopies at Avonwick (above). Frontages dominated by garages and access to buildings by means of internal courtyards should be avoided, as these create dead facades that limit activity, potential interactions and surveillance.

– Direct access to the street from ground floor premises (both housing and shops), rather than by way of communal entrances, can reduce the length of blank facades.

– Access to private or communal back yards, such as for parking, requires careful control by means of gates or by overlooking, to avoid problems with criminal or anti-social behaviour.

B.4 Designers should consider the ways in which the front and back of buildings are used in different ways; their design can reflect this.

– Designing the less private rooms (such as living rooms and kitchens) to face the street, particularly at the ground floor, means the front of a building can have a direct relationship with the street and encourages overlooking.

– More private rooms such as bedrooms and bathrooms contribute little or nothing to overlooking the street and tend to deaden the street frontage.

– Buildings which present their backs to public space (even on main roads) often present high fences and walls to the street, reducing overlooking and safety.

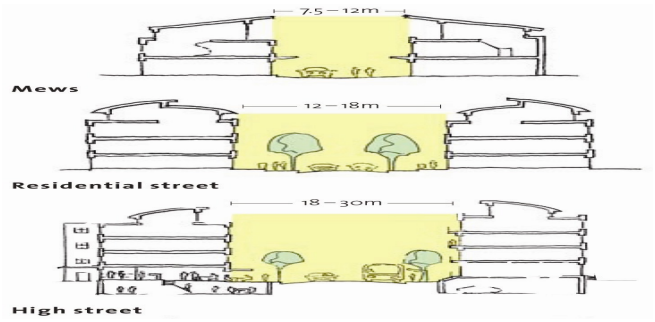
B.5 Designers should clearly define and enclose private space at the back of buildings to provide better privacy and security.

– Back yards or inner courtyards that are private or communally shared space are best enclosed by the backs of buildings. The rear gardens of houses are more secure if they back on to other gardens, rather than side roads, service lanes or footpaths.

– Where shared (but not public) space is provided in internal courtyards of high density housing developments, the privacy of ground floor rear rooms can be protected by private yards or gardens. These need to be clearly defined by walls or other boundary treatments.

B.6 Development should help to define streets and public spaces.

– Streets, squares, parks and other spaces should be defined by appropriately scaled buildings and trees. The height of buildings should relate to the width and importance of the space (including streets) which they enclose, as illustrated in this diagram from the Urban Design Compendium[7]. The massing and height of a building should also have regard to the degree to which it will overlook and overshadow other buildings.



– A building at the corner of a street block can turn and close the corner visually, such as at the entrance to the Water's Edge development at Shaldon. Shallower building depths can be used at the corners of street blocks, to allow sunlight and daylight to penetrate without interrupting the continuous building line round the block's perimeter. Relaxing standards (for minimum garden sizes and back-to-gable distances) can reduce or even eliminate gaps and blank walls when housing turns the corner. This also increases privacy to the rear.



– Setbacks at upper floors reduce a building's impact at street level by allowing one or more upper storeys to be less visible from the street. Setting back can allow an increase in density without an equivalent increase in the sense of scale, but must be used with restraint as, when overdone, it can result in overdevelopment and block light.

[7] p75. *Urban Design Compendium* - Llewelyn-Davies 2000

B.7 Designers should define the relationship between the fronts of buildings and the street to benefit their respective uses.

– Clearly indicating the extent of private ownership of space round a building (by means such as walls, fences, railings, gates, arches, signage and paving) defines the boundary between public and private space. These low walls and railings fulfill this function at the Water's Edge site, Shaldon.



– Detailed design can make clear whether ambiguous spaces (such as forecourts, malls, arcades and covered streets) are public or private.

C Quality of the public realm - *A place with attractive and successful outdoor areas*

C.1 Background

- Development should promote public spaces and routes that are attractive, safe, uncluttered and work effectively for all in society, including disabled and elderly people. The success of the public realm depends on the arrangement of its paving, planting, lighting, orientation, shelter, signage, street furniture, and the way it is overlooked, as well as the routes which pass through it, and the uses within and next to it.



- The public realm is made up of the parts of the built environment that are freely available and accessible. This can include streets, parks, squares, harbours and waterfronts, beaches, arcades and public buildings, whether publicly or privately owned. It provides the setting not only for everyday life, but also for more formal civic occasions. It is enlarged and enriched by developments designed to welcome a broad range of people, and by creative management. It is restricted and impoverished by buildings and spaces designed to keep out or discourage all but a narrow range of users, and by over-regulation. Anyone who is designing a building, or any other structure, is helping to shape the public realm.

- How attractive a public space is, and how well people treat it, will partly depend on its design but also on the arrangements made for its easy management and maintenance.

- The Torbay Streetscape Guidelines 2004-2007 provides detailed advice on the design and management of the public realm (see www.torbay.gov.uk/streetscape-guidelines.pdf).

C.2 Designers should create successful places that have a system of open and green spaces that respect natural features and are accessible to all.

– Public spaces can be designed to create a variety of type of space (path, street, square, park, plaza, green), character of space (informal, civic, recreational, commercial) and scale of space, rather than being merely the parts of an area that have not been built on. The provision of public spaces should respond to the needs established by the patterns of local economic, social and cultural life. In Torbay public spaces, particularly in the town centres and waterfront areas, are especially important as they are the focus for visitor activities and there is a direct relationship between the experience of visitors and the viability of the local economy. Beacon Quay, Torquay, is a successful public space that allows for flexible use (such as the D-Day Memorial event pictured) within a high quality built environment.



– Well-designed public spaces are functioning parts of a network of pedestrian routes, providing for the needs of all users including disabled and elderly people.

– Streets and street junctions that are designed as public spaces (rather than just traffic routes) are likely to be more convenient for all users. Street trees and street lighting can reinforce the character and relative importance of a route.

– Making use of natural assets such as water, riversides, slopes, trees and other planting helps to create attractive spaces and encourages biodiversity.

C.3 Designers should create ground floors that are occupied by uses that relate directly to passing pedestrians create activity and interest.

– Where appropriate facades can be enlivened by active uses (such as shops and restaurants), entrances, colonnades, and windows (views into the building give interest to passers-by and make the building's function apparent, while views out of the building facilitate overlooking, which contributes to safety).

– Privacy for ground floors of residential development on busy streets can be maintained by raising the floor above street level.

– Street entrances at frequent intervals help to ensure activity.

– Buildings on busy street corners that are designed to accommodate shops, restaurants and other similar activities can contribute to local identity and activity.

C.4 Well-designed public space should relate to the buildings around it.

– Public space should be designed with a purpose in mind. Space left over after development, without a function, is a wasted resource, a drain on maintenance resources and will detract from a place's sense of identity. It is likely to be abused and vandalised, diminishing safety and security.

C.5 The design of public spaces should take account of the micro-climate.

– The layout and massing of development should take account of local climatic conditions, including daylight and sunlight, wind, temperature and frost pockets to create spaces that are sustainable.

– The micro-climate will both influence and be influenced by the form of development, including the orientation of buildings and the degree of enclosure.

– Public spaces should be protected from downdraughts from tall buildings, as well as from lateral winds.

– Deciduous trees and climbers can filter heat and pollution in summer and allow low winter sunlight. Where appropriate shade should be provided in public spaces, particularly to children's play areas.

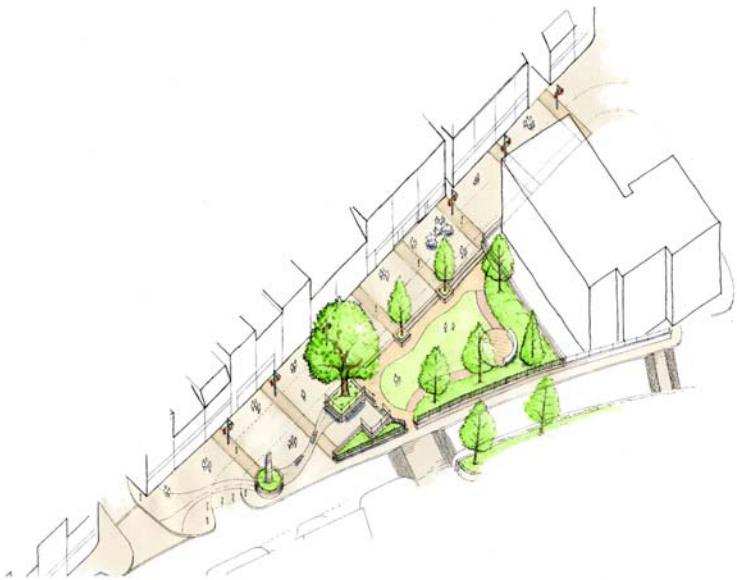
C.6 Designers should create streets and spaces that are overlooked. This will create spaces that allow natural surveillance, that feel safer and generally are safer.

– Buildings of all types which front on to streets, squares or parks, contribute to overlooking by showing their public face.

– Making separate footpaths or cycle tracks as direct as possible, and well overlooked, will help avoid producing places where pedestrians and cyclists feel unsafe.

– Play areas, other communal space and parked cars should be overlooked.

– Living over shops encourages natural supervision and evening activity.

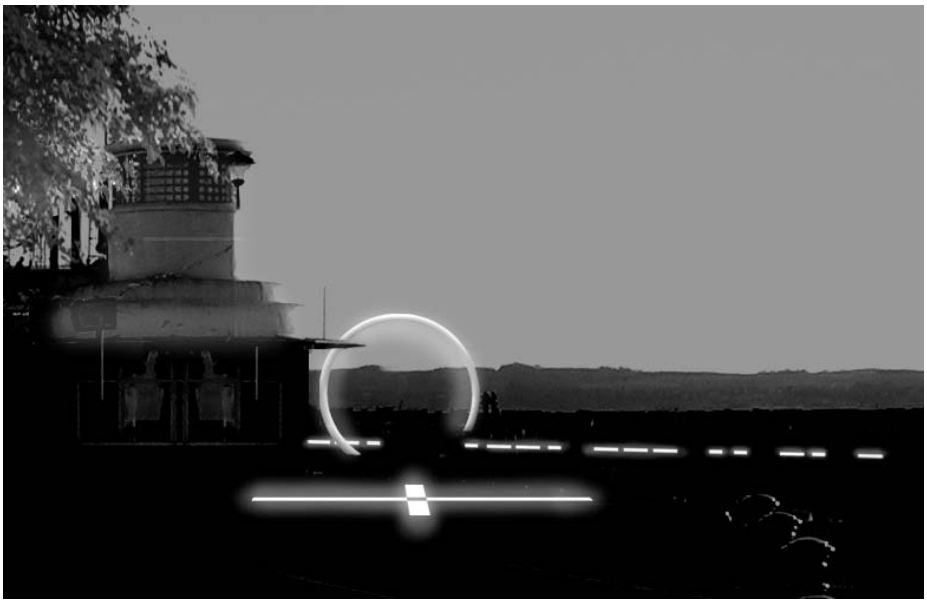


Sketch Design for Brunswick Square, Torre

– Lighting and planting can help or hinder surveillance and perceptions of safety, and must be carefully designed. In urban areas shrub planting should generally be kept low, allowing inter-visibility between spaces. Trees should have a clear stem with a canopy above head-height. Brunswick Square in Torre (as shown on the previous page) has been carefully redesigned to improve visibility across the space and open up the park to the street, discouraging anti-social behaviour and criminal activity.

C.7 Works of art and well-designed street furniture integrated into the design of public spaces give identity and enhance the sense of place.

– The work of artists should be integrated into the design process at the earliest possible stage if it is to be used effectively. Public art can add an additional level of interest to the public realm, and should be developed as an integral part of the design of the built environment. Input from artists and other conceptualisers can enrich the design process, generating more site specific and inspirational design. For the installation at Beacon Quay, the artist worked as part of the design team to develop a site specific work of art.



Public Art at Beacon Quay, Torquay

– Co-ordinating the design of streetscape avoids clutter and confusion. This includes all elements of the street scene including signage, lighting, railings, litter bins, paving, seating, bus shelters, bollards, kiosks, cycle racks as well as

sculpture and fountains. The Torbay Streetscape Guidelines 2004-2007 provides detailed advice on the design public realm elements including street furniture and paving.



– The design of street furniture can enhance local distinctiveness. Historic lamp columns and seats can often be successfully combined with contemporary furniture to add to the quality of the public realm. This historic lamp column in Paignton creates a locally distinctive landmark.

– Streetscape design should be robustly designed to take account of the need for maintenance, resistance to vandalism and access to underground services.

– Detailed design features, such as these copper shop signs (below) in Winner Street, Paignton, can greatly enrich the public realm.



Shop Signs in Winner Street, Paignton

D Ease of movement - *A place that is easy to get to and move through*

D.1 Background

- Development should promote accessibility and local permeability by making places that connect with each other and are easy to move through, putting people before traffic and integrating land uses and transport.

- The convenience, safety and comfort with which people go to and pass through buildings, places and spaces play a large part in determining how successful a place will be. Streets are more than just traffic channels for vehicles, and should offer a safe and attractive environment for all. Well-designed streets encourage people to use them, and make going outside a safe and pleasant experience.



Victoria Street, Paignton

D.2 Designers should create a well-designed urban structure that has a network of connected spaces and routes, for pedestrians, cyclists and vehicles.

– New routes should connect into existing routes and movement patterns. The degree of connection in a new development is often the key to its success. Established footpaths, shortcuts and minor roads can become the basis of enduring linkages.

– Access for public transport should be incorporated as an integral part of the street layout and urban fabric.

– Minimising walking distances between major land uses and public transport makes it easier and more attractive to use and available to as many people as possible.

– A junction can be designed as a point of entry. Such junctions can help identify a place and define the routes through it.

D.3 Designers should ensure that transport routes (roads and streets) should reflect urban design qualities and not just traffic considerations.

– Streets should be designed as public spaces, not just in response to engineering considerations. Recent research has shown that over-engineered road designs, which segregate vehicles and pedestrians, can lead to increased vehicle speeds and increase the frequency and severity of accidents. Simple street design, without barriers or unnecessary signage, encourages slower traffic speeds and greater pedestrian safety.

– Boulevards are a means of creating continuous frontage development and providing a high level of traffic capacity.

– The traditional form of high street, which allows for stopping, parking and slow traffic, can in appropriate circumstances provide an effective way of accommodating local shopping and economic activity.

D.4 Designers should ensure that a development's access and circulation should contribute to a fine-grain network of direct and connected routes within and beyond the site rather than creating big blocks.

– The grain of streets is usually finer around busy shopping streets.

– Streets that connect to other streets encourage movement and activity and short linked-up streets can make places more accessible and encourage walking and cycling.

– In designing for connected streets care should be taken to avoid undermining the 'defensible space' of particular neighbourhoods.

D.5 Designers should ensure that development is laid out to encourage low traffic speeds.

– Traffic speeds can be managed by the arrangement of buildings and spaces. This housing scheme at Bradninch uses a tight road alignment with a building line at the back of the pavement to reduce speeds. Physical traffic-calming measures should be secondary but considered as an integral part of the design.



– Changes in materials or 'gateways' at the entrance to low speed areas can alert motorists to the need to reduce speed.

– Smaller corner radii will encourage more careful vehicle movement.

D.6 Designers should consider how the layout and density of development can help increase accessibility to public transport.

– Higher densities can help to support public transport, and equally higher density development can be more achievable where there are good connections to public transport systems.

D.7 Integrated transport interchanges promote the use of public transport and provide for seamless movement between all modes of travel.

– Higher density commercial and mixed-use developments, civic buildings and developments likely to generate large numbers of visitors are best located within close walking distance of public transport interchanges.

– Railway stations designed as an integral part of the public realm create safe and secure pedestrian environments at all times of the day.

E Legibility - *A place that has a clear image and is easy to understand*

E.1 Background

- Development should promote legibility by providing recognisable routes, intersections and landmarks to help people find their way around.



- Landmarks, gateways and focal points help people find their way. Vistas create visual links between places. This is particularly important in places like Torbay, where steep gradients and level changes can be disorientating and confusing to pedestrians and vehicle drivers. Planting, especially street trees, can be used to help emphasise pedestrian routes. Visible routes and destinations, and a visible choice of routes, will contribute to making a place feel safe and unthreatening. Places where form, layout and signage make them easy to understand are likely both to function well and to be pleasant to live in or visit.

- Equally, some places, such as the narrow lanes in the centre of Brixham, draw their charm from their lack of clear routes. The process of design needs to take account of the fact that people do not all read, interpret and enjoy a place in the same way. Men and women, children and adults, residents and visitors, old and young people, and people from different cultures will experience it differently and be encouraged to feel at ease by different aspects.

E.2 Designers should ensure that development is sited so as to enhance existing views and vistas, and create new ones, to help people to find their way around.

– The ability to see important routes and landmarks can be integral to finding one's way around and in reinforcing the sense of place.

– Where possible, views should focus on important routes, memorable buildings and landscape features. In Torquay, the main civic buildings, such as Torquay Town Hall and St Mary Magdalene's Church (previous page), are vital for orientation within the busy town centre, and are clearly seen in long vistas up and down Union Street.

– A sense of place often depends on the design of the public realm and its contribution to an area's character and identity. Bespoke design of the public realm, including street furniture, can help.

E.3 Designers should use the design, location and function of buildings to reinforce the identity and character of the routes and spaces they serve.

– Concentrating the most active uses on main routes and around focal points will contribute to the vitality of a place. In Torre the concentration of shops on the main pedestrian route, adjacent to a public open space, creates a viable area with a strong sense of local community.




Torre Gateway, Torquay

– Civic and community buildings, located around public spaces, provide symbols of community identity and a focus for civic life.

– Ensuring that a public building's function is readily apparent to passers-by and that its main entrance is easily identifiable contributes to the ease of understanding a place.

E.4 Designers should design corners to enhance legibility - creating visual interest and contributing to local identity.

– Corner buildings can provide identity and points of orientation. Making them higher than the surrounding buildings will emphasise their importance. In Brixham this is often achieved through the use of turrets or other features.



– Locating public uses such as shops on the corners of busy streets enhances activity and local identity.

E.5 Designers should improve the legibility of an area through the detailing and quality of materials in new development.

– Legible designs often depend on close attention being paid to the detailing, for example of shopfronts and building entrances.

– Richness of detail is particularly important at ground level, where people see it close at hand.



Bargain Box, Winner Street - Before and After Shopfront Restoration

– The quality of signage, including that for shops and other commercial premises, is important and can enhance identity and legibility. In Winner Street, Paignton, (above) careful restoration of historic detail to the shopfronts has enhanced the quality of the street.

– The choice of materials can add interest and aid legibility. The infinite variations in any natural material have their own intrinsic qualities and uniqueness.

– Works of art and lighting schemes can help to aid identity and legibility. The mural celebrating the Queen's Golden Jubilee at Winner Street, and banners on the former Co-op building, provide an important and locally distinctive landmark.



Co-op building, Winner Street



Mural, Winner Street

F Adaptability - *A place that can change easily*

F.1 Background

- Development should promote adaptability by enabling the built form to respond to changing social, technological and economic conditions.

- The most successful places have prospered in changing circumstances. Even though people may live, travel and work in very different ways, the basic structure of the physical fabric of such places proves to be grounded in unchanging patterns of human life, rather than being unalterably fitted to some very specific purpose.

- Places need to be adaptable at every scale. A household makes different demands on a house as children are born and grow up. Towns and cities have to adapt as industries rise and decline, demand for housing and the nature of workplaces changes, and buildings and infrastructure age.

F.2 Designers should create simple, robust building forms that are not tightly designed to a very particular use, but allow for the greatest variety of possible future uses to be accommodated.

– Floor-to-ceiling heights and building depths should be considered in the light of the need for flexibility to allow later conversion of a building to other uses. Older commercial buildings, such as the Co-op in Winner Street have a simple structure that can accommodate changes in use (in this case to residential).



– Adaptable ground floors on corners of busy streets allow different uses to be accommodated over time.

– Well-designed housing is adaptable to the changing needs of its occupants.

F.3 Designers should create places that are capable of being used for a range of activities.

– Well-designed public spaces allow for different uses, such as events, festivals and markets. The simple design of Union Street in Torquay accommodates large numbers of people, particularly in the summer, but also allows for street cafes, market stalls and informal gatherings.



– Development can be related to the public realm in ways that encourage rather than discourage flexible use of buildings and space. This can be achieved through the imaginative use of elements such as terraces, balconies and forecourts.

– To encourage a mix of uses buildings can be designed to facilitate different access arrangements at different times.

F.4 Designers should create developments that have flexible layouts and design.

– Fine-grain development is easier to adapt than large-scale structures.

– Roads within a development which are built to adoptable standards, rather than being locked into estate management agreements (which inhibit change), will allow a greater variety of uses to be developed over time. However, this must be balanced against the potential for rigid adherence to adoptable standards to create places dominated by the road network.

– The layout of the infrastructure servicing development (including water supply, sewerage, drainage, gas, electricity, cable, telephone, roads, footpaths, cycleways and parks) should take account of foreseeable changes in demand.

– Building to last means thinking about future uses, expansion and changing needs for access. For example, the location of means of escape can facilitate a building's later conversion, the position of the building on its site can affect scope for expansion, and floor-to-ceiling heights are important in this context.

G Diversity - *A place with variety and choice*

G.1 Background

- Development should promote diversity and choice through a mix of compatible activities and uses that work together to create viable places that respond to local needs.

- The mix of uses (whether within a building, a street or an area) can help to determine how well-used a place is, and what economic and social activities it will support.

- A mix of uses may be appropriate at a variety of scales: within a village or town; within a neighbourhood or a street; or even in a particular building. In a town centre, for example, housing can provide customers for shops, make use of empty space above them and generate activity when they are closed. In residential areas, workplaces, shops and other facilities can make the place more than just a dormitory.

- Mixed-use development can make the most of opportunities for higher densities and intensive activity at locations with good access to public transport. At higher densities, it can provide the sort of environment that will suit particular kinds of household, such as single or young people, or couples without children.

G.2 Designers should create a mix of uses that will help to attract people to live, work and play in the same area.

– The mix can be at the scale of the building (one use above another), the street (one use next to another) or the neighbourhood (groups of uses next to others).

– Vital places often have a mix of uses which involves different people using the same parts of a building or place at different times of the day, as well as different uses happening in different parts of a building or space at the same time. In Palace Avenue, Paignton, the Victorian layout provides opportunities

for a mix of shops, residential properties, theatre and public open space, which encourages activity and vitality.



G.3 Designers should endeavour to create the right mix of development.

– A successful mix of uses results where the uses are compatible one with another and interact with each other positively.

– A successful mix of uses is achieved where the uses help to create a balanced community with a range of services, without increasing reliance on the car.

G.4 Designers should use a diversity of layout, building form and tenure to contribute to creating successful living and working environments.

– Buildings of different sizes and types allow for different uses to be accommodated over time.

– To promote social inclusion, in well-designed places social housing is not distinguishable from private housing by its design, nor is it banished to the least attractive site. In the redevelopment of the South Devon College site in Torre, affordable housing will be provided on the same street as market housing, in indistinguishable dwelling types, with shared public spaces (as illustrated in the photomontage of the approved scheme).



South Devon College Redevelopment, Torquay – Photomontage

– Subdividing large sites into smaller development plots, each with direct access to public roads or spaces, can help create diversity (subject to the existence of an overall plan), especially if different approaches to design are adopted, using different architects.

– Narrow plot frontages can allow small-scale shopping and commercial activities to flourish and adapt to changing needs.

H Sustainability - *A place that meets the needs of today without compromising the ability of future generations to meet their needs.*

H.1 Background

- Development should promote sustainability through both social and economic inclusivity and a consideration of environmental impact.

- Assessment of the sustainability of a development can be complex, but the principle of not compromising the ability of future generations to meet their needs is a sound basis for consideration of this issue. Designers should consider this issue as part of their Design Statement, or in large developments a separate Sustainability Audit might be appropriate. The 'South West Sustainability Checklist for Developments', available on the Future Foundations website, should be used to form the basis for this section of the Design and Access Statement.

- Larger developments may require a separate, more comprehensive, Sustainability Statement in order to fully consider the impact of the development.

- Involving the local community in the design process is an important part of creating a sustainable design. Development that is integrated with the existing community is often more successful than isolated developments, and can help to meet the local community's aspirations, as well as the developer's.

- High standards of energy efficiency should be a basic requirement of all new development, as should a consideration of minimum energy usage during the construction process. It is proposed that, in accordance with the Regional Spatial Strategy (Development Policy G), all new and refurbished buildings within Torbay must achieve a minimum of Level 3 in the Government's emerging Code for Sustainable Homes (equivalent to very good standard, BREEAM/ECO-homes) in order to minimize lifetime resource use, energy consumption, water use and waste production. In addition, all larger scale

developments and urban extensions must be designed to meet top Level 5 in the Government's emerging Code for Sustainable Homes (equivalent to excellent standard, BREEAM/ECO-homes).

- Good pedestrian, cycle and public transport connections can help to reduce car use, and encourage integration of the development with the surrounding area. Managing drainage and waste water on site can reduce energy usage and potential flooding, and can present an opportunity to create habitats and improve biodiversity.

H.2 Designers should be inclusive in the design of proposed development

– An inclusive design process will involve the local community at an early stage, such as at this consultation event in Brunswick Square, Torre. This can allow the community to express their needs and aspirations for the site and area. This can benefit all parties, enabling local needs to be met, encouraging more robust design and better connections with the development's context.



– Provision of local services and facilities, such as Doctors' surgeries, libraries and community centres, within a development can generate activity and help to stimulate a more sustainable community. Care must be taken that these are economically sustainable and that there is a sufficient need in the community for these facilities.

– A mix of uses and dwelling types, including fully integrated affordable housing, will create an inclusive development that provides for a sustainably balanced community.

– A high quality public realm and good public transport connections will provide for the whole community, including those households without access to cars or other vehicles.

– Buildings should be designed to be safe and adaptable, for example by following Lifetime Home standards and 'Secure by Design' principles. The guidance set out in Safer Places - The Planning System and Crime Prevention, should be considered when designing development, particularly where this includes public spaces.

H.3 Designers should consider the economic and environmental impacts of their proposals.

– The economic impact of a development on the local economy should be considered. For example, a large superstore could have a negative impact on small local shops and businesses. However, a smaller supermarket in a mixed development with other commercial premises and residential properties could benefit the local economy by encouraging people to shop locally, providing a greater diversity of units and a larger residential population.

– The environmental impact of a development should be minimized. This requires consideration at the start of the design process. Existing site constraints and opportunities such as levels and drainage, valuable habitats and protected species, and existing trees and vegetation can all be utilised to form the basis for a robust site layout that is locally distinctive and has a low or positive environmental impact. The impact of new and refurbished buildings, including reducing air, land, water, genetic (e.g. use of non-native plants), noise and light pollution, should be minimised throughout the building's lifetime.

– Development should be concentrated on brown field sites, having due regard to any inherent biodiversity value. Green field sites, particularly those with good quality agricultural land or ecological value, should be avoided.

– The energy used during the construction of the development should be minimised. This includes a consideration of the energy used in the construction process and the long-term energy requirements of the built form. Use of sustainably sourced or reclaimed materials, low energy construction processes and minimisation of the export of material from site can all reduce energy use and environmental impact. The shop and café at Occombe Farm uses locally sourced timber for roofing materials and handrails (below).



Occombe Farm, Torbay Coast and Countryside Trust

– The long-term energy requirements of the built form should also be minimised. Careful design can include orientation to maximise solar gain in winter, appropriate tree planting to provide shade in summer, and use of insulation and double glazing to reduce heat loss. In addition, where appropriate, use of renewable energy sources such as solar cells and small-scale wind turbines, can reduce the long term energy use of development.

– Developments should aim to reduce car use. Good pedestrian and cycle connections, particularly to local shops, public transport routes and facilities are vital.

– Provision of on-site recycling facilities should be considered on larger schemes. All development should provide space for individual recycling facilities for all properties.

– Development should conserve water, utilising sustainable on-site wastewater treatment where possible, and using sustainable drainage urban systems (SUDS) to reduce run-off and minimise flood risk. The emerging Strategic Flood Risk Assessment being prepared by Torbay Council will assist in identifying risk of flooding to sites throughout Torbay. Water conservation should be considered as part of individual building design, with rainwater collection systems and low-consumption fittings used in all new and refurbished buildings.

- Developers should take account of the potential impact of rising sea levels and coastal erosion, particularly in vulnerable and low lying coastal locations. The Council's emerging Climate Change Strategy will advise on the expected degree of sea level rise and coastal erosion. The Strategic Flood Risk Assessment would need to be consulted to identify land that could be vulnerable to sea level rise.

– Local biodiversity and ecology should be enhanced by development. Opportunities to create habitats through the retention of existing site features, use of carefully designed open space and incorporation of potential habitats into the built form (such as through the use of green roofs, providing nesting opportunities etc.) should be taken. Site design should accommodate existing wildlife linkages, such as streams and hedgerows, in the context of Torbay Local Plan Policy NC4 ‘Wildlife corridors’.

- In particular, flight paths and feeding areas of the European protected Greater Horseshoe bat should be recognised and considered in any design work. Whilst the Special Area of Conservation at Berry Head provides maternity sites for the bats, the networks of flight paths and feeding areas are of equal importance. These can be adversely affected by inappropriate lighting and hedgerow management, and disturbance of flight paths. To determine if a site will effect any of these features please consult English Nature’s Research

Report No.344 ‘Dispersal and foraging behaviour of Greater Horseshoe bats, Brixham, Devon’ or contact Natural England (formerly English Nature) for advice.

- The Sharkham Village development in Brixham recreates valuable limestone grassland that is an important local habitat, but also improves the environmental setting of the scheme – to the benefit of new and existing residents. ‘The Nature of Torbay – A Local Biodiversity and Geodiversity Action Plan 2006-2016’ (see www.countryside-trust.org.uk/lbap.htm) provides information on key habitats and species within the Bay.



Sharkham Village from Sharkham Point –
Reclamation of Coastal Limestone Grassland

3.3 Aspects of Development Form

3.3.1 The Aspects of Development Form* articulate eight characteristics of the form of development, which are the physical expression of the Objectives of Urban Design. The form of buildings, structures and spaces is the physical expression of urban design. It is what influences the pattern of uses, activity and movement in a place, and the experiences of those who visit, live or work there.

3.3.2 These elements define the **Layout** of a place, from the road and pedestrian network to street blocks and building plots; it's **Scale**, in terms of height and massing; and **Appearance** in terms of facade and interface, and architectural appearance and detail. These elements combine with the underlying natural environment to create the **Public Realm**, the streetscape and landscape of the place.

3.3.3 These characteristics are set out in descending scale, starting with the broad structure of the area and gradually focusing on the detailed design of individual plots and buildings.

3.3.4 In the preparation of Design Statements, designers of extensive developments will need to explain how they have developed a new urban structure that fits with the context. Designers of smaller developments might only need to consider how the scale and detailed design of proposed buildings relates to the context, and any impact the development might have on the wider urban structure.

* The Aspects of Development Form set out below has been developed from 'By Design' and 'The Councillor's Guide to Urban Design' (CABE, 2003).

I Layout: Urban Structure

I.I Development should have a clear Urban Structure that integrates with the surrounding context, makes pedestrian connections, and has a consideration of site and environmental constraints.

I.II The layout provides the basic plan on which all other aspects of the form and uses of a development depend. This plan shows:

- The relationship between new development and nature, land form and existing buildings.

- The framework of routes and spaces that connect locally and more widely, and the way developments, routes and open spaces relate to one other.

II Layout: Urban Grain

II.I Development should relate to the context of the surrounding area in terms of urban grain, plot layout and rhythm of frontages.

II.II The nature and extent of the subdivision of the area into smaller development parcels showing:

- The pattern and scale of streets, blocks, plots and their buildings in a settlement.

- The degree to which an area's pattern of blocks and plot subdivisions is respectively small and frequent (fine grain), or large and infrequent (coarse grain).

- The rhythm of building frontages along the street as a reflection of the plot subdivision.

III Layout: Density and Mix

III.I The density and mix of a development should be economically and socially viable, and relate to the density of the surrounding area. Higher densities can be achieved in town centres and locations with good public transport.

III.II The amount of development on a given piece of land and the range of uses.

- More accessible places can accommodate more intense activity and a higher density of development.

- Density influences the intensity of development, and in combination with the mix of uses can affect a place's vitality and viability.

- The density of a development can be expressed in a number of ways. This could be in terms of plot ratio (particularly for commercial developments), number of dwellings, or the number of habitable rooms (for residential developments).

IV Scale: Height and Massing

IV.I Development should relate to the surrounding built environment in terms of height and massing. Articulation of a building's facades should relate to human scale.

- Scale is the size of a building in relation to:
  - The arrangement, volume and shape of a building or group of buildings in relation to other buildings and spaces
  - The size of parts of a building and its details, particularly in relation to the size of a person.
  - The impact on views, vistas and skylines

- Height can be expressed in terms of the number of floors; height of parapet or ridge; overall height; any of these in combination; a ratio of building height to

street or space width; height relative to particular landmarks or background buildings; or strategic views.

- Massing is the three-dimensional expression of the amount of development on a given piece of land.

V Façade and Interface

V.I Development should positively address the street with an active frontage that encourages surveillance, encourages activity and relates to the contextual built form.

V.II The relationship of the building to the street should consider:

- The rhythm, pattern and harmony of its openings relative to its enclosure.
- The nature of the building line, boundary treatment and its frontage condition at street level.
- The architectural expression of its entrances, corners, roofscape and projections.

VI Appearance: Details

VI.I Development should use a high quality of architectural detail that has been developed with careful consideration of its relationship with its context.

VI.II Appearance is derived from the craftsmanship, building techniques, decoration, styles and lighting of a building or structure. This includes all building elements such as openings and bays; entrances and colonnades; balconies and roofscape; and the rhythm of the facade. The lighting, signage and treatment of shopfronts, entrances and building security.

VII Appearance: Materials

VII.I Development should use a careful palette of materials, which has been developed with careful consideration of its relationship with its context.

VII.II Appearance is also derived from the texture, colour, pattern and durability of materials, and how they are used. The richness of a building lies in its use of materials that contribute to the attractiveness of its appearance and the character of an area. Where possible, locally distinctive materials should be used, including recycled or sustainably sourced materials.

VIII Landscape and Streetscape

VIII.I The design of public spaces and landscape within and surrounding a development should be carefully considered to create a successful built environment.

VIII.II The design of routes and spaces, their microclimate, ecology and biodiversity, including:

- Careful retention of existing natural features and trees
- Paving, planting and street furniture
- The integration of public art, lighting, signing and waymarkers
- The character and appearance of land, including its shape, form, ecology, colours and elements, and the way these components combine.
- The treatment of parks, play areas, boundaries, natural features and recreation areas
- Consideration of long term management and maintenance issues

URBAN DESIGN GUIDE SPD

APPENDICES

Appendix 1: Urban Design Checklist

Design and Access Statements - Minimum Requirements

How much detail is required?

The scope and detail of the Design and Access Statement should be appropriate to the type of application and size and scope of the development. The statement must explain how the applicant has considered the proposal and understands what is appropriate and feasible for the site and its context. It should clearly explain and justify the design and access principles that will be used to develop future details of the scheme.

- Design and Access Statements accompanying **Outline Applications** must demonstrate that the proposals have been properly considered in the light of relevant policies and the site's constraints and opportunities.

- Design and Access Statements accompanying **Detailed Applications** should illustrate how designers propose to achieve good design and ensuring accessibility in the work they undertake, and allow them to show how they are meeting, or will meet the various obligations placed on them by legislation and policy.

Typical Content

The Design and Access Statement should explain how the development has been developed in relation to its context. As a minimum the statement should set out the design process followed, including:

1. **Assessment** of the site's immediate and wider context in terms of physical, social and economic characteristics and relevant planning policies.

2. **Involvement** of both community members and professionals

3. **Evaluation** of the information collected on the site's immediate and wider context, identifying opportunities and constraints.

4. **Design** of the scheme using the assessment, involvement and evaluation information collected. This section should explain how the proposals have developed in relation to the Objectives of Urban Design and Aspects of Development Form as set out in Section 3 of the Torbay Urban Design Guide. The UDG Checklist allows the applicant to assess how the detailed aspects of these two matters have been assessed.

5. The **Access** section of the statement should explain how access arrangements will ensure that all users, not just the physically disabled, will have equal and convenient access to buildings and spaces and the public transport network.

Objectives of Urban Design

A. Character – *Does the scheme feel like a place with its own identity?*

Does the development promote local character in townscape and landscape by responding to and reinforcing locally distinctive patterns of development, landscape and culture? Does the development respond sensitively to the site and its setting; creating a place that is valued and pleasing to the eye?

- Designers should consider the site's land form and character when laying out new development.
- Designers should integrate new development into its landscape setting to reduce its impact on nature and reinforce local distinctiveness.
- Designers should respond to the existing layout of buildings, streets and spaces to ensure that adjacent buildings relate to one another, streets are connected and spaces complement one another.
- Designers should respond to local building forms and patterns of development in the detailed layout and design of development to reinforce a sense of place.
- Designers should use local materials, building methods and details where appropriate to help to enhance local distinctiveness.
- Designers should consider the scale, massing and height of proposed development in relation to that of adjoining buildings; the topography; the general pattern of heights in the area; and views, vistas and landmarks.

B. Continuity and enclosure – *Is the scheme a place where public and private spaces are clearly distinguished?*

Does the Development promote the continuity of street frontages and the enclosure of space by creating a built form that clearly and coherently defines private and public areas? Does the development relate to the surrounding urban structure and avoid the creation of undefined leftover space that contributes nothing to the urban environment?

- Designers should create buildings that relate to a common building line and reinforce and define the street.
- Buildings should be designed so that the primary access is achieved from the street.
- Designers should consider the ways in which the front and back of buildings are used in different ways; their design can reflect this.
- Designers should clearly define and enclose private space at the back of buildings to provide better privacy and security.
- Development should help to define streets and public spaces.
- Designers should define the relationship between the fronts of buildings and the street to benefit their respective uses.

C. Quality of the public realm – *Does the scheme have attractive and successful outdoor areas?*

Does the development should promote public spaces and routes that are attractive, safe, uncluttered and work effectively for all in society, including disabled and elderly people?

- Designers should create successful places that have a system of open and green spaces that respect natural features and are accessible to all.
- Designers should create ground floors that are occupied by uses that relate directly to passing pedestrians create activity and interest.
- Well-designed public space should relate to the buildings around it.
- The design of public spaces should take account of the micro-climate.
- Designers should create streets and spaces that are overlooked. This will create spaces that allow natural surveillance; that feel safer, and are safer.
- Works of art and well-designed street furniture integrated into the design of public spaces give identity and enhance the sense of place.

D. Ease of movement – *Is the place easy to get to and move through?*

Does the development promote accessibility and local permeability by making places that connect with each other and are easy to move through, putting people before traffic and integrating land uses and transport?

- Designers should create a well-designed urban structure that has a network of connected spaces and routes, for pedestrians, cyclists and vehicles.
- Designers should ensure that transport routes should reflect urban design qualities and not just traffic considerations.
- Designers should ensure that a development's access and circulation should contribute to a fine-grain network of direct and connected routes within and beyond the site rather than creating big blocks.
- Designers should ensure that development is laid out to encourage low traffic speeds.
- Designers should consider how the layout and density of development can help increase accessibility to public transport.
- Integrated transport interchanges promote the use of public transport and provide for seamless movement between all modes of travel.

E. Legibility – ***Does the place have a clear image and is it easy to understand?*** ☐

Does the development promote legibility by providing recognisable routes, intersections and landmarks to help people find their way around?

- Designers should ensure that development is sited to enhance existing views and vistas, and create new ones, to help people to find their way around.
- Designers should use the design, location and function of buildings to reinforce the identity and character of the routes and spaces they serve.
- Designers should design corners to enhance legibility - creating visual interest and contributing to local identity.
- Designers should improve the legibility of an area through the detailing and quality of materials in new development.

F. Adaptability – ***Is the scheme a place that can change easily?*** ☐

Does the development promote adaptability through development that can respond to changing social, technological and economic conditions?

- Designers should create simple, robust building forms that are not tightly designed to a very particular use, but allow for the greatest variety of possible future uses to be accommodated.
- Designers should create places capable of use for a range of activities.
- Designers should create developments that have flexible layouts and design.

G. Diversity – ***Does the scheme create a place with variety and choice?*** ☐

Does the development promote diversity and choice through a mix of compatible developments and uses that work together to create viable places that respond to local needs?

- Designers should create a mix of uses that will help to attract people to live, work and play in the same area.
- Designers should endeavor to create the right mix of development.
- Designers should use a diversity of layout, building form and tenure to contribute to creating successful living and working environments.

H. Sustainability – ***Is the scheme a place that meets the needs of today without compromising the ability of future generations to meet their needs?*** ☐

Does the development promote sustainability through social and economic inclusivity, and minimal environmental impact?

- Designers should be inclusive in the design of proposed development.
- Designers should consider the economic impact of their proposals.
- Designers should consider the environmental impact of their proposals, in particular sustainable drainage, water conservation (water consumption & grey water management), energy consumption & generation (site layout, building orientation & renewable energy systems), habitat loss/fragmentation, potential for pollution (air, land, water, noise & light) .

Aspects of Development Form

I. Layout: Urban structure ☐

Does the development have a clear urban structure that integrates with the surrounding context, makes pedestrian connections, and has a consideration of site and environmental constraints?

II Layout: Urban Grain ☐

Does the development relate to the context of the surrounding area in terms of urban grain, plot layout and rhythm of frontages?

III Layout: Density and Mix ☐

Is the density and mix of a development economically and socially viable, and do they relate to the density of the surrounding area? Higher densities can be achieved in town centres and locations with good public transport.

IV Scale: Height and Massing ☐

Does the development relate to the surrounding built environment in terms of height and massing? Does the articulation of the buildings' facades relate to human scale?

V Façade and Interface ☐

Does the development positively address the street with an active frontage that encourages surveillance, encourages activity and relates to the contextual built form?

VI Appearance: Details ☐

Does the development exhibit a high quality of architectural detail that has been developed with careful consideration of its relationship with its context?

VII Appearance: Materials ☐

Does the development use a palette of materials, which has been developed with careful consideration of its relationship with its context?

VIII Landscape and Streetscape ☐

Is the design of public spaces and landscape, within and surrounding a development, carefully considered to create a successful built environment that is easy to understand?

Appendix 2: Policy Background

National Planning Policy, led by Planning Policy Statement 1, has established the importance of design and its indivisibility from good planning. The emergent Regional Spatial Strategy is developing the notion of good design in the context of the South West. This section summarises the Local, Regional and National policy framework that underpins the Torbay Urban Design Guide. The following policies are of relevance:

Torbay Local Plan 1995-2011

The primary basis for the SPD is the **Adopted Torbay Local Plan (1995-2011)** (see www.torbay.gov.uk/localplan). This was adopted in April 2004 and is the 'Saved Plan' in the Local Development Scheme, recognising that it's set of robust and up-to-date policies provide a sound strategic planning framework for Torbay for the foreseeable future. It is saved until the end of September 2009, or until specific policies are replaced by the emerging LDF.

- **BES Built environment strategy**
  Proposals should conserve or enhance the built environment, ensuring that the integrity of local character and distinctiveness is protected. Development will not be permitted where it would harm features of historical, architectural and archaeological value or interest.

- **BE1 Design of new development**
  Proposals for new development which have an impact on the townscape or landscape should be designed to take account of their wider context in terms of scale, density, massing, height, landscaping, layout and access and the promotion of safety and security. Positive enhancement of the built environment will be sought, in particular in Conservation Areas.

- **BE2 Landscaping and design**
  Proposals for new buildings should incorporate landscaping of the site, at an appropriate scale, as an integral part of the design. Landscaping should relate to the character of the surrounding area and make the best use of the existing site features.
- **LS Landscape strategy**

The landscape setting of Torbay and its coast and settlements will be protected from development which would harm or detract from local character and distinctiveness. Priority is accorded to maintaining the rural landscape surrounding the built-up area and the strategic green wedges which lie between the main towns and separate them from the surrounding villages. Also, within the urban area, green space of local townscape, recreational and/or amenity value will be retained as open space

- **L9 Planting and retention of trees**

  Development proposals likely to affect, directly or indirectly, trees or woodlands of existing or potential landscape value (including trees within the highway) will only be permitted where those trees identified will not be harmed as a result of the development and can be retained in future through the use of planning conditions, Conservation Area legislation or Tree Preservation Orders, as appropriate.

  Any development proposals which affect such features should include mitigation measures to at least off-set any such harm and to provide new planting and/or suitable habitats, including the retention and management of remaining trees and the planting of new trees as individual specimens, as groups or shelter belts. This planting should be protected where appropriate, by approved management programmes, Section 106 Agreements or use of other methods listed above.

- **L10 Major development and landscaping**

  Planning applications for major development, particularly on the edge of the existing built areas, will only be permitted where necessary mitigation measures are taken to minimise damage to the landscape. The landscaping measures should form an integral part of the development and reflect the character of the local landscape and distinctiveness. They are likely to include the planting of trees as individual specimens, groups, shelter belts or woodland for amenity, environmental and landscape value. Appropriate measures will be taken to protect this landscaping and the Council will seek advance planting where practicable. Appropriate protection measures will include approved management programmes, Section 106 Agreements or the use of planning conditions, Conservation Area legislation or Tree Preservation Orders.

- **T1 Development accessibility**

New non-residential development will only be permitted where it is possible for more than 50% of the potential users to gain access by foot, cycle or public transport. Provision must be made to encourage the use of walking, cycling and public transport, and to reduce the level of traffic generation. Adequate means of access for non-car traffic and facilities for changing and bicycle parking should be provided. Developers of larger sites will be expected to prepare and implement a travel plan which will address these conditions.

Residential development should be located so that residents have adequate shopping facilities, primary and junior schools, community and healthcare facilities, and other frequently used attractions within easy and safe walking distance. All other less frequently used facilities should be conveniently accessible by bus and cycle route. The design and layout of residential areas should allow bus penetration to within 400 metres of each dwelling.

- **T2 Transport hierarchy**

  All new development should promote the most sustainable and environmentally acceptable modes of transport, having regard to the following hierarchy, which prioritises the most sustainable means of transport:-

  (1) walking;

  (2) cycling;

  (3) public transport; and

  (4) private transport.

- **T25 Car parking in new development**

  Standards for the provision of private parking spaces for all new development are set out in the schedule below *(not reproduced in this extract)*. The standards indicate a maximum provision that will only be permitted where there is sufficient justification shown for the full standards to be allocated.

  Parking provision for major, non-residential sites will be based on an assessment of parking needs, to be defined as part of a travel plan to be submitted by the developer and agreed by the local planning authority. Car parking provision in excess of the assessed need will not be permitted, except on a temporary basis during the implementation of the travel plan.

- **T26 Access from development on to the highway**

  New development will not be permitted unless:-

  (1) the access to the highway is provided to a safe standard and does not conflict with the function of the route;

  (2) the effects of the development on the highway in terms of traffic and road safety are acceptable; and

  (3) the environmental impact arising as a consequence of accessing and servicing the development is minimised.

- **H9 Layout, design and community aspects**

  All new residential schemes should demonstrate a high standard of design which will take account of the defining characteristics of the existing environment and, where possible, enhance it. The prime considerations are the overall scale, density, massing, height, landscape, layout, access, privacy, crime prevention and amenity in relation to neighbouring buildings and the local area generally.

  Where affordable housing is proposed, it is anticipated that a suitable mix of house types will be provided in clusters of not more than 40 dwellings. Accommodation for people with physical disabilities will be encouraged.

- **E9 Layout, Design and Sustainability**

  Approval of applications for commercial and industrial development will be subject to the following criteria:

  (1) traffic generated by the development must not overload the capacity of the highway system or adversely affect residential or other non-residential development;

  (2) proposals must be in accordance with Policy T1 (Development accessibility);

  (3) roads within the site should be capable of adoption, unless there are overriding reasons why this is not practicable or appropriate;

  (4) adequate loading, off-loading and manoeuvring space for vehicles shall be made within new or enlarged industrial sites; the level of car parking provision within the site should be limited to that required for operational and accessibility purposes;

(5) development should not lead to significantly reduced daylight or cause undue environmental disturbance (such as noise, vibration, smell or dust) to adjacent residential properties; where appropriate, restrictions on the use of hours of operation of the site will be imposed;

(6) there shall be no adverse effect on nature conservation; where necessary, developers will be encouraged to introduce measures to protect wildlife;

(7) where appropriate, landscaping or improvements to existing landscaping may be required, especially in prominent locations;

(8) proposals for development in individual estates should contribute to the environmental enhancement of the locality and, where possible, to the improvement of traffic management in the area; and

(9) open storage of industrial goods or containers will be resisted if such activity is considered to be visually unacceptable or where other environmental considerations make it undesirable.

- **NCS Nature conservation strategy**

  Development should preserve or enhance the biodiversity, wildlife and geological value of the terrestrial and marine environment. Planning conditions or obligations will be sought to include measures to mitigate the effects of development upon features of nature conservation value or require the provision of new or alternative features.

- **NC4 Wildlife corridors**

  Proposals for development which would have an adverse effect on a wildlife corridor will only be permitted where the retention, integrity and beneficial management of the links between wildlife habitats can be achieved. The policy will apply to the following wildlife corridors:-

Torquay	(1) Browns Bridge Road / Scotts Meadow Fringes
	(2) Nutbush Lane / Sherwell Valley / Rainbow
	(3) Warberries / Walls Hill
	(4) Meadfoot / Lincombe Slopes / Ilsham
	(5) Cockington Lane / Torbay Road
Paignton	(6) Preston Down Road / Hollicombe
	(7) Clennon Valley / Goodrington
	(8) Roselands / Grange Road

Brixham (9) Summercombe / St.Mary's Park

Proposals that have an adverse effect on other natural features that form important links between wildlife habitats will require appropriate mitigation measures to be implemented as part of the development.

- **EPS Environmental protection strategy**

  Development should respect environmental limits, be implemented in a sustainable manner and, where possible, be accompanied by environmental mitigation.

- **EP1 Energy efficient design**

  Development will be required to minimise direct and indirect energy consumption by incorporating energy saving features into its design and layout.

- **EP5 Light pollution**

  Proposals for development which necessitate artificial light for operational or security reasons will be required to minimise light pollution by ensuring that new development:-

  1. does not produce excessive lighting in relation to the purpose for which lighting is required;
  2. employs "down-lighting" wherever possible;
  3. uses shields, baffles or other appropriate measures to reduce spill light to a minimum where "down-lighting" is not possible; and
  4. is subject to hours of operation which are not detrimental to the amenities of the surrounding area.

- **CF2 Crime prevention**

  Every development should be designed to reduce crime both within and adjoining the proposal whilst ensuring that amenities are not unduly affected. Crime prevention principles should be reflected in the following components of every development:-

  - the layout of public and private open space and orientation of buildings, including boundary walls and fences;
  - the location of parking and garaging;

- access arrangements for pedestrians and vehicles, particularly footpaths and road networks;
- the provision of play and other recreational and social facilities;
- the lighting of development; and
- the use of hard and soft landscaping.

- **W6 New development and the minimisation of waste**

  New developments and land uses which are likely to generate significant volumes of waste through the development process itself will require a waste audit to be submitted as part of the planning application, including the following details:-

  1. the type and volume of waste that the development will generate;
  2. the steps that will be taken by the developer to minimise the amount of waste arising from the development by reusing and recycling or incorporating materials within the site; and
  3. the steps that will be taken to manage the waste that cannot be reused on site, including the disposal locations.

  Waste generated by such developments will form a material consideration. Those developments which conflict with the objectives set out in Policy W1 will not be permitted.

- **W7 Development and waste recycling facilities**

  New developments and land uses will require the provision of appropriate and necessary facilities for the recycling, storage, treatment and removal of waste likely to be generated. All environmental impacts of these facilities will need to be assessed and reduced to an acceptable level, including impacts of noise, odour and other disturbance on users and occupiers of adjacent sites. Where appropriate, developers will be required to enter into Agreements under Section 106 of the Town and Country Planning Act 1990 for any necessary works.

- **Environmental Guide - SPG**

  The Environmental Guide gives specific guidance on Best Practice in terms of design in relation to new development within in Torbay, with regard to the Built Environment, the Historic Environment and the Natural Environment (see also paragraph 1.2.7 of the UDG).

Devon Structure Plan 2001-2016

The following policies in the **Adopted Devon Structure Plan** specifically relate to Urban Design and the quality of the built environment.

- **Policy CO1- Landscape Character and Local Distinctiveness**

  The distinctive qualities and features of Devon's Landscape Character Zones, illustrated in Map 5, should be sustained and enhanced.

  Within the context of this broad characterisation, Local Planning Authorities should undertake more detailed assessments of landscape character in order to identify priority areas for the maintenance, enhancement and / or restoration of that character and provide an appropriate policy framework in Local Plans for each area.

  Policies and proposals within each part of Devon should be informed by and be sympathetic to its landscape character and quality.

- **Policy CO6 - Quality of New Development**

  The identity, distinctive character and features of existing settlements, urban and rural areas should be conserved and enhanced. In planning for new development the Local Planning Authority should maintain and improve the quality of Devon's environment by requiring attention to good design and layout that respects the character of the site and its surroundings and by providing for regeneration and conservation, townscape enhancement, traffic management and the retention and provision of open space.

- **Policy CO11 Conserving Energy Resources**

  The direct and indirect energy consumption of new development should be minimised by requiring the incorporation of energy saving features into its design and layout.

Draft Regional Spatial Strategy for the South West 2006 - 2026

(Submitted Version, June 2006)

RPG10 and the Devon Structure Plan will eventually be replaced by Regional Spatial Strategy (RSS) in early 2008, following the Examination in Public during summer 2007. Section 3.7 of the Draft RSS places a particular focus on Urban Renaissance, requiring a greater emphasis to be placed on urban design, building construction and the management of the public realm. The following policies are relevant to this Strategy:

- **Development Policy E - High Quality Design**

  Developers, Local Authorities and public agencies should ensure that all development in rural and urban settings delivers the highest possible standards of design, both in terms of urban form and sustainability criteria. All new, replacement and refurbished public buildings should be designed to have multiple uses as far as possible.

- **Development Policy F – Master Planning**

  Developers, Local Authorities and public agencies will ensure that major development areas, such as mixed use developments and urban extensions to the SSCTs should be planned on a comprehensive and integrated basis within an overall master plan and phasing regime. These will be planned and developed as sustainable communities, which deliver a high quality of life through high standards of design and access and lowest practicable levels of energy and car use, protect and maintain environmental assets and landscape setting, avoid areas susceptible to flooding, reflect the heritage and provide the appropriate physical and social infrastructure.

  Local Authorities should work closely with landowners, developers, stakeholders and service providers to achieve a master plan which takes account of the need to secure mixed and balanced developments, with high density development of housing of varied types and tenures of at least 50/dph, and higher wherever possible, cycling, walking and public transport links, local cultural and retail facilities, and health care and education facilities commensurate with the expected population of the area. Master plans should also ensure provision of sufficient amenity space and green infrastructure to enhance the living environment and support improved biodiversity. Within urban areas or urban

extensions and, where sites are close to public transport nodes, consideration should be given to increasing dwelling density to in excess of 50 dph.

- **Development Policy G Sustainable Construction**

  Developers, Local Authorities, regional agencies and others must ensure that their strategies, plans and programmes achieve best practice in sustainable construction by:

  - following the principles contained within the *'Future Foundations'*, South West's sustainable construction charter, to raise awareness of sustainable construction;
  - requiring that all new and refurbished buildings achieve the requirements of BREEAM and Eco-homes very good standard, or at least Level 3 above minimum building standards in the emerging *'Code for Sustainable Homes'*, in order to minimise lifetime resource use, energy consumption, water use and waste production;
  - requiring that all larger scale developments and, in particular, urban extensions, are designed and constructed to meet the top Level 5 of the emerging *'Code for Sustainable Homes'*, including carbon neutrality;
  - requiring the use of sustainability statements for larger scale residential and/or mixed use planning applications (as defined in paragraph 3.7.7), the contents of which should meet, or exceed, the *'South West Sustainability Checklist for Developments'*;
  - minimising the environmental impact of new and refurbished buildings, including reducing air, land, water, noise and light pollution throughout the building's lifetime;
  - requiring the use of sustainable drainage systems to minimise flood risk associated with new developments;
  - designing homes which are safe and adaptable, for example by following Lifetime Homes standards, Secure by Design principles and including live/work space; and
  - taking action to improve the energy efficiency of existing buildings, and ensuring that all refurbished buildings achieve the best current standards of energy efficiency.

- **ENV1 - Protecting and Enhancing the Region's Natural and Historic Environment**

  The quality, character, diversity and local distinctiveness of the natural and historic environment in the South West will be protected and enhanced, and developments which support their positive management will be encouraged. Where development and changes in land use are planned which would affect these assets, Local Authorities will first seek to avoid loss of or damage to the assets, then mitigate any unavoidable damage, and compensate for loss or damage through offsetting actions. Priority will be given to preserving and enhancing sites of international or national landscape, nature conservation, geological, archaeological or historic importance. Tools such as characterisation and surveys will be used to enhance local sites, features and distinctiveness through development, including the setting of settlements and buildings within the landscape and contributing to the regeneration and restoration of the area.

Relevant National Planning Policy

A number of Planning Policy Statements and Planning Policy Guidance notes are relevant to this Urban Design Guide - the key relevant policy guidance is summarised below:

PPS1 - Delivering Sustainable Development

- 'Spatial planning goes beyond traditional land use planning to bring together and integrate policies for the development and use of land with other policies and programmes which influence the nature of places and how they function'. (para 30)
- 'Good design ensures attractive, usable, durable and adaptable places, and is a key element in sustainable development. Good design is indivisible from good planning.' (para 33)
- 'Good design should contribute positively to making places better for people.' (para 34)
- 'Planning authorities should prepare robust policies on design and access…. Based on stated objectives an evaluation of its present defining characteristics.' (para 36)
- 'Planning authorities should have regard to good practice set out in *By Design - Urban Design in the planning system: towards better practice*.' (ODPM, CABE 2000) (para 37)

PPS3 Housing

- Good design is fundamental to the development of high quality new housing and should contribute positively to making places better for people. Inappropriate design that fails to improve the character and quality of an area should not be accepted (paragraphs 12. and 13.)
- Local Planning Authorities should develop a shared vision with their local communities for residential environments, developing design policies aimed at creating attractive, safe and distinctive places, and innovative designs and layouts making efficient and effective use of land (paragraph 14).
- Applicants should be encouraged by Local Planning Authorities to bring forward sustainable and environmentally friendly new housing developments, including

affordable housing developments, reflecting the approach set out in forthcoming guidance relating to climate change and the Code for Sustainable Homes (paragraph 15).

- Matters to be considered when assessing design quality include accessibility to public transport and community facilities and efficient use of space; access to community recreational space as well as private outdoor space such as residential gardens, patios and balconies; good integration with local area and neighbouring buildings; efficient use of resources and minimal impact on climate change; design-led approach to provision of car parking space within safe and high quality public realm; creation or enhancement of local distinctiveness; and provision or re-establishment of biodiversity in residential environments (paragraph 16).
- Important to ensure consideration of needs of children where family housing is proposed, plus provision of a range of types of safe and well-designed recreational areas; Local Planning Authorities should draw on relevant guidance and standards, and promote tools such as Design Coding alongside urban design guidelines, sites briefs, community participation techniques etc; use LDF Annual Monitoring Report to monitor progress towards achieving high quality housing and consistently good design standards (paragraphs 17, 18 and 19).

PPS6 Planning for Town Centres

- 'The Government's key objective for town centres is to promote their vitality and viability by: planning for the growth and development of existing centres; and promoting and enhancing existing centres, by focusing development in such centres and encouraging a wide range of services in a good environment, accessible to all.' (para 1.3)
- 'The following of the Government's wider policy objectives are also relevant, insofar as they would not be inconsistent with the key objective in Paragraph 1.3 above:
  - to promote social inclusion, ensuring that communities have access to a range of main town centre uses, and that deficiencies in provision in areas with poor access to facilities are remedied;
  - to encourage investment to regenerate deprived areas, creating additional employment opportunities and an improved physical environment;

- to promote economic growth of regional, sub-regional and local economies;
- to deliver more sustainable patterns of development, ensuring that locations are fully exploited through high-density, mixed-use development and promoting sustainable transport choices, including reducing the need to travel and providing alternatives to car use; and
- to promote high quality and inclusive design, improve the quality of the public realm and open spaces, protect and enhance the architectural and historic heritage of centres, provide a sense of place and a focus for the community and for civic activity and ensure that town centres provide an attractive, accessible and safe environment for businesses, shoppers and residents. ' (para 1.5)

PPS7 Sustainable Development in Rural Areas

- 'Planning authorities should ensure that development… contributes to a sense of local identity and regional diversity and be of an appropriate design and scale for its location, having regard to the policies on design contained in PPS1 and supported in *By Design*.' (para 12)

PPS12 Local Development Frameworks

- 'In preparing local development documents (LDDs) LPAs must include policies on design and access … PPS1 makes clear that good design … is crucial to the delivery of sustainable development, not separate from it.' (para 1.12)
- 'Well designed development responds well to the local physical, social and economic context, being safe, clean, attractive and accessible for all users. LDDs should therefore include policies that set out strategic design and access objectives in line with PPS1 and relevant good practice…' (para 29)
- 'LDDs relating to specific areas could usefully inform the implementation of strategic design policies by including design policies that relate to local conditions and objectives.' (para 1.14)

PPG13 Transport

- 'LPA's should actively manage the pattern of urban growth to make the fullest use of public transport … and seek by the design and layout of developments and areas, to secure community safety and road safety.' (para 6)
- 'When thinking about new development, and in adapting existing development, the needs and safety of all the community should be considered from the outset … taking account of the importance of good design.' (para 29)

PPG15 Planning and the Historic Environment

- 'The design of new buildings intended to stand alongside historic buildings needs very careful consideration. In general it is better that old buildings are not set apart, but are woven into the fabric of the living and working community.' (para 2.11)
- 'New buildings do not have to copy their neighbours in detail. Some of the most interesting streets include a wide variety of building styles, materials and forms of construction, of many different periods, but together forming a harmonious group.' (para 2.14)

PPG17 Planning for Open Space

- 'Local networks of high-quality and well-managed open space help to create urban environments that are attractive, clean and safe and can play a major part in improving people's sense of wellbeing.' (page 2)
- 'New open spaces should improve the quality of the public realm through good design.'

The Town and Country Planning (General Development Procedure) (Amendment) (England) Order 2006

The Town and Country Planning (General Development Procedure) (Amendment) (England) Order 2006 amends the Town and Country Planning (General Development Procedure) Order 1995 by inserting an additional clause, 4C, as follows:

'***Design and Access Statements***

(1) This article applies to an application for planning permission which is not an application for planning permission for—

(a) engineering or mining operations;

(b) development of an existing dwelling-house, or development within the curtilage of such a dwelling-house for any purpose incidental to the enjoyment of the dwelling-house as such, where no part of that dwelling-house or its curtilage is within a designated area; or

(c) a material change in the use of land or buildings.

(2) An application for planning permission to which this article applies shall be accompanied by a statement ("a design and access statement") about-

(a) the design principles and concepts that have been applied to the development; and

(b) how issues relating to access to the development have been dealt with.

(3) A design and access statement shall-

(a) explain the design principles and concepts that have been applied to the following aspects of the development-

i. amount;

ii. layout;

iii. scale;

iv. landscaping; and

v. appearance; and

(b) demonstrate the steps taken to appraise the context of the development and how the design of the development takes that context into account in relation to its proposed use and each of the aspects specified in sub-paragraph (a).

(4) A design and access statement shall also-

(a) explain the policy adopted as to access, and how policies relating to access in relevant local development documents have been taken into account;

(b) state what, if any, consultation has been undertaken on issues relating to access to the development and what account has been taken of the outcome of any such consultation;

(c) explain-

i. how any specific issues which might affect access to the development have been addressed;

ii. how prospective users will be able to gain access to the development from the existing transport network;

iii. why the main points of access to the site and the layout of access routes within the site have been chosen; and

iv. how features which ensure access to the development will be maintained.'

More detailed guidance is provided in DCLG Circular 1/2006, relevant sections of which are summarised in Section 2 of this document.

Appendix 3: Glossary

Term	Definition
Accessibility	The ability of people to move round an area and to reach places and facilities, including elderly and disabled people, those with young children and those encumbered with luggage or shopping.
Adaptability	The capacity of a building or space to be changed so as to respond to changing social, technological and economic conditions.
Area appraisal	An assessment of an area's land uses, built and natural environment, and social and physical characteristics.
BREEAM	BRE Environmental Assessment Method - a recognised method of assessing sustainability of developments.
Building elements	Doors, windows, cornices and other features which contribute to the overall design of a building.
Building line	The line formed by the frontages of buildings along a street. The building line can be shown on a plan or section.
Bulk	The combined effect of the arrangement, volume and shape of a building or group of buildings. Also called massing.
Character assessment	An area appraisal identifying distinguishing physical features and emphasising historical and cultural associations.

Conservation area character appraisal	A published document defining the special architectural or historic interest which warranted the area being designated.
Context	The setting of a site or area, including factors such as traffic, activities and land uses as well as landscape and built form.
Context (or site and area) appraisal	A detailed analysis of the features of a site or area (including land uses, built and natural environment, and social and physical characteristics) which serves as the basis for an urban design framework, development brief, design guide or other policy or guidance.
DCLG	Department for Communities and Local Government - see ODPM below.
Defensible space	Public and semi-public space that is 'defensible' in the sense that it is surveyed, demarcated or maintained by somebody. Derived from Oscar Newman's 1973 study of the same name, and an important concept in securing public safety in urban areas, defensible space is also dependent upon the existence of escape routes and the level of anonymity which can be anticipated by the users of the space.
Density	The floorspace of a building or buildings or some other unit measure in relation to a given area of land. Built density can be expressed in terms of plot ratio (for commercial development); number of units or habitable rooms per hectare (for residential development); site coverage plus the number of floors or a maximum building height; or a combination of these.

Design and Access Statement	Design and Access Statements are required to accompany most planning applications. (a) A pre-application design statement is made by a developer to indicate the design principles on which a development proposal in progress is based. It enables the local authority to give an initial response to the main issues raised by the proposal. (b) A planning application design statement sets out the design principles that the planning applicant has adopted in relation to the site and its wider context, as required by PPG1.
Desire line	An imaginary line linking facilities or places which people would find it convenient to travel between easily.
Development form	See 'form'.
EcoHomes	A recognised method of assessing the sustainability of housing developments.
Elevation	The facade of a building, or the drawing of a facade.
Enclosure	The use of buildings to create a sense of defined space.
Energy efficiency	The extent to which the use of energy is reduced through the way in which buildings are constructed and arranged on site.
Fenestration	The arrangement of windows on a facade.
Form	The layout (structure and urban grain), density, scale (height and massing), appearance (materials and details) and landscape of development.
Grain	See 'urban grain'.

Height	The height of a building can be expressed in terms of a maximum number of floors; a maximum height of parapet or ridge; a maximum overall height; any of these maximum heights in combination with a maximum number of floors; a ratio of building height to street or space width; height relative to particular landmarks or background buildings; or strategic views.
Human scale	The use within development of elements which relate well in size to an individual human being and their assembly in a way which makes people feel comfortable rather than overwhelmed.
In-curtilage parking	Parking within a building's site boundary, rather than on a public street or space.
Landmark	A building or structure that stands out from its background by virtue of height, size or some other aspect of design.
Landscape	The character and appearance of land, including its shape, form, ecology, natural features, colours and elements and the way these components combine. Landscape character can be expressed through landscape appraisal, and maps or plans. In towns 'townscape' describes the same concept.
Layout	The way buildings, routes and open spaces are placed in relation to each other.
Layout structure	The framework or hierarchy of routes that connect in the local area and at wider scales.
Legibility	The degree to which a place can be easily understood and traversed.

Live edge	Provided by a building or other feature whose use is directly accessible from the street or space which it faces; the opposite effect to a blank wall.
Local Development Framework (LDF)	The collective name given to the development plan which sets out spatial planning policies and proposals, shaping future development. The LDF consists of Development Plan Documents (DPDs) dealing with policy matters and Supplementary Planning Documents (SPDs) which provide further detailed advice on the implementation of policies.
Local distinctiveness	The positive features of a place and its communities which contribute to its special character and sense of place.
Massing	The combined effect of the height, bulk and silhouette of a building or group of buildings.
Mixed uses	A mix of uses within a building, on a site or within a particular area. 'Horizontal' mixed uses are side by side, usually in different buildings. 'Vertical' mixed uses are on different floors of the same building.
Movement	People and vehicles going to and passing through buildings, places and spaces. The movement network can be shown on plans, by space syntax analysis, by highway designations, by figure and ground diagrams, through data on origins and destinations or pedestrian flows, by desire lines, by details of public transport services, by walk bands or by details of cycle routes.
Natural surveillance (or supervision)	The discouragement to wrong-doing by the presence of passers-by or the ability of people to be seen out of surrounding windows. Also known as passive

	surveillance (or supervision).
Node	A place where activity and routes are concentrated often used as a synonym for junction.
ODPM	The Office of the Deputy Prime Minister (ODPM) was replaced by the **Department for Communities and Local Government (DCLG)** on 5 May 2006 with a remit to promote community cohesion and equality, as well as responsibility for housing, urban regeneration, planning and local government. It unites the communities and Civil Renewal functions previously undertaken by the Home Office, with responsibility for regeneration, neighbourhood renewal and local government (previously held by the Office of the Deputy Prime Minister). The new web address domain name is: www.communities.gov.uk .
Passive surveillance	See 'natural surveillance'.
Permeability	The degree to which an area has a variety of pleasant, convenient and safe routes through it. Perspective Illustration showing the view from a particular point as it would be seen by the human eye.
Planning Policy Guidance notes (PPGs)/Planning Policy Statements (PPSs)	Documents embodying Government guidance on general and specific aspects of planning policy to be taken into account in formulating development plan policies and in making planning decisions.
Plot ratio	A measurement of density generally expressed as gross floor area divided by the net site area.

Public art	Permanent or temporary physical works of art visible to the general public, whether part of the building or free-standing: can include sculpture, lighting effects, street furniture, paving, railings and signs.
Public domain	The parts of a village, town or city (whether publicly or privately owned) that are available, without charge, for everyone to use or see, including streets, squares and parks. Also called public realm.
Public/private interface	The point at which public areas and buildings meet private ones.
Public realm	See 'public domain'.
Scale	The impression of a building when seen in relation to its surroundings, or the size of parts of a building or its details, particularly as experienced in relation to the size of a person. Sometimes it is the total dimensions of a building which give it its sense of scale: at other times it is the size of the elements and the way they are combined. The concept is a difficult and ambiguous one: often the word is used simply as a synonym for 'size'. See 'Human scale'.
Section	Drawing showing a slice through a building or site.
Settlement pattern	The distinctive way that the roads, paths and buildings are laid out in a particular place.
Sight line	The line of sight from a travelling vehicle or person. Sight lines will help to determine how fast vehicles are likely to move and how safe other road users are likely to be.

Spine	Street or streets along which activity is concentrated.
Strategic view	The line of sight from a particular point to an important landmark or skyline.
Street furniture	Structures in and adjacent to the highway which contribute to the street scene, such as bus shelters, litter bins, seating, lighting, railings and signs.
Surveillance	The discouragement to wrong-doing by the presence of passers-by or the ability of people to be seen from surrounding windows.
Sustainable development	Defined by the Brundtland Commission (1987, and quoted in PPG1) as 'Development which meets present needs without compromising the ability of future generations to achieve their own needs and aspirations'. The UK's strategy for sustainable development "A better quality of life" was published in May 1999 and highlights the need for environmental improvement, social justice and economic success to go hand-in-hand.
Topography	A description or representation of artificial or natural features on or of the ground.
Townscape	The character and appearance of the built environment, including its underlying landform, natural features and ecology, colours and elements and the way these components combine. Townscape character can be expressed through townscape appraisal, and maps or plans.
Urban design	The art of making places. Urban design involves the design of buildings, groups of buildings, spaces and landscapes, in villages, towns and cities, and the

	establishment of frameworks and processes which facilitate successful development.
Urban grain	The pattern of the arrangement and size of buildings and their plots in a settlement; and the degree to which an area's pattern of street-blocks and street junctions is respectively small and frequent, or large and infrequent.
Vernacular	The way in which ordinary buildings were built in a particular place, making use of local styles, techniques and materials and responding to local economic and social conditions.
View	What is visible from a particular point. Compare 'Vista'.
Vista	An enclosed view, usually a long and narrow one.
Visual clutter	The uncoordinated arrangement of street furniture, signs and other features.

Appendix 4: References and Further Information

Design and Access Statements

DCLG Circular 1/2006 - Guidance on Changes to the Development Control System (Department for Communities and Local Government, June 2006)
http://www.communities.gov.uk/index.asp?id=1500620

Design and access statements: how to write, read and use them (CABE, 2006)
http://www.cabe.org.uk/AssetLibrary/8073.pdf

Urban Design

By Design - Urban Design in the Planning System (DETR and CABE, 2000)
http://www.cabe.org.uk/AssetLibrary/1818.pdf

Delivering Great Places to Live (Building for Life, 2005)
http://www.cabe.org.uk/AssetLibrary/1189.pdf

Councillor's Guide to Urban Design (CABE, 2004)
http://www.cabe.org.uk/AssetLibrary/2310.pdf

Urban Design Compendium (Llewelyn-Davies for English Partnerships and The Housing Corporation, 2000)
http://www.englishpartnerships.co.uk/publications.htm

The Value of Urban Design (DETR, CABE and UCL Bartlett, 2001)
http://www.cabe.org.uk/default.aspx?contentitemid=700&field=filter&term=Public%20space&type=2

The Cost of Bad Design (CABE, 2006)
http://www.cabe.org.uk/AssetLibrary/8125.pdf

*Manual for Streets (*WSP , TRL , Llewelyn Davies Yeang and Phil Jones Associates on behalf of Department for Transport)
http://www.manualforstreets.org.uk/

Places Streets and Movement: A companion guide to Design Bulletin 32 (DETR, 1998)
http://www.communities.gov.uk/embedded_object.asp?id=1500499

Making Design Work (CABE, 2005)
http://www.cabe.org.uk

Paving the Way: How We Achieve Clean, Safe and Attractive Streets (June 2002)
http://www.cabe.org.uk/default.aspx?contentitemid=478

Safer Places - The Planning System and Crime Prevention (CABE/Home Office)
http://www.communities.gov.uk/pub/724/SaferplacestheplanningsystemandcrimepreventionPDF3168Kb_id1144724.pdf

Secured by Design
http://www.securedbydesign.com/

Commission for Architecture and the Built Environment (CABE)
http://www.cabe.org.uk/

Building for Life
http://www.buildingforlife.org

Sustainable Design

'Proposals for introducing a Code for Sustainable Homes' (ODPM, 2005)
http://www.communities.gov.uk/index.asp?id=1162094

'South West Sustainability Checklist for Developments' (Future Foundations)
http://www.futurefoundations.co.uk/sustainable_construction.php

Sustainable Construction Charter (Future Foundations)
http://www.futurefoundations.co.uk/charter.php

Devon Sustainable Building Initiative
www.sustainablebuild.org

BREEAM - www.breeam.org

EcoHomes - http://www.breeam.org/ecohomes.html

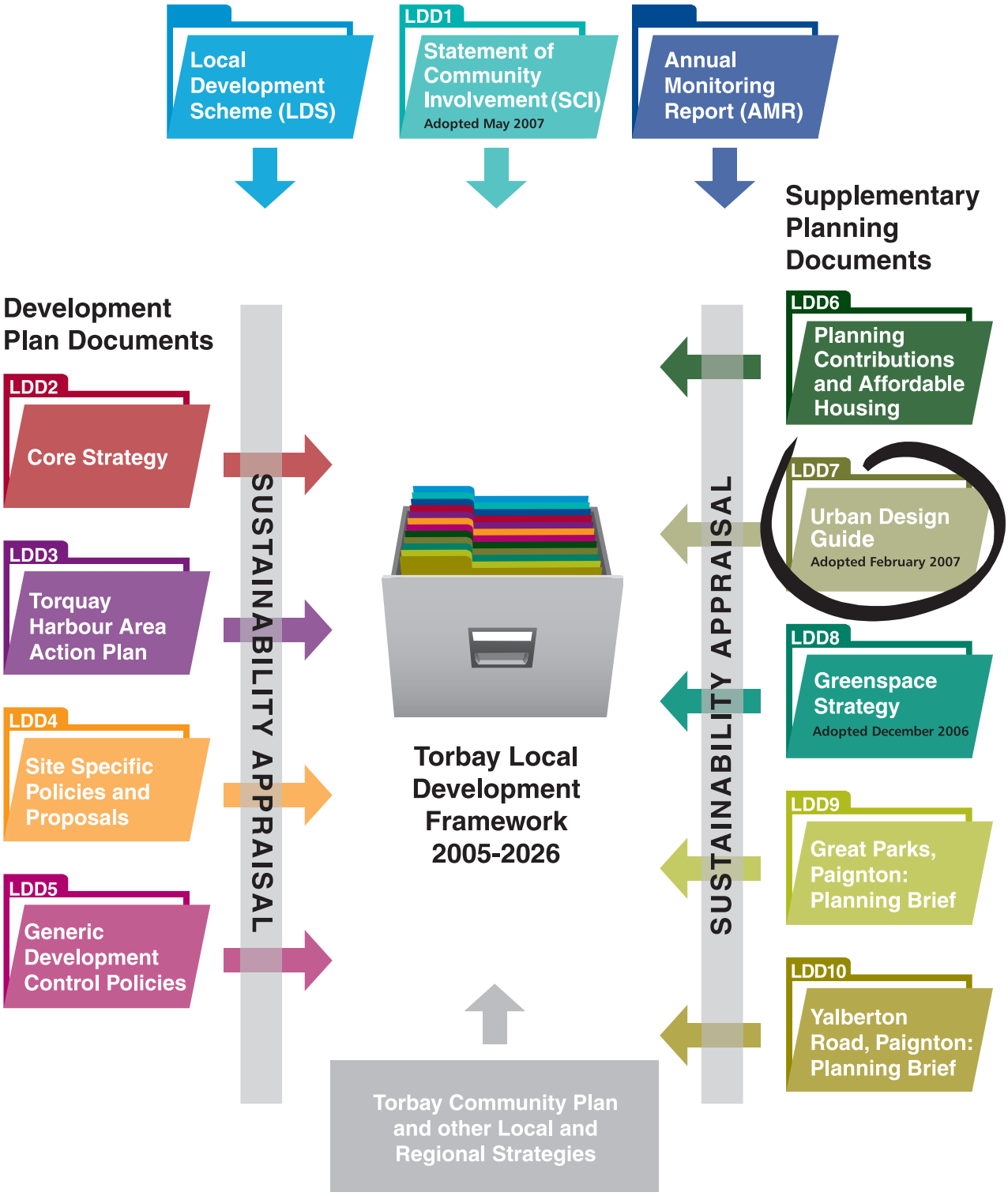
Sustainable Drainage Systems; A Guide for Developers (Environment Agency 2005)
http://publications.environment-agency.gov.uk/epages/eapublications.storefront/45080818006911de273fc0a8029605e1/Product/View/GEHO0305BIQY&2DE&2DP

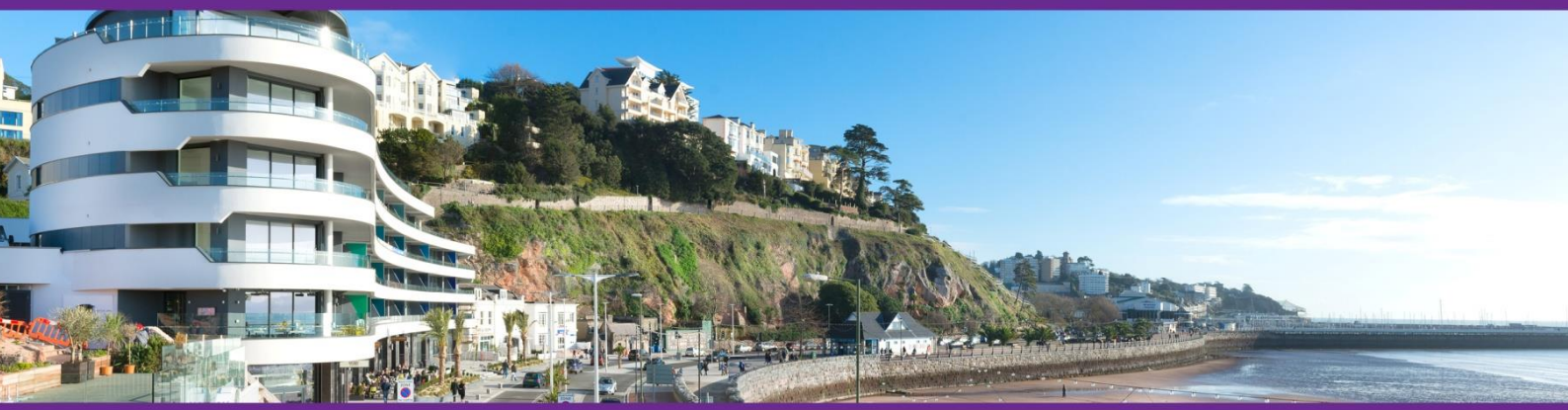
Sustainable Drainage Systems (list of relevant guidance publications) (Ciria website, 2006)
http://www.ciria.org/suds/publications.htm

Strategic Flood Risk Assessment for Torbay (Torbay Council, emerging 2007)
Upon publication this document will be posted on Torbay's Council website under 'LDF Evidence Base'.
http://www.torbay.gov.uk/index/environment- planning/strategicplanning/ldf/ldfresearch.htm

'The Nature of Torbay – A Local Biodiversity and Geodiversity Action Plan 2006-2916 (The Torbay Coast and Countryside Trust, 2007)
http://www.countryside-trust.org.uk/lbap.htm

The structure of the Local Development Framework









Planning Contributions and Affordable Housing

Supplementary Planning Document

February 2017

This Supplementary Planning Document is available…

on the Torbay Council Website:
www.torbay.gov.uk/strategicplanning

and at Torbay Council's Spatial Planning Office at:
2nd Floor, Electric House, Castle Circus, Torquay TQ1 3DR

If you would like any further information about this document or any aspect of the Local Plan please use the contact details below:

telephone: (01803) 208804
email: future.planning@torbay.gov.uk

Other links that will provide more detailed background information on the spatial planning system include:

National Planning Policy Framework www.gov.uk

The Planning Portal (www.planningportal.gov.uk) is the Government's online service for planning which includes advice and information on the plan-led system

To request this document in an alternative format or language, please contact the Future Planning Team on (01803) 208804

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1 INTRODUCTION

1.1 Introduction and Overall Approach

1.1.1 Planning Obligations are an important way of providing the environmental, physical and social infrastructure needed by development. They are also one of the main ways in which affordable housing is provided.

1.1.2 This document sets out the Council's approach to planning obligations. It provides additional detail to deliver the Adopted Torbay Local Plan 2012-30 (the Local Plan) as set out in Policy SS7 and paragraphs 4.3.25-37 of the Plan. It is important to note that the purpose of this document is to help deliver sustainable development, not to stifle desirable schemes.

1.1.3 The Supplementary Planning Document (SPD) was the subject of public consultation between Monday 19th September and Monday 31st October 2016. It was reported to Council on 8th December 2016 and adopted by Council on 2nd February 2017.

1.1.4 Contributions will usually be sought through Section 106 (S106), but sometimes other types of agreement may be more appropriate. In particular Section 278 (S278) Highway Agreements may be a better way of securing works to highways.

1.1.5 Planning Obligations should be considered in conjunction with Community Infrastructure Levy (CIL). The CIL Draft Charging Schedule can be read at www.torbay.gov.uk.

1.1.6 The SPD is relevant to both residential and commercial developments. Planning contributions are sought to mitigate the impact of development. It is often easier to set out the impacts arising from residential development as a formula. However, where commercial or other development impacts upon matters such as highways, biodiversity, flooding, town centre management etc, planning obligations will be sought to mitigate their impact. However, obligations will not be sought where there is no reasonable link between the development and contribution. For example, commercial development is unlikely to make education contributions.

1.1.7 Where formulas are set out for sustainable development contributions, it is emphasised that these are a starting point to seek to quantify the impact of development. S106 Obligations will not be sought as a 'roof tax' but must relate to specific projects that development gives rise to a need for (as per regulation 122 of the CIL Regulations 2010 (as amended)). Where s106 contributions are sought for infrastructure items, no more than 5 obligations will be pooled towards that infrastructure item. The pooling limit does not apply to s278 Highways Agreements.

1.2 Who pays Planning Obligations? Section 106 and CIL

1.2.1 Obligations may be sought on planning applications as well as matters requiring Prior approval, subject to the tests of lawfulness and other restrictions (see below).

1.2.2 The Council's approach is to seek CIL on smaller developments, and larger developments in the built up area. The CIL Charging Schedule may be found at www.torbay.gov.uk.

1.2.3 Where CIL is sought on smaller sites, only s106 contributions sought will be considered as specific site deliverability matters. In a limited number of cases, affordable housing may also be sought on CIL liable developments (i.e. greenfield sites of 3 - 15 dwellings, in accordance with Policy H2, and brownfield sites of 15+ dwellings).

1.2.4 Larger residential developments in Zones 3 and 4 (i.e. outside the built up area, and in Future Growth areas) will be the subject of negotiation with developers to ensure that an appropriate s106 Agreement provides the infrastructure necessary to make development acceptable in planning terms, including the provision of wider community infrastructure.

1.2.5 It is acknowledged that there may need to be an element of cross subsidy for certain infrastructure, as this approach is considered by the Council to be the fairest and simplest to as many people as possible.

1.3 Restrictions on Section 106 Obligations

1.3.1 S106 Obligations are subject to restrictions set out below. The Council will adhere to these when seeking planning obligations.

1.3.2 All s106 obligations must meet the CIL Regulations Tests of Lawfulness (set out in Regulation 122 of the CIL Regulations 2010 and NPPF paragraph 204). They must be:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

1.3.3 Because of the impact that affordable housing and other infrastructure requirements have on development viability for larger sites, the Council seeks to address infrastructure issues arising from such sites through s106 obligations, rather than CIL.

1.3.4 Where a s106 obligation is for an item of infrastructure capable of being funded through CIL, the Council will not pool more than five s106 obligations towards that piece of infrastructure. This does not apply to non-infrastructure items such as training, monitoring, and habitat management.

1.4 A Note on Thresholds for Affordable Housing Contributions

1.4.1 Since the publication of the Local Plan, the Court of Appeal has upheld the Government's right to set thresholds for affordable housing and tariff style contributions through written ministerial statement and changes to the Planning Practice Guidance. However, it has iterated that the Written Ministerial Statement of 28th November 2014 is a material consideration, but does not override an up to date development plan.

1.4.2 Torbay Council resolved on 2nd February 2017 to adhere to the affordable housing threshold in Policy H3 of the Local Plan, i.e. 3 dwellings for greenfield sites. For sites of 3-10 dwellings, off-site contributions will be sought.

1.4.3 The Written Ministerial Statement and Planning Practice Guidance are material considerations that should be taken into account by decision makers. The liability for CIL will also be taken into account as a material consideration. It is noted that the situation is evolving and a number of Inspectors have supported lower thresholds (at Elmsbridge and Cambridge). The Council will keep emerging practice and legislation under review with regard to permissible thresholds.

1.5 Tariff Style Contributions

1.5.1 The term 'tariff style' contribution is used but not defined by the Planning Practice Guidance. The Council understand it to refer to contributions that arise for infrastructure which development generates a need for (and are thus necessary to make a development acceptable in planning terms) but are not directly necessary to make a development safe, legal or functional in direct physical terms.

1.5.2 In accordance with the Written Ministerial Statement of 28th November 2014 and Planning Practice Guidance 23b-031-20160519, 'tariff style' contributions will not be sought from developments that are 10 units or less and have a combined floorspace of no more than 1,000 sq m. In the Area of Outstanding Natural Beauty (AONB) a lower threshold of 6 dwellings (or combined floorspace of no more than 1,000 sq m) applies. However, this will be kept under review.

1.6 The Torbay Local Plan 2012-30 'A Landscape for Success'

1.6.1 The Local Plan was adopted on 10th December 2015. This document, along with neighbourhood plans when made, forms the development plan. Planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise (see NPPF paragraph 2). The Local Plan provides the framework for development in Torbay as well as the basis for seeking planning obligations.

1.6.2 Polices for seeking obligations are set out in the Local Plan (see Figure 2). This SPD provides guidance on the implementation of these obligations and sets out how the impact of development can be assessed.

1.6.3 All of the policies in the Local Plan have been assessed for their impact on viability[1]. However, there may be instances where planning obligations and/or CIL could undermine development viability. The Local Plan undertakes to negotiate with developers to ensure that sustainable development schemes can be built. This SDP sets out the Council's approach to assessing and negotiating viability (see Part 5). Note that the scope to negotiate 'site acceptability' requirements is much more limited than of affordable housing or wider 'sustainable development' style contributions.

1.6.4 Planning Conditions will be used wherever possible (rather than s106 Obligations).

[1] Torbay Whole Plan Viability Assessment, Peter Brett Associates, 2014

1.7 Prioritisation of Developer Obligations

1.7.1 Policy SS7 'Infrastructure, phasing and delivery of development' sets out the Local Plan's overall strategy for seeking planning obligations. It indicates that contributions will be prioritised, to ensure that the most critical infrastructure is delivered. The Council prioritises s106 Obligations as follows:

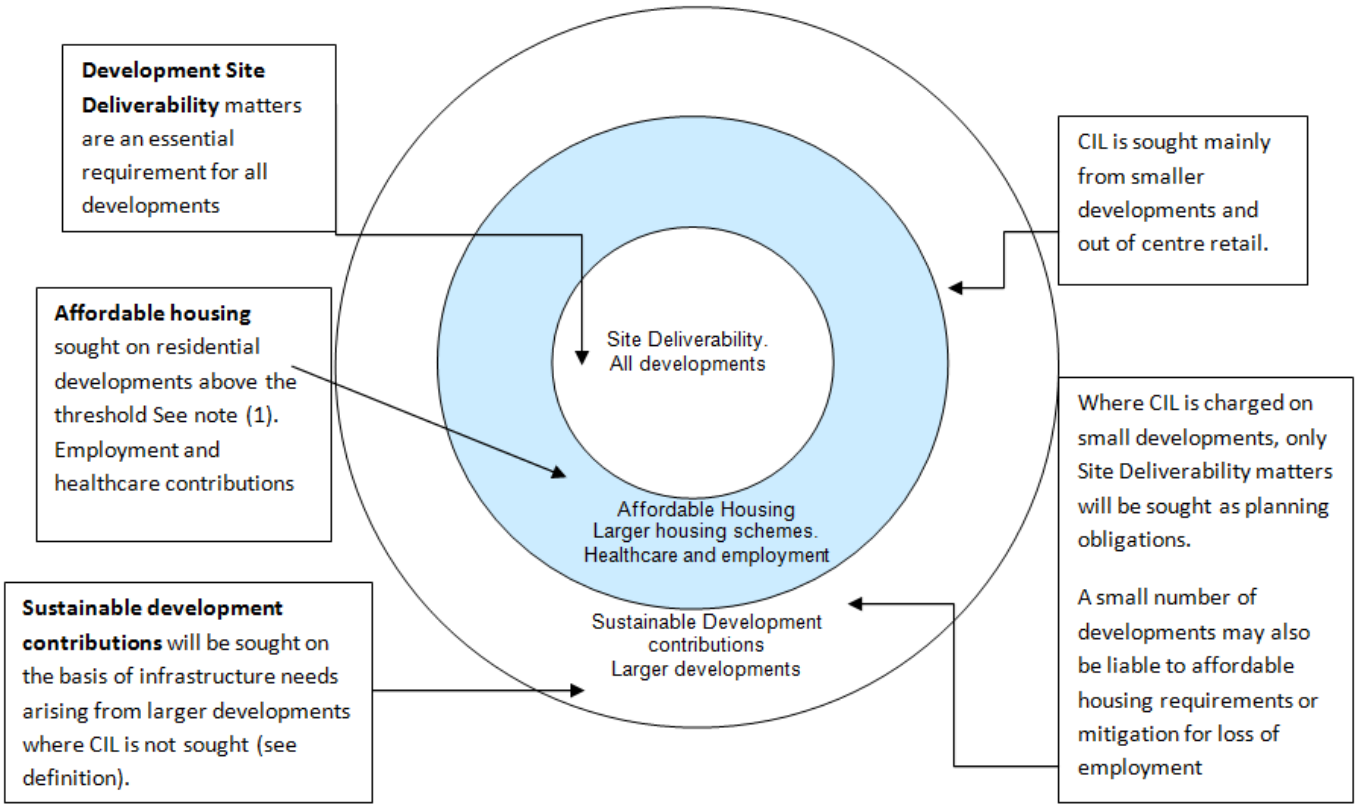
Table 1.1 Prioritisation of s106 Obligations

Site Deliverability Matters – essential site specific matters to mitigate the impact of development e.g. access and necessary road improvements, flooding, drainage/sewer capacity, direct biodiversity, landscaping. Planning conditions will be used wherever possible.	Site Deliverability matters apply to all development.
Affordable Housing and critical socio-economic infrastructure (including employment provision and health care on developments giving rise to additional care needs).	**Affordable housing** applies to greenfield sites of 3+ dwellings, and brownfield sites of 15+ dwellings. See note on thresholds. **Employment and healthcare:** All applications with an employment or health impact. 'Tariff style' contributions are only sought from sites of 11+ dwellings/6+ in the AONB; or where there is a combined floorspace of more than 1,000 sq m. Liability for CIL will be a material consideration in determining whether these s106 Obligations are sought.
Wider sustainable development style contributions (e.g. waste management, education, open space/ recreation, wider environmental/green infrastructure, town centre management etc.). This applies to developments where CIL is not sought (i.e. larger residential developments in Future Growth Areas etc.) and all commercial developments that have an impact which needs to me mitigated. These matters are still required to make development acceptable in planning terms, but are not necessarily essential to render the development physically safe or legal. These are sometimes called 'tariff style' contributions.	**Sustainable development contributions** will be used to secure broader infrastructure from larger developments in Future Growth Areas (rather than CIL). Whilst the SPD sets out figures based on an assessment of likely impacts, sustainable development obligations will not be sought on a 'roof tax' basis but must relate to specific items that meet the CIL Tests of Lawfulness, (see restrictions on s106 Obligations above). Mitigation of specific impacts e.g. monitoring or town centre impacts, principally arising from larger development.

1.7.2 These are represented as diagrammatically as concentric rings or a pyramid of priorities (the nearer the base representing the higher priority) in Figures 1 and 2.

1.7.3 In the context of this document 'larger developments where CIL is not sought' refers to residential developments of 15 or more dwellings (gross) in Charging Zones 3 and 4 where a zero rate of CIL is sought, but where the Council seeks to address the infrastructure needs arising from development through s106 Obligations.

Figure 1.2: S106 Priorities: Proposed structure of the Planning Obligations and Affordable Housing SPD and relationship to CIL.



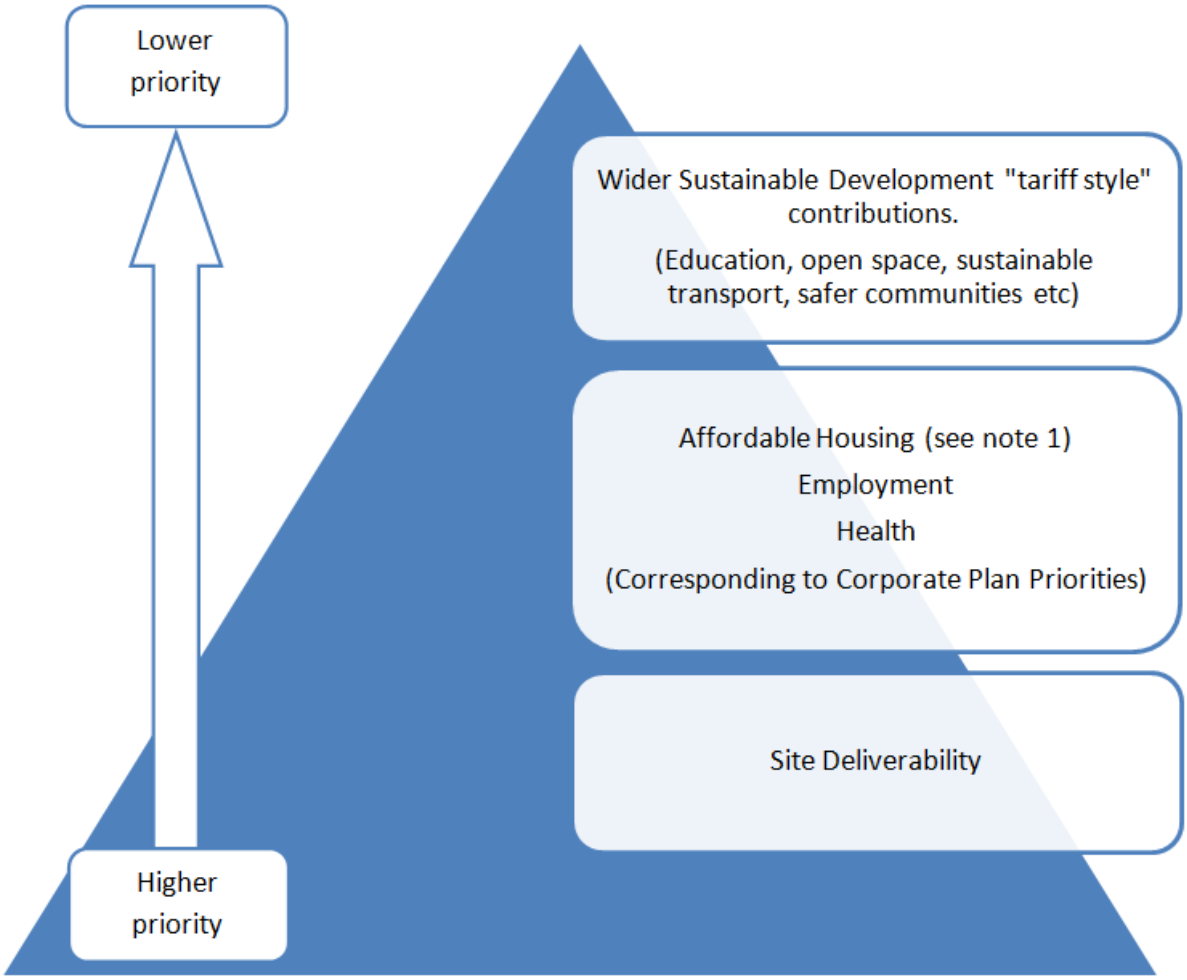


Figure 1.3: S106 Themes and Prioritisation 'Pyramid' Figure

Note 1: Affordable Housing is defined in the National Planning Policy Framework (NPPF). The Council will have regard to a general duty to promote starter homes but this will not take precedence over Policy H2 unless required to do so by Regulations or other legislation. The threshold for affordable housing is set out in Policy H2 of the Local Plan. The Written Ministerial Statement of 28 November 2014 will be treated as a material consideration, but does not over ride Policy H2.

Note 2: Policy H2 and Policy SS11 of the Local Plan indicates that the Council may agree reduced affordable housing provision where this would secure significant benefits to disadvantaged areas, including enhancement of the local natural or built environment. These would need to be central to the delivery of the site so as to render it a 'site deliverability' matter. Regard will be had to development viability, particularly where developments that achieve regeneration benefits are liable for CIL as well as affordable housing.

Figure 1.4: Justification for Seeking Developer Obligations in the Local Plan		
Item	**Local Plan Policies/ Reference**	**Applicable to**
Site Deliverability (highest priority)		
Apply to all developments (residential and non-residential). Will be addressed through site design / condition where possible. Limited scope to negotiate.		
Development Access	TA2 SS6	All development where there is an impact on access. Will be through S278 Agreements where possible.
Drainage and sewerage	ER1, ER2, 6.5.2.18 C3, 6.3.1,20 SDP2 Paignton town centre SDP3 Paignton North and Western Area.	All development including domestic extensions and prior approval. S 2-3. Particularly development within coastal location or flood risk zone
Flooding	ER1, ER2, 6.5.2.18 C3, 6.3.20 SDP2 Paignton town centre SDP3 Paignton North and Western Area DE1,DE2, DE5 W5	All development within coastal location or flood risk zones 2-3 and 1 where there are other flooding risks (wave action etc.).
Waste water	W5 6.5.3.23 and 6.5.3.24 Buckland WWTW 6.5.3.27	All developments (including Prior Approval) see Drainage above.
Marine habitats Water quality	NC1, 6.3.2.7 ER2 ,6.5.2.18	All development where there is an impact marine habitats
Greater horseshoe bat mitigation	SS1, SS2, SS8, NC1, 4.1.20, 4.1.21, SDP1, SDP3, SDB1, C1	All development where there is an impact on greater horseshoe bat foraging area/flightpaths
Recreational Pressure on Berry Head	(SS8, SDB1, NC1 TO1 6.3.2.3 to 6.3.2.5)	Impact is primarily from development in the Brixham Peninsula. This is currently a CIL item and therefore S106 Obligations will not be sought towards mitigation of recreation impacts on Berry Head.
Cirl buntings	SS8, NC1, 6.3.2.12, SDT3, SDP3, SDB3	All development where there is an impact on habitat used by breeding or wintering Cirl buntings.
Biodiversity-other	SS8, SS9 NC1	All development where there is an impact on habitats.
Design	6.1.2.19-20 DE1, DE2, DE3	All development – usually through design/conditions
Affordable Housing, employment and health		
Applies to residential developments above threshold. Proportions of affordable housing have been kept low to safeguard viability. Some scope to negotiate tenure on the basis of viability, subject to an overall development package being in the public interest. Regard will need to be had to the provision of starter homes as an element of affordable housing provision in Policy H2. Employment provision is essential to delivery of Local Plan Strategy. Some scope to negotiate on the basis of viability, subject to an overall development package being in the public interest. Additional healthcare/social services impacts arising from development that give rise to healthcare impact (e.g. sheltered housing, extra care units and care homes). Some scope to negotiate on the basis of viability, subject to an overall development package being in the public interest.		

Note that the requirement in the Housing and Planning Act 2016 to provide starter homes will affect the delivery of general needs affordable housing.		
Affordable housing - general	Policy H2, 6.4.16 to , 6.4.1.18 H3. 6.4.1.19-27.	Sites over the threshold of 3 dwellings on greenfield sites and 15 on brownfield sites (see note above).
Empty homes / regeneration	4.5.18, 4.5.32 use of affordable housing contributions to bring empty homes back into use.	Sites where affordable housing is sought as a commuted payment.
Self build or custom build housing	H4, 6.4.1.19-27 (especially 6.4.1.24)	Self build homes (whether built as exception site or as a % of affordable housings). General needs affordable housing will usually be accepted in lieu of self build plots.
Employment (and early delivery). Employment – contributions towards loss of employment	SS4, SS5, 4.2.19 4.2.27, 4.2.29 6.1.2.15	Commercial development and development entailing the loss of jobs. Conversely, mitigation may be given to proposals that create jobs.
Live / Work units	4.2.31	Live work units, either through condition or S106 Obligation.
Healthcare and broader healthy communities	SS11.4 H6, 6.4.1.49 SC1	Development likely to give rise to healthcare impact (sheltered housing, extra care and care units). Health Impact Assessments on developments likely to impact on health Sites of 50+ dwellings should provide 5% of dwellings to Accessible and Adaptable standard.
Sustainable development infrastructure from larger developments. See definition above (Third priority).		
Applies to larger residential developments in Charging Zones 3 and 4 where the CIL Charging Schedule indicates that s106/s278 obligations will be sought to fund infrastructure rather than CIL and commercial developments where there is a particular impact which needs to be mitigated (e.g. sustainable transport, town centre management). Whilst not essential for safety or direct operation of the development, such infrastructure is necessary to make development sustainable and therefore acceptable in Planning terms. Regard will be given to the CIL Regulations Tests of Lawfulness and contributions will be linked to specific projects/items. There is some scope to negotiate on the basis of viability. Regard will also be had to the threshold for “tariff style” contributions set out in the Written Ministerial Statement of 29/11/2014 and set out in the PPG. Accordingly Sustainable development ”tariff” style contributions will not be sought from residential developments of 11+ dwellings (or 1000 sq m)/ 6+ in the AONB. However, most such developments will be CIL liable and *sustainable development* contributions s106 Obligations will not be sought from developments that pay CIL. The threshold for “tariff style” contributions also covers commercial developments of less than 1000 sq m		
Infrastructure, phasing and delivery of development.	SS7, SS11	
Transport Infrastructure	SS6 4.3.10 (Western Corridor) 4.3.16 (A385 Totnes Road)	The South Devon Highway is a CIL item, and s106 Obligations will not be sought towards it. .
Open space, sport and recreation	SS9, SC2	
Education	SS11 SC3 6.4.3.15, SC5 (Child Poverty and equality of access)	
Sustainable food production	SC4	Residential developments of 30+ dwellings

Sports and Leisure	SC2 DE1 Active design	Active design principles apply to all developments as far as practical (usually through planning permission).
Town centre management	TC1 TC5 Evening and night time economy 6.1.1.23	Commercial development which has an impact on town centre management.
Monitoring	6.12.10 6.4.1.34	Development which give rise to specific monitoring/ management requirements (e.g. holiday occupancy, HMOs, biodiversity)
Waste management facilities	W1, 6.5.3.6 W2.5	On-site design for all developments, and sustainable development contribution from larger sites, or where recycling cannot be achieved.
Implementation		
Applies to all development. It is intended that most small scale proposals will not require s106 Obligations.		
	Part 7: 7.4, 7.4.8 and 7.4.11 6.4.1.12-18 viability testing	

2 SITE DELIVERY MATTERS

2.1 Introduction

2.1.1 These relate to works that must be carried out directly to the site to render development workable in physical terms, safety or meeting legal requirements. It includes matters such as access, landscaping, protected species, drainage and flooding.

2.1.2 Many matters can be addressed through the use of conditions rather than requiring a legal agreement. Conditions will be used where possible. However, conditions will not be used to defer considerations that are central to an application's acceptability, such as drainage, flood risk and biodiversity.

2.1.3 Because site impacts are unique to each development it is not practical to set standard formulae. Policy SS2 and the Strategic Development (SD) policies of the Local Plan set out key infrastructure matters in proposed 'Future Growth Areas'.

2.1.4 Site deliverability matters will need to be addressed before other obligations can be sought, and there is limited scope to negotiate on them.

2.1.5 This section is not intended to imply that all development is capable of mitigation. Although the Council will endeavour to overcome obstacles to granting permission, some proposals will be unacceptable due to their environmental or other impact.

2.2 Site Access and Direct Safety Works (Local Plan Policy TA2)

2.2.1 There is an expectation that developers will pay for access to a development site and/or additional works necessary for safety or operational purposes (e.g. traffic lights, pedestrian crossings, cycle ways, footpaths etc.). The impact of the development upon junction and road

capacity in the immediate vicinity of the site (allowing for a reasonable period of traffic growth, usually five years) will also be considered as a site deliverability matter.

2.2.2 However, impacts on the wider transport network not directly related to junctions etc. in the immediate vicinity of the site will be considered as sustainable development contributions.

2.2.3 Highway works are currently generally provided through s278 of the 1980 Highways Act.

2.2.4 The Council will require site access and associated works to be carried out by the developer under s278 in most instances. S278 Agreements are not subject to pooling limitations. They are subject to restrictions on 'double dipping' so highway infrastructure that is funded through CIL (i.e. the South Devon Highway) cannot be the subject to new s106 or s278 Agreements.

2.2.5 Matters such as internal road layout, parking, provision of cycling facilities etc. will usually be dealt with through conditions as part of the development management process (Policies SS6, TA1 to TA3). For example, roads will need to be provided to an adoptable standard. They should provide necessary access to later phases of development by providing highway land to the edge of sites in order to prevent the creation of ransom strips. Details of the Council's highways standards are set out in Torbay Highways Design Guide.

2.2.6 Policy TA3 of the Local Plan promotes the provision of cycle parking and electrical points within developments, which will usually be secured through negotiation of layouts or through planning conditions. Large developments will usually be required to provide travel plans to promote alternatives to single occupancy car use.

2.3 Flooding (Local Plan Policies ER1, ER2, NPPF paragraphs 103-104, and footnote 20)

2.3.1 The NPPF and Policy ER1 'Flood risk' require development to be located in areas with lowest risk of flooding on the basis of sequential and exceptions tests.

2.3.2 Where (on the basis of the above Policy Framework) development is deemed acceptable subject to flood resilience measures identified in the Flood Risk Assessment; the council will require flood resilience measures to be provided. Policy ER1 requires a focus upon sustainable urban drainage and water sensitive urban design. However, resilience measures such as water resistant doors, raised floor levels and high level electrical wiring will also be encouraged.

2.3.3 Such matters will usually be dealt with through planning conditions rather than obligations. However, details of flood protection measures will be required when proposals are submitted.

2.4 Flooding, Drainage and Sewerage (Local Plan Policies ER1, ER2, W5)

2.4.1 Drainage is closely related to the issues of flooding and sewer capacity.

2.4.2 Torbay has been declared a Critical Drainage Area by the Environment Agency (see Policy ER1 and 6.5.2.13 of the Local Plan). In addition Natural England has raised concern about the impact of combined sewer overflows affecting the candidate Special Area of Conservation

(SAC) in Torbay. The Council's evidence[2] indicates that the impact of "urban creep" and climate change pose a significant risk to Torbay's sewer capacity.

2.4.3 Policies ER2 and W5 sets out a test to ensure that no additional surface water is discharged into shared sewers. Planning proposals, including prior notifications should ensure that all development (including brownfield sites) mimic greenfield run-off rate (or better).

2.4.4 The use of Sustainable (Urban) Drainage Systems (SUDS) and Water Sensitive Urban Design (WSUDs) to achieve this is strongly encouraged.

2.4.5 Details of such measures will be required before permission is granted as part of a proposal's Flood Risk Assessment, and implemented prior to the development taking place.

2.4.6 As with flooding, matters to do with drainage will normally be dealt with through planning condition and the use of sustainable drainage/water sensitive urban design will be promoted where possible.

2.4.7 Planning Obligations for off-site mitigation will only be accepted as a last resort, and if a suitable project that does not fall foul of pooling restrictions and is implementable can be identified. If this cannot be achieved, proposals will need to be refused.

2.4.8 Developers will require a license from South West Water (SWW) to connect to foul sewers. Where additional sewerage is required the Council, in liaison with South West Water, will seek to ensure that sufficient capacity is provided to meet the requirements of the whole Future Growth Area. This may mean that earlier phase developers overpay for drainage/flooding measures and provide proportionately less for less critical infrastructure, which will be met by later phases of development.

2.5 Biodiversity

2.5.1 In relation to biodiversity the National Planning Policy Framework (NPPF) requires development to minimise impacts on biodiversity and provide net gains where possible (paragraph 109 and 117-118).

2.5.2 Section 40 of the Natural Environment and Rural Communities Act 2006 places a duty on all Local Authorities to have regard, in the exercise of their functions, to the purpose of conserving biodiversity. They should identify ways to integrate biodiversity in developing policies, strategies, in managing land and buildings and developing infrastructure (roads/flood defences) etc.

2.5.3 In accordance with the NPPF, the Local Plan Policy NC1 states that there should be no net loss of biodiversity through development and the aim should be to secure net gain.

2.5.4 The approach set out in the following paragraphs is designed to have benefits for developers, local communities, habitats and biodiversity.

[2] Assessment of Sewer Capacity In Torbay, AECOM/SWW 2014

2.6 Development Impacts on Biodiversity

2.6.1 Some development sites will undoubtedly impact on biodiversity. The mitigation hierarchy of avoid, mitigate, compensate, enhance should always be followed.

2.6.2 Where impacts cannot be avoided, mitigated or compensated for on a development site, or on other land owned by the applicant, contributions for off-site mitigation or compensation will be sought.

2.6.3 It should be noted that this approach is not a replacement for the protection of those habitats and species covered by legislation. Furthermore, the approach will not be appropriate in all cases e.g. where there will be loss or deterioration of irreplaceable habitats. Development likely to affect habitats and/or species associated with an international site will be subject to assessment under the Habitats Regulations and will not be permitted unless any adverse effects upon integrity can be ruled out.

2.6.4 The following deals with specific biodiversity related issues of importance to Torbay:

- Greater horseshoe bats (GHB) (Rhinolophus ferrumequinum) associated with the Berry Head to Sharkham Point component of the South Hams SAC;
- Cirl buntings (Emberiza cirlus);
- Recreational impacts on the Berry Head to Sharkham Point component of the South Hams SAC (Calcareous grassland and other habitats);
- Protected Sites – locally important sites for biodiversity and geodiversity;
- Off-Site Habitat Compensation (biodiversity offsetting).

2.7 Greater Horseshoe Bats associated with the Berry Head to Sharkham Point

2.7.1 GHB is a rare species in the UK with a significant proportion of the population found in South Devon. Most records refer to animals at traditional roost sites, commuting along strategic flyways or foraging in sustenance zones.

2.7.2 Natural England has produced the South Hams SAC GHB Consultation Zone Planning Guidance (June 2010). The guidance identifies sustenance (foraging) zones around each of the component roosts of the SAC, as well as the strategic flyways which are most likely to link the SAC roosts.

2.7.3 Those developments located in a GHB strategic flyway or sustenance zone will need to follow the above Natural England guidance. Such developments are likely to need a Habitats Regulations Screening Assessment, and potentially a full Appropriate Assessment, to determine whether there are any Likely Significant Effects on the SAC.

2.7.4 Impacts on GHBs will need to be mitigated for on any development site, or on other land owned by the applicant. This can normally be achieved through the maintenance of dark corridors and habitat management measures that ensure that there are no detrimental impacts on the ability of the species to navigate and feed, and that there are no adverse impacts on the favourable conservation status of the species.

2.7.5 Within the context of 'in-combination' impacts, ensuring the GHB population's resilience and the precautionary principle, a number of strategic measures have been identified in conjunction with Natural England as detailed in table 2.1 below.

2.7.6 Contributions for these measures will be charged through s106 from developments that are likely to impact upon the GHB population and habitat. This will be identified through the Habitats Regulations process.

Table 2.1: Greater horseshoe bats strategic measures (note that contributions will be sought on a case-by-case basis, based on impact)

Strategic measure	Cost (at 2016 rates)
New maternity roost provision at Berry Head (Priority project 1)	£80,000
Existing building enhancements to create new roost locations, potentially at: Sharkham Point, Berry Head, and Woodhuish Farm (Priority project 2)	£40,000
Improvements to foraging habitat within the sustenance zone	To be determined on a case by case basis
On-going monitoring of the GHB population.	To be determined on a case by case basis.
Note: contributions will be sought on a case by case basis based on impact.	

2.8 Cirl Buntings

2.8.1 The Cirl bunting is a rare species in the UK, with a very restricted range. Most of its population is in South Devon, and a survey in 2009 showed that just over 8% of the UK population was in Torbay. The Cirl bunting is a UK species of principal importance under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006. These species were identified as requiring action under the UK Biodiversity Action Plan and remain conservation priorities under the UK Post-2010 Biodiversity Framework. The Cirl bunting is also protected under Schedule 1 of the Wildlife and Countryside Act 1981 (as amended), and is a red listed bird of conservation concern.

2.8.2 In areas where there are historic records of Cirl buntings breeding territories, or where suitable habitat is present on a development site, the developer and Torbay Council will either need to accept presence of Cirl buntings and agree on the level of presence or undertake specific Cirl buntings surveys, in accordance with the Wildlife and Development Guidance Note: Cirl bunting (Devon County Council, Teignbridge District Council and RSPB, 2016), to determine the level of presence.

2.8.3 Where loss of summer breeding or winter Cirl bunting habitat is unavoidable, compensatory habitat must be provided. This is unlikely to be achieved on the development site but may be able to be achieved on other land owned by the applicant within Torbay.

2.8.4 Where suitable mitigation or compensation cannot be provided on site, contributions or Obligations towards off-site compensation will be sought, so long as this can be satisfactorily secured.

2.8.5 Torbay Council is working with the RSPB and the Torbay Coast and Countryside Trust (TCCT) to identify potential off-site compensation sites for Cirl buntings in Torbay.

2.8.6 Based on this work, compensatory habitat provision for an additional six pairs of Cirl buntings at Cockington has been identified. A payment of £87,500 (at 2016 costs) per pair of Cirl buntings will be required for compensation for those sites which are owned by Torbay Council and managed by TCCT. The offsite compensation payment covers TCCT management and monitoring costs for 25 years. TCCT has every intention to continue to manage the land in accordance with the agreed Scheme of Management until the expiry of its current lease in 2060. A similar Scheme of Management is being developed for TCCT managed land at Maidencombe.

2.8.7 Further details can be found within the Wildlife and Development Guidance Note: Cirl bunting (Devon County Council, Teignbridge District Council and RSPB, (2016)

2.9 Recreational Impacts on Berry Head to Sharkham Point

2.9.1 As detailed in Policy NC1 'Biodiversity and geodiversity' of the Local Plan, developments comprising new housing or new holiday accommodation within 5km drive distance of the SAC (broadly equivalent to the Brixham SDB1 policy area) will be required to make a financial contribution towards mitigating the impact of additional recreational pressure on the calcareous grassland at the Berry Head to Sharkham Point component of the South Hams SAC.

2.9.2 The Council has published the management of recreation impacts on the limestone grassland between Berry Head and Sharkham Point on its Regulation 123 List of matters it intends to fund through CIL. On this basis, contributions for this matter will be taken via CIL.

2.10 Protected Sites - locally important sites for biodiversity and geodiversity

2.10.1 The Local Plan identifies locally important sites for biodiversity and geodiversity; these include County Wildlife Sites, Other Sites of Wildlife Interest, Unconfirmed Wildlife Sites and Regionally Important Geological Sites. In addition, policies NC1 and C4 seek to protect veteran trees and woodland. Developments within 500m of locally important sites are likely to impact upon and/or benefit from them. Accordingly, there may be a need for these developments to contribute towards enhanced management of these sites. Contributions will be modest and the need for, and level of, contributions will be determined on a case by case basis.

2.11 Off-Site Habitat Compensation (Biodiversity Offsetting)

2.11.1 Where impacts on local habitats cannot be avoided, mitigated or compensated for on the development site, or on other land owned by the applicant, contributions for off-site habitat compensation will be sought.

2.11.2 For small developments that involve the loss of local habitat, a contribution of £25 per sq m will be sought (Calculated on the basis of £1 per sq m habitat loss per year for 20 years). For example loss of 100 sq m of habitat would result in a contribution of £2,000 (£1 x 20 years x 100 sq m).

2.11.3 For larger developments contributions will be determined on a case-by-case basis.

2.11.4 Contributions will be used to provide off site habitat enhancements in accordance with management plans. There are a number of locally important sites across Torbay which have the potential to provide off-site compensation through enhanced habitat management. These include County Wildlife Sites, Other Sites of Wildlife Interest and Unconfirmed Wildlife Sites, (see Appendix D of the Local Plan). In addition, there may be potential for off-site compensation on other land, including land owned by Torbay Council and managed by the Council or TCCT.

2.11.5 Consideration will be given to other biodiversity obligations or on-site provision to avoid 'double counting', i.e. financial contributions will only be sought to compensate for a net loss of biodiversity. This planning contribution mitigates a site specific impact and is therefore a site deliverability matter. Where used for greenspace management it is not considered to be infrastructure subject to pooling restrictions. It will not be used to duplicate matters that are CIL funded (i.e. the limestone grassland at Berry Head).

2.12 Design and Active Design

2.12.1 Policy DE1 'Design' of the Local Plan sets out a requirement for development to be well designed and contain a checklist of considerations relating to development's function, visual appeal and quality of open space. Particular attention is drawn to designing out opportunities for crime, anti-social behaviour etc., and liaison with the Police Architectural Liaison Officer on major developments. The Policy also requires the provision of layouts and design which encourage active lifestyles and promote walking, cycling and public transport. Policy DE2 encourages the use of Building for Life Criteria.

2.12.2 Policy DE3 'Development amenity' sets out a requirement for good layout of dwellings including guidance on space standards, amenity space, road layout, parking, bin and storage areas. It sets out a guideline requirement for houses to have 55 sq m of outside amenity/garden space and flats to have 10 sq m per unit. Policy DE3 also indicates that developments should be set out to minimise the opportunities for crime and help avoid community conflict: for example by providing adequate parking and secure storage facilities for cycles etc. Policy W1 requires development to make provision for storage of recycling and waste materials.

2.12.3 Policy SC1 'Healthy Bay' requires applicants to have regard to promoting healthy living. Developments of 30 or more dwellings, and smaller scale developments where there is an impact on health will be required to undertake a screening for a Health Impact Assessment.

2.12.4 Such matters are central to the development management process and it is expected that in most instances they will be addressed through conditions and the negotiation of layouts etc.

2.12.5 Policy SS10 'Conservation and the historic environment' requires development to contribute towards the character and local distinctiveness of the area. There will be instances where public realm improvements are central to the success of development, particularly in town centre and waterfront areas. In such instances public realm improvements may be prioritised.

2.12.6 Policy SS11 'Sustainable communities' sets out a range of measures to regenerate community investment areas, including protecting and enhancement of the built environment or creating better accessibility and connections serving the local community. Helping to promote healthy

lifestyles for example through promoting walking and cycling will also be given a high priority in these areas.

2.12.7 Whilst broader public realm improvements are treated as a sustainable development contribution (see Section 4), there will be instances where public realm/physical regeneration is considered critical to the success of an application to the extent that it will be considered to be a site deliverability matter, and prioritised accordingly. In many instances this can be achieved through conditions and good design of development and its environs. There may be instances where s106 obligations are justified for offsite works in close proximity to the site.

3 AFFORDABLE HOUSING, EMPLOYMENT AND HEALTH

3.1 Introduction

3.1.1 This section sets out guidance on the implementation of the Council's affordable housing, employment and health policies. These will be given the next highest priority in negotiating s106 obligations after direct site deliverability matters have been taken into account. Note however, that active design and related matters such as on-site open space provision will often be dealt with through planning condition as part of site deliverability considerations.

3.2 Affordable Housing

3.2.1 Policy H2 'Affordable housing' of the Local Plan sets out the Council's affordable housing requirements. Policy SC5 "Child poverty" also promotes affordable housing and other measures to help reduce child poverty.

3.2.2 Policy H2 remains the Council's adopted Local Plan policy. However, the Government has won a Court of Appeal right to set a minimum threshold of 11 dwellings (or no more than 1,000 sq m) through written ministerial statement (WMS) dated 28th November 2014. It subsequently amended the Planning Practice Guidance on 21st May 2016 to reflect these minimum thresholds. However, the Courts have ruled that the WMS and PPG do not over-ride policies in up to date development plans.

3.2.3 Torbay Council resolved on 2nd February 2017 to retain the threshold of 3 dwelling threshold for affordable housing, as set out in Policy H2 of the Local Plan. However, matters such as the WMS, viability and liability for CIL will continue to be material considerations.

Policy H2 Affordable housing

The provision of affordable housing will be sought on greenfield sites of 3 dwellings or more, and brownfield sites of 15 dwellings or more, to meet the housing needs of local people. Affordable housing will be sought on the following sliding scale, up to thirty percent (30%) of dwellings on qualifying sites:

Net new dwellings/ assessed site capacity	Affordable housing target	Method of delivery
Development of Brownfield Sites		
3 -14 dwellings	Zero	N/A
6 -10 dwellings	Zero	N/A
11-14 dwellings	Zero	N/A
15 -19 dwellings	15%	Delivered through on site provision. Commuted payments will only be accepted where this would achieve more effective provision of affordable housing, or bring significant regeneration benefits.
20+ dwellings	20%	Delivered on site. Commuted sums will only be accepted where this would achieve more effective provision of affordable housing or bring significant regeneration benefits.
Development of Greenfield Sites		
3 - 5 dwellings	10%	Usually through commuted payment.
6 -10 dwellings	15%	Usually through commuted payment.
11 - 14 dwellings	20%	Delivered through on site provision. Commuted payments will only be accepted where this would achieve more effective provision of affordable housing, or bring significant regeneration benefits.
15 - 29 dwellings	25%	On-site. Commuted sums will only be accepted in exceptional circumstances, where this would achieve more effective provision of affordable housing or bring significant regeneration benefits.
30+ dwellings	30%	On-site. 25% affordable housing and 5% self build plots in accordance with Policy H3. Alternatively 30% affordable housing will be accepted where Self Build Plots are not practicable.

A site's overall capacity to accommodate dwellings will be taken into account when calculating affordable housing requirement, and artificial sub-division or underdevelopment of sites will be resisted.

Provision of affordable housing, or contributions on smaller sites, will be sought on the basis of one third social rented housing, one third affordable rent and one third shared ownership housing. An element of self-build plots will be sought on larger greenfield sites, in accordance with Policy H3.

A higher level of shared ownership/key worker housing may be agreed where this would aid economic prosperity, regeneration or promote the creation of mixed communities.

Proposals that exceed the minimum affordable housing requirements will be supported subject to other policies in the Plan, including the need to create mixed and balanced communities and meet local needs.

Where developers wish to reduce significantly the level of affordable housing provision, an independent assessment of viability will be required, with the developer underwriting the cost of the viability assessment.

The Council may agree to a reduced scale of affordable housing provision on sites where early delivery is possible.

Where a contribution is agreed in lieu of on-site provision, it should reflect the cost of providing on-site affordable housing.

In order to secure additional investment in disadvantaged areas of Torbay, the Council may agree to a reduction, or zero provision, of affordable homes on sites in those areas. Development of such sites will be expected to provide significant benefits to the creation of more sustainable, balanced communities as assessed against the criteria in Policy SS10.

3.2.4 The explanation to Policy H2 (Paragraphs 6.4.1.6-18) provides additional guidance on tenure natural design and implementation. It sets out the Council's approach to delivering affordable housing as part of mixed and balanced communities. Paragraph 6.4.1.2 indicates that sites should not be artificially subdivided or phased to avoid liability for affordable housing. This should apply both to new sites and the subdivision/redevelopments of existing buildings. Regard will be had to space standards set out in the explanation to Policy DE3 of the Local Plan.

3.2.5 Dwelling types should be provided in agreement with the Torbay Development Agency's Head of Asset Management and Housing, and registered providers' needs. For example, there may be a preference for 5 person, 3 bedroom homes.

3.3 Tenure Mix

3.3.1 The Council seeks up to 30% affordable housing on the basis of the following:

1/3 Social Rent should be managed by a Registered Provider (e.g. a Housing Association) or alternative organisation approved by the Council. Social rented housing is homes let on assured or secure tenancies (as defined in Section 80 of the Housing and Regeneration Act 2008), for which guideline target rents are determined through the national rent regime. It may also be owned by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Homes and Communities Agency.

1/3 Affordable rented housing is let by Local Authorities or private registered providers of social housing or alternative organisation approved by the Council to households who are eligible for social rented housing. Affordable Rent is subject to rent controls that require a rent of no more than 80% of the local market rent (including service charges, where applicable).

1/3 Intermediate is an umbrella term for homes for sale or rent at a discount below market rates but above social and affordable rented products. It includes (but is not limited to) shared ownership, discounted market sale and starter homes.

Shared ownership/Shared Equity Homes for sale and rent provided at a cost above social rent, but below market levels subject to the criteria in the Affordable Housing definition above. These can include shared equity (shared ownership and equity loans), other low cost homes for sale and intermediate rent, but not affordable rented housing. Note that the NPPF (2012) definition of affordable housing currently requires affordable

homes to be affordable in perpetuity or for the subsidy to be recycled into other affordable housing.

3.4 Starter Homes

3.4.1 Chapter 1 of the Housing and Planning Bill (2015) introduces a duty on local authorities to promote the supply of starter homes when carrying out their planning functions. Starter homes are defined as a new dwelling available for purchase by a qualifying first time buyer, to be sold at a discount of 20% below market value subject to a price cap of £250,000. This will be implemented through Regulations.

3.4.2 A technical consultation dated March 2016 indicates a preferred option of 20% of dwellings on sites of 10 or more units (or 0.5 ha) should be provided as starter homes, in addition to other affordable housing requirements (pp12-13). However until and unless Regulations come into force, it is recommended that Policy H2 'Affordable housing' remains the basis for seeking affordable housing. Starter homes may be sought as an element of intermediate affordable housing. Qualifying person is currently a person under 40 years old, although Regulations may introduce other criteria such as local connection.

3.4.3 PPG 55-005 indicates that starter homes should be subject to a s106 agreement requiring them to be offered to first time buyers for a discount of at least 20% below market value and with restrictions that they cannot be resold or let at their open market value for 5 years following the initial sale.

3.4.4 There is likely to be an exemption where the requirement would render sites unviable, but the consultation appears to indicate that other types of affordable housing should be dropped before starter homes.

3.4.5 Regulations may impose additional requirements on the provision of starter homes. However, until these come into force, starter homes will be considered as an element of intermediate housing. There may be instances where the provision of starter homes may be more achievable on site than other types of affordable housing for example as part of a block of flats.

3.4.6 Note that small homes that sell or rent at the lower end of the housing market simply by virtue of their small size will not be considered as affordable housing.

3.5 Self and Custom Build Housing

3.5.1 In addition Policy H3 of the Local Plan promotes self or custom build housing on exception sites and on sites of 30+ dwellings. However, general affordable housing will be accepted in lieu of self build plots if this would facilitate the successful delivery of development, or be necessary for site management or safety reasons.

3.5.2 Self-build and custom houses are defined as dwellings built by individuals or associations or persons working for them; but exclude the building of a house on a plot acquired from a house builder who builds the house wholly or mainly to plans or specifications decided by the house builder.

3.5.3 In all cases, self-build plots should be provided in accordance with the Council's allocation policy for self build housing.

3.5.4 Where they are provided as part of larger housing sites, developers will be expected to provide serviced plots for sale to qualifying households within the Council's allocation policy for self-build housing. Note that Policy H3 requires self build plots to be completed within three years of commencement. A condition or s106 Obligation will require occupants to have a strong local connection or employment in Torbay for five years from the date of commencement.

3.5.5 Policy H3 requires self-build plots built in the countryside zone as rural exceptions to be provided as affordable housing. Accordingly on rural exception self-build plots, there will be a requirement for affordable self build plots to be offered at a discount of at least 20% below the open market value of such a plot, to someone living or working in Torbay in housing need.

3.5.6 If the plot does not sell after 12 months of being marketed, it will cascade out to general needs affordable housing. A condition or s106 Obligation will be required to retain the dwelling as affordable housing in perpetuity. There will be a requirement that subsequent sale or occupation is at a discount of 20% below current market prices, and sale and occupation is to persons with strong local connections as indicated in the Council's allocations policy for self-build housing.

3.5.7 Note that affordable self build housing on rural exception sites must meet the acceptability criteria in Policy H3 and C1. In general they will need to adjoin a settlement and be acceptable in terms of landscape and environmental impacts.

3.5.8 As noted above, self build plots may be replaced with general needs affordable housing if there is evidence that this would achieve a more successful or speedy implementation of development, or if there is evidence of higher need for general needs of affordable homes. In addition paragraph 6.4.1.13 of the Local Plan indicates that there is a general expectation that self build housing will be reduced prior to other forms of affordable housing.

3.6 On-Site Provision or Commuted Sum?

3.6.1 Policy H2 assumes that affordable housing will be on-site. Where on-site delivery is not practical a second option will be the provision of alternative service sites or land. Financial contributions in lieu of onsite provision will only be accepted as an option in exceptional circumstances.

3.6.2 However, Policy H2 makes provision for financial contributions from smaller sites in exceptional circumstances. These will be calculated on the basis of the assumed subsidy needed to deliver the equivalent affordable housing through the open market, including administrative costs.

3.7 Calculating Commuted Sums Based on Cost of Provision

3.7.1 The Council will assess the cost of providing affordable housing, taking account the value that such housing has in terms of how much occupants would pay for it and rental streams. The value will be below the full open market value. The values of affordable housing in relation to

open market value are assessed in the Torbay Whole Plan Viability Testing (PBA 2014, and updated January 2016). These are set out below, along with the tenure split sought by the Local Plan:

- 1/3 Social rent at an assumed discount of 60% below open market rates;
- 1/3 affordable rent at an assumed discount of 50% below open market rates;
- 1/3 Intermediate housing including shared ownership and starter homes at an assumed minimum discount of 35% below the open market rate (which includes service charges).

3.7.2 This equals out as an average affordable dwelling being worth 48% the value of an open market dwelling (based on (0.6 + 0.5 + 0.35) ÷ 3 = 04.833). In other words there is an average private subsidy assumed of 52% of the value of an affordable dwelling.

3.7.3 In assessing the cost of providing off site affordable housing, the Council has considered and gross development values.

3.8 House Price Data

3.8.1 Table 3.1 below sets out average new and second hand house prices at June 2016, based on Land Registry data. There was an increase of around 6% since June 2015. In most instances, the new price is more relevant to assessing the cost of providing affordable housing and therefore the commuted sum needed. However in the case of flats, the new price may reflect the luxury end of the market, whilst the second hand price incorporates the bottom of the market. On this basis, a figure in between the two has been taken as the cost of providing a decent flat.

Table 3.1 Torbay House Prices, June 2016 (Land Registry)

	New prices June 2016	New and second hand prices June 2016
Detached	£295,878	£303,857
Semi detached	£210,219	£205,602
Terrace	£185,654	£159,641
Flats	£292,990	£125,425
All properties	£252,500	£184,453

3.8.2 On the basis of house price data an average house is likely to cost around £190,000 and a flat around £135,000.

3.9 Gross Development Values in Viability Studies

3.9.1 Torbay has three recent viability studies (Peter Brett and Associates 2014 and 2016 and Burrows Hutchinson (August) 2016. There are all available at www.torbay.gov.uk/CIL. The most recent assessments (PBA 2016 and Burrows Hutchinson, August 2016) were that average gross development values in Torbay were £2,700 per sq m for flats and £2,400 for houses, or around 2,500 per sq m overall.

3.9.2 These translate to roughly £135,000 for a 50sq m flat and £223,200 for a 93sq m 3 bed, 5 person house. However, a slightly lower figure for houses has been taken in recognition of house prices noted above.

3.9.3 Table 3.2 below sets out the Council's assumed cost of providing affordable housing. These will be used when calculating the cost of affordable housing and off-site contributions, where agreed. They include an allowance for administrative expenses and bringing second hand homes up to an acceptable standard. Table 3.2 sets out the assumed cost of providing affordable dwellings including a 10% additional cost.

Table 3.2 Assumed cost of providing affordable housing/commuted sums

Affordable housing type	Assessed cost of dwelling	Value of assumed subsidy at 52% of market value	Cost of provision with 10% administrative costs (rounded down to nearest £1000)
Smaller dwellings 1-2 person (circa 37-79 sq m)	£135,000	£70,200	£77,000
Medium sized houses (circa 80 sq m or more)	£190,000	£98,800	£108,000

Assumed size: As per national minimum space standards, Table 23 p196 of the Local Plan.

3.9.4 Where commuted sums are accepted, they should match the value of on-site provision as calculated above (and updated for inflation). A requirement calculator is set out in table 3.3 below, (which opens as an Excel spreadsheet). It is noted that commuted sums may be for fractions of dwellings as well as whole dwellings. This should not be taken to imply that off-site contributions will be acceptable.

Table 3.3 Affordable Housing Commuted Sum Calculator (per dwelling or part of)

Brownfield sites: 1 - 2 bed dwellings					
Dwelling range	**No. of dwellings**	**Proportion**	**No. affordable dwellings**	**Contribution per affordable dwelling**	**Total contribution**
15 - 19	15	15%	2.25	77,000	17,3250
20+	20	20%	4.0	77,000	308,000
Brownfield sites: 3+ bed dwellings					
Dwelling range	**No. of dwellings**	**Proportion**	**No. affordable dwellings**	**Contribution per affordable dwelling**	**Total contribution**
15 - 19	15	15%	2.25	108,000	243,000
20+	20	20%	4.0	108,000	432,000
Greenfield sites: 1 - 2 bed dwellings					
Dwelling range	**No. of dwellings**	**Proportion**	**No. affordable dwellings**	**Contribution per affordable dwelling**	**Total contribution**
6 - 10 in AONB	6	0.15	0.9	77,000	69,300
11 - 14	11	0.2	2.20	77,000	169,400
15 - 29	15	0.25	3.75	77,000	288,750
30+	30	0.3	9	77,000	693,000
Greenfield sites: 3+ bed dwellings					
Dwelling range	**No. of dwellings**	**Proportion**	**No. affordable dwellings**	**Contribution per affordable dwelling**	**Total contribution**
6 - 10 in AONB	6	0.15	0.9	108,000	97,200
11 - 14	11	0.2	2.20	108,000	237,600
15 - 29	15	0.25	3.75	108,000	405,000
30+	30	0.3	9	108,000	972,000

3.10 Calculation of Viability and Deferred Assessment of Viability

3.10.1 Policy H2 recognises that the provision of affordable housing is a matter for negotiation. Where on-site provision is being made there may be scope to vary tenure to meet sustainable community or Government policy objectives. Policy SS11 of the Local Plan is relevant to Community Investment Areas.

3.10.2 It will, however, be noted that paragraph 6.4.1.16 of the Local Plan indicates that proposals will be resisted where the reduction in affordable housing or other community benefits would be reduced to the extent that development is rendered unsustainable.

3.10.3 Where affordable housing or other s106 requirements are argued to render development unviable, the Council will require an open book viability assessment from the applicant. Where, on the basis of the viability assessment, it is agreed that affordable housing would render development unviable then the Council will negotiate an agreed level of provision e.g. increase amount of intermediate housing or a reduction in provision. In all cases where a

reduction in the percentage of affordable housing is agreed, the Council will require a deferred contribution arrangement to be in place. Procedures for carry out viability assessments and deferred contributions are set out in part 5 'Implementation'.

3.11 Design and Layout

3.11.1 Affordable housing should not be distinguishable from open market housing by design. Where possible it should be 'pepper potted'[3] in more than one cluster throughout a development (i.e. not all in one place). As a guideline, clusters of 10-12 affordable homes are appropriate on sites of up to 100 dwellings; and 20-24 on sites of 100 dwellings or more.

3.11.2 Where provided together, different tenures of affordable homes should be provided, and the design of homes should not be noticeably different from the market housing.

3.12 Registered Providers

3.12.1 The Council's preferred method of delivery of affordable housing is through partner Registered Providers (RPs) or alternative body approved by the Council. Early discussion with the Council and TDA is encouraged to discuss affordable housing delivery.

3.13 Affordable Housing and Other Planning Obligations

3.13.1 Where affordable home are provided on-site and managed by a registered provider or subject to local occupancy conditions, and required to remain as affordable housing in perpetuity (or the grant recycled); the Council will not seek "sustainable development" contributions. However, site deliverability matters must still be addressed.

3.13.2 Where sites are subject to other costs, including liability for CIL, viability will be taken into account in order to secure a successful development. There is a general expectation that all but essential site acceptability s106 Obligations should be reduced before CIL.

3.14 Another Note on Starter Homes

3.14.1 The SPD has had regard to Local Authorities' general duty to provide starter homes (introduced in the Housing and Planning Act 2016). However, this approach may need to be amended should the Government issue further regulations on Starter Homes.

3.15 Employment

3.15.1 Policies SS1, SS4 and SS5 of the Local Plan place a high emphasis on economic growth.

3.15.2 Average Gross Value Added (GVA) per head of population in Torbay in 2013 was £14,225 compared to £23,755 in the UK and £21,163 in the South West. GVA is the lowest in the South West (Cornwall and Isles of Scilly = £15,403). This makes Torbay the 13th lowest NUTS3 (County and Unitary) area in the UK (out of 140 areas).

[3] A form of mixed use development. It describes an urban planning strategy in which social housing, and privately owned housing are mixed.

3.15.3 Policy SS5 and the Strategic Development (SD) policies of the Local Plan seek to achieve a mix of employment uses on major developments and identify a number of sites for mixed use development. These also set out indicative targets for employment, and indicate that the delivery of employment should be achieved through land equalisation, direct provision of serviced sites and or/developer contributions (paragraph 4.2.27). Where live-work units are provided as part of employment provision, their use will be controlled through condition or s106 Obligations controlling occupancy.

3.15.4 Where sites are identified for mixed use development in the Local Plan, the early provision of employment space will be given a high priority in determining obligations sought on site, as indicated in Policy SS2(ii) of the Local Plan.

3.15.5 Where on-site provision is not practical, the Council may agree developer contributions to help enable the provision of employment elsewhere.

3.15.6 The Council will seek local labour agreements from all developments as set out in Policy SC3 of the Local Plan. This will be incorporated into s106 Obligations where appropriate to do so. Whilst the use of local labour is relevant to all schemes, it will be particularly relevant to self build housing and other forms of development where a degree of exception to usual planning policies has been made.

3.16 Loss of Employment

3.16.1 Where a development proposal results in the loss of jobs (for example change of use away from hotels, offices etc.), a commuted sum will be required to help create similar employment elsewhere in Torbay, as set out in Policy SS5.

3.16.2 The principle of seeking loss of employment contributions is considered to be important given Torbay's high level of employment and related deprivation. The Local Plan promotes a level of housing which is higher than the home grown level of household growth. It is therefore important to create sustainable communities which are not dependent upon commuting or high numbers of economically inactive people that good quality jobs are provided to accompany housing growth.

3.16.3 Accordingly, loss of employment contributions will be given the highest priority after Site Deliverability and affordable housing matters. However, consideration will be given to the overall impact of development and mitigation may be allowed where schemes achieve significant regeneration or similar benefits. Similarly, liability for CIL will be taken into account.

3.16.4 Such contributions will be ring-fenced for investment in regeneration projects and unlocking employment development. A range of projects is set out in the Torbay Economic Strategy 2013-18, as well as Masterplans for the regeneration of town centres. They will be used to help provide enabling infrastructure such as site servicing or decontamination costs for regeneration and employment generating schemes.

3.16.5 Where the contributions are used for infrastructure measures (e.g. site servicing), no more than 5 obligations will be pooled for a specific project. However, smaller contributions will be targeted at non-infrastructure matters such as training.

3.16.6 Note that contributions do not imply that a change of use away from employment use is acceptable in terms of planning merit. Such applications will be assessed on the basis of Policies in Local Plan, particularly SS5 Employment Space.

3.17 Assessing the Cost of Employment

3.17.1 The Torbay Economic Strategy 2013-18 contains a detailed Action Plan which identifies projects needed to secure economic development. These relate closely to the Employment Land review (PBA 2013) which sets out key employment development areas. The cost of projects identified in the Strategy is around £290m. These will realistically take at least the Local Plan period to implement equating to around £4,778 per economically active person in Torbay (60,700).

3.17.2 When projects that are not costed are taken into account, the likely cost is nearer £500m, which equates to about £8,000 per economically active employee.

3.17.3 The 2008 Planning Contributions and Affordable Housing SPD assessed, based on work carried out by the Torbay Development Agency that the cost to the public sector in unlocking employment development was 15-20% of the cost of the job. The most recent available data on average annual wages (full and part time) is set out below. Allowing for 50% on-costs (pensions, NI etc.), is set out in Table 3.4.

Table 3.4: Assessment of the Cost of Providing Jobs

	Median annual earnings	Cost to employer with on costs (x1.5)	Contribution at 20%+ hypothetical public sector cost of creating a replacement job.
Full time	£21,940	£32,910	£6,580
Part time	£7,830	£11,745	£2,350
All jobs	£16,680	£25,020	£5,004

Annual Survey of Hours and Earnings 2014

3.17.4 The TDA have assessed that the average cost of creating a higher value job[4] in Torbay is in the region of £19,000-£22,000 (excluding abnormal costs), whereas nationally a range of £8,000-50,000 has been calculated depending on the project. The Heart of the South West Local Enterprise Partnership and other grant schemes assume a cost of £6,000-10,000 is a reasonable rule of thumb.

3.17.5 Accordingly, applications which result in the loss of employment will be asked to pay a loss of employment contribution to mitigate the economic impact, on the basis of:

- £ 8,000 per full time equivalent (FTE) job lost;
- £ 4,000 per part time job lost.

3.17.6 The number of jobs lost will be based on evidence supplied by the applicant (Question 20 on the planning application form) and the Employment Densities Guide (3rd Edition 2015 or subsequent, see Table 3.5), which estimates FTE jobs by floor area. On this basis the loss of

[4] E.g. A jobs within the B1 Use Class of business/light industry. However the Local Plan considers as range of types of employment and not just jobs within the Class B employment use classes.

employment contribution will be calculated on the basis of number of jobs lost x £8,000 per full time equivalent.

Table 3.5: Estimated Employee/Floorspace Ratios (Employment Densities Guide 3rd Edition)

Use Class	Sub-Category	Sub-Sector	Density (sqm)	Notes
B1a Offices	General Office	Corporate	13	NIA
		Professional Services	12	NIA
		Public Sector	12	NIA
		TMT	11	NIA
		Finance & Insurance	10	NIA
	Call Centres		8	NIA
B1b	R&D Space		40-60	NIA lower densities will be achieved in units with higher provision of shared or communal spaces
B1c	Light Industrial		47	NIA
B2	Industrial & Manufacturing		36	GIA
B8	Storage & Distribution	National Distribution Centre	95	GEA
		Regional Distribution Centre	77	GEA
		'Final Mile' Distribution Centre	70	GEA
Mixed B Class	Small Business Workspace	Incubator	30-60	B1a, B1b – the density will relate to balance between spaces, as the share of B1a increases so too will employment densities.
		Maker Spaces	15-40	B1c, B2, B8 - Difference between 'planned space' density and utilisation due to membership model
		Studio	20-40	B1c, B8
		Co-Working	10-15	B1a - Difference between 'planned space' density and utilisation due to membership model
		Managed Workspace	12-47	B1a, b, c
B8 / Sui Generis	Data Centres	Wholesale	200-950	
		Wholesale Dark Site	440-1,400	
		Co-location Facility	180-540	
A1	Retail	High Street	15-20	NIA
		Foodstore	15-20	NIA
		Retail Warehouse	90	NIA
A2	Finance & Professional Services		16	NIA
A3	Restaurants & Cafes		15-20	NIA
C1	Hotels	Limited Service / Budget	1 per 5 beds	FTE per bed
		Mid-scale	1 per 3 beds	FTE per bed
		Upscale	1 per 2 beds	FTE per bed
		Luxury	1 per 1 bed	FTE per bed
D2	Fitness Centres	Budget	100	GIA
		Mid Market	65	GIA – both types tend to generate between 40-50 jobs per gym
		Family		
	Cinema		200	GIA
	Visitor & Cultural Attractions		30-300	The diversity of the cultural attraction sector means a very wide range exists
	Amusement & Entertainment Centres		70	Potential range of 20-100sqm

3.18 Healthy Communities and Healthcare

3.18.1 Policy SC1 'Healthy bay' of the Local Plan requires development to contribute to improving the health and wellbeing of the community. Torbay has health problems closely related to its demographic structure and deprivation (see 6.4.3.1).

3.18.2 All development should seek to promote active design as a site deliverability matter (see above).

3.18.3 Policy SC1 requires developments of 30 dwellings or more, or developments where there are particular health impacts to carry out a screening for a Health Impact Assessment. Health Impact Assessment and its screening should be proportional to the size and type of development and identify the most effective measures that can be used to improve health and wellbeing. For smaller developments health impacts can be addressed through Design and Access Statements. These will usually be the promotion of active lifestyles through open space provision, cycling facilities (including secure covered storage).

3.18.4 Policy SC4 'Sustainable food production' requires that developments of 30+ dwellings should include provision of sustainable food production.

3.18.5 Regard will need to be had to the provision of open space and multi-functional green infrastructure for all developments. Where possible these facilities will be sought on-site. Where they are maintained by the Council, up to 25 years maintenance shall be provided through s106 or other financial arrangement. If ongoing maintenance is not funded, details of alternative maintenance arrangements (and funding) should be provided as a condition of granting planning permission.

3.19 Healthy Communities and Health Impact Assessments

3.19.1 The Local Plan seeks to help close the gap between the most and least disadvantaged neighbourhoods, as set out in Policy SS11 'Sustainable Communities'. Policy SS5 seeks to reduce child poverty by a range of measures including provision of affordable housing, education and urban design improvements.

3.19.2 Policy SC1 'Healthy bay' requires development of 30+ dwellings or 1000 sq m to undertake screening of a Health Impact Assessment. Policy SC4 seeks developments of 30 or more developments to consider providing sustainable food production.

3.19.3 Open space and recreation provision are dealt with in the sustainable communities section. However these will be instances where a higher priority is given to matters such as education, public realm, and open space provision in order to achieve Healthy Bay objectives.

3.20 Development which creates a Specific Health/Social Service Need e.g. Care Homes, Sheltered Housing

3.20.1 Torbay has a significantly older population than the national average, due in part to in-migration of older people. The most recent (2014 based) Sub-National Population Projections estimate that there are about 35,000 people aged 65+ in Torbay, comprised of 25,000 people aged 65-79 and 10,000 people aged 80+. The number is projected to rise to 45,000 by 2030 comprising 29,000 65-80 year olds and 16,100 80+ year olds.

3.20.2 Torbay's population growth is driven by net domestic migration by older people into Torbay and outward migration of young people. This places a likely demand upon health care services from some new developments.

3.20.3 From October 2015, Torbay's adult community health and social care, integrated with Torbay Hospital Services to form a single Integrated Care Organisation.

3.20.4 The Joint Commissioning Team and South Devon Clinical Commissioning Group publishes Market Position Statements for Adult Social Care and Support and Children's Services in Torbay, the most recent being for 2016+[5]. This document indicates that demand for adult social care workforce time is growing twice as fast as population growth, at about +1.3% per year compared to 0.6% population growth. It is estimated that the cost of treating the over 85s is likely to increase to about £8.5 million per year in 2020, up from £7.3 million in 2012[6].

3.20.5 The 2015/16 base budget for adult social care was £39.3 million compared to gross spending of £48.7 million, with £9.4 million paid for by clients. A clear policy objective of the Torbay NHS Healthcare Trust is to help people live independently in their own homes for as long as possible. Promoting good health is a key Corporate Plan objective.

3.20.6 In line with the Living Well@Home Strategy, domiciliary care costs £9.1 million a year in Torbay. This includes a range of care facilities including community nursing, living at home re-enablement, provision of assistive technologies, meals services, night sitting, and respite care is provided by the Integrated Care Organisation.

3.20.7 The £9.1 million cost of domiciliary care averages out at about £260 per person aged 65+.

3.20.8 Local government and the NHS are facing unprecedented financial challenges with reduced funding from central government in the face of increasing demand for services. Torbay Council set the 2014/15 budget in February 2014, this included a savings programme totalling £22m to be found over 2 years (2014/15 and 2015/16), which will inevitably result in resources being stretched and services reduced.

3.20.9 It is recognised that an ageing population, and other clients in need of adult social care, will generate a need for specialist accommodation such as sheltered housing, supported housing and extra care units. Such accommodation can help people live independently for longer. However specialist accommodation for the elderly may attract inwards migration, which is likely in the future to create health and social care costs for Torbay.

3.20.10 Policy H6 of the Local Plan deals with accommodation for people in need of care. There is a move away from the use of care homes (use Class C2), but there are likely to be instances where applications are granted, particularly where they provide an improved level of care or specialist facilities to deal with issues such as dementia.

3.20.11 Accordingly Policy H6 indicates that the Council will seek financial contributions to meet the likely healthcare and social service costs arising from care facilities and sheltered accommodation, unless the applicant is able to show that this contribution would not be appropriate.

[5] http://www.torbay.gov.uk/torbaymps2016.pdf
[6] Torbay JSNA 2012/13

3.20.12 Where development leads to a specific requirement for additional healthcare/social care facilities, s106 obligations will be sought to address these impacts in terms on the Integrated Care organisation. This will be based on the cost of helping people to live in their own homes for as long as possible for sheltered, supported and extra care units. In the case of care homes (use Class C2) the contribution will be based on the additional public cost of care to the Integrated Care Organisation.

3.20.13 The Contribution will be based upon the likely additional cost to Torbay's integrated care organisation budget arising from such applications. It will not be sought from developments that can show that they will not impose costs upon this, for example where on-site care and facilities are provided as part of an overall development package, or where occupancy is restricted to persons already living in Torbay.

3.20.14 A baseline contribution of £1,300 per unit of sheltered/supported/extra care accommodation (i.e. uses within Use Class C3) and £2,220 from care homes (uses within Class C2) will be sought.

3.20.15 This is calculated using the baseline care cost of £260 per person (see 3.75 above) and adjusting it based on likelihood of residents being inwards migrants, likely level and length of care required.

3.20.16 It is assumed that sheltered housing with minimal care facilities will attract a higher level of inwards migration than accommodation for the less active; with care homes attracting the lowest level of inwards migration. It is assumed that the yearly cost of care increases but the likely length of care decreases in supported housing, extra care housing and care homes. The assumptions are set out in table 3.6 below and the calculation of contributions shown in Table 3.7.

3.20.17 The assessed cost of care homes is based on figures from the Clinical Commissioning Group of an average cost of £2,500 per year of which 59% is borne by the public purse. An average stay of 3 years is assumed.

Table 3.6: Assumed cost of care and length of occupation of accommodation

Accommodation type	Multiplier based on care need. (Applied to £360)	Average period of care (years)
Sheltered housing	5 x £360	10
Supported Housing /Assisted living	5 x £360	5
Extra Care units	10 x £360	5
Care Homes (Class C2)	£25,000 x 59% borne by public purse.	3

Table 3.7: Healthcare Contribution for Accommodation for people in need of care

(A). Accommodation type	(B). Cost provision for 1 years (£260 x multiplier based on likely need)	(C) Likely cost for 5 years care ((B) x 10 years for sheltered housing and 5 for supported and extra care.	(D) Likelihood of inwards migration from outside Torbay	(E) Contribution per unit (room in the case of Class C2) (C / E)
Class C3 units				
Sheltered housing	£260 (x1)	£2,600	50%	£1,300
Supported housing	£1,300(x5)	£6,500	20%	£1,300
Extra care units	£2600 (x10)	£13,000	10%	£1,300
Care Homes and uses within Class C2				
	Cost per place and Average cost to CCG	Likely cost for 3 years	Likelihood of person migrating from outside Torbay	Contribution per room
Care home within Class C2	£25,000 of which average cost to CCG of £14,750 (59%)	£44,250	5%	£2,220

3.20.18 Contributions will not be sought from affordable units or where developments are restricted to occupancy from existing residents of Torbay. The provision of affordable housing will usually be prioritised over social care contributions for affordable housing liable developments (broadly Class C3 units), where viability considerations would prevent obligation for both. Consideration will also be given to liability for CIL, and in general s106 Obligations will be reduced before CIL.

3.21 Development where there is a need for a Surgery/Local Health Facilities etc.

3.21.1 The Joint Commissioning Team and Health Care Trust will keep the need for medical facilities under review as part of the Masterplanning of Future Growth Areas. Where development results in the need for a surgery or other health facility, the Council will seek its provision as part of the s106 Agreement, which should include a delivery timeframe, and fall back option.

4 SUSTAINABLE DEVELOPMENT INFRASTRUCTURE

4.1 Introduction

4.1.1 Sustainable development contributions are sought to render development acceptable in planning terms. However they are less urgently essential to health, safety or legal obligations than Site Deliverability matters.

4.1.2 Sustainable development contributions will not be sought from development that pays CIL, or sites below the Government's threshold for "tariff style" contributions, which currently is 11 or more units, or a combined floorspace of more than 1,000 sq m. In the AONB a lower threshold of 6 units (or 1,000 sq m) applies.

4.1.3 On this basis "sustainable development" obligations will be sought from larger developments where the Council has chosen to negotiate s106 Obligations to address the infrastructure requirements needed to serve the development, rather than levy CIL.

4.1.4 The following sections sets out figures based on assessments of the likely impact of development. However, this should not be construed as a "tariff based approach"

4.1.5 Each application will need to be assessed in terms of what contributions are lawful in terms of being:

- Necessary to make the development acceptable in planning terms.
- Directly related to the development, and
- Fairly and reasonably related in scale and kind to the development.

4.1.6 In order for contributions to be sought, the relevant service areas/organisations will need to identify specific projects, which meet these tests. Unless this is done, an obligation is unlikely to be sought.

4.1.7 Where contributions relate to infrastructure, no more than 5 s106 Obligations will be pooled towards that item of infrastructure, so long as this is a legal requirement under the CIL Regulations or elsewhere. Should these pooling restrictions be relaxed, the Council may pool obligations, subject to other tests of lawfulness.

4.1.8 Because sustainable development obligations arise principally from larger developments, onsite provision of many of the items identified will take place; for example sustainable transport measures beyond direct access requirements, provision of open space and multiuse games areas. These can often be secured through planning condition. The provision of "in kind" facilities or land will be counted against financial contributions sought, although in some instances the Council will seek obligations for maintenance.

4.1.9 This section includes the following matters:

- Transport Infrastructure - Major Road Network and Sustainable Transport
- Education
- Open Space/Sports and recreation
- Lifelong learning
- Public realm
- Waste management
- Difficult to monitor uses including town centre management.

4.1.10 The SPD is expressed in terms of bedroom numbers. Where relevant, the Nationally Described Space Standard (page 197 of the Local Plan) will be taken as approximations of likely floor area per dwelling, as a guideline. In summary, these will be taken as the broad ranges in table 4.1.

Table 4.1: Typical floor area per dwelling type

General description	Floorspace range	Dwelling type	Typical floor area (approximate).
Smaller dwellings	37 – 79 sq m	1 bedroom apartment	37 - 58 sq m
		2 bedroom apartment	61 - 70 sq m
		Smaller 2 bedroom house	70 - 79 sq m
Medium size dwellings	80 – 108 sq m	Larger 2 bedroom house, 3 bedroom apartment	80 - 90 sq m
		3 bedroom house, small 4 bedroom house	84 - 108 sq m
Larger dwellings	109+ sq m	Larger 4 bedroom	109 - 130 sq m
		5 bedroom	110 sq m or more
		6+ bedroom	123 sq m or more

4.2 Transport Infrastructure - Major Road Network and Sustainable Transport

4.2.1 Background and Justification

4.2.2 The implementation of sustainable transport measures is regarded by Government as essential to reducing traffic congestion, improving air quality and addressing climate change.

4.2.3 Note that physical works to create safe access for vehicles and pedestrians, and onsite layout and design are sought as Site Deliverability matters. These will usually be delivered through planning condition, negotiation of site layouts or S278 Agreements.

4.2.4 This section deals with wider sustainable transport matters. These are necessary to make development acceptable in terms of mitigating its effect on wider transport infrastructure, but go beyond the provision of access to the site and its immediate links to the transport network.

4.2.5 Chapter 4 of the NPPF sets out Governments policy on transportation. It requires that development which generates significant amount of traffic should be supported by a Transport Statement or Assessment which considers the opportunities for sustainable transport, provision of safe and suitable access, and whether improvements can be made to limit the impacts of development.

4.2.6 The Torbay Local Transport Plan 2016-2021 (LTP) contains a range of measures aimed at improving accessibility, air quality, road safety and quality of life and reducing congestion and the impact of transport. The draft LTP Torbay Delivery Plan (January 2016) identifies a range of projects needed to deliver the Local Plan, which cost a total of £5.315 million.

4.2.7 The LTP does not include improvements to the A385/Totnes Road which are likely to be required before 2020 if early implementation of development at Collaton St Mary is to be feasible. These are estimated to cost in the region of up to £1m (although this figure is likely to change in response to detailed site assessments).

4.2.8 The A385/Totnes Road figure does not include the £20 million funding requirement for the South Devon Highway, which is being sought through CIL.

4.2.9 Local Authorities are required to support essential community facilities such as transport services and maintain infrastructure stemming directly from development. This puts a considerable long term additional pressure on the Council's ability to provide high service quality and support. 'Whole life costing' assesses the true social, environmental and economic cost of any development throughout its useful life. Unless this is met by developer contributions, it has to be borne by the taxpayer.

4.2.10 Much of Torbay's transport infrastructure operates at or over capacity and delivering growth is only likely to be achievable if accompanied by measures to ensure that it does not rely heavily on car borne transport. Failure to meet these objectives would create additional congestion and have negative health impacts e.g. from poor air quality.

4.3 Sustainable Transport Obligations

4.3.1 Developments in Torbay (where the Council has opted not to charge CIL) will be assessed to identify whether they generate net additional trips and should therefore contribute towards sustainable transport.

4.3.2 Sustainable transport contributions will be sought on the basis of a calculation of the additional impact that development has upon the wider transport network, or other costs to the authority such as bus passes in the case of specialist developments.

4.3.3 The figures set out below will be taken as a starting point. Additional obligations may be sought where developments have a greater impact upon traffic generation or create a particular need for ongoing revenue support for equipment and running costs.

4.4 Assessing the Cost of Additional Trips

4.4.1 The Council has used Trip Rate Information Computer System (TRICS version 7.3.2) to calculate the number of journeys generated by development. Table 4.1 sets out the likely additional trip rate associated with development over the period to 2017-22 (i.e. the next five

years at time of writing) based on development likely to arise in the next five years based on the Local Plan's Strategic Delivery Policies.

Table 4.2 TRICS (7.3.2) Assessment of trips generated by development in Torbay in the Local Plan

Development type	Number/floorspace	Trip rate per unit or 100 sq m	No of trips per day
Dwelling houses	2,750	5.1	14,025
Business (B1, B2, B8)	40,000 sq m	7.6	3,040
Other employment uses	45,000 sq m	7.6	3,420
Retail (assume in-town centre)	25,000 sq m	44	11,000
Tourism, leisure	20,000 sq m	9.5	1,900
Other (education, healthcare etc.)	20,000sq m	17.5	3,500
			36,885

4.4.2 Based on this it is assessed that the 36,885 additional trips per day will be generated in Torbay by development between 2017-22. Based on the cost of delivering the Local Transport Plan and other Future Growth Area highway infrastructure this would equate to £171 per trip generated.

4.4.3 Planning Obligations will be sought from development based on the above net trip generation.

Table 4.3: S106 Sustainable Transport Obligations sought from larger development

Development type bedrooms/typical floorspace range	Assumed trip rate per unit or 100 sq m	Impact per unit-per unit or 100 sq m (trip rate x £171)	Notes
Apartments 1 - 2 bedrooms. Around 37 - 70 sq m	4	£690	Obligations will be sought to address sustainable transport/highways network works that are necessary to make development acceptable and subject to pooling limits where infrastructure.
Small/Medium sized Houses 2 - 3 bedrooms 71 - 108 sq m	5	£860	
Larger dwellings (houses and apartments typically 4 or more bedrooms) 109+ sq m	6.5	£1,110	
B Class employment and other employment uses	7.6	£1,300	Mitigation will usually be provided for job creation/ regeneration.
Retail – Town Centre (including, Preston and St Marychurch District Centre and Local Centres in built up area)	44	£7,530	Mitigation will usually be provided for in-town centre regeneration and built environment improvements.
Retail – out of town centre (including the Willows and West of Paignton)	120	£20,520	
Tourism, leisure	9.5	£1,620	Mitigation will usually be provided for job creation/ regeneration.
Other (education, healthcare etc.)	17.5	£3,000	s106 obligations are not sought from publically funded schemes

4.4.4 These figures will be used as a starting point and will be adjusted for the level of highways and sustainable transport works provided by the developer (as a development Site Deliverability matter or through negotiated direct provision). Regard will also be had to the cost of providing other mitigations to transport such as measures incorporated in Travel Plans etc.

4.4.5 Contributions will only be sought where specific projects are identified which meet the tests of lawfulness, and pooling restrictions where they are for infrastructure. On this basis the above costs can only be a starting point.

4.4.6 In identifying projects, priority will be given to improving road safety, capacity and accessibility, including availability of public transport within walking distance of the proposed development. In addition, local air quality (particularly the proximity of Air Quality Action Zones) will be taken into account.

4.5 Education

4.5.1 Torbay Council has a statutory duty under the Education Act 1996 (as amended) to provide sufficient school places to enable every child between the ages of 4-16 to access a school place. Policies SS10 'Sustainable communities', SC3 'Education skills and local labour' and SC5 'Child poverty' all identify the need to provide education facilities to serve development.

4.5.2 The TDA's Schools and Capital Planning Manager has indicated that there is a need for both primary and secondary places throughout Torbay. This includes:

- The need for a new 420 place primary school serving Torquay, at an estimated cost of £5.66m.
- The need for a new secondary school serving Torquay, or expansion of existing schools. This is likely to be a 600 space school at a cost of around £10.44m.
- The need for two primary schools serving Paignton, at a cost of £11.32m (based on 420 space schools).
- The need for an extension to secondary school or an additional school serving Paignton at a cost of around £10.44m.
- The need for an additional primary school serving Brixham, at a cost of £2.85m.
- Expansion of South Devon College under approved Local Development Order.

4.5.3 The total cost of this is about £40.71 million. Whilst it is not expected that S106 Obligations could cover the entire requirement, it is reasonable for developers to contribute to the additional requirement for school places generated by development.

4.5.4 The Education Funding Agency sets cash flow multipliers, which are the capital cost of providing an additional school place. They are indexed linked to inflation (on the BCIS public sector cost index). At April 2016, they stood at:

- Primary place £12,398.
- Secondary place £18,954[7].

4.5.5 These are the average of the cost of new build and extensions. Whilst a different figure is given for both, they are not significantly different and Torbay requires a mix of new build and extensions to provide new school places). On this basis, it is considered appropriate to use an average figure.

4.5.6 Based on 11 years of school of which 6 in Primary and 5 in secondary this equates to an average cost per school place of £15,833 (i.e. 6/11 of £12,398 plus 5/11 of £18,954)

4.6 Numbers of School Age Children per dwelling

4.6.1 To establish the impact of existing and new development proposals on education facilities it is necessary to identify the likely number of pupils that will be generated by individual developments.

[7] Further education place (16-18) cost £20,575 but contributions are not currently sought for this.

4.6.2 Devon County Council (2016) has established (based on research carried out in 1999, 2009 and 2015) that, on average, each family dwelling (i.e. dwellings with 2 bedrooms or more) generates approximately:

- 0.25 primary aged pupils (ages 5 to 11),
- 0.15 secondary aged pupils (ages 12 to 16),
- 0.06 further education (ages 17 to 18),
- This equates to 0.406 school spaces per dwelling in total.

4.6.3 The figure in Torbay is assessed to be similar to the rest of Devon at about 0.4 school aged children per dwelling, based on assessment of children arising from development in the West of Paignton in 2014-16.

4.6.4 Multiplying the cost per school place by likelihood of there being a school age child living in a house provides an average capital cost per dwelling of providing a school place. The baseline cost is £6,333 as set out in table 4.4. This is the capital cost of providing an additional school place (i.e. it does not include revenue costs, IT, transport, special education needs, or Further Education).

Table 4.4 Capital cost of providing School places

(A) School Age	(C) Capital cost per school place	(D) Number of children per dwelling	(E) Cost per 2+ bedroom dwelling
Primary	12,398	0.25	£3,100
Secondary	18,954	0.15	£2,843
Total		**0.4**	**£6,333**

4.6.5 It is assumed that no education requirement arises from specialist accommodation for the elderly or from one bedroom dwellings. Accordingly no education contribution is sought from these types of dwelling.

4.6.6 Whilst it is hypothetically more likely that there are more children in larger homes, evidence from the TDA's Schools and Capital Planning Manager suggests that smaller houses, often purchased under help to buy, are equally likely to contain school aged children. Accordingly a relatively minor weighting has been applied for larger dwellings.

4.6.7 The contribution sought from dwellings is set out in table 4.5.

Table 4.5 Education Contributions Sought from Open Market Dwellings

Dwelling type	Typical floorspace (for guidance- see text)	Adjustment (multiplier) to overall average of 0.4 children per dwelling	Contribution per dwelling £6,333 x adjustment
Specialist accommodation for the elderly	N/A	0	0
1 bedroom dwellings	37- 58 sq m	0	0
2 bedroom apartments	61 - 70 sq m	0.5	£3,170
2 bedroom houses	70 - 79 sq m	0.75	£4,750
3 bedroom dwellings	80 - 90 sq m	1	£6,330
4 bedroom dwellings	109 -130 sq m	1.25	£7,920
5+ bedroom dwellings	110 sq m +	1.5	£9,500

4.6.8 As set out above, education contributions will only be sought from sites where the Council has opted to use s106 Obligations rather than CIL to fund the infrastructure needed by a development. Obligations will be spent on specific projects that provide for the need that developments generate for school places. No more than five s106 obligations will be pooled for infrastructure.

4.6.9 Where schools are provided on site, as is proposed in several Future Growth Areas, it may be preferable to seek a contribution in kind in terms of provision of land.

4.6.10 The Council will endeavour to use s106 education contributions to provide school places or other educational improvements close to the development. However, because catchment areas are Bay wide, and providing school places in one location can have a knock on effect of freeing up places closer to a development, this may not always be possible.

4.7 Public Open Space, Sports and Recreation

4.7.1 Active design principles apply to all developments as far as practical, and will be sought as site-acceptability matters usually through conditions.

4.7.2 This section applies to larger developments where the Council has opted to use s106 rather than CIL to address the infrastructure needs arising from development. Where new development generates a need for public open space, or exacerbates an existing deficiency, new provision will be required. The provision may be by way of on-site facilities or an off-site financial contribution to ensure that proper provision is maintained within the vicinity of the development (for example by improving maintenance, management and equipment at existing facilities).

4.7.3 Policy SC2 ‘Sport leisure and recreation’ of the Local Plan sets a framework for planning for new recreation developments and proposes a number of recreation facilities. Policy SS9 “Green Infrastructure” of the Local Plan is also relevant as is the Countryside, coast and greenspace chapter, particularly the undeveloped coast within Policy C2, and Policy C5 Urban landscape protection areas, where these have public access. Neighbourhood Plans are likely to identify Local Green Spaces, most of which will have public access.

4.7.4 The Council's Greenspace Strategy is an adopted SPD (July 2007). An in-house refresh of standards and costs has been carried out as part of the preparation of this SPD. These may be incorporated into an updated Strategy. The Greenspace Strategy contains local standards for open space as set out in table 4.6.

Table 4.6 Open Space Requirements per Person

Type of open space	Hectares per thousand population	Square metres per person
Playing pitches	1.2	12
Other Outdoor Sport and Recreation Facilities (e.g. Multi Use Games Areas, outdoor fitness equipment etc)	0.2	2
Equipped play facilities for children and young people	0.2	2
Open space (including but not limited to parks and gardens, amenity space, natural and semi-natural spaces and beaches and promenades)	2.5	25
Allotments/sustainable food production*	0.22	2.2

* added since 2007 Strategy

4.7.5 The National Society of Allotment and Leisure Gardeners (NSALG) recommend that the minimum provision should be 20 standard plots (300 sq yd/250 sq m) per 1,000 households. This equates to: 5,000 sq m (20 plots of 250 sq m) per thousand households or 5 sq m per household. Based on a household size of around 2.25 persons this equates to 2.2 sq m per person.

4.7.6 The cost of open space provision per person and per dwelling, as per the current Greenspace Strategy and Planning Contributions and Affordable Housing SPD 2008, adjusted for inflation is set out in Tables 4.7 and 4.8 respectively.

Table 4.7: Cost of Open Space Provision per Person

Type of open space	Sq m per person	Cost of provision per metre	Cost per person
Playing pitches	12	£15	£180
Other Outdoor Sport and Recreation Facilities (e.g. Multi Use Games Areas (MUGAs), outdoor fitness equipment etc).	2	£62.50	£125
Equipped play facilities for young people	2	£250	£500
Open space (including but not limited to parks and gardens, amenity space, natural and semi-natural spaces and beaches and promenades)	25	£10	£250
Allotments/sustainable food production	2.2	£30	£66
Cost of open space per person			£1,121

Source Greenspace Strategy (updated by Residents and Visitors Services to reflect current costs and standards, 2016. Adjusted for inflation based on Bank of England Inflation Calculator (CPI) at 1.25%).

Table 4.8: Cost of Open Space per Dwelling

Estimated Persons Per Dwelling	Typical floorspace (for guidance)	Cost Per Person	Cost per dwelling
1 bedroom - 1.4 persons	37-58 sq m	£496 (excludes children's play facilities and MUGAs etc)	£690
2 bedroom - 1.9 persons	61-78 sq m	£871 (half children's play area contribution)	£1,655
3 bedroom - 2.6 persons	80-108 sq m	£1,121 (full play park contribution)	£2,915
4 bedroom - 3 persons	109 sq m+	£1,121 (full play park contribution)	£3,363

4.7.7 The provision of open space will be assessed on its merits having regard to the Local Plan and Greenspace Strategy Policy Framework.

4.7.8 The consideration of whether open space provision should be on or off site will depend on:

- The size of development;
- The extent, location, capacity and condition of existing open space; and
- The likely demand that the development will generate.

4.7.9 Tables 4.6 to 4.8 above give a cost per person and dwelling of providing open space. However, it is recognised that provision will often be in kind through the provision of play parks etc. on site. Sustainable development obligations are only sought from developments where the Council has opted to negotiate requirements through s106 Obligations rather than CIL. Most large developments will be expected to provide public open space as part of their layouts. Where developers make on-site provision, the cost of this will count against any financial contribution (with the exception of maintenance payments noted below).

4.7.10 Sustainable development obligations are not sought from sites of less than 11 dwellings (and less than 1000 sq m), or less than 6 in the AONB, in accordance with the Written Ministerial Statement of 28th November 2014. Nor are they sought form developments where CIL is liable. However, the Council will keep the need for open space and the status of the Written Ministerial Statement, PPG, and the NPPF under review.

4.7.11 The Council will normally seek on or off site provision in accordance with Table 4.9 below. However, it is acknowledged that there may be local circumstances where it is considered appropriate to switch from on site to off-site provision (or vice versa, or a combination of both).

4.7.12 Open space provision will be taken as a whole and over provision if one type may be counted against other types of greenspace. Open space provision (whether off-site or onsite) should match the type of space likely to be used by residents, so for example elderly persons developments will not require children's play facilities.

4.7.13 Provision will be a matter for negotiations with developers and pre-application discussions are urged to achieve successful development outcomes.

Table 4.9 Guideline thresholds for on-site open space provision and off-site financial contribution

Type of open space	Approximate scale of development				Comments
		Major development			
	1 - 10 dwellings*	11 - 49 dwellings	50 - 199 dwellings	200+ dwellings	
Playing pitches	Off-site	Off-site	Off-site	Off-site	There may be occasional instances where on-site playing pitches are considered suitable. This is likely to be on sites of over 500 dwellings.
Other Outdoor Sport and Recreation Facilities (e.g. Multi Use Games Areas, outdoor fitness equipment etc).	Off-site	Off-site	On-site/ Off-site	On-site	
Equipped play facilities for young people: Local Areas for Play (LAPs) aimed at very young children (also known as doorstep play areas). Locally Equipped Areas for Play (LEAPs) aimed at children who can go out and play independently (also known as community play areas) Neighbourhood Equipped Areas for Play (NEAPs) aimed at older children (also known as destination play areas).	Off-site	On-site/Off - site	On-site	On-site	For sites of between 10 and 49 dwellings a split of on-site provision of a LAP and off site contribution to a LEAP, or sole off-site contribution to a LEAP will be considered. Sites over 50 dwellings will normally need to provide both a LAP and LEAP. It is noted that one quality play space catering for a range of age groups is preferred to two separate play spaces. Sites over 500 dwellings will also need to provide a NEAP.
Open space (including but not limited to parks and gardens, country parks amenity space, natural and semi-natural spaces	On-site/ Off-site	On-site/Off - site	On-site	On-site	For sites between 10 and 49 dwellings there may be instances where an off-site contribution to improvements to nearby open space, including access improvements from the development

and beaches and promenades)					site, may be sought in lieu of on-site provision.
Allotments/sustainable food production	Off-site	On-site / Off-site	On-site/Off-site	On-site	Local Plan Policy SC4 sets out those developments of over 30 dwellings should include provision for sustainable food production, including allotments, proportionate to the scale of the development. Off-site contributions towards provision of new allotment sites or improvements / extensions of existing sites may be sought in lieu of on-site provision.

*The Written Ministerial Statement of 28/11/2014 indicates that "Tariff style" obligations may not be sought from sites of less than 11 dwellings and 1000 sq m. Sustainable Communities obligations are not sought from developments where CIL is sought.

4.7.14 Where no new open space is provided to serve new dwellings (above the threshold identified above), the Council may seek contributions to ensure that proper provision is maintained, on specific open space an appropriate distance from the development. Local play parks and informal space should ideally be within easy walking distance (300m) of the development. However, it is reasonable to expect people to travel further for facilities such as sports pitches, beaches etc.

4.7.15 Specific items necessary to making the development acceptable in planning terms will be identified. Where these are for infrastructure, no more than 5 Obligations will be pooled. However they may be used for non infrastructure matters (for example by improving maintenance, management and equipment at existing facilities) where these would meet the tests of lawfulness. These contributions are likely to relate to projects identified in the Greenspace Strategy Action Plan, or in Neighbourhood Plans.

4.7.16 Where public open space or equipment is provided through a s106 (or other means) by a developer, it should in all cases make financial provision for 25 years maintenance. It is considered by the council that maintenance is essential and therefore these payments should be prioritised. Alternatively, maintenance may be transferred to a management company, so long as financial provision is made for long term maintenance, and dispute resolution.

4.7.17 All play space and equipment should be completed to an adoptable standard (currently European Standard EN1776 (Play Areas) and EN1777 (Hard Surfaces)) and agreed by the Head of Community Services.

4.7.18 Where on site facilities are provided, the Council will use a s106 agreement (or other similar means) to secure the following:

- Definition of the extent and type of provision (including a plan). Specific quality standards for all open spaces, including play spaces (LAPs, LEAPs and NEAPs), will be set out in the forthcoming update of the Greenspace Strategy.
- Design, initial establishment, implementation and completion measures.

- Future maintenance specification and funding arrangements.
- Future ownership and management arrangements.
- Rights of public access and use in perpetuity.

4.7.19 Any off-site contributions and payment of commuted sums for Council adoption of open spaces and equipment will also be secured by s106 agreement (or other similar means). Agreements will clearly set out the rights and responsibilities of each party.

4.8 Lifelong Learning

4.8.1 The Council, as a Unitary Authority, has a responsibility to provide a range of lifelong learning services to adults, including adult community learning centres, museums and libraries. Libraries are an important element in reducing social inclusion and reducing the inequality gap in Torbay. They host a range of services including acting as a contact for the Council via the Connections Service.

4.8.2 The management cost of running libraries in Torbay is £1,053,000 per year before revenue and £977,000 per year net of revenue (Torbay Budget 2016/17). This equals about equates to £7.30 per person per year.

4.8.3 Torbay's museums and cultural attractions also provide education and lifelong learning as well as contributing to tourism and therefore employment in the area. Torre Abbey is managed directly by the Council, whilst grant support is given to Torquay and Brixham museums. Management agreements exist for Babbacombe and Princes theatres. The Palace Theatre in Paignton is directly managed and also operates the Council's youth theatre, known as the Acting Factory.

4.8.4 The total expenditure from museums and theatres is £678,000 which is £216,000 after revenue.

4.8.5 Contributions will be sought from sites of 15+ dwellings in Future Growth Areas (i.e. that do not pay CIL in Torbay) towards lifelong learning. Note that specific projects or items of spending will be identified. Where these are infrastructure they will not breach five s106 Obligation pooling limits (unless these are relaxed).

4.8.6 The calculation of cost of lifelong learning per person and per dwelling is set out in tables 4.9 and 4.10 below.

Table 4.10: Calculation of Life Long Learning Cost per person			
	Net cost of service (after revenue). Source Torbay Council Budget 2016/17	Cost per person (based on 134,000 population) and average persons per dwelling	Cost per person & per dwelling per 10 years
Libraries	£977,000	£7.30	£73 per person
Museums and theatres	£216,000	£1.60	£16 per person
Cost per person		£8.90 per year	£89 per person

Table 4.11: Calculation of Life Long Learning Cost per dwelling			
Number of dwellings	Floorspace range	Persons per household	Cost per dwelling
1 bedroom	37-58 sq m	1.4	£125
2 bedroom	61-78 sq m	1.9	£170
3 bedroom	80-108 sq m	2.6	£232
4+ bedroom	109 sq m +	3	£267

4.9 Public Realm Improvements

4.9.1 Improvements to public realm, including urban spaces and the fabric of buildings etc that face on to them, are critical elements of regeneration and improve quality of life for residents and visitors alike, and reducing deprivation in town centre areas. Polices SS10, “Conservation and the historic environment”, SS11 “Sustainable Communities”, and DE1 “Design” all support public realm improvements. In addition, the Council adopted masterplans for the regeneration of Torquay and Paignton town centres in June 2015, which set out public realm improvements. The Heritage Strategy (2011) promotes conservation-led regeneration and improvement of the built environment.

4.9.2 It is estimated that around £700,000 works are required to enhance public areas within the town centres (Kay Elliot, forthcoming).

4.9.3 The masterplans will unlock significant commercial and residential development. Whilst figures are tentative, the Local Plan town centre policies (SDT2, SDP2, SDB2) and Masterplans indicate in the region of:

- Torquay 30,000 sq m commercial development and 600 dwellings.
- Paignton 35,000 sq m commercial development and 520 dwellings.
- Brixham 2,500 sq m commercial development and 65 dwellings.

4.9.4 On the basis of the above, the achievement of public realm improvements will be a critical driver in the masterplan areas. This applies to residential and non-residential developments which directly impact upon the need for public realm improvements. In most instances urban design improvements such as the removal of clutter or poor quality later additions can be achieved by good design. Additional costs of providing these be taken into account in the

negotiation of s106 or s278 Agreements (see paragraph 4.4.37 of the Local Plan). There may be instances where a s106 Obligation is justified to provide off-site public realm improvements. In cases where there is a particularly close relationship with development and public realm improvements, they may be prioritised over other contributions.

4.10 Waste Management Facilities

4.10.1 Policy W1 Waste Hierarchy and paragraph 6.5.3.6 require that all development minimise the generation of waste and encouraging recycling rates. The provision of appropriate recycling and waste storage is a site deliverability matter, that can usually be secured through the development management process and provided onsite before development is occupied.

4.10.2 Torbay's waste and recycling collection service, operated by Tor2, is operating at 98% capacity, so new development will generate a need for new waste recycling services early in the Plan period. On average in Torbay, each household generates 500kg of waste per year, of which 42% (210 kg) is recycled. Based on 2.1 people per household, this equates to about 240kg per year per person of which about 100kg is recycled and 140kg needs to be disposed of as residual waste, land filled or incinerated.

4.10.3 The recycling rate falls to about 22% for shared dwellings where the Council's bin and box recycling system does not operate, which equates to about 190kg of non recycled waste per person.

4.10.4 On average it cost the Council £100 per tonne to dispose of residual waste: around £14 per person per year (based on 0.140 tonne x £100). Where recycling systems do not operate, the figure rises to £19 per year (0.019 tonne x £100).

4.10.5 It is important to increase recycling rates for financial and environmental reasons.

4.11 Provision of Bin and Boxes for New Dwellings

4.11.1 All development should make provision for adequate storage of waste and recycling on site, within easy reach of kerbside collection points (as a site deliverability matter). Guidance on refuse and recycling requirements is produced by Tor2.

4.11.2 It is estimated that the additional per dwelling cost of providing new dwellings with a bin and boxes, and provision of recycling information etc. is around £85 per dwelling.

4.11.3 The Council will seek the cost of bin and boxes from all new residential developments. However, the Council will not insist on this being provided through a s106 Obligation for sites of 10 dwellings or fewer, due to limitations on "tariff style" contributions (see above). If applicants chose not to provide bins/boxes at the planning stage, residents of the dwellings will need to buy compatible bins and boxes directly from Tor2 before waste collection can commence.

4.12 Increasing Capacity of Waste Collection Services from Larger Developments

4.12.1 As noted, Torbay's waste collection service is operating at capacity.

4.12.2 Larger developments (over 100 dwellings) will need to incorporate on site facilities for the recycling of glass, paper, clothes etc. This can usually be achieved through conditions and provision of facilities on site.

4.12.3 Where such schemes do not provide recycling facilities an additional s106 contribution of £85 per dwelling will be sought to mitigate the additional capital cost of providing waste vehicles. However, this will be used on schemes to encourage recycling in order to avoid s106 pooling issues.

4.12.4 This is calculated on the basis of a refuse collection vehicle and team being able to service around 4,500 properties in a fortnightly cycle (500 properties x 9.5 effective working days cycle). Servicing the Local Plan target of 8,900 new dwellings would equate to the need for two additional refuse collection vehicles and four new recycling vehicles by 3030.

4.12.5 Because it is recognised that Council Tax will provide a proportion of this, it is proposed to seek s106 Obligations to contribute based on the cost of vehicles rather than revenue costs such as fuel and wages (although in practice money may be used for a range of waste management matters). The Council's Environmental Services have indicated that the cost per vehicle (with a 10 year life) would be:

- 2 refuse collection vehicles at £182,000 per vehicle.
- 4 recycling stillage vehicles at £82,000 per vehicle.
- i.e. a total of £764,000 by 2030.

4.12.6 This equates to £764,000 or £85 per dwelling (based on 8,900 dwellings in the Local Plan).

4.13 Developments that are Unable to Provide Recycling Collection

4.13.1 Where developments are unable to provide the Council's normal waste recycling bin and boxes, or where waste and recycling are managed in communal bins, evidence shows that recycling rates are lower. On this basis, a waste management plan will be required to set out measures to ensure recycling. Where this is not done, an additional charge will be sought to cover the additional cost to the Council in terms of landfill/incineration costs.

4.13.2 This will be based on a cost of £50 per person (representing 10 years of £5 being the additional cost of landfill etc as calculated above). However, a development's liability for CIL will be taken into account.

4.13.3 Table 4.11 below sets out waste contributions sought from residential development.

Table 4.12: Waste Management Contributions

	Cost of Bin and Recycling Boxes, and recycling information	Contribution to additional waste and recycling services
Sites of 1-10 dwellings, where normal bin and box recycling system can operate	'Tariff style' contributions are not sought from smaller sites. However, developers have the option of purchasing bins and boxes at the planning stage. If they chose not to then they will be billed directly by the Council/Tor2.	£85 cost of bin and box per dwelling.
Sites of 11+ Dwellings where normal bin and box recycling system can operate.	£85 cost of bin and box. £85 cost of offsetting additional cost of refuse vehicles. Additional on-site recycling facilities or measures will be offset against this.	£85 plus £85 = £170
Developments where there is a reduced capacity to recycle e.g. lack of recycling facilities or communal bins	A waste audit/waste management plan will be required to indicate how municipal waste will be managed. Otherwise a contribution will be sought based on the additional cost to the Council/Tor2 of dealing with the waste arising from the development.	As above, plus £50 per person/room.

4.14 Difficult to Monitor Uses and Town Centre Management

4.14.1 The Local Plan indicates that s106 Obligations will be sought to monitor development that gives rise to specific monitoring requirements such as holiday occupancy conditions, non-Registered Providers of affordable housing (excluding starter homes), town centre management use, holiday occupancy, ecological mitigation and HMOs.

4.14.2 Officer time costs on average £72 per hour, or £245 per half day. Table 4.13 below sets out the types of development that require specific monitoring, and the cost to the council over 5 years. Note that this is not a definitive list and contributions will be sought proportionately to the requirement to monitor.

4.14.3 Policy TC5 "Evening and night-time economy" indicates that contributions will be sought towards town centre management, maintenance and policing. Note that Monitoring and management contributions are not usually sought for infrastructure items and therefore not subject to pooling restrictions.

4.14.4 Contributions will be sought to ensure that measures are carried out to make development acceptable in planning terms. However, this should not be taken to imply that all development is capable of being made acceptable through planning obligations.

Table 4.13: Monitoring Contributions

Use	Monitoring requirement	Cost of Monitoring/ Contribution	Notes
Holiday occupancy conditions	Low	£360	Based on 1 day per annum data assessment or site visit. Cost is per unit. However, a discount may be applied for multiple units.
Non-RP Affordable Housing (excluding starter homes)	Low	£360	Based on 1 day per annum data assessment or site visit.
Ecological Mitigation Works	Low	£360	Based on 1 day per annum data assessment or site visit.
Houses in Multiple Occupancy	Medium	£1440	Based on 4 days per annum data assessment or site visit. May be reduced where on-site management is provided. The figure will be based on the assessment of Development Management and other stakeholders about the impact of the development and cost of managing and/or monitoring.
Night time economy uses, alcohol related uses. Amusement arcades, betting shops, gambling. Other developments that could create conditions of community conflict.	Medium to High	£2,880 per 100 sq m	Will be based on the assessment by Development Management and other stakeholders about the impact of the development and cost of managing and/or monitoring.

5 IMPLEMENTATION

5.1 Introduction

5.1.1 Policy SS7 of the Local Plan 2012-30 undertakes to prioritise developer Obligations according to:

- The tests of lawfulness
- Prioritisation of critical infrastructure
- Evidence of viability
- Wider development impact
- Torbay Community Plan themes
- Availability of other funding, including ring fenced government funding and CIL.

5.1.2 As noted above, Planning Conditions will be used wherever possible rather than s106 Obligations. Note that "sustainable development" contributions are not sought from developments that pay CIL. "Tariff style" contributions are not sought from developments of fewer than 11 units and less than 1000 sq m floor area. In the AONB a lower threshold of 6 dwellings (or 1,000 sq m) applies. Whilst site deliverability matters still apply, these can often be addressed through site layout or conditions. On this basis it is expected that many small developments will not require s106 agreements.

5.2 Types of Section 106 Obligations

5.2.1 With small-scale developments which only require the payment of commuted sums, and where the developer has been notified that the Council is minded to grant planning permission, it may be simpler for the developers to pay the sums through a unilateral undertaking. A unilateral undertaking is a legal document made pursuant to s106 of the Town & Country Planning Act 1990 under which the developer agrees to pay contributions in respect of necessary measures to make the development acceptable in planning terms. If a unilateral undertaking is considered to be appropriate, a template document will be provided for the developer to complete, sign and return.

5.2.2 A unilateral undertaking can only be entered into by the owner of the land to be developed. An applicant who does not own the land to which the application relates will need to ask the owner to enter in to the undertaking. Where payment is made in advance of granting permission a 10% discount to the commuted sums will be applied and the Council will not impose a charge for its legal costs.

5.3 Section 106 Agreements

5.3.1 Where the Council decides to grant planning permission subject to the completion of a s106 Agreement (or s278 Agreement in the case of works to the highway), matters covered in the s106 agreement will include (as appropriate):

- Timing of payments and phasing of development
- Nature of obligation and (where a financial contribution) how it will be spent.

- In the case of affordable housing:
  - The number of affordable units.
  - The type and size of the properties.
  - Arrangements for ensuring that the housing remains affordable in perpetuity.
  - Local occupancy condition, where appropriate.
  - How the affordable element will be achieved e.g. through the construction of units, transfer of land, or financial or other off-site contribution.
  - Any cascade arrangements including the length of time in which to secure funding for rented housing, before which the tenure mix can be re-negotiated and time that units need to be marketed for.
  - A mortgagee in possession clause.
- Where appropriate a clause for financial re-assessment and payment of deferred contributions.

5.3.2 Developers will be expected to pay the Council's legal costs of drafting s106 Agreements at the current rate of £150 per hour; this rate may be increased in line with inflation and level of complexity of the issues involved.

5.4 Mitigation

5.4.1 S106 Obligations are intended to address the net additional impact of development upon the built and natural environment and wider society. On this basis, contributions may be mitigated where development gives rise to particular social, economic or environmental benefits.

5.4.2 Mitigation for Existing Uses. The Planning Contributions and Affordable Housing SPD is intended to meet the community impact of additional development. Therefore, the existing use should be taken into account and contributions sought on the net additional impact. Note that this requires applicants to be specific about existing uses and provide details of floorspace.

5.4.3 Mitigation for existing uses cannot remove the need for contributions towards matters that are necessary to the safe operation of the site or meeting legal requirements (i.e. Site Deliverability matters).

5.4.4 Mitigation where there is an Identifiable Social Good (e.g. provides jobs or regeneration benefits). Where development results in an identifiable social good, for example significant regeneration, built or natural environment or provision of jobs, the authority will take a flexible approach to planning contributions in order to ensure that the social benefits of development are realised.

5.4.5 Mitigation for Job Creation. Economic Prosperity is a high priority for the Council. Therefore it is particularly important that planning obligations do not impede job creation. On this basis, mitigation from "tariff style" contributions will be given for jobs created by development proposals, using the methodology set out above as a starting point.

5.4.6 Affordable Housing "Sustainable development" contributions will not be sought from affordable housing where full nomination rights are given to Torbay Council or occupancy is restricted in perpetuity to people already living and working in Torbay.

5.4.7 Note that this relates to affordable housing within the definition in the NPPF. It does not apply to small "low cost" open market units sold without a discount. In addition, "development site

acceptability" matters have to be addressed on affordable housing developments, to make the site safe and workable in physical terms.

5.4.8 Where intermediate housing provides additional sustainability benefits such as exceeding minimum Building Regulations standards on energy efficiency or accessibility, then the Council will consider relaxing the requirement for sustainable development contributions.

5.5 Viability – Content of Viability Assessments

5.5.1 The Local Plan acknowledges that s106 Obligations may be negotiated between the Council and developer. Where it is claimed that planning obligations would render development unviable, the Council will require the developer to carry out a viability assessment at the developer's expense. The Council may also require the developer to pay for a critical review of the viability assessment and a re-appraisal of the proposed development if it deems it necessary. The developer is to pay for the cost of this critical review and re-appraisal.

5.5.2 Calculation of viability will usually be based on residual land value (i.e. a calculation that the value of land after development costs, policy requirements and contributions remains sufficient for a willing developer to bring forward development).

5.5.3 An open book accounting approach will be used to assess the viability of the development and should include itemised details of:

- Acquisitions costs, Land and Stamp Duty Land Tax etc;
- Planning, legal and professional fees, marketing costs;
- Demolition and other abnormal costs;
- Construction costs at price per sq m floor area detailing what is included and on what basis; and what evidence has been used to arrive at the build cost. These should include preliminaries, external works and contingencies;
- Build programme;
- Allowances for any other contribution or costs associated with the development including planning obligations contributions due;
- Any other contractual arrangement such as uplift or claw-back provisions;
- Details of any finance agreements;
- Gross development value, eg. sales values with evidence and, for larger schemes, cashflows showing the timing for the sales;
- Details of any ground rents, affordable housing values (evidenced by offers from RPs), commercial values including rents and yields;
- Anticipated developer profit clearly expressed in terms of % of GDV. The Council will allow 20% of GDV on market housing and 6% on affordable units to represent a reasonable level of profit.

5.5.4 The Council will have regard to financial confidentiality in publishing this information. It may be required to publish such data, but will redact details and figures that would undermine financial confidentiality.

5.5.5 A basic development appraisal template is available on the Councils website setting out the information required. Developers may use their own templates but these must include the exact details to ensure that a clear and consistent approach to viability appraisal is maintained for all sites. Viability assessments should be proportional to the scale and nature of the application.

5.5.6 The open-book accounting approach will expect land values to reflect market conditions, alternative land use value and local and national planning policy requirements at the time the viability appraisal is carried out. The price paid by the developer for the land will not normally be a factor in determining the viability of a site.

5.6 Where Development is Unviable

5.6.1 Where a developer demonstrates to the satisfaction of the Council that a proposed scheme is not currently viable with a policy-complaint level of developer contributions and the Council consider that there is scope to agree an acceptable development, the Council will agree to reduce S106 and other obligations in order to render development viable, subject to a recalculation of viability as set out below.

5.6.2 Contributions will be reduced in line with the order of priorities set out in Policy SS7 and this SPD (i.e. broader sustainability contributions will generally be relaxed before affordable housing/employment and health contributions). There is no scope to relax Site Deliverability requirements, although these will generally be addressed through conditions rather than developer contributions.

5.6.3 Where reduced s106 Obligations are agreed, the s106 Agreement will include a clause to secure a further Viability Appraisal/s (at the developer's expense) to be carried out at the end of the development, or at the completion of each phase of larger developments to assess the precise profit based on actual development costs and sales figures.

5.6.4 Any further viability appraisal will only apply to units that have not reached practical completion by a time to be agreed in the initial s106 Agreement. This will usually be:

- Three years from the grant of planning permission for sites of up to 50 dwellings
- Four years from the grant of planning permission for sites of between 51-90 dwellings.
- Five years for developments of 90 units or more.
- Very large sites (e.g. over 200 dwellings or mixed use developments) will be negotiated on an individual basis.

5.6.5 If actual profit exceeds 20% Gross Development Value (GDV) the developer will be required to pay an additional contribution equivalent to 50% of the profit above 20% GDV. Where a reduced level of affordable housing has been provided, the Council will seek increased provision of affordable housing in the later phases of development, subject to sustainable communities and other relevant considerations.

5.6.6 A ceiling on the contributions/affordable housing provision will be imposed to ensure the developer does not contribute more than the amount of contribution that was applicable at the time of submission of the latest relevant application.

5.7 Re-negotiating the Terms of the Section 106 Agreement

5.7.1 The Council has discretion to renegotiate s106 Agreements, but is under no obligation to do so. There is no right of appeal against a refusal to renegotiate s106 Obligations that are less than five years old. On this basis the Council will only renegotiate s106 Obligations where this would provide net benefits to the community, environment etc.

5.7.2 Where the developer seeks to re-negotiate previously agreed s106 Obligations the Council will require an open-book viability appraisal to be carried out at the developer's expense.

5.7.3 The assessment must take the form of the viability appraisal template or other form agreed in writing between the developer and the Council providing that the land values, development costs, development values and finance costs all reflect current market conditions.

5.7.4 The findings of the viability appraisal will remain valid for a maximum period of 24 months or, where phasing has been agreed in excess of 24 months, a new viability appraisal will be required for each phase.

5.7.5 Where viability appraisal satisfactorily demonstrates that the development is not currently viable when taking into account the full obligations and contributions required, the Council will agree to re-negotiate s106 Obligations in the order of priority identified in this SPD. However, contributions cannot be relaxed to the extent that development would not be in accordance with certain regulatory requirements (such as in the Habitats Directive) or not in the public interest.

5.7.6 Developers will be expected to pay the Council's legal costs of drafting a deed to vary the original s106 at the current rate of £150 per hour (with a minimum fee of £500); this rate may be increased in line with inflation and level of complexity of the issues involved. The Council may charge developers for additional costs it encounters associated with monitoring s106 clause triggers or similar matters.

5.8 Monitoring and Spending Section 106 Obligations

5.8.1 The Council will collect s106 for projects and programmes necessary to make the development to which they relate acceptable in planning terms. It will monitor the collection and spending of development contributions and will where practicable spend them within five years of the contribution being paid. Up to 5% of the cost of s106 Obligations (not representing an additional cost to the developer) may be retained for administering and monitoring them.

6 SUMMARY

6.1 Introduction

6.1.1 The tables below are intended as a summary of contributions that may be sought from development. Although figures are presented for some items, these are intended to be an assessment of the likely impact of the development and will not be sought as a tariff.

6.1.2 The SPD will need to be updated in line with inflation and evidence of need for different items off infrastructure. The Council will also need to have regard to the evolving nature of government and guidance and legislation on s106 and CIL, particularly relating to affordable housing thresholds, and s106 pooling limits. Should pooling limits be relaxed, they will not be applied.

6.1.3 S106 may also apply to commercial developments, which must be determined on a case by case basis.

Table 6.1 Summary of Contributions Sought

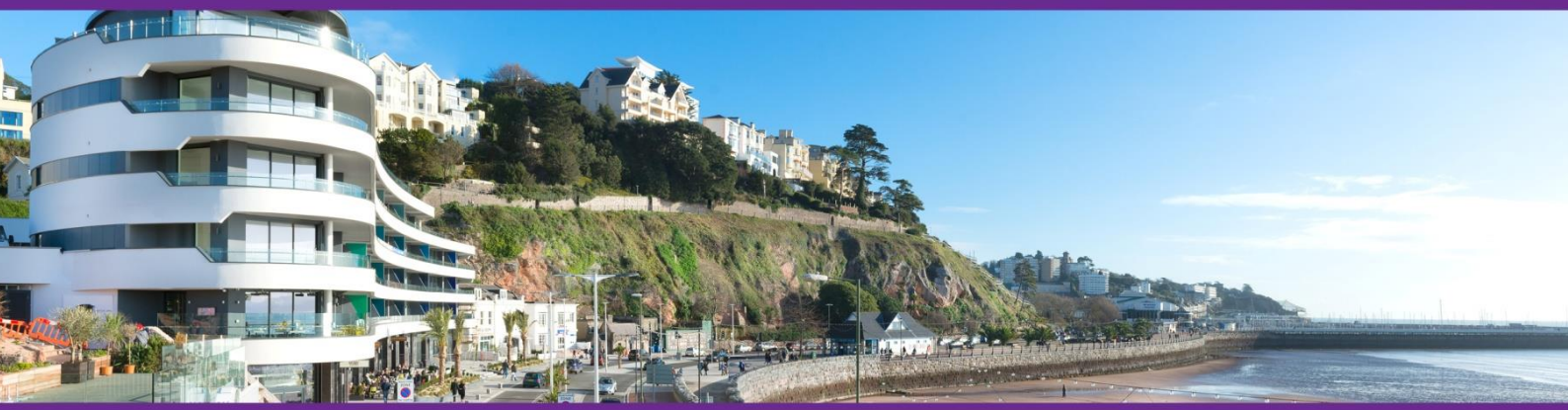
Residential Developments of 1-11 dwellings (1-5 in the AONB)		
	Requirement	**Notes**
Site Deliverability's		Applies to all sites
Direct access/safety	Direct provision or as costed by Highways Department.	S278 Agreement where possible.
Flooding, drainage and Sewerage	Direct provision, SuDS, requisition from South West Water.	Note that Torbay is a Critical Drainage Area
Biodiversity	Mitigation of biodiversity, including woodland, impacts and compensation for losses. Through condition or s106 Obligation.	Note that recreational impact on South Hams SAC is a CIL item.
Design and Active Design (including landscaping and public realm)	Through design/conditions.	
Affordable Housing Employment and Health		
Affordable Housing	Greenfield Sites of 3+ dwellings required to pay commuted sum based on 10% or 15% provision see Policy H2 and table 3.2. The WMS of 28 November 2014 and CIL liability will be material considerations.	Regulations may introduce a requirement for starter homes. The Council will keep the minimum permissible threshold for greenfield sites under review.
Healthcare	(£1,300 per dwelling £2,220 per care home room)	Active design is a Site Deliverability matter (see above). S106 Contributions sought where there is a specific additional healthcare requirement arising from development e.g. sheltered

		accommodation. Will not be sought where developments show that they provide additional care and facilities which will not result in additional cost to the integrated care organisation. Will not be sought on a 'tariff' based approach so is unlikely to apply to developments of fewer than 11 dwellings and 1,000 sq m). Liability for CIL will be taken into account.
Employment	£8,000 per FTE job lost.	Only applies to where an application entails the loss of employment. Will not be sought on a "tariff" based approach so is unlikely to apply to developments of fewer than 11 dwellings and 1,000 sq m). Liability for CIL will be taken into account. The Council will seek to negotiate local labour arrangements with developers.
Sustainable Development	Not normally sought on sites of 10 or fewer dwellings and no more than 1000 sq m unless application gives rise to a specific need.	The Council will keep the ability to seek 'tariff style' contributions under review. Will not be sought from developments where CIL is levied.
Waste management	Option to pay £85 per dwelling at the planning stage. Otherwise bins and boxes will need to be purchased from the Council/Tor2 Waste Management Plan required where normal bin and box recycling system cannot be implemented.	
Monitoring Contributions		Where development results in specific additional monitoring needs.
Community Infrastructure Levy	Charged on new floorspace	See CIL Charging Schedule.

Table: 6.2 Residential Developments of 11+ dwellings (6+ in the AONB)		
	Requirement	**Notes**
Site Deliverability		Applies to all sites
Direct access/safety	Direct provision or as costed by Highways Department	S278 Agreement where possible.
Flooding, drainage and Sewerage	Direct provision, SuDS, requisition from South West Water	Note that Torbay is a Critical Drainage Area.
Biodiversity	Mitigation of biodiversity impacts and compensation for losses, including woodland. Through condition or s106 Obligation.	Note that recreational impact on South Hams SAC is a CIL item
Design and Active Design (including landscaping and public realm)	Through design/conditions.	
Affordable Housing Employment and Health		
Affordable Housing	**Greenfield** sites: 3 - 5 = 10% 6 - 10 = 15% 11 – 14 = 20% 15 – 29 = 25% 30+ = 30% or 25% plus 5% self build plots **Brownfield** 15 -19 = 15% 20+ = 20%	Sites of fewer than 11 dwellings, through commuted payment. (£77,000 per small 37-79 sq m) affordable dwelling And £109,000 per larger (80+ sq m) affordable dwelling). Other sites through onsite provision. WMS of 28/11/2014 and liability to CIL will be material considerations.
Healthcare	£1,300 per dwelling £2,220 per care home room	S106 Contributions sought where there is a specific healthcare requirement arising from development e.g. sheltered accommodation. Will not be sought where developments show that they provide additional care and facilities which will not result in additional cost to the integrated care organisation. Liability for CIL will be a material consideration.

		Active design is a Site Deliverability matter (see above).
Employment	£8,000 per FTE job lost.	Only applies to where the application entails the loss of employment The Council will seek to negotiate local labour arrangements with developers.
Sustainable Development	Applies only to developments that do not pay CIL (i.e. sites of 15+ dwellings within Charging Zones 3 - 4).	See CIL Charging Schedule. In all cases s106 Obligations will need to relate to specific identified projects which are necessary to making development acceptable in planning terms (etc).
Sustainable transport	Small dwellings 1-2 bedrooms/37-70 sq m = £690 Medium dwellings 2-3 bedrooms/71-108 sq m = £860 Larger dwellings 109+ sq m = £1,110	
Education	1 bedroom dwellings and specialist accommodation= zero 2 bedroom apartments 61-70 sq m = £3,170 2 bedroom houses 70-79 sq m = £4,750 3 bedroom dwellings 80-90 sq m = £6,330 4 bedroom dwellings 109-130 sq m = £7,920 5+ bedroom dwellings 110+ sq m = £9,500*	*In effect the rate for 5 bedroom dwellings takes effect form dwellings of 130+ sq m
Open space, sports and recreation	1 bedroom dwellings 37-58 sq m = £690 2 bedroom dwellings 61-78 sq m = £1,410 3 bedroom dwellings 80-108 sq m = £2,580 4+ bedroom dwellings 109+ sq m = £2,970	Will usually be achieved by onsite provision on larger developments (subject to maintenance agreements). See Table 4.8.
Lifelong learning	1 bedroom dwellings 37-58 sq m = £125 2 bedroom dwellings 61-78 sq m = £170 3 bedroom dwellings 80-108 sq m = £232 4 bedroom dwellings 109+ sq m = £267	
Waste management	£85 per dwelling. May be offset against on site recycling measures. Plus £50 per person/room for developments using municipal waste which cannot provide standard bin and recycling boxes scheme, unless measures are put in place through a Waste Management Plan to encourage recycling.	Applies to larger developments where a need for additional waste management facilities is identified. *Plus* developments where the Council's bin and box recycling system is difficult to achieve.
Monitoring and management	Costs based on officer time at £72/hour (at 2016 values)	Only proposals that give rise to particular monitoring issues.
Community Infrastructure Levy		Applies to dwellings, based on new floorspace. CIL is

		sought on new dwellings apart from sites of 15+ units in Charging Zones 3 and 4. For such sites, planning obligations will be used. See the CIL Charging Schedule for more information. Where CIL is levied, 'tariff style' s106 Obligations will not be sought.







Community Infrastructure Levy Charging Schedule February 2017

The Community Infrastructure Levy Charging Schedule is available…

on the Torbay Council Website:
www.torbay.gov.uk/strategicplanning

and at Torbay Council's Spatial Planning Office at:
2nd Floor, Electric House, Castle Circus, Torquay TQ1 3DR

If you would like any further information about this document or any aspect of the Torbay Local Plan please use the contact details below:

telephone: (01803) 208804
email: future.planning@torbay.gov.uk

Other links that will provide more detailed background information on the spatial planning system include:

National Planning Policy Framework www.gov.uk

The Planning Portal (www.planningportal.gov.uk) is the Government's online service for planning which includes advice and information on the plan-led system

To request this document in an alternative format or language, please contact the Future Planning Team on (01803) 208804.

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Commercial and Non-Residential Development Charging Zones Map: Zone C1 Town Centres, St. Marychurch and Preston District Centres. Zone C2 out-of-town centre, including The Willows District Centre.

1 INTRODUCTION

1.1 Background

1.1.1 This is Torbay's Charging Schedule for the Community Infrastructure Levy (CIL). It was the subject of Independent Examination in Autumn 2016, with a Hearing on 9th November 2016. The Examiner's Report was published on 5th December 2016, which recommended that CIL be adopted with modifications. The CIL was approved by full Council on 2nd February 2017.

1.1.2 Torbay Council, as Charging Authority, currently intends to levy CIL on developments granted permission on or after Monday 15th May 2017. This date will be confirmed in the Charging Schedule before the Charging Schedule takes effect in accordance with CIL Regulation 28.

1.1.3 CIL is a tax levied on development of more than 100 sq m of floorspace, or new-build dwellings. It is intended to help fund the infrastructure needed to support growth in Torbay. It is regulated by the Community Infrastructure Levy Regulations 2010 (as amended).

1.1.4 Torbay Council is intending to charge CIL on residential developments within three charging zones:

- Charging Zone 1: Areas of lower housing value (based on the built-up area within 20% most deprived area as indicated in the Indices of Deprivation 2015).
- Charging Zone 2: Elsewhere in the built-up area (excluding Watcombe Heights, Ilsham Valley, and Bascombe Road).
- Charging Zone 3: Future Growth Areas and outside the built-up area (plus Ilsham Valley and Watcombe Heights, Torquay, and Bascombe Road, Churston).

1.1.5 The built-up area is defined by the area outside Policy C1 "Countryside and rural economy" or Policy C2 "Undeveloped coast" areas in the Adopted Torbay Local Plan 2012-30, although some high value urban areas are also included in Zone 3.

1.1.6 The Charging Zones maps have been published on larger scale, OS based maps. These maps are designed primarily to be viewed electronically where they can be zoomed into.

1.1.7 Residential schemes of 15 or more dwellings within Charging Zone 3 will not be charged CIL. The Council will continue to negotiate Section 106 Obligations (s106) to cover the infrastructure needed to support their development as well as affordable housing. It is considered that s106 and Section 278 (s278) Highways Agreements are more effective mechanisms for providing the infrastructure required by development in these areas.

1.1.8 It is intended to seek CIL on larger out-of-town/district centre retail developments.

1.2 Where to find out more

1.2.1 More detailed advice on CIL and the relevant Regulations (with amendments) can be found on the Planning Advisory Service website: http://www.pas.gov.uk/community-infrastructure-levy

1.2.2 The government's online Planning Practice Guidance (PPG), Part 25 contains detailed advice on CIL and links to relevant Regulations:
http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/

1.2.3 Other details about CIL can be found on the Planning Portal's CIL page:

http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

1.2.4 CIL forms may be downloaded from the Planning Portal. Note that the "Planning Application-Additional Information Requirements Form" must be submitted with all planning applications. The forms may be downloaded from:
https://www.planningportal.co.uk/info/200126/applications/70/community_infrastructure_levy/5

1.2.5 Details of viability evidence and infrastructure requirements are available online at:

www.torbay.gov.uk/CIL

1.3 Who pays CIL?

1.3.1 CIL applies to developments that create more than 100 sq m gross internal floorspace of new development, minus the floorspace of any demolished buildings (so long as these have been in lawful use for at least 6 months out of the last 3 years). New-build houses or flats are also liable to CIL even if less than 100 sq m, unless built by a "self-builder" and an exemption is obtained before development commences.

1.3.2 CIL only applies to places where people usually go, so does not cover buildings such as electricity sub-stations or plant rooms.

1.3.3 Social housing (as defined in the CIL Regulations) is exempt, as are charities so long as the development is used for charitable purposes. Exemption must be claimed before development commences. CIL is not collected if it would be less than £50.

1.3.4 Note that CIL is payable on qualifying developments whether they require express planning permission or are permitted under the General Permitted Development Order (as amended) (GPDO), Prior Approval or Local Development Orders (LDOs).

1.3.5 CIL will be used to help fund major infrastructure projects set out in the key infrastructure projects list ("Regulation 123" List). Should other infrastructure needs arise that require CIL funding, the Council will publish a revised Regulation 123 List.

1.3.6 A "neighbourhood portion" of CIL must be spent in the neighbourhood in which CIL arises. When Neighbourhood Plans have been "made" (i.e. adopted following approval at a local referendum), this will be 25%. The proportion will be 15% until Neighbourhood Plans are approved at referendum.

1.3.7 In the case of Brixham, the money will be passed directly to the Town Council. For the "unparished" parts of Torbay (i.e. everywhere except Brixham Town Council area), the Council will hold the money and spend it on matters agreed with the local communities. This will be used to support the infrastructure priorities identified by Community Partnerships and Neighbourhood Forums.

1.4 Social housing and self-build housing exemptions

1.4.1 Social housing as defined in Regulation 49 of the CIL Regulations (as amended) and self-build/custom-build housing have a mandatory exemption from CIL.

1.4.2 Self-build/custom-build housing is defined in the CIL Regulations (as inserted in 2014). Section 54 of the CIL Regulations (Amendment) 2014 sets out procedures that must be followed in order for self-build exemption to apply. **Exemption can only be claimed before development is commenced.**

2 TORBAY CIL CHARGING SCHEDULE

2.1 Residential Development

2.1.1 The Charging Schedule sets out three residential Charging Zones:

1) **"Inner Urban" Built-up areas with lower development viability.** Residential development of more than 3 dwellings will be charged CIL at £30 per sq m. Conditions or s106 Obligations will be sought to address site deliverability matters, and to make development legal in terms of its impact on Habitats Regulations matters etc.

2) **Elsewhere in the built-up area.** Residential development of more than 3 dwellings will be charged CIL at £70 per sq m. Charging Zone 2 is defined as areas outside the Policy C1 "Countryside and rural economy" area or Policy C2 "Undeveloped coast area" in the Adopted Torbay Local Plan (2012-30), that are not within Zone 1 or a Future Growth Area. In addition Watcombe Heights, Ilsham Valley Torquay and Bascombe Road, Churston are not within Zone 2 (but are within Zone 3).

3) **Future Growth Areas as defined by the Local Plan, plus outside the built-up area, Watcombe Heights and Ilsham Valley, Torquay and Bascombe Road, Churston.** Sites of 15 or more dwellings will be zero-rated for CIL, but s106/s278 Agreements will be sought to provide infrastructure and affordable housing in these areas. CIL will be sought for developments of 1-14 dwellings at £70 per sq m.

2.1.2 The Council's residential charging zones for CIL are summarised in the following table set out more fully in the following Figures 1 – 4 and Charging Zone Maps. Notes to the tables are set out on page 12. The Charging Zone map pages correspond to the Adopted Torbay Local Plan Policies Map booklet pages. These maps are intended primarily to be viewed electronically and may be zoomed. If an instance arises that a site falls within two charging zones, the zone that the site is substantially within will apply. If equally between two zones, the lower zone will apply.

Summary of Residential Charging Zones			
Zone	Number of dwellings and charge (£ per sq m)		
	1-3 dwellings	4-14 dwellings	15+ dwellings
1. Built up areas with lower development viability	Zero	£30	£30
2. Elsewhere in the built up area	Zero	£70	£70
3. Future Growth Areas, plus outside the built up area, plus Watcombe Heights, Ilsham Valley, Torquay, and Bascombe Road, Churston.	£70	£70	Zero - s106 Obligations will be used to secure infrastructure funding.

Figure 1: Residential Charging Zone 1 Inner Urban Built-up areas based on the 20% most deprived LSOAs (excluding Future Growth Areas).

CIL Charging Schedule and relationship to s106 Obligations: Residential Development (Use Classes C3, C4 and sui generis hostel. See Note 1)

	s106 (for information)	CIL
Developments of 1-3 net new dwellings	Zero, except for direct site deliverability matters. (Including access, direct highway works, flooding and biodiversity, matters to make development acceptable in terms of Habitats Regulations and other legal matters).	**Zero**
Developments of 4 -14 net new dwellings.	Zero, except for direct site deliverability matters (see above). Note that affordable housing may be sought on greenfield sites of 3 or more dwellings (see Note 2).	**£30 per sq m** of chargeable floorspace.
Developments of 15+ net new dwellings.	Zero, except for direct site deliverability matters (see above). Note that affordable housing is sought on sites of 15+ dwellings (see Note 2)	**£30 per sq m** of chargeable floorspace

Figure 2: Residential Charging Zone 2: Elsewhere in the built up area, excluding Charging Zone 1, and Watcombe Heights and Ilsham Valley, Torquay, and Bascombe Road, Churston.

CIL Charging Schedule and relationship to s106 Obligations: Residential Development (Use Classes C3, C4 and sui generis hostel) (See note 1).

	s106 for information	CIL
Developments of 1-3 net new dwellings	Zero, except for direct site deliverability matters. (Including access, direct highway works, flooding and biodiversity, matters to make development acceptable in terms of Habitats Regulations and other legal matters). Note that affordable housing is sought on greenfield sites of 3 or more dwellings (see Note 2).	**Zero**
Developments of 4-14 net new dwellings.	Zero, except for direct site deliverability matters (see above). Note that affordable housing is sought on greenfield sites of 3 or more dwellings (see Note 2).	**£70 per sq m** of chargeable floor space.
Developments of 15+ net new dwellings	Zero, except for direct site deliverability matters (see above). Affordable housing is sought on sites of 15+dwellings. (See Note 2).	**£70 per sq m** of chargeable floor space.

Figure 3: Residential Charging Zone 3: Within Future Growth Areas, or Outside the Built Up Area (i.e. within the Countryside Area or Undeveloped Coast), plus Watcombe Heights and Ilsham Valley, Torquay and Bascombe Road, Churston.

CIL Charging Schedule and relationship to s106 Obligations: Residential Development (Use Classes C3, C4 and sui generis hostel (see note 1).

	s106 for information	**CIL**
Developments of 1-3 net new dwellings	Zero, except for direct site deliverability matters. (Including access, direct highway works, flooding and biodiversity, matters to make development acceptable in terms of Habitats Regulations and other legal matters). Affordable housing is sought on greenfield sites of 3+ dwellings (see note 2).	**£70 per sq m** of chargeable floor space.
Developments of 4-14 net new dwellings	Zero, except for direct site deliverability matters (see above). Affordable housing is sought on greenfield sites, of 3+ dwellings.	**£70 per sq m** of chargeable floor space.
Developments of 15+ net new dwellings	s106 Contributions to cover infrastructure needed to make development sustainable: • Direct site deliverability matters. • Affordable Housing (see Note 2). • Sustainable development contributions necessary to make the development acceptable in planning terms.	**Zero**

Notes to Residential Charging Schedule tables

Note 1: Residential includes dwellings within Use Classes C3 and C4 and sui generis Houses in Multiple Occupation (HMOs). It includes sheltered housing, where extra care is **not** provided.

Extra care housing and student halls of residence will be zero rated for CIL, so long as secured for such use through condition or legal agreement.

Extra Care Housing will be taken to mean: Housing designed with the needs of frailer older people in mind and with varying levels of care and support available on site. People who live in Extra Care Housing have their own self contained homes, their own front doors and a legal right to occupy the property. Extra Care Housing is also known as very sheltered housing, assisted living, or simply as 'housing with care'. It comes in many built forms, including blocks of flats, bungalow estates and retirement villages. It can provide an alternative to a care home. In addition to the communal facilities often found in sheltered housing (residents' lounge, guest suite, laundry), Extra Care includes additional flexible care packages that must be purchased as a condition of occupancy, and additional facilities such as restaurant or dining room, health & fitness facilities, hobby rooms and computer rooms. Domestic support and personal care are available, usually provided by on-site staff. Properties can be rented, owned or part owned/part rented. Occupation is governed by eligibility criteria which prospective residents have to meet".

Sheltered or retirement dwellings which are not extra care units as per the above definition, will be considered to be residential units that are liable to CIL.

CIL is not sought on extensions to dwelling houses, unless these result in the original house being substantially demolished and replaced.

Social Housing, as defined by Regulation 49-50 of the CIL Regulations, is exempt from CIL where the requirements of the CIL Regulations have been met.

Self-build and custom-build housing are exempt from CIL so long as an exemption is claimed before the commencement of development. (See PPG paragraph 25-141-20140612).

Charitable institutions, e.g. churches are exempt from CIL, so long as the development is used primarily for charitable purposes. (See Regulations 43-44 of the CIL Regulations).

Note 2: Affordable housing requirements are set out in Policy H2 of the Adopted Torbay Local Plan 2012-30. The Council has regard to material considerations governing site size thresholds: namely the Written Ministerial Statement of 28/11/2014. However, full Council resolved on 2nd February 2017 to retain the threshold set out in the Adopted Torbay Local Plan.

An element of affordable housing is sought on greenfield sites of 3+ dwellings and brownfield sites of 15 or more dwellings. However, this may be reduced to zero in areas of deprivation, where this would encourage investment. Liability for CIL will also be a material consideration.

Note 3: Outside the built up area is defined as areas within the Countryside and the rural economy area (Policy C1) or Undeveloped coast (Policy C2) in the Adopted Torbay Local Plan 2012-30. The built up area is defined as areas not so designated. For the purpose of CIL, Watcombe Heights and Ilsham Valley, Torquay and land at Bascombe Road, Churston are within Zone 3**.**

Note 4: Future Growth Areas are designated in the Adopted Torbay Local Plan 2012-30.

2.2 Commercial Development

2.2.1 CIL is liable on out-of-town centre retail and food and drink development of more than 300 sq m, at £120 per sq m).

2.2.2 The Council's viability evidence indicates that town centre retail would not be viable with CIL. This viability position also applies to St Marychurch and Preston District Centres; but not The Willows District Centre, which operates as an out-of-town retail park.

2.2.3 The viability evidence indicates that other commercial/employment uses would not be viable with a CIL.

2.2.4 Figure 5 sets out the CIL for commercial development. The Charging Zones Map included at Appendix 1.

Figure 4: CIL Charging Schedule: Commercial and Non-Residential Development

Type of Development	Development Charging Zone	
	1) Town Centres, St. Marychurch and Preston District Centres	**2) Everywhere else (including The Willows District Centre).**
Class A1 retail less than 300 sq m.	Nil	Nil
Class A1 retail over 300 sq m. (see Note 2).	Nil	£120 per sq m
Food and drink (Class A3, A4, A5) (see note 3).	Nil	£120 per sq m
Class A2 Financial and Professional services.	Nil	Nil
Class B employment uses.	Nil	Nil
Class D1 Non-residential institutions (see Note 3).	Nil	Nil
Class D2 Assembly and leisure/non residential institutions (see Note 3).	Nil	Nil
Class C1 Hotels.	Nil	Nil
Class C2 and C2A Residential Institutions (see Note 4).	Nil	Nil
Notes to Commercial and non-Residential Charging Zones		

Note 1: Charitable institutions, e.g. churches are exempt from CIL, so long as the development is used primarily for charitable purposes. (See Regulations 43-44 of the CIL Regulations).
Note 2: Applies to all A1 retail uses including bulky retail and sui generis retail uses.
Note 3: s106 contributions may be sought where a development has an effect on non-CIL chargeable matters, such as the night time economy; or where site specific mitigation measures are required such as for access.
Note 4: Care Homes are taken to be non-self contained accommodation for persons who, by reason or age or infirmity, are in need of care. Sheltered or retirement dwellings which are not extra care units as per the above definition, will be considered to be residential units that are liable to CIL.

2.3 Charging Zone Maps

2.3.1. Charging Zone maps are set out in Appendix 1.These are:

- **Residential Charging Zones Summary Map**

- **Residential Charging Zones Maps 1-39** showing Charging Zones 1-3. Note that the map boundaries/page numbers correspond to the Adopted Local Plan 2012-30. The maps are designed primarily to be viewed on a screen and may be zoomed into (separate document).

- **Map 2 Commercial Development Charging Zones:**

  Zone C1 Town Centres, St. Marychurch and Preston District Centres.

  Zone C2 Out-of-town centre and The Willows District Centre.

3 TORBAY CIL ACCOMPANYING POLICIES

3.1 Introduction

3.1.1 Note that the following sections do not form part of Torbay's CIL Charging Schedule and may be updated without requiring a further Examination. Particular attention will be paid to the review of CIL[1]. The Council will still make use of s106 Obligations alongside CIL in order to secure sustainable development. These must meet all of the following tests. They must be:

a) Necessary to make development acceptable in planning terms;

b) Directly related to the development; and

c) Fairly and reasonably related in scale and kind to the development.

3.1.2 From 6th April 2015, no more than 5 s106 obligations for infrastructure matters can be pooled (i.e. collected for one specific project). This does not apply to non-infrastructure items that are not fundable through CIL, such as affordable housing, training or town centre management.

3.1.3 The Council will keep the ability to pool obligations under review.

3.1.4 S106 Obligations may still be used to secure infrastructure, so long as they meet the above tests, and the Council has indicated that they do not intend to fund that item through CIL.

3.1.5 Full details of s106 Obligations are set out in the Planning Contributions and Affordable Housing Supplementary Planning Document (SPD), which was adopted by Council on 2nd February 2017.

3.1.6 The SPD targets planning obligations on delivering the new Local Plan's growth strategy and provides more details on the implementation of affordable housing and s106 Obligations. Particular attention is drawn to the need to alleviate flood risk and combined sewer overflows, and to protect priority species such as Greater Horseshoe Bats and Cirl Buntings.

3.2 CIL Chargeable residential developments and s106 Obligations

3.2.1 On sites where CIL is payable, s106 Obligations only will be sought where they are directly necessary to making development acceptable in terms of direct on- and off-site impact (e.g. access, drainage, biodiversity and flooding). Where possible these matters will be addressed through planning conditions rather than s106 Obligations.

3.2.2 Note that an element of affordable housing is sought on greenfield sites of 3 or more dwellings and brownfield sites of 15 or more dwellings, as set out in Policy H2 of the Adopted Torbay Local Plan. Where development is subject to both CIL and affordable housing requirements, the liability for CIL will be taken into account. Generally s106 obligations (except for site

[1] A new approach to developer contributions: a report by the CIL Review Team was submitted to Government in October 2016.

deliverability matters) will be relaxed before CIL. Further details are set out in the Planning Contributions and Affordable Housing SPD.

3.3 Residential development in Charging Zone 3 and s106 Obligations

3.3.1 For sites of 15+ dwellings in Charging Zone 3, the Council will seek s106 Obligations to fund infrastructure needed to support the development.

3.3.2 S106 Obligations will be negotiated with developers to secure affordable housing and provide the infrastructure needed for larger residential, commercial and mixed use schemes within Future Growth Areas. This includes, but is not necessarily limited to:

- Direct site deliverability matters (biodiversity, flood prevention, access etc).
- Affordable housing, employment and health.
- Sustainable development contributions (education, lifelong learning, sustainable transport, waste management, green infrastructure, recreation, etc).

3.3.3 All such contributions will be subject to the tests of lawfulness (see above). Where practical to do so, s278 Highways agreements will be used to carry out improvements to the highway.

3.3.4 Further details are set out in the Planning Contributions and Affordable Housing SPD.

3.4 Non-Residential Development and s106 Obligations

3.4.1 S106 Obligations may be sought from commercial and other non-residential developments, so long as they meet the tests above and are not items identified in the Regulation 123 List as being funded through CIL.

3.4.2 This includes direct site deliverability matters (access, biodiversity, flooding etc), and dealing with the traffic impacts of proposals through sustainable transport. S106- Obligations will be sought to address other impacts of non-residential proposals. For example, where a development has an impact on regulating the night time economy, it could be the subject of a s106 Obligation towards CCTV or town centre management.

3.4.3 Further details are set out in the Planning Contributions and Affordable Housing SPD.

3.5 Calculating the Chargeable Amount of CIL

3.5.1 CIL will be calculated by multiplying the CIL rate by chargeable floor area and an inflation measure as follows:

CIL = CIL rate x gross internal floor area x inflation measure

3.5.2 The inflation measure is calculated by the increase in the RICS' Building Cost Information Service all-in tender price index from the base year to the date when permission is granted.

3.6 'Assumed Liability' and Commencement Notices

3.6.1 Ultimate liability for CIL runs with the land. However, the CIL Regulations encourage someone to assume liability to pay. It is expected that the developer will often "assume liability". Forms are available on the Planning Portal (see section 1.2 above). Where developers have assumed liability they are required to submit a commencement notice to the Council prior to starting development.

3.6.2 CIL becomes payable from the date that chargeable development is commenced. When planning permission is granted, the Council will issue a liability notice setting out the amount payable and the payments procedure, including instalments where the amount payable is more than £5,000 (see the Instalments Policy below).

3.6.3 Where no one has indicated that they "assume liability", and/or no commencement notice is submitted by the developer, 100% of CIL is payable upon commencement of development. This will be identified through the Council's monitoring process and an inflation measure (as above), surcharge and recovery cost will be applied to late payment.

3.7 Instalments Policy

3.7.1 In order to make CIL more affordable, taking developers' cash flow into account, CIL may be paid by instalments as set out below. Note that the Council is able to vary its instalments policy in accordance with S69B of the CIL Regulations 2010 (as amended). Any revised instalments policy will be published on the Council's website.

3.7.2 Instalments only apply where liability for CIL has been assumed and a commencement notice issued before development commences. Where this is not the case, 100% of CIL becomes payable at commencement.

- **Where CIL is less than £5,000**
  100% within 3 calendar months of commencement of development

- **Where CIL is between £5,001-£10,000**
  - 50% within 3 calendar months of commencement of development
  - 50% within 6 calendar months of commencement of development

- **Where CIL is between £10,000-£20,000**
  - 34% within 3 calendar months of commencement of development
  - 33% within 6 calendar months of commencement of development
  - 33% within 9 calendar months of commencement of development

- **Where CIL is more than £20,000**
  - 25% within 3 calendar months of commencement of development
  - 25% within 6 calendar months of commencement of development
  - 25% within 9 calendar months of commencement of development
  - 25% within 12 calendar months (1 year) of commencement of development

- **Where CIL is more than £100,000**
  - 25% within 6 calendar months of commencement of development
  - 25% within 12 calendar months+ of commencement of development
  - 25% within 18 calendar months of commencement of development
  - 25% within 24 calendar months (2 years) of commencement of development

3.7.3 CIL payable is linked to inflation using the RICS' Building Cost Information Services all-in tender price index of construction (updated annually). Therefore, earlier repayment of CIL Instalments is encouraged.

3.7.4 Note that in CIL terms, development is considered to have been commenced when any material operation begins on the land. Developers are required to submit a Commencement Notice before development commences. If they do not do this, the Council will not be able to offer payment by instalments or CIL Relief.

3.8 Exceptional Circumstances Relief Policy

3.8.1 CIL is not intended to be a negotiated item. The CIL Regulations grants mandatory relief for charities, self-build housing and social housing. These must be claimed before development is commenced. CIL Regulations 55-57 (as amended) set out the circumstances and requirements surrounding exceptional circumstances relief.

3.8.2 In order to avoid exceptional circumstances rendering development unviable, the Council will consider offering "exceptional circumstances relief" where:

- The chargeable development is being carried out pursuant to a planning permission that is subject to an enforceable s106 Obligation that makes the development acceptable in planning terms; and
- Evidence (in the form of an assessment of viability) is provided to demonstrate that paying the full levy would have an unacceptable impact on the development's economic viability; and
- The relief must not constitute notifiable state aid (see PPG paragraph 25-129), unless the development would otherwise be eligible for mandatory charitable relief.

3.8.3 The Council will consider granting exceptional relief to retail elements of large mixed use schemes where this would secure a more sustainable and viable development, particularly the early delivery of "Use Class B" employment land (and the criteria are met). Similarly, the Council will consider granting exceptional relief where developments would assist in the delivery of town centre masterplans. The criteria noted above must apply (i.e. there must be a s106 Obligation in place and a viability assessment has been carried out to indicate that the impact of CIL would render development unviable.

3.8.4 Before granting discretionary relief, developments must be subject to an independent assessment of viability to be carried out at the applicant's expense. They should indicate that development is not viable with CIL, and that a longer repayment period will not render development viable.

3.8.5 Exceptional Circumstances relief is at the Council's as charging Authority's discretion. It lapses if development is not commenced within 12 months.

3.8.6 Where Exceptional Circumstances Relief is granted, it will be published on the Council's website for 28 days.

3.8.7 Further details of the Council's arrangements for assessing viability are set out the Planning Contributions and Affordable Housing SPD.

3.8.8 CIL relief must be sought before the commencement of development. This applies to both mandatory and discretionary relief.

3.9 Payments in kind

3.9.1 Payments in kind of land or infrastructure may be accepted in lieu of cash payment of CIL where they will assist with the delivery of items on the Regulation 123 list and comply with the legal requirements (currently set out in Regulation 73A of the CIL Regulations). However, because CIL is applied primarily to smaller developments, it is expected that circumstances where payment in kind apply will be rare.

3.10 State Aid

3.10.1 The proposed CIL rates are derived from the supporting viability evidence and strike an appropriate balance between the desirability of funding infrastructure to support development in Torbay while ensuring that the rates do not prevent development from coming forward. The proposed basis for charging CIL in Torbay is based on viability evidence and no competitive advantages are identified for any development type or organisation which would give rise to any implications with regard to State Aid.

3.11 Review of CIL

3.11.1 The Council will keep CIL rates under review. If there are significant changes to the viability of development, CIL will be revised in accordance with the process set out in the CIL Regulations (or subsequent legislation).

3.12 Regulation 123 List of Key Infrastructure Projects Proposed to Receive CIL

3.12.1 It is intended to use CIL to help fund the following items set out in the Regulation 123 List below. Accordingly, s106 contributions will not be sought towards these items. The Council will publish a revised Regulation 123 List should other matters arise that need to be funded through CIL.

CIL Critical Infrastructure Item	Total Cost	Funding Shortfall
South Devon Highway	£130m	£20 Million
Impacts on South Hams Special Area of Conservation (Berry Head to Sharkham Point, Brixham) arising from: • Recreational impacts on limestone grassland between Berry Head and Sharkham Point 10% of CIL, up to £30,000 per year will be ring-fenced to address this.	£384,000 Equal to £29,500 per year over the Local Plan period. Including a need to ring fence 10% of CIL up to £30K per annum to contribute towards addressing recreational impacts upon the grassland.	£384,000

APPENDIX 1

Charging Zone Maps

Residential Charging Zones. Summary Map and Maps 1-39 showing Charging Zones 1-3. Note that the map boundaries/page numbers correspond to the Adopted Local Plan 2012-30. The maps are designed primarily to be viewed on a screen and may be zoomed into.

Commercial and Non-Residential Development Charging Zones Map: Zone C1 Town Centres, St Marychurch and Preston District Centres. Zone C2 out-of-town centre, including The Willows District Centre.

Healthy Torbay

Supplementary Planning Document

April 2017









TORBAY COUNCIL

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1. About the Healthy Torbay Supplementary Planning Document

1.1. Role and purpose of Supplementary Planning Documents (SPDs)

1.1.1. Supplementary Planning Documents (SPDs) can be produced by Local Planning Authorities (LPAs) to build upon and provide more detailed advice on the policies contained in a Local Plan. Specifically, they can add detail regarding any environmental, social, design and economic objectives which are important regarding the development and use of land as indicated in a Local Plan. The requirements for producing SPDs are set out in Regulations 11 to 16 of the Town and Country Planning Regulations 2012. SPDs should be prepared only where necessary and in line with paragraph 153 of the National Planning Policy Framework (NPPF), i.e. they should help applicants to make successful planning applications and should not be used to add unnecessarily to the financial burdens on development.

1.1.2. Torbay has a number of adopted SPDs which help the authority to better determine planning applications in accordance with the Torbay Local Plan as well as providing clear advice to the development industry market regarding how to make successful planning applications. SPDs help to support an efficient development management process and encourage positive investment into Torbay through stimulating market confidence. Some examples of adopted SPDs in Torbay include the Torquay and Paignton Town Centre Masterplans SPDs, the Planning Contributions and Affordable Housing SPD and the Greenspace Strategy SPD.

1.2. What is the purpose of the Healthy Torbay SPD and who is it for?

1.2.1. The Healthy Torbay SPD focuses on issues related to matters of health and wellbeing and how they should be positively addressed through the development planning process in Torbay in the context of building upon and providing more detailed advice and guidance to policies contained within the Local Plan.

1.2.2. The purpose of the document is to help influence and guide development proposals requiring planning permission in Torbay. It provides forward guidance to the development industry and landowners regarding how planning applications can be developed to have the best chance of achieving planning permission (so they are in compliance with Local Plan policies relating to health and wellbeing). Development proposals which follow the guidance set out in this SPD will stand a better chance of contributing to the prevention of ill health in Torbay. It also provides guidance to decision makers in Torbay so that there is a greater appreciation and understanding of what we mean by 'Healthy Torbay' in the context of spatial planning.

1.3. How this document should be used

1.3.1. The Healthy Torbay SPD is designed to support the policies contained in the Torbay Local Plan and be utilised in the development management process to:

- inform pre-application advice regarding any potential public health-related issues and to be a material consideration where relevant to be taken into account in determining planning applications

- to provide information and guidance that can be used to support a positive Health Impact Assessment (HIA);

- to promote opportunities for healthier lifestyles, encourage healthier choices and reduce the demand on the NHS, health professionals, councils and individuals across Torbay;

- to inform the preparation of future plans, strategies, development briefs, and policy decisions;

- to provide an evidence base resource, responding to local needs by providing and signposting to supporting information and guidance; and

- to inform communities and provide guidance to aid with the preparation of Neighbourhood Plans.

1.4. The Healthy Torbay SPD – relationship to the Torbay Local Plan and national policy

1.4.1. Health is a cross-cutting issue across planning which permeates into many subject areas contained within the Local Plan. This is because the wider determinants of health have multiple dimensions across the economy, environment and society. Therefore, many of the Torbay Local Plan policies feature in some form within this SPD. Where relevant to guidance within this SPD, the policies are referred to within this document. Of particular importance to note are policies **SS11 Sustainable Communities** and **SC1 Healthy Bay** which provide the overarching context for much of the guidance as they recognise tackling wider determinants aspects of taking action to promote good health in Torbay.

1.4.2. The NPPF recognises the importance of the role of planning in enabling good population health and wellbeing. Health is recognised as being an integral aspect of sustainable development, 'supporting strong, vibrant and healthy communities'. Furthermore, the role of 'promoting health communities' in the context of supporting 'local strategies' (wider than planning policy) places a responsibility on local authorities to articulate what the key factors and 'asks' of planning should be in their individual geographical areas of responsibility.

1.5. Public consultation and participation

1.5.1. A draft version of the Healthy Torbay SPD was made available for consultation for a four week period between Monday 20 February and Monday 20 March 2017. Details of the consultation, including the main issues raised and how those issues have been addressed where necessary are detailed in a supporting 'Public Participation Statement' separate to this document. The Healthy Torbay SPD was adopted on 6 April 2017.

1.5.2. The process for SPD production and community participation in Torbay is explained in the Council's *Statement of Community Involvement 2014*. The relevant stages are outlined in the flowchart below:

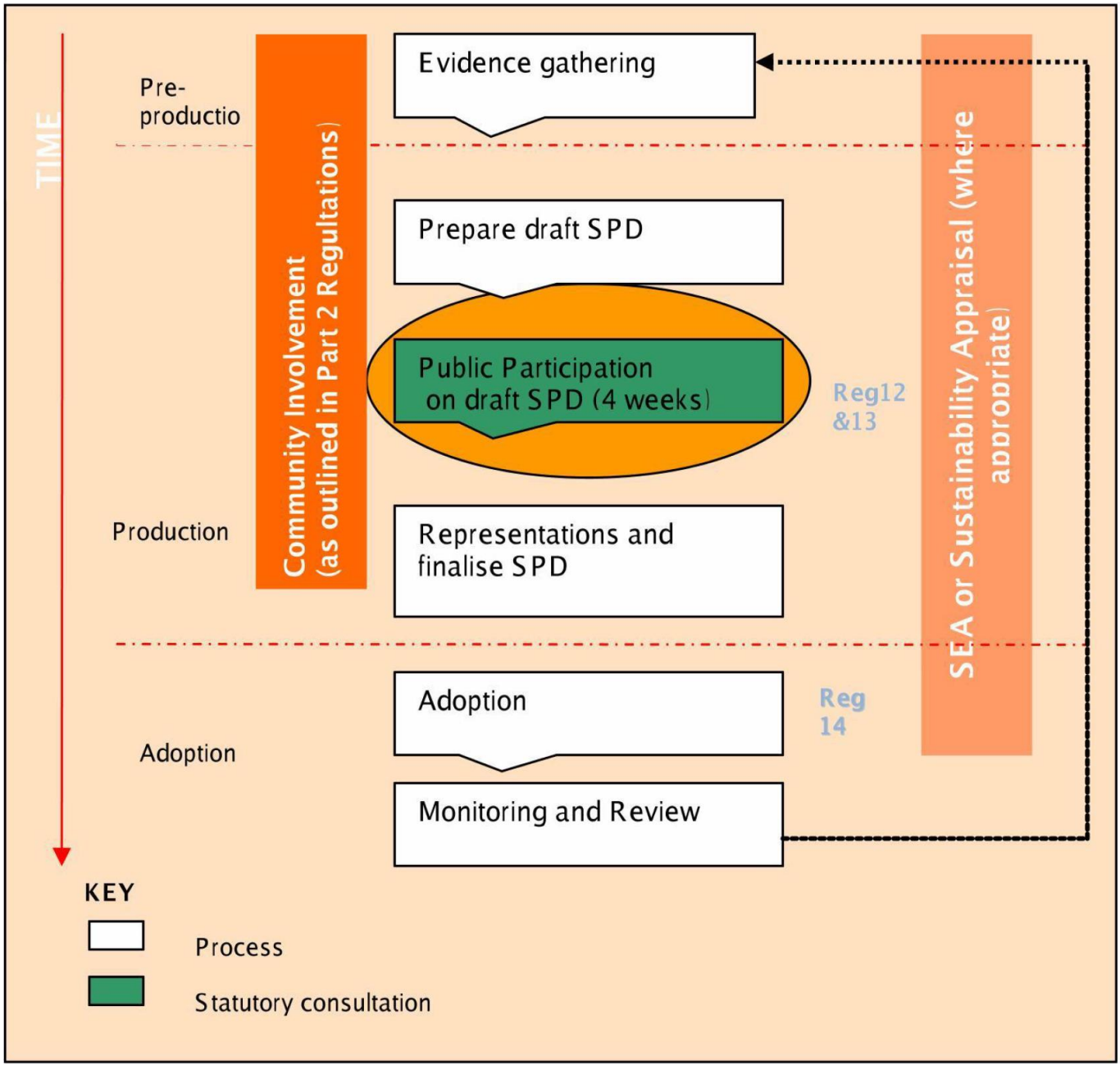


Figure 1: SPD production process in Torbay

2. The built & natural environment and how it affects health

2.1. What is a healthy place?

2.1.1. A 'healthy place' is a good place to grow up, live, work and grow old in. It is a living environment which supports people to live their lives in a state of good physical, mental and social well-being. Healthy places contribute to the prevention of ill health and provide the environmental conditions to support good health.

2.2. The wider determinants of health

2.2.1. Creating and sustaining the conditions which contribute to a healthy place focuses on aspects of human health, disease and injury that are determined or influenced by factors in the environment (CDC, 2014). These factors are commonly referred to as 'the wider (or social) determinants of health'. This Healthy Torbay SPD is focused on how interventions made within the built environment, particularly the through development process managed through the planning system in Torbay, can impact on the wider determinants of health.

2.2.2. The wider determinants of health in the context of the built environment are neatly illustrated via the 'Health Map' (Barton and Grant, 2006). This diagram shows that being in a state of 'good health' is not just determined by age, sex and hereditary factors but actually it is important to recognise the complex causal factors which influence lifestyles. The Health Map shows the significance of 'environment' as being a significant determining factor of health and wellbeing.

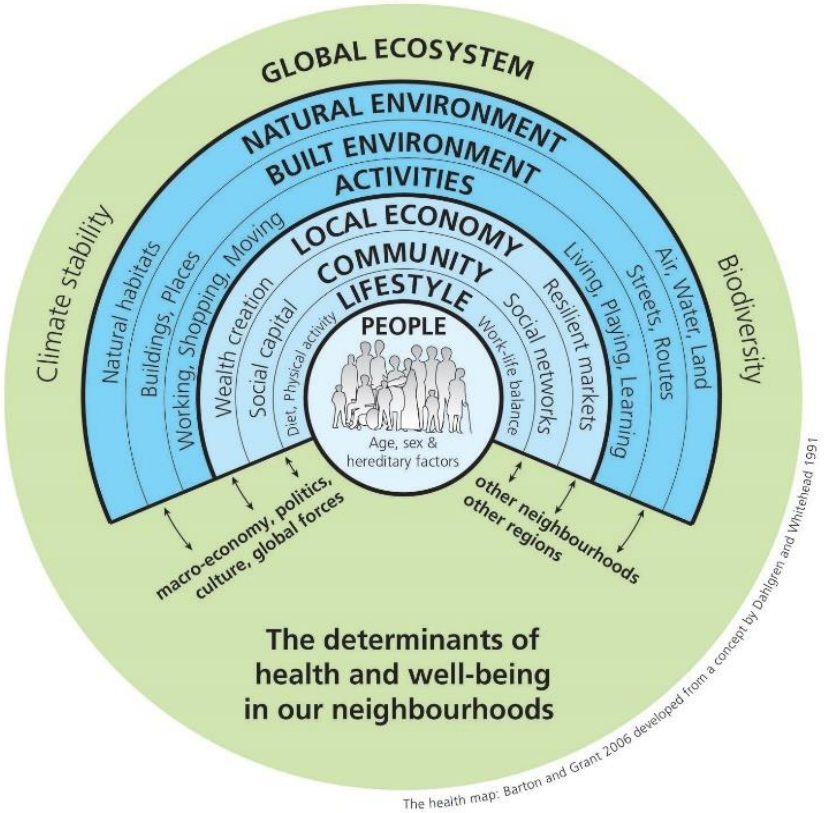


Figure 2: 'The Health Map' (Barton and Grant, 2006)

2.2.3. There is a clear evidence base to suggest that 'environmental exposure' and 'social circumstances' play a significantly greater role in health outcomes than in comparison with simply considering in isolation the quality of 'healthcare' available. In terms of ill health prevention, there is an overwhelming case for taking concerted action on the wider determinants of health.

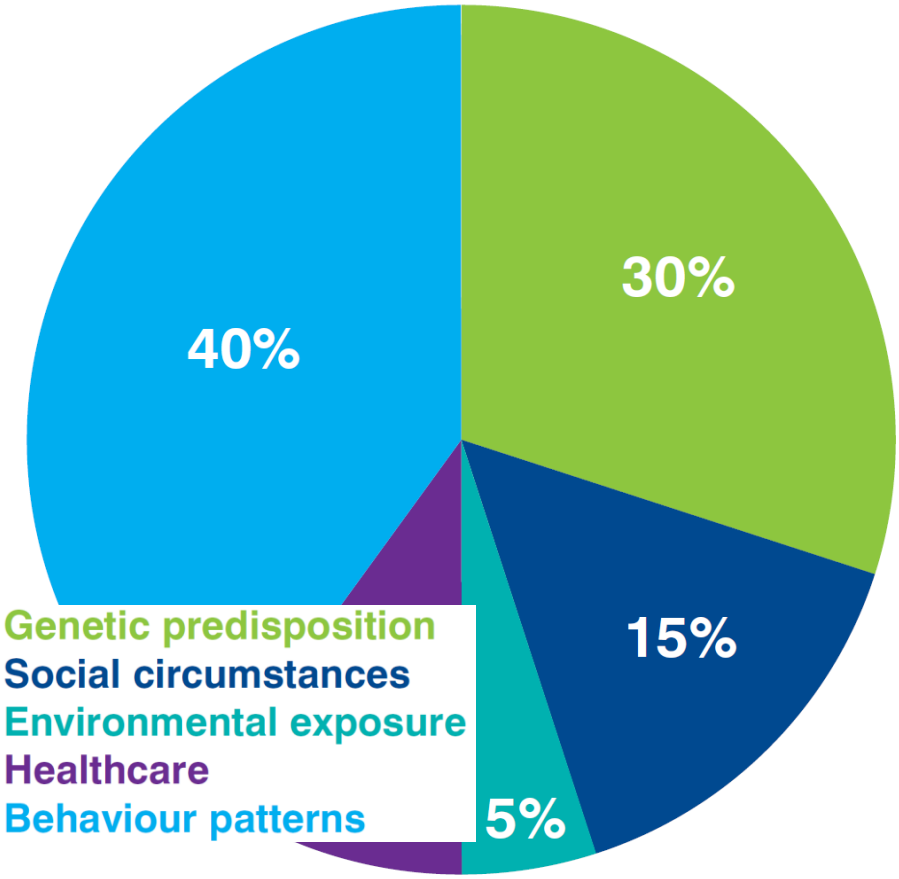


Figure 3: The relative importance of factors which determine health (PHE, 2015 in Torbay Annual Public Health Report 2015)

2.3. How planning and development can affect health outcomes

2.3.1. Decisions taken on planning and development (by investors, decision-makers, landowners, etc.) can directly influence the wider determinants of health. This can be thought of as a health pathway. That is to say, that new developments will result in changes to the built and natural environment which may influence environmental, economic and social matters which in turn impact upon public health outcomes for the population.



Figure 4: Simple health impact pathway to show causal impact of environmental change upon population health

2.3.2. Development can influence a wide range of factors which can lead to impacts on health and wellbeing outcomes. A central aim of the planning system is to deliver sustainable development. The National Planning Policy Framework states that the central purpose of the planning system is to contribute to sustainable development, the meaning of which has economic, social and environmental dimensions. Taken together as a whole, the NPPF

constitutes what sustainable development means in terms of the planning system. The Torbay Local Plan, taken as a whole, provides a supportive and enabling framework to allow sustainable development to happen in Torbay. In the context of delivering a healthier Torbay, delivering sustainable development through the planning process should go hand-in-hand and equate to delivering positive public health outcomes. Indeed, truly sustainable development (impacts balanced across economy, society and environmental issues) are likely to contribute to better public health outcomes. Positive outcomes for public health reinforce what it means to have a more sustainable society and can be a reflection of positive progress and results across the environmental, economic and social impacts of development. Considering the wide scope of issues that can be considered part of delivering sustainable development, and the relationship of sustainable development and health, it is of no surprise that the built environment can influence health outcomes in wide ranging ways (as illustrated in Figure 5).

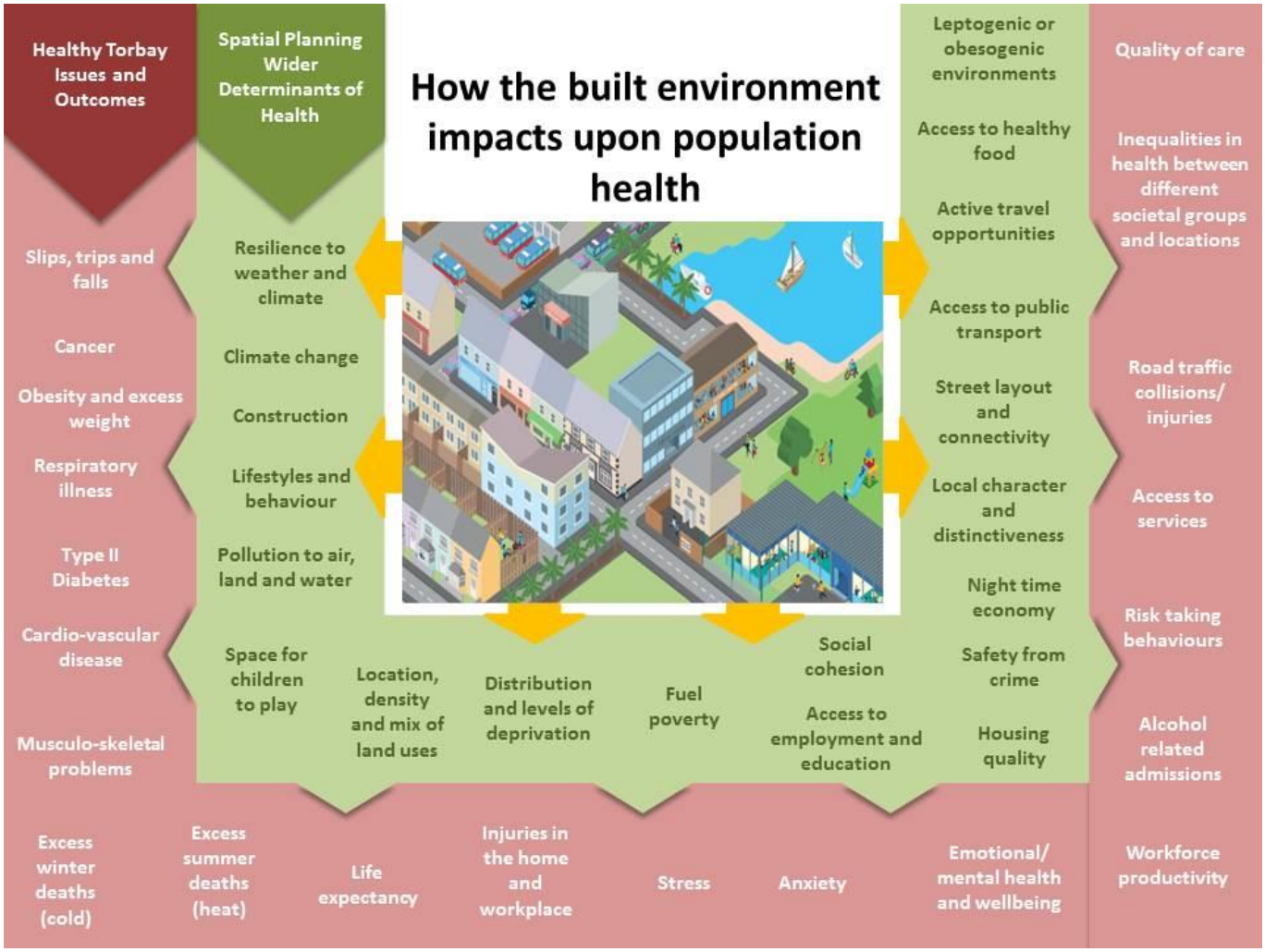


Figure 5: Illustration of the ways in which the built environment can impact population health

2.3.3. For instance, a commercial development might lead to an increase in jobs and employment prospects for those who are unemployed, which may lead to reducing socio-economic inequalities and improved health prospects for those affected persons. Equally, where the development is located, the types of jobs it provides and the opportunities for training targeted at particular segments of the population will also determine the magnitude of benefit that the development will have on inequality. A multitude of other factors relevant to transport, accessibility, urban design will also be highly relevant in contributing to a wide range of health outcomes.

2.3.4. The role development can play in helping to create environments which encourage physical activity is of great importance in the context of health and wellbeing in Torbay and a real opportunity for the planning system. Promoting active design (see Figure 6) as set out in 'Active Design: planning for health and wellbeing through sport and physical activity' (Sport England and PHE, 2015) can help achieve environments which encourage and enable higher levels of physical activity. The benefits of physical activity are multiple in terms of helping to maintain a healthy weight and reduce the risk of cancers, muscular-skeletal issues, cardio-vascular diseases and type 2 diabetes. In addition, there is a clear relationship between physical activity and mental health and wellbeing. Torbay exhibits statistically lower levels of physical activity when compared regionally and nationally and has low overall rates of walking and cycling. Positive planning for active design can help address this issue.



Figure 6 The Ten Principles of Active Design (sourced from Sport England, PHE 2015)

3. Health in Torbay

3.1. Where can I find information on population health in Torbay?

3.1.1. There is a wealth of statistical information across a multitude of indicators related to health and wellbeing which is publicly available and provides an insight into the state of health in Torbay.

3.1.2. At a national level, Public Health England publish the Public Health Outcomes Framework (PHOF) on a quarterly basis which collates a wide range of data from a range of sources and form part of the National Statistics. A huge number of indicators are provided across four domains: wider determinants of health, health improvement, health protection, and health care and premature mortality. Data can be searched for by local authority area and compared to regional and national averages in order to benchmark relative performance: **http://www.phoutcomes.info/**

3.1.3. The Torbay Public Health team produces a Joint Strategic Needs Assessment (JSNA) which looks at the current and future health care needs of the population to inform and guide public health and health commissioning planning. An interactive JSNA for Torbay can be found on our website: **http://southdevonandtorbay.info/**. This allows a range of datasets to be viewed at locality and ward level within Torbay, including via illustrative maps.

3.1.4. These sources of data provide excellent resources for the understanding the context for health in Torbay and the local planning authority encourages applicants to utilise these resources when preparing planning applications, particularly when considering Health Impact Assessment (HIA).

3.2. State of health in Torbay – key issues

3.2.1. The JSNA suggests the following issues are of key general importance in terms of the health and wellbeing of the population in Torbay (note many of the issues listed below relate to indicators for which Torbay is statistically worse that regional and/or national averages):

- Higher rates of adult obesity and childhood obesity
- Lower rates of overall physical activity (and lower rates of walking and cycling)
- Higher rates of child poverty
- Higher rates of crime
- Housing availability, quality, suitability and affordability
- Higher rates of social isolation
- Poorer economic productivity (local economy)
- High proportion of people with long-term conditions
- Higher levels of poverty (particularly related to areas of multiple deprivation)
- High rates of alcohol related admissions

3.2.2. In order to address these issues, we need to address the wider determinants of health (the causes of the causes of ill health) in order to better prevent poor health and wellbeing being experienced by the communities in Torbay. Spatial Planning has a significant role to play in being part of the prevention effort.

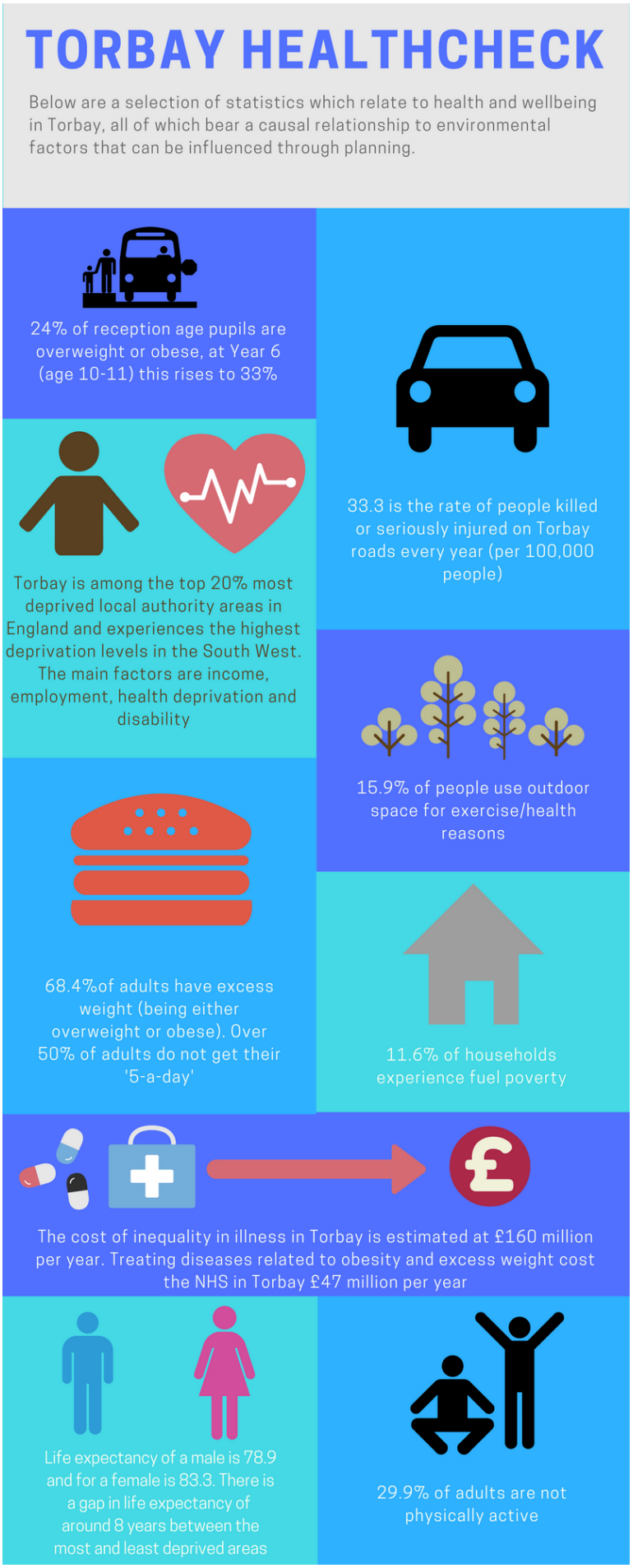


Figure 7: 'Torbay health check' - a snapshot of a selection of public health data in Torbay

4. Healthy food environment

4.1. Nutrition and health

4.1.2. Nutrition is an important factor in determining how healthy the lifestyle of a person is. In the UK, at a regional level within the South West and within Torbay, there is a significant public health problem stemming from the high amounts of calorie rich, energy dense food which is consumed on average across the population, across the life-course (children through to adults). This lifestyle trait is a key factor leading to significant levels of excess weight and obesity being manifest within the population.

4.2. Obesity and excess weight in Torbay

4.1.1. The prevalence of obesity and excess weight in Torbay has increased sharply over the years. It is estimated by the Department of Health that diseases related to obesity and excess weight cost the NHS £44 million in 2010.

4.1.2. Being overweight and obese shortens life expectancy and increases the risk of developing many diseases including coronary heart disease, type 2 diabetes, stroke and some cancers.

4.1.3. The proportion of children who are measured at Reception stage of school as being either overweight or obese is 24.2%. This figure rises to 33.5% at Year 6. Both of these figures are significantly worse than the regional average for the South West.

4.1.4. Among adults 66.8% are overweight (2 out of 3 people) of which 40% of these people are obese.

4.2. The relationship between excess weight, nutrition and hot food takeaways

4.2.1. The government-commissioned Foresight Report of 2007 examined the reasons for the rising and significant levels of obesity and concluded that there were a ‘complex web’ of factors involved ranging from unhealthy diets, low levels of physical activity as well as subtler causes such as societal influences and environmental factors which can make it difficult to make healthy choices.

4.2.2. Torbay has an adopted Healthy Weight Strategy which provides the foundation for a multi-agency approach to tackling obesity, facilitated by the Council and its partners. This approach supports national guidance which states that ‘locally tailored strategies’ should be mobilised to tackle rising obesity based on local evidence and in partnership.

4.2.3. There is evidence to suggest that the presence of hot food takeaways in high numbers has a relationship with increased levels of excess weight and obesity. A 2009 US study showed a positive correlation between obesity and concentration of large numbers of takeaways. Camden Council carried out a literature review of evidence and found that the evidence supported the view that although not the sole causal factor contributing to diet and obesity, the availability of fast food was a significant contributing factor. Furthermore and most recently, an evidence review carried out by Public Health England indicated that increased access to unhealthier food retail

outlets is associated with increased weight status in the general population and increased obesity and unhealthy eating behaviours amongst children (PHE, 2017).

4.3. Prevalence of hot food takeaways in Torbay

4.3.1. Evidence from Public Health England indicates that Torbay has approximately 160 ‘fast food’ outlets. This figure means that there are approximately 120.3 outlets per 100,000 population in Torbay, a figure which shows Torbay having the highest concentration of fast food outlets of any local authority in the South West region and in the highest 7% of local authorities in the whole of England (23rd out of a total of 324).

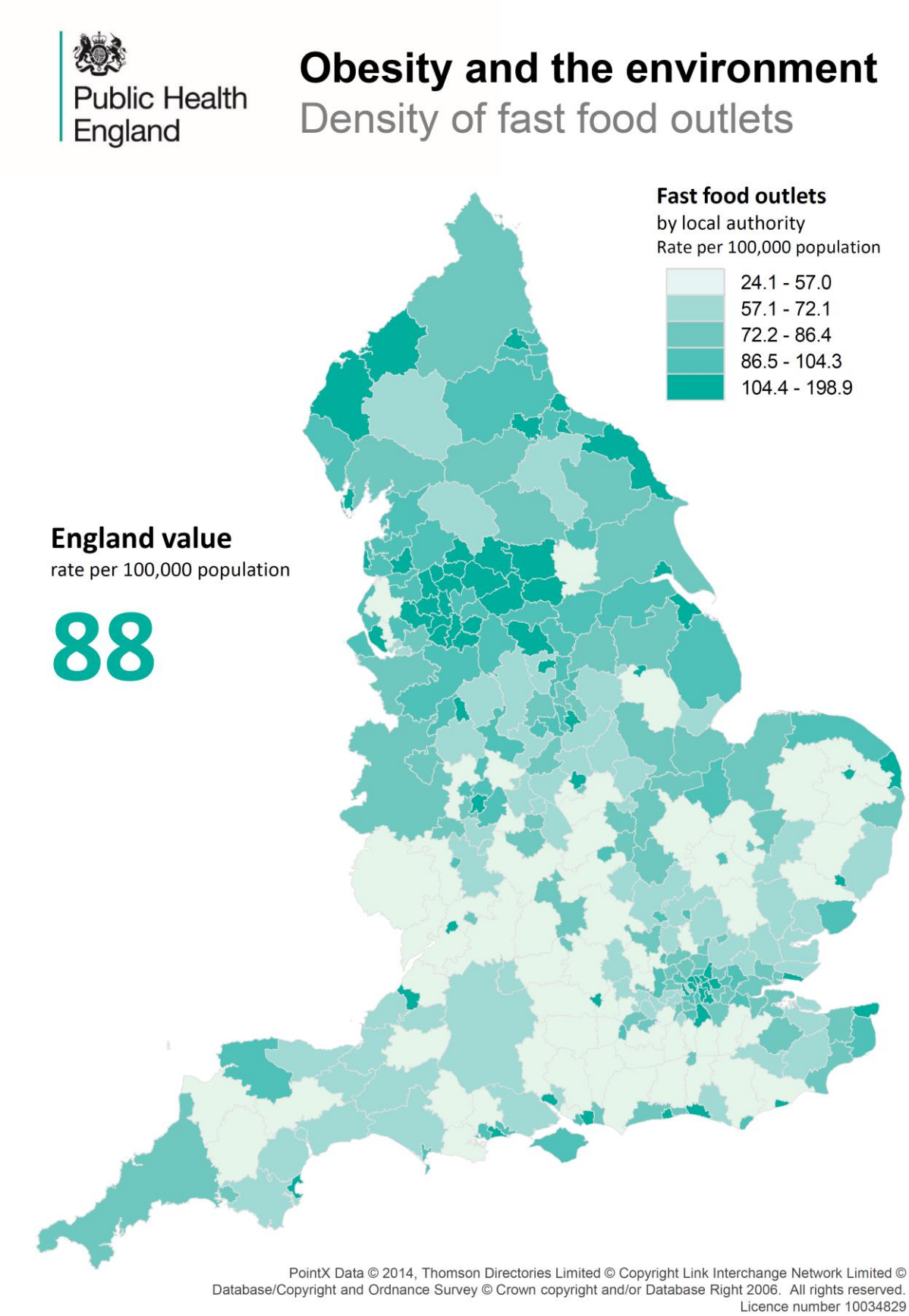


Figure 8: Density of fast food outlets across the UK

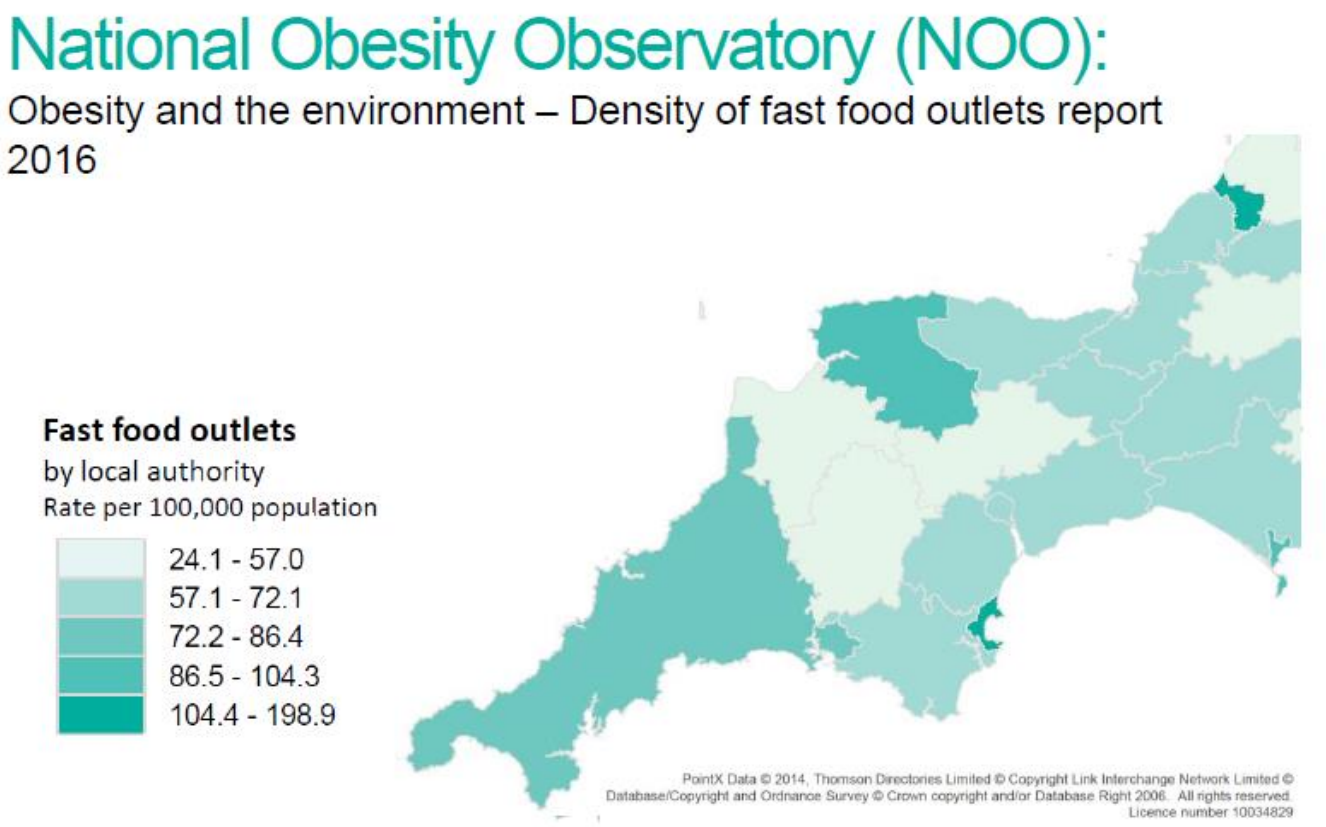


Figure 9: Density of fast food outlets in the South West

4.3.2. Torbay Council has undertaken its own mapping and analysis of hot food takeaways within Torbay. Hot food takeaways have a specific classification under the Use Classes Order. That is to say they are classed as A5 uses ('Hot Food Takeaways') which can sell hot food for consumption off the premises. There are well over 100 premises which fall into the A5 category in Torbay. In addition, Torbay has a significant number of A3 Restaurants which have elements of hot food takeaway as part of their offer. When these A3 establishments are added to the A5 premises the number of places which hot food takeaway meals can be purchased in Torbay rises to well over 200.

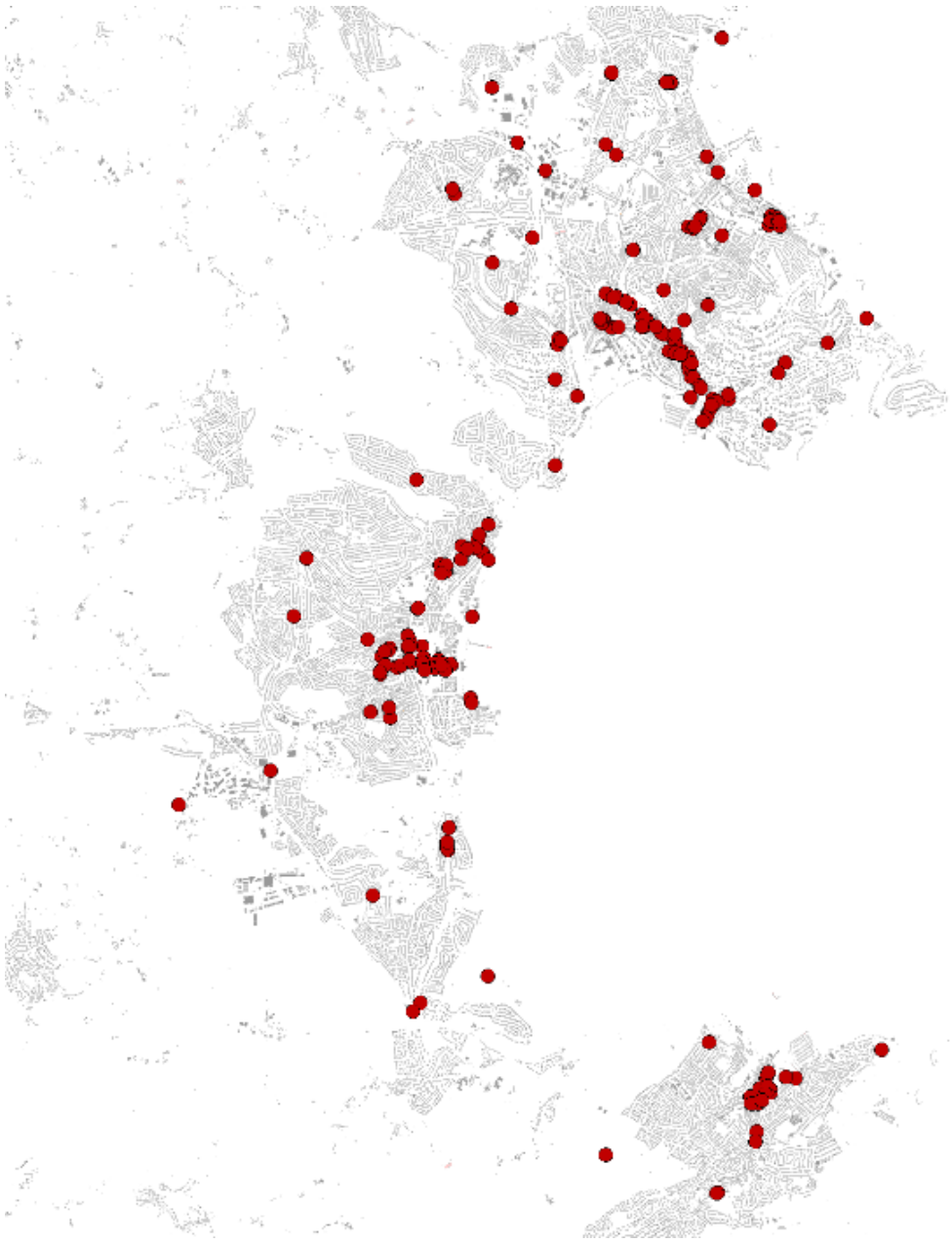


Figure 10: Illustration of existing fast food outlet distributions in Torbay

4.4. Torbay Local Plan policy context and SPD guidance

4.4.1. Policy SC1 (Healthy Bay) of the Torbay Local Plan provides that 'all development should contribute to improving the health and wellbeing of the community' including through 'helping to deliver healthy lifestyles'. The Local Plan provides for any development proposal (proportionate to scale) being asked to assess health impact (formal assessment of health impact e,g, through a process such as HIA) where there is significant reason to suggest health impacts require further consideration. The guidance within this SPD regarding 'managing planning applications which have an element of fast food in order to promote healthy food environments' aims to help add clarity on the need for HIA in respect of planning applications with elements of hot food takeaway and help aid clarity on the circumstances which might generally indicate what is and is not acceptable in terms of the aims of policy SC1. The guidance responds to a significant local evidence base of need to take action and an academic evidence base showing a clear link between the concentration and location of hot food takeaways and impact son healthy lifestyles.

The guidance provides additional certainty for decision-making but should be applied with flexibility on a case-by-case basis as led by specific site and situation circumstances,

4.4.2. Also of relevance are policies TC1, TC2, TC3, TC4 and TC5 of the Local Plan in relation to town centres and retailing.

4.4.3. The guidance within this chapter relates to these policies with reference to dealing with planning applications which relate to development which provide for fast food elements (in relation to A5 and some A3 uses).

4.4.4. This SPD provides guidance to be taken into account when considering the impact on local health outcomes arising from hot food takeaways. This approach is a part of and complements a wider systematic effort to tackle obesity through the Healthy Weights Strategy – it represents part of a 'whole-systems approach' to the issue.

4.5. Guidance for managing planning applications which have an element of fast food in order to promote healthy food environments

4.5.1. Applications for new A5 hot food takeaways will be approved within existing town, district and local neighbourhood shopping centres (as identified in the Local Plan) where they do not harm the health and wellbeing of the community through impacting upon the delivery of healthy lifestyles. Outside of these centres, A5 uses should also be managed in accordance with Policy TC3 of the Local Plan with respect to retail development.

4.5.2. New A5 facilities should not lead to an over-concentration of A5 uses within any one individual centre. In particular, A5 uses should not overly dominate the retail offer within district, local and neighbourhood shopping centres so that they encompass more than 10% of the overall retail frontage within those centres.

4.5.3. Within 400 metres walking distance of secondary schools, applications for new A5 uses will not normally be acceptable unless it can be shown that the proposal would not negatively impact on healthy lifestyles or efforts to reduce health inequalities.

4.5.4. In accordance with Policy SC1 of the Torbay Local Plan, evidence should be submitted alongside a planning application for an A5 use (e.g. a proportionate Health Impact Assessment) outlining the measures taken to ensure that providing an A5 use will not lead to any worsening in the overall rate of hot food takeaway concentration and/or the opportunities to promote health lifestyles.

4.5.5. In relation to the above, planning applications in relation to existing and new A3 uses which intend to have an increase in or new element of A5 hot food takeaway use incorporated as part of their use, will also be considered in the light of the above guidance proportionate to the extent of the overall impact of the 'A5 aspect'.

5. Community Investment Areas

5.1. Community Investment Areas

5.1.1. The Local Plan designates a number of areas within Torbay as 'Community Investment Areas'. These areas relate to areas of significant deprivation (defined as falling within the top 20% most deprived areas in England). Within these areas the Local Plan requires development proposals to take this into account.

5.2. Reducing inequalities through positive investment in the environment

5.2.1. Development proposals should pay special attention to considering ways through which they will support healthier outcomes (including reducing levels of deprivation within these areas) – see Policy SC1

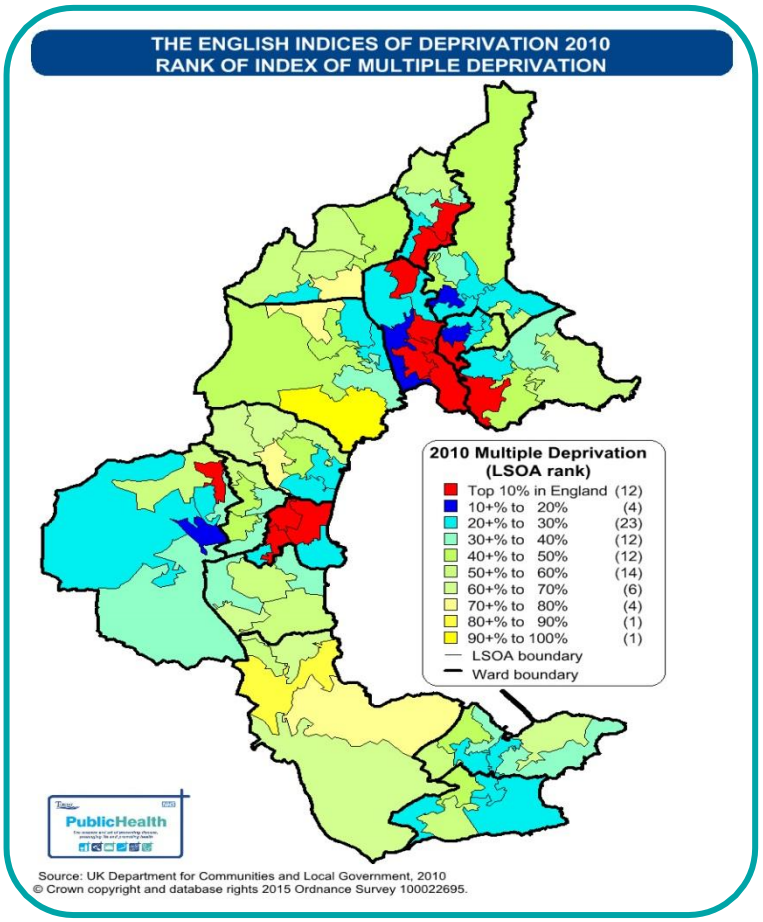
5.2.2. Positive investment will be considered which has the potential to close the gap and reduce inequality within these areas in lieu of other planning gains which would normally be sought (e.g. affordable housing) – see Local Plan Policy SS11. Under these circumstances, evidence of the relative benefit of providing different planning gains instead of affordable housing should be provided.

5.3. Providing a good standard of residential accommodation

5.3.1. Small and medium sized homes will be retained. Change of use of these homes to Houses in Multiple Occupation (HMOs) or small flats will be resisted and guided in accordance with Policy SS11, DE1, DE2, DE3 and H4.

5.4. Index of Multiple Deprivation (IMD) 2015

5.4.1. The Torbay Local Plan based the boundaries for the Community Investment Areas on data from 2010. Since the adoption of the Local Plan, the IMD has been updated (2015). This shows a worsening in levels of deprivation in Torbay since 2010. The total population and area classed as falling within the top 20% most deprived has increased. In order to reflect this change, this SPD updated the boundaries which relates to Community Investment Areas so that the new boundaries reflect the latest data.



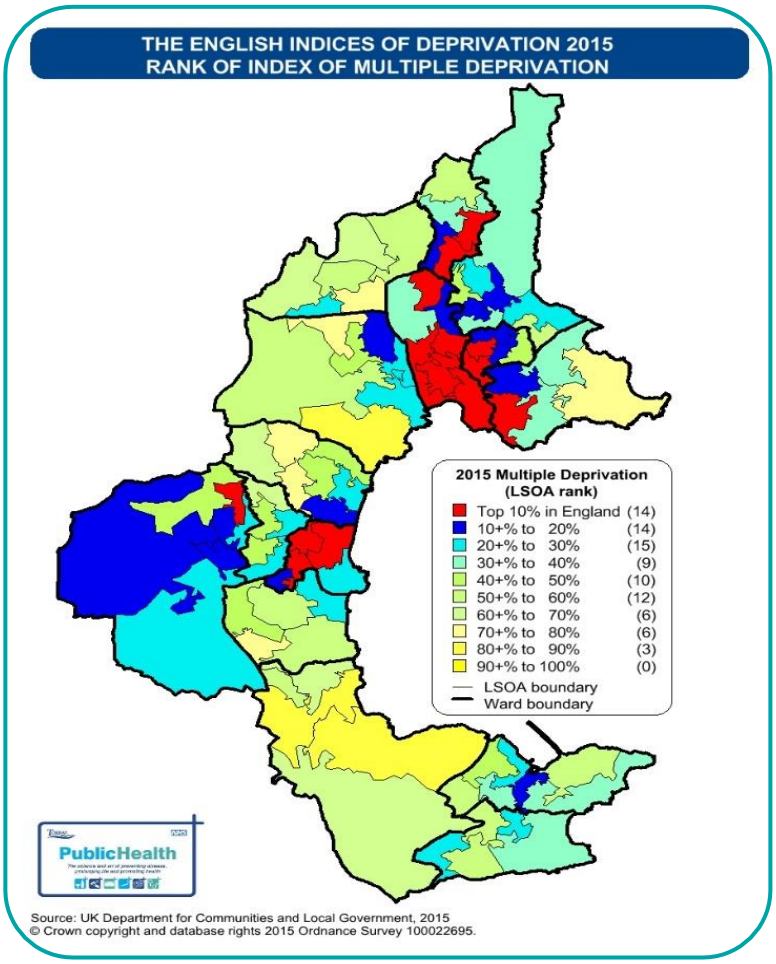


Figure 11: Changes in deprivation levels from 2010 to 2015 (with reference to top 20% most deprived)

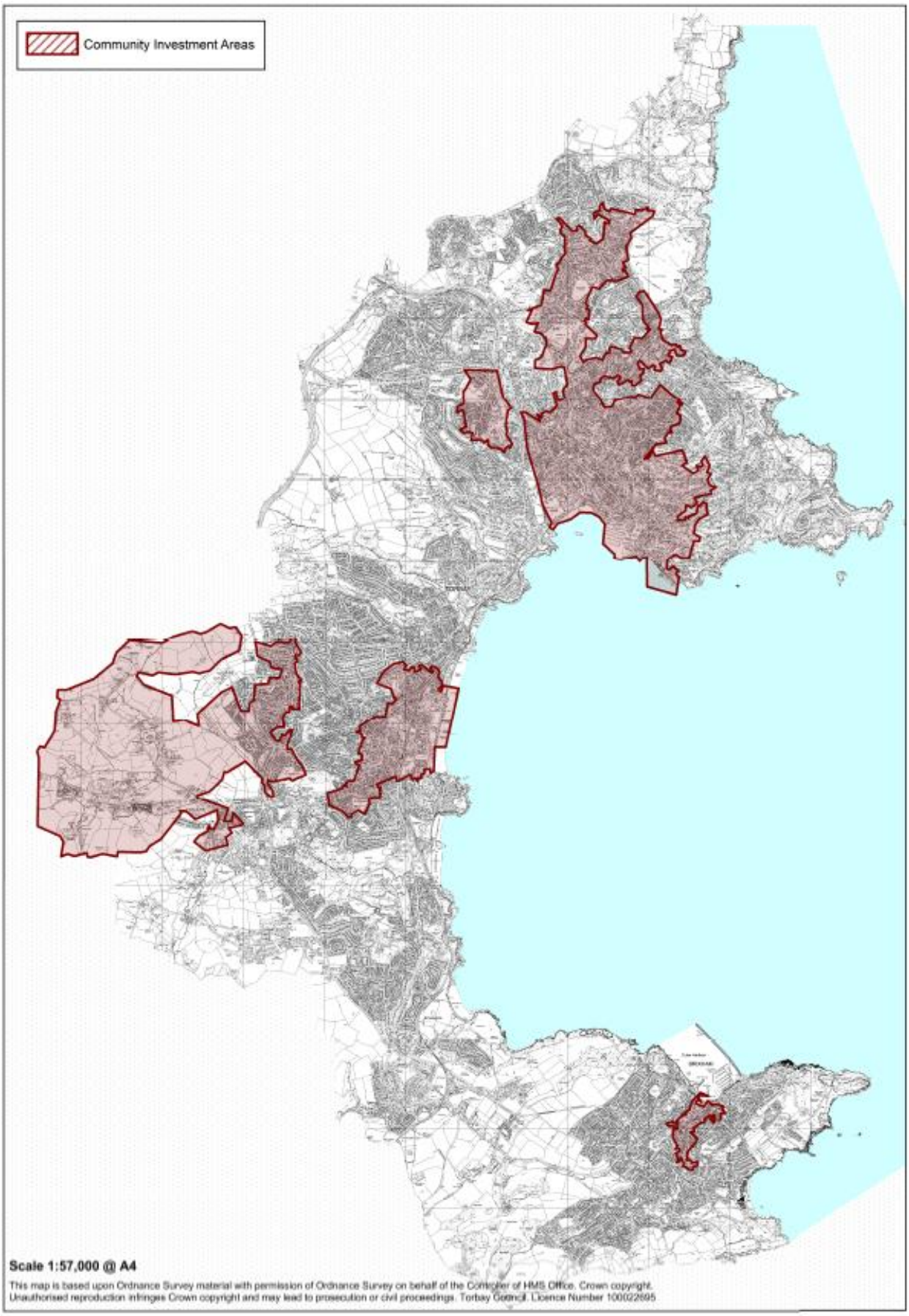


Figure 12: Map to show location of updated Community Investment Areas as reflecting the Lower Super Output Areas (LSOAs) falling within the top 20% ranked most deprived LSOAs in England. Note that this updates the CIA boundaries reflected in the Local Plan

5.5. Houses in Multiple Occupation (HMOs)

5.5.1. Proposals to form new HMOs are managed principally by Local Plan policy H4 as well as SS11, DE1, DE2 and DE3.

Policy H4 Houses in Multiple Occupation (HMOs)

The conversion of HMOs to self-contained dwellings will be encouraged and supported.

Applications for new buildings or sub-division of existing buildings into non-self-contained residential accommodation (HMOs) will only be permitted where the following criteria are met:

1. The property is located within easy reach of public transport and community facilities;
2. An acceptable standard of residential accommodation can be provided;
3. The scale and nature of the use would not harm neighbourhood amenity, for example by way of noise, general disturbance, litter, on-street parking or impact on visual amenity;
4. The proposal would not lead to an over-concentration of similar uses that could exacerbate existing social and economic deprivation or lead to a community becoming imbalanced;
5. The proposal would not adversely affect the character of holiday areas, particularly Core Tourism Investment Areas;
6. Adequate storage facilities can be provided for cycles, waste and recycling collection; and
7. There is supervision by a resident owner or manager, or an appropriate alternative level of supervision. The ongoing management will be secured through condition or s106 Planning Obligations where appropriate.

Figure 13: Policy H4 Houses in Multiple Occupations (HMOs) contained in the Torbay Local Plan

5.5.2. Point 4 of Policy H4 refers to HMOs being permitted where they would not lead to an over-concentration or exacerbate social and economic deprivation. In Torbay, we know that within our most deprived areas (Community Investment Areas) there tends to be a greater amount of smaller residential accommodation, including HMOs. Whilst these properties, properly managed and of a good design in an appropriate setting, can provide affordable, low cost accommodation to occupants, there has been an increase in the provision of these accommodation types which has the potential to lead to imbalanced communities and an overconcentration of these uses. This imbalance may worsen relative levels of deprivation and inequality within these areas compared to the rest of the Bay. Therefore, the presumption in Community Investment Areas (and Core Tourism Investment Areas) will be that HMOs will not be permitted (where they require planning permission).

5.5.3. HMO proposals will only be permitted where the accommodation represents a good standard of accommodation to enable occupants to live a healthy lifestyle (Policy SC1). This is particularly the case in terms of facilities available for communal activity, kitchen facilities to promote home cooking and adequate room sizes. Smaller rooms will be conditioned for single occupancy as part of the planning decision in order to manage issues of overcrowding.

6. Healthy Design

6.1. Torbay Healthy Planning Checklist

6.1.1. In considering development proposals, the following 'Torbay Healthy Planning Checklist' can be used by applicants to act as a prompt for issues related to health and wellbeing in Torbay which might apply to development proposals. The checklist is compatible with Torbay Local Plan policies and can be used in addition to support other assessments which the Council specifies to interpret good quality design such as 'Building for Life' (see Policy DE2 of the Local Plan).

6.1.2. Note that the checklist provides a series of questions which could be asked of development proposals. Depending on the nature of the development proposal, not all questions will be relevant. If an answer to a question is 'yes' this means a development proposal will have adequately considered the issue – the reasons for this should then be documented within the design and access statement or elsewhere within the planning application (or HIA if applicable). If an answer to a relevant question is 'no' then this may indicate that this is an issue which warrants further consideration in order to be compliant with Torbay Local Plan policies with respect to this issue.

6.1.3. The issues listed are not meant to be exhaustive in terms of the healthy planning considerations which might apply to a development proposal but are meant to provide a basic framework and starting point for guiding and embedding health principles into urban design. The issues are grouped around four themes: Travel Torbay, Healthy Homes, Healthy Places and Prosperous Bay.

Theme 1: Travel Torbay (Sustainable Travel)

- Promoting active travel
- Road safety
- Public transport

Theme 2: Healthy homes

- Healthy living
- Accessible homes and environments
- Promoting safe communities
- Affordable housing and mixed communities

Theme 3: Healthy places

- Construction
- Pollution
- Open and green spaces
- Biodiversity
- Local food growing
- Flood risk
- Overheating

Theme 4: Prosperous Bay

- Local employment and healthy workplaces
- Access to and impact on local health services
- Access to local food
- Public realm
- Education

Torbay Healthy Planning Checklist

Theme 1: Travel Torbay (Sustainable Travel)



Issue	Questions	Torbay Local Plan policy requirements/ standards	Importance to health and wellbeing in Torbay
Promoting active travel	**Will the proposal encourage and enable walking, cycling and other active transport?** Issues of relevance could include adequate cycle storage space and measures to promote modal shift as part of Travel Plans. Also consider the transport network (so that footpaths and cycle routes are direct and convenient). Where relevant development proposals should take full opportunity to help achieve the co-location of community facilities and a mix of land-uses to support linked trips. Where a travel plan is being produced, does the plan contain measures to support active travel and physical activity?	Policy TA1, TA2, TA3	Increasing the ability of people to undertake active travel increases mobility, physical activity and accessibility. In particular, enabling active travel offers one of the best ways of increasing overall levels of physical activity across the whole population. Modal shift towards active travel should be sought so that less trips are undertaken by car resulting in improving air quality, road safety and congestion.
Road safety	**Does the proposal make it safer to undertake transport journeys?** Consider all modes of travel where relevant. Applicable concerns could include traffic calming, pedestrian crossings, lighting, highway visibility and impact on existing/new routes.	Policy TA1, TA2, TA3	Road safety measures can be crucial in reducing the likelihood of road traffic collisions, involving walkers, cyclists and vehicles. Increasing the standard of road safety can have positive impacts on increasing the attractiveness of active travel as a travel choice for people.
Public transport	**Is the development accessible via public transport? Are there opportunities to improve access?** Consider existing routes, services and facilities.	Policy TA1, TA2, TA3	Public transport is important for offering connections between where people live, work, and use services. Promoting public transport is a key component of the sustainable transport hierarchy.

Theme 2: Healthy Homes



Issue	Questions	Policy requirements/ standards	Importance to health and wellbeing in Torbay

Healthy living	**Does the proposal provide adequate internal living spaces?** Note the TLP standards, i.e. does it meet the National Space Standard? Is adequate space for waste and recycling storage provided? Are adequate kitchen facilities to encourage home food preparation provided?	DE3, SC1, SS11	Adequate living space is crucial in terms of the quality of life of occupants and affecting healthy lifestyle choices. Development proposals should support good quality living environments which in turn are more likely to promote better outcomes for public health.
Accessible homes and environments	**Does the proposal consider the needs of the disabled and those with particular accessibility needs?** Consider the specific needs of the occupants and promote inclusive design. Note specific TLP accessibility requirement for larger housing developments. As well as dwelling accessibility, consider the transport and access needs of occupants e.g. how will people with acute accessibility needs access services such as local shops, etc.	H6	Promoting accessibility for all users will help to reduce inequalities in health. Torbay has an ageing population demographic which is likely to increase - enabling better access for these groups (including by supporting dwelling adaptations) will support independent living and reduce social isolation.

Promoting safe communities	**Does the proposal consider the opportunities to reduce crime and the fear of crime by promotion of safety and security?** Consider applying the principles of Crime Prevention through Environmental Design (CPED): • **Access and movement -** Places with well-defined and well used routes with spaces and entrances that provide for convenient movement without compromising security. • **Structure -** Places that are structured so that different uses do not cause conflict. • **Surveillance -** Places where all publicly accessible spaces are overlooked**.** • **Ownership -** Places that promote a sense of ownership, respect, territorial responsibility and community. • **Physical protection -** Places that include necessary, well-designed security features. • **Activity** - Places where the level of human activity is appropriate to the location and creates a reduced risk of crime and a sense of safety at all times. • **Management and maintenance -** Places that are designed with management and maintenance in mind, to discourage crime.	SS11 DE1	The principle of Crime Prevention through Environmental Design (CPED) can act as a useful framework for addressing potential sources of crime that may relate to new developments. When the subject of designing out crime is not considered or appropriately addressed in new developments, this can lead to negative impacts for health and wellbeing within communities. In particular, negative perceptions of crime and security can have negative impacts upon mental health.
Affordable housing and mixed communities	**Does the proposal provide affordable housing? Will it support mixed and balanced communities?** Consider the contribution towards meeting local housing needs. Affordable housing should be integrated throughout larger development schemes and the design should be of the same standard as private accommodation so that communities are balanced.	H2	Affordable housing (in various forms) can help provide socially inclusive communities and helps support the needs of people who are unable to access market accommodation due to affordability issues (e.g. young people in Torbay). Providing mixed and balanced communities reduces inequality and supports better social networks.

Theme 3: Healthy Places			
Issue	**Questions**	**Policy requirements/ standards**	**Importance to health and wellbeing in Torbay**
Construction	**Does the proposal minimise the impact of construction on noise, air, land and water pollution?** **Is full opportunity taken to reduce waste production and maximise recycling?** **Are there opportunities for local labour to be utilised during construction, including training /education opportunities?**	SS2, SS14, SC3, W1, W2,	There are a number of ways in which the construction phase of development can impact on health which need to be considered fully. Pollution and waste impacts are important in terms of directly impacting existing communities (physical and mental health). Supporting local labour and education offers a wealth of potential positive benefits on health and wellbeing.
Pollution	**Is pollution to air, land and water minimised?** Consider site layout, landscaping, direct mitigation measures, travel planning, etc.	TA1, W1, DE1, DE3, ER2, ER3	Air quality is an important wider determinant of health for respiratory conditions and cancer. Noise impacts can effect mental health and wellbeing.
Open/green spaces and green infrastructure	**Does the proposal retain existing open and green spaces, support the management/ improvement of existing spaces and/or provide new spaces for the use of the local population? How do the proposals respond to local open greenspace needs?** Consider access, quality and useability of spaces. Proposals for long-term management should be understood. **Will the proposal contribute to preserving and enhancing green infrastructure assets such as street trees, living roofs, green walls, etc?**	SS8, SS9, C4	Access to good quality open and green space is associated with positive impacts on health in terms of promoting physical activity, children's play and recreation, mental wellbeing, connecting with nature and reducing inequalities. Spaces should be well integrated into the public realm and meet the needs/demands of the local community they serve (e.g. families, older people, young people, etc.) The general benefits to health from all types of green infrastructure (e.g. trees, etc.) are multiple. Trees can have positive impacts on air quality, provide comfortable environments (shade, shelter) and help reduce flood risk. Green infrastructure is an integral part of what makes a 'healthy place'.

Biodiversity	**Does the proposal contribute to nature conservation and biodiversity?** Overall net gains for biodiversity should be achieved through the planning process.	SS8, SS9, NC1	Supporting biodiversity and ecology can help increase access to nature which supports mental health and wellbeing.
Local food growing	**Does the proposal provide opportunities for local food growing, for instance through the provision of allotments or suitable greenspace?** Note Policy SC4 for specific requirements for allotments (on schemes of 30+ dwellings).	SC4	Supporting local food growing opportunities supports physical activity, healthy nutrition, connecting with nature and social interaction.
Flood risk	**Does the proposal ensure there is no increased risk of flooding (no net increase in surface run off) wither within or external to the site?**	ER1	The direct impacts of flooding can be both physical and mental. The stress of cleaning up after flooding events and worrying about future risk can be acute. Torbay has been designated a Critical Drainage Area and therefore the importance of reducing flood risk through reducing surface water run-off is crucial. The impact of climate change must be taken into account in future-proofing the future health impacts from flooding on the population.
Overheating	**Does the proposal take account of and respond to the impacts of overheating?** Consider orientation, layout, the use of green infrastructure and the users of the development scheme.	ES1	Torbay experiences a warmer climate than the UK average. Climate change will mean that instances of summertime overheating will increase. This can cause detrimental health impacts for those in housing, workplaces or using outdoor environments (physical and mental). Older persons and very young persons are more susceptible to overheating effects. Particular care should be taken regarding the design of flats, which can be more vulnerable to overheating issues.

Theme 4: Prosperous Bay			
Issue	**Questions**	**Policy requirements/ standards**	**Importance to health and wellbeing in Torbay**
Local employment and healthy workplaces	**Does the proposal provide opportunities for or support the conditions needed to provide growth in local employment (jobs)?** Consider both temporary construction and permanent end-use jobs. **Will the proposal support healthy lifestyles for employees?**	TC1, SS1, SS4, SS5, SC3	Growth in the number and quality of local jobs is important in supporting socio-economic benefits. Economic outcomes are closely linked to health outcomes and vice -versa.
Access to and impact on local health services	**Has the impact on local health services been considered and addressed? (Primary, secondary and adult social care).**	SC1, H6	Accessibility and quality of provision of health services has implications for the quality of care and treatment.
Access to local food	**Is there opportunity to access a range of local food?** **Does the proposal avoid an over-concentration of hot food takeaways?** **Are there opportunities for allotments and/or community food growing?**	SS11, SC1, Healthy Torbay SPD guidance	A proliferation of hot food takeaways can have negative impacts on local nutrition and contribute to higher prevalence of obesity and excess weight. Providing opportunities for local food growing can have positive direct impacts for nutrition but it also can have related positive impacts for health and wellbeing in terms of encouraging physical activity (gardening), social interaction, increasing access to greenspace and positive effects on mental wellbeing, community cohesion and community pride.

Public realm	**Does the design of public realm contribute to creating safe, inclusive and quality environments which encourage social interaction and healthy lifestyles?**	DE1, DE2, DE3, SC1	Public realm/space is crucial in terms of affecting the sense of wellbeing, security and belonging. It is key in promoting physical activity and contributing to vibrant communities. Opportunities to inspire engagement in cultural activities (including arts) through careful design should be sought where possible.
Education	**Has the impact of the development on local educational needs been assessed? Are there opportunities for the development to contribute to education and local training of the population?**	SC3	Access to high quality education opportunities is associated with future earning potential, ability to enter the job market and self-esteem.

7. Health Impact Assessment

7.1. What is Health Impact Assessment (HIA)?

7.1.1. HIA is most commonly defined as “a combination of procedures, methods and tools by which a policy, programme or project may be judged as to its potential effects on the health of a population, and the distribution of those effects within the population” (European Centre for Health Policy, 1999).

7.1.2. HIA, applied for the purposes of development management in Torbay, is a process and tool for assessing both the potential positive and negative impacts of a proposal on health and wellbeing and suggests ways in which opportunities to improve health can be maximised and risks to health or negative impacts on health minimised.

7.2. Why carry out a Health Impact Assessment (HIA)?

7.2.1. Spatial planning and development has the potential to impact upon a wide range of matters which can affect the health and wellbeing of the population in Torbay. Particularly in relation to the wider determinants of health, these impacts can be complex and there are often multiple factors in relation to a development proposal which can affect these determinants. It is important that for significant developments in Torbay that decisions taken on planning applications are fully informed of the impacts on population health and wellbeing that are likely to be created from the implementation of a development proposal. Moreover, HIA, applied early in the planning process can positively help inform the production of development proposals forming part of planning applications so that higher quality development, achieving better health outcomes, can be attained.

7.2.2. Policy SC1 Healthy Bay of the Torbay Local Plan requires screening for HIA to be undertaken for planning applications which deliver 30 or more residential dwellings or 1,000 sq metres of foorspace. Screening for HIA may also be required for developments below this threshold if there are good reasons to indicate that a proposal may give rise to a significant impact on health. Torbay Council encourages applicants to discuss this requirement with the local planning authority in the early stages of the production of planning applications (for instance at pre-application stage).

7.3. Relationship to other assessments (EIA, Design and Access Statements)

7.3.1. Where applicants are required to undertake other assessments in addition to HIA as part of the submission of their planning application, it may make sense to combine those assessments. For instance, where development proposals require Environmental Impact Assessment (EIA) it may make sense to integrate health impacts into the methodology for the EIA. This provides advantages in terms of assessing impacts holistically, using the data sourced from different assessments to help inform each other and avoiding duplication of overlapping data. Where the need for EIA is detailed through a screening and scoping opinion of the local planning authority, the Council will also advise and discuss with the applicant of how the need for HIA (if relevant) can be best incorporated.

7.3.2. In cases where EIA is not required but HIA is required, the HIA should form a stand-alone assessment and separate submission document to the local authority as part of planning applications. It is not recommended that HIA forms part of the Design and Access Statement however the Design and Access Statement should draw on the outcomes of HIA (cross reference) where relevant to support how the design of development proposals has influenced the creation of proposals which contribute to the health and wellbeing of the community.

7.3.3. HIA is designed to support and inform the decision-making process, not replace it.

7.4. How to carry out HIA

7.4.1. There is no statutory framework for defining how HIA should be carried out, however the procedural process is now well established and the main steps are commonly recognised as the following:

1. Screening
2. Scoping
3. Appraisal
4. Developing and making recommendations
5. Ongoing monitoring and evaluation

These steps are further described within this section of this SPD. The process for conducting these steps is also illustrated via flowcharts in Figures 14 and 15.

7.5. Screening

7.5.1. Screening is a preliminary assessment of what health impacts might arise from a development proposal and informs the decision of whether the proposal would benefit from further assessment. As a standalone exercise (even without further HIA) the exercise may prove to be useful in helping to gain a better understanding of how a proposal impacts on health and wellbeing and can inform the development of proposals that respond positively to addressing issues of health and wellbeing. To assist the screening task, a HIA Screening Matrix (Figure 8) is included as part of this chapter and should be used in conjunction with the 'health and wellbeing determinants checklist' (Figure 9). It is recommended that applicants use this matrix format to provide information as part of screening their development proposals for further HIA. Exhaustive detail is not necessary or indeed sometimes possible at this stage. However, it should be possible to complete the various sections in the matrix to provide a clearer idea of what the main issues/effects are likely to be. It can also be useful in determining what potential effects any more detailed appraisal should focus on (i.e. used to inform later scoping if necessary).

7.5.2. Once the HIA Screening assessment has been completed it should be sent to the Council for their comment and review. If, on balance, the proposal would appear to benefit from a more detailed HIA, then a fuller appraisal will be requested to be conducted.

7.6. Scoping

7.6.1. Once the decision to undertake a more detailed HIA is taken, the next stage of the process is to scope the significant likely impacts. This stage of the HIA process aims to understand the key issues which should be focused on as part of the detailed HIA and ensure that they are

addressed in sufficient detail. Impacts and health issues which are unlikely to be significant can be 'scoped out'. It should be noted that there is potential for screening and scoping stages to overlap in certain cases – that's a normal part of an iterative process such as HIA. The Council will take a flexible approach to work with applicants to ensure that effort undertaken at the screening stage is limited to assessing the need for further HIA and information which is more relevant to the scoping stage is only undertaken when and if a screening assessment indicates this is necessary.

7.6.2. To assist this stage, applicants are encouraged to utilise the 'Torbay Healthy Planning Checklist' (see Healthy Design section of this SPD).

7.6.3. As well as looking at the impacts, it is important that the applicant and the local authority is clear on the methodology for the HIA and sources of data to be used. With regards to data, the local planning authority will seek to signpost applicants to sources of available local health data contained in documents such as the Joint Strategic Needs Assessment, etc. Any new data required to understand the health impacts of a particular health issue will be limited to that which is relevant and proportionate to the development proposal.

7.6.4. The local planning authority will agree the scope of the HIA in discussion with the applicant prior to the HIA being undertaken. It may be necessary to involve local stakeholders in the scoping stage of the HIA, indeed this is positively encouraged as part of the community consultation and engagement process. The form of engagement can take many forms and may include focus groups, questionnaires, public meetings, etc.

7.7. Appraisal

7.7.1. The aim of the appraisal is to analyse all of the potential health impacts using the evidence which was identified as part of the scoping stage. Evidence can be quantitative, qualitative or a mixture of both but it is important that any gaps or uncertainties in the evidence base with regards to a particular issue are documented as part of the assessment. The development proposal should be examined closely with all the key elements of the scheme and their relationship to the wider determinants of health recorded.

7.7.2. The assessment should build on the information gathered at the screening and scoping stages. Significant impacts which were identified earlier should be investigated in more detail and there should also be scope within the assessment to consider any unidentified impacts that were not considered earlier. To do this, the appraisal should be systematic and transparent about how the impacts were identified. The use of a checklist, building and expanding on the Torbay Healthy Planning Checklist and HIA Screening Matrix Template, to act as an aide memoir may be helpful in this regard.

7.8. Developing and making recommendations

7.8.1. Recommendations should aim to eliminate/or minimise the potential negative impacts of a proposal which are identified as part of the appraisal and create or maximise positive impacts, where there is realistic opportunity to do so.

7.8.2. It is important to provide a coherent and holistic set of recommendations which relate to the proposal as a whole. It is likely that individual recommendations relating to tackling a specific impact may themselves impact upon a different feature of the development (e.g. a

recommendation for significantly reduced car parking whilst potentially stimulating modal shift may impact upon the economic viability of a commercial building – both can be considered health impacts). This therefore requires coming to a view on which recommendations should/could be taken forward in order to deliver the maximum overall benefits for health and support the deliverability of the scheme.

7.8.3. Note that as part of making recommendations (and the appraisal) itself the local authority expects that clear evidence of community engagement is provided as part of the report. The local authority places significant importance on community intelligence informing HIA.

7.9. Ongoing monitoring and evaluation

7.9.1. It will often be necessary that future monitoring is carried out regarding a development proposal in order to check the health impacts arising. Indeed, recommendations on the nature of monitoring are expected to be included as part of the recommendations. Any monitoring should be proportionate to the development proposal.

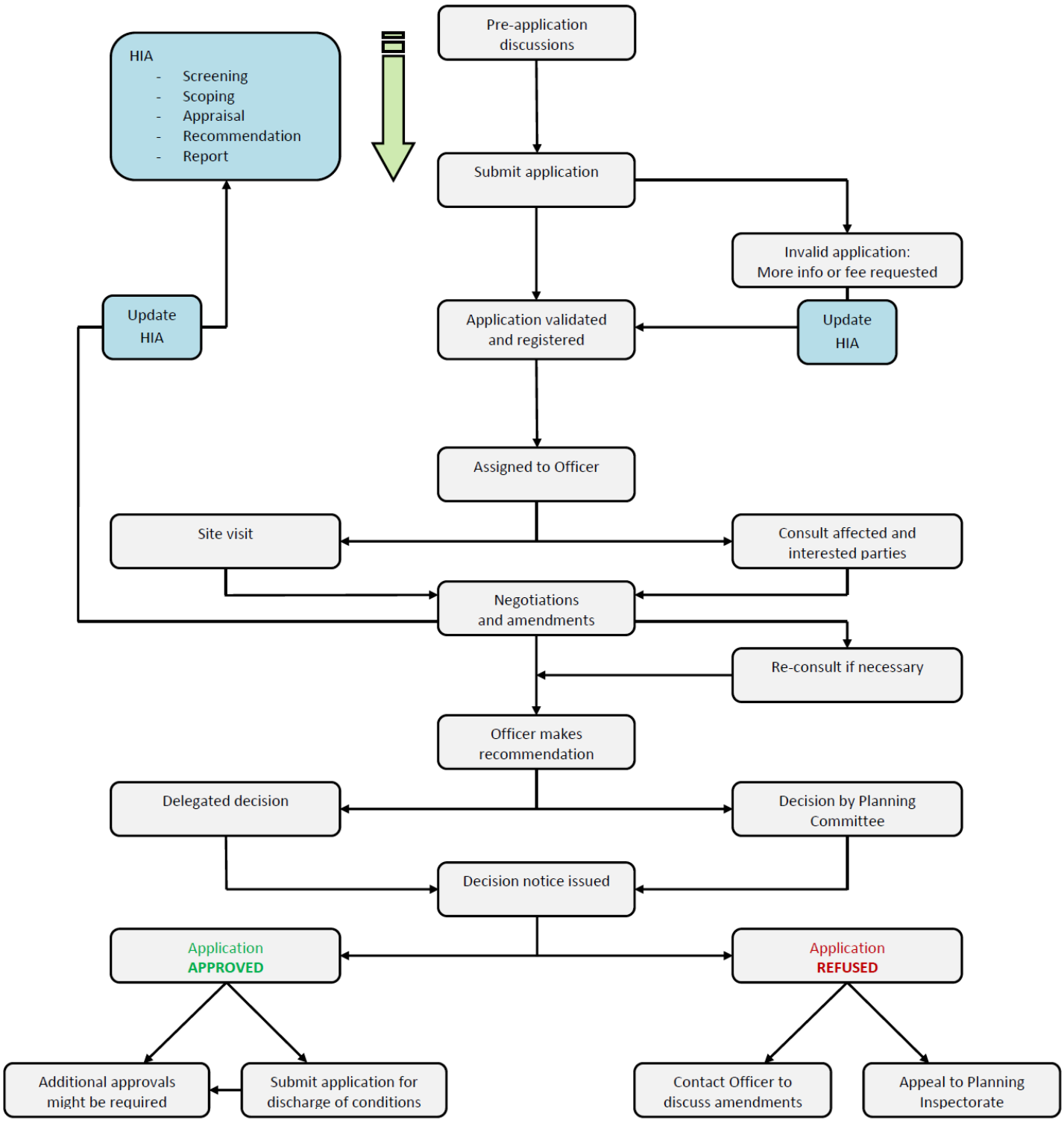


Figure 14: Planning application process and the relationship to HIA

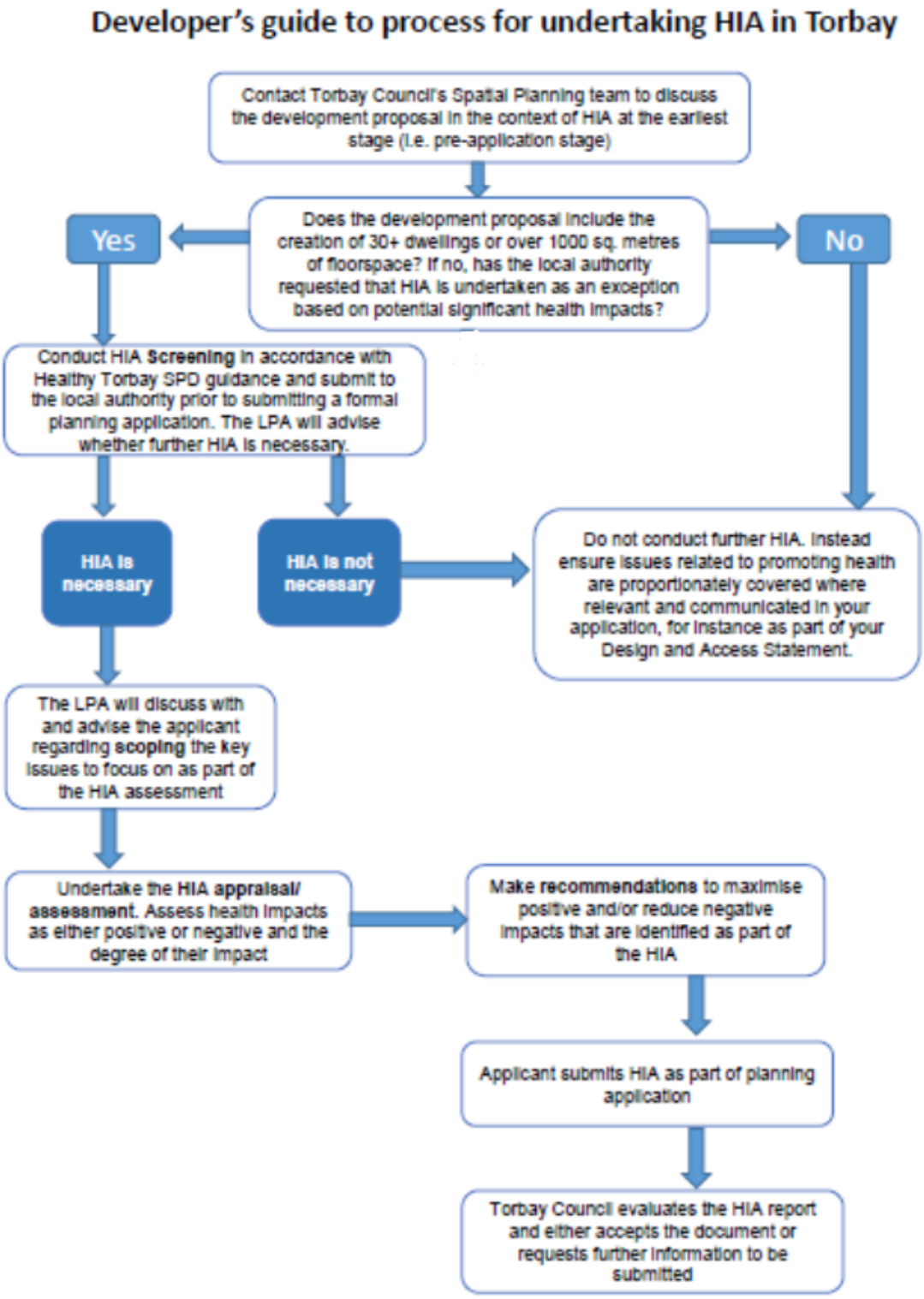


Figure 15: Developer's quick-guide to process for undertaking HIA in Torbay

Health and wellbeing determinants	List health impacts identified	Positive or negative	Population groups affected	Is this impact significant?	Justification and reasoning
Individual lifestyles					
Social and community influences					
Living and Environmental conditions					
Economic conditions					
Access and quality of services					
Any other direct or indirect effects on health					

Figure 16: HIA Screening Matrix Template Example

WIDER DETERMINANTS	
Lifestyles	• Diet and nutrition • Opportunities for physical exercise • Use of alcohol, cigarettes, non-prescribed drugs • Sexual activity • Other risk-taking activity
Social and community influences on health	• Family organisation and roles • Citizen power and influence • Social support and social networks • Social cohesion / inclusion • Crime and community safety
Living/environmental conditions affecting health	• Built environment • Neighbourhood design • Walking and Cycling routes (active travel) • Housing • Indoor environment • Noise (from traffic, industry, neighbourhood) • Air quality and pollution • Attractiveness of area • Natural Environment (access to green and open space) • Smell/odour/nuisance • Waste disposal • Road hazards • Accidental Injury and hazards • Quality and safety of play areas • Contaminated Land
Economic conditions affecting health	• Unemployment • Income • Economic inactivity • Type of employment • Workplace conditions • Economic Development
Access and quality of services	• Health and Medical services • Adult and Social Care services • Leisure and recreation • Shops and commercial services • Healthy Food • Public amenities • Public Transport • Education and training • Information technology •

POPULATION GROUPS (Vulnerable or disadvantaged)	
Note that the target groups you identify as vulnerable or disadvantaged will depend on the characteristics of the local population and the nature of the proposal itself. The most disadvantaged and/or vulnerable groups are those which will exhibit a number of characteristics, for example children in living poverty. This list is therefore just a guide and you may like to focus on groups that have multiple disadvantages. You will also want to assess the impact on the general adult population and/or assess the impact separately on men and women. Please note that this list is a guide and is not exhaustive.	
Age related groups	• Children and young people • Older people
Income related groups	• People on low income • Economically inactive • Unemployed • People who are unable to work due to ill health
Groups who suffer discrimination or other social disadvantage	• People with disabilities • Long term chronically ill • Refugee groups • Travellers • Single parent families • LGBT community • Ethnic minority groups • Homeless
Geographical issues	• People living in areas known to exhibit poor economic and/or health indicators (e.g. deprived areas in the top 20% of rank for deprivation – 'Community Investment Areas') • People living in isolated/rural areas • People unable to access services and facilities

Figure 17: HIA Health and wellbeing wider determinants and population group checklist (to assist with completing the 'HIA Screening Matrix Template Example')

8. Planning for health and care provision

8.1. Managing development proposals relating to health and care facilities

8.1.1. The local authority supports the delivery and management of facilities relating to providing health and care in line with the aims and plans of the Integrated Care Organisation in Torbay. The local authority will work with its partners in Torbay and South Devon NHS Foundation Trust (TSDFT) and the South Devon and Torbay Clinical Commissioning Group to support proposals which deliver and support health and wellbeing in Torbay. This includes primary services, secondary services and adult social care.

8.1.2. Decisions taken regarding the provision of new or removal of existing health and care facilities will be done so in consultation with partners. Development proposals should support and be joined-up with wider local plans for the delivery of healthcare. For instance, in the case of alterations to GP premises it would be expected that planning applications would provide evidence of support from the South Devon & Torbay Clinical Commissioning Group (or equivalent).

8.1.3. For major development proposals which are likely to have a significant impact on health services, early engagement with the Clinical Commissioning Group will be undertaken in order to assess the impact. In some circumstances it may be necessary to secure the provision of enhancements to health facilities either as part of development proposals or through the enhancement of nearby facilities. In such cases this will be secured via a Section 106 agreement (with delivery time-frame and fall-back option if necessary). These issues should be assessed where relevant as part of Health Impact Assessments.

8.1.4. Applicants should pay particular attention to relevant guidance such as the local authorities Market Position Statement for Torbay for Adult Social Care and Support and Children's Services 2016, the emerging Accomodation with Care Strategy the South Devon and Torbay Local Estates Strategy (and any future updated versions).

8.2. New models of care

8.2.1. Delivering new models of care in Torbay is a shared aim of public sector health partners (forming part of the Torbay Healthy and Wellbeing Board) in the Bay. It means focusing on the health and wellbeing of the local population, preventing ill health and improving the quality of care and support, working in partnership with communities. Care will be increasingly centred around people and the communities in which they live. Development proposals should align with this local strategy.



Figure 18: Vision for care and support (taken from A Market Position Statement for Torbay for Adult Social Care and Support and Children's Services 2016)

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Adult Care Strategic Agreement

Between:

Torbay Council
and
Torbay and South Devon NHS Foundation Trust

For the delivery of:

Adult Social Care April 2020 to March 2023

Final

DRAFTING NOTE:

- THIS DOCUMENT REMAINS DRAFT UNTIL APPROVED BY BOTH PARTIES. IT IS BEING CONSIDERED BY BOTH THE TRUST AND THE COUNCIL THROUGH STANDARD GOVERNANCE PROCEDURES

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Introduction

The Strategic Agreement is the working document between Torbay Council (the Council) and Torbay and South Devon NHS Foundation Trust (the Trust) which supports the Partnership Agreement between the organisations for the delivery of Adult Social Care within Torbay. The Adult Care Strategic Agreement (ACSA) is set in the context of the Risk Share Agreement established between the Council, the Trust and Devon Clinical Commissioning Group (the CCG). The ACSA is aligned with the Council's Community and Corporate Plan and the Trust's Operational Plan.

The organisations have a history of working collaboratively within Torbay and are part of the Devon-wide Sustainability and Transformation Partnership. The organisations continue to evidence their strong partnership role in working on both local and Devon-system-wide solutions to use resources to best effect.

This close working is being further developed with the ambition for the formation of a Local Care Partnership within the term of this agreement which will create further links and alignment with the Devon health and cares system.

1.1 Scope of the Agreement

The scope of this agreement is Adult Social Care (ASC) services provided for the population for which Torbay Council is accountable. This will include the statutory duties and obligations in respect of the delivery of ASC services for people who are resident in Torbay but will also include people placed in accommodation in other areas of the country where national policy dictates that the Council remains the accountable authority.

In addition to the services described in this Agreement, the Trust provides other services, including those commissioned by the CCG, NHS England specialist, dental, and screening teams.

Torbay Council also commissions additional services from the Trust including, the Drug and Alcohol Service and the Lifestyles, Health Visiting, and School Nursing service which are commissioned by the Council's Public Health team.

Within the integrated approach of the Torbay care system the parties work jointly to ensure effective and efficient delivery of services. The Trust holds the budget for areas such as Autism, Learning Disabilities and Mental Health. Aspects of these are delivered through other organisations such as Devon Partnership Trust. The system partners will collaborate to ensure a continuous improvement approach to the delivery of care. Roles and responsibilities continue to be reviewed to ensure best use of resources and optimised outcomes.

1.2 Summary of services to be provided

The services provided under this agreement will include:

- Provision of information and advice to people enquiring about ASC services;
- Assessment of need for social care services, including the provision of rehabilitation and reablement services, and an Emergency Duty Service;
- Commissioning and monitoring individual packages of care, including case management assessments under the Mental Capacity Act, Liberty Protection Safeguards (formerly Deprivation of Liberty safeguarding) and engagement in

Court proceedings;

- Monitoring of the quality, performance, and cost of services provided by Trust staff and other providers;
- Safeguarding the needs of adults and older people living in Torbay. This includes delivery of Torbay Council's operational safeguarding responsibilities, servicing the Torbay Adult Safeguarding Board, investigations of individual safeguarding concerns and whole homes investigations;
- Voluntary and Community Sector development and coordination in support of independence, self-care, enablement and improved quality of life;
- Ensuring that services are provided in a cost effective way whilst still offering choice where people are entitled;
- Collection of income for chargeable services, including and assessment of an individuals' financial circumstances and ensuring that people are receiving any welfare benefits to which they are entitled;
- The collection, collation and submission of activity information and performance returns as required operationally, by the Council and to meet local, regional and national requirements and statistical returns;
- The collection, collation and submission of financial returns and budget reports as required operationally, by the Council and to meet local, regional and national requirements and statistical returns;
- Benchmarking Torbay Council's performance and cost against similar Local Authority areas, England and the South West;
- Input to the Joint Strategic Needs Assessment (JSNA) and housing needs assessment as required to ensure strategic commissioning plans and market management is based on relevant, accurate, quality and timely data;
- Procurement and monitoring and management of the local market to ensure sustainable, good quality and affordable services within the strategic approach set by the Council's Adult Social Care and Partnership Commissioning Team in conjunction with Devon Clinical Commissioning Group through decision making structures as recorded in the governance within this document
- Delivery of agreed plans including Adult Social Care-Improvement Plans and those agreed through the Better Care Fund including the commitments to optimise the application of the Disabled Facilities Grant.

2 Adult Social Care Commissioning Priorities

The Council's Community and Corporate Plan One Torbay: Working for all Torbay (2019-2023) includes the ambition
'We want Torbay and its residents to thrive' and the mission
'To be a Council that supports, enables and empowers its residents, our communities and our partnerships.'
The Adult Care Strategic Agreement is designed to support the delivery of the plan. It is the Trust's responsibility to ensure the underpinning commissioning activities and associated delivery are supported by timely and accurate data collection and information provision including, finance and performance management information on independent and community voluntary sector contracts and Service Level Agreements held by the Trust. Key areas for development during the period of this contract include:

2.1 New Models of Care

- Wellbeing and independence and supporting people to lead the most fulfilling lives that they are able to are at the heart of the approach to care along with using strengths based approaches and community assets to achieve this with those being supported.
- Living Well@Home development programme being a market wide programme in support of the new model of care;
- Support the development of a vibrant voluntary and community sector within the context set by commissioners
- Reducing demand through prevention and early intervention and asset based approaches
- Accelerated innovation particularly in relation to digital offers to support the delivery of timely and proportionate interventions, upskilling of care staff to support the workforce to work to the top of its license, and to provide holistic, multidisciplinary interactions with clients and patients
- A focus on co-design with the community and voluntary sector and Torbay residents.
- A focus on improving independence and reducing demand via a redesign of community services with the community and voluntary sector, including a 'front door' via the community and voluntary sector.
- Council investment in high quality options to support the local care market. This will support independence and the most vulnerable, including projects in extra care housing and residential/nursing for those with dementia.
- A focus on One Public Estate, to maximise the use of statutory sector estate and funds for the benefit of people in Torbay
- Refreshed governance and performance, to hold all organisations to account and within the Council Governance processes.

These will be supported by the development of a detailed approach to Information and Advice provision (in relation to ASC services), a strategic plan for the support of enablement of individuals by the use assistive technology alongside a refreshed strategy for the development of the Voluntary and Community Sector.

2.2 Autism Spectrum Conditions

- During 20/21, provide Autism awareness training for social care staff who come into contact with people with autism and ensure compliance with the

Core Capabilities Framework commissioned by Health Education England, which is a key objectives for workforce development in delivering the Autism Strategy.

- During 20/21, ensure that staff of organisations and agencies commissioned by the Trust who come into contact with people with autism have appropriate knowledge and skills, through the provision of Autism Spectrum Conditions awareness training, positive behaviour support and crisis planning;
- Provide specialist training for key staff in the trust who come into contact with people with Autism Spectrum Conditions, including reasonable adjustments.
- To actively contribute towards the reduction in people admitted to hospital under the Mental Health Act by improving understanding, skills, knowledge and support in community services, responses from specialist Approved Mental Health Practitioners (AMHPs), access to community treatment reviews and the Blue Light Protocol
- Provide training and support to social care staff on completing Care Act assessments for people with Autism Spectrum Conditions ;
- Improve the offer of Peer Support for people with Autism Spectrum Conditions through seed funding of small peer support groups
- Key partner and in the development and delivery of the Joint Learning Disability and Autism Strategy and action plan, following the Association of Directors of Adult Social Services (ADASS) Peer Review.
- Develop and sustain an Autism Spectrum Conditions Programme Board (during 2020) being mandatory requirement.
- Strengthen and improve the quality of the supported living market for people with Autism Spectrum Conditions diagnosis through procurement of Supported Living Shared Hours and Supported Living 1:1 Hours contract.
- Improve access to employment, education and welfare benefits through the provision of accessible information and advice services.
- Assessments for people with Autism Spectrum Conditions;

2.3 Learning Disabilities

Torbay Council, along with Plymouth City Council, Devon County Council and Devon CCG is signed up to a joint strategy 'Living Well with a learning disability 2018-2021' for adults with a learning disability, including young people who are approaching adulthood.
https://democracy.devon.gov.uk/documents/s21597/Joint%20Strategy%20for%20Adults%20with%20Learning%20Disability%20FINAL.pdf

The refreshed strategy (2018-2022) sets out what we will do together across Devon, Plymouth and Torbay that is best enabled by working at scale. This currently includes:

- Working more closely together to have more appropriate housing that meets the range of needs of people with learning disabilities.
- Working together with local communities, Housing Authorities, District Councils to understand how people are currently supported, and also where they want to live and how they want to be supported. This joint understanding of what is needed in the future to help people achieve what matters to them, will enable us to produce a market development plan.
- Supporting more people with a learning disability in Torbay to develop their skills and find and keep a job, and also increasing the number of opportunities for employment across Devon, Plymouth and Torbay.
- Working together to improve access to healthcare for people with learning disabilities, so that they have improved physical and mental health outcomes

and live longer as a result. The Learning Disability Treat Me Well work and the new Quality Checkers have been looking at accessibility of treatment for people with learning disabilities across Devon and including Torbay hospital.

- Increasing the opportunities in communities for people to live as independently as possible, which means that a wide range of services which are easy to use for people with a learning disability.
- Supporting young people with learning disabilities to develop independent life skills, so that they can lead fulfilling lives as adults.
- Ensuring people with learning disabilities are safe in their communities
- Making sure that we always listen to people with learning disabilities and their families/carers about what matters to them, and include them in decisions about their lives and also the development of services and strategies. The development of the Torbay Learning Disability Partnership Board will support and be a vehicle for this.
- Supporting carers to be able to care throughout the different stages of their lives.
- Developing a diverse and sustainable supported living market for people with learning disabilities

2.4 Mental Health

Torbay Council has statutory responsibilities for providing services to eligible people with poor mental health under the Mental Health Act 1983, NHS and Community Act 1990, and the Care Act 2014, which are delegated to the Torbay & South Devon NHS Foundation Trust. These include:

- Approval and provision of 'sufficient' numbers of Approved Mental Health Practitioners (AMHP);
- Guardianship under section 7;
- Financial and Budgetary responsibilities for the whole Mental Health budget, including activity below assigned to DPT.

Mental Health services will be delivered by the Trust in partnership specialist providers as appropriate, for example Devon Partnership Trust. This is in compliance with Torbay Council's statutory duties under the Care Act, Mental Health Act and other relevant legislation, including:

- Aftercare under section 117;
- Care management services, including operational brokerage of social care packages.
- Implementation of the Community mental health framework

The priorities for the commissioned service in 2020/23are outlined in the Adult Mental Health, Joint Delivery Plan between the Council, Torbay & South Devon NHS Foundation Trust (TSDFT) and its partners. Close working with other commissioners such as the CCG will see this developed and monitored through Adult Social Care Performance Committee as recorded in the governance structure.

- Trust finance team support for improvement plan and development and implementation of cost improvement projects. Torbay Council Commissioners to agree improvement plan and development of cost improvement projects with partners
- Support for integrated personal care planning and brokerage including implementing and embedding systems plans.

- Review and redesign of all current assigned staff roles within the Adult Mental Health contract to ensure value for money and focused approach to delivering better outcomes for people with mental ill health.
- A sustainable supported living market for people with a Mental Health diagnosis through procurement of Supported Living Shared Hours and Supported Living 1:1 Hours contract
- A review of under 65s MH services, including focus on asset and community based wellbeing and prevention

2.5 Social Care Workforce

- Ensure sufficient professional leadership and support to changes to the workforce and implementation of new ways of working;
- Develop capacity within the workforce to deliver the services and provide contingency working and engagement in co-producing new approaches to care work e.g. Trusted Assessor models.
- The opportunity for continued development of the potential for shared arrangements across the Devon Integrated Care System is kept under review not only in respect of commissioning but for aligned service provision to support further enhancements to effective and efficient service delivery. Local initiatives include:
- Continued development of working arrangements for clarity of roles and responsibilities with the growing independent and voluntary sector;
- Supporting engagement with independent and voluntary sector providers through the multi-provider forum and associated groups.

2.6 Safeguarding Adults

The Trust will deliver the operational safeguarding duty on behalf of Torbay to:

- Prevent abuse and neglect wherever possible, understand the causes of abuse and neglect, and learn from experience;
- Ensure all organisations embed learning from incidents and case reviews;
- Improve multi-agency practice and processes to improve individual safety planning as part of care and support plans and safeguard adults in a way that supports choice and control and improves their lives;
- Provide information and promote public awareness to enable people in the community to be informed so that they know when, and how to report suspected abuse.
- Work with strategic commissioners and in partnership with independent and community voluntary sector organisations to identify and address issues early preventing escalation through focused service improvement planning to reduce and streamline the number of current safeguarding processes.

2.7 Carers

In line with the priorities established through the redesign of Carers' services the Trust will continue to deliver operational duties to support carers on behalf of Torbay to:

- Provide Carers' Assessments / Health and Wellbeing Checks for Carers of Adults
- Provide support to maintain Carers' health and wellbeing
- Provide Carers' advocacy;

- Promote identification and support of Carers across the wider health/social care community;
- Provide support to commissioners about market development to meet the needs of Carers and those of the people they care for
- Ensure Carers' performance indicators are met.
- Take steps to address reduced performance in the Personal Social Services Survey of Adult Carers in England 2018-19;
- Fulfil the Carers' Strategy 2018-21
- Implement NICE 'Supporting Adult Carers' guidance

In late 2020, consultation will take place with all registered Carers in Torbay about the priorities for the multi-agency Carers' Strategy 2021-24.

3 Current Services

3.1 Activity Baseline and Planning Assumptions

Under the terms of this agreement the Trust will be providing, long term packages of care to adults and older people with social needs. In the tables below, this activity (initial business planning baseline) is broken down across age groups and expenditure type. The impact of Covid-19 is still being assessed and the baseline assumptions will be kept under review and updated appropriately in discussion between the signatories to this agreement.

ASC - Long Stay Clients Aged Under 65 (snapshot March 2020)

Expenditure Type	Cost per week	Clients'*'	Ave Client Cost
Daycare	£22,039	141	£156
Direct Payments	£98,309	285	£345
Dom Care	£51,504	362	£142
Nursing Long Stay	£6,185	6	£1,031
Residential Long Stay	£137,346	139	£988
Residential Long Stay (Full cost)	£750	1	£750
Supported Living	£110,283	224	£492
Total	**£426,416**	**995**	**£429**

ASC - Long Stay Clients Aged Over 65 (snapshot March 2020)

Expenditure Type	Cost per week	Clients'*'	Ave Client Cost
Daycare	£6,410	71	£90
Direct Payments	£34,691	119	£292
Dom Care	£124,610	627	£199
Nursing Long Stay	£51,354	73	£703
Nursing Long Stay (Full cost)	£4,547	7	£650
Residential Long Stay	£279,092	403	£693
Residential Long Stay (Full cost)	£43,528	64	£680
Supported Living	£17,205	27	£637
Total	**£561,436**	**1,311**	**£428**

'*****' Please note that some clients have more than one expenditure type and therefore, total client numbers will be lower than the sum of the individual types.

3.2 Projected activity

As part of the Trusts' business planning process, the Trust's Torbay Locality (System) will formulate plans to deliver the capacity required in 2020/21 and annually thereafter within the parameters of the Trust's business planning process and the associated

savings requirements. The service development and saving plan work streams developed through this process will report and be agreed through both the Trust's Transformation & Assurance Group and the Adult Social Care Improvement Board with ongoing monitoring and performance through the Adult Social Care (ASC) Performance Committee.

3.3 Operational Delivery, Monitoring & Oversight

Delivery will be monitored through local operational meetings to include the Performance Committee and the Integrated Governance Meeting, the Trust Board, Adult Social Care (ASC) Improvement Board with committees for strategy, delivery and performance reporting in with their roles including financial run-rates and performance targets both activity and financial.

The Trust will operate autonomously to take any management action that is necessary to correct performance and which can be taken within the parameters of this Agreement. However, should exceptional circumstances arise, through excess demand or other external factors not taken into account when the budget allocations underpinning this agreement were made, the impact and any corrective actions will be discussed through the Adult Social Care Improvement Board.

The performance indicators and targets associated with this agreement have previously been set having considered the outturn figures of the previous year. With the exceptional situation in respect of the Covid-19 pandemic it is not possible to set an operational baseline for the first year of the agreement due to the distortion of activity and redirection of resources to manage the presenting demand. However, the Adult Social Care Improvement Plan has clear targets attached to it. Therefore the performance of this agreement will be monitored in the first year against the delivery of the Adult Social Care Improvement Plan. It is acknowledged there will be significant system changes, service development and pathway redesign; this along with the modelling of the Covid-altered system will enable the metrics and measures associated with this agreement to be reviewed and reset appropriately in readiness for year two.

This approach is further supported by the fact that the contract has always included and worked to the Adult Social Care Outcomes Framework (ASCOF) measures. The Department of Health and Social Care commissioned a review of the measures in January 2020. The output of that review is still awaited along with the associated measures for the 2020/21 which have been disrupted by the Covid-19 pandemic.

Impact on Quality, Activity and Cost Including Cost Improvement programme of improvement and savings plans developed by the partners is attached as Annex 2.

3.4 Adult Social Care Workforce

The provision of integrated health and social care services through local multidisciplinary teams has proved to be an effective model for delivery, able to respond to customer needs swiftly, facilitate rehabilitation, and avoid admissions to residential care and hospital where ever possible. However, the existing model relies on a level of staff resources which will not be sustainable in future given the additional demands. An alternative model is being designed which will have an impact on how staff are deployed.

The new care model will be built on a strengths-based approach, aligning entirely to the model in use within the voluntary sector and Integrated Personal Commissioning.

Adopting this approach across social care, health services, and the private, voluntary and independent sectors will bring a synergy of approach not previously seen. For social care this is building upon the previous 'Personalisation Strategy'. This is being developed with initiatives e.g. Strengths Based Working and Making Every Contact Count (MECC) and will underpin a more from time based and care based provision to outcomes based commissioning. Independent Service Funds (ISF) are a key tool in developing the 'no decision without me' and National Voices 'I-statements'.

3.5 Safeguarding

The Trust will continue to deliver the delegated responsibilities of Torbay Council regarding Safeguarding Adults. The Care Act 2014 put Safeguarding Adults into a statutory framework for the first time from April 2015. This placed a range of responsibilities and duties on the Local Authority with which the Trust will need to comply. This includes requirements in the following areas:

- Duty to carry out enquiries;
- Co-operation with key partner agencies;
- Safeguarding Adults Boards;
- Safeguarding Adult Reviews;
- Information Sharing;
- Supervision and training for staff.

Accountability for this will sit with the Torbay Safeguarding Adults Board (TSAB). This is a well-established group that will provide a sound basis for delivering the new legislative requirements. The Board will incorporate the requirements into its Terms of Reference and Business Plan for the life of this agreement, ensuring that all relevant operational and policy changes are in place.

Regular performance analysis from all partner agencies will be reported to the TSAB to give a clear picture of performance across the agencies. The Council will ensure high level representation on the Board by the Director of Adult Social Services and Executive Lead for Adult Social Care.

In order to maximise capacity Torbay SAB will work closely with the Devon SAB with an increased number of joint sub-committees and shared business support. In addition to this, to provide internal assurance that the Trust is fulfilling its Safeguarding Adult requirements, the Board will have a sub-committee which will oversee performance. This will have a particular focus on training and performance activity.

The Council is fully committed to the national 'Making Safeguarding Personal' agenda. This is designed to measure Safeguarding Adult performance by outcomes for the individual, rather than reliance on quantitative measurement of timescales for safeguarding meetings.

The Trust also has delegated responsibility as a provider of Adult Social Care services to ensure that it participates as a full partner in the TSAB and meet all regulatory requirements in safeguarding adults and children.

3.6 Delivery and Performance Management: Adult Social Care Services

The present arrangements for ASC delivery through an integrated health arrangement delivered by the Torbay & South Devon NHS Trust have been benchmarked against similar authorities in its family group (comparator group). The results show in 2018/19 Torbay spends around £405 per head of adult population, compared to an average of £363 for our comparator group[1] (this is the net current expenditure from 2018/19 Adult Social Care Finance Return (ASC-FR) - per head of adult population).

It is to be noted that the integrated nature of the Torbay's system whilst delivering better outcomes for people does mean that direct comparisons do not always provide an unambiguous picture. With this in mind a series of additional measures are included within the performance indicators attached as Annex 1.

Torbay benchmarks very well in the following areas:

- Service user reported quality of life
- Service user reported social contact
- Service user reported control over daily life
- Service user reported satisfaction with care & support
- Carer reported ease of finding information

Torbay has opportunities for improvement in the following areas:

- Adults in contact with secondary mental health services in paid employment
- Permanent admissions to residential and nursing care aged 18-64
- Service users receiving direct payments
- Adults with a learning disability living in their own home or with their family

Audit South West's January 2017 audit report looking at the Trust's care assessment process has confirmed that "the Trust's arrangements for the assessment of the care needs of referred individuals, and determination of eligibility to receive publicly funded care and support is in line with the Care Act 2014 and are appropriate. Staff are able to access a range of training and operational support mechanisms to help them discharge these key responsibilities."

Opportunities for improvement are as follows
• Permanent admissions to residential and nursing care for 18-64 years old's • Adults with a learning disability in paid employment

[1] Torbay's family group of comparator authorities are groups of authorities that central government consider have similar patterns of deprivation and age profiles etc.
N.B. It should be noted that the ASA applies to the delegation of authority and activity in respect of ASC and does not include Children's services. The ICO's use of funds to deliver these services should therefore focus on ASC when comparisons are made with other authorities.
[Torbay and South Devon NHS Foundation Trust Final Internal Audit Report: Care Assessment Process Report Reference: TSD08/17 January 2017. Source Page 34 CIPFA Local Authority budget comparator profile Torbay Comparator Report November 2016

4 Service developments

Key developments in the way ASC services are provided, and any changes in what services will be provided, are outlined in the following paragraphs. Where appropriate the planning and implementation of these changes will involve internal and external consultation with key stakeholders as set out in the Adult Social Care Improvement Plan which will drive service improvements and is managed through the ASCPB. Where appropriate the Decision Tracker will also clarify accountability for decision making in these developments.

The new care model will target resources to those in greatest need and provide a universal service to allow people to be as independent as possible and be connected with their local community. The new care model will require significant change and we will need to ensure that we support and engage staff and managers through the required change.

To support the resilience and sustainability of services, we will work closely with the independent and voluntary sector in relation to co-production of new ways of working that provide solutions for 'what matters to me'.

The Ageing Well Programme has piloted a number of initiatives and the evaluation of these will offer additional input for the further development of services that provide alternatives to traditional social care services, increase the independence of people and encourage preventative measures and behaviours. Areas that will be addressed include Information and Advice, Assistive Technology and Community Building.

4.1 Social Care Workforce Plan

The Trust will ensure that Registered Social Worker's comply with national standards under the oversight of the regulatory board Social work England and delivery of Care Act compliance is a key deliverable for our social care staff. We will develop and implement a workforce plan for social care services which focuses on:

- Working in partnership with our community, addressing the issues faced by our most vulnerable members;
- Revisiting our approach to ensure we are inclusive with users, carers and community organisations – using strengths-based approaches as our principal theoretical approach and operating model;
- Promoting the reputation of social work in Torbay through engagement with users and the co-design of our approach;
- Supporting staff to reach their potential using a capability framework; responding to the Social Work health check and by providing support to improve resilience;
- Delivering a high quality, safe and well-respected service through use of quality, safety and governance processes.

TSDFT have arrangements in place for structures such as flexible working, staff welfare services and exit interviews. Despite increasing allocation lists, Social Workers do not report unmanageable caseloads or sickness due to stress. Although Social Workers do find time to attend training, and they find it useful, they feel it needs improvement in terms of specialist areas and opportunities for professional development. This is a specific area for attention in the Adult Social Care Improvement plan.

4.2 Strengths Based Approach

The Care Act 2014 requires local authorities to consider the person's own strengths and capabilities to help achieve their desired outcomes. This includes exploring what support might be available from their wider support network or within the community to help in the provision of care and support. In practice, this means operationalising strengths-based approaches into the care model.

A strengths-based approach continues to be embedded and scaled up within the new Health and Wellbeing Teams. It will become the golden thread which runs through all our interactions with people, both in terms of how we approach care and support in our teams and how our teams in turn approach care and support with the people they serve. To support the deployment of a strengths-based approach we have developed the following principles for the implementation:

- We will empower staff to use their skills and experience;
- We will let go of care management approaches;
- We will focus on community involvement;
- We will concentrate on the assets and strengths of the people who use our services, our staff and our partners.

4.3 New Approaches to Person Centred support Planning

During the course of this agreement the Trust will continue to explore new approaches to undertaking support planning. This will include furthering existing schemes for people with learning disabilities and undertaking wider proof of concept work in partnership with independent, voluntary and third sector organisations.

4.4 Self-Directed support – including Individual Service Funds and Direct Payments

Self-directed support using initiatives such as Individual Service Funds alongside Direct Payments will be encouraged. The infrastructure will be developed and embedded further as part of the ASC Improvement Plan to enable people to identify their options, make informed decisions and have mechanisms that make the right thing to do the easy thing to do.

The opportunities to explore and develop Individual Service Funds will be addressed within the term of this agreement. This refresh will be managed through the Adult Social Care Transformation Group and its reporting to the Adult Social Care Improvement Board.

4.5 Integrated Care Model (ICM) Implementation

The Integrated Care Model is being developed in line with the areas in its blueprint listed below. The Health and Wellbeing teams referred to in the Operational Plan will be providing a range of functions details of which are below:

1. Connect people with things that help them live healthy lives in their community.

2. Support people to stay well and independent at home with a focus on targeting frailty much earlier. Maximise a person's wellbeing and independence for as long as possible and support people to self-care.
3. Work together to proactively avoid dependency and escalation of illness with a focus on supporting people with highest needs.
4. Connect people with expert knowledge and clinical investigation to maximise outcomes and cost effectiveness of care. Move away from hospital based services using technology to access advice and guidance. Invest expertise in supporting resilience and quality in care homes.
5. Access to urgent and crisis services should be made as easy as possible where it is required.
6. End of Life Care (EoLC) will be embedded into all core elements of this model.

Improved Health and Wellbeing
Improved health of population
Improved quality of life
Reduction in health inequalities

Enhanced Quality of Care
Improved experience of care
People feel more empowered
Care is personal and joined up
People receive better quality care

Value and Sustainability
Cost-effective service model
Care provided in the right place at the right time
Demand is well managed
Sustainable fit between needs and resources

The Health and Wellbeing teams referred to in the Operational Plan will be providing a range of functions as part of the ICM which will include:

- Encourage self-care, healthy lifestyles and maintain independence
- Help to grow community assets/develop resilience;
- Assessment, support planning and professional social work support;
- Provide rehabilitation;
- Provide nursing care;
- Integrated medical management of people with complex co-morbidities;
- Reactive care coordination of people with deteriorating complex health issues and frail elderly;
- Continue to embed and mainstream Learning Disabilities and working with the voluntary sector to support the delivery of this
- Proactive care co-ordination of people with complex needs and frail elderly;
- Proactive integrated long term conditions support;
- High quality discharge support from hospital to home, integrated planning and seamless handover of care;
- Development of a fully integrated out of hospital care system for Torbay and South Devon, providing onward care which is focused on improving independence.
- Provide falls prevention services;
- Provide palliative care as part of end of life care pathway.

In addition to the Torbay & South Devon NHS Foundation Trust's internal governance structures the impact of these changes on community based care roll-out will be monitored and assured through the Adult Social Care Improvement Board in respect of the community activity

4.6 Services for people with learning disabilities including Autism

In October 2017, Torbay Council and the Trust took part in a Learning Disability Peer Challenge Review; which was an opportunity for all partners to understand what we do well, areas for improvement and will support us together in setting our strategic aims and delivery for Autism and Learning Disability services for the next three years.

As part of the next stage of the process, an action plan was developed with the participation of key partners. The Plan focussed on the 5 key areas that emerged from the Peer Review Team visit:

- Information and Needs Assessment
- Training and Employment
- Engagement and Partnership Board
- Commissioning and Market for the Future
- Working in Partnership

The success and work to date under these 5 key areas, outlined in Sections 2.2 and 2.3, will be consolidated and embedded going forwards, with the Trust as a key partner in the delivery of this plan.

4.7 Residential and Day Services for Older People

This area of work will be led by Council commissioners under the umbrella of the ASC Improvement Plan and will incorporate:

- Engagement with / implementation of the market management blueprint to support the long-term reshaping of the local market for ASC;
- Council led development of new residential care resources with nursing capability to deliver highly capable complex care within projected banded rates;
- Managed reduction of low-capability residential care beds as more people are supported through new models of care to live well at home for longer;
- Increase in day time / night time replacement care options for people with dementia;
- Planned engagement and support to increase capability / quality within all care homes for older people in order to meet complex needs of older people
- Targeted engagement to support the delivery of residential / nursing beds within local authority banded rates
- Targeted engagement to support market resilience and understand / mitigate market risks in order to maintain supply in line with demand.

4.8 Reviews

In 2017/18 the Quality Assurance and Improvement Team (QAIT) was formed by The Trust. This team monitors the quality of care, offering support to care home providers to improve their services and in 2019 the scope was extended to supported living and domiciliary care services. It incorporates both nursing and occupational therapy input. QAIT will develop further as part of the 3-year adult social care improvement plan in

order to develop and implement a system-wide quality improvement approach for all commissioned and directly-provided adult care and support services.

4.9 Key Milestones

The Adult Social Care Improvement Plan and the associated Improvement Programme Management Office hold the key milestones for the work being undertaken. Additionally, further milestones will be set in line with the performance indicators developed once the existing and ongoing impact of Covid-19 is established. These will be collectively monitored through governance structure in annex 8.

4.10 National: CQC (Care Quality Commission)

The Commission make sure health and social care service providers provide people with safe, effective, and compassionate high-quality care and encourage care services to improve. They monitor, inspect, and regulate services to make sure they meet fundamental standards of quality and safety and publish what they find, including performance ratings to help people choose care.

4.11 Local: Torbay and South Devon NHS Foundation Trust

The Trust will provide quality assurance of both its own integrated business activity and the services it commissions including those covered by the Partnership Agreement for Adult Social Care. A quality and safety report to the Trust's Board will include all social care quality, safety, and performance metrics quarterly. Interim performance monitoring is via the Adult Social Care Performance Committee; which will receive performance reports and updates on ad hoc issues.

A Quality Assurance Framework has been developed and is now in use with independent and voluntary sector providers to provide assurance in regard to the quality of care provided to people in their own homes and in care homes

5 Finance and Risks

5.1 Financial Risk Share

The Risk Share Agreement (RSA) (Annex 6) was developed as part of the transaction creating the ICO, and took effect from its inception on 1st October 2015. The Risk Share has been updated for further periods and the in-situ agreement covers the term 2020-23 which this Adult Care Strategic Agreement aligns with.

The share of financial risk going forward is a function of the wider performance of the Trust rather than specifically in relation to Adult Social Care. The financial baseline from the Council and the CCG, the commissioning funders of the ICO, are set out in the revised Risk Share Agreement 2020_23 which includes the Better Care Fund and the Improved Better Care Fund. The RSA 2020_23 is monitored through the Adult Social Care Improvement Board which includes all parties to the RSA and the Adult Care Strategic Agreement.

5.2 Efficiency Risks

- Delayed delivery of financial benefits arising from the Covid delayed implementation of the revised care model / Adult Social Care Improvement Plan
- Rate of expenditure in both ASC and Placed People
- Levels of agency and temporary staff costs
- Increasing complexity of care needs for people being cared for in community settings whilst achieving care closer to home

5.3 Risks pertinent to Adult Social Care expenditure include

- Scale of required savings
- (insufficient) Capacity and quality in the domiciliary care market
- Sufficiency and pricing in the care home market
- Community support for change
- Impact of case law re Deprivation of Liberty Safeguards and imminent transfer to Liberty Protection Safeguards in April 2022
- Increasing complexity of presentations linked to an ageing population and known areas of increased deprivation within Torbay. The recent CV19 pandemic has also impacted on service related expenditure via fast track discharges from hospital and increased cost relating to staff and PPE within provider settings.
- Increasing referral rates due to the increasing age of the population

6 Client Charges

6.1 Power to Charge

With the introduction of the Care Act, the Council now has a 'power to charge for services' whereas previously, there was a 'duty to charge' for long term residential/nursing care and a 'power to charge' for non-residential care.

The Council has made the decision to utilise the 'power to charge' for both residential and non-residential services. The Trust will discharge this power on behalf of the Council and in doing so will apply sections 14 and 17 of the Care Act 2014 and the Care and Support (charging and assessment of resources) regulations 2014.

6.2 Residential and Non Residential Charges

Charges for residential services will be amended each April as directed by the Department of Health and Social Care updated rates. In addition to this charges can also be amended in light of increases to the cost of care.

Charges per unit of care for non-residential care services will be set in accordance with the Council's charging policy.

Client contributions are based on the level of care a person requires and an assessment of their financial circumstances, including capital and income. The Trust will ensure that individual financial assessments are updated at least annually (but more frequently where the financial circumstances of an individual service user are known to have changed during the course of the year).

Consequently, the charges made to an individual may change in the course of a year if there are changes in their financial circumstance or the level of care they require.
The Trust will ensure that all clients in receipt of a chargeable service receive a full welfare benefit check from the Finance and Benefits team and an individual financial assessment in person for new assessments where possible.

There is no charge for Intermediate Care or Continuing Health Care services.

6.3 Carers

The Trust will continue to deliver their legal requirements for Carers of Adults in Torbay and the priorities agreed in the Carers' Strategy 2018-21:

- Carers' Assessments / Health and Wellbeing Checks for Carers of Adults. 2019-20 targets have been met, but 2020-21 will undoubtedly have been affected by the coronavirus pandemic.
- Support to maintain Carers' health and wellbeing
- Carers' advocacy;
- Promoting identification and support of Carers across the wider health/social care community, with national recognition of our work in our local hospitals
- Support to commissioners about market development to meet the needs of Carers and those of the people they care for, particularly around replacement Care
- Ensuring Carers' performance indicators are met.
- Implementing NICE 'Supporting Adult Carers' guidance

We are working with our STP partner organisations to embed the 'Commitment to Carers', where each organisation commits to having an action plan to address the following seven principles:

1: Identifying Carers and supporting them
2: Effective Support for Carers
3: Enabling Carers to make informed choices about their caring role
4: Staff awareness
5: Information-sharing
6: Respecting Carers as expert partners in care
7: Awareness of Carers whose roles are changing or who are more vulnerable

In late 2020, consultation will take place with all registered Carers in Torbay about the priorities for the multi-agency Carers' Strategy 2021-24.

Torbay Carers' Strategy Action Plan 2018 – 2021:
https://www.torbayandsouthdevon.nhs.uk/uploads/torbay-carers-strategy-action-plan-2018-2021.pdf

6.4 Universal Deferred Payments

The Care Act 2014 established a requirement for a universal deferred payments scheme which means that people should not be forced to sell their homes in their lifetime to pay for the cost of their care.

A deferred payment is, in effect, a loan against the value of the property which has to be repaid either from disposal of the property at some point in the future or from other sources. The scheme has now been running since April 2015 as all councils in England are required to provide a deferred payment scheme for local residents who move to live in residential or nursing care, own a property and have other assets with a value below a pre-determined amount (currently £23,250). They must also have assessed care needs for residential or nursing care.

The Council's deferred payments policy is now fully implemented as part of the policy the Trust has the ability to recover any reasonable costs it may incur in setting up and reviewing a Deferred Payment Arrangement in addition to the cost of any services provided. These management costs may be included in the deferred payment total or be paid as and when they are incurred.

The interest rate payable on deferred payments is advised by the Department of Health and Social Care and reviewed every six months. Interest will be added to the balance outstanding on the deferred arrangement on a compound daily basis, in accordance with the regulations.

7 Governance

The Torbay Adult Social Care Governance structure is set out in Annex 7

7.1 Adult Social Care Governance

A revised governance structure has been adopted reflecting the additional focus on performance and delivery of the ASC Improvement Plan and the transformation sought by the partners. The ASC Performance Committee's Terms of Reference include:

- To assist the development of the strategic direction of ASC services supporting the new context faced by the Council and Trust in terms of public sector reform, reducing public resources and potential devolution;
- To receive reports and review performance against indicators and outcomes included in the ACSA providing and/or participating in regular benchmarking activities;
- To monitor action plans against any in-year areas of concern, raising awareness to a wider audience, as appropriate;
- To discuss and determine the impact of national directives translating requirements into commissioning decisions for further discussion and approval within the appropriate forums.
- To discuss and develop future ACSAs; co- ordinate the production of the Local Account.
- To escalate issues of concern or delivery to the Adult Social Care Improvement Board

7.2 Consultation, engagement and involvement process

As the Accountable Authority the Council will lead consultation processes where the need for change is being driven by the needs and requirements of the Council beyond those of delegated activities to the Trust. The Trust is committed to supporting the consultation and engagement processes the Council undertakes in relation to service changes recognising the Council's statutory duty and good practice.

As a provider the Trust will engage all stakeholders in service redesign and quality assurance including, playing an active role with Torbay Council Health Overview and Scrutiny Board. Additionally the Trust will be engaged with the CCG Locality Teams where the primary focus will be on consultation in regard to NHS services.

Where service changes will result in variation in the level or type of service received by individual service users, the Trust will comply with statutory guidance on the review/reassessment of care needs and ensure that those service users affected are given appropriate notice of any changes.

The Council, the Trust, and the CCG will continue to support the role of Healthwatch and the community voluntary sector in involving people who use services in key decisions as well as service improvement and design. The Council also expects the Trust to engage actively with service users and the voluntary sector in Torbay in developing new service solutions. This will apply irrespective of whether the service changes are driven by the necessities of the current financial environment or the need to ensure the continual evolution and development of services.

7.3 Programme Management

Oversight of delivery and programme management for the programmes of work set out in this Agreement will be provided through the Adult Social Care Improvement Programme Management Office. Delivery will monitored through the governance arrangements set out above.

7.4 Key Decisions

Whilst this agreement places accountabilities on the Trust for the delivery and development of ASC Services, the Trust may not act unilaterally to make or enact decisions if they meet the criteria of a 'key decision' as described in the standing orders of the Council or are included in a list of 'Reserved Items' shared between the parties as part of the agreement.

This requirement reiterates section 22.3 of the Partnership Agreement under which services were originally transferred from the Council to Torbay Care Trust. Key decisions must be made by the Council in accordance with its constitution. In Schedule 8 of the Partnership Agreement a key decision is defined as a decision in relation to the exercise of council functions, which is likely to:

- Result in incurring additional expenditure or making of savings which are more than £250,000;
- Result in an existing service being reduced by more than 10% or may cease altogether;
- Affect a service which is currently provided in-house which may be outsourced or vice versa and other criteria stated within schedule 8 of the Partnership Agreement.

In addition when determining what constitutes a key decision consideration should be given to the possible level of public interest in the decision. The higher the level of interest the more appropriate it is that the decision should be considered to be a 'key decision'.

7.5 Governance of Placed People

Placed people (those funded via Health or joint Health and Social Care) have their care arrangements managed via Torbay and South Devon NHS Trust. Placed People activity sits within the Torquay Integrated Service Unit (ISU) and the governance arrangements within the ISU. Monthly performance reports are submitted to the CCG.

7.6 Individual Roles and Responsibilities

7.6.1 Torbay Council Executive Lead Adults

The role of Executive Lead is held by an elected Member of Torbay Council. As part of their duties they will sit as the Council's representative on the Trust Board to provide oversight, challenge, and liaison.

7.6.2 Director of Adult Social Services

The role of Director of Adult Social Services (DASS) is a statutory function, and is fulfilled by a senior officer of the Council who is accountable for all seven responsibilities of the role set out in statutory guidance dated May 2006. However responsibility for Professional Practice and Safeguarding are delegated to the Deputy DASS employed within the professional practice directorate of the Trust.

7.6.3 Deputy Director of Adult Social Services

The role will provide professional leadership for social care services and lead on workforce planning, implementing standards of care, safeguarding, and will chair the Adult Social Care Performance Committee. The role also oversees the Deprivation of Liberty Safeguards (soon to be the Liberty Protection Safeguards) and Guardianship arrangements in Torbay.

7.6.4 Systems Director

The role will provide provider executive input and oversight as part of the governance structure for the contract.

7.6.5 Organisational Roles and Responsibilities

The partnership working inherent within the Torbay model is supported by further clarification of the organizational roles pertaining to the local authority as the commissioning partner of the contract and the Trust as the providing partner including commissioning responsibilities within its delegated activities. A range of activities for reference is included in Annex 3 – Strategic and Micro-commissioning functions.

7.7 Emergency cascade

Please see Annex 4 for details of Torbay Council's Emergency Planning Roles in Council's Emergency cascade. The Trust will be expected, through best endeavours, to identify social care senior officers to be part of emergency cascade, to coordinate delivery of ASC in an emergency situation.

7.8 Annual Audit Programme

Audit South West (ASW) as the Internal Audit provider to Torbay and South Devon NHS Foundation Trust will undertake the following actions and requirements:-

- Consult with the Director of Adults Social Services (DASS) of Torbay council on proposed internal audit coverage;
- Provide to the DASS copies of assignment reports that relate to control arrangements for Adult Services;
- Provide an annual report to the DASS on the adequacy and effectiveness of the overall system of internal control for the Trust, and in particular, those areas directly affecting Adult Services.

Detail is included in Annex 5.

Annex 1: Performance Measures:

The 2018/19 Performance Description column gives a basic verbal comparison with the benchmarking figures (England, SW Comparator Group) which are currently only available to 2018/19

- Adult Social Care Outcomes Framework (ASCOF)
- Better Care Fund
- Local Measures

Domain & KPI	Frame work / Source	2016/17 Outturn	2017/18 Outturn	2018/19 Outturn	2019/20 Outturn draft	2016/17 Target	2017/18 Target	2018/19 Target	2019/20 Target	2016/17 England Average	2017/18 England Average	2018/19 England Average	2016/17 SW Average	2017/18 SW Average	2018/19 SW Average	2016/17 CG Average	2017/18 CG Average	2018/19 CG Average	2016/17 Rank	2017/18 Rank	2018/19 Rank	2016/17 Quartile	2017/18 Quartile	2018/19 Quartile	2018/19 Performance Description
Domain 1: Enhancing quality of life for people with care and support needs																									
ASC 1A: Social care-related quality of life	ASCOF ASCS Survey	19.9	19.4	19.4	19.8	19.4	19.7	19.7	19.7	19.1	19.1	19.1	19.2	19.3	19.3	19.4	19.3	19.2	4/151	45/150	35/151	Q1	Q2	Q1	Within agreed tolerance of target Same as previous outturn Better than Eng ave Better than SW ave Better than CG ave Better than previous ranking Moved from 2nd best to best quartile
ASC 1B: The proportion of people who use services who have control over their daily life	ASCOF ASCS Survey	82.7%	80.6%	80.2%	83.6%	79.0%	81.5%	81.5%	82.0%	77.7%	77.7%	77.6%	79.8%	79.3%	79.7%	79.8%	79.0%	78.4%	9/151	37/150	36/151	Q1	Q1	Q1	Within agreed tolerance of target Similar to previous outturn Better than Eng ave Better than SW ave Better than CG ave Slightly better than previous ranking Remain in best quartile
ASC 1C part 1A: The proportion of people using social care who receive self-directed support (adults aged over 18 receiving self-directed support)	ASCOF SALT	92.4%	93.5%	92.6%	88.2%	90.0%	92.0%	94.0%	94.0%	89.4%	89.7%	89.0%	84.2%	89.6%	91.6%	91.9%	95.1%	89.9%	87/152	88/151	94/152	Q3	Q3	Q3	Within agreed tolerance of target Worse than previous outturn Better than Eng ave Better than SW ave Better than CG ave Worse than previous ranking Remain in 3rd best quartile
ASC 1C part 1B: The proportion of people using social care who receive self-directed support (carers receiving self-directed support)	ASCOF SALT	90.7%	84.3%	88.5%	92.5%	83.0%	85.0%	85.0%	85.0%	83.1%	83.4%	83.3%	60.5%	63.3%	58.3%	78.1%	82.3%	80.6%	104/150	116/150	120/150	Q3	Q4	Q4	Achieved target Better than previous outturn Better than Eng ave Better than SW ave Better than CG ave Slightly worse than previous ranking Remain in 4th best quartile
ASC 1C part 2A: The proportion of people using social care who receive direct payments (adults receiving direct payments)	ASCOF SALT	24.9%	26.7%	26.6%	25.1%	26.0%	28.0%	28.0%	28.0%	28.3%	28.5%	28.3%	29.2%	29.9%	27.9%	27.4%	28.0%	28.0%	89/152	84/151	87/152	Q3	Q3	Q3	Within agreed tolerance of target Similar to previous outturn Worse than Eng ave Worse than SW ave Worse than CG ave Slightly worse than previous ranking Remain in 3rd best quartile
ASC 1C part 2B: The proportion of people using social care who receive direct payments (carers receiving direct payments for support direct to carer)	ASCOF SALT	90.7%	84.3%	88.5%	92.5%	83.0%	85.0%	85.0%	85.0%	74.3%	74.1%	73.4%	55.1%	52.7%	47.2%	64.6%	64.4%	62.7%	78/150	93/150	95/152	Q3	Q3	Q3	Achieved target Better than previous outturn Better than Eng ave Better than SW ave Better than CG ave Slightly worse than previous ranking Remain in 3rd best quartile
ASC 1D: Carer-reported quality of life	ASCOF SACE Survey	7.8	n/a	7.5	n/a	9.0	n/a	9.0	n/a	7.7	n/a	7.5	7.6	n/a	7.3	7.9	n/a	7.7	46/151	n/a	58/151	Q2	n/a	Q2	Did not achieve target Worse than previous outturn Same as Eng ave Better than SW ave Worse than CG ave Worse than previous ranking Remain in 2nd best quartile
ASC 1E: Proportion of adults with a learning disability in paid employment	ASCOF C-Corp SALT	3.7%	3.8%	7.0%	8.3%	4.0%	4.0%	6.4%	7.0%	5.7%	6.0%	5.9%	5.8%	5.9%	6.0%	6.4%	6.2%	6.3%	103/152	103/151	54/152	Q3	Q3	Q2	Achieved target Better than previous outturn Better than Eng ave Better than SW ave Better than CG ave Better than previous ranking Moved from 3rd best to 2nd best quartile
ASC 1F: Proportion of adults in contact with secondary mental health services in paid employment (commissioned outside ICO)	ASCOF MHSDS	n/a	3.0%	4.0%	1.7%	6.0%	6.0%	6.4%	6.4%	n/a	7.0%	8.0%	n/a	11.0%	10.0%	n/a	7.2%	8.4%	n/a	146/148	128/151	n/a	Q4	Q4	Did not achieve target Better than previous outturn Worse than Eng ave Worse than SW ave Worse than CG ave Better than previous ranking Remain in 4th best quartile

Domain & KPI	Frame work / Source	2016/17 Outturn	2017/18 Outturn	2018/19 Outturn	2019/20 Outturn draft	2016/17 Target	2017/18 Target	2018/19 Target	2019/20 Target	2016/17 England Average	2017/18 England Average	2018/19 England Average	2016/17 SW Average	2017/18 SW Average	2018/19 SW Average	2016/17 CG Average	2017/18 CG Average	2018/19 CG Average	2016/17 Rank	2017/18 Rank	2018/19 Rank	2016/17 Quartile	2017/18 Quartile	2018/19 Quartile	2018/19 Performance Description
ASC 1G: Proportion of adults with a learning disability who live in their own home or with their family	ASCOF SALT	77.1%	76.0%	76.6%	78.6%	75.0%	75.0%	76.0%	80.0%	76.2%	77.2%	77.4%	73.7%	75.5%	77.2%	76.1%	81.9%	81.0%	78/152	94/152	96/152	Q3	Q3	Q3	Achieved target Worse than previous outturn Worse than Eng ave Worse than SW ave Worse than CG ave Slightly worse than previous ranking Remain in 3rd best quartile
ASC 1H: Proportion of adults in contact with secondary mental health services who live independently, with or without support (commissioned outside ICO)	ASCOF C-Corp MHSDS	n/a	50.0%	55.0%	49.2%	68.0%	68.0%	68.0%	60.0%	n/a	57.0%	58.0%	n/a	62.0%	57.0%	n/a	57.6%	54.3%	n/a	104/152	94/152	n/a	Q3	Q3	Did not achieve target Better than previous outturn Worse than Eng ave Worse than SW ave Better than CG ave Better than previous ranking Remain in 3rd best quartile
ASC 1J part 1: Proportion of people who use services who reported that they had as much social contact as they would like	ASCOF ASCS Survey	52.7%	43.1%	51.8%	50.8%	50.0%	50.0%	50.0%	50.0%	45.4%	46.0%	45.9%	46.1%	46.0%	46.6%	47.0%	47.1%	46.7%	4/151	108/150	14/151	Q1	Q3	Q1	Achieved target Better than previous outturn Better than Eng ave Better than SW ave Better than CG ave Better than previous ranking Moved from 3rd best to best quartile
ASC 1J part 2: Proportion of carers who reported that they had as much social contact as they would like	ASCOF SACE Survey	34.4%	n/a	32.4%	n/a	41.5%	n/a	41.5%	n/a	35.5%	n/a	32.5%	32.3%	n/a	28.1%	38.8%	n/a	34.6%	75/151	n/a	61/151	Q2	n/a	Q2	Did not achieve target Worse than previous outturn Similar to Eng ave Better than SW ave Similar to CG ave Better than previous ranking Remain in 2nd best quartile
D40b: % clients receiving a review within 18 months	Local	90.0%	87.4%	88.7%	80.3%	n/a	93.0%	93.0%	93.0%	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	Within agreed tolerance of target Better than previous outturn
SC-007b: Number of OOA placements reviews overdue by more than 3 months (snap shot)	Local C-Corp	1	0	3	0	0	0	0	0	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	Low value is better Did not achieve target Worse than previous outturn
D39: % clients receiving a Statement of Needs	Local	86.2%	83.5%	84.3%	80.9%	90.0%	90.0%	90.0%	90.0%	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	Not achieving target Better than previous outturn
NI132: Timeliness of social care assessment	Local	71.2%	79.0%	76.1%	70.7%	70.0%	70.0%	80.0%	80.0%	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	Within agreed tolerance of target Worse than previous outturn
Domain 2: Delaying and reducing the need for care and support																									
ASC 2A p1: Permanent admissions to residential and nursing care homes, per 100,000 population. Part 1 - younger adults	ASCOF SALT	20.4	22.8	18.8	24.2	no tgt	25.0	14.0	14.0	12.8	14.0	13.9	14.5	16.8	14.0	16.6	17.2	16.3	131/152	141/151	120/152	Q4	Q4	Q4	Low value is better Did not achieve target Better than previous outturn Worse than Eng ave Worse than SW ave Worse than CG ave Better than previous ranking Remain in 4th best quartile
ASC 2A p2: Permanent admissions to residential and nursing care homes, per 100,000 population. Part 2 - older people	ASCOF / BCF SALT	493.7	446.9	490.2	526.4	563.2	599.0	450.0	450.0	610.7	585.6	579.4	581.0	545.8	513.0	683.5	705.4	694.0	42/152	36/152	48/152	Q2	Q1	Q2	Low value is better Did not achieve target Worse than previous outturn Better than Eng ave Better than SW ave Better than CG ave Worse than previous ranking Moved from best to 2nd best quartile
ASC 2B p1: Proportion of older people (65 and over) who were still at home 91 days after discharge from hospital into reablement/rehabilitation services. Part 1 - effectiveness	ASCOF / BCF SALT	76.5%	70.7%	76.7%	80.3%	88.7%	no tgt	76.5%	76.5%	82.5%	82.9%	82.4%	83.8%	80.2%	80.8%	83.3%	82.4%	81.0%	123/152	142/152	122/152	Q4	Q4	Q4	Achieved target Better than previous outturn Worse than Eng ave Worse than SW ave Worse than CG ave Better than previous ranking Remain in 4th best quartile

Domain & KPI	Frame work / Source	2016/17 Outturn	2017/18 Outturn	2018/19 Outturn	2019/20 Outturn draft	2016/17 Target	2017/18 Target	2018/19 Target	2019/20 Target	2016/17 England Average	2017/18 England Average	2018/19 England Average	2016/17 SW Average	2017/18 SW Average	2018/19 SW Average	2016/17 CG Average	2017/18 CG Average	2018/19 CG Average	2016/17 Rank	2017/18 Rank	2018/19 Rank	2016/17 Quartile	2017/18 Quartile	2018/19 Quartile	2018/19 Performance Description
ASC 2B p2: Proportion of older people (65 and over) who were still at home 91 days after discharge from hospital into reablement/rehabilitation services. Part 2 - coverage	ASCOF SALT	4.3%	6.5%	6.2%	6.3%	no tgt	5.0%	5.0%	5.0%	2.7%	2.9%	2.8%	2.7%	2.6%	2.8%	2.9%	3.2%	3.2%	21/152	12/152	12/152	Q1	Q1	Q1	Achieved target Worse than previous outturn Better than Eng ave Better than SW ave Better than CG ave Same as previous ranking Remain in best quartile
ASC 2D: The outcomes of short-term support % reablement episodes not followed by long term SC support	ASCOF SALT	86.7%	85.1%	87.5%	85.9%	83.0%	85.0%	83.0%	83.0%	77.8%	77.8%	79.6%	86.5%	84.6%	82.0%	79.5%	78.8%	78.9%	33/152	45/152	31/152	Q1	Q2	Q1	Achieved target Better than previous outturn Better than Eng ave Better than SW ave Better than CG ave Better than previous ranking Moved from 2nd best to best quartile
LI-404: No. of permanent care home placements at end of period	Local C-Corp	642	604	605	632	617	617	600	600	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	Low value is better Within agreed target threshold Similar to previous outturn
LI-451: % of social care service users receiving 5 hours or less of dom care per week only	Local PJB C-Corp	n/a	10.4%	10.1%	10.3%	n/a	n/a	8.0%	10.0%	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	Low value is better Did not achieve target Better than previous outturn
LI-452: % Intermediate Care placements not resulting in short or long term placement	Local PJB	n/a	84.9%	85.3%	83.6%	n/a	n/a	75.0%	85.0%	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	Achieved target Better than previous outturn
Domain 3: Ensuring that people have a positive experience of care and support																									
ASC 3A: Overall satisfaction of people who use services with their care and support	ASCOF ASCS Survey	68.4%	69.2%	69.7%	68.5%	68.0%	70.0%	70.0%	70.0%	64.7%	65.0%	64.3%	67.4%	67.3%	67.1%	66.6%	65.8%	65.3%	33/151	29/150	17/151	Q1	Q1	Q1	Within agreed target threshold Better than previous outturn Better than Eng ave Better than SW ave Better than CG ave Better than previous ranking Remain in best quartile
ASC 3B: Overall satisfaction of carers with social services	ASCOF SACE Survey	37.9%	n/a	41.2%	n/a	46.4%	n/a	46.4%	n/a	39.0%	n/a	38.6%	38.8%	n/a	38.5%	41.0%	n/a	41.8%	80/151	n/a	48/151	Q3	n/a	Q2	Did not achieve target Better than previous outturn Better than Eng ave Better than SW ave Worse than CG ave Better than previous ranking Moved from 3rd best to 2nd best quartile

Domain & KPI	Frame work / Source	2016/17 Outturn	2017/18 Outturn	2018/19 Outturn	2019/20 Outturn draft	2016/17 Target	2017/18 Target	2018/19 Target	2019/20 Target	2016/17 England Average	2017/18 England Average	2018/19 England Average	2016/17 SW Average	2017/18 SW Average	2018/19 SW Average	2016/17 CG Average	2017/18 CG Average	2018/19 CG Average	2016/17 Rank	2017/18 Rank	2018/19 Rank	2016/17 Quartile	2017/18 Quartile	2018/19 Quartile	2018/19 Performance Description
ASC 3C: The proportion of carers who report that they have been included or consulted in discussions about the person they care for	ASCOF SACE Survey	71.7%	n/a	70.4%	n/a	75.7%	n/a	75.7%	n/a	70.6%	n/a	69.7%	71.4%	n/a	69.2%	73.5%	n/a	72.8%	59/151	n/a	68/151	Q2	n/a	Q2	Did not achieve target Worse than previous outturn Better than Eng ave Better than SW ave Worse than CG ave Worse than previous ranking Remain in 2nd best quartile
ASC 3D part 1: The proportion of people who use services who find it easy to find information about services	ASCOF ASCS Survey	77.3%	75.4%	72.2%	72.5%	81.3%	85.0%	80.0%	80.0%	73.5%	73.3%	69..7%	74.7%	72.8%	70.5%	75.7%	77.3%	71.9%	33/151	44/150	47/151	Q1	Q2	Q2	Did not achieve target Worse than previous outturn Better than Eng ave Better than SW ave Better than CG ave Worse than previous ranking Remain in 2nd best quartile
ASC 3D part 2: The proportion of carers who find it easy to find information about services	ASCOF SACE Survey	73.6%	n/a	72.2%	n/a	75.0%	n/a	75.0%	n/a	64.2%	n/a	62.3%	66.5%	n/a	64.0%	67.9%	n/a	67.2%	12/151	n/a	16/151	Q1	n/a	Q1	Within agreed target threshold Worse than previous outturn Better than Eng ave Better than SW ave Better than CG ave Slightly worse than previous ranking Remain in best quartile
NI135: Carers receiving needs assessment, review, information, advice, etc.	Local C-Corp	38.3%	42.2%	29.3%	39.6%	40.0%	43.0%	36.0%	36.0%	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	Did not achieve target Worse than previous outturn
Domain 4: Safeguarding adults who circumstances make them vulnerable and protecting from avoidable harm																									
ASC 4A: The proportion of people who use services who feel safe	ASCOF ASCS Survey	71.0%	70.6%	68.0%	70.8%	72.3%	72.3%	72.3%	72.3%	70.1%	69.9%	70.0%	70.0%	70.3%	70.1%	71.2%	71.9%	71.1%	63/151	72/150	103/151	Q2	Q2	Q3	Did not achieve target Worse than previous outturn Worse than Eng ave Worse than SW ave Worse than CG ave Worse than previous ranking Moved from 2nd best to 3rd best quartile
ASC 4B: The proportion of people who use services who say that those services have made them feel safe and secure	ASCOF ASCS Survey	82.4%	83.9%	83.1%	84.0%	85.2%	88.0%	85.0%	85.0%	86.4%	86.3%	86.9%	86.6%	86.7%	87.7%	87.9%	88.5%	87.6%	111/151	106/150	119/151	Q3	Q3	Q4	Within agreed target threshold Slightly worse than previous outturn Worse than Eng ave Worse than SW ave Worse than CG ave Worse than previous ranking Moved from 3rd best to 4th best quartile
QL-018: Proportion of high risk Adult Safeguarding Concerns where immediate action was taken to safeguard the individual	Local	100%	100%	100%	100%	100%	100%	100%	100.0%	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	Achieved target Same as previous outturn
TCT14b: % repeat safeguarding referrals in last 12 months	Local C-Corp	7.0%	7.1%	8.3%	7.8%	8.0%	8.0%	8.0%	8.0%	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	Low value is better Within agreed target threshold Worse than previous outturn

Annex 2: Adult Social Care Improvement Programme oversight

Plan reinstatement	Project Name	Desired Outcome
Amended	PoC Review & Insight	All PoCs reviewed under Care Act 2014; CLS & strength-based; post-COVID-19 reinstatement
New	Data	Accessible data for ASC System leadership and operational measurement
New	Training	Transfer of CLS to business as usual; project insights for ongoing dynamic training
Amended	Voluntary & Community Development	Understanding the sector; supporting the sector; developing the sector
Amended	Information, Advice & Guidance	Provide comprehensive information and advice about care and support services in Torbay
No change	Technology, Aids & Adaptions	Effective use of TEC, aids and adaptions at ASC Front Door and reviewed packages of care
Amended	ASC Front Door	Redesign the front door creating effective mechanisms for finding solutions for people and their problems which can then demonstrate impact in terms of diversions from formal care, delivering good outcomes and avoiding adult social care costs
No change	Arranging Support Team (2)	An operational function to allow for arranging all care and the efficient discharge of patients to their arranged care, negotiated by the AST, and will include an assurance function for timely and effective reviews.
No change	Future Quality & Assurance	Market oversight and provider failure, including undertaking improvement work with regulated provider sector and assurance activities that the sector is effective.
No change	Extra Care & Housing	Capital Development activities (project specific)
No change	Market Shaping	Understand the strengths and fragility of the care home market, and to link with the homecare market which is equally under pressure. Create ability to be bolder and do things differently in to shape the market.
Amended	Effective Social Work Practice	Increase the number of staff supervisions; Reduce the time between supervisions taking place; Variance within the staff supervision process eliminated; Increase number of staff working in a strengths based way; Reduce the length of time a case has been open: review the way staff performance is currently measured and reported including the governance

Plan reinstatement	Project Name	Desired Outcome
		structure.
No change	Digital & IT Infrastructure: Strata	Understand current business process; strength business process, managed and then optimise process using technology; integrating with Care Management Systems and national capacity tracker.
No change	Digital & IT Infrastructure: ASC Case Management System & Beyond	IT system implementation – replacement of PARIS.
No change	MH Review	Develop a MH approach to provide efficient and effective mental health services for Torbay.
New	Innovation Hub	Work with local health and care teams in Torbay, AHSNs, national commissioners (NHS England & Improvement, NHSX, Office for Life Sciences) and industry to make sure Torbay benefits from innovations and to learn about what works from project insights.

Annex 3: Strategic and Micro-commissioning functions – review at ASC Leadership group

Function/role lead	Torbay Council Strategic Commissioning function	Torbay and South Devon Trust ASC function
MICRO COMMISSIONING OF PROVIDERS, PROCUREMENT AND BROKERAGE		
Develop and implement operational commissioning plans		✓

STRATEGIC COMMISSIONING FUNCTION		
Market shaping and developing new providers to fill gaps in provision and oversight of decommissioning plans	✓	✓
Market Position statement and Joint Strategic Needs Assessment	✓	
Market mapping	✓	
Gap analysis	✓	
Analysis of sufficiency of supply	✓	
Manage provider failures and market exits	✓	✓
Strategic Commissioning Strategy	✓	
Proactive strategy to develop the market as a whole	✓	
Market engagement with provider market as a whole	✓	
Run Multi Provider Forum for all providers with strategic themes	✓	
Joint commissioning arrangements with partner organisations and other areas	✓	
Lead on co-design of new service models with providers and stakeholders	✓	✓
Develop population outcome based commissioning approach for market	✓	
Develop and co-produce Payment by Results mechanisms that encourage sound outcomes	✓	
Co-ordinate user and carer engagement and consultation	✓	
Contract review and performance management of ASC	✓	✓
Review budget for ASC and sign-off cost improvement plans related to ASC	✓	✓

	Function/role lead	Torbay Council Strategic Commissioning function	Torbay and South Devon Trust ASC function
	Overarching sub contracts between Trust and other ASC providers, e.g. Care homes, community care		✓
	Prepare and agree individual service specifications		✓
	Develop and monitor outcome based commissioning approach for each provider at service level	✓	✓
	Develop personal outcome based commissioning for each service user		✓
	Contract management & performance review of independent & voluntary sector including, grant funding		✓
	Proactive quality assurance of individual providers including, develop/implement service improvement plans		✓
	Achieving value for money from providers including, cost improvement planning		✓
	Procurement of ASC providers		✓
	Manage provider failures and market exits including, for service users and relatives/carers involved		✓
	Individual contracts for care packages		✓
	Brokerage/purchasing processes and brokerage of individual care packages		✓
	Direct payments and personal budgets		✓
	Lead and manage safeguarding processes including, Whole Provider/Provider of concern/quality concerns		✓
	Resolution of Safeguarding incidents and implementation of lessons learned		✓
	Run and co-ordinate forums for specific provider areas with operational focus e.g. forums for care homes		✓
	Collection, collation and regular reporting of data on need, demand, supply, cost, workforce and performance (Trust and sub-contractors) with interpretation and presentation		✓
	Benchmarking of cost/performance of services – own and sub-contracted		✓
	Management of pooled budget to achieve value for money and cost improvement		✓

Annex 4: Emergency Cascade

Adult Services Primary Contacts		
Name/Title	Emergency Role	
Steve Honeywill Head of Partnerships and People	Communication with contracted providers of Care and Support for vulnerable people. Availability and co-ordination of needs assessment.	
John Bryant Head of Integration and Development	Safeguarding vulnerable adults and serious case review	
Sharon O'Reilly , Deputy Director of Adult Social Services	The role will provide professional leadership for social care services and lead on workforce planning, implementing standards of care, safeguarding and and will chair the Adult Social Care Performance Committee. The role also oversees the Deprivation of Liberty Safeguards and Guardianship arrangements in Torbay including authorisation of deprivation of liberty under Mental Capacity Act.	
Adults Services Secondary Contacts		
Sam Hoskins, Lead AMHP	Assessment and placement, access to services, medication and packages of care and place of safety for older people with poor mental health.	
Adrian Gaunt, Manager Older Person Mental Health Team	Assessment and placement, access to services, medication and packages of care and place of safety for people under 65 with poor mental health.	

Annex 5: Annual Audit Programme

Background

For Torbay Council, Internal Audit is a statutory service in the context of The Accounts and Audit (England) Regulations 2015.

From April 2013, organisations in the UK public sector are required to adhere to the Public Sector Internal Audit Standards (the Standards). Internal Audit for Torbay & South Devon NHS Foundation Trust is delivered by Audit South West.

Internal Audit Plans

When preparing the internal audit plan for Torbay and South Devon NHS Foundation Trust it is expected that Audit South West will:

- Consider the risks identified in Torbay Council's strategic and operational risk registers that relate to Adult Services;
- Discuss and liaise with Directors and Senior Officers of Torbay Council regarding the risks which threaten the achievement of the Council's corporate or service objectives that relate to Adult Services, including changes and / or the introduction of new systems, operations, programs, and corporate initiatives;
- Take account of requirements to support a “collaborative audit” approach with the external auditors of Torbay Council;
- Consider counter-fraud arrangements and assist in the protection of public funds and accountability;
- Support national requirements, such as the National Fraud Initiative (NFI) which is run every two years.

Draft plans, showing proposed audits covering Adult Services should be shared and agreed with Torbay Council's Director of Adult Social Services (DASS). The DASS should also be made aware of planned audit reviews that will provide overall assurance that control mechanisms operated by the Trust, but that are key to the workings of Adult Services, are working effectively (e.g. audits of key financial systems (payroll, payments, income collection etc.), and corporate arrangements (e.g. procurement, information governance etc.)).

The Audit Plan will not be a "tablet of stone" and changes may be required or advised during the year.

Internal Audit work

Internal audit work should be completed in accordance with the Public Sector Internal Audit Standards. Proposed briefs for work covering ASC should be shared with the DASS prior to fieldwork commencing.

Reporting – Assignments

The DASS will be provided of copies of all final reports that specifically relate to Adult Services. The DASS will also be provided with early sight of draft reports for which the audit opinion is "fundamental weaknesses" or similar. The Director of ASC will also be provided with copied of final audit reports for wider subject areas (e.g. payroll) where the audit opinion is "fundamental weaknesses" or similar.

Reporting – Annual Report

Audit South West will provide the Council with an annual assurance report on the adequacy and effectiveness of the overall system of internal control for the Trust, and in particular, those areas directly affecting Adult Services. It is noted that this assurance can never be absolute. The most that the internal audit service can do is to provide reasonable assurance, based on risk-based reviews and sample testing, that there are no major weaknesses in the system of control.

The report should provide:

- A comparison of internal audit activity during the year with that planned, placed in the context of Adult Services;
- A summary of significant fraud and irregularity investigations carried out during the year and anti-fraud arrangements; and
- A statement on the effectiveness of the system of internal control in meeting the Council's objectives.

Together with a summary of the performance indicators set for internal audit and performance against these targets.

Annex 6: Risk Share Agreement (2020-23)

09 March 2020 Record of Decision

Decision Taken:

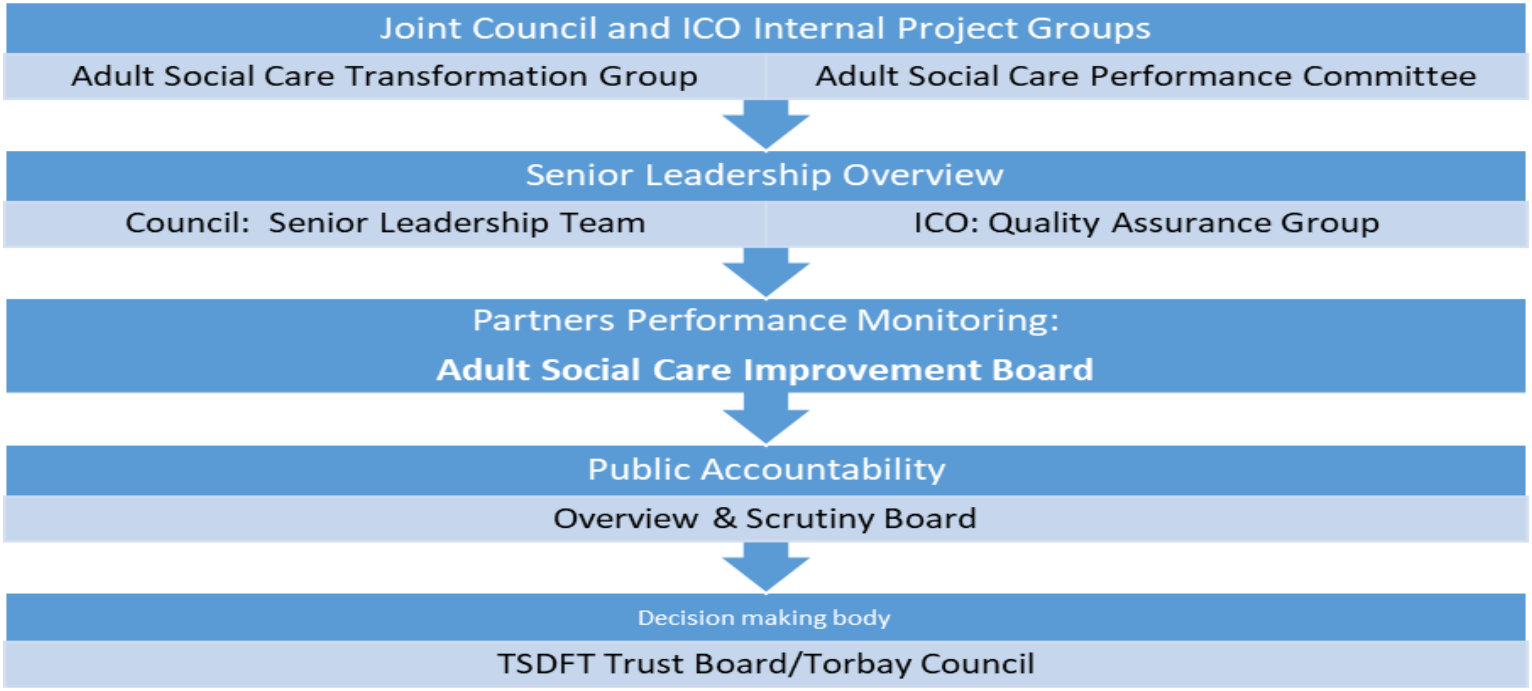
The Torbay Adult Social Care Risk Share 2020 to 2023 agreement will be under the powers outlined in S.75 NHS Act 2006. Under these arrangements, the Council retains legal responsibilities for the provision of Adult Social Care in accordance with the Care Act 2014, the Mental Capacity Act 2005 and the Mental Health Act 1983, but these be delegated to Torbay and South Devon NHS Foundation Trust; and the agreement to be based upon the following conditions:

- **A capped financial commitment from Torbay Council per year of £45 million for core spend, plus £2 million additional funding to acknowledge the spend is currently unacceptably over this level for the period of the agreement;**
- **A non-recurrent additional payment of £1 million in 2020/2021;**
- **An acknowledgement that all parties need to work together to deliver savings of £2 million per year in respect of the costs of Adult Social Care; and**
- **That the Adult Social Care Improvement Plan is incorporated into a Strategic Agreement, overseen by senior officers from all partners, with governance arrangements which ensure the Council's appropriate involvement, and includes a joint approach to maximising estates and economic development opportunities in Torbay.**

Summary of Reason(s) for Decision Taken:

To continue integrated appropriate and well managed arrangements for Adult Social Care in Torbay.

Annex 7: Adult Social Care Governance in Torbay



ASC RECOVERY AND TRANSFORMATION WORKSTREAM	ASC PERFORMANCE COMMITTEE
Oversight of SBA Strategy for ASC Training and Development programme for SBA Monitoring population health and demand data Operating Model redesign program Delivery of key market projects Market Strategy, co-design and delivery Oversight of ASC Delivery Plan	ASCOF performance Locally agreed targets MH Act compliance Routine financial reporting LPS Implementation Routine Contract Management report (LW@H) Audit of key functions QAIT & Safeguarding

Annex 8: Glossary of Terms

Term	Acronym	Definition
Adult Care Strategic Agreement	ACSA	Strategic Agreement between Torbay Council and Torbay & South Devon NHS Foundation Trust for the delivery of Adult Social Care.
Adult Social Care	ASC	Care and support provided to adults who need help to live as well as possible with any illness or disability they may have.
Devon Clinical Commissioning Group	CCG	The clinical commission group party to the Risk Share Agreement
Devon Partnership Trust	DPT	DPT provide specialist mental health and learning disability services for the people of Devon, the wider South West region and nationally.
Integrated Care Model	ICM	Providing Integrated Care helps patients and their providers. It blends the expertise of mental health, substance use, and primary care clinicians, with feedback from patients and their caregivers. This creates a team-based approach where mental health care and general medical care are offered in the same setting.
Integrated Governance Group	IGG	The governance body of Torbay and South Devon NHS Trust overseeing Adult Social Care delegation and delivery
Integrated Care Organisation	ICO	Integrated care happens when NHS organisations work together to meet the needs of their local population. They bring together NHS providers, commissioners and local authorities to work in partnership in improving health and care in their area. In Torbay this refers to Torbay and South Devon NHS Foundation Trust
Local Care Partnership	LCP	The purpose of a Local Care Partnership is to enable commissioners and providers of health and care to work together to better meet the health, care and wellbeing needs of the populations they serve within the resources available. The emphasis is on “Local” with an absolute focus on supporting what is important to local communities.

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TORBAY COUNCIL

Resource and Waste Management Strategy

2020 – 2025



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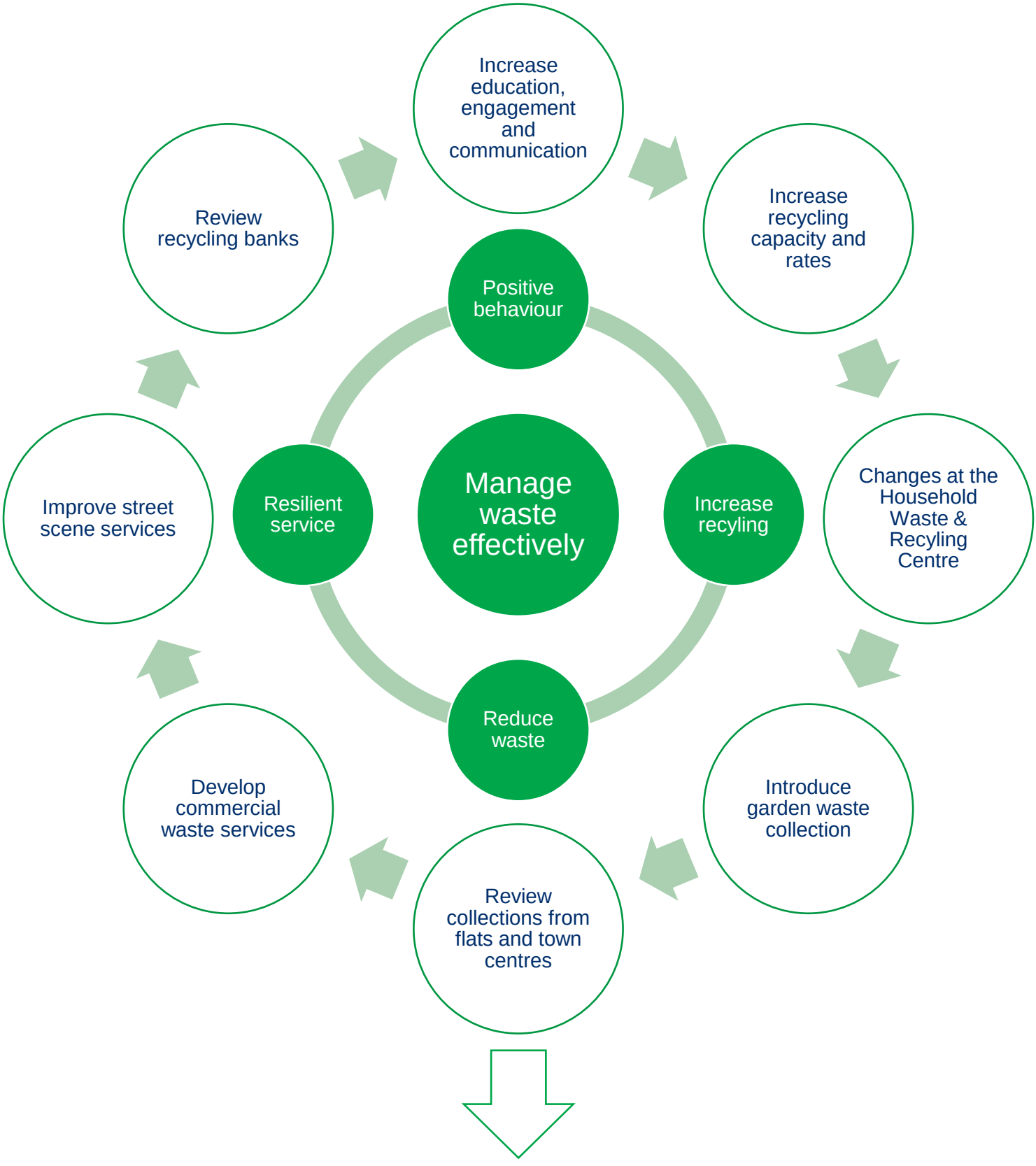
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Summary



Increase our recycling rate to 50% by the end of 2022/2023

Introduction

Torbay Council's previous waste strategy covered the period 2008 to 2025, but in this fast moving sector a refresh is long overdue.

> Torbay's recycling rate as at year end 2019/20 is 40.2%. We want to increase this to 50% by the end of 2022/2023.

Torbay Council has achieved Zero Waste to Landfill with the formation of the South West Devon Waste Partnership, including partners Plymouth City Council and Devon County Council.

All of Torbay's recycling waste is processed within the UK and the residual municipal waste is treated at the Combined Heat and Power Energy from Waste facility in Plymouth under contract with MVV Umvelt. The heat and energy produced is used at the local Ministry of Defence, Devonport Dockyard, to achieve maximum environmental benefit (which is twice as good for addressing climate change as landfilling would be).

No waste generated by Torbay's householders is sent to landfill.

In 2019, Torbay Council declared a Climate Emergency alongside at least 230[1] other councils. We are all taking action to reduce our own carbon emissions, and working with partners and local communities to tackle the impact of climate change on their local area. The positive changes outlined in this Strategy will link to the priorities and actions within the Council's Energy and Climate Change Strategy as we work towards our ambition of becoming a Carbon Neutral Council.

We will continue to learn from others, including as a member of the Co-operative Councils Innovation Network. Our dedicated Climate Change Officer will work closely with the waste team to ensure any gains are maximised and that the communities and relevant Climate Change bodies are consulted going forward.

Across Torbay, we have invested in specialised vehicles, with the most up-to-date energy efficient engines, which are used to collect weekly dry recycling in two 55 litre boxes and food waste in a 23 litre caddy. Residual waste is collected fortnightly, also in new vehicles with the most up to date energy efficient engines in a 240 litre wheeled bin.

The new recycling fleet can collect more material in one pass, reducing the need for return trips to offload, saving time, fuel and carbon emissions.

As soon as electric vehicles are available that can cope with Torbay's hilly terrain and have a battery life that will operate at the required capacity, we will look to replace the current fleet with the most efficient and climate friendly vehicles available.

[1] As at 28 August 2020

On 1 July 2020, Torbay Council formed an Arm's Length Company called SWISCo to directly manage not only the recycling and waste service, but all other services previously delivered by TOR2 (including Highways, Street Cleansing, Grounds Maintenance, and Fleet Management). We are committed to ensuring that SWISCo deliver the best possible services within Torbay and will work to promote continuous improvement and excellent service delivery for our residents and businesses, as well as the community as a whole.

In accordance with the Council's Community and Corporate Plan, this Resource and Waste Management Strategy will provide the framework to:

- Provide sustainable integrated waste collection and disposal services that protect human health and the environment.
- Identify efficiencies and deliver high quality, value for money in all waste management services, while achieving and exceeding government targets for waste.
- Manage materials as far as possible in accordance with the waste hierarchy, maximising the amount managed at higher levels of the hierarchy.
- Manage municipal waste, as far as possible, within the UK and seek to support the development of new local markets.
- Enable flexibility to allow for new technology developments and changing legislation.
- Continue to develop regional partnerships with other local authorities to achieve shared objectives, with a consistent approach.

The Waste Hierarchy

The Waste Hierarchy (Figure 1) ranks waste management options according to what is best for the environment. It gives top priority to preventing waste in the first place. When waste is created, the hierarchy gives priority to preparing it for re-use, then recycling, then recovery and last of all disposal (such as landfill).

The Waste Hierarchy is central to strategies around recycling and waste management. Its application has also been established in legislation in the UK.

Throughout this Strategy we will seek to ensure that we are taking action at the highest level of the Waste Hierarchy as is possible. Ultimately, we are seeking to prevent the creation of waste in the first place and we will continue to work with our communities and local businesses, and add our voice to regional and national campaigns, to ensure that we prevent as much waste as possible.

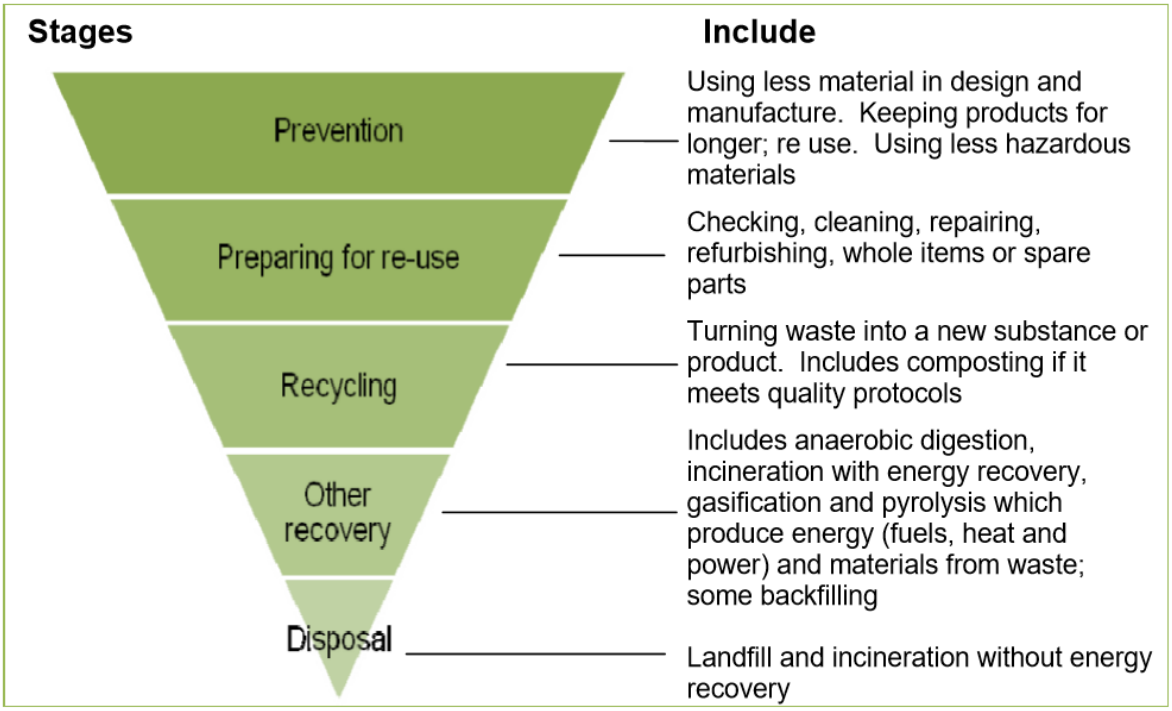


Figure 1: Waste Hierarchy

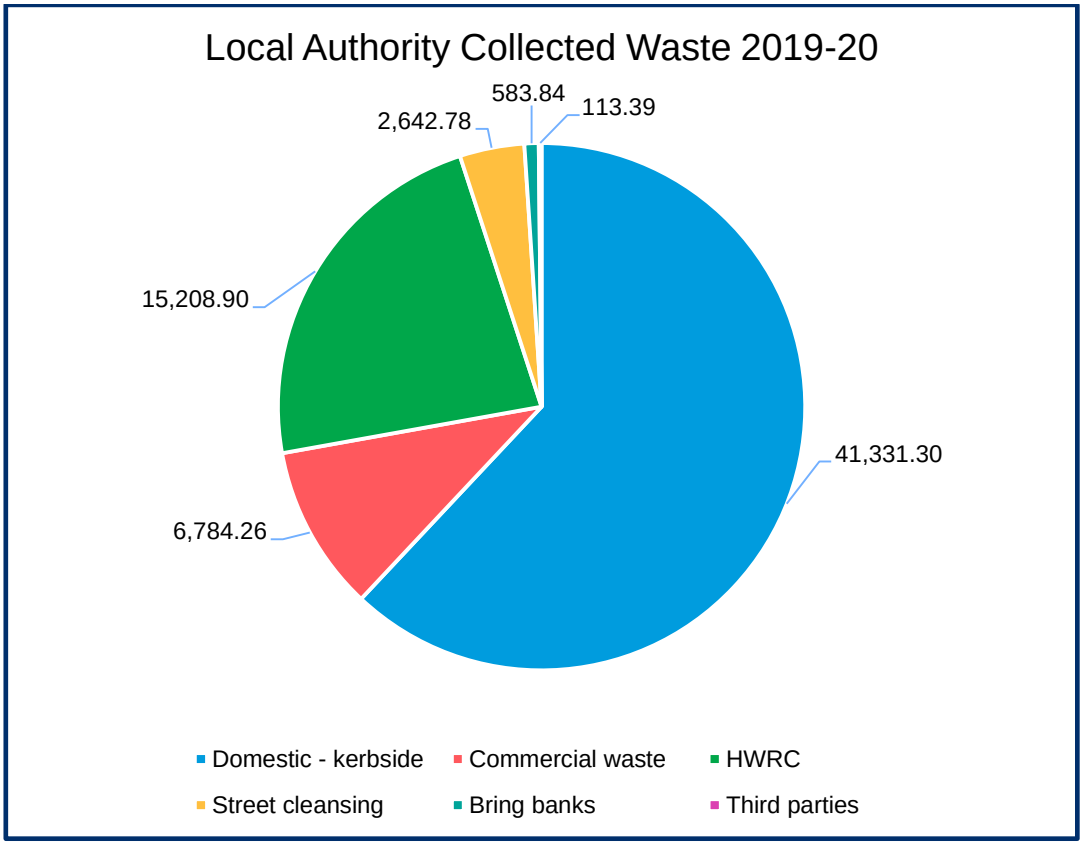


Figure 2: Municipal Waste Arisings 2019-20

In 2019-2020 Torbay Council managed over 65,000 tonnes of waste. Over 41,000 tonnes of this (62%) was collected directly from households using the kerbside collection services. A further 23% of the waste and recycling was brought to the Household Waste Recycling Centre. 10% is waste and recycling from commercial sources; 4% generated by street cleansing and 1% from bring banks and third party sources.

The amount of residual waste each household in Torbay disposes of each year has decreased from 754 kg per household in 2006/07, to 523 kg per household in 2019/20, a decrease of nearly a third.

This improvement is not unique to Torbay and can be attributed, in part, to the overall economic downturn of recent years. However, the change in recycling collection services (such as the introduction of weekly collections and expansion of materials collected for recycling) and introduction of food waste collection to households across Torbay in 2010, has also caused the amount of residual waste generated to decrease.

During this period, Torbay Council has run a variety of waste minimisation schemes, often working within partnerships. Notable successes include: The 'Watch Your Waste-line' and 'Love Food Hate Waste' food waste campaigns as well as a joint contract with the authorities who form the Devon

Authorities Strategic Waste Committee for face to face engagement with individual households, to encourage waste reduction and increased recycling. Torbay Council has also secured funding for the following projects, with the aim of increasing recycling levels and participation: WRAP food waste, Unilever increased plastic collections, DTS Waste Electrical and Electronic Equipment collections from the kerbside, Department for Communities and Local Government's Green Points recycling rewards, and Alupro metal recycling.

The percentage of household waste being reused, recycled, and composted in Torbay has increased from 28.08% in 2007/08 and stands at 40.2% in 2019/20. Although this increase is significant and should be celebrated, it should be noted that the recycling performance has not increased to the level that was anticipated and predicted at the time. The recycling rate for England in 2018/2019 was 45.1%

The amount of municipal solid waste being sent to landfill steadily decreased from 2006/07 until 2015/16, when a dramatic reduction in the amount of municipal waste being disposed of in landfill was experienced. This was due to the opening of the South West Devon Waste Partnership combined heat and power, energy from waste facility at Devonport in late April.

2016/17 was the first full year of operation of the facility and a further reduction in municipal waste landfilled resulted. In 2019/20 Torbay Council achieved the accolade of 'Zero to Landfill', demonstrating a movement of Torbay's waste management up the waste hierarchy.

A recent agreement with the South West Devon Waste Partnership means that all of Torbay's residual municipal waste (except asbestos) will be treated as part of the joint contract, which is expected to further improve Torbay's performance against this indicator. Prior to this the commercial waste was not included in the contract.

We have introduced an online appointment based booking system for the Household Waste and Recycling Centre and this gives intelligence relating to the number of residents using this site. It also allows control over vans using the site, limiting them to bringing the same amount of waste that could be put into a family car. The system allows for the monitoring of the frequency of visits to the site by any one household, acting as a deterrent for abuse of the site by commercial enterprises, helping to generate additional commercial waste income.

Housing growth within Torbay needs to be taken into account and the Torbay Local Plan 2012-2030 identifies the provision of 8,900 new dwellings. This is an average of 500 new properties per annum. As the number of properties increase there will be a need to expand the waste and recycling services including the purchase of new collection vehicles and employing additional staff.

As a Council and wider organisation, we are committed to working with our residents and communities and we recognise that this is essential if we are to increase our recycling rates. How we communicate with our residents will be improved and will include a number of different methods – from improving our website and increasing the use of social media (including new and emerging platforms such as Next Door) through to leaflets sent to residents and articles in local print media. We will work with partners across Torbay, including our schools and the business

community, in order to reduce the amount of waste we generate and increase the amount we recycle.

SWISCo, a Torbay Council wholly owned company, delivers waste and recycling services on behalf of Torbay Council.

The SWISCo business plan identifies the following strategic objectives;

- Increase the recycling rate.
- Create a performance focussed culture
- Innovate through greater use of technology
- Contribute to the climate emergency response by reducing carbon emissions.
- Empower residents, communities and partnerships to work together through community focussed educational campaigns and activity.

The Regional Context

This strategy aligns with the Devon Authorities Strategic Waste Committee's Resource and Waste Management Strategy for Devon and Torbay, as well as that Committee's Waste Reduction and Reuse Strategy. Torbay is an active member of the Committee although Torbay's Resource and Waste Management Strategy is presented in a separate document to the rest of Devon's, as Torbay differs from the rest of the partnership as it is a Unitary Authority.

With the potential for future local government reorganisation, Torbay will continue to seek to align its waste and recycling services with neighbouring authorities, so that collection methods and materials collected are more and more consistent. Within the Resource and Waste Management Strategy for Devon and Torbay, an aligned waste and recycling collection service is mooted as an aspiration for all local authorities forming the Devon Authorities Strategic Waste Committee.

The Figure 3 shows the most recent position regarding alignment of collections in all of the Devon district collection authorities including Torbay. If, in the future, there was to be the formation of a combined Devon Waste Authority having consistent recycling collections with very similar fleets of kerbside sort vehicles would help to ensure a smooth transition of services.



Figure 3: Devon Authorities Strategic Waste Committee Aligned Option

At the moment East Devon are the only Devon Authority to have a three weekly residual collection, but others are doing trials (for example, West Devon Borough Council) or planning them (for example, Exeter City Council).

East Devon District Council found that by ensuring increased levels of education and advice, residents found this collection methodology was possible even though there had been some initial opposition. East Devon now have one of the best recycling rates in the country at around 62%.

The National Context

The UK Government has published a number of strategies which provide the basis for Resource and Waste Management across England for the next 25 years. These include:

- A Green Future: Our 25 Year Plan to Improve the Environment
- Our Waste, Our Resources: A Strategy for England and consultations on Extended Producer Responsibility, Plastic tax, Consistency of recycling services, Deposit Return Scheme
- Clean Growth Strategy
- Litter Strategy for England
- Rural Crime Strategy
- EU Circular Economy package
- Climate Emergency







The key high level UK targets arising from these documents include:

- Eliminate avoidable waste of all kinds by 2050
- 65% recycling rate by 2035
- Work towards all plastic packaging to be recyclable, reusable or compostable by 2025
- Eliminate avoidable plastic waste over the lifetime of the 25 year plan
- Double resource productivity by 2050
- Eliminate all biodegradable waste to landfill by 2030

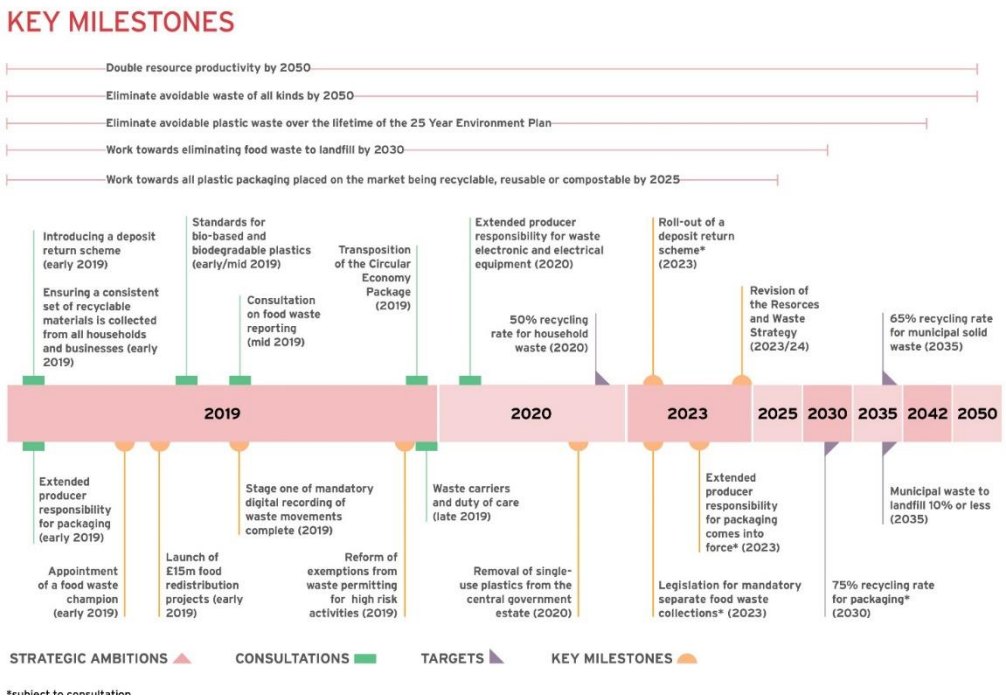


Figure 4: Government's Key Milestones for progress

In spring 2019 Central Government ran consultations on some of the key proposals within the strategy. A second round of consultations are expected in spring 2021. Responses to the consultations may change some of the detail of the proposals, but it has been made clear the cost of any new burdens for local authorities will be funded by central government through payments from those organisations that initially generate packaging.

The four proposals which are being consulted on are:

Consistent recycling collections

To help drive up household and commercial recycling levels, the government will identify a consistent set of recyclable materials for collection in England (including separate food waste collection), no matter which part of the country people live in.

Deposit Return Scheme

The government has proposed a Deposit Return Scheme that could operate for beverage containers, seeking to drive up their recycling rate as has been experienced in a variety of other countries.

Extended producer responsibility for packaging

The cost of recycling or disposal of packaging will be borne by those that produce packaging waste and place it on the market. This will encourage large organisations like supermarkets to be innovative and reduce how much packaging they use for all of their products so that the consumer and, ultimately the local authority, will have less to recycle or dispose of. If these organisations fail to reduce their packaging they will have to pay for its collection and onward processing.

Plastic Packaging Tax

From April 2022 a world-leading new tax on the production and import of plastic packaging with less than 30% recycled content will be introduced.

Objectives, Principles and Aims

Objective

> We will manage municipal waste within Torbay in accordance with the waste hierarchy to drive service improvements and efficiencies.

This means that, in order of priority, we will work to prevent waste being produced in the first place, enable the reuse of products, improve how much we recycle, ensure we recovery energy from waste and, as a last resort, dispose of waste.

Principles

Reflecting on the principles with the Community and Corporate Plan, our approach in delivering this Resource and Waste Management Strategy is described below.

Enable our communities: We will involve and empower Torbay's residents to take positive action to reduce the amount of waste we generate, increase the reuse of products and increase our recycling rates.

Use reducing resources to best effect: We will work to reduce the amount of waste that we generate in Torbay, reusing goods and materials wherever possible.

Reduce demand through prevention and innovation: We will put in place initiatives and mechanisms (including improved education, engagement and communication) which aim to reduce the amount of waste we generate, in particular reducing the amount of residual waste that we dispose of.

Integrated and joined up approach: We will work to meet the Government's plans for resource and waste management and will seek to enable adoption of new legislation as and when it is introduced. We will work to ensure consistency of collections across neighbouring local authorities, aligning our Strategy with the Devon Resources and Waste Strategy and providing opportunities for partnership working towards shared objectives.

Aims

In implementing this Strategy, Torbay Council aims to:

- Encourage positive behaviour change in order to facilitate management of waste further up the waste hierarchy within Torbay's households.
- Increase the recycling rate and contribute towards the national targets of 55% recycling by 2025 and 60% by 2030.
- Reduce the amount of waste sent for energy recovery and disposal, thereby reducing carbon emissions and the associated financial costs
- Develop a resilient service which can adapt to new technology and changing legislation.

Reasons for Change

The Climate Emergency

In 2019, Torbay Council declared a ‘Climate Emergency’. Torbay Council is a partner of and supports the work of the Devon Climate Emergency Response Group, which is aiming to produce a collaborative Devon-wide response to the climate emergency to help us get to net zero carbon emissions by 2050 at the latest and also prepare Devon for the necessary adaptation to infrastructure and services required to respond to climate change. This means that we have to create a truly circular economy which is more balanced, sustainable and with its main focus on a perspective that allows both humans and our planet to thrive.

The Energy and Climate Change Strategy for Torbay describes how we aim to help minimise the economic, social and environmental costs of climate change in the Bay by demonstrating leadership and providing encouragement in working toward emission reductions and resilience to our changing climate.

The Torbay Resources and Waste Strategy will seek to support a path towards carbon neutrality by 2050 and will seek to consider the amount of embedded carbon in the materials that are collected for recycling and the environmental benefit of recycling as opposed to extraction of raw materials to produce new products.

The actions described in the next section will enhance Torbay’s position with regard to its Climate Emergency targets and already being a Zero to Landfill authority shows that we have started to move in the right direction.

With the Waste Hierarchy being one of the principle drivers, we want to work with our residents and communities so that they rethink how we use resources. Can we do without something we have always taken for granted? If we do still need it, how can we make sure it is reused or recycled when we no longer need to use it?

Our waste service will drive this behaviour change and through proper education and advice we want to work with our residents, businesses and communities so that they strive to help us to achieve these aims.

Improved customer experience

We recognise that the recycling and waste service our residents have received in the past has not been good enough. Part of the reason for setting up SWISCo was so that, as a Council, we can have a better control of the services we provide.

Through improved management and better use of technology, the recycling and waste service will be improved. We have in place a new, more efficient fleet of vehicles with in-cab technology. This will mean that we will be able to gather data in real time – allocating resources quickly to deal with missed collections and any unexpected increases in recycling and waste.

We will improve how we communicate with our residents, customers and communities, including how we engage to encourage changes in behaviour. Our customer services will be improved and we will provide up-to-date information in a range of formats.

We also recognise that this will not be a five minute fix. We are committed to ensuring that we reach our recycling targets as well as providing a resilient, sustainable service going forward.

Financial benefits

Waste disposal is one of the biggest costs faced by Torbay Council. Reducing the costs of disposing of waste, whilst at the same time ensuring that the true cost of services are charged appropriately, will enable that money to be spent on other services valued by our residents. Reduction of the residual waste stream has the greatest potential for delivering savings whilst also pushing the management of waste further up the hierarchy.

Recovering more materials for recycling will immediately reduce costs, and gives a double benefit because in most cases the material is recovered as recyclate which will have an associated income.

For example for every tonne of aluminium that is diverted from residual waste to recycling a saving of approx. £95 is made and an income of £818 gained, giving a total net gain of £913. Materials prices are specific to each material type and are also subject to market forces, which can affect the price obtained. Aluminium has the highest material value, but as shown in figure 5 below, even if there is no income to be gained from the recyclate, recycling is a more cost effective option than disposal in all these material cases.

Factors such as haulage costs and additional collection resources would impact on the total cost saving that could be achieved. In addition, recycling helps to prevent the extraction of raw materials, resulting in carbon savings.

Material	Disposal Cost/Tonne £	Income/Tonne £	Total Net Gain £
Paper	95	55	150
Cardboard	95	13	108
Textiles	95	0	95
Glass	95	12	107
Plastics	95	44	139
Steel cans	95	109	204
Aluminium cans	95	818	913
Food waste	95	-10	85
Green waste	95	-22.50	72.50
Waste Electrical and Electronic Equipment	95	0	95

Figure 5: Cost Benefits of Recycling

With the current recycling rate of 40.2%, every 1% improvement in the recycling rate means we capture approximately an extra 500 tonnes of waste so to get to 50% recycling rate would be a realistic target.

Therefore a 5,000 tonne improvement over a period of two to three years should be achievable and this would not only give a financial benefit of £475k in disposal savings, but would also provide an income benefit from the sale of recycled materials. The income predictions over the next few years are extremely difficult to forecast, as the markets are highly volatile, especially with the uncertainty of COVID-19.

The disposal saving is much more certain due to the disposal contract that is in place with the Energy from Waste plant in Plymouth, but what is clear is that by recycling more the financial gains are significant.

Making the Changes

Action 1: Increase education, engagement and communication

We will develop and deliver a new education programme to be delivered across the whole Bay. By improving the way that residents separate and present their recycling for collection, collection round efficiencies can be achieved.

New Recycling Co-ordinators will be the first point of contact for residents with problems with the collection of any of their waste. They will be available by phone or email and will make a face-to-face visits if required. The Recycling Co-ordinators will advise how each household can recycle as much as possible and will help with issued when service changes are introduced.

The Recycling Co-ordinators will be part of the Collection Team and will be available to ensure that collections are as efficient and as clear to residents as possible. Their goal will be to achieve more recycling and reduce disposal at our Energy from Waste plant.

We will provide clear information (in a range of formats) to explain to residents the variety of items which can be recycled. In particular we will promote food waste collections more widely and work to facilitate increased uptake of the service. We will also promote the range of services available in order to make recycling and waste disposal as effective and efficient for our residents as possible. This will include the option for further recycling containers and the bespoke options that are available to dispose of nappy and/or medical waste.

New technology will identify those households who recycle very little and help and support to increase participation in recycling services will be provided in a way that is tailored to their needs.

Current high performing recyclers will be provided with more detailed information about the recycling service so that their recycling behaviour can be maximised and to encourage reduction of waste through changes to their consumer behaviour. We will work with these households to help to increase efficiency of recycling and waste services, for example by providing stickers for their recycling containers showing how materials can be separated to aid collection.

We will give confidence to our residents that the material that is presented for recycling is in the majority of cases recycled within the UK and is made into new materials, saving the production of raw materials and positively supporting the Climate Emergency.

We will work with our residents to make it as easy as possible for our collection crews, thereby increasing the efficiency of the collection rounds. In turn this will increase the tonnages that can be collected on each round, meaning that the rounds will be more resilient to anticipated increases in the amount of materials that are separated for recycling by residents.

We will improve engagement and communication with collection crews, helping them to understand why we are making changes and what the desired outcomes are – our crews are pivotal to the success of service changes.

We will work to make the collections as fast as they can safely be and gain further efficiencies that can only be achieved from the investment in both vehicles and technology.

Enforcement will be a method of last resort as it is hoped that with the right communications and help offered to all, that the majority of households will assist us to achieve better recycling rates as we work together to become carbon neutral.

Action 2: Increase recycling capacity and rates

We will introduce an additional recycling box which will increase the capacity of containment per year by 940 litres (which is a 15% increase).

Practical advice will be given to help with containment capacity, such as squashing plastic bottles and flattening cardboard, to reduce the volume of the recycling which will then fit into less containers.

We will raise awareness of what households are wasting and help them to reduce the amount of waste that they generate. In particular, we will focus on encouraging residents to separate food waste from their residual waste. Food waste will continue to be collected weekly, meaning that issues around odours, maggots and vermin will be reduced to a minimum.

We will work in partnership, both locally with the Devon Authorities Strategy Waste Committee's 'Don't Let Devon Go to Waste' campaign and nationally, as part of the Waste and Resources Action Programme's 'Love Food Hate Waste' Campaign.

If residents find that they do not have sufficient capacity in the recycling containers for all of the materials they present, additional containers will continue to be supplied. We will ensure that the sorting and collection of recycling containers is as efficient as possible.

Whilst we will maintain fortnightly residual waste collection, we will develop operational waste collection policies. This will include a robust side waste policy with associated reporting by collection crews, which will help to target support to the correct households. Controls over residual waste delivered to the Household Waste Recycling Centre will also be implemented.

Action 3: Changes at the Household Waste and Recycling Centre

We have brought Torbay into line with the rest of Devon through the introduction of charges at the Household Waste and Recycling Centre (HWRC) for certain types of non-household waste. Charges are applied for the disposal of construction, demolition and other non-household materials (including plasterboard, rubble, tyres, asbestos, plastic guttering and downpipes, plastic replacement windows and bathroom and toilet fixtures and fittings, such as toilets, sinks, baths and showers).

We will also prohibit the disposal of black bags at the HWRC and instead require that all waste is separated for recycling prior to arrival at the site. Again, this will bring Torbay in line with the rest of Devon.

The frequency of the visits to the HWRC has been increased to four in any one month to allow for properties who generate large amounts of garden waste. Anyone generating more waste than this will need to make contact with SWISCo and discuss their requirements.

Action 4: Introduce a garden waste collection service

We will introduce an opt-in, charged-for garden waste collection service which will bring about further consistency of services with neighbouring local authorities. This will reduce the amount of green waste that is put into the residual bin and will lead to an improvement in Torbay's recycling rates.

This will require further investment in vehicles and containers as currently the fleet does not have the capacity to make these collections. Additional drivers will also be required to facilitate this service.

Action 5: Review collections from flats, multiple occupancy buildings and town centres

We will review the waste and recycling collections from flats, buildings of multiple occupancy and town centre properties.

We will work with residents and landlords to overcome the barriers to recycling which may include difficult access to storage areas, poor design of waste storage areas, bad signage to guide separation, lack of space inside the properties to store recycling separately from residual waste, social deprivation and contamination by other residents.

We will continue to provide standing advice to developers who are looking to build or convert properties into flats, helping to ensure that new developments are provided with adequate space and suitable design to encourage high levels of participation in recycling.

Action 6: Develop commercial waste services

We will work in partnership with SWISCo to develop the commercial waste and recycling customer base within Torbay.

We will work to manage commercial waste further up the waste hierarchy, encouraging the prevention of waste in the first place and making the recycling service more desirable to commercial customers. We will work with partner organisations in the public, private and community sectors to promote recycling so that we provide a model for changing behaviour.

As a Unitary Authority, Torbay Council has a statutory responsibility for the collection and disposal of commercial waste from businesses who are unable to find any other collection contractor. SWISCo will review commercial waste collection charges in these circumstances to ensure that the true cost of collection and disposal is recovered from the charges made.

SWISCo will also consider the range of materials that are accepted for recycling from commercial customers at the Tor Park Road site, with a view to reducing the commercial waste disposal cost as far as possible and diverting as much commercial waste as possible for recycling.

Investment in in-cab technology for commercial waste and recycling services will provide SWISCo with more intelligent data to inform service developments and to help manage customer expectations.

We will review the charging structure to ensure that the true cost of collection and disposal is recovered from all customers. This will include identifying self-catering holiday accommodation to ensure that domestic services are not used.

Action 7: Improve street scene services

We will undertake a complete review of our litter, street cleansing and fly tipping services, which are also undertaken by SWISCo on behalf of the Council. We will make use of new technology and innovation to make these services more efficient, as well as more reactive to immediate emergency needs. They are intrinsically linked to the household waste collection service and as such each service needs to complement each other by working closer and sharing of reduced resources.

We will ensure that litter bins in high traffic areas allow for the separation of waste, ensuring that our residents and visitors can recycle their waste when they are out and about.

Through our new Environmental Enforcement Service, we will proactively challenge fly tipping and littering across Torbay, enforcing as necessary to ensure that our built and natural environment is protected.

Action 8: Review of recycling banks

We will review the current recycling bank provision and consider putting additional recycling banks for materials such as cardboard, plastic and cans. This could help those with little room in or outside their property, but who want to do their bit for the climate emergency and recycle as much as they can.

This document can be made available in other languages and formats.

For more information please contact waste&recycling@torbay.gov.uk

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TORBAY COUNCIL

Capital Strategy and Capital Receipts Strategy

January 2023



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1. Introduction

The Council has a range of capital resources at its disposal, which it uses to deliver services and to achieve its strategic objectives. These resources will include land and buildings, such as offices, schools, parks and open spaces, leisure centres and much more.

The Council's ability to maintain these assets to ensure and to enhance their role in the delivery of services is crucial to its financial resilience. If assets fall into disrepair, they are no longer able to fulfil their primary purpose, then the Council's ability to deliver the associated services is impaired and it has resources tied up in assets that it cannot use.

The Capital Strategy provides a high-level overview of how capital expenditure, capital financing, investments, liabilities and treasury management activity contribute to the provision of services, together with an overview of how associated risk is managed and the implications for future financial sustainability.

Consequently, planning and managing the use of the Council's capital resources is vital. This includes understanding the role that these assets play in the delivery of services and ensuring that the authority's asset base remains fit for purpose.

The Strategic Asset Management Plan and the Transport Asset Management Plan provides information on the sustainability of these assets and the efficient use of the asset portfolio to provide value for money. These Plans are available on the Council's website.

When incurring capital expenditure there is an element of risk that needs to be managed by the Council. This risk could be:

- whether an asset will deliver outcomes projected,
- the accuracy of the estimates of running costs and income at the time of acquisition, and
- whether it is prudent to borrow for this expenditure.

Like other authorities, the Council previously purchased property to provide multiple benefits, including an investment return. This investment return has provided an income stream to the revenue budget and helped to offset some of the budget pressures arising from increased demand and reduced funding from central government. The Council, whilst no longer acquiring such assets, manages existing assets which will have different characteristics and risks.

During the past two years HM Treasury have taken actions to prohibit the purchase of investment assets bought primarily for yield. Torbay Council removed any further such purchases ('debt for yield') from its capital plans.

In May 2022, the HM Treasury PWLB Borrowing guidance was further updated. The updated guidance reinforced central government's expectation that councils do not engage in more commercial activity such as the purchase of investment property and avoid activity that "is primarily for yield". The guidance also included a list of "permissible categories of local authority capital expenditure - (service delivery, housing, regeneration, preventative action, and treasury management)". The Council will have to submit information to treasury on an annual basis to

demonstrate compliance with the new guidance. The guidance further defines “regeneration” with a list of characteristics of what HM Treasury would regard as a permissible regeneration project. In summary the council can only do regeneration projects to address market failure, act only when the private sector cannot deliver, and the council is making a change to the asset by significant investment or significant change. Compliance with the guidance will apply to where the council finances capital projects, including actions undertaken by its subsidiary companies.

All new capital projects decisions will need to include an assessment and justification of the classification of the project under the new borrowing rules to ensure compliance. This will need to be agreed by the s151 officer, as they have to provide the assurances to HM Treasury.

These regulations apply to all types of borrowing not just PWLB.

Link to May 2022 guidance:

PWLB guidance for applicants (updated) V1.docx (dmo.gov.uk)

Economic Conditions

During 2022/23 the council’s capital plan experienced significant increase in costs due to instability in the contractor market and a 2% rise in borrowing costs to 4.5%. This impact is likely to continue over the next few years.

These changes are impacting negatively on the financial viability of capital projects including those due to have been funded by grants where the grants have not increased to meet the increased costs.

Where a capital a project is considered necessary to proceed (say to secure grant or complete a started project) Council can allocate additional borrowing to that project, however the impact of the additional borrowing costs will need to be assessed and funded in future year budgets.

These additional costs do not alter the capital strategy but it does focus attention that compliance with both the capital strategy and the Prudential Code is even more important to ensure “that capital expenditure and investment decisions are affordable, prudent and sustainable.”

Regulation

Authorities are required by regulation to have regard to the **Prudential Code for Capital Finance in Local Authorities (2021)** when carrying out their duties in England and Wales under Part 1 of the Local Government Act 2003. **The key message from the Code is, in relation to capital expenditure, the consideration of Prudence, Affordability and Sustainability.**

CIPFA’s Prudential Code provides a framework for the self-regulation of the authority’s capital financing arrangements. It requires local authorities to determine that capital expenditure and investment decisions are affordable, prudent and sustainable, and to set limits on the amount they can afford to borrow in the context of wider capital and revenue planning.

A Capital Strategy is part of the Prudential Code requirements and sets out the long-term context in which capital expenditure and investment decisions are made and that gives due consideration

to both risk and reward and to the impact of the strategy on the achievement of the authority's priority outcomes.

The Financial Management Code of Practice has been issued by CIPFA 'to provide guidance for good and sustainable financial management in local authorities and will provide assurance that authorities are managing resources effectively'. The Financial Management Code applies to all local authorities and brings together statutory requirements and Codes of Practice into one document.

The Capital Strategy will need to reflect the standards outlined in the **CIPFA Financial Management Code of Practice**.

Objectives of the Capital Strategy

The Capital Strategy is one of the Council's key documents in providing a medium/long term plan. It will be consistent with the plans and strategies shown below. This Strategy should be considered with the following plans to provide a fully integrated transparent Plan for the Council:

- Strategic Asset Management Plan
- Transport Asset Management Plan
- Medium Term Resource Plan
- Capital Plan
- Revenue Budget
- Treasury Management Strategy
- Regeneration Fund Strategy

The Capital Strategy is therefore the policy framework document that sets out the principles to be used to guide the allocation of capital investment across all the Council's services and informs decisions on capital spending priorities within the Council's 4-year Capital Plan. In addition, as part of the Strategy, the Director of Finance reports explicitly on the affordability and risk associated with the capital strategy.

Inevitably the full picture of the control system around the Council's wide range of capital expenditure and its funding is reflected in a range of documents, monitoring and management arrangements. A summary of four key aspects of capital activities is shown in the table on the next page.

Capital Expenditure	Debt and Borrowing Treasury Management (TM)	Other Long-Term Liabilities (e.g., PFI schemes)	Knowledge, Skills and competence
▪ strategic service plans + asset management plans + capital strategy ▪ pipeline process ▪ capitalisation rules ▪ long-term forecasts ▪ basis of estimating future costs and sensitivity to risk ▪ sustainability of the asset base	▪ projections of external debt and internal borrowing ▪ how debt will be repaid ▪ authorised limit and operational boundary ▪ how TM decisions are made and how they are scrutinised	▪ identification and approval ▪ on-going monitoring ▪ creation of liabilities on the balance sheet	▪ knowledge and skills available ▪ professional competence in specialist areas ▪ use of advisers ▪ training plans
Capital Strategy Asset Management Plan Transport Asset Management Plan Council Reports	Treasury Management Strategy TM Mid-Year Review TM Outturn Report Revenue Budget Medium Term Resource Plan	Treasury Management Strategy Statement of Accounts	Treasury Management Strategy Regeneration Fund Strategy
Council Cabinet Capital & Growth Board	Audit Committee Council	Audit Committee Council	Audit Committee Cabinet

Capital investment is defined as: **Expenditure on the acquisition, creation, or enhancement of 'non-current assets' i.e., items of land, property and plant which have a useful life of more than 1 year.** A fuller definition is attached at Appendix 1. Expenditure outside this definition will therefore be revenue expenditure.

Most non-current assets are properties that are used in service delivery. The Council's land, buildings and infrastructure asset base has a Balance Sheet value as at the 31st March 2022 of approx. £600 million (£577m as at 31/03/21), of which £211 million (£203m as at 31/03/21) are Investment Properties. The outstanding borrowing as at 31/12/22 was £389m (£392m 20/21) with £16m (£17m 20/21) of long-term liabilities in relation to PFI schemes.

The Capital Strategy is presented to Council as a Policy Framework document, and links with both the Treasury Management Strategy, Medium Term Resource Plan and the Corporate Asset Management Plan which is the key **operational** asset plan covering repairs and maintenance.

In considering the principles, the Council needs a balance between guidance and prescription to allow a flexible approach to be taken but reflective of times of uncertainty. This Strategy focuses on the key policies for the allocation of capital resources to schemes in line with Council priorities and statutory responsibilities.

The management of the Capital Plan is also supported by the Council's approved Financial Regulations.

2. Guiding Principles

Approach to Borrowing

The Council is able to borrow money on the money market or from the Public Works Loans Board (PWLB) to fund capital schemes or, on a short-term basis, use its own internal resources (i.e., cash flow). However, for all capital schemes initially funded from borrowing, the Council will have to fund the principal repayment and interest costs, these ongoing borrowing costs are unavoidable.

The Council is only able to borrow under the guidance contained in the CIPFA Prudential Code whereby, in summary, the Council is required to ensure that all borrowing is both prudent and affordable. All schemes funded from prudential borrowing are approved by full Council, although in some cases approval of individual schemes within an overall allocation by Council have an alternative approval process (such as by Cabinet).

The Prudential Code requires authorities to ensure that decisions for capital expenditure plans are made with sufficient regard to the long run financing implications and potential risks to the authority and include effective due diligence.

Based on the Council's latest Capital Plan update (Quarter 2 2022/23) there is potential need to take an additional £208m of borrowing by the end of 2025/26 (before MRP reducing impact) to support capital projects, potentially increasing the Council's overall external borrowing by the end of 2025/26 (excluding PFI) to £597m. This however includes £109m of borrowing relating to regeneration and housing schemes that have yet to be identified and/or approved.

Based on current economic forecasts a borrowing cost should be assumed for new borrowing in 2023/24 of 4.5%

The Council takes a relatively prudent approach to new borrowing, paying particular regard to the robustness of the business case to include forward predictions of affordability, with the aim that projects should be self-funding (i.e. create a revenue stream so that the cost of borrowing is cost neutral), however, the Council has approved a significant number of projects that are more commercial in nature.

Following the changes to PWLB the Council will no longer be acquiring commercial properties using 'debt for yield' however the risks around income on the properties previously purchased and the ongoing cost of the borrowing will still need to be managed. All new proposals for a self-funding or invest to save scheme supported by borrowing must have a robust business case that is presented to senior members and officers prior to approval by Council.

The Council will comply with the PWLB H M Treasury guidance around the use of borrowing – which are now over four categories, each with a definition of the type of capital projects that can be borrowed for – service delivery, housing, regeneration and re financing. These rules will apply to all forms of borrowing not just PWLB.

Each business case, as appropriate, must clearly identify and consider the ongoing revenue implications of:

- fixed interest and principal repayment costs
- associated income stream and sensitivity
- volatility of the income stream
- the contribution to the general fund or breakeven point
- the sensitivity of that contribution
- achieving the target return linked to the purpose of the spend
- ensuring asset value exceeds outstanding debt
- demonstrating value for money
- Project sustainability
- Exit strategy and costs

All of the above need to be considered for the whole life of the asset.

Each business case must clearly identify and consider the ongoing balance sheet implications of:

- the change in the level of Council debt
- address how changes in asset value will be funded i.e., capital appreciation and impairment and the total of assets funded by borrowing
- Maintenance of asset to ensure sustainable use

To ensure all members are fully informed of the risks and rewards associated with borrowing, reporting will include:

- Total debt of the Council
- The underlying assets funded by that debt
- Affordability - Ongoing revenue costs of principal and interest
- Income Streams associated with that asset
- Implications of changes in asset values or income streams

To support its revenue budget the Council will continue to evaluate any capital investment projects either acting alone or with partners that will produce an ongoing revenue income stream for the Council as part of service delivery or reduces on-going revenue requirements.

There may be the need for borrowing that has no identifiable future revenue stream, for example, to repair or construct infrastructure assets. Here a broader view can be taken of the value of repairing the asset to the overall economy of the Bay. In 2022/23 additional borrowing was approved for four schemes where, due to the impact of the economic conditions, the costs of the scheme had increased over the originally forecast income. The cost of such borrowing falls on the revenue budget through payments of debt interest on the Council's revenue account and repayment of debt over a specified period. There may still be a need for such borrowing, but each proposal should be reviewed on a case-by-case basis with the project evaluation clearly stating how the borrowing is to be afforded. Given the ongoing financial challenges facing this Council over the next few years it is likely that such schemes will be an "exception".

The Council's Treasury Management Strategy provides further information on the Council's borrowing strategy for the coming financial year:

www.torbay.gov.uk/council/policies/finance-policies/treasury-management/

Long Term Capital Liabilities

The Council can also finance capital expenditure by means of a long term PFI contract, whereby a private sector company will build and then supply an asset (usually with services as well) back to the Council for a specified number of years. At the end of the contract the asset transfers to the ownership of the council. The value of the asset and the associated liability over the life of the contract to fund that asset is reflected on the Council's balance sheet. As with borrowing, any Council decisions on agreeing contracts that result in long-term liabilities are made with sufficient regard to the long run financing implications and potential risks to the authority and include effective due diligence.

Council's may also lease in assets for service delivery rather than purchase. Depending on the lease terms, including the length of lease, these assets, and the associated liability over the life of the lease to fund that asset is reflected on the Council's balance sheet. Changes in International Financial Accounting Standards (IFRS16) in relation to lease recognition have, again, been delayed until 2024/25 (with a restated comparative year of 2023/24) and may result in more leased in assets and liabilities being reflected on the Council's balance sheet.

Grant Allocations

The Council receives capital grant funding from government and can bid for grant funding direct to government departments or from other grant awarding bodies. The funding from central government tends to be un-ring fenced and without conditions, however this funding is at a significantly lower level than in the last decade.

Any un-ring-fenced capital grants received will be reported to Council. The presumption is that the grants will be allocated in line with the service intentions of the identified government body awarding the grant, however Council has the option to reallocate. Once capital grants have been allocated to a specific service, individual schemes within that allocation are subject to each individual scheme being approved by the relevant Director in consultation with the relevant Cabinet member and Director of Finance.

The Council continues to bid for additional external grant funding for schemes which support corporate priorities or statutory service objectives and where it can be proved that the project is sustainable, and requirements for match-funding and future revenue consequences have been considered and approved. All bids are to be agreed with the Director of Finance prior to submission. Where external grants are used the grant conditions of linking to the capital grant and future use of the asset need to be adhered to.

In October 2019 Cabinet strengthened the governance around capital bids and acceptance of capital funding by resolving:

(i) that Council Directors ensure that all bids submitted for their portfolio are checked by them for accuracy;

(ii) that significant decisions made by Officers should have formal Record of Decisions, irrespective of whether or not the legal test for their preparation is met;

(iii) that meetings, such as ones where the Leader and Group Leaders were consulted, should be minuted in the future;

(iv) that all future bids for Government money must be made and submitted in accordance with the Constitution; and

(v) that Officers ensure that the submission of all future bids is in accordance with Council Policies.

Capital Receipts and Capital Contributions

The Council receives capital receipts and capital contributions from:

- Asset Disposals
- Right to Buy Clawback
- Section 106 agreements and Community Infrastructure Levy (CIL)
- Repayment of loans for a capital purpose

Asset Disposals

The policy is to pool all receipts from the sale of all assets sold to support the Capital Plan in line with funding the Council's priorities which will include the potential sale of any investment properties. The current Capital Plan has a capital receipts target to support previously incurred expenditure that has not yet been met. All capital receipts received should be allocated to support this target and not allocated to new schemes, subject to any potential use of capital receipts under the Capital Receipts Strategy and any loan repayment. An asset disposal will be deemed to occur when the Council transfers the freehold or a long lease (usually for leases over 40 years where the lease term is the significant compared to the asset life).

The Council will consider exceptions to this policy where rationalisation of assets used for service delivery is undertaken and in respect of school sites where the Secretary of State has approved the disposal – such exceptions will require Council decision.

The Council will aim to maximise its capital receipts, where possible, by enhancing the land prior to disposal, e.g., by obtaining planning permission or providing a development plan. As appropriate the Council may dispose of assets by tender or by public auction.

Asset Disposals at nil consideration or below market value

In considering asset disposals, the Council will comply with its Asset Management Framework and the need to consider the policy on Community Asset Transfers where the Council will consider, on a case-by-case basis, the potential transfer of assets to an alternative provider after a full

assessment of the long term (full life) risks and rewards of the transfer, including the achievement of best value including potential market value, linked to the Council's aims and objectives.

The Localism Act 2011 introduced the "Community Right to Bid" and placed a duty upon local authorities in England to maintain a list of assets of community value. Once an asset is "Listed" any disposal will be under the Community Asset Transfer policy or for market value by tender/auction.

Where the Council proposes to dispose of, or grant a long lease, at nil consideration or at a value below market value this is required to be approved by Cabinet. This will also apply where the disposal is for a community or service benefit.

Right-to-Buy Clawback

100% of these receipts are currently used to support the provision of the approved Housing Strategy, although this policy could be reviewed to provide additional resources for projects in other service areas.

Section 106 contributions and Community Infrastructure Levy (CIL)

Section 106 monies come from developer contributions through the planning system. Unless there are service specific conditions on the use of the S106, the monies should be used to support existing Council priorities and commitments rather than be allocated to new schemes. Any S106 monies received without a service or scheme specific allocation within the planning agreement will be allocated in line with Council's capital scheme priorities.

Any monies received for infrastructure from the Community Infrastructure Levy will not be allocated to a specific service but will be allocated under the CIL arrangements ("the Regulation 123 List") in line with Council's capital scheme priorities including any specific funding requirements such as the South Devon Highway with the allocation of the "neighbourhood proportion" made after the funds have been received.

The current policy is to pool all capital contributions to support the Capital Plan in line with funding the Council's priorities. The current Capital Plan has a capital contributions target to support the approved Plan that has not yet been met. All capital contributions received should, where possible, be allocated to support this target and not allocated to new schemes.

Repayment of loans for a capital purpose

Where the Council provides a loan for a capital purpose this will be approved by full Council and accounted for as capital expenditure. The repayment of a loan by the borrower will be treated as a capital receipt; however any receipts of this nature will be specifically applied to reduce the value of the Council's outstanding loan.

Capital Receipts Strategy

The Department of Levelling Up, Housing and Communities (DLUHC) have continued to revise their statutory guidance in relation to the Local Government Act 2003 on the use of capital receipts for the period to March 2025. This provides Councils with the flexibility to use capital receipts for

“the revenue costs of service reform”. This flexibility is subject to a Strategy for the use of capital receipts being approved by full Council and for the Council to submit “planned use of the flexibility” to DLUHC in advance of the financial year. By approving this document Council will be approving this flexibility to be used as appropriate with any use reported to Council as an amendment to the Council’s capital plan.

Potential uses for capital receipts, (subject to the capital receipts being received and Council approval of changes to capital plan), would be to support any implementation costs for the Council’s transformation programme. DLUHC within their statutory guidance have included a number of examples of the type of expenditure that would meet the definition of “revenue costs of service reform”.

The Council has not used this flexibility to date and there is no plan for its use in the 2023/24 revenue budget due to the lack of anticipated capital receipts.

Revenue and Reserves

The Council can use revenue funding and reserves for capital schemes. The Council’s policy is generally not to budget to use revenue or reserve funds to directly fund capital projects after the feasibility stage.

Once a revenue contribution has been applied to a capital project it cannot be returned to revenue. However, the Council would be able, subject to the approval of the Director of Finance, to use prudential borrowing to replace any revenue or reserve funding used or proposed to be used. This will result in a one-off return of revenue funding to the Council’s revenue budget offset by higher Minimum Revenue Provision (MRP) and interest costs to fund the prudential borrowing costs in future years.

Prioritisation and Approval

It is always difficult to make choices between competing priorities within a top tier Council that delivers so many varied services. It is the responsibility of senior officers to recommend to Member the prioritisation of competing demands for capital resources in the context of the limited central government funding now awarded.

The Council maintains and reports on a rolling four-year capital plan (including its funding) that is updated and reported to Senior Leadership Team and Members on a quarterly basis. The capital plan will include any capital expenditure approvals by Council in the previous quarter.

The key stages in the Council’s prioritisation and approval process are as follows:

1. A service can submit a capital business case for initial consideration to the Director of Finance and the (officer) Capital and Growth Board at any stage of a financial year. The capital business case will be linked to that service’s needs.
2. For a specific scheme to be approved/funded there will be a requirement for a detailed capital business case. The capital business cases are to be initially submitted to both

the Director of Finance and the officer Capital and Growth Board prior to wider consultation with the Council's senior leadership team and the Cabinet.

If a scheme is to be funded from (previously approved by Council) allocations the scheme will be approved in accordance with the stated approval process, or, if the approval process is not stated, by the relevant Director in consultation with the relevant Cabinet Lead and Director of Finance and progressed when funding confirmed or,

If new (confirmed) funding is to be used for a scheme to be funded by, say, a specific grant and if the scheme is supported by the Chief Executive, in consultation with the Cabinet Lead for Finance and Director of Finance, it will be reported to Council.

If funding has been allocated by Council to a service without individual schemes being identified at the time of approval, (such as a general allocation to schools for "basic need" projects), individual schemes within that allocation are subject to each individual scheme being approved by the relevant Director.

3. Proposals for invest to save or self-financing schemes, (usually financed from prudential borrowing), will also require a detailed capital business case. The capital business case is to be initially submitted to the Director of Finance and the officer Capital and Growth Board. If the scheme is supported, it will be recommended to Council for approval.
4. Any recommendations for schemes to be approved by Council will be included in the next quarterly Capital Plan Update Report.
5. Other schemes that do not require financial support but include the use of Council assets as a Council contribution to a scheme will also be subject to the Council's approval process.
6. Where there is a proposal to transfer capital resources from a previously approved scheme to a new scheme and there is a change of "policy", the new scheme will be approved by Council.
7. Where a specific approval process has been set up and approved by Council e.g., Cabinet for Regeneration Fund purchases or Director of Finance for Housing Company loans that process will apply.

Affordability and Sustainability of Proposals

The Prudential Code also requires that, in making its capital investment decisions, the Council should have explicit regard to option appraisal and risk, asset management planning, strategic planning for the authority and achievability of the forward plan.

The Capital Business Case will identify the projected running costs and financing costs of the relevant asset and assessed the affordability of the proposals both for the initial investment and over the life of the asset. In all cases the capital expenditure and any ongoing costs must be sustainable in relation to the Council's medium term financial plans.

These to include consideration of:

- service objectives, e.g., strategic planning for the authority;
- stewardship of assets, e.g., asset management planning;
- value for money, e.g., option appraisal;
- prudence and sustainability, e.g., risk, implications for debt and whole life costing;
- affordability, e.g., implications for council tax/district rates; and
- practicality, e.g., achievability of the forward plan.

Where an asset is directly linked to generating an income or rental stream for service delivery, the initial Capital Business case (or Council report) will need to consider the future risks to those revenue returns and how these will be mitigated. This may result in the creation of an earmarked reserve for both income volatility and future asset related expenditure.

Management and Monitoring of Capital Plan

The key objective of the Council's management and monitoring of the Capital Plan is to ensure that all Members and the Council's senior leadership team, have visibility of the capital plan and the approval of individual capital projects to encourage collective responsibility for the capital expenditure on a project and the success of the schemes themselves.

The Council's senior leadership team should ensure that progress against the programme – in terms of expenditure and timescales – is in line with what has previously been agreed. Where projects are exhibiting cost overruns or delays in the completion schedule, these should be addressed promptly.

Arrangements to include:

1. Overview and Scrutiny Board and Cabinet will receive 3 quarterly monitoring reports and one outturn report each year.
2. A Capital budget for forthcoming year will be part of each financial year's budget proposals
3. The (officer) Capital and Growth Board now reviews the Council's Capital Plan and the governance arrangements associated with its various projects
4. Senior Leadership Team and the Cabinet to have responsibility for the oversight and challenge on the delivery of the capital plan including slippage and outcomes.
5. Capital business cases are to be initially submitted to both the Director of Finance and the (officer) Capital and Growth Board prior to wider consultation with the Council's senior leadership team and the Cabinet.

Alternative Funding and Delivery Opportunities

The Council, as appropriate, will continue to consider other methods of supporting capital expenditure within the Bay, using alternative funding, such as social investment, private sector finance and third sector funding or by other bodies delivering capital schemes instead of the

Council. The Council can use its assets to support schemes or aim to maximise funding from any source possible.

The Council continues to bid for additional external funding and/or work with other bodies to secure capital investment or consider use of its own assets in a development, which support corporate priorities or statutory service objectives and where it can be proved that the project is sustainable, and requirements for match-funding and future revenue consequences have been considered and approved along with an assessment of the opportunity costs of alternative options. All schemes are to be agreed with the Director of Finance prior to submission and/or contractual commitment.

Non-Treasury Investments

Linked to its approach to borrowing and the Council's Investment and Regeneration Fund Strategy the Council has previously considered, where opportunities arose and there was a "multiple benefit", the purchase of land and property as an investment to generate an ongoing income. CIPFA has classified investment properties as a Non-Treasury Investment for reporting purposes and included in the Treasury Management Code of Practice.

The Council will comply with the DLUHC statutory guidance and any sector led commentary and opinions associated with this activity. Consequently, all the Council's Investment Fund purchases have now ceased following the Government's decision to disallow all PWLB borrowing for authorities with any further plans for such investments.

The original investment Fund was £235m which comprised of loans and commercial property. Over time the value of these assets will change which will be reported in the Treasury Management Mid-Year Report and Outturn Report.

The Council's Treasury Management Strategy Statement also includes references to the monitoring and reporting of the Council's Non-Treasury Investments (NTI). The Strategy is available on the Council's website at:

www.torbay.gov.uk/council/policies/finance-policies/treasury-management/

Proportionality of Non-Treasury Investments

Throughout this Strategy the impact of Non-Treasury Investments has been considered but, in this section, specific indicators are provided in relation to proportionality. As shown in Section 3, there are two main aspects to the proportion of investment property held:

Income

To monitor the reliance of the revenue budget on income generated from these investments an indicator should be set based on the ratio of commercial income to net service expenditure.

It is considered that the revenue account could reasonably absorb in year unexpected shortfalls at this level:

- as any known potential rental shortfalls have been built into the revenue budget

- considering the diversification within the Council's portfolio it is unlikely all properties would be affected at the same time
- a reserve is held for rental "events" such as void period or rent-free periods.

It should be noted that if an investment property is sold the funds received will be a capital receipt and cannot be taken to the revenue account e.g., to offset the loss of an income stream.

Financing Costs- affordability

Ratio of financing costs to net revenue stream. This indicator identifies the trend in the cost of capital, (borrowing and other long term obligation costs net of investment income), against the net revenue stream For Torbay investment income includes income from investment fund properties and the effect of this is also shown.

The Prudential Code (2021)

In relation to non-treasury investments the updated 2021 Code is clear in its expectations:

"an authority must not borrow to invest primarily for financial return"

"it is not prudent for councils to make any investment or spending decision that will increase the capital financing requirement and so may lead to new borrowing unless directly and primarily related to the functions of the council and where any financial returns are either related to the financial viability of the project …or otherwise incidental to the primary purpose".

"councils with existing commercial investments are not required by this Code to sell these investments……however councils that have an expected need to borrow should review options for exiting their financial investments for commercial purposes and summarise the review in their annual treasury management strategy. These reviews should evaluate whether to take expected borrowing needs by taking new borrowing or repaying investments based on a financial appraisal that takes into account of financial implications and risk reduction benefits"

The Council's investment properties are diversified over a number of sectors and are budgeted in 2023/24 to produce a net surplus, after borrowing costs and reserve provision, of £4.1m. If any of these assets are sold, the council will have to

- fund the revenue shortfall resulting from no rent now being received.
- apply the capital receipt from the asset sale to another project to either avoid borrowing costs on that project or to reinvest in a project that generates an income stream to replace the revenue shortfall, subject to the new project not being primarily for yield.
- Or apply the capital receipt to repay borrowing subject to any early repayment penalties.
- apply the existing ongoing borrowing costs of the asset now sold to another project, where the income from the new project will be able to cover the borrowing costs
- all the above will need to be in pace ideally from date of sale to avoid any ongoing cost of carry of both the old debt and ongoing revenue shortfall.

Asset Disposal Strategy

Purchases of assets are primarily to be retained in the long term. However, the benefit of selling the assets will be regularly reviewed by Director of Pride of Place for potential disposal at which point any outstanding debt will be repaid. The review will need to consider the resulting impact on the Council's revenue budget and any impact of operational delivery from the lost income stream and any costs of disposal. A review of options in relation to the disposal of investment properties was included in the 2023/24 Treasury Management Strategy.

Loans for Capital Purposes

Loans for a capital purpose can also be approved by full Council subject to a business case and due diligence on the borrower including as appropriate guarantees and bonds to secure the repayment of the loan. The loan value should not exceed the value of the underlying asset and there should be no third parties legal charge on the asset. Interest will be charged on the loan at a market rate. This will ensure compliance with Subsidy Control regulations.

With the new PWLB guidance its ability to issue capital loans will be extremely limited, unless to its own subsidiary companies.

Capital expenditure and assets held by wholly owned subsidiary companies

The Council has overall control of these entities and therefore is ultimately responsible for the companies' assets and liabilities. The controls of any subsidiary's activities are controlled by the Council through 'reserved matters' listed within the memorandum and articles of association of the company. These 'reserved matters' cover capital expenditure and the making of any borrowing. The assets and liabilities of all council companies would be consolidated into the Council's group accounts.

As these capital assets and liabilities are part of the council's overall financial position the Council will report on the total group assets and liabilities and the associated risk and reward. The risk associated with capital expenditure and borrowing by these companies is expected to significantly rise from both SWISCo and the TDA Group of companies including the expected significant expansion of borrowing for capital expenditure on housing by TorVista.

Training and Skills

The Council needs to ensure that all decisions in relation to capital are properly informed.

In relation to skills the Director of Finance, Monitoring Officer and Director of Pride of Place will ensure that the appropriate expertise is always resourced in relation to any financial, legal and asset related due diligence required.

The Council's knowledge and skills will be complemented by the use of advisers and agents as required.

Treasury Management Links

All capital decisions to be funded by prudential borrowing will directly impact on the Council's Treasury Management activities. The level and timing of the capital expenditure will be reflected in the capital plan once approved and in the strategic cash flow forecasts to plan for the required borrowing. The resulting costs (Interest and MRP, at an average cost of 7% of capital cost) and any income to fund those costs will be included in the standard budget monitoring and budget setting process.

Total borrowing will also be monitored by the annual setting of both the Operational and Authorised Limits (for borrowing).

Balance Sheet Issues

The impact of capital projects and any prudential borrowing used have an impact on the Council's balance sheet.

1. Increase in the value of the Council's non-current assets
2. Increase in the value of Council's long-term debtors (if capital loan provided)
3. Increase in the Council's long-term borrowing
4. Maturity profile of borrowing and repayment of borrowing
5. Profile of capital loan repayments
6. Increase/decrease in Capital Financing Requirement (CFR) - borrowing offset by MRP.
7. Annual depreciation on operational assets
8. Annual revaluation or impairment on operational assets
9. Annual valuations of investment properties
10. Impact on Council's cash flow in delivery stage or on purchase
11. Impact on Council's cash flow at time of borrowing

The value of non-current assets should always aim to exceed the value of the outstanding liabilities. In addition, the value of the outstanding liabilities should not exceed, in the medium term, the Capital Financing Requirement (which is the measure of a Council's underlying need to borrow).

3. Director of Finance: Statement on Delivery, Affordability and Risk of Capital Strategy

Background

The current guidance for a council's level of borrowing is the Prudential Code (December 2021) and as "proper practice" it must be adhered to. The following extracts from the Code summarise the Code's approach to level of borrowing (self-regulating) and the governance that should apply.

"the local authority shall ensure that all its capital and investment plans are affordable, prudent and sustainable." "A local authority shall determine and keep under review how much money it can afford to borrow."

"the level of capital investment that can be supported will, subject to affordability and sustainability, be a matter for local discretion."

"a local authority must not borrow more than or in advance of their needs purely in order to profit from the investment of the extra sums borrowed."

Torbay Council Borrowing Position

All Borrowing	**Actuals as at 31/03/22 £m**
External Borrowing including PFI	405
	2023/24
Revenue budget (proposed)	131
Interest and repayment of principal costs per annum	20
Interest repayment cost as a % of net revenue budget	15%
Investment Fund Rental Income (estimate)	(14)

Potential impact of investment market fluctuations

1. Value of rental income on investment properties decreases by 10%. Revenue budget will have a shortfall of £1.4m pa.
2. Value of underlying asset decreases by 10%. Assuming £235m invested and no capital appreciation, balance sheet value will fall of £24m as an unrealised loss.
3. General economic conditions may affect both the rental income and asset values such as the economic impact of Covid-19, economic downturn, post Brexit sentiment and the retail environment. Locally tenants may choose not to renew leases or re-negotiate a lower rental.

Capital Finance risk management

In the draft Levelling Up and Regeneration Bill there is the introduction of several risk thresholds or "capital metrics" identified for councils. The monitoring of these is intended to help mitigate financial risk to a council. If a council meets a "trigger event" the Secretary of State may intervene and issue a risk direction. The following are the "capital risk metrics" specified in the draft legislation. Torbay's current measurements are included. Note: no benchmarks for these metrics have been yet identified.

	31/3/22			
Total of debt including credit arrangements as compared to the financial resources at the disposal of the council	Debt including PFI = £405m	Net Budget Requirement = £131m	3:1	
Proportion of capital assets which is investments made wholly or mainly in order to generate financial return	Investment Properties = £211m	Non Current Assets = £635m	33%	
Proportion of debt including credit arrangements to which the counterparty is not central government (CG) or a local authority (LA)	Debt including PFI = £405m	Debt and PFI not CG or LA = £26m	6%	
Amount of minimum revenue provision charged for a financial year (including credit arrangements)	Debt including PFI = £405m	MRP = £7.6m	2%	
Any other metric specified by regulations made by secretary of state	n/a	n/a	n/a	

Summary of the borrowing position

The risk principally lies in the Council's investment portfolio and in the future will also include the risk around housing and regeneration capital expenditure funded from rental income. The remainder of the borrowing is linked to a range of operational assets which are expected to be used in the long term and have a full provision for the full recovery of principal over the asset life. All operational assets are supported by a robust business case and while there is a risk in income returns not being achieved overall these are not significant.

In relation to investment properties these are more sensitive to the market fluctuations identified above. An MRP is applied to repay the borrowing over the estimated asset life (up to the maximum 50-year asset life identified in the DLUHC Statutory Guidance). An Investment Fund

reserve is used (funded from rental income) to mitigate against future income volatility on these assets which is reviewed by the Chief Finance officer for adequacy on an annual basis.

Due to the historic low borrowing rates the Council has fixed all its loans and adopted a flat maturity profile, this mitigates the risk of increasing rates on this historic debt. Future borrowing will increase the council's fixed interest and borrowing costs which will be an annual charge to the revenue budget. This fixed cost is partially offset by income streams from the assets funded from borrowing.

Director of Finance Report

Within the Prudential Code It is the responsibility of the Chief Finance Officer to explicitly report on the delivery, affordability and the risks associated with this Strategy.

Delivery

The delivery of the individual schemes on the plan are directly linked to the original approval of the capital project supported by each project having a client officer and a project manager who are responsible for the delivery of the project (appropriate skills, contracting, planning etc.) and the subsequent achievement of the objectives of that project.

Members, via Overview and Scrutiny Board and Cabinet receive quarterly updates to the capital plan. These updates are driven by the requirement by financial reporting, however in doing so Members can review and challenge the delivery of projects and any changes to both the timing and value of the capital plan.

If after the capital project being completed there are variations to the income expected to be generated from that asset, these will be reported as a variance in the quarterly revenue budget reporting and if ongoing be included in the following years revenue budget proposals.

The Council's senior leadership team, supported by the Capital and Growth Board, has oversight for the delivery of and challenge to the capital plan.

Affordability

Affordability is critical in applying the capital strategy and approving projects for inclusion in the capital plan. This is mostly demonstrated by a specific report on the project being presented to council for approval supported by a business case identifying the expenditure and funding, appraisal of alternative options and the risks and rewards for the approval of the scheme.

All projects need to have a clear funding source. If external funding such as an external grant is to be used there needs to be a clear funding commitment.

Affordability of each project needs to be clear, not only for the funding of the capital spend, but also to cover any ongoing costs of the operation and funding of that capital spend.

Where borrowing is to be used the affordability is key and that affordability has to include the interest costs of that borrowing and the provision for the repayment of the borrowing. This repayment is matched to a prudent asset life and any income streams estimated to fund this asset

must be sustainable. The “rules” around the governance of this borrowing is outlined in the prudential code and the HM Treasury (as summarised above).

At no stage should the asset value be lower than the value of outstanding debt, other than for a short period, unless there is a clear plan to mitigate that shortfall or to sell that asset.

Risks

The risks associated with a significant capital plan and a significant level of borrowing can be mitigated and indeed should be mitigated as “business as usual”, i.e. all capital projects are supported by business plans, have adequate project management and/or project boards, suitable skills for the delivery of the project, tax planning, cash flow, clear operational plan for the use of the asset, use of specific committees, security and due diligence on loans and purchases, use of external advice where appropriate, project contingencies, full tender process and regular and transparent reporting to members.

There are clear links from the capital plan to both the treasury management strategy, prudential indicators, authorised borrowing limits and the revenue budget. These are also subject to review and oversight by members at Audit Committee and Council.

For any new borrowing, and this is a greater risk as the cost of borrowing increases, this increases the council’s overall liabilities that will need to be repaid in the future. In addition, this increases the Council’s level of fixed interest and repayment costs that it will incur each year. This is a clear risk that all members need to be aware of.

However, this risk for all assets is mitigated by a robust business case and a full Minimum Revenue Provision that will repay the borrowing costs over a (prudent) asset life. Any variation in expected income is an issue however given the wide range of operational assets and different income streams this is not a significant risk.

As outlined above in the position statement, housing and regeneration properties are a different type and level of risk. Risk arises from both variations in income streams (tenant non-renewal etc.) and from asset values (impact economic conditions and retail trends etc.).

There are risks (and rewards) associated with the purchase of these type of assets, therefore all members need to have sight of, and understand the risks and rewards inherent in these commercial investments.

Conclusion

The current system of borrowing is still a self-regulatory system which means that responsibility for borrowing decisions, and the level of borrowing incurred by a Council are determined at a local level. Elected members have a key role.

“..the responsibility for decision making and ongoing monitoring in respect of capital expenditure, investment and borrowing, including prudential indicators, remains with full Council”. (Prudential Code).

The Director of Finance's view is that borrowing decisions result in a long-term commitment to fund that borrowing, and that all decision making and ongoing reporting should be as transparent as possible both to all Members and the residents of Torbay.

The pace and level of change in the Council's borrowing linked to potential regeneration and housing schemes is still potentially significant. The Council's capital financing requirement (i.e., its underlying need to borrow) by the end of 2025/26 could be close to £600m with a £35m ongoing revenue cost (assuming a 7% annual cost of MRP (2.5%) and interest for new borrowing (4.5%)) offset by any capital expenditure that generates a revenue stream.

Therefore, all members need to be fully informed as to all implications of its capital investment decisions, in particular those funded from borrowing.

Appendix 1 - Definition of Capital Expenditure

Capital investment is simply described as:

> Expenditure on the acquisition, creation or enhancement of “non-current assets”

Non-current assets are items of land and property which have a useful life of more than one year.

This definition of capital expenditure that the Council has to comply with for the classification and, therefore, the funding of capital expenditure is linked to International Financial Reporting Standards. “Qualifying Capital Expenditure” under s25 of Local Government Act 2003 is defined when:

> **“The expenditure results in the acquisition, construction or enhancement of fixed assets (tangible and intangible) in accordance with “proper practices””**

“Proper Practice” (from 01/04/10) is under International Financial Reporting Standards (IFRS) rules. The relevant standard is IAS16 which has the following definition of capital expenditure:

> **“Expenses that are directly attributable to bringing an asset to the location and condition necessary for it to be capable of operating in the manner intended by management”.**

“Directly attributable” i.e., if building a school – costs linked to the actual construction of the building, not temporary accommodation, moving people around etc.

Subsequent Capital Expenditure on an asset is defined as:

> **“Expenses that make it probable that future economic benefits will flow to the authority and whose cost can be measured reliably.”** Subject to….. “if the expenditure is to replace a component, the old component must be written out of the balance sheet”.

Future economic benefits i.e., it is not necessary for the expenditure to improve the condition of the asset beyond its previously assessed standard of performance – the measurement is against the actual standard of performance at the date of expenditure; e.g. if service potential or asset life is increased.

Asset Management Framework Introduction



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Torbay Council Asset Management Framework Introduction

Introduction

The Torbay Council Strategic Asset Management Framework sets out the Council's approach to the strategic management of its assets, how it will support service delivery, provide the Council with income and how it will fulfil its mission to support, enable and empower its residents, our communities and our partnerships, promote growth and place shaping within Torbay and deliver Torbay Community and Corporate Plan 2019- 2023 One Torbay: Working for all.

To support this Torbay Council will adopt an Asset Management Framework which comprises of two separate documents:

- **An Asset Management Strategy 2022 - 2027**
- **An Asset Management Policy 2022 - 2027**

The advantage of adopting such a framework is that many areas relating to the Council's approach to its land and property assets is likely to remain constant for several years. However, by adopting two separate elements will allow for each to be reviewed at different times. The Asset Management Strategy 2022 – 2027 will establish clear principles by which the Council will manage its land and buildings. It will remain in place for the next 5 years but can be reviewed more frequently to ensure it is still relevant to what it is trying to achieve. The Asset Management Strategy will be approved by Full Council.

The Asset Management Policy 2022 -2027 provides an overview of the Council's land and property estate, together with the main priorities for managing and developing that estate over the next five years. The Policy will set out how the Council will implement the identified principles as described in the Strategy. It will be reviewed and amended, every 3 years to ensure the estate fully supports the Torbay Council Community and Corporate Plan 2019- 2023, by contributing to the key objectives for property asset management. The Asset Management Policy will be approved by Cabinet.

Sitting outside of the framework will be the Asset Management Operational Delivery Plan which further describes the specific activities to achieve the objectives of the Asset Management Policy 2022 ~ 2027. The Operational Delivery Plan will be categorised under two thematic headings of Strategic and Operational Actions.

The Operational Delivery Plan will be populated and approved by Torbay Council's Director of Place. The Operational Delivery Plan will be reviewed and monitored regularly by the relevant Portfolio Holder and Cabinet where necessary. It will continually change to reflect achievements of actions and capture new priorities and initiatives as they are identified. Consequently, the Operational Delivery Plan will not be a policy document.

It is intended that Torbay Council's Strategic Asset Management Framework will define the principles, criteria and processes through which decisions will be made regarding the use of Council assets.

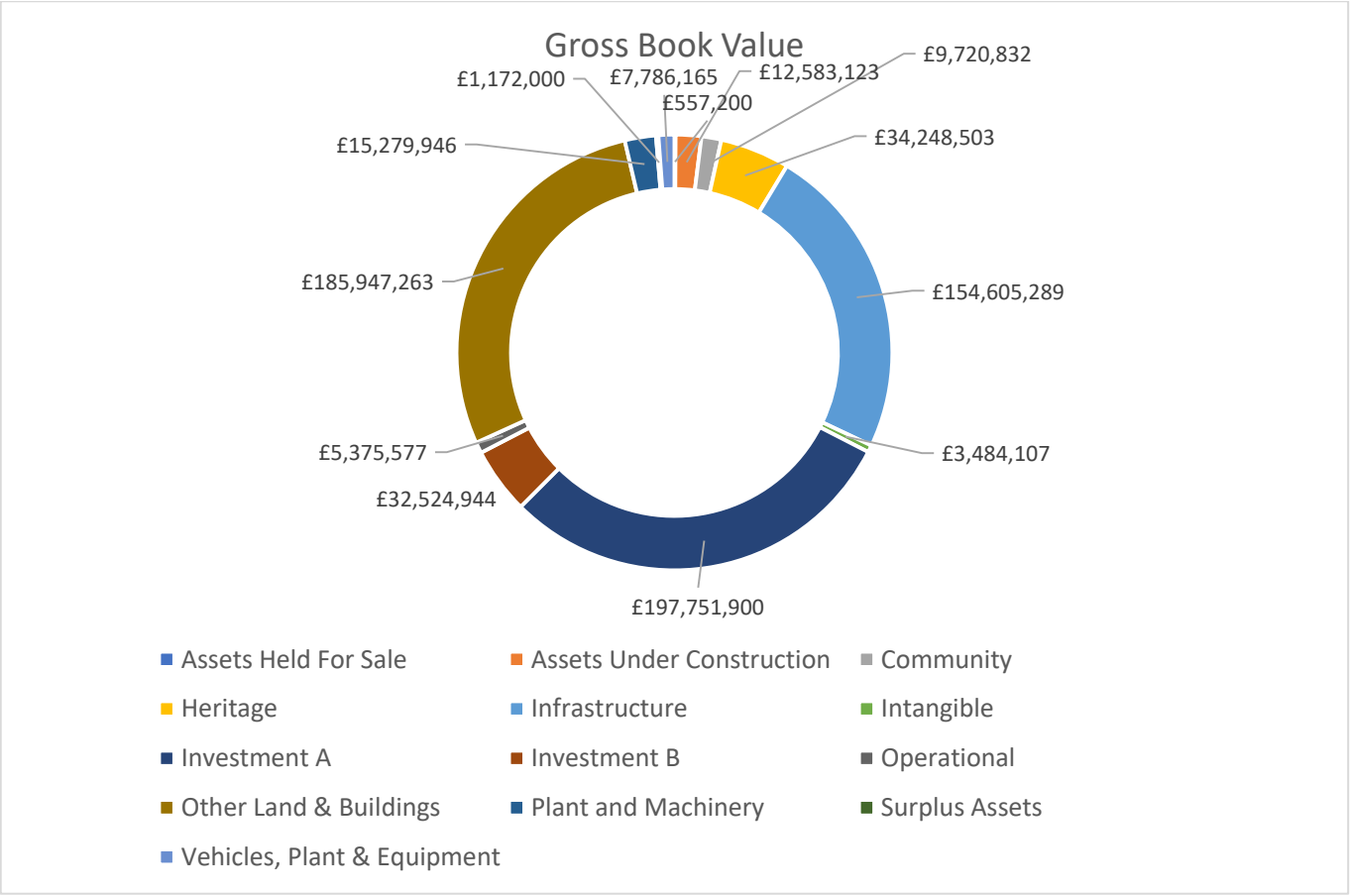
The adoption of the Asset Management Strategy 2022 - 2027 and Asset Management Policy 2022 - 2027 will supersede the Corporate Asset Management Plan (2015-2019).



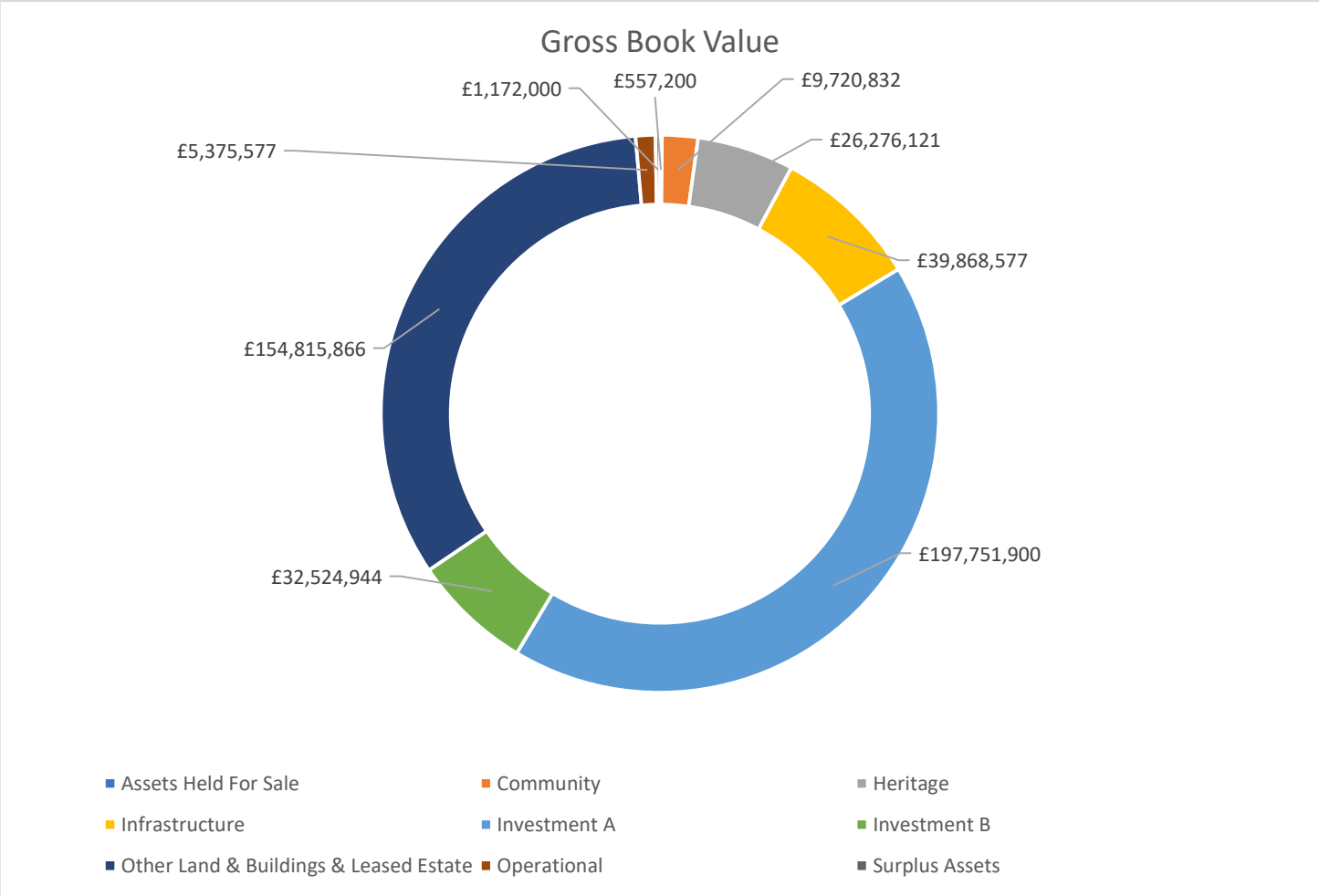


Context

As of April 2021, the Council owns assets with a Gross Book Value of c.£661m. The assets comprise of a range of schedules, including land and buildings, investment assets, operational properties, those held for sale or under construction, intangible assets, infrastructure, plant and machinery, heritage and community assets. These assets are located both inside and outside of Torbay.



The Council's land and buildings equate to over 70% of the Gross Book Value, totalling £468m. The asset base comprises a total of 1,803 assets and is divided across different schedules as seen below:



The operational estate comprises of 20 assets and the remaining non-operational assets include the let estate, community and heritage assets, the investment portfolio, assets under construction, surplus assets or assets managed externally (such as land and buildings managed by the Torbay Coast & Countryside Trust (TCCT)) and education assets under the control of school academies. The majority of the assets are owned freehold.

Key Drivers for Change

The stated ambition in the Torbay Community and Corporate Plan 2019 ~ 2023 One Torbay: Working for all, is for Torbay and its residents to thrive. A place where we have enabled the tide on poverty to be turned and tackled inequalities, where our children and older people will have high aspirations with a university in the Bay and where there are quality jobs, good pay and quality housing for our residents and a place where we address the climate change emergency. We want Torbay to be a premier resort in the UK, with a vibrant arts and cultural offer for our residents and visitors to enjoy. Importantly we want to be a Council that supports and enables its residents, we want to be recognised as an enabling council, a council that our residents can be proud of.

The Strategic Asset Management Plan will form part of a suite of key strategic documents for the Council's vision for the built environment which have been developed in consultation with the community. These include:

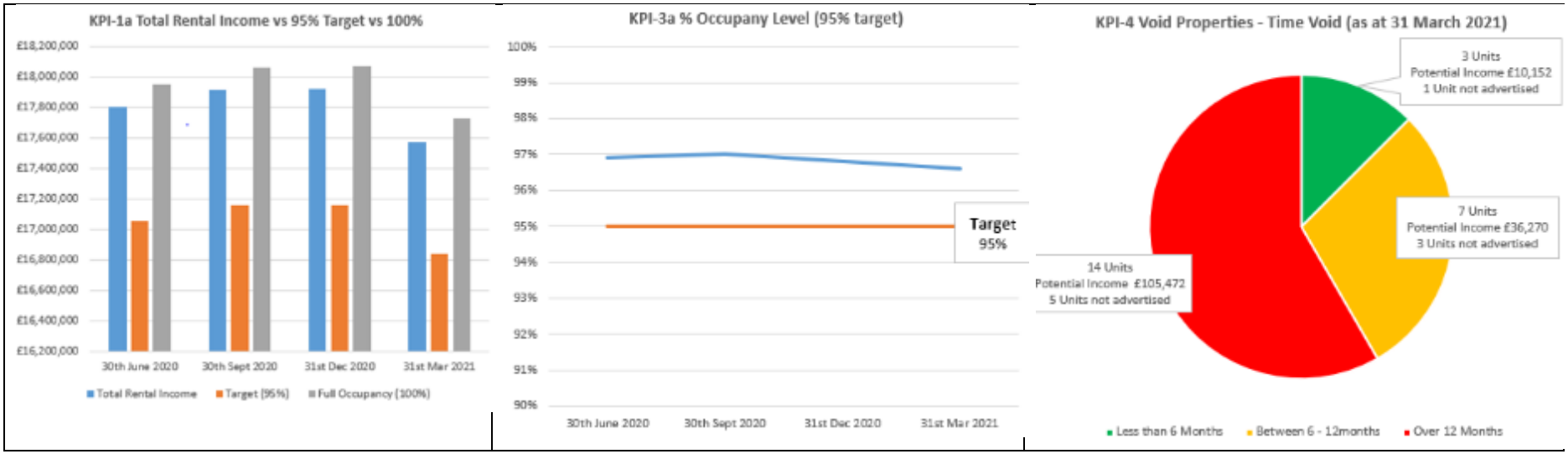
- Torbay Community and Corporate Plan 2019- 2023 One Torbay: Working for all
- Economic Recovery Plan – Respond, Recover, Reposition
- Torbay Local Plan 2012 – 2030
- Torbay Heritage Strategy 2021 to 2026 Part 1
- Torbay Housing Strategy 2020 - 2025
- Tor Bay Harbour - Port Masterplan
- Energy and Climate Change Strategy
- Torbay Local Development Scheme 2017
- Torbay Council Highway Asset Management Strategy (Emerging)
- Paignton Neighbourhood Plan
- Torquay Neighbourhood Plan

- Brixham Peninsula Neighbourhood Plan

It will focus on the places where people live and work, maximising opportunities for housing, inward investment and infrastructure that delivers high quality design in our buildings and public realm that increases resilience. It will allow for flexibility and growth in the local economy, ensuring any new development contributes positively to community amenities and infrastructure. The Highway network is one of the Council's biggest asset responsibilities outside of the land and property portfolio. The Council's emerging Highway Asset Management Strategy should be embedded with this document and contribute to the overall strategic approach to the management of the Council's assets.

The Council's land & property portfolio generates a significant revenue for the authority. As of 31st March 2021, it was producing an annual rental income of c.£17.5m and achieving a 96.5% occupancy level. The performance and management of the Council's asset portfolio is a commissioned service undertaken by TDA; a company wholly owned by Torbay Council.

Land & Property Headlines – 31st March 2021



Conclusion

This introduction sets out the Asset Management Framework and how it links together the Asset Management Strategy 2022 – 2027 and the Asset Management Policy 2022 - 2027. The Strategic Asset Management Framework outlines the key strategic objectives for Torbay Council's land and buildings over the next five years.

Sitting outside of the Asset Management Framework is the Asset Management Operational Delivery Plan, which further describes the specific activities to achieve these objectives, categorised under two thematic headings of Strategic and Operational Actions. The Operational Delivery Plan will be populated and approved by Torbay Council's Director of Place.

The Operational Delivery Plan will be reviewed and monitored regularly by the relevant Portfolio Holder and Cabinet, where necessary. It will continually change to reflect achievements of actions and capture new priorities and initiatives as they are identified. Consequently, the Asset Management Action Plan will not be a policy document.


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THE GREEN GINGER
LLOYDS No 1

Asset Management Strategy

2022 - 2027



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Asset Management Strategy 2022 - 27

The Torbay Council Strategic Asset Management Plan sets out the Council's approach to the strategic management of its assets, how it will support service delivery, provide the Council with income and how it will fulfil its mission to support, enable and empower its residents, our communities and our partnerships, promote growth and place shaping within Torbay and deliver Torbay Community and Corporate Plan 2019- 2023 One Torbay: Working for all.

To support this Torbay Council will adopt a new Asset Management Framework which comprises of two separate elements:

- **An Asset Management Strategy 2022 - 2027**
- An Asset Management Policy 2022 - 2027

The advantage of adopting such a framework is that many areas relating to the Council's approach to its land and property assets is likely to remain constant for several years. However, by adopting two separate elements will allow for each to be reviewed at different times. The **Asset Management Strategy 2022 - 27** will establish clear principles by which the Council will manage its land and buildings. It will remain in place for the next 5 years but can be reviewed more frequently to ensure it is still relevant to what it is trying to achieve. The Asset Management Strategy will be approved by Full Council.

The Asset Management Policy 2022 – 27 provides an overview of the Council's land and property estate, together with the main priorities for managing and developing that estate over the next five years. The Policy will set out how the Council will implement the identified principles as described in the Strategy. It will be reviewed and amended, every 3 years to ensure the estate fully supports the Torbay Council Community and Corporate Plan 2019- 2023, by contributing to the key objectives for property asset management. The Asset Management Policy will be approved by Cabinet.

Sitting outside of the framework will be an Asset Management Operational Delivery Plan which further describes the specific activities to achieve the objectives of the Asset Management Policy 2022 ~ 2027. The Operational Delivery Plan will be categorised under two thematic headings of Strategic and Operational Actions.

The Operational Delivery Plan will be populated and approved by Torbay Council's Director of Place. The Operational Delivery Plan will be reviewed and monitored regularly by the relevant Portfolio Holder and Cabinet where necessary. It will continually change to reflect achievements of actions and capture new priorities and initiatives as they are identified. Consequently, the Operational Delivery Plan will not be a policy document.

It is intended that Torbay Council's Strategic Asset Management Framework will define the principles, criteria and processes through which decisions will be made regarding the use of Council assets.

The adoption of the Asset Management Strategy 2022 - 2027 and Asset Management Policy 2022 - 2027 will supersede the Corporate Asset Management Plan (2015-2019).


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Asset Management Strategy

The aim of the Asset Management Strategy is to establish clear principles by which the Council will manage its land and buildings. It will remain in place for the next 5 years but will be reviewed regularly to ensure it is still relevant to what it is trying to achieve. This Strategy identifies seven principles that set out the Council's approach to asset management and guide future decision making through processes that will enable delivery at pace.

Principle 1

- Embed a Corporate Landlord model, that will assist in the consolidation of the estate, based on service requirements.

Principle 2

- Consolidate operational assets to decrease the number of single-use assets, reduce revenue costs and create multi-functional property, which is fit for purpose, in the right place and supporting service improvement.

Principle 3

- Work towards creating a carbon neutral estate by 2030.

Principle 4

- Rationalise the estate by reviewing all non-operational and surplus assets to identify opportunities to create or increase revenue income, provide investment opportunities or deliver capital receipts to stimulate development and growth.

Principle 5

- Use our land and buildings to support the provision of new homes, encourage development and growth, supporting local business needs and encouraging new business to Torbay.

Principle 6

- Develop a robust asset management plan to invest properly in all retained assets, to ensure they are fit for the future in supporting excellent service delivery.

Principle 7

- To work collaboratively and promote joint working between Torbay Council, Brixham Town Council, Health and blue light authorities and other Voluntary, Community and Faith Sector organisations to identify wider opportunities to benefit the community.



Our Objective

Our objective is to be one of the leading public sector organisations for property asset management and development. To achieve this, we will adopt the seven principles set out above. The principles describe the Council's commitment to property asset management and will ensure we deliver an effective and efficient service that will allow us to manage, maintain and develop our property and land portfolio.

To assist in applying the principles identified in the Asset Management Strategy each asset is categorised, by property type, into one of seven identified asset groups. The reasons for holding these assets will vary and as a result, we may need to measure performance, and treat those assets in different ways. The seven asset groups are as follows:

Community, Heritage, Infrastructure, Investment, Leased Estate, Other Land & Buildings, Operational and Surplus.

A detailed definition for each of the asset groups is found in Asset Management Policy 2022 - 2027.

Applying the Principles

Embed a Corporate Landlord model, that will assist in the consolidation of the estate, based on service area requirements.

- Provide a clear decision-making process and challenge on all property matters
- Ensure our estate is integrated with other resources in a clear decision-making framework
- Ensure costs are minimised through economies of scale and use or return from assets is maximised
- Make certain service areas are adequately accommodated with an appropriate operational estate if required
- Assets are maintained and managed in accordance with corporate strategic priorities and relevant property and health & safety legislation

Consolidate operational assets to decrease the number of single-use assets, reduce revenue costs and create multi-functional property, which is fit for purpose, in the right place and supporting service improvement.

- Ensure retained property is suitable and sufficient for service delivery
- Ensure retained property is flexible, agile and able to respond to future need, whether cultural or behavioural
- Work with service areas and partners to understand longer term requirements
- Engage with community groups and stakeholders to identify improved service delivery options
- Ensure retained assets are secure, safe, and meet all statutory requirements

Work towards creating a carbon neutral estate by 2030.

- Develop actions through the Carbon Neutral Council Action Plan (ready for delivery in 2022) to understand how our operational estate will move towards carbon neutrality by 2030.
- Ensure that asset management remains high on the agenda for the Council's Carbon Neutral Officers' Group chaired by Divisional Director - Planning, Housing & Climate Emergency
- Aim to reduce energy and water consumption and CO_2 emissions, through the active management of the estate and by minimising energy and water use, using low carbon heat and renewable power where appropriate and in line with the ever-tightening net zero national policy.
- Develop projects so the Council is in a position to obtain funding to support the decarbonisation of our estate.
- Review Council assets in relation to climate change and environmental implications, improving EPC ratings across the leased estate in line with government and our own carbon neutral targets.
- As soon as possible, establish robust energy and water consumption data for the Council's operational estate to contribute to the Council's carbon footprint.
- Adopt Green lease provisions and engage existing tenants, particularly those located close to our coastline regarding their waste disposal.

Rationalise the estate by reviewing all non-operational and surplus assets to identify opportunities to create or increase revenue income, provide investment opportunities or deliver capital receipts to stimulate development and growth.

- We will challenge the current use of assets and identify underutilised space to maximise commercial activities
- Look to allocate funds to projects that will achieve the maximum positive impact
- We will seek efficiencies in occupation and utilisation
- Identify opportunities for direct investment in existing assets to enhance income
- Identify and create a disposal programme of under-performing assets i.e., low return, non-strategic assets which do not enhance the Council's ability to provide outstanding services or meet wider strategic objectives

Use our land and buildings to support the delivery of new homes, encourage development and growth, supporting local business needs and encouraging new business to Torbay.

- Work with TDA to use our estate to stimulate and support regeneration and inward investment
- Work to identify suitable sites that will help deliver sustainable, affordable, and suitable housing
- Continue to utilise the Growth Fund for investment to create local employment and training opportunities
- Manage the Council's Investment Portfolio and Let Estate effectively, balancing regeneration needs, job creation and income generation
- Continue to access funding opportunities to promote and encourage the improvement in the physical environment of our three town centres

Develop a robust asset management plan to invest properly in all corporate assets, to ensure they are fit for the future in supporting excellent service delivery.

- Challenge the cost of property activities to drive performance
- Work with Climate Emergency Officers to ensure our properties are as sustainable as possible in their design, construction, operation and maintenance and aligned to meeting the carbon neutral target
- Reduce energy and water consumption and reduce carbon emissions wherever possible

- Undertake a whole building life cycle costing exercise for each corporate asset to understand the maintenance of a property over its lifetime to understand the long-term costs of projects not just the initial capital costs
- Look to reduce the back log maintenance of the corporate estate with targeting of funds against the highest priorities
- Review asset related feasibility and options appraisals across all service departments once their business models/plans are finalised.

To work collaboratively and promote joint working between Torbay Council, Brixham Town Council, Health and blue light authorities and other Voluntary, Community and Faith Sector organisations to identify wider opportunities to benefit the community within the context of asset strategy and planning.

- Work with other agencies to promote co-location and joint service delivery.
- Work to support the ongoing integration of health and social care.
- Continue partnership working through the government's One Public Estate programme, to explore options for improved service delivery for public sector bodies in Torbay and across South Devon.
- Encourage the use of assets by the Voluntary, Community and Faith Sectors through Community Asset Transfer opportunities.

Where appropriate the Council will adopt and embed the Corporate Landlord model to drive asset related decision making. Based on prepared service property strategies for the coming 3-5 years, decisions will be made on the viability and feasibility of sites guided by the above principles, and using the process and criteria set out in the Asset Management Policy 2022 - 27.

Conclusion and Our Forward Plan

This document covers one element of the new Asset Management Framework - (1) the **Asset Management Strategy** 2022 -27 and should be read alongside (2) the Asset Management Policy 2022 - 27. Together these make up the Strategic Asset Management Framework. The Strategic Asset Management Framework outlines the key strategic objectives for Torbay Council's land and buildings over the next five years.

Sitting outside of the framework will be the Asset Management Operational Delivery Plan which further describes the specific activities to achieve the objectives of the Asset Management Policy 2022 ~ 2027. The Operational Delivery Plan will be categorised under two thematic headings of Strategic and Operational Actions.

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It is intended that Torbay Council's Asset Management Framework will define the principles, criteria and processes through which decisions will be made regarding the use of Council assets.

Asset Management Policy

2022 - 2027



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Asset Management Policy 2022 - 2027

The Torbay Council Strategic Asset Management Plan sets out the Council's approach to the strategic management of its assets, how it will support service delivery, provide the Council with income and how it will fulfil its mission to support, enable and empower its residents, our communities, and our partnerships, promote growth and place shaping within Torbay and deliver Torbay Community and Corporate Plan 2019- 2023 One Torbay: Working for all.

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The **Asset Management Policy 2022 - 2027** provides an overview of the Council's Land and property estate, together with the main priorities for managing and developing that estate over the next five years. The Policy will set out how the Council will implement the identified principles as described in the Strategy. The Policy will be reviewed and amended, on a three yearly cycle to ensure the estate fully supports the Torbay Council Community and Corporate Plan 2019- 2023, by contributing to the key objectives for property asset management. The Asset Management Policy will be approved by Cabinet.

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Asset Management Policy

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The Policy will be reviewed on a 3 yearly cycle to ensure the estate fully supports the Torbay Council Community and Corporate Plan 2019- 2023, by contributing to the key objectives for property asset management.



Land & Buildings

Torbay Council's property portfolio comprises of over 1,800 land and building assets, with a total gross book value of £468million, as of 31st March 2021. The total annual rental income generated from the estate is c. £17.3m, with a further c.£3m pa generated through service area concessions, fees, and charges. There are a wide range of assets within the corporate estate, which includes the Council's investment portfolio, offices, car parks, depots, schools, and assets leased to community organisations. The book value is not necessarily the exact amount that could be realised if all the assets were sold, but it does demonstrate the extent of the Council's land and buildings and why they need to be carefully managed.

The assets help deliver a mixture of front-line services and indirect service provision. Many of the assets are legacies from donations, local government reorganisations and previous acquisitions. The Council has undertaken a significant rationalisation exercise of its estate over the last 10 years resulting in the size of the operational estate particularly being reduced. However, the ongoing careful management and continuous review of assets is imperative to avoid the possibility of money being wasted by retaining assets that are past their useful life. Equally, an asset beyond its useful life will still retain a value, whether this is financial or social. Consequently, if these assets are surplus, the Council should look to dispose and release the value so the capital can be re-invested elsewhere.

Following the COVID-19 pandemic, there will be changes to the way the Council works and some services will inevitably be delivered differently. As a result, some properties will need to change as we move forward over the next 3 to 5 years. We may need to invest further in our existing buildings or provide some new buildings to deliver services that are fit for a new way of working. The Council equally needs to consider measures to be taken in relation to minimising energy and water use to meet its carbon neutral 2030 targets.

To assist in this process the Council will, where appropriate, adopt the Corporate Landlord model. This will maximise value for money and make the most efficient use of our property assets, ensuring capital works, both reactive and planned

with particular attention to backlog maintenance which at the 31st March 2021 was c.£23.6m is prioritised appropriately. We will obtain up to date condition data and align this information with operational priorities.

Back Log Maintenance

Torbay Council has a significant and serious issue regarding the disrepair of assets in common with many other local authorities. As at the 31st March 2021 backlog repairs totals £23.6 million (excluding schools and leased out assets where Torbay Council have no responsibility for repairs and maintenance) have currently been identified of which almost £8.3 million (excluding schools and leased out assets where Torbay Council have no responsibility for repairs and maintenance) are categorised as Priority 1 & 2. The backlog will not be eradicated without additional funding and resources.

> Priority 1. Urgent work that will prevent immediate closure of premises and/or address an immediate high risk to the health and safety of occupants and/or remedy a serious breach of legislation.
>
> Priority 2. Essential work required within two years that will prevent serious deterioration of the fabric or services and/or address a medium risk to the health and safety of the occupants and/or remedy a less serious breach of legislation.

We will also adopt an Asset Challenge process which ensures a robust approach is undertaken providing confidence that any decision regarding future use of a property provides the best and most appropriate output.

This Asset Management Policy will ensure that each asset is categorised, by property type, into one of seven asset groups. The reasons for holding these assets will vary and as a result, we may need to measure performance in different ways. Nevertheless, the performance of each asset and each group must therefore be linked to the strategic purpose for holding it.

Set out below is the definition for each of the asset groups:

Community Assets

Community assets are those land and buildings the Council intends to hold in perpetuity which can promote social inclusion and improve the health and well-being of citizens. This includes public open spaces, memorials, parks, shelters,

sports pitches and public toilets. The assets which are often legacies from donations, will have no determinable useful life and which may, in addition, have restrictions on their disposal. This group of assets is nevertheless a significant proportion of the asset base with 670 assets and a gross book value of £9.7m. There is a significant ongoing maintenance liability with community assets.

Heritage Assets

Heritage assets are those assets that are intended to be preserved in trust for future generations because of their cultural, environmental, or historical associations/significance. The Council has 43 heritage assets, including for example Torre Abbey and Torquay Pavilion which are held by the Council in pursuit of its overall objectives in relation to the maintenance of our heritage and culture.

Heritage assets can include historical buildings, archaeological sites, military and scientific equipment of historical importance, historic motor vehicles, civic regalia, orders, and decorations (medals), museum and gallery collections and works of art. This asset schedule has a gross book value of £26.2m.

Infrastructure Assets

Infrastructure assets are long lasting tangible assets that add value and are an integral part of land and buildings. These assets tend to be part of a larger component or system for example linked to transport, communication, water, sewage, bridges, and sea defences and need to be maintained to ensure functionality in the delivery of effective and efficient delivery of services. A significant proportion of the 102 infrastructure assets relate to the harbour estate. The gross book value of this schedule is £39.8m.

Investment Assets

Investment assets are those assets held by the Council solely for the purpose to earn rental income or for capital appreciation or both. The Council's investment portfolio is divided into two groups of assets.

Portfolio A – is the schedule of 20 investment assets that have been purchased via the Investment Fund since 2018. These assets have been purchased through borrowing from the Public Works Loan Board. Any future disposal of Portfolio A assets will be subject to the criteria as defined within the borrowing agreements.

Portfolio A	Total Gross Book Value 31/3/2021 = £197.8m	Rental Income at 31/3/2021 Per Annum
Hotel	1	£313,000
Industrial	5	£5,213,000
Leisure	1	£591,000
Office	4	£3,638,000
Retail	9	£2,628,000
TOTAL	**20**	**£12,383,000**

Portfolio B – is a schedule of assets where the rental income for each asset exceeds £20,000 pa and formed part of the Council's original let estate, prior to 2018. This schedule comprises of 24 assets with a gross book value of £32.5m. The assets comprise a range of property types including for example a golf course, caravan site, leisure facilities, restaurants, and cafes. As at the 31st March 2021 they produce an annual rental income of £2,322,000.

Investment assets are primarily to be retained in the long term. However, the benefit of selling the assets will be regularly reviewed by Director of Place in consultation with the TDA for potential disposal at which point any outstanding debt will be repaid. The review will always be considered alongside the resulting impact on the Council's revenue budget and any impact of operational delivery from the lost income stream and any costs of disposal.

Leased Estate, other Land & Buildings

The Leased Estate includes those remaining assets that generate an income but are not captured in the Investment portfolios and totals c.890 assets with a gross book value of £154m. These assets have in the past been used to perform functions / services directly by the Authority but are now let to third parties to perform for example, beach / park cafes. Other land and buildings include a plethora of other leases and licences, such as small pieces of fringe and highway verge land, substation sites and other low value assets. The rental income is nevertheless substantial equating to £4.6m pa.

Operational Assets

Operational assets are those assets used to deliver front line services and the daily operation of the business for Torbay Council. This comprises of 20 assets with a gross book value of £5.3m and includes corporate office accommodation and service buildings. (Operational assets used to deliver the Council's harbour authority function are included in the Infrastructure Assets group).

Surplus Assets

Surplus assets are those assets that have been declared surplus to the Council's operational requirements. Often the assets are close to or beyond useful economic life. These assets should be open for disposal or consideration for a community asset transfer.

TDA will produce an annual Estate Dashboard recording the overall performance of the property portfolio:

Torbay Council Estates Dashboard – 31st March 2021



Council Finances

Torbay Council like many other Councils has experienced significant funding reductions over the last 5 years. Torbay Council has seen a reduction in its Revenue Support Grant from £27m in 2015/16 to £6m by 2019/20. It is still uncertain what the Council's funding will be in future years. Despite these financial challenges Torbay Council is committed to supporting growth and investment through its Capital Programme and will look to intervene where the market is failing. The Council continues to deliver its Investment and Regeneration Strategy, which is generating revenue income, as well as enhancing, and supporting the economic performance of Torbay.

The Council has a range of capital resources at its disposal, which it uses to deliver services and to achieve its strategic objectives. The Council's ability to maintain these assets and to enhance their role in the delivery of services is crucial to its financial resilience. If assets fall into disrepair, they are no longer able to fulfil their primary purpose, then the Council's ability to deliver the associated services is impaired and it has resources tied up in assets that it cannot use. Consequently, planning and managing the use of the Council's capital resources is vital.

The Council adopts a range of policy documents in providing a long/medium term plan. The Asset Management Strategy 2022 – 2027 and Asset Management Policy 2022 – 2026 needs to be consistent with the plans and strategies identified by the Council which includes:

- The Medium-Term Financial Plan
- The Capital Plan & Strategy
- The Annual Revenue Budget
- The Treasury Management Strategy
- The Investment and Regeneration Fund Strategy

Inevitably the full picture of the control system around the Council's wide range of capital expenditure and its funding is reflected in these documents, which includes monitoring and management arrangements.

The Council's assets must also be worked harder to be able to contribute to the overall corporate and service objectives for example, the proposal to redevelop the old toilet blocks at Preston and Corbyn Head, the Old Toll House, Torquay and the Terrace/Harbour Car Park, Torquay.

Current and recently completed Capital Projects include:

- **Fleet Walk Shopping Centre, Torquay** – Using its Economic Growth Fund, Torbay Council purchased this asset in November 2019, as part of its plans to regenerate Torbay's town centres.



- **EPIC White Rock, Paignton** – An £8m Electronics and Photonics Innovation Centre (EPIC) opened in summer 2019 supporting tech innovation and promoting collaborative activities in an excellence cluster between businesses and research institutions. This building has now been leased on a long leasehold basis to TDA. The asset is currently 65% let and ahead of TDA business plan for the centre.



- **Harbour Light Redevelopment, Paignton Harbour** – A new bar and dining venue overlooking Paignton Harbour, opened in February 2020 after St Austell Brewery's investment. The project was a product of the Council's Port Masterplan and promoted by the Tor Bay Harbour Committee.



- **Oxen Cove Jetty, Brixham** - A £2.5m project jointly funded by Torbay Council and the European Maritime Fisheries Fund to provide additional landing capacity to support the fishing industry by easing demand at peak time and streamlining the logistics of distribution at Brixham Fish Market.



Asset Challenge

Due to the ongoing financial challenges facing the Authority and the further future reductions in Revenue Support Grants (RSG), unless there is specific approval at Full Council to the contrary, the Council will always seek to maximise revenue streams and the full market receipt whether by way of freehold disposal or leasehold interest from assets classified as Investments, Leased Estate, other Land & Buildings. Disposal of other asset groups whether by way of freehold disposal or leasehold interest will be considered alongside community aspirations and due regard will be given to the purpose of ownership, including the operation of Council services.

It is intended that all assets that are assessed as surplus and / or not required for operational purposes should be reviewed through the Asset Challenge process. This provides confidence that any decision regarding future use of a property provides the best and most appropriate output. It should be noted that best value in terms of a capital receipt is not always the right outcome, and the Council needs a mix of revenue, capital and place shaping outputs.

The process of decision making on future asset usage, project delivery and the disposal of sites shall be determined in two parts:

Part 1 – the Corporate Assessment:



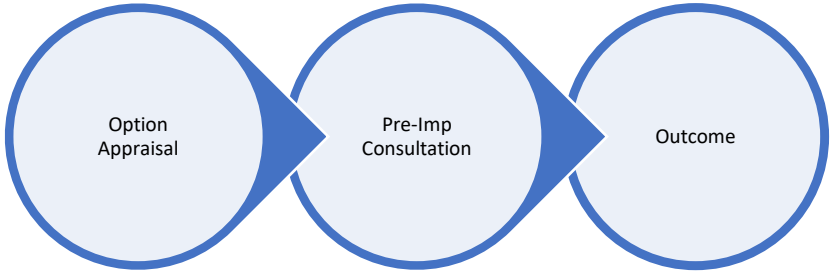
1. Strategic Purpose - This part of the process determines whether an asset has an identified use and purpose which enables service delivery in line with corporate and service strategies. For example, where there is an identified need within a specified location by multiple services, these are co-located within a multi-functional hub therefore enabling asset consolidation and reduction in running costs. Additionally, this could be identifying assets which could support service delivery, for example, extra-care sheltered housing that reduces expenditure on high-cost care, but also delivers important outcomes to residents.

2. Opportunities and Risk – The second part of this assessment is understanding if there are any opportunities that could be exploited. Do we fully understand the cost and condition of a building or asset; is this a low performing/high-cost asset in poor condition that is not fit for purpose, and requires significant investment? If so, it may not be an asset to retain.

3. Performance Appraisal - The Council also needs to understand what financial and non-financial outcomes are being delivered and can they be quantified. Understanding the management costs are equally important. Assets may be retained where there is a clearly defined, future strategic purpose, which has a value and can be delivered within an agreed timeframe. Cost/benefit analysis of investment, to make the asset fit for purpose, with an appropriate payback period, relevant to length of future use.

The Asset Challenge process sets out the stages of this assessment, and what happens in each case. If the asset is not suitable or not needed for either purpose, it moves to Part 2.

Part 2 – the Option Appraisal:



4. Option Appraisal - This part of the process focusses on the use of the asset beyond service or operational requirements. This is a balance of performance, opportunities and risks. This might include a site that could be disposed of for a capital receipt; redeveloped for revenue income generation or held for future strategic use to maximise output or benefit. The primary process is a formal options appraisal which considers potential future uses of the site. The options appraisal will identify the preferred option and how this best aligns with the Council's Community and Corporate Plan.

5. Pre – Implementation Consultation - Partnership working and shared development where opportunities will deliver quantifiable benefits. There will be a need to engage with both internal and external stakeholders and partners. A key factor is whether an asset supports economic growth and improves on the 'place'.

6. **Outcome** - The outcome of the assessment will decide whether an asset is retained, remodelled & re-used or disposed through the open market or by way of a community asset transfer.

Future Ways of Working

Future Ways of Working is the Council's forward-looking programme, forming part of the overarching transformation programme, building on the work of the previous Office Rationalisation Programme. Fundamental to the success of the programme is not making snap decisions about individual assets, without a holistic view being taken. An example of this would be the future of Paignton Library, the Council's only forward-facing asset in Paignton.

The outbreak of the Coronavirus - COVID 19 demonstrated the resilience introduced throughout the Council's workforce with the transition of hundreds of employees to home working for a sustained period. Enabled by a conscious shift to align roles to workstyles that allow a high degree of agility, supported by ICT equipment and infrastructure and relevant policies and procedures to support a new way of working.

The key drivers for the new programme will be developed in greater detail over the next 12 months. The programme will enable more efficient home and team-working, working more flexibly within our buildings and homes, through promotion of agile working, and providing modern fit-for-purpose workplaces, supplemented with the correct tools for greater home-based working, where appropriate. Closing or repurposing buildings and space within those buildings will naturally follow as we build up intelligence of our future needs.

- Addressing the essential maintenance needs of our remaining buildings, with particular attention to backlog maintenance, ensuring sufficient resources are in place to maintain the portfolio including mechanical and electrical (M&E) systems and prolonging their operational lifespan, addressing critical structural issues.
- Complying with regulations - ensuring that actions are taken to ensure that buildings are compliant with statutory obligations for example in respect of Fire, Legionella and Asbestos.
- Optimising income - protecting existing income streams from assets and investing in buildings where additional income can be generated.
- Using less energy - improving energy efficiency in our offices and other buildings and reducing running costs.

- One Public Estate - county wide collaboration on asset management to enable Public Sector providers to collaborate on strategic planning and management of their land and buildings as a collective resource.
- Serving our customers more efficiently - focusing on what our customers want and need, using better accessible and inclusive facilities to serve them.



Climate Change: De-carbonisation

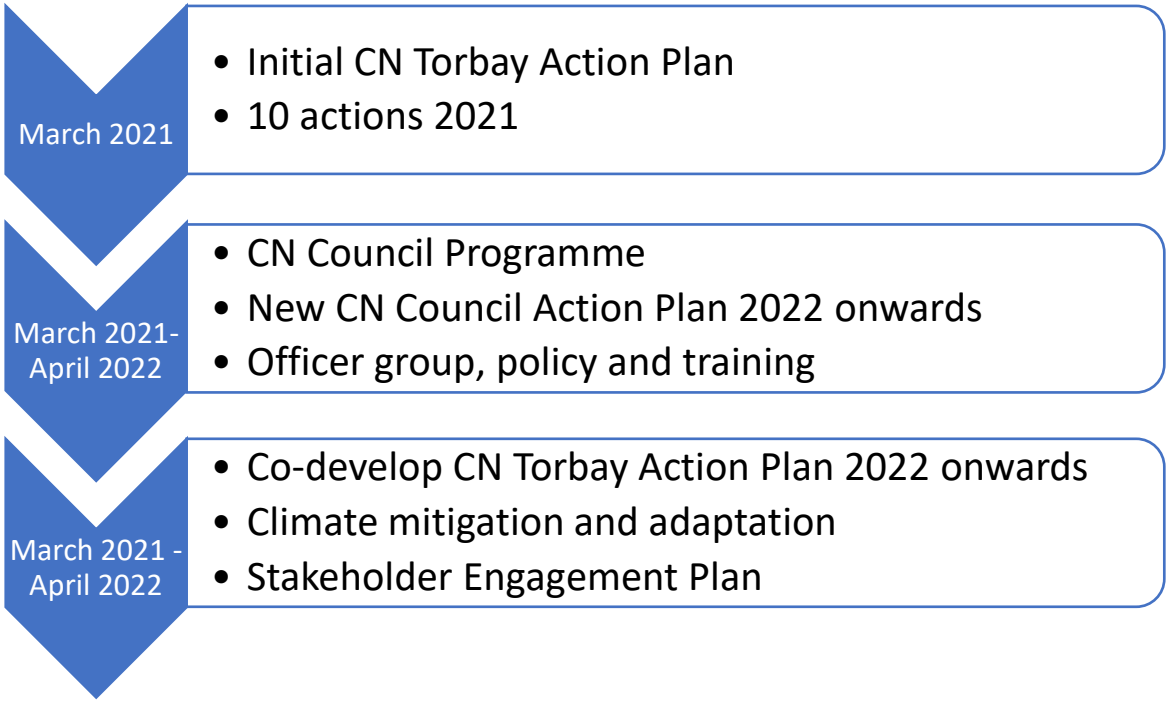
In May 2019, the UK Parliament declared an Environment and Climate Emergency, and the government amended the 2008 Climate Change Act to strengthen its climate ambition, legislating for a target to reduce the UK's emissions to Net Zero by 2050. Like many local authorities, Torbay Council recognised the scale and urgency of the situation by declaring a Climate Emergency of its own, in June 2019, and by joining the Devon Climate Emergency Response Group. This group is made up of Devon's councils, emergency services and leading business groups. Working towards the Devon Carbon Plan, Torbay Council set out its clear objective to become a Carbon Neutral Council by 2030 and work with others to create a carbon neutral community. Other measures adopted by the Council to address climate change include:

- Increase recycling rates.
- Reduce Torbay's carbon footprint.
- Encourage a sustainably developed built environment.
- Implement re-wooding and rewilding.
- Address flooding risks.
- Improve communications and transport connectivity and sustainability.
- Granting of 'green' leases.

To achieve carbon neutrality within Torbay Council's own estate requires significant resource and effort.

The Council has committed to developing its own carbon neutral action plan by April 2022. As part of this we will work with TDA to ensure a roadmap with actions on how we intend to work towards a carbon neutrality by 2030.

The Council will also develop with partners a Torbay wide carbon neutral plan and refresh the Energy and Climate Change Strategy (2014 – 2019) by April 2022.



Torbay Council will work in reducing our environment impacts and become carbon neutral by 2030 by adhering to the following principles:

- Reduce energy & carbon emissions by the adoption of energy efficient measures, renewable energy tariffs and staff behavioural initiatives.
- Minimise waste and water consumption through waste reduction, reuse, and recycling.
- Use sustainable resources through the things we purchase and the services we commission.
- Enhance our natural environment by protecting the Council's own estate through a range of conservation practices.
- Climate resilience and the better understanding of the near-term and future risks on climate change for the Council's operations and services.
- Improve communications and transport connectivity and sustainability.
- Granting of 'green' leases.



Maintaining Our Assets & Corporate Landlord Approach

The way Torbay Council manages its assets is important. We need to ensure that, where appropriate, our land and buildings are managed as a centralised corporate resource, the right stakeholders are involved, and decisions are made in the context of the Council's priorities and objectives.

The concept of a Corporate Landlord Approach is that the ownership of an asset and the responsibility for its management and maintenance is transferred from service areas into a corporate centre. The service area then becomes a corporate tenant and their priority is to plan and deliver their service to the best of their ability. The Corporate Landlord's function is to ensure all services are adequately accommodated and to maintain and manage the associated land and property assets.

Although a Corporate Landlord 'lite' approach has been adopted this has only been completed in part. The Corporate Landlord's responsibility should extend further than the acquisition, development and disposal of land and buildings. Over the life of the strategy the Corporate Landlord will be delivered further to assume more responsibility for asset planning, review, feasibility and options appraisal accounting for the needs of most service areas, but more importantly, making decisions based on overall corporate priorities.

The overall asset maintenance strategy should be to ensure that our finite and reducing resources are prioritised to appropriate buildings, where the money is needed most. To identify these priorities a programme of condition surveys will be undertaken to understand maintenance requirements over a rolling period of 5 years. The aspiration should be to complete lifecycle condition surveys on selected assets to cover a period of 25 to 30 years. This will enable a better-informed decision-making approach and maximise efficiencies by planning over a longer time horizon, instead of reacting to maintenance emergencies as they happen.

Moving forward, the four key aims for both Corporate and Schools Building Maintenance should be:

- To ensure our buildings are safe and secure for the people who use them.
- To allocate funding to projects that will achieve the maximum positive impact for those who use them including our customers.
- To achieve an efficient balance between planned and reactive maintenance work.
- Achieving maximum efficiencies in the way we procure building maintenance work.

TDA will deliver the Corporate Landlord Model, as directed by the Council, through the use of the following activities:

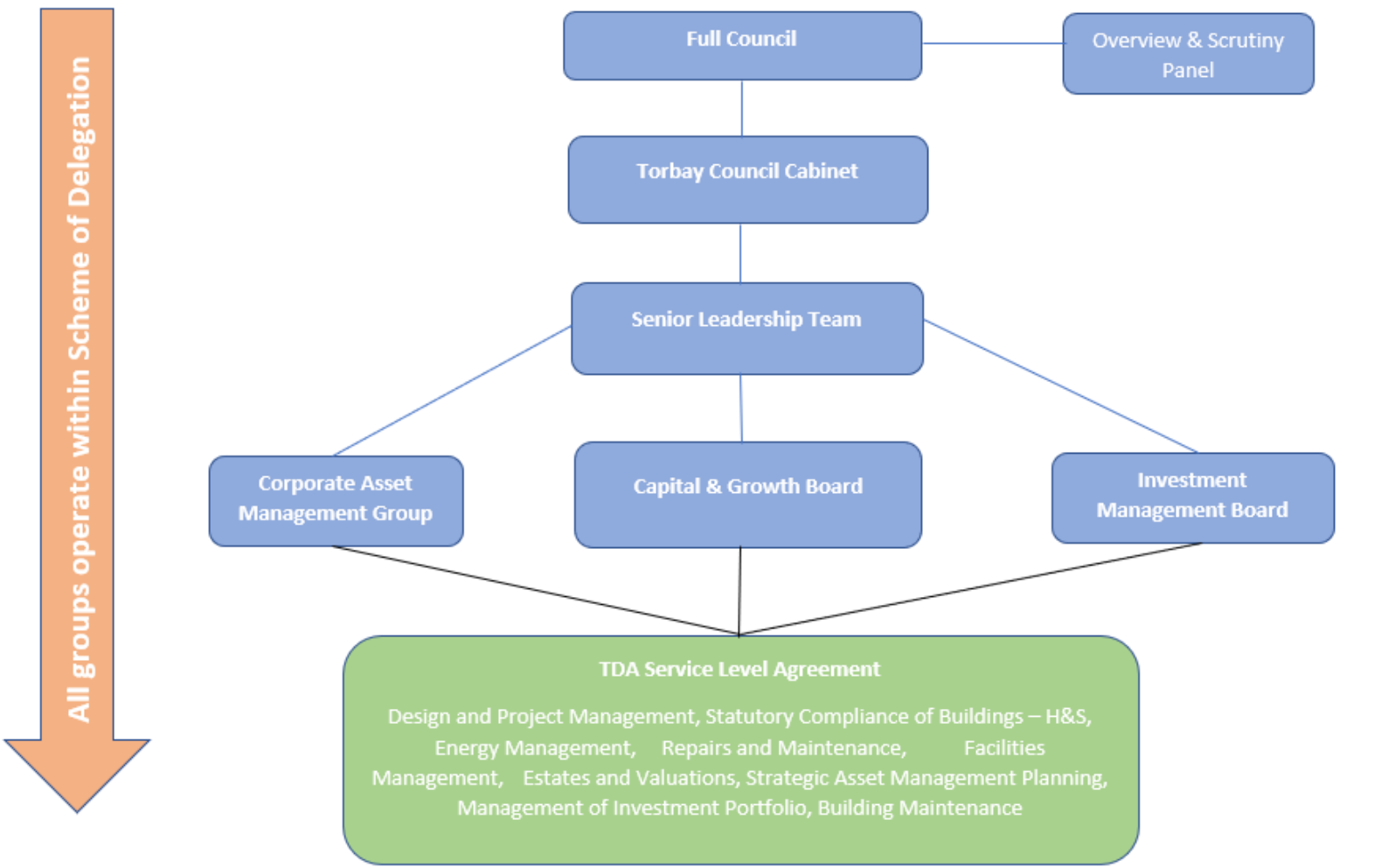
- Design and Project Management
- Statutory Compliance of Buildings – H&S
- Energy Management
- Management of Repairs and Maintenance
- Facilities Management
- Estates and Valuations
- Strategic Asset Management Planning
- Management of Investment Portfolio
- Building Maintenance

Day to day performance and management of the Council's asset portfolio is a commissioned service undertaken by TDA.

The Council shall ensure there is a robust governance structure in place providing direction and transparency of the management of the Council's estate.

The diagram below outlines the organisational structure for the governance of the Council's land and building assets.

Governance Structure



Working with Partners

Torbay Council are active members of the One Public Estate (OPE) programme, working closely with other public sector organisations across the sub-region (Devon OPE Board), exploring opportunities to reduce premises costs and make assets work better for our communities and customers. This includes working with Torbay & South Devon NHS Trust through the Integrated Care Organisation delivering community health and adult social care services for Torbay. Other partners for example include Devon and Cornwall Police, South Devon College and Libraries Unlimited.

The key aim being to work with a range of key stakeholders, exploring opportunities for shared services and how our combined assets can support this. We will also continue to be an active member of the Heart of the South West LEP Joint Committee and the Emerging Greater South West proposals.

There are many more opportunities across Torbay to explore asset-based arrangements including shared space and community / public service points which will encompass the needs of our communities.

The strategic objectives of the One Public Estate programme are set out below:





Engaging with Communities

Torbay Council lease over 44 land and property assets to voluntary, community and sports organisations, often at reduced or minimal rents. Many of these leases have been in place for a number of years. Other leases have been transferred to local organisations who run them successfully for the benefit of our local communities. These arrangements range from short term licences, sports leases for up to 40 years or granted by way of a more formal process under a 'Community Asset Transfer' (CAT).

Local people are often best placed to manage community facilities in their area. They already make excellent use of these assets with local knowledge and hands on management, often resulting in lower overheads and better value for money outcomes. Community organisations can lever in significant funding and are also able to use volunteers to run facilities.

Fundamentally, community groups can take ownership of assets and have great pride in their local area. Managing these facilities can help empower local communities and can bring opportunities for greater independence and financial sustainability. The Council are fully committed to using appropriate assets to form long term partnerships with suitable voluntary, community and sports organisations.

A number of operational Policies are in place that will be followed in relation to applications for Community Asset Transfers and Sports Leases.

Community Asset Transfer Policy (Link)

Sports Lease Policy (Link)

Grant in Lieu of Market Rent Application (Link)



Conclusion and Our Forward Plan

This document covers one element of the new Asset Management Framework - the (1) Asset Management Strategy 2022 - 2027 and should be read alongside (2) the **Asset Management Policy 2022 - 2027**. Together these make up the Strategic Asset Management Framework. The Strategic Asset Management Framework outlines the key strategic objectives for Torbay Council's land and buildings over the next five years and it will form part of the Council's overall Policy Framework.

Sitting outside of the framework will be the Asset Management Operational Delivery Plan which further describes the specific activities to achieve the objectives of the Asset Management Policy 2022 ~ 2027. The Operational Delivery Plan will be categorised under two thematic headings of Strategic and Operational Actions.

The Operational Delivery Plan will be populated and approved by Torbay Council's Director of Place. The Operational Delivery Plan will be reviewed and monitored regularly by the relevant Portfolio Holder and Cabinet where necessary. It will continually change to reflect achievements of actions and capture new priorities and initiatives as they are identified. Consequently, the Operational Delivery Plan will not be a policy document.

It is intended that Torbay Council's Strategic Asset Management Framework will define the principles, criteria and processes through which decisions will be made regarding the use of Council assets.

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TORBAY COUNCIL

Treasury Management Strategy 2023/24

January 2023



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Appendix 5 Non-Treasury Investments

This document can be made available in other languages and formats.

For more information please contact financial.services@torbay.gov.uk

1 Introduction

Treasury management is the management of the Council's cash flows, borrowing and investments, and the associated risks. The Council borrows and invests substantial sums of money and is therefore exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of financial risk are therefore central to the Council's prudent financial management.

Treasury risk management at the Council is conducted within the framework of the Chartered Institute of Public Finance and Accountancy's Treasury Management in the Public Services: Code of Practice 2021 Edition (the CIPFA Code) which requires full Council to approve a treasury management strategy before the start of each financial year. This report fulfils the Council's legal obligation under the Local Government Act 2003 to have regard to the CIPFA Code and the strategy also has regard to guidance within the CIPFA Prudential Code for Capital Finance in Local Authorities 2021 Edition.

The Strategy for 2023/24 covers:

- Capital expenditure and prudential indicators
- the minimum revenue provision (MRP) policy
- prospects for interest rates;
- the borrowing strategy;
- the investment strategy;
- treasury indicators which limit the treasury risk and activities of the Council
- policy on use of external service providers;
- reporting arrangements and management evaluation
- other matters

2 Capital Expenditure and Prudential Indicators

The Council's capital expenditure plans are a key driver of treasury management activity. The output of the capital expenditure plans is reflected in the prudential indicators below, which are designed to assist Members' overview and confirm capital expenditure plans.

Capital Expenditure and Financing

Capital expenditure is where the Council spends money on assets, such as property or vehicles, which will be used for more than one year. In local government this includes spending on assets owned by other bodies, and loans and grants to other bodies enabling them to buy assets.

In 2023/24, the Council is planning capital expenditure of £110m as summarised below (figures based on capital plan estimates as at December 2022 and prior to completion of the quarter 3 22/23 capital monitoring update). However, significant revision of these numbers cannot be ruled out given pressures on scheme budgets and their impact on spend profiles.

Table 1: Prudential Indicator: Estimates of Capital Expenditure in £ millions

£M	2021/22 actual	2022/23 forecast	2023/24 budget	2024/25 budget	2025/26 budget
General Fund services	27	39	110	130	1

All capital expenditure must be financed, either from external sources (government grants and other contributions), the Council's own resources (revenue, reserves and capital receipts) or debt (borrowing, leasing and Private Finance Initiative). The planned financing of the above expenditure is as follows:

Table 2: Capital financing in £ millions

£m	2021/22 actual	2022/23 forecast	2023/24 budget	2024/25 budget	2025/26 budget
External sources	15	20	60	6	0
Own resources	2	1	2	6	0
Debt	10	18	48	118	1
TOTAL	**27**	**39**	**110**	**130**	**1**

Debt is only a temporary source of finance, since loans and leases must be repaid, and this is therefore replaced over time by other financing, usually from revenue which is known as minimum

revenue provision (MRP). Alternatively, proceeds from selling capital assets (known as capital receipts) may be used to replace debt finance. Planned MRP is set out in Table 3:

Table 3: MRP for financing debt on maturity in £ millions

	2021/22 actual	2022/23 forecast	2023/24 budget	2024/25 estimate	2025/26 estimate
MRP	8	8	8	10	14

The Council's full policy on Minimum Revenue Provision is set out at Appendix 1

Affordable borrowing limit: The Council is legally obliged to set an affordable borrowing limit (also termed the authorised limit for external debt) each year. In line with statutory guidance, a lower "operational boundary" is also set as a warning level should debt approach the limit.

Table 4: Prudential Indicators: Authorised limit and operational boundary for external debt in £m

	2022/23 limit	2023/24 limit	2024/25 limit	2025/26 limit
Authorised limit – borrowing	620	600	600	600
Authorised limit – PFI and leases	20	20	20	20
Authorised limit – total external debt	640	620	620	620
Operational boundary – borrowing	530	500	580	580
Operational boundary – PFI and leases	20	20	20	20
Operational boundary – total external debt	550	520	600	600

Revenue Budget Implications

Although capital expenditure is not charged directly to the revenue budget, interest payable on loans and MRP are charged to revenue, offset by any investment income receivable. The net annual charge is known as financing costs; this is compared to the net revenue stream i.e. the amount funded from Council Tax, business rates and general government grants.

Table 5: Prudential Indicator: Proportion of financing costs to net revenue stream

	2021/22 actual	**2022/23 forecast**	**2023/24 budget**	**2024/25 estimate**	**2025/26 estimate**
Net Revenue Stream	£116m	£120m	£131m	£135m	£140m
Financing costs (£m)	£18m	£19m	£20m	£21m	£21m
Proportion of net revenue stream	**16%**	**16%**	**15%**	**16%**	**15%**
Financing costs excludes income from Investment Property portfolio which is included within the Net Revenue Stream.	£(13)m	£(13)m	£(13)m	£(13)m	£(13)m
Percentage of Financing Costs to Net Revenue Stream including Investment Property Gross Rental Income	4%	5%	5%	6%	6%

3 Local Context

On 30th November 2022 the Council held £386m of borrowing and £113m of treasury investments. Forecast changes in these sums are shown in the balance sheet analysis in table 6 below.

Table 6: Balance sheet summary and forecast

	31.3.22 Actual £m	31.3.23 Estimate £m	31.3.24 Forecast £m	31.3.25 Forecast £m	31.3.26 Forecast £m
Capital Financing Requirement	**422**	**432**	**471**	**580**	**567**
Less: Other debt liabilities *	(16)	(15)	(14)	(13)	(12)
Loans CFR	**406**	**417**	**457**	**567**	**555**
Less: External borrowing **	(389)	(385)	(378)	(374)	(368)
Internal borrowing	**17**	**32**	**79**	**193**	**187**
Less: Usable reserves	(75)	(60)	(55)	(50)	(45)
Less: Other Balance Sheet items/Working capital	(58)	(30)	(30)	(30)	(30)
(Treasury investments)/New borrowing	**(116)**	**(58)**	**(6)**	**113**	**112**

* PFI liabilities that form part of the Council's total debt

** shows only loans to which the Council is committed and excludes optional refinancing

The underlying need to borrow for capital purposes is measured by the Capital Financing Requirement (CFR), while balance sheet resources are the underlying sums available for investment. The Council's current strategy is to apply its cash resources in place of external borrowing in the short term, i.e. internal borrowing.

The Council has an increasing CFR due to the capital programme and therefore could borrow a maximum of £187m over the forecast period (the internal borrowing total). If the council's cash backed resources of reserves and working capital are used in the short term to delay the need to borrow the minimum the council would need to borrow is £112m. (the new borrowing total). Care will need to be taken in the use of cash balances in the short term to fund long term borrowing.

It should be noted that these borrowing forecasts are based on the current approved capital plan. The actual level of borrowing required will depend on three key issues:

- the deliverability and affordability of the current plan in respect of both increased borrowing and construction costs.

- the allocation of the approved totals (approx. £100m) for regeneration and housing to specific schemes

- any new schemes funded from borrowing approved by Council

CIPFA's *Prudential Code for Capital Finance in Local Authorities* recommends that the Council's total debt should be lower than its highest forecast CFR over the next three years. Table 6 shows that the Council expects to comply with this recommendation during 2032/24.

Liability benchmark: To compare the Council's actual borrowing against an alternative strategy, The updated Code requires a "liability benchmark" to be calculated showing the lowest risk level of borrowing. This assumes the same forecasts as table 1 above, but that cash and investment balances are kept to a minimum level of £10m at each year-end to maintain sufficient liquidity but minimise credit risk.

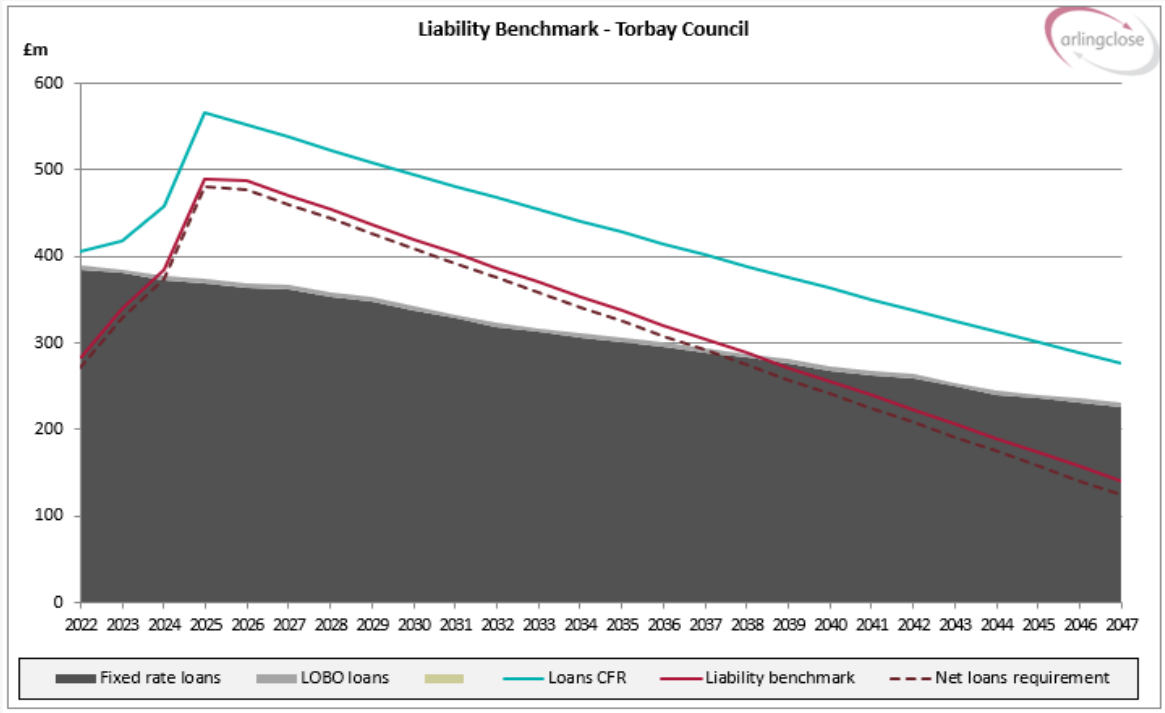
The liability benchmark is an important tool to help establish whether the Council is likely to be a long-term borrower or long-term investor in the future, and so shape its strategic focus and decision making. The liability benchmark itself represents an estimate of the cumulative amount of external borrowing the Council must hold to fund its current capital and revenue plans while keeping treasury investments at the minimum level required to manage day-to-day cash flow.

However, care will need to be taken in the use of cash balances at a point in time to fund a long-term borrowing requirement as this could result in risks around higher debt costs when borrowing is required.

Table 7: Prudential Indicator - Liability benchmark

	31.3.22 Actual £m	**31.3.23 Estimate £m**	**31.3.24 Forecast £m**	**31.3.25 Forecast £m**	**31.3.26 Forecast £m**
Loans CFR	**406**	**417**	**457**	**567**	**555**
Less: Usable reserves	(75)	(60)	(55)	(50)	(45)
Less: Other Balance Sheet items/Working capital	(58)	(30)	(30)	(30)	(30)
Plus: Minimum liquid investments	10	10	10	10	10
Liability Benchmark	**283**	**337**	**382**	**497**	**490**

The forecasts in table 7 are demonstrated in the chart below together with the maturity profile of the Authority's existing borrowing:



4 Economic and Interest Rate Forecast

The Council's advisors, Arlingclose Ltd has provided an economic commentary (updated for November 2022) available at Appendix 2 together with their interest rate forecasts for future years as set out in table 8 below:

Table 8: Arlingclose Ltd interest rates forecast

	Current	Dec-22	Mar-23	Jun-23	Sep-23	Dec-23	Mar-24	Jun-24	Sep-24	Dec-24	Mar-25	Jun-25	Sep-25
Official Bank Rate													
Upside risk	0.00	0.25	0.50	0.75	1.00	1.00	1.00	1.25	1.50	1.75	1.50	1.25	1.25
Arlingclose Central Case	3.00	3.50	4.00	4.25	4.25	4.25	4.25	4.00	3.75	3.50	3.50	3.50	3.50
Downside risk	0.00	0.25	0.50	0.75	0.75	0.75	0.75	0.75	1.00	1.00	1.00	1.00	1.00
3-month money market rate													
Upside risk	0.00	0.25	0.50	0.75	1.00	1.00	1.00	1.25	1.50	1.75	1.50	1.25	1.25
Arlingclose Central Case	3.00	3.90	4.40	4.40	4.40	4.35	4.30	4.25	4.00	3.75	3.75	3.75	3.75
Downside risk	0.00	0.25	0.50	0.75	0.75	0.75	0.75	0.75	1.00	1.00	1.00	1.00	1.00
5yr gilt yield													
Upside risk	0.00	0.60	0.70	0.80	0.90	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Arlingclose Central Case	3.36	3.65	3.90	3.90	3.90	3.90	3.80	3.70	3.60	3.50	3.40	3.30	3.20
Downside risk	0.00	0.70	0.90	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
10yr gilt yield													
Upside risk	0.00	0.60	0.70	0.80	0.90	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Arlingclose Central Case	3.46	3.70	3.75	3.75	3.75	3.70	3.70	3.70	3.70	3.70	3.70	3.70	3.70
Downside risk	0.00	0.70	0.90	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
20yr gilt yield													
Upside risk	0.00	0.60	0.70	0.80	0.90	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Arlingclose Central Case	3.88	4.00	4.00	4.00	4.00	4.00	3.90	3.90	3.90	3.90	3.90	3.90	3.90
Downside risk	0.00	0.70	0.90	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
50yr gilt yield													
Upside risk	0.00	0.60	0.70	0.80	0.90	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Arlingclose Central Case	3.24	3.40	3.40	3.40	3.40	3.40	3.30	3.30	3.30	3.30	3.30	3.30	3.30
Downside risk	0.00	0.70	0.90	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00

Note: The Council will borrow at PWLB certainty rate which is the relevant gilt yield + 0.80%

- The MPC remains concerned about inflation but sees the path for Bank Rate to be below that priced into markets.
- Following the exceptional 75bp rise in November, Arlingclose believes the MPC will slow the rate of increase at the next few meetings. Arlingclose now expects Bank Rate to peak at 4.25%, with a further 50bp rise in December and smaller rises in 2023.
- The UK economy likely entered into recession in Q3, which will continue for some time. Once inflation has fallen from the peak, the MPC will cut Bank Rate.
- Arlingclose expects gilt yields to remain broadly steady despite the MPC's attempt to push down on interest rate expectations. Without a weakening in the inflation outlook, investors will price in higher inflation expectations given signs of a softer monetary policy stance.
- Gilt yields face pressures to both sides from hawkish US/EZ central bank policy on one hand to the weak global economic outlook on the other. BoE bond sales will maintain yields at a higher level than would otherwise be the case.

5 Borrowing Strategy

The Council currently holds £386 million of loans, a decrease of £3 million on the previous year, as part of its strategy for funding previous years' capital programmes. The balance sheet forecast in table 6 shows that the Council expects to borrow up a minimum of £112million (maximum £187m) over the next three years. The Council may also borrow additional sums to pre-fund future years' requirements, providing this does not exceed the authorised limit for borrowing of £600 million.
Objectives: The Council's chief objective when borrowing money is to strike an appropriately low risk balance between securing low interest costs and achieving certainty of those costs over the period for which funds are required. The flexibility to renegotiate loans should the Council's long-term plans change is a secondary objective.

Strategy: the Council's borrowing strategy continues to address the key issue of affordability without compromising the longer-term stability of the debt portfolio.

By doing so, the Council is able to reduce net borrowing costs and reduce overall treasury risk. The benefits of internal borrowing will be monitored regularly against the potential for incurring additional costs by deferring borrowing into future years when long-term borrowing rates are forecast to rise modestly. Assistance will be sought from Arlingclose Ltd with this 'cost of carry' and breakeven analysis; its output may determine whether the Council borrows additional sums at long-term fixed rates in 2023/24 with a view to keeping future interest costs low, even if this causes additional cost in the short-term.

For external borrowing requirements over and above internal borrowing capacity, the Council will look to the PWLB to secure long-term funding of projects. (The Council has previously raised the

majority of its long-term borrowing from the PWLB, however alternative options including the Infrastructure Bank will be considered). This approach may also be combined with short- term borrowing to augment the affordability criteria

PWLB loans are no longer available to local authorities planning to buy investment assets primarily for yield; the Council intends to avoid this activity in order to retain its access to PWLB loans. In addition to the HM Treasury rules in relation to PWLB loans, CIPFA has issued a statement that requires those principles be applied to all forms of borrowing.

The budget for payment of interest on debt for 2023/24 has been based on an assumed £386m of "historic" borrowing as at 31/03/23 with an overall borrowing rate of 2.98% (2.98% in 2022/23). A contingency for new borrowing assumes a rate of 4.50%. As the Council's current debt is on fixed rates with a flat maturity profile the council is not exposed to a refinancing risk of higher costs.
Sources of borrowing: The approved sources of long-term and short-term borrowing are:

- HM Treasury's PWLB lending facility (formerly the Public Works Loan Board)
- any institution approved for investments (see below)
- any other bank or building society authorised to operate in the UK
- any other UK public sector body
- UK public and private sector pension funds (except Peninsula Pension Fund)
- capital market bond investors
- UK Municipal Bonds Agency plc and other special purpose companies created to enable local authority bond issues
- Municipal Investments using loans and bonds
- "Green" bonds (loans to Council)
- UK Infrastructure Bank

Other sources of debt finance: In addition, capital finance may be raised by the following methods that are not borrowing, but may be classed as other debt liabilities:

- leasing
- hire purchase
- Private Finance Initiative
- sale and leaseback

Municipal Bonds Agency: UK Municipal Bonds Agency plc was established in 2014 by the Local Government Association as an alternative to the PWLB. It issues bonds on the capital markets and lend the proceeds to local authorities. This is a more complicated source of finance than the PWLB for two reasons: borrowing authorities will be required to provide bond investors with a guarantee to refund their investment in the event that the agency is unable to for any reason; and there will be a lead time of several months between committing to borrow and knowing the interest rate payable. There has been very limited issue by the Agency to date and new issues

Market and Institutional Borrowing: These instruments can result in lower rates than PWLB and can be traded ahead of cash need but involve significant resource (and cost) to negotiate and market.
UK Infrastructure Bank: Set up in 2021 and wholly owned by HM Treasury, the Infrastructure Bank will lend to local authorities at 20 basis points below PWLB for infrastructure projects which align

with the government's Net Zero objectives or projects that encourage regional and local economic growth. Approvals will be subject to the Bank's confirmation that a local authority's business plan is sound and that it has demonstrated the ability to repay the loan.

The borrowing strategy will be highly influenced by volatility in the Capital Plan arising from inflationary and supply pressures. In view of this the PWLB is likely to remain the most favourable and cost-effective source of borrowing to ensure funding can be committed when certainty of spend is guaranteed.

Short-term and variable rate loans: These loans leave the Council exposed to the risk of short-term interest rate rises and are therefore subject to the interest rate exposure limits below in section 7 Treasury Management Indicators.

Debt rescheduling: The PWLB allows authorities to repay loans before maturity and either pay a premium or receive a discount according to a set formula based on current interest rates. Other lenders may also be prepared to negotiate premature redemption terms. The Chief Finance Officer may take advantage of this and replace some loans with new loans, or repay loans without replacement, where this is expected to lead to an overall cost saving or a reduction in risk. The recent rise in interest rates means that more favourable debt rescheduling opportunities should arise than in previous years. However, as the council has a forecast borrowing requirement the council is unlikely repay "cheaper" debt when it will need to refinance at a higher rate.

6 Investment Strategy

The Council holds significant invested funds, representing income received in advance of expenditure plus balances and reserves held. During the year the Council's investment balance has ranged from £110 million to around £132 million, and material levels are expected to be maintained in the forthcoming year.

Objectives: The CIPFA Code requires the Council to invest its funds prudently, and to have regard to the security and liquidity of its investments before seeking the highest rate of return, or yield. The Council's objective when investing money is to strike an appropriate balance between risk and return, minimising the risk of incurring losses from defaults and the risk of receiving unsuitably low investment income. Where balances are expected to be invested for more than one year, the Council will aim to achieve a total return that is equal or higher than the prevailing rate of inflation, in order to maintain the spending power of the sum invested. The Authority aims to be a responsible investor and will consider environmental, social and governance (ESG) issues when investing.

Strategy: As demonstrated by the liability benchmark above, the Authority expects to be a long-term borrower and new treasury investments will therefore be made primarily to manage day-to-day cash flows using short-term low risk instruments. The existing portfolio of strategic pooled funds will be maintained to diversify risk into different sectors and boost investment income.

The CIPFA Code does not permit local authorities to both borrow and invest long-term for cash flow management. But the Authority may make long-term investments for treasury risk management purposes, including to manage interest rate risk by investing sums borrowed in advance for the capital programme for up to three years; to manage inflation risk by investing usable reserves in instruments whose value rises with inflation; and to manage price risk by adding diversification to the strategic pooled fund portfolio.

The policy for counterparty selection and investment limits is presented at Appendix 3.

Non-Financial Investments Strategy

The MHCLG and CIPFA have extended the meaning of 'investments' to include both financial and non-financial investments.

The previous sections relate solely to treasury management "cash" investments and the current schedule of non-financial investments is detailed at Appendix 4. All decisions have followed appropriate risk management framework and strategy for non-financial investments approved by Council in February 2019.

Any involvement by the Council in community investment schemes such as Credit Unions and Mutual Banks would fall into this category and would not be managed within the treasury management policies.

Guidance within the Prudential Code states that, "councils with existing commercial investments are not required by this Code to sell these investments however councils that have an expected need to borrow should review options for exiting their financial investments for commercial purposes and summarise the review in their annual treasury management strategy. These reviews

should evaluate whether to take expected borrowing needs by taking new borrowing or repaying investments based on a financial appraisal that takes into account of financial implications and risk reduction benefits”

This strategy document indicates no requirement for new borrowing in 2023/24, however a review framework is set out in Appendix 5. The Council’s holding in a pooled property fund is not considered within this review as it forms part of a balanced cash investment portfolio.

The Council’s investment properties are diversified over several sectors and are budgeted in 2023/24 to produce a net surplus, after borrowing costs and reserve provision, of £4.1m. If any of these assets are sold, the council will have to

- fund the revenue shortfall resulting from no rent now being received.
- apply the capital receipt from the asset sale to another project to either avoid borrowing costs on that project or to reinvest in a project that generates an income stream to replace the revenue shortfall, subject to the new project not being primarily for yield.
- Or apply the capital receipt to repay borrowing subject to any early repayment penalties.
- apply the existing ongoing borrowing costs of the asset now sold to another project, where the income from the new project will be able to cover the borrowing costs
- all the above will need to be in pace ideally from date of sale to avoid any ongoing cost of carry of both the old debt and ongoing revenue shortfall.

Environmental, Social and Governance (ESG) Investments

Environmental, social and governance (ESG) considerations are increasingly a factor in global investors’ decision making, but the framework for evaluating investment opportunities is still developing and therefore the Council’s ESG considerations do not currently include ESG scoring or other real-time ESG criteria at an individual investment level. Officers will continue to monitor and evaluate ESG investment opportunities, and these may be incorporated into future investment strategies subject to yield and security. Given the limited range of counterparties the Council can use for its investments and that borrowing is mainly from the Government there are limited opportunities to apply ESG principles in this Strategy.

7 Treasury Management Indicators

The Council measures and manages its exposures to treasury management risks using the following indicators.

Security: The Council has adopted a voluntary measure of its exposure to credit risk by monitoring the value-weighted average credit rating/credit score of its investment portfolio. The credit score is calculated by applying a value to each investment (AAA=1, AA+=2, …. A=6 etc.) and taking the arithmetic average, weighted by the size of each investment. Unrated investments are assigned a score based on their perceived risk.

Credit risk indicator	Target
Portfolio average credit rating (score)	A (6)

Liquidity: The Council has adopted a voluntary measure of its exposure to liquidity risk by monitoring the amount of cash available to meet unexpected payments within a rolling one-month period, without additional borrowing.

Liquidity risk indicator	Target
Total cash available within 1 months	£10m

Interest rate exposures: This indicator is set to control the Council's exposure to interest rate risk.

The Council's debt portfolio is virtually all at fixed rate and therefore has no exposure to fluctuations in interest rates. As such no specific limits are proposed on interest rate exposure but any new borrowing will be restricted to a maximum 30% of the total portfolio exposed to variable interest rate.

Maturity structure of borrowing: This indicator is set to control the Council's exposure to refinancing risk. The upper and lower limits on the maturity structure of borrowing will be:

Refinancing rate risk indicator	Upper limit	Lower limit
Under 12 months	40%	0%
12 months and within 24 months	40%	0%
24 months and within 5 years	30%	0%
5 years and within 10 years	40%	0%
10 years and within 20 years	50%	0%
20 years and within 30 years	50%	0%
30 years and within 40 years	60%	0%
40 years and above	50%	0%

Principal sums invested for periods longer than a year: The purpose of this indicator is to control the Council's exposure to the risk of incurring losses by seeking early repayment of its investments. The limits on the long-term principal sum invested to final maturities beyond the period end will be:

Price risk indicator	2022/23	2023/24	2024/25
Limit on principal invested beyond year end	£20m	£40m	£40m

8 Treasury Management Consultants

Arlingclose Ltd was appointed as the Council's external treasury management advisors for three years from April 2020, following a full tender process.

The Council recognises that responsibility for treasury management decisions always remains with the organisation and will ensure that undue reliance is not placed upon the services of our external service providers. All decisions will be undertaken with regard to all available information including, but not solely, our treasury advisers.

9 Reporting Arrangements and Management Evaluation

Members will receive the following reports for 2023/24 as standard in line with the requirements of the Code of Practice:

- Annual Treasury Management Strategy
- Mid-Year Treasury Review report
- Annual Treasury Outturn report

The Chief Finance Officer will inform the Cabinet Member for Finance of any long-term borrowing or repayment undertaken or any significant events that may affect the Council's treasury management activities. The CFO will maintain a list of staff authorised to undertake treasury management transactions on behalf of the Council.

The Chief Finance Officer is authorised to approve any movement between borrowing and other long-term liabilities within the Authorised Limit (see Section 2). Any such change will be reported to the next meeting of the Council.

The impact of these policies will be reflected as part of the Council's revenue budget and therefore will be reported through the quarterly budget monitoring process.

The Council's management and evaluation arrangements for Treasury Management will be as follows:

- Monthly monitoring report to the Chief Finance Officer and lead Members.
- Quarterly meeting of the Treasury Manager/ Finance Manager / Chief Finance Officer to review previous quarter performance and plan following period activities
- Regular meetings with the Council's treasury advisors
- Investment benchmarking against other local authorities via Arlingclose Ltd
- The Audit Committee is the body responsible for scrutiny of Treasury Management.

The CIPFA Code requires the responsible officer to ensure that members with responsibility for treasury management receive adequate training in treasury management.

The training needs of treasury management officers are periodically reviewed.

10 Other Matters

Soft Loans

Accounting for financial instruments require the recognition of soft loans i.e. where a loan is made at a lower than ‘competitive’ rate the cost implicit in achieving the lower rate must be reflected in the Council’s accounts.

Anti-Money Laundering

The Council will comply with all relevant regulations.

IFRS 16 Lease Accounting

The Director of Finance will monitor any implications IRFS16 on leases, which became effective in the public sector from April 2024.

Appendix 1

Policy on Minimum Revenue Provision for 2023/24

The Minimum Revenue Provision is a statutory charge that the Council is required to make from its revenue budget. This provision enables the Council to generate cash resources for the repayment of borrowing.

The basis for the calculation of the provision is prescribed by legislation (Local Authorities (Capital Finance and Accounting (England) (Amendment) Regulations 2012 and supported by statutory guidance (last issued March 2018), which states that Councils are required to "determine for the current financial year an amount of MRP that it considers to be prudent" and prepare an annual statement on their MRP calculation to their full Council.

One of the aims of this legislation is to ensure that the repayment of principal owed for Capital expenditure is charged on a prudent basis. Central Government guidance says:

> "*the broad aim of prudent provision is to ensure that debt is repaid over a period that is either reasonably commensurate with that over which the Capital expenditure provides benefits"*

For Supported Borrowing, (borrowing funded by central government), the Council will charge MRP at 2% of the balance as at 31 March after the deduction of the value of adjustment A (a set value in 2004), fixed at the same cash value as that of the whole debt is repaid after 50 years.

The Council will charge a VRP (voluntary revenue provision) for the supported borrowing within the adjustment A value that is outstanding as at 31 March relating to transferred debt from Devon County Council fixed at the same cash value as that of the whole debt is repaid after 50 years (which is similar to the supported borrowing calculation).

For capital expenditure funded from unsupported borrowing the Council will make a MRP based on the cumulative expenditure incurred on each asset (including investment fund properties) in the previous financial years using a prudent asset life, which reflects the estimated usable life of that asset. (See table on the following page.)

The MRP for each asset will be calculated on the asset life method using an annuity calculation. MRP will be calculated on the total expenditure on that asset, in the financial year after the asset becomes operational or 12 months after operational or when there is an income stream in relation to that asset.

The Council will continue to charge services for their use of unsupported borrowing using a prudent asset life (or a shorter period) on an annuity calculation. Where possible the same asset life and borrowing interest rate will be used for both the charge to services and the calculation of the MRP.

To mitigate any negative impact from the changes in accounting for leases and PFI schemes the Council will include in the annual MRP charge an amount equal to the amount that has been taken to the balance sheet to reduce the balance sheet liability for a PFI scheme or a finance lease. The calculation will be based on the annuity method using the Internal Rate of Return (IRR) implicit in the PFI or lease agreement.

Where loans are given for capital purposes, they come within the scope of the prudential controls established by the Local Government Act 2003 and the Local Authorities (Finance and Accounting) (England) Regulations 2008.

The Capital Financing Requirement (CFR) will increase by the amount of the loan. Once the funds are returned to the local authority, the returned funds are classed as a capital receipt with those receipts being earmarked specifically to that loan, and the CFR and loan will reduce accordingly. If the expectation is that funds will be repaid in full at some point in the future, there is no requirement to set aside prudent provision to repay the debt liability in the interim period, so there

is no MRP application. The position of each loan will be reviewed on an annual basis by Chief Finance Officer.

Where relevant, the suggested asset lives for certain types of capitalised expenditure as detailed in the MRP statutory guidance issued by DCLG will be used. The latest guidance issued in March 2018 suggests a maximum asset life of 50 years.

Each asset life will be considered in relation to the asset being constructed (primarily to ensure the MRP period does not exceed asset life); however, as a guide the following are typical ranges for asset lives that will be used.

Asset Type	Range of Asset Life
Freehold Land (speciifed in DCLG statutory gudiance)	50 years
Buildings	20-40 years
Investment Properties	25-50 years
Software	5-10 years
Vehicles & Equipment	5-8 years
Highway Network	25-40 years
Structural Enhancements	10-25 years
Infrastructure	25-50 years

For capital expenditure where land and buildings are not separately identified a blended asset life can be used.

Note: DLUCH are expected to update the MRP statutory guidance during 2023/24, however the changes are unlikely to impact on the Council's MRP policy.

Appendix 2
Economic Commentary

(Provided by Arlingclose Ltd, January 2023)

Economic background: The ongoing impact on the UK from the war in Ukraine, together with higher inflation, higher interest rates, uncertain government policy, and a deteriorating economic outlook, will be major influences on the Authority's treasury management strategy for 2023/24.

The Bank of England (BoE) increased Bank Rate by 0.5% to 3.5% in December 2022. This followed a 0.75% rise in November which was the largest single rate hike since 1989 and the ninth successive rise since December 2021. The December decision was voted for by a 6-3 majority of the Monetary Policy Committee (MPC), with two dissenters voting for a no-change at 3% and one for a larger rise of 0.75%.

The November quarterly Monetary Policy Report (MPR) forecast a prolonged but shallow recession in the UK with CPI inflation remaining elevated at over 10% in the near-term. While the projected peak of inflation is lower than in the August report, due in part to the government's support package for household energy costs, inflation is expected remain higher for longer over the forecast horizon and the economic outlook remains weak, with unemployment projected to start rising.

The UK economy contracted by 0.3% between July and September 2022 according to the Office for National Statistics, and the BoE forecasts Gross Domestic Product (GDP) will decline 0.75% in the second half of the calendar year due to the squeeze on household income from higher energy costs and goods prices. Growth is then expected to continue to fall throughout 2023 and the first half of 2024.

CPI inflation is expected to have peaked at around 11% in the last calendar quarter of 2022 and then fall sharply to 1.4%, below the 2% target, in two years' time and to 0% in three years' time if Bank Rate follows the path implied by financial markets at the time of the November MPR (a peak of 5.25%). However, the BoE stated it considered this path to be too high, suggesting that the peak in interest rates will be lower, reducing the risk of inflation falling too far below target. Market rates have fallen since the time of the November MPR.

The labour market remains tight for now, with the most recent statistics showing the unemployment rate was 3.7%. Earnings were up strongly in nominal terms by 6.1% for both total pay and for regular pay but factoring in inflation means real pay for both measures was -2.7%. Looking forward, the November MPR shows the labour market weakening in response to the deteriorating outlook for growth, leading to the unemployment rate rising to around 6.5% in 2025.

Interest rates have also been rising sharply in the US, with the Federal Reserve increasing the range on its key interest rate by 0.5% in December 2022 to 4.25%-4.5%. This rise follows four successive 0.75% rises in a pace of tightening that has seen rates increase from 0.25%-0.50% in March 2022. Annual inflation has been slowing in the US but remains above 7%. GDP grew at an annualised rate of 3.2% (revised up from 2.9%) between July and September 2022, but with official interest rates

expected to rise even further in the coming months, a recession in the region is widely expected at some point during 2023.

Inflation rose consistently in the Euro Zone since the start of the year, hitting a peak annual rate of 10.6% in October 2022, before declining to 10.1% in November. Economic growth has been weakening with an upwardly revised expansion of 0.3% (from 0.2%) in the three months to September 2022. As with the UK and US, the European Central Bank has been on an interest rate tightening cycle, pushing up its three key interest rates by 0.50% in December, following two consecutive 0.75% rises, taking its main refinancing rate to 2.5% and deposit facility rate to 2.0%.

Credit outlook:

Credit default swap (CDS) prices have generally followed an upward trend throughout 2022, indicating higher credit risk. They have been boosted by the war in Ukraine, increasing economic and political uncertainty and a weaker global and UK outlook, but remain well below the levels seen at the beginning of the Covid-19 pandemic.

CDS price volatility was higher in 2022 compared to 2021 and the divergence in prices between ringfenced (retail) and non-ringfenced (investment) banking entities has emerged once again.

The weakening economic picture during 2022 led the credit rating agencies to reflect this in their assessment of the outlook for the UK sovereign as well as several local authorities and financial institutions, revising them from to negative from stable.

There are competing tensions in the banking sector which could impact bank balance sheet strength going forward. The weakening economic outlook and likely recessions in many regions increase the possibility of a deterioration in the quality of banks' assets, while higher interest rates provide a boost to net income and profitability.

However, the institutions on our adviser Arlingclose's counterparty list remain well-capitalised and their counterparty advice on both recommended institutions and maximum duration remain under constant review and will continue to reflect economic conditions and the credit outlook.

Interest rate forecast (December 2022):

The Authority's treasury management adviser Arlingclose forecasts that Bank Rate will continue to rise in 2022 and 2023 as the Bank of England attempts to subdue inflation which is significantly above its 2% target.

While interest rate expectations reduced during October and November 2022, multiple interest rate rises are still expected over the forecast horizon despite looming recession. Arlingclose expects Bank Rate to rise to 4.25% by June 2023 under its central case, with the risks in the near- and medium-term to the upside should inflation not evolve as the Bank forecasts and remains persistently higher.

Yields are expected to remain broadly at current levels over the medium-term, with 5-, 10- and 20-year gilt yields expected to average around 3.5%, 3.5%, and 3.85% respectively over the 3-year period to December 2025. The risks for short, medium and longer-term yields are judged to be broadly balanced over the forecast horizon. As ever, there will undoubtedly be short-term volatility due to economic and political uncertainty and events.

Appendix 3
Creditworthiness Policy and Investment Limits

The Council may invest its surplus funds with any of the counterparty types in table 9 below, subject to the cash limits (per counterparty) and the time limits shown. The Chief Finance Officer will exercise his delegated powers "to take any decisions (including Key Decisions) and to exercise all legal powers relevant to the Council's borrowing, investments and financial management)" (s.7.1 of the Constitution – Officer Scheme of Delegation) to vary these limits at any time to ensure they remain viable and relevant during any market or political volatility.

Table 9: Approved investment counterparties and limits

Sector	Time limit	Counterparty limit	Sector limit
The UK Government	3 years	Unlimited	n/a
Local authorities & other government entities	3 years	£15m	Unlimited
Secured investments *	3 years	£15m	Unlimited
Banks (secured)*	3 years	£15m	Unlimited
Banks (unsecured) *	13 months	£6m	Unlimited
Building societies (unsecured) *	13 months	£6m	£18m
Registered providers (unsecured) *	3 years	£6m	£20m
Money market funds *	n/a	£15m	Unlimited
Strategic pooled funds	n/a	£10m	£30m
Real estate investment trusts	n/a	£10m	£20m
Other investments *	3 years	£6m	£15m

This table should be read in conjunction with the notes below

*** Minimum credit rating:** Treasury investments in the sectors marked with an asterisk will only be made with entities whose lowest published long-term credit rating is no lower than A-. Where available, the credit rating relevant to the specific investment or class of investment is used, otherwise the counterparty credit rating is used. However, investment decisions are never made solely based on credit ratings, and all other relevant factors including external advice will be considered.

For entities without published credit ratings, investments may be made where external advice indicates the entity to be of similar credit quality.

Government: Loans to, and bonds and bills issued or guaranteed by, national governments, regional and local authorities and multilateral development banks. These investments are not subject to bail-in, and there is generally a lower risk of insolvency, although they are not zero risk. Investments with the UK Government are deemed to be zero credit risk due to its ability to create additional currency and therefore may be made in unlimited amounts for up to 50 years.

Secured investments: Investments secured on the borrower's assets, which limits the potential losses in the event of insolvency. The amount and quality of the security will be a key factor in the investment decision. Covered bonds and reverse repurchase agreements with banks and building societies are exempt from bail-in. Where there is no investment specific credit rating, but the collateral upon which the investment is secured has a credit rating, the higher of the collateral credit rating and the counterparty credit rating will be used. The combined secured and unsecured investments with any one counterparty will not exceed the cash limit for secured investments.

Banks and building societies (unsecured): Accounts, deposits, certificates of deposit and senior unsecured bonds with banks and building societies, other than multilateral development banks. These investments are subject to the risk of credit loss via a bail-in should the regulator determine that the bank is failing or likely to fail. See below for arrangements relating to operational bank accounts.

Registered providers (unsecured): Loans to, and bonds issued or guaranteed by, registered providers of social housing or registered social landlords, formerly known as housing associations. These bodies are regulated by the Regulator of Social Housing (in England), the Scottish Housing Regulator, the Welsh Government and the Department for Communities (in Northern Ireland). As providers of public services, they retain the likelihood of receiving government support if needed.

Money market funds: Pooled funds that offer same-day or short notice liquidity and very low or no price volatility by investing in short-term money markets. They have the advantage over bank accounts of providing wide diversification of investment risks, coupled with the services of a professional fund manager in return for a small fee. Although no sector limit applies to money market funds, the Council will take care to diversify its liquid investments over a variety of providers to ensure access to cash at all times.

Strategic pooled funds: Bond, equity and property funds (such as CCLA) that offer enhanced returns over the longer term but are more volatile in the short term. These allow the Authority to diversify into asset classes other than cash without the need to own and manage the underlying investments. Because these funds have no defined maturity date, but are available for withdrawal after a notice period, their performance and continued suitability in meeting the Authority's investment objectives will be monitored regularly.

Real estate investment trusts: Shares in companies that invest mainly in real estate and pay the majority of their rental income to investors in a similar manner to pooled property funds. As with property funds, REITs offer enhanced returns over the longer term, but are more volatile especially as the share price reflects changing demand for the shares as well as changes in the value of the underlying properties.

Other investments: This category covers treasury investments not listed above, for example unsecured corporate bonds and company loans. Non-bank companies cannot be bailed-in but can become insolvent placing the Authority's investment at risk.

Risk assessment and credit ratings: Credit ratings are obtained and monitored by the Council's treasury advisers, who will notify changes in ratings as they occur. Where an entity has its credit rating downgraded so that it fails to meet the approved investment criteria then:

- no new investments will be made,
- any existing investments that can be recalled or sold at no cost will be, and

- full consideration will be given to the recall or sale of all other existing investments with the affected counterparty.

Where a credit rating agency announces that a credit rating is on review for possible downgrade (also known as “rating watch negative” or “credit watch negative”) so that it may fall below the approved rating criteria, then only new investments that can be withdrawn on the next working day will be made with that organisation until the outcome of the review is announced. This policy will not apply to negative outlooks, which indicate a long-term direction of travel rather than an imminent change of rating.

Other information on the security of investments: The Council understands that credit ratings are good, but not perfect, predictors of investment default. Full regard will therefore be given to other available information on the credit quality of the organisations in which it invests, including credit default swap prices, financial statements, information on potential government support, reports in the quality financial press and analysis and advice from the Council’s treasury management adviser. No investments will be made with an organisation if there are substantive doubts about its credit quality, even though it may otherwise meet the above criteria.

When deteriorating financial market conditions affect the creditworthiness of all organisations, as happened in 2008 and 2020, this is not generally reflected in credit ratings, but can be seen in other market measures. In these circumstances, the Council will restrict its investments to those organisations of higher credit quality and reduce the maximum duration of its investments to maintain the required level of security. The extent of these restrictions will be in line with prevailing financial market conditions. If these restrictions mean that insufficient commercial organisations of high credit quality are available to invest the Council’s cash balances, then the surplus will be deposited with the UK Government or, on an exception basis, with other local authorities. This will cause investment returns to fall but will protect the principal sum invested.

Investment limits: The Council’s revenue reserves available to cover investment losses are forecast to be £60 million on 31st March 2023. In order that no more than 50% of available reserves will be put at risk in the case of a single default, the maximum that will be lent to any one organisation (other than the UK Government) will be £15 million. A group of banks under the same ownership will be treated as a single organisation for limit purposes. Limits will also be placed on fund managers, investments in brokers’ nominee accounts, foreign countries and industry sectors as below. Investments in pooled funds and multilateral development banks do not count against the limit for any single foreign country since the risk is diversified over many countries.

Table 10: Investment limits

	Cash limit
Any single organisation, except the UK Central Government	£15m each
UK Central Government	unlimited
Any group of organisations under the same ownership	£25m per group
Any group of pooled funds under the same management	£30m per manager
Foreign countries	£30m per country
Money market funds	£60m in total

TREASURY MANAGEMENT POLICY STATEMENT

1. The Council defines its treasury management activities as:

   "The management of the organisation's borrowing, investments and cash flows, including its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks".

2. The Council regards the successful identification, monitoring and control of risk to be the prime criteria by which the effectiveness of its treasury management activities will be measured. Accordingly, the analysis and reporting of treasury management activities will focus on their risk implications for the Council, and any financial instruments entered into to manage these risks.

3. The Council acknowledges that effective treasury management will provide support towards the achievement of its business and service objectives. It is therefore committed to the principles of achieving value for money in treasury management, and to employing suitable comprehensive performance measurement techniques, within the context of effective risk management.

TREASURY MANAGEMENT PRACTICES

TMP1 Risk Management

The Council regards a key objective of its treasury management activities to be the security of the principal sums it invests. Accordingly, it will ensure that robust due diligence procedures cover all external investment.

The Chief Finance Officer will design, implement and monitor all arrangements for the identification, management and control of treasury management risk, will report at least annually on the adequacy/suitability thereof and will report, as a matter of urgency, the circumstances of any actual or likely difficulty in achieving the organisation's objectives in this respect, all in accordance with the procedures set out in TMP6 *Reporting requirements and management information arrangements*.

In respect of each of the following risks, the arrangements which seek to ensure compliance with these objectives are set out in the schedule to this document.

1.1 Credit and Counterparty Risk Management

The risk of failure by a counterparty to meet its contractual obligations to the organisation under an investment, borrowing, derivative instrument, or capital, project or partnership financing, particularly as a result of the counterparty's diminished creditworthiness, and the resulting detrimental effect on the organisation's capital or current (revenue) resources.

The Council will ensure that its counterparty lists and limits reflect a prudent attitude towards organisations with whom funds may be deposited or investments made, and it will limit its treasury management investment activities to the instruments, methods and techniques referred to in *TMP4 Approved instruments, methods and techniques* and listed in the schedule to this document.

It also recognises the need to have, and will therefore maintain, a formal counterparty policy in respect of those organisations from which it may borrow, or with whom it may enter into other financing or derivative arrangements.

The Council's credit and counterparty policies should set out its policy and practices relating to environmental, social and governance (ESG) investment considerations. This is a developing area,and it is not implied that the organisation's ESG policy will currently include ESG scoring or other real-time ESG criteria at individual investment level.

1.2 Liquidity Risk Management

The risk that cash will not be available when it is needed, that ineffective management of liquidity creates additional unbudgeted costs, compromising the organisation's business/service objectives.

The Council will ensure it has adequate though not excessive cash resources, borrowing arrangements and overdraft or standby facilities to enable it at all times to have the level of funds available to it that are necessary for the achievement of its business/service objectives.

The Council will not borrow earlier than required to meet cash flow needs unless there is a clear business case for doing so and will only do so for the current capital programme, to fund future debt maturities, or to ensure an adequate level of short-term investments to provide liquidity for the organisation.

1.3 Interest Rate Risk Management

The risk that fluctuations in the levels of interest rates create an unexpected or unbudgeted burden on the Council's finances against which the organisation has failed to adequately protect itself.

This organisation will manage its exposure to fluctuations in interest rates with a view to containing its net interest costs or revenues in accordance with its treasury management policy and strategy and in accordance with TMP6 Reporting requirements and management information arrangements.

It will achieve this by the prudent use of its approved instruments, methods and techniques, primarily to create stability and certainty of costs and revenues, but at the same time retaining a sufficient degree of flexibility to take advantage of unexpected, potentially advantageous changes in the level or structure of interest rates. This should be subject to the consideration and, if required, approval of any policy or budgetary implications. It will ensure that any hedging tools such as derivatives are only used for the management of risk and the prudent management of financial affairs, and that the policy for the use of derivatives is clearly detailed in the annual strategy.

1.4 Exchange Rate Risk Management

The risk that fluctuations in foreign exchange rates create an unexpected or unbudgeted burden on the Council's finances, against which the Council has failed to protect itself adequately.

It will manage its exposure to fluctuations in exchange rates so as to minimise any detrimental impact on its budgeted income/expenditure levels.

1.5 Inflation Risk Management

Inflation risk, also called purchasing power risk, is the chance that the cash flows from treasury instruments (such as investments) won't be worth as much in the future because of changes in purchasing power due to inflation.

The Council will keep under review the sensitivity of its treasury assets and liabilities to inflation and will seek to manage the risk accordingly in the context of the whole of the Council's inflation exposure.

1.6 Refinancing Risk Management

The risk that maturing borrowings, capital, project or partnership financings cannot be refinanced on terms that reflect the provisions made by the Council for those refinancings, both capital and current (revenue), and/or that the terms are inconsistent with prevailing market conditions at the time.

The Council will ensure that its borrowing and other long-term liabilities are negotiated, structured and documented, and the maturity profile of the monies so raised is managed, with a view to obtaining offer terms for renewal or refinancing, if required, that are competitive and as favourable to the Council as can reasonably be achieved in the light of market conditions prevailing at the time.

It will actively manage its relationships with its counterparties in these transactions in such a manner as to secure this objective, and will avoid overreliance on any one source of funding if this might jeopardise achievement of the above.

1.7 Legal and Regulatory Risk Management

The risk that the organisation itself, or an organisation with which it is dealing in its treasury management activities, fails to act in accordance with its legal powers or regulatory requirements and that the organisation suffers losses accordingly.

The Council will ensure that all of its treasury management activities comply with its statutory powers and regulatory requirements. It will demonstrate such compliance, if required to do so, to all parties with whom it deals in such activities. In framing its credit and counterparty policy under TMP1[1] *credit and counterparty risk management*, it will ensure that there is evidence of counterparties' powers, authority and compliance in respect of the transactions they may effect with the Council, particularly with regard to duty of care and fees charged.

The Council recognises that future legislative or regulatory changes may impact on its treasury management activities and, so far as it is reasonably able to do so, will seek to manage the risk of these impacting adversely on the Council.

1.8 Operational risk, including fraud, error and corruption

The risk of direct or indirect loss resulting from inadequate or failed internal processes, people and systems or from external events. This includes the risk of fraud, error, corruption or other eventualities in treasury management dealings.

The Council will ensure that it has identified the circumstances that may expose it to the risk of loss through inadequate or failed internal processes, people and systems or from external events. Accordingly, it will employ suitable systems and procedures and will maintain effective contingency management arrangements to these ends.

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1.9 Price Risk Management

The risk that through adverse market fluctuations in the value of the principal sums an organisation borrows and invests, its stated treasury management policies and objectives are compromised, against which effects it has failed to adequately protect itself.

The Council will seek to ensure that its stated treasury management policies and objectives will not be compromised by adverse market fluctuations in the value of the sums it invests and will accordingly seek to protect itself from the effects of such fluctuations.

TMP 2 Performance Measurement

The Council is committed to the pursuit of value for money in its treasury management activities and to the use of performance methodology in support of that aim, within the framework set out in its treasury management policy statement.

Accordingly, the treasury management function will be the subject of ongoing analysis of the value it adds in support of the organisation's stated business or service objectives. It will be the subject of regular examination of alternative methods of service delivery, of the availability of fiscal or other grant or subsidy incentives and of the scope for other potential improvements. The performance of the treasury management function will be measured using the criteria set out in the schedule to this document. The criteria will include measures of effective treasury risk management and not only measures of financial performance (income or savings).

TMP 3 Decision Making and Analysis

The Council will maintain full records of its treasury management decisions, and of the processes and practices applied in reaching those decisions, both for the purposes of learning from the past and for accountability, e.g. demonstrating that reasonable steps were taken to ensure all issues relevant to those decisions were taken into account at the time. The issues to be addressed and processes and practices to be pursued in reaching decisions are detailed in the schedule to this document.

TMP 4 Approved Instruments, Methods and Techniques

The Council will undertake its treasury management activities by employing only those instruments, methods and techniques detailed in the schedule to this document, and within the limits and parameters defined and parameters defined in TMP1 *Risk Management*

Where the Council intends to use derivative instruments for the management of risks, these will be limited to those set out in its annual treasury strategy. The Council will seek proper advice and will consider that advice when entering into arrangements to use such products to ensure that it fully understands those products.

The Council has reviewed its classification with financial institutions under MIFID II and has set out in the schedule to this document those organisations with which it is registered as a professional client and those with which it has an application outstanding to register as a professional client.

TMP 5 Organisation, Clarity and Segregation of Responsibilities, and Dealing Arrangements

The Council considers it essential, for the purposes of the effective control and monitoring of its treasury management activities, for the reduction of the risk of fraud or error, and for the pursuit of optimum performance, that these activities are structured and managed in a fully integrated manner, and that there is at all times a clarity of treasury management responsibilities.

The principle on which this will be based is a clear distinction between those charged with setting treasury management policies and those charged with implementing and controlling these policies, particularly with regard to the execution and transmission of funds, the recording and administering of treasury management decisions, and the audit and review of the treasury management function.

If and when the Council intends, as a result of lack of resources or other circumstances, to depart from these principles, the Chief Finance Officer will ensure that the reasons are properly reported in accordance with TMP6 *Reporting requirements and management information arrangements*, and the implications properly considered and evaluated.

The Chief Finance Officer will ensure that there are clear written statements of the responsibilities for each post engaged in treasury management, and the arrangements for absence cover. The Chief Finance Officer will also ensure that at all times those engaged in treasury management will follow the policies and procedures set out. The present arrangements are detailed in the schedule to this document.

The Chief Finance Officer will ensure there is proper documentation for all deals and transactions, and that procedures exist for the effective transmission of funds. The present arrangements are detailed in the schedule to this document.

The delegations to the Chief Finance Officer in respect of treasury management are set out in the schedule to this document. The Chief finance Officer will fulfill all such responsibilities in accordance with the Council's policy statement and TMPs and, if a CIPFA member, the *Standard of Professional Practice on Treasury Management.*

TMP 6 Reporting Requirements and Management Information Arrangements

The Council will ensure that regular reports are prepared and considered on the implementation of its treasury management policies; on the effects of decisions taken and transactions executed in pursuit of those policies; on the implications of changes, particularly budgetary, resulting from regulatory, economic, market or other factors affecting its treasury management activities; and on the performance of the treasury management function.

As a minimum:

- Full Council will receive:

  - an annual report on the strategy and plan to be pursued in the coming year
  - a mid-year review
  - an annual report on the performance of the treasury management function, on the effects of the decisions taken and the transactions executed in the past year, and on any circumstances of non-compliance with the Council's treasury management policy statement and TMPs.

  - The Audit Committee will receive regular monitoring reports on treasury management activities and risks.
  - The Audit Committee will have responsibility for the scrutiny of treasury management policies and practices.
  - Local authorities should report the treasury management indicators and any other investment indicators as detailed in their sector-specific guidance notes.

The present arrangements and the form of these reports are detailed in the schedule to this document.

TMP 7 Budgeting, Accounting and Audit Arrangements

The Chief Finance Officer will prepare - and the Council will approve and, if necessary, from time to time will amend - an annual budget for treasury management, which will bring together all the costs involved in running the treasury management function, together with associated income. The matters to be included in the budget will at minimum be those required by statute or regulation, together with such information as will demonstrate compliance with TMP1 *Risk management*, TMP2 *Performance measurement,* and TMP4 *Approved instruments, methods and techniques.* The Chief Finance Officer will exercise effective controls over this budget, and will report upon and recommend any changes required in accordance with TMP6 *Reporting requirements and management information arrangements.*

The Council will account for its treasury management activities, for decisions made and transactions executed, in accordance with appropriate accounting practices and standards, and with statutory and regulatory requirements in force for the time being.

TMP 8 Cash and Cash Flow Management

Unless statutory or regulatory requirements demand otherwise, all monies in the hands of the Council will be under the control of the Chief Finance Officer, and will be aggregated for cash flow and investment management purposes. Cash flow projections will be prepared on a regular and timely basis, and the Chief Finance Officer will ensure that these are adequate for the purposes of monitoring compliance with TMP1[2] *liquidity risk management.* The present arrangements for preparing cash flow projections, and their form, are set out in the schedule to this document.

TMP 9 Money Laundering

The Council is alert to the possibility that it may become the subject of an attempt to involve it in a transaction involving the laundering of money. Accordingly, it will maintain procedures for verifying and recording the identity of counterparties and reporting suspicions, and will ensure that staff involved in this are properly trained. The present arrangements, including the name of the officer to whom reports should be made, are detailed in the schedule to this document.

TMP 10 Training and Qualifications

The Council recognises the importance of ensuring that all staff involved in the treasury management function are fully equipped to undertake the duties and responsibilities allocated to them. It will therefore seek to appoint individuals who are both capable and experienced and will provide training for staff to enable them to acquire and maintain an appropriate level of expertise, knowledge and skills. The Chief Finance Officer will recommend and implement the necessary arrangements including the specification of the expertise, knowledge and skills required by each role or member of staff.

The Chief Finance Officer will ensure that Council members tasked with treasury management responsibilities, including those responsible for scrutiny, have access to training relevant to their needs and those responsibilities.

Those charged with governance recognise their individual responsibility to ensure that they have the necessary skills to complete their role effectively.

The present arrangements including a knowledge and skills schedule, are detailed in the schedule to this document.

TMP 11 Use of External Service Providers

The Council recognises that responsibility for treasury management decisions remains with the organisation at all times. It recognises that there may be potential value in employing external providers of treasury management services, in order to acquire access to specialist skills and resources. When it employs such service providers, it will ensure it does so for reasons which have been submitted to a full evaluation of the costs and benefits. It will also ensure that the terms of their appointment and the methods by which their value will be assessed are properly agreed and documented, and subjected to regular review. It will ensure, where feasible and necessary, that a spread of service providers is used, to avoid overreliance on one or a small number of companies. Where services are subject to formal tender or re-tender arrangements, legislative requirements will always be observed.

The monitoring of such arrangements rests with the Chief Finance Officer, and details of the current arrangements are set out in the schedule to this document.

TMP 12 Corporate Governance

The Council is committed to the pursuit of proper corporate governance throughout its businesses and services, and to establishing the principles and practices by which this can be achieved. Accordingly, the treasury management function and its treasury management activities will be undertaken with openness and transparency, honesty, integrity and accountability.

The Council has adopted and has implemented the key principles of the Code.

This, together with the other arrangements detailed in the schedule to this document, is considered vital to the achievement of proper corporate governance in treasury management, and the Chief Finance Officer will monitor and, if and when necessary, report upon the effectiveness of these arrangements.

Investments that are not part of Treasury Management Activity

Risk Management:

Linked to principles in TMP1, the Council regards a key objective of its non-treasury investments to be the security of the principal sums it invests. Accordingly, it will ensure that robust due diligence procedures covering all non-treasury investment including investment properties.

The risks, and proportionality of, associated with the level of borrowing, ongoing costs and ongoing income are reflected as part of the council's Capital Strategy. New PWLB borrowing regulations now prohibit the purchase of new investment properties (i.e. assets primarily purchased for yield) and the Council will avoid this activity to retain access to PWLB funding.

Performance and Management

Linked to principles in TMP2, the strategic management and reporting of Investment Properties performance is the responsibly of the Director of Pride of Place with support from the Chief Finance Officer. A Project Board for the Management of Investment properties will meet on a quarterly basis to review performance.

The operational management of these properties is sourced by the Council, primarily from the TDA Group.

The monitoring of the performance of loans and guarantees will be undertaken by the Chief Finance Officer.

Decision Making, Governance and organisation

Linked to the principles in TMP5, for Investment Properties the approval to dispose are taken by the Cabinet

Loans and Guarantees are approved by Council, subject to the officer scheme of delegation.

Reporting and Management Information

Linked to the principles in TMP6, for Investment Properties the risks are assessed in reporting to the Overview and Scrutiny Board and to Council in the Capital Strategy.

Loans and Guarantees are to be included in TM reporting to Audit Committee

Training and Qualifications (linked to the principles in TMP10)

The Council sources appropriate expertise from, primarily, the TDA and external advisors as required.

A list of the qualifications and relevant training by members of the Cabinet, Audit Committee and Overview and Scrutiny Board will be maintained.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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